

Florida

Department of Highway Safety and Motor Vehicles

Division of Motorist Services

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| PROCEDURE | SUBJECT: | |
| TL-69 | ELECTRONIC LIEN AND TITLE (ELT) PROGRAM | |
| DESCRIPTION AND USE: | | |
| THIS PROCEDURE PROVIDES INFORMATION AND INSTRUCTIONS TO ASSIST TAX COLLECTOR EMPLOYEES, LICENSE PLATE AGENCY EMPLOYEES, AND THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES WITH THE ELT (ELECTRONIC LIEN AND TITLE) PROGRAM. | | |
| I. | <p>PROVISIONS OF LAW:</p> <p>Section 319.24(8), Florida Statutes, provides that notwithstanding any requirements in this section or in 319.27, Florida Statutes, if there are one or more liens or encumbrances on the motor vehicle or mobile home, the department shall electronically transmit the lien to the first lienholder and notify the first lienholder of any additional liens. Subsequent lien satisfactions shall be electronically transmitted to the department and must include the name and address of the person or entity satisfying the lien. When electronic transmission of liens and lien satisfactions is used, the issuance of a certificate of title may be waived until the last lien is satisfied and a clear certificate of title is issued to the owner of the vehicle. In subsequent transfer of ownership of the motor vehicle, it shall be presumed that the motor vehicle title is subject to a lien as set forth in section 319.225(6)(a), Florida Statutes, until the title to be issued pursuant to this subsection is received by the person or entity satisfying the lien.</p> <p>Section 319.27(7), Florida Statutes, provides that the department shall establish and administer an electronic titling program that requires the electronic recording of vehicle title information for new, transferred, and corrected certificates of title. Lienholders shall electronically transmit liens and lien satisfactions to the department in a format determined by the department. Individuals and lienholders who the department determines are not normally engaged in the business or practice of financing vehicles are exempt from maintaining their lien electronically.</p> <p>Section 319.40(2), Florida Statutes, authorizes the department to issue an electronic certificate of title in lieu of printing a paper title.</p> <p>Section 328.15(5)(b), Florida Statutes, authorizes the department to establish and administer an electronic titling program that requires the recording of vessel title information for new, transferred, and corrected certificates of title. Lienholders shall electronically transmit liens and lien satisfactions to the department in a format determined by the department. Individuals and lienholders who the department determines are not normally engaged in the business or practice of financing vessels are not required to maintain their lien electronically.</p> <p>Section 328.30(2), Florida Statutes, authorizes the department to issue an electronic certificate of title in lieu of printing a paper title.</p> | |
| <i>Revision(s) to this Procedure: Added VII, C, on page 5.</i> | | |
| EFFECTIVE DATE | REVISION DATE | PAGE # |
| Immediately | 07/01/13 | TL-69-01 |

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II. GENERAL INFORMATION:

The electronic lien and title (ELT) program requires that all titles with liens will be held electronically. Additionally, lien notifications and satisfactions must be transmitted electronically between the department and the lienholder. This means that most lienholders are required to be ELT participants.

Beginning January 1, 2013, all titles without liens will default to electronic until the customer explicitly chooses to have the title printed. A paper title certificate DOES NOT exist; the title information is in electronic form on the department's database. Therefore, it is referred to as an "electronic title or e-title."

The ELT program replaces paper titles with electronic titles, which for lienholders reduces handling, storing, and mailing costs associated with paper titles.

Participating lienholders will no longer:

- retrieve a title from a conventional file when the lien has been satisfied.
- physically satisfy (sign off) a lien on a title.
- mail a title to a customer.
- apply for a duplicate title to replace a lost title.

III. PROCESS FOR MANDATORY PARTICIPATION BY LIENHOLDERS:

Florida's Electronic Lien and Title (ELT) program requires mandatory participation from lenders. By January 1, 2013 and thereafter, businesses and individuals who regularly engage in the business or practice of financing vehicles or vessels are required to be ELT participants.

Individuals and businesses not in the business of financing vehicles are not required to be ELT participants. An ELT exception reason is required whenever a lien is added using a non-ELT participant. Processing of titles with existing liens will also require an ELT exception reason for each existing lien held by a non-ELT lienholder.

- A. Lenders must be connected to the department electronically for software and record management needs so they can transmit liens and lien satisfactions in a prescribed format to the department and receive titles electronically. This also applies to out-of-state lienholders engaged in the business or practice of financing vehicles or vessels purchased by Florida residents if they are to be titled in Florida.
- B. Lenders need to contract with a department-approved service provider in order to connect with the department for the ELT program. For a list of department-approved service providers, visit the following link: [Current ELT Providers](#)
- C. A department-approved ELT service provider is an entity that has entered into a written agreement with the department to provide electronic title and lien services for ELT lienholders. To become a department-approved ELT third party service provider, the business must secure a surety bond and provide a surety bond power of attorney. For samples of these documents, visit the following link:
http://www.flhsmv.gov/html/DMV/ELT_Bond_PowerOfAttorney.pdf.

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D. To enroll in Florida’s ELT program and complete the ELT application process, lenders need to visit the department’s website at: www.flhsmv.gov and follow the instructions below.

1. Select ‘Handle It Online’.
2. In the dropdown box, select ‘All Options’.
3. On the left side of the page, select ‘Electronically Maintained Titles’.
4. Download and complete form HSMV 82150, Application and Notice of Interest - Electronic Lien and Title Process.
5. Forward completed form HSMV 82150 to the lender’s chosen service provider.

E. Once the lender has contracted with a service provider and installed the necessary computer hardware and software, form HSMV 82150 will be forwarded to the department with a request for a startup date.

F. A lender will send loan information to the service provider. Then, the department will send electronic title and lien notifications to the service provider, where the transactions will be matched and records maintained.

G. As the lien(s) are being satisfied, the service provider will forward lien satisfactions from the lienholder to the department and will receive an electronic confirmation from the department. A service provider also provides reporting services for a lender.

H. When the owner satisfies the electronic lien, the lienholder is required to notify the department by sending a lien satisfaction electronically to the department.

1. When the sole remaining lien is being satisfied, instead of issuing a paper title, the department will send a letter to the primary owner that the title is being held electronically. The title will remain electronic until the owner requests a paper title.
2. When a lien remains after the electronic lien is satisfied, the title remains electronic. If the primary lienholder is an ELT participant, he is sent an e-title; if he is not, he is sent a letter explaining that his lien is being held electronically.

IV. HOW THE E-TITLE PROCESS WORKS:

A. All titles will be held electronically until the owner or lienholder specifically requests to have the title printed.

B. Owners with e-titles can request a paper title be printed, which can be mailed to them. There is a service fee of \$2.50 to convert an e-title to paper for mailing. Owners can get a printed title by visiting the department’s website: <https://www.flhsmv.gov/motor-vehicles-tags-titles/liens-and-titles/>.

An owner with an e-title can obtain a paper title immediately while they wait (fast title) at a tax collector office that offers same day title printing for \$10.00. See TL-10 and TL-11 for information regarding originals and transfers with an electronic title.

C. The same documents and proof of identification required to apply for a paper title are also required for an electronic title. Title documents are examined and entered into the department's database in the same manner as when issuing a paper title. See TL-01 for signature and identification requirements for applications for a certificate of title.

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| <p>D. The current process for repossession of a vehicle with an electronic title and lien will remain unchanged.</p> <ol style="list-style-type: none">1. When the lienholder requests a title in their name, a Title Transfer must be processed. When the question, ‘Is this a repossession?’ is answered YES, the system will delete the lien, transfer ownership of the vehicle to the primary lienholder, and provide the option to print a Fast Title or a Mailed Title.2. Repossession with reassignment of the lien for a title with a primary ELT lien cannot be performed until the lienholder has converted the title to paper and his lien has become a non-ELT lien.3. Repossession with reassignment of the lien is allowed (in a roundabout way) on titles with a primary non-ELT lien (whether the electronic title status is electronic or paper). The user must perform a Title Transfer transaction, answer NO to “Is this a repossession?”, reassign the lien to the new lienholder customer, change the titled owner to the new lienholder customer, and answer YES to the question “Lienholder same as Primary owner on reassign. Would you like to delete this lien?” The option to print a Fast Title or a Mailed title will be provided. <p>V. BENEFITS OF THE ELT PROGRAM:</p> <ul style="list-style-type: none">• Reduces title fraud.• Reduction of title paper usage.• Faster notification of lien satisfactions.• Reduction in storage of title documents.• Access to expedited title printing.• Better customer service.• Reduced costs. <p>VI. USEFUL LINKS:</p> <ul style="list-style-type: none">• Information Advisory-Florida Electronic Lien and Title (ELT) Program• ELT Lienholder Application HSMV 82150• ELT Bond & Power of Attorney Sample Language• Current ELT Providers• If you are a dealer or lienholder, click here for E-Title frequently asked questions and common scenarios. | |
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VII. MISCELLANEOUS INFORMATION:

- A. When FRVIS reflects an electronic title status of “Electronic” and the motor vehicle, vessel, or mobile home is traded in to a Florida dealership, form HSMV 82994, Motor Vehicle Title Reassignment Supplement, (Revised 04/07 or later), must be completed by the owner(s) reassigning ownership to the Florida dealer. When the dealer sells the motor vehicle, vessel, or mobile home, to a Florida resident, the dealer will complete an additional form HSMV 82994, Motor Vehicle Title Reassignment Supplement, reassigning ownership to the purchaser(s). However, when the Florida dealer is selling the motor vehicle, vessel, or mobile home to an out of state purchaser, the dealer must request the certificate of title be printed through the local tax collector’s office.
- B. When FRVIS reflects an electronic title status of “Electronic,” a paper title may be requested at any time through the Tax Collector/License Plate agency or through the department’s website upon payment of the applicable fees. Paper titles are generally mailed within two (2) days of receipt of the request. A paper title may be printed at the request of the owner(s) as an expedited title upon payment of the fast title fee. When an electronic title is requested to be printed by the owner(s) and there is no lien showing on record, the issue date of the certificate of title and title status will remain the same as when the certificate of title was initially processed. The process date shown in history will change to indicate the date the certificate of title was printed.
- C. When FRVIS reflects an electronic status of “Electronic” and the motor vehicle is being sold to an individual who has agreed to allow the title to remain electronic, the buyer and seller must complete a form HSMV 82994, Motor Vehicle Title Reassignment Supplement, reassigning ownership and completing the odometer disclosure, at the tax collector’s office or license plate agency. However, if a vessel or mobile home is being sold and the title will remain electronic, the buyer and seller may use a form HSMV 82092, Reassignment Document For An Electronic Certificate of Title, in lieu of the form 82994, as an odometer reading is not required. This form may also be used for odometer exempt vehicles, when applicable.**
- D.** See TL-04 for correcting lien information on an Electronically held Title where the title has been processed (not printed) and a correction is requested.
- E.** See Exhibit A for more frequently asked questions and answers.
- F.** See Exhibit B for a sample letter, which is sent to non-ELT lienholders. This is referenced in Question 13 item A of Exhibit A.

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EXHIBIT A

FREQUENTLY ASKED QUESTIONS AND ANSWERS

1. Q. Will EFS providers only be able to select ELT lienholders when processing title work?
A. Yes. Dealers using EFS may only add liens for ELT lienholders. They will **not** be allowed to process liens using an ELT exception reason.
2. Q. Since all Florida lienholders will be required to be electronic, does DHSMV plan to merge all lienholder records in FRVIS into one valid ELT customer number?
A. Yes. The Department plans to merge existing lienholder customers into the valid ELT customer. This will be a lengthy process. However, since all lienholders are now required to be in the ELT customer list (unless an exception reason is entered) the number of lienholders to choose from has been greatly reduced. Please note that while we are merging the existing lienholder customers, you can help make this process a success by monitoring the use of non-ELT reasons using the new report (Non-ELT Liens). Please verify that all customers listed on this report **are not and should not be ELT lienholders**. **NOTE:** In some cases a new customer number for ELT was created for some lienholders. This was very limited and we plan to merge any records associated with these lienholders.
3. Q. What is the purpose of the new Non-ELT Liens (EOD) Report?
A. The report was developed to assist supervisors in monitoring the use of non-ELT reasons while their staff (or new staff) is getting accustomed to this new procedure. It does not have to be sent to DHSMV.
4. Q. If a customer moves to Florida with an out-of-state lien on their vehicle, how will we know if the out-of-state lienholder is exempt from Florida's mandatory ELT law?
A. Florida will record existing lienholder information appearing on non-Florida titles when a new Florida resident applies to transfer a vehicle title. Use the ELT exception reason of 'Pre-existing out-of-state lien' when adding this lien only if the lienholder is not enrolled in the ELT program. This will cause a paper title to be printed and mailed to the out-of-state lienholder.
5. Q. Are out-of-state lienholders required to participate in the mandatory ELT Program?
A. Out-of-state lienholders engaged in the business or practice of financing vehicles or vessels purchased by Florida residents, to be titled in Florida, must participate in the mandatory ELT Program. Out-of-state lenders who loan money with the intent of adding a lien to a Florida titled vehicle are also required to participate. Out-of-state lienholders who finance vehicles to be titled only in other states are not required to participate.
6. Q. Can the lienholder of a Non-ELT lien obtain a paper title without satisfying the lien?
A. Yes. If the appropriate documentation has been submitted and the title pending flag has been removed (a batch process which occurs on the 4th business day after the transaction has been processed removes this flag), the "Print Electronic Title" transaction may be used to print the paper title for the lienholder. **Please note the following:**
 1. The lienholder has the option of requesting a fast tile or having the title mailed.
 2. The request to print an electronic title with a non-ELT lien can only be made through FRVIS; it is not available using Virtual Office.

EXHIBIT A (pg. 2 continued)

7. Q. How do I determine if the lienholder should be an ELT lienholder?
- A. If the lienholder is in the business of financing vehicles and/or vessels then they will be required to enroll in the ELT Program before any transactions are processed.
Please note: Each case must be considered on an individual basis. A decision will be made based on your discussions with the lienholder/customer who is requesting a title to be processed showing them as the lienholder.
- B. If the lienholder does not meet the requirements for an ELT lienholder an exception reason will be required when processing the transaction.
- C. If you need assistance in determining a lienholders status, please contact the helpdesk for guidance.
8. Q. How does a lienholder become an ELT lienholder?
- A. The lender must first select and contract with a DHSMV approved Service Provider. A list of service providers is available through this link: [Current ELT Providers](#)
- B. Next the lienholder will need to go to DHSMV's official website at: www.flhsmv.gov, Select '*Handle It Online*' and in the drop down box select '*All Options*'; then on the left side of the page select Electronically Maintained Titles, download and complete form HSMV 82150, Application and Notice of Interest Electronic Lien and Title Process. Each lender must complete form HSMV 82150 and forward it to the service provider of their choice.
- C. Once the lienholder has contracted with the service provider and installed the necessary computer hardware and software, the application (form HSMV 82150) will be forwarded to DHSMV with a request for a startup date. DHSMV will assign an account number to the lienholder and notify the service provider of that number. The service provider will in turn contact the lienholder with this information.
9. Q. What do the exception reasons mean?
- A. Individual is the lienholder. ***This should be used only when it has been determined that the individual is not in the business of financing vehicles or vessels.***
- B. Multi-Individual Business customer is the lienholder (***More than one individual holds the lien and a new business customer may need to be created to combine these individuals into one customer record. This business customer must be given the role of lienholder before he can be used as a lienholder.***)
- C. Pre-existing out-of-state lien. ***See answer to question number 4 above.***
- D. Government entity is the lienholder. ***Governmental entities aren't required to be ELT participants.***
- E. Trust is the lienholder. ***The lienholder must be marked as a trust or be the agent for a trust in order for this reason to be used.***
- F. Lien is court ordered.
- G. Delinquent Support lien. ***This exception should only be used by the department when adding a Delinquent Support lien for the Department of Revenue.***
- H. Lien received prior to 2/9/2013. ***This can only be used for transactions with a lien received date prior to February 9, 2013. This exception reason can be used on any lien existing before ELT participation became mandatory.***
- I. Business is an infrequent lienholder. ***A business customer who is not an ELT participant may have a maximum of 2 liens within a 12-month period.***

EXHIBIT A (pg. 3 continued)

10. Q. Do vehicle and vessel dealers need to be enrolled in the mandatory ELT Program?
- A. If the dealer is in the business of financing vehicles or vessels, they must they must enroll in the ELT program.
11. Q. If a lienholder is exempt from Florida's mandatory ELT, will the Helpdesk continue to create the customer in FRVIS or will this role be given to a select few employees in each county?
- A. Field Support will continue to add the role of lienholder to a customer. Once the customer has been added, you will need to use the appropriate exception reason when adding the customer as a lienholder to the title record.
12. Q. How do I choose the correct ELT lienholder?
- A. The lienholder's DHSMV account number (which is the FRVIS assigned customer number) should be listed on the application. If this is missing, enter a few characters of the lienholder's name into the ELT search field and tab. A list will be presented showing only the ELT customers with a name starting with the letters that were keyed. This will greatly reduce the number of entries you will have to scroll through to find the correct customer. You must use the ELT customer even when the address does not match the address on the application.
13. Q. How does the non-ELT lienholder with an electronic title know his lien has been recorded?
- A. A letter will be sent to the lienholder stating that the lien has been added to the electronic title. Instructions for satisfying the lien are also included in the letter. See Exhibit B.
- B. MV check shows the lien information and the electronic title status. Lienholders can go to <https://services.flhsmv.gov/MVCheckWeb/> for more information.
- C. The 82041 will show the name and address of the lienholder under "Lien Information".



2900 Apalachee Parkway
Tallahassee, Florida 32399-0500
www.flhsmv.gov

System date

Primary Motor Vehicle Lienholder
Primary Motor Vehicle Lienholder mailing address
City, state zip code

Dear Motor Vehicle Lienholder:

In accordance with Florida Statutes, the Department of Highway Safety and Motor Vehicles is authorized to hold all titles electronically. This means that the Department will not print a certificate of title unless the lienholder or owner specifically requests a paper title.

Because your name is shown as the primary lienholder on the title record for the YEAR MAKE MAKE DESCRIPTION with vehicle identification number (VIN) XXXXXXXXXXXXXXXXXXXX, the Department is notifying you that this title is being held in an electronic format. At this time, you are not required to take any action. However, if you need a paper title, you may visit a tax collector office and pay the fees required to print the title.

When the owner of the motor vehicle shown on the certificate of title described above satisfies the lien, you, as the lienholder, are required to notify the Department within 10 days of the lien being satisfied. Please follow the steps below when satisfying the lien:

1. Complete form HSMV 82260, Lien Satisfaction (<https://www.flhsmv.gov/pdf/forms/82260.pdf>),
2. Mail this form to the Department at the address provided, and
3. Notify the registered owner that the lien has been satisfied. Provide a copy of this letter to the owner.

Once the lien has been satisfied, the title will remain electronic until a request for a paper title is received from the owner. Usually a paper title is only needed when the owner is selling the vehicle or transferring title to the vehicle rather than trading it with a Florida dealership.

When an owner needs the paper title, he/she can request to have it mailed to him/her using the Department's website (<https://www.flhsmv.gov/motor-vehicles-tags-titles/liens-and-titles/>). A service fee of \$2.50 is charged when this method is used to convert the electronic title to a paper title. If necessary, the owner can obtain a paper title immediately from a tax collector office that offers same day title printing for \$10.00 (<https://www.flhsmv.gov/locations/>).

For more information about electronic titles or becoming an ELT provider, visit the following website:

<https://www.flhsmv.gov/motor-vehicles-tags-titles/liens-and-titles/>.

If you have any questions, please contact our Customer Service Center at (850) 617-2000.