

**STATE OF FLORIDA**  
**Florida Motor Vehicles**

<b>PROCEDURE #</b>  RS-50	<b>SUBJECT:</b> WITHHOLDING REGISTRATION FOR FAILURE TO PAY FINES (D6), DELINQUENT SUPPORT, A BAD CHECK, DRIVING UNDER THE INFLUENCE, UNPAID REGISTRATION FEES TO A DEALER, OR A WRECKER OPERATOR'S LIEN
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**NOTE:** Any time law enforcement authorizes a tow from private property, it is considered a "private tow." A person's property or a business address (Wal-Mart, Sears, etc.) is considered private property. A vehicle/vessel sitting beside the highway is public. A certificate of destruction may be issued for a private or a public tow, however, if the vehicle was towed from private property, a wrecker operator's lien may not be placed against the owner.

Section 713.01(1), Florida Statutes, defines "Abandoned Property" as all tangible personal property (vehicle, mobile home or vessel) that has been disposed of on PUBLIC property in a wrecked, inoperative or partially dismantled condition.

Section 713.78(13)(b), Florida Statutes, states that the amount of the wrecker operator's lien for which the department will prevent issuance of a license plate or revalidation sticker may not exceed the amount of the charges for recovery, towing, and storage of the vehicle or vessel for 7 days.

Section 713.78(13)(c), Florida Statutes, provides for the registered owner of a vehicle, vessel or mobile home to dispute a wrecker operator's lien, by notifying the department on forms provided by the department, if certain criteria applies.

Section 713.78(13)(d), Florida Statutes, provides for the wrecker operator to issue a certificate of discharge to each registered owner of the vehicle, vessel or mobile home, on forms provided by the department, upon payment for the lien.

**II. PROGRAM BACKGROUND AND SPECIAL INSTRUCTIONS:**

**A. FAILURE TO PAY FINES (D6):**

The provisions of Chapters 318, Disposition of Traffic Infractions; and 322, Driver Licenses, as they relate to motor vehicle registrations, allow for the suspension of a driver license upon failure to comply with directives ordered by traffic court. This type of suspension is known as a D6 Suspension. Upon suspension of a driver license, the department has authority to prohibit vehicle registrations and renewals. As a result, when an owner or one of the co-owners of a motor vehicle has a driver license under suspension for failure to pay fines, the department is directed to withhold motor vehicle registration. The individual may process a title and original registration or transfer an existing license plate. However, an extension of the registration period on existing registrations cannot be processed until the D6 has been cleared and the driver's license reinstated.

**NOTE:** This law does not apply to mobile homes, parking permits or vessels.

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