



**Terry L. Rhodes**  
Executive Director

2900 Apalachee Parkway  
Tallahassee, Florida 32399-0500  
[www.flhsmv.gov](http://www.flhsmv.gov)

Date: December 21, 2015

TO: Police Departments, Sheriff's Offices and Code Enforcement Agencies

FROM: Julie W. Gentry, Chief,  
Bureau of Dealer Services  
Florida Department of Highway Safety and Motor Vehicles

SUBJECT: Curbstoning, Section 316.1951, Florida Statutes

Section 316.1951(1), Florida Statutes, prohibits the parking of any vehicle for the purpose of sale on public streets, highways, parking lots or property or on private property where the public has the right to travel. Curbstoning is the term used to describe the practice of unlawfully selling motor vehicles along the curb, right of way, or in vacant or unmonitored lots. By definition, it includes private owners or licensed dealers parking on public property without permission. But typically, curbstoning involves unlicensed dealers or repair shops selling vehicles curbside, which are not titled to them. Curbstoning does not involve private owners selling their own personal cars on private property.

Frequently, curbstoned vehicles have undisclosed defects, damage, odometer discrepancies, and outstanding liens. In addition, the paperwork that establishes the chain of ownership for many curbstoned vehicles is often not filed with the Department so that the current owners (unlicensed persons or repair shops) can avoid paying sales taxes and registration fees by selling these vehicles without first taking title into their own names.

Any person, firm, partnership or corporation that buys, sells, offers for sale, displays for sale or deals in three or more motor vehicles in any 12-month period meets the statutory definition of a motor vehicle dealer as defined in section 320.27(1)(c), Florida Statutes, and must have a dealer license issued by the state. Only licensed dealers may sell or offer for sale three or more vehicles in any 12-month period, and only licensed dealers may sell vehicles on consignment, which are not titled to them.

When three or more curbstoned vehicles bear the same phone number, they are subject to immediate tow per section 316.1951(8), Florida Statutes. Section 316.1951(11), Florida Statutes, authorizes law enforcement officers, as well as local government compliance officers and code enforcement officers from any local government agency, to issue citations for curbstoning in addition to having the offending vehicles immediately removed.

The penalty for a citation is a \$500 fine per section 318.18(21), Florida Statutes. The governing authority that authorizes towing of the vehicle retains all of the fines collected under this subsection. The towing/storage yard cannot release the vehicle to its owner until proof is furnished that the \$500 fine has been paid to the citation-issuing agency.

Our Agency encourages you to participate in this consumer protection program. If you have any questions on how to implement this program, please contact Diane Buck at 561-640-6827 or [dianebeck@flhsmv.gov](mailto:dianebeck@flhsmv.gov). The Department stands ready to assist you in any way possible.

# CURBSTONING ENFORCEMENT

Section 316.1951 Florida Statute



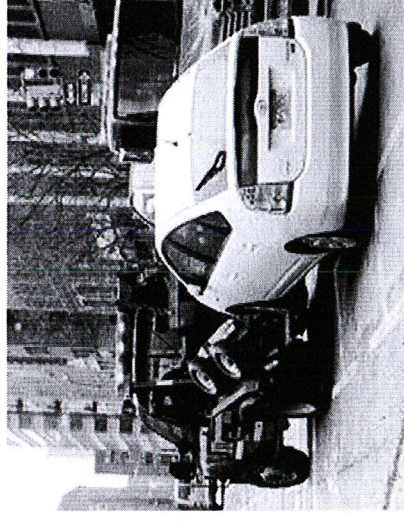
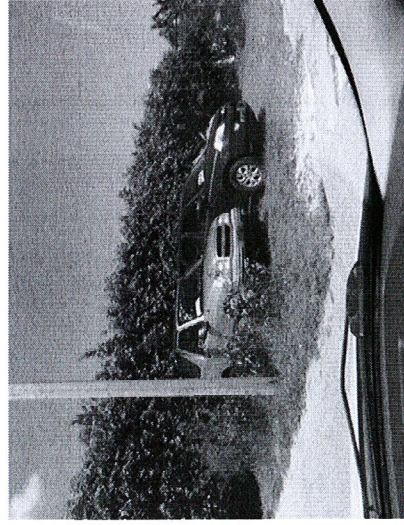
# House Bill 631



Governor Charlie Crist signed House Bill 631 into law, and it took effect July 1, 2010. The law allows any law enforcement agency, code enforcement agency or the Florida Department of Highway Safety and Motor Vehicles to assess a fine pursuant to Florida Statute 318.18(21) to the owner of any vehicle towed in violation of the Curbstoning laws F.S. 316.1951(4). A local government may adopt an ordinance to allow the towing of a motor vehicle parked in violation of this section. The enforcing agency that authorizes the tow will retain the fine. The present fine is \$500.00 as of October 1, 2015 due to legislative changes.

**Note:** Other City Ordinances have been provided as samples.

# What is Curbstoning?



## **316.1951(1)**

It is unlawful for any person to park a motor vehicle, as defined in s. 320.01, upon a public street or highway, a public parking lot, or other public property, or upon private property where the public has the right to travel by motor vehicle, for the principal purpose and intent of displaying the motor vehicle thereon for sale, hire, or rental unless the sale, hire, or rental of the motor vehicle is specifically authorized on such property by municipal or county regulation and the person is in compliance with all municipal or county licensing regulations.

# Examples of Curbstoning

Curbstoning was given the name due to the illegal practice of buying and selling vehicles without a Dealer's license. Curbstoners usually park and display their vehicles for sale in high traffic locations. Often these locations are on right of ways and locations such as utility or pipeline easements, gas stations, convenience stores, repair facilities, supermarket parking lots, public parking lots and vacant lots.

A vehicle found in violation of one of the following listed below is subject to immediate removal without warning:

- ▣ Sales by a licensed motor vehicle dealer without an off premises permit at locations other than their license location (immediate removal)
- ▣ vehicle identification number (VIN) has been destroyed, removed, covered, altered, or defaced (immediate removal)
- ▣ registration not assigned or transferred to the vehicle (immediate removal)
- ▣ does not have a valid registration (immediate removal)
- ▣ bears a telephone number that has been displayed on 3 or more other vehicles within a 12 month period (immediate removal)

## **316.1951(2)**

The provisions of subsection (1) do not prohibit a person from parking his or her own motor vehicle or his or her other personal property on any private real property which the person owns or leases or on private real property which the person does not own or lease, but for which he or she obtains the permission of the owner, or on the public street immediately adjacent thereto, for the principal purpose and intent of sale, hire, or rental.

**Note:** Vehicles must be in compliance with all municipal or county licensing regulations.





### **316.1951(3)**

Subsection (1) does not prohibit a licensed motor vehicle dealer from displaying for sale or offering for sale motor vehicles at locations other than the dealer's licensed location if the dealer has been issued a supplemental license for off-premises sales, as provided in s. 320.27(5), and has complied with the requirements in subsection (1). A vehicle displayed for sale by a licensed dealer at any location other than the dealer's licensed location is subject to immediate removal without warning.

## **316.1951(4)**

A local government **may adopt** an ordinance to allow the towing of a motor vehicle parked in violation of this section. A law enforcement officer, compliance officer, code enforcement officer from any local government agency, or supervisor of the department may issue a citation and cause to be immediately removed at the owner's expense any motor vehicle found in violation of subsection (1), except as provided in subsections (2) and (3), or in violation of subsection (5), subsection (6), subsection (7), or subsection (8), and the owner shall be assessed a penalty as provided in s. 318.18(21) by the government agency or authority that orders immediate removal of the motor vehicle. A motor vehicle removed under this section shall not be released from an impound or towing and storage facility before a release form prescribed by the department has been completed verifying that the fine has been paid to the government agency or authority that ordered immediate removal of the motor vehicle. However, the owner may pay towing and storage charges to the towing and storage facility pursuant to s. 713.78 before payment of the fine or before the release form has been completed.



## **316.1951**

- (5)** It is unlawful to offer a vehicle for sale if the vehicle identification number has been destroyed, removed, covered, altered, or defaced, as described in s. 319.33(1)(d). A vehicle found in violation of this subsection is subject to immediate removal without warning.
- (6)** It is unlawful to knowingly attach to any motor vehicle a registration that was not assigned or lawfully transferred to the vehicle pursuant to s. 320.261. A vehicle found in violation of this subsection is subject to immediate removal without warning.
- (7)** It is unlawful to display or offer for sale a vehicle that does not have a valid registration as provided in s. 320.02. A vehicle found in violation of this subsection is subject to immediate removal without warning. This subsection does not apply to vehicles and recreational vehicles being offered for sale through motor vehicle auctions as defined in s. 320.27(1)(c)4.

## **316.1951**

- (8)** A vehicle is subject to immediate removal without warning if it bears a telephone number that has been displayed on three or more vehicles offered for sale within a 12-month period.
- (9)** Any other provision of law to the contrary notwithstanding, a violation of subsection (1), subsection (5), subsection (6), subsection (7), or subsection (8) shall subject the owner of such motor vehicle to towing fees reasonably necessitated by removal and storage of the motor vehicle and a fine as required by s. 318.18.
- (10)** This section does not prohibit the governing body of a municipality or county, with respect to streets, highways, or other property under its jurisdiction, from regulating the parking of motor vehicles for any purpose.
- (11)** A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318, unless otherwise mandated by general law.

# CURBSTONING INVESTIGATIVE WORKSHEET (HSMV 84046)

**FLORIDA**  
DEPARTMENT OF TRANSPORTATION  
 BUREAU OF MOTOR VEHICLE FIELD OPERATIONS

**CURBSTONING INVESTIGATIVE WORKSHEET**

FEDERAL VEHICLE IDENTIFICATION NUMBER: \_\_\_\_\_ TITLE: \_\_\_\_\_  
 VIN: \_\_\_\_\_ MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_ YEAR: \_\_\_\_\_  
 LICENSE PLATE: \_\_\_\_\_ TITLE: \_\_\_\_\_  
 REGISTRATION: \_\_\_\_\_ SALES TAX: \_\_\_\_\_  
 TITLE: \_\_\_\_\_

LICENSE INFORMATION:  NEW  RENEWED  TRANSFERRED  REISSUED  REINTEGRATED  
 LICENSE PLATE OWNER CONTACTED:  YES  NO

TYPE:  METAL  OTHER THAN METAL  DEALER  TEMPORARY  NONE   
 PLATE NUMBER: \_\_\_\_\_ STATE: \_\_\_\_\_ EXPIRES: \_\_\_\_\_ ASSIGNED TO NAME AS ABOVE

REGISTERED TO: \_\_\_\_\_ VIN NUMBER: \_\_\_\_\_  
 REGISTERED ADDRESS: \_\_\_\_\_

OTHER CONTACT ATTEMPTS:  
 DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ NAME: \_\_\_\_\_  
 NOTES: \_\_\_\_\_

PROPERTY OWNER/LESSEE:  
 DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ NAME: \_\_\_\_\_  
 NOTES: \_\_\_\_\_

TOWING INFORMATION:  
 PUP/DATCHER: \_\_\_\_\_ PH/CAO CASE #: \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_  
 TOW COMPANY: \_\_\_\_\_ PHONE NUMBER: \_\_\_\_\_

HSMV 84046 Rev. 9/13

❖ If a vehicle is suspected to be in violation of the curbstoning law, this form is completed by the Compliance Examiners upon arrival at the location. (Page 1)

# CURBSTONING INVESTIGATIVE WORKSHEET (HSMV 84046)

## CURBSTONE TOWING INSTRUCTIONS

- STEP 1: Verify that the vehicle is in violation of §§ 216.1592, 202.27(3), 202.77(7), 202.77(17).
- STEP 2: Obtain title and registration information via eTitle and complete the Curbstone Investigative Worksheet, HSMV 84046.
- STEP 3: Call FHP to request tow truck for a curbstoned vehicle. Get the dispatcher's name and radio number.
- STEP 4: Complete the Inventory and Towing Record (HSMV 84115).
- STEP 5: When the tow truck arrives and the vehicle is loaded:
- A. Complete the Curbstone Citation (HSMV 84117) - be sure to note the tow truck's tag number on the citation.
  1. attach the white copy of the citation to the inventory and towing record or tape it to the windshield of the vehicle. The citation can be given to the customer if they are present.
  - B. Have the tow truck driver sign the inventory and Towing Record (HSMV 84115). Give the driver his copy with citation.
- STEP 6: Ask the customer and advise them that the vehicle was towed, explain that they need to pay the fine before clearing the vehicle from the tow company.
- STEP 7: Call the back to and advise them the vehicle is in the custody of the tow company. Advise them if you made contact with the owner.
- STEP 8: Fax or email the Curbstone Investigative Worksheet to FHP by the next business day.
- STEP 9: Submit the Curbstone Investigative Worksheet, the inventory & Towing Record and the yellow copy of the citation to the

## CANCELLING TOW REQUEST (If Necessary)

If not towed because the vehicle was removed prior to the tow truck's arrival:  
IMMEDIATELY NOTIFY FHP TO CANCEL THE TOW REQUEST.

FHP DISPATCHER: \_\_\_\_\_ TAG# \_\_\_\_\_

COMPLIANCE EXAMINER PRINTED: \_\_\_\_\_

COMPLIANCE EXAMINER SIGNATURE: \_\_\_\_\_

OTHER DIVISION MEMBER PRINTED: \_\_\_\_\_

OTHER DIVISION MEMBER SIGNATURE: \_\_\_\_\_

❖ If a vehicle is suspected to be in violation of the curbstoning law, this form is completed by the Compliance Examiners upon arrival at the location.  
(Page 2)

# INVENTORY AND TOWING RECORD (HSMV 84118)

Department of Highway Safety and Motor Vehicles  
Division of Motorist Services

## Inventory and Towing Record

**CITATION #:** .....

Date of Towing: ..... Time: ..... A.M./P.M. HEP Case No. ....  
 Name of Owner: .....  
 Address of Owner: .....  
 Year of Vehicle: ..... Make of Vehicle: ..... Body Style: ..... Model: ..... Color: .....  
 Type: ..... Exp. Date: ..... State: ..... VIN #: .....

Location of Vehicle Invented & Towed From: .....

Name of Towing Service: .....

Address where Vehicle is Stored: .....

Vehicle Equipment on Vehicle:

- Stereo
- GPS System
- CB Radio 2 Way Radio
- Cellular Telephone
- Other Equipment

Vehicle Property in Vehicle: .....

Identifying Marks or Damage: .....

Agency Issuing Citation: .....

Telephone Number: .....

Signature: .....

Name: .....

We, the undersigned officers and law enforcement, hereby certify that the above listed items properly inventory visible from the course of the vehicle's travel.

**Vehicles cannot be released from the tow company without payment of fine as rendered per section 316.1951.**

Signature: ..... Title: ..... Signature: ..... Compliance Examiner

Name: ..... Title: ..... Name: ..... Title: Towing Company

White: Registrar/Office Yellow: Compliance Examiner Pink: Towing Company

❖ This form is completed by the Compliance Examiners while they wait for the tow truck to arrive at the location.

# CEASE AND DESIST LETTER SAMPLE

**FLORIDA**  
A BEADED  
SUNSHINE STATE  
DEPARTMENT OF TRANSPORTATION  
FLORIDA DEPARTMENT OF TRANSPORTATION  
3900 BOULEVARD  
TALLAHASSEE, FLORIDA 32310-0001  
www.flhwy.com

Deputy Director  
Operations Division

Office Administration Parkway  
Tallahassee, Florida 32310-0001  
www.flhwy.com

❖ If an owner arrives at the location prior to the tow truck's arrival, a Cease and

Desist Letter should be issued to the the Titled Registered Owner of the vehicle and released only if Owner can provide current Title, Registration and ID.

DATE

Dear Sir/Madam,

You have been found in violation of Florida Statute (F.S.) 316.190.

The boxes checked below indicate what you are being cited for:

The motor vehicle was parked upon a public street or highway, upon a public parking lot or other public property or upon private property where the public has the right to travel, by motor vehicle, for the principal purpose and intent of displaying the motor vehicle for sale.

The vehicle was displayed for sale by a licensed dealer at any location other than the dealer's licensed location.

The vehicle was offered for sale when the vehicle identification number has been destroyed, removed, covered, altered, or defaced, as described in s. 319.33(1)(d).

Knowingly attaching to any motor vehicle a registration that was not assigned or lawfully transferred to the vehicle pursuant to s. 320.241.

Displaying or offering for sale a vehicle that does not have a valid registration as provided in Section 320.02.

The vehicle has a telephone number that has been displayed on three or more vehicles offered for sale within a 12-month period.

We strongly recommend that you immediately cease offering motor vehicles for sale without a motor vehicle dealer license.

Sincerely,

Division of Motor Services - Region IV  
Bureau of Dealer Services

Regional Office Address Stamp

FLORIDA DEPARTMENT OF TRANSPORTATION  
3900 BOULEVARD  
TALLAHASSEE, FLORIDA 32310-0001  
www.flhwy.com

# CEASE AND DESIST LETTER SAMPLE



❖ Cease and Desist Letter sent  
to the Titled Registered  
Owner of the vehicle upon  
tow.

INSERT DATE HERE

INSERT INDIVIDUAL'S NAME HERE  
INSERT ADDRESS HERE  
CITY, STATE, ZIP

Dear Ms. Smith,

You have been found to be in violation of Florida Statute (F.S.) 316.1951, which prohibits the sale of motor vehicles from public right of ways or from private property without the property owner's permission. At 2:23 p.m. on June 28, 2002, a Compliance Examiner from this office noted that a vehicle was offered for sale to you on the public right of way on U.S. Highway 27 near the intersection of Appolon Road and Sun Boulevard in Hollywood, Florida. At 1:36 p.m. on June 30, 2002, a Compliance Examiner from this office noted a different vehicle was offered for sale by you on the public right of way on U.S. Highway 27 near the intersection of Ballard Drive and Coastal Road in North Miami, Florida.

Further violations of F.S. 316.1951 may result in our issuing an injunctive relief against you. More importantly, you appear to be in violation of F.S. 320.27, F.S. which requires a motor vehicle dealer license to sell motor vehicles in Florida.

I strongly recommend that you immediately cease offering motor vehicles for sale without a motor vehicle dealer license.

Sincerely,

Clayton Coleman, Regional Administrator  
Division of Motorist Services - Region IX  
Bureau of Dealer Services  
907 Northpoint Parkway  
Suite 115 & 116  
West Palm Beach, FL 33407  
Office: 561-641-6600  
Fax: 561-641-6633

# CEASE AND DESIST LETTER SAMPLE

Florida Department of Transportation  
2000 South Parkway  
Tallahassee, Florida 32304-3000  
www.floridadot.com



❖ Cease and Desist Letter sent  
to the licensed Dealer after  
vehicle has been towed.

INSERT DATE HERE.

INSERT NAME OF PRINCIPLE HERE  
INSERT DEALERSHIP'S NAME HERE  
INSERT ADDRESS HERE  
CITY, STATE, ZIP

RE: 2016 Porsche VIN: WPO123456789012345  
Displayed for Sale Public right of way, U.S. Highway 27 and Appleton Rd, Hollywood,  
FL 33025  
Date displayed 06/28/15  
Cited by Compliance Examiner

Dear Mr. Doe,

Your dealership has been found in violation of section 316.19(1), Florida Statutes (F.S.), which prohibits the sale of motor vehicles from public right of way or from private property without the property owner's permission. The Compliance Examiner referenced above encountered a vehicle displayed for sale by your dealership while parked on the public right of way at the address referenced above.

In addition, please be aware that offering a vehicle for sale at a location other than your licensed location is a violation of section 320.27(5), F.S., which requires you to obtain an "out premises" sales permit from this office, in all vehicles from any location other than your licensed location. Such violations subject you to administrative actions which may include a fine of suspension or revocation of your motor vehicle dealer license.

Sincerely,

Cathy Coleman, Regional Administrator  
Division of Motorist Services - Region IX  
Bureau of Dealer Services  
901 Northpoint Parkway  
Suite 115-6-115  
West Palm Beach, FL 33417  
Office: 561-664-6820  
Fax: 561-640-6833

This document is a sample and does not constitute an offer of any product or service. It is intended for informational purposes only. For more information, please contact the Florida Department of Transportation at 1-800-999-4777.



# CEASE AND DESIST LETTER SAMPLE



Florida Department of Transportation  
2901 North Florida Avenue  
Tallahassee, Florida 32310-3000  
www.floridadot.com

❖ **Cease and Desist Letter**  
**(page 1) sent to Property**  
**Owner after vehicle has been**  
**towed.**

INSERT DATE HERE

INSERT ADDRESS HERE  
CITY, STATE, ZIP

To Whom It May Concern:

This letter is to advise you of a complaint brought to the attention of the Department of Highway Safety and Motor Vehicles, **Division of Motorist Services, Bureau of Dealer Services, Region IX**. This complaint specifically relates to motor vehicles which are being offered for sale to the public. In some cases, individuals who park motor vehicles on private property and offer them for sale to the public may be in violation of one or more Florida Statutes.

As property owner or manager, you should be aware of the liabilities you may face if you willingly permit those who represent themselves as vehicle owners to park, display, and offer for sale motor vehicles upon your property. One possibility involves zoning authorities. Many local governments disapprove of property, zoned otherwise, being used to display vehicles for sale.

There are also sales tax issues to consider. Even the occasional or isolated sale of a motor vehicle is subject to tax, as specified in Florida Statute 212.05. If the appropriate sales tax is not paid, the Department of Revenue may attempt to collect from any party associated with the sales of a motor vehicle.

**Curbside**

Curbside is a term used to describe the practice of parking a vehicle upon a public street, highway, a public parking lot, or public or private property where the public has a right to travel by motor vehicle, for the purpose of and intent of displaying the vehicle for sale, hire, or rent. **Section 316.1951 prohibits parking motor vehicles for the purpose of curbside** and authorizes law enforcement and the department to tow vehicles that are being curbsided.

This document is intended to provide information only. It is not intended to constitute an offer of insurance or any other financial product. For more information, please contact your insurance agent or the Florida Department of Insurance at 3519 North Florida Avenue, Tallahassee, Florida 32310-3000. © 2010 Florida Department of Insurance.

# CEASE AND DESIST LETTER SAMPLE

Page 2 - Curbstoning Warning Letter

A curbstoner is usually a person who is actively and regularly engaged in the business of buying and selling automobiles without a dealer license, the proper permits, or a legally established place of business. Curbstoners park vehicles at gas stations, supermarkets, convenience stores and other high traffic locations. It is important to note that private individuals are not permitted to buy vehicles for resale without first obtaining a title to the vehicle in their name.

## Curbstoning Harms Consumers

Curbstoning is illegal and the above referenced law was passed for the protection of the general public. The most common crime committed by curbstoners is tax fraud. When a consumer purchases a vehicle, he or she will usually ask that the title be left blank or "open." They allow the curbstoner to bypass the legal requirement of applying for title in their name. They then sell the vehicle to an unsuspecting consumer. By not having their name on the title, the curbstoner is able to pocket the money and avoid paying state sales tax. This also makes it easier for the curbstoner to avoid prosecution in cases of submeter and title fraud.

Sincerely,

Cathy A. Coleman, Regional Administrator  
Division of Motor Services - Region IX  
Bureau of Dealer Services  
901 Northpoint Parkway  
Suite 113 & 116  
West Palm Beach, FL 33407  
Office: 561-846-6820  
Fax: 561-846-6877

❖ **Cease and Desist Letter  
(page 2) sent to Property  
Owner after vehicle has been  
towed.**

# Sample of DHSMV Citation (HSMV 84117)



## CURBSTONING CITATION

Citation # 2241

Date: \_\_\_\_\_  
Location: \_\_\_\_\_  
Time: \_\_\_\_\_

Vehicle: Year \_\_\_\_\_ Make \_\_\_\_\_ Tag # \_\_\_\_\_

Vehicle Identification Number (VIN): \_\_\_\_\_

Unknown:  VIN was covered  
 No tag number was on vehicle

Name and telephone # displayed on vehicle: \_\_\_\_\_

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Towing Company: \_\_\_\_\_

Company's Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone #: \_\_\_\_\_

Issuer's Name: \_\_\_\_\_

Badge #: \_\_\_\_\_

Agency Issuing Citation: \_\_\_\_\_

Agency's Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone #: \_\_\_\_\_

Issuer's Name: \_\_\_\_\_

Badge #: \_\_\_\_\_

Agency Issuing Citation: \_\_\_\_\_

Agency's Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone #: \_\_\_\_\_

Issuer's Name: \_\_\_\_\_

Badge #: \_\_\_\_\_

Agency Issuing Citation: \_\_\_\_\_

Agency's Name: \_\_\_\_\_

## CURBSTONING CITATION

Section 316.195 (1), Florida Statute, provides that it is unlawful for any person to park a motor vehicle, as defined in § 316.011, F.S., for sale upon a public street or highway, a public parking lot or other public property, or upon private property where the public has the right to travel by motor vehicle, for the principal purpose and intent of displaying the motor vehicle for sale, hire or rental unless the sale, hire, or rental of the motor vehicle is specifically authorized on such property by municipal or county regulation and the person is in compliance with all municipal or county licensing regulations. A law enforcement officer or compliance examiner/officer, code enforcement officer, from any local government agency, or supervisor of DHSMV may issue a citation and cause to be immediately removed, at the owner's expense, any motor vehicle found in violation of section 316.195(1), F.S. The owner shall be assessed a penalty as provided in s. 318.18(7); by the government agency or authority that orders immediate removal of the motor vehicle. A motor vehicle removed under this section shall not be released from impound or towing and storage facility before a release form prescribed by the Department has been completed, certifying that the fine has been paid to the government agency or authority that ordered immediate removal of the motor vehicle. However, the owner may pay towing and storage charges to the towing and storage facility pursuant to s. 713.78 before payment of the fine or before the release form has been completed.

## TO RETRIEVE YOUR VEHICLE, YOU MUST:

1. Contact the issuing agency as noted on front of the citation, provide proof of ownership, provide photo identification and make payment of \$300 fine.
2. Issuing agency will provide a release form.
3. You must contact the towing company and provide the release form, legal ownership documents for the towed vehicle, and pay the towing and storage fees as charged by the towing company.

**Vehicle cited for the following:**  
The motor vehicle was parked upon a public street or highway, upon a parking lot, or other public property, or upon private property where the public has the right to travel by motor vehicle, for the principal purpose and intent of displaying the motor vehicle for sale, hire or rental unless the sale, hire or rental of the motor vehicle is specifically authorized on such property by municipal or county regulation and the person is in compliance with all municipal or county licensing regulations.

A vehicle removed under this section shall not be released from impound or towing and storage facility before a release form prescribed by the Department has been completed, certifying that the fine has been paid to the government agency or authority that ordered immediate removal of the motor vehicle.

A vehicle that does not have a valid registration or license shall not be released from impound or towing and storage facility until the appropriate fees are paid to the Department.

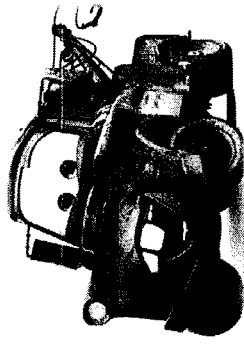
**IMPORTANT NOTE:** This citation provides that a vehicle removed under this section shall not be released from impound or towing and storage facility before a release form prescribed by the Department has been completed, certifying that the fine has been paid to the government agency or authority that ordered immediate removal of the motor vehicle.

ISSUED BY: FLORIDA DEPARTMENT OF TRANSPORTATION, DIVISION OF

# AFTER the VEHICLE is TOWED

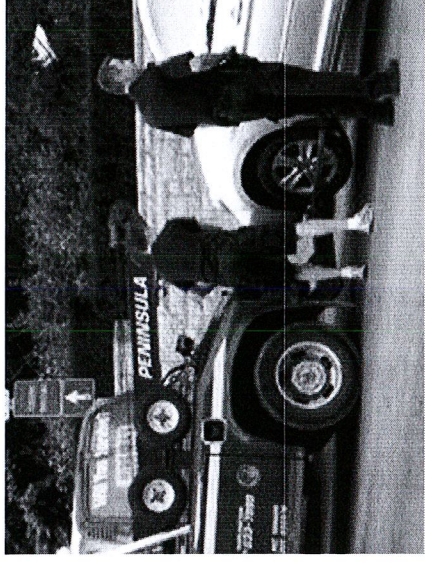
We recommend that you call the number that was listed on the vehicle for sale and inform the Owner, Dealer or Agent of the following:

- The requirement to pay a \$500 fine
- Where the fine should be paid
- They will receive a release form once the \$500 fine is paid
- The Title and Registration is required to be in the owner's name
- Dealers must bring in their License, be an Officer on the License which can be checked on SunBiz.org, Title is Required in Dealers Name for Release so the Department can track their curbstone activity
- No Reassignments or Jumping Titles
- The release form will allow the owner to pick up the vehicle from the tow company once towing fines are paid



# Release of Towed Vehicles Departmental Form Required

A motor vehicle removed under this section shall not be released from an impound or towing and storage facility before a release form prescribed by the Department has been completed verifying that the fine has been paid to the government agency or authority that ordered immediate removal of the motor vehicle. However, the owner may pay towing and storage charges to the towing and storage facility pursuant to s. 713.78 before payment of the fine or before the release form has been completed.



# SAMPLE of HSMV 84060 FORM VEHICLE RELEASE AUTHORIZATION

STATE OF FLORIDA  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
DIVISION OF MOTOR VEHICLES  
NEIL KIRKMAN BUILDING, TALLAHASSEE, FLORIDA 32399-0600

## AUTHORIZATION TO RELEASE VEHICLE AFTER CURBSTONING CITATION

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Vehicle: \_\_\_\_\_ Year: \_\_\_\_\_ Make: \_\_\_\_\_

VIN#: \_\_\_\_\_

TAG #: \_\_\_\_\_  
and/or

**Vehicle Owner's Information:**

Owner's Name: \_\_\_\_\_ Driver License ID Card Number: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Towing Company: \_\_\_\_\_

Company's Name: \_\_\_\_\_ (Area Code) Phone #: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

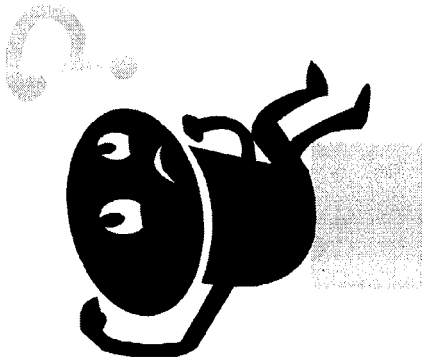
Any person that endorses this document other than the authorized person prescribed by the Department Agency may be charged with forgery, in violation of section 831.01, F.S., a third degree felony punishable up to 5 years in prison and/or a \$5,000.00 fine.

Any person that utters or presents this document, knowing that it was falsely signed may be charged with uttering a forged instrument in violation of section 831.02, F.S., a third degree felony punishable up to 5 years in prison and/or a \$5,000.00 fine.

Completion of this form indicates that the fine associated with violation of section 316.1951, F.S., has been paid. Please take this form to the towing company that is storing the vehicle and after paying towing and storage fees, the vehicle can be released.

Customer's Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Authorizing Agency Representative's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

HSMV 84060 (0" 10)



ANY QUESTIONS?

