

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 686
98TH GENERAL ASSEMBLY

1638S.03T

2015

AN ACT

To repeal sections 301.010, 301.196, 301.227, and 301.280, RSMo, and to enact in lieu thereof four new sections relating to the registration of motor vehicles, with an existing penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 301.010, 301.196, 301.227, and 301.280, RSMo, are repealed and
2 four new sections enacted in lieu thereof, to be known as sections 301.010, 301.196, 301.227,
3 and 301.280, to read as follows:

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260,
2 and sections 307.010 to 307.175, the following terms mean:

- 3 (1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
4 off-highway use which is fifty inches or less in width, with an unladen dry weight of one
5 thousand five hundred pounds or less, traveling on three, four or more nonhighway tires;
- 6 (2) "Automobile transporter", any vehicle combination designed and used specifically
7 for the transport of assembled motor vehicles;
- 8 (3) "Axle load", the total load transmitted to the road by all wheels whose centers are
9 included between two parallel transverse vertical planes forty inches apart, extending across the
10 full width of the vehicle;
- 11 (4) "Boat transporter", any vehicle combination designed and used specifically to
12 transport assembled boats and boat hulls;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

13 (5) "Body shop", a business that repairs physical damage on motor vehicles that are not
14 owned by the shop or its officers or employees by mending, straightening, replacing body parts,
15 or painting;

16 (6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more
17 passengers but not including shuttle buses;

18 (7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying
19 freight and merchandise, or more than eight passengers but not including vanpools or shuttle
20 buses;

21 (8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at
22 speeds less than forty miles per hour from field to field or from field to market and return;

23 (9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in
24 the sale or exchange of new, used or reconstructed motor vehicles or trailers;

25 (10) "Director" or "director of revenue", the director of the department of revenue;

26 (11) "Driveaway operation":

27 (a) The movement of a motor vehicle or trailer by any person or motor carrier other than
28 a dealer over any public highway, under its own power singly, or in a fixed combination of two
29 or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

30 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting
31 the commodity being transported, by a person engaged in the business of furnishing drivers and
32 operators for the purpose of transporting vehicles in transit from one place to another by the
33 driveaway or towaway methods; or

34 (c) The movement of a motor vehicle by any person who is lawfully engaged in the
35 business of transporting or delivering vehicles that are not the person's own and vehicles of a
36 type otherwise required to be registered, by the driveaway or towaway methods, from a point of
37 manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent
38 of a manufacturer or to any consignee designated by the shipper or consignor;

39 (12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth
40 wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor
41 equipped with a dromedary may carry part of a load when operating independently or in a
42 combination with a semitrailer;

43 (13) "Farm tractor", a tractor used exclusively for agricultural purposes;

44 (14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

45 (15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

46 (16) "Fullmount", a vehicle mounted completely on the frame of either the first or last
47 vehicle in a saddlemount combination;

48 (17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus
49 the weight of any load thereon;

50 (18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the
51 result of the impact of hail;

52 (19) "Highway", any public thoroughfare for vehicles, including state roads, county roads
53 and public streets, avenues, boulevards, parkways or alleys in any municipality;

54 (20) "Improved highway", a highway which has been paved with gravel, macadam,
55 concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

56 (21) "Intersecting highway", any highway which joins another, whether or not it crosses
57 the same;

58 (22) "Junk vehicle", a vehicle which:

59 (a) Is incapable of operation or use upon the highways and has no resale value except
60 as a source of parts or scrap [, and shall not be titled or registered]; or

61 (b) **Has been designated as junk or a substantially equivalent designation by this**
62 **state or any other state;**

63 (23) "Kit vehicle", a motor vehicle assembled by a person other than a generally
64 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
65 an authorized manufacturer and accompanied by a manufacturer's statement of origin;

66 (24) "Land improvement contractors' commercial motor vehicle", any not-for-hire
67 commercial motor vehicle the operation of which is confined to:

68 (a) An area that extends not more than a radius of one hundred miles from its home base
69 of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or
70 from projects involving soil and water conservation, or to and from equipment dealers'
71 maintenance facilities for maintenance purposes; or

72 (b) An area that extends not more than a radius of fifty miles from its home base of
73 operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from
74 projects not involving soil and water conservation. Nothing in this subdivision shall be
75 construed to prevent any motor vehicle from being registered as a commercial motor vehicle or
76 local commercial motor vehicle;

77 (25) "Local commercial motor vehicle", a commercial motor vehicle whose operations
78 are confined solely to a municipality and that area extending not more than fifty miles therefrom,
79 or a commercial motor vehicle whose property-carrying operations are confined solely to the
80 transportation of property owned by any person who is the owner or operator of such vehicle to
81 or from a farm owned by such person or under the person's control by virtue of a landlord and
82 tenant lease; provided that any such property transported to any such farm is for use in the
83 operation of such farm;

84 (26) "Local log truck", a commercial motor vehicle which is registered pursuant to this
85 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
86 state, used to transport harvested forest products, operated solely at a forested site and in an area
87 extending not more than a one hundred-mile radius from such site, carries a load with
88 dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when
89 operated on the national system of interstate and defense highways described in Title 23, Section
90 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section
91 304.180, does not have more than four axles, and does not pull a trailer which has more than two
92 axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimiting,
93 debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local
94 log truck. A local log truck may not exceed the limits required by law, however, if the truck does
95 exceed such limits as determined by the inspecting officer, then notwithstanding any other
96 provisions of law to the contrary, such truck shall be subject to the weight limits required by such
97 sections as licensed for eighty thousand pounds;

98 (27) "Local log truck tractor", a commercial motor vehicle which is registered under this
99 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
100 state, used to transport harvested forest products, operated solely at a forested site and in an area
101 extending not more than a one hundred-mile radius from such site, operates with a weight not
102 exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding
103 forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national
104 system of interstate and defense highways described in Title 23, Section 103(e) of the United
105 States Code, such vehicle does not exceed the weight limits contained in section 304.180, and
106 does not have more than three axles and does not pull a trailer which has more than two axles.
107 Violations of axle weight limitations shall be subject to the load limit penalty as described for
108 in sections 304.180 to 304.220;

109 (28) "Local transit bus", a bus whose operations are confined wholly within a municipal
110 corporation, or wholly within a municipal corporation and a commercial zone, as defined in
111 section 390.020, adjacent thereto, forming a part of a public transportation system within such
112 municipal corporation and such municipal corporation and adjacent commercial zone;

113 (29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and
114 is used exclusively to transport harvested forest products to and from forested sites which is
115 registered pursuant to this chapter to operate as a motor vehicle on the public highways of this
116 state for the transportation of harvested forest products;

117 (30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly,
118 and front clip, as those terms are defined by the director of revenue pursuant to rules and
119 regulations or by illustrations;

120 (31) "Manufacturer", any person, firm, corporation or association engaged in the
121 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

122 (32) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
123 receives a new, rebuilt or used engine, and which used the number stamped on the original
124 engine as the vehicle identification number;

125 (33) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
126 except farm tractors;

127 (34) "Motor vehicle primarily for business use", any vehicle other than a recreational
128 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over
129 twelve thousand pounds:

130 (a) Offered for hire or lease; or

131 (b) The owner of which also owns ten or more such motor vehicles;

132 (35) "Motorcycle", a motor vehicle operated on two wheels;

133 (36) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic
134 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which
135 produces less than three gross brake horsepower, and is capable of propelling the device at a
136 maximum speed of not more than thirty miles per hour on level ground;

137 (37) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle
138 while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel.
139 A motortricycle shall not be included in the definition of all-terrain vehicle;

140 (38) "Municipality", any city, town or village, whether incorporated or not;

141 (39) "Nonresident", a resident of a state or country other than the state of Missouri;

142 (40) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in
143 compliance with United States emissions or safety standards;

144 (41) "Operator", any person who operates or drives a motor vehicle;

145 (42) "Owner", any person, firm, corporation or association, who holds the legal title to
146 a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease
147 thereof with the right of purchase upon performance of the conditions stated in the agreement
148 and with an immediate right of possession vested in the conditional vendee or lessee, or in the
149 event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee
150 or mortgagor shall be deemed the owner for the purpose of this law;

151 (43) "Public garage", a place of business where motor vehicles are housed, stored,
152 repaired, reconstructed or repainted for persons other than the owners or operators of such place
153 of business;

154 (44) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the
155 rebuilder, but does not include certificated common or contract carriers of persons or property;

156 (45) "Reconstructed motor vehicle", a vehicle that is altered from its original
157 construction by the addition or substitution of two or more new or used major component parts,
158 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

159 (46) "Recreational motor vehicle", any motor vehicle designed, constructed or
160 substantially modified so that it may be used and is used for the purposes of temporary housing
161 quarters, including therein sleeping and eating facilities which are either permanently attached
162 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.
163 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor
164 vehicle if the motor vehicle could otherwise be so registered;

165 (47) "Recreational off-highway vehicle", any motorized vehicle manufactured and used
166 exclusively for off-highway use which is more than fifty inches but no more than sixty-seven
167 inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four
168 or more nonhighway tires and which may have access to ATV trails;

169 (48) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,
170 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a
171 wrecker or towing service;

172 (49) "Saddlemount combination", a combination of vehicles in which a truck or truck
173 tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth
174 wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of
175 the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth
176 wheel kingpin connection. When two vehicles are towed in this manner the combination is
177 called a "double saddlemount combination". When three vehicles are towed in this manner, the
178 combination is called a "triple saddlemount combination";

179 (50) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for
180 the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

181 (51) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

182 (a) Was damaged during a year that is no more than six years after the manufacturer's
183 model year designation for such vehicle to the extent that the total cost of repairs to rebuild or
184 reconstruct the vehicle to its condition immediately before it was damaged for legal operation
185 on the roads or highways exceeds eighty percent of the fair market value of the vehicle
186 immediately preceding the time it was damaged;

187 (b) By reason of condition or circumstance, has been declared salvage, either by its
188 owner, or by a person, firm, corporation, or other legal entity exercising the right of security
189 interest in it;

190 (c) Has been declared salvage by an insurance company as a result of settlement of a
191 claim;

192 (d) Ownership of which is evidenced by a salvage title; or
193 (e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157
194 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild
195 or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling
196 inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on
197 parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair
198 market value" means the retail value of a motor vehicle as:

199 a. Set forth in a current edition of any nationally recognized compilation of retail values,
200 including automated databases, or from publications commonly used by the automotive and
201 insurance industries to establish the values of motor vehicles;

202 b. Determined pursuant to a market survey of comparable vehicles with regard to
203 condition and equipment; and

204 c. Determined by an insurance company using any other procedure recognized by the
205 insurance industry, including market surveys, that is applied by the company in a uniform
206 manner;

207 (52) "School bus", any motor vehicle used solely to transport students to or from school
208 or to transport students to or from any place for educational purposes;

209 (53) "Scrap processor", a business that, through the use of fixed or mobile equipment,
210 flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or
211 transportation to a shredder or scrap metal operator for recycling;

212 (54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
213 corporation as an incidental service to transport patrons or customers of the regular business of
214 such person, firm, or corporation to and from the place of business of the person, firm, or
215 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
216 buses or as commercial motor vehicles;

217 (55) "Special mobile equipment", every self-propelled vehicle not designed or used
218 primarily for the transportation of persons or property and incidentally operated or moved over
219 the highways, including farm equipment, implements of husbandry, road construction or
220 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,
221 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt
222 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
223 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump
224 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and
225 shall not operate to exclude other such vehicles which are within the general terms of this
226 section;

227 (56) "Specially constructed motor vehicle", a motor vehicle which shall not have been
228 originally constructed under a distinctive name, make, model or type by a manufacturer of motor
229 vehicles. The term specially constructed motor vehicle includes kit vehicles;

230 (57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel
231 is located on a drop frame located behind and below the rearmost axle of the power unit;

232 (58) "Tandem axle", a group of two or more axles, arranged one behind another, the
233 distance between the extremes of which is more than forty inches and not more than ninety-six
234 inches apart;

235 (59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed
236 for drawing other vehicles, but not for the carriage of any load when operating independently.
237 When attached to a semitrailer, it supports a part of the weight thereof;

238 (60) "Trailer", any vehicle without motive power designed for carrying property or
239 passengers on its own structure and for being drawn by a self-propelled vehicle, except those
240 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
241 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
242 rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton
243 trailers as defined in subdivision (8) of this section and shall not include manufactured homes
244 as defined in section 700.010;

245 (61) "Truck", a motor vehicle designed, used, or maintained for the transportation of
246 property;

247 (62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two
248 trailing units are connected with a B-train assembly which is a rigid frame extension attached to
249 the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second
250 semitrailer and has one less articulation point than the conventional A-dolly connected
251 truck-tractor semitrailer-trailer combination;

252 (63) "Truck-trailer boat transporter combination", a boat transporter combination
253 consisting of a straight truck towing a trailer using typically a ball and socket connection with
254 the trailer axle located substantially at the trailer center of gravity rather than the rear of the
255 trailer but so as to maintain a downward force on the trailer tongue;

256 (64) "Used parts dealer", a business that buys and sells used motor vehicle parts or
257 accessories, but not including a business that sells only new, remanufactured or rebuilt parts.
258 "Business" does not include isolated sales at a swap meet of less than three days;

259 (65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for
260 off-highway use which is more than fifty inches but no more than sixty-seven inches in width,
261 with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to
262 be used primarily for landscaping, lawn care, or maintenance purposes;

263 (66) "Vanpool", any van or other motor vehicle used or maintained by any person, group,
264 firm, corporation, association, city, county or state agency, or any member thereof, for the
265 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
266 and from their place of employment; however, a vanpool shall not be included in the definition
267 of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this
268 section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section
269 303.020; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal,
270 or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary
271 profit other than for use in a ride-sharing arrangement;

272 (67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
273 on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power,
274 or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs
275 operated by handicapped persons;

276 (68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed
277 and used to assist or render aid and transport or tow disabled or wrecked vehicles from a
278 highway, road, street or highway rights-of-way to a point of storage or repair, including towing
279 a replacement vehicle to replace a disabled or wrecked vehicle;

280 (69) "Wrecker or towing service", the act of transporting, towing or recovering with a
281 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker,
282 tow truck, rollback or car carrier for which the operator directly or indirectly receives
283 compensation or other personal gain.

301.196. 1. Beginning January 1, 2006, except as otherwise provided in this section, the
2 transferor of an interest in a motor vehicle or trailer listed on the face of a Missouri title,
3 excluding salvage titles and junking certificates, shall notify the department of revenue of the
4 transfer within thirty days of the date of transfer. The notice shall be in a form determined by
5 the department by rule and shall contain:

- 6 (1) **The name of the transferor;**
- 7 (2) A description of the motor vehicle or trailer sufficient to identify it;
- 8 [(2)] (3) The vehicle identification number of the motor vehicle or trailer;
- 9 [(3)] (4) The name and address of the transferee;
- 10 [(4)] (5) The date of birth of the transferee, unless the transferee is not a natural person;
- 11 [(5)] (6) The date of the transfer or sale;
- 12 [(6)] (7) The purchase price of the motor vehicle or trailer, if applicable;
- 13 [(7)] (8) The number of the transferee's drivers license, unless the transferee does not
14 have a drivers license;
- 15 [(8) The printed name and signature]

16 **(9) The transferor's electronic signature if transmitted electronically or the**
17 **signatures of the transferee and transferor if not submitted electronically. For the purposes**
18 **of this section, "transmitted electronically" shall have the same meaning as an electronic**
19 **signature as defined in section 432.205;**

20 ~~[(9)]~~ **(10)** Any other information required by the department by rule.

21 **2. A notice of sale substantially complying with the requirements of this section is**
22 **effective even though it contains minor errors which are not materially misleading.**

23 **3.** For purposes of giving notice under this section, if the transfer occurs by operation of
24 law, the personal representative, receiver, trustee, sheriff, or other representative or successor in
25 interest of the person whose interest is transferred shall be considered the transferor.
26 Repossession by a creditor shall not be considered a transfer of ownership requiring such notice.

27 ~~[3.]~~ **4.** The requirements of this section shall not apply to transfers when there is no
28 complete change of ownership interest or upon award of ownership of a motor vehicle or trailer
29 made by court order, or transfers of ownership of a motor vehicle or trailer to or between vehicle
30 dealers, or transfers of ownership of a motor vehicle or trailer to an insurance company due to
31 a theft or casualty loss, or transfers of beneficial ownership of a motor vehicle owned by a trust.

32 ~~[4.]~~ **5.** Notification under this section is only required for transfers of ownership that
33 would otherwise require registration and an application for certificate of title in this state under
34 section 301.190, and is for informational purposes only and does not constitute an assignment
35 or release of any interest in the vehicle.

36 ~~[5.]~~ **6.** Retail sales made by licensed dealers including sales of new vehicles shall be
37 reported pursuant to the provisions of section 301.280.

301.227. 1. Whenever a vehicle is sold for salvage, dismantling or rebuilding, the
2 purchaser shall forward to the director of revenue within ten days the certificate of ownership
3 or salvage certificate of title and the proper application and fee of eight dollars and fifty cents,
4 and the director shall issue a negotiable salvage certificate of title to the purchaser of the
5 salvaged vehicle. On vehicles purchased during a year that is no more than six years after the
6 manufacturer's model year designation for such vehicle, it shall be mandatory that the purchaser
7 apply for a salvage title. On vehicles purchased during a year that is more than six years after
8 the manufacturer's model year designation for such vehicle, then application for a salvage title
9 shall be optional on the part of the purchaser. Whenever a vehicle is sold for destruction and a
10 salvage certificate of title, junking certificate, or certificate of ownership exists, the seller, if
11 licensed under sections 301.217 to 301.221, shall forward the certificate to the director of
12 revenue within ten days, with the notation of the date sold for destruction and the name of the
13 purchaser clearly shown on the face of the certificate.

14 2. Whenever a vehicle is classified as "junk", as defined in section 301.010, the
15 purchaser may forward to the director of revenue **a properly completed application for a**
16 **junking certificate as well as** the salvage certificate of title or certificate of ownership and the
17 director shall issue a negotiable junking certificate to the purchaser of the vehicle. The director
18 may also issue a junking certificate to a possessor of a vehicle manufactured twenty-six years or
19 more prior to the current model year who has a bill of sale for said vehicle but does not possess
20 a certificate of ownership, provided no claim of theft has been made on the vehicle and the
21 highway patrol has by letter stated the vehicle is not listed as stolen after checking the
22 registration number through its nationwide computer system. Such **junking** certificate may be
23 granted within thirty days of the submission of a request. **A junking certificate shall authorize**
24 **the holder to possess, transport, or, by assignment, transfer ownership in such parts, scrap,**
25 **or junk.**

26 3. [Upon receipt of a properly completed application for a junking certificate, the director
27 of revenue shall issue to the applicant a junking certificate which shall authorize the holder to
28 possess, transport, or, by assignment, transfer ownership in such parts, scrap or junk, and a
29 certificate of title shall not again be issued for such vehicle; except that, the initial purchaser] **For**
30 **any vehicle issued a junking certificate or such similar document or classification pursuant**
31 **to the laws of another state, regardless of whether such designation has been subsequently**
32 **changed by law in any other state, the department shall only issue a junking certificate,**
33 **and a salvage certificate of title or original certificate of ownership shall not thereafter be**
34 **issued for such vehicle. Notwithstanding the provisions of this subsection, if the vehicle has**
35 **not previously been classified as a "junk" vehicle, the applicant making the original**
36 **junking certification application** shall, within ninety days, be allowed to rescind his application
37 for a junking certificate by surrendering the junking certificate and apply for a salvage certificate
38 of title in his name. The seller of a vehicle for which a junking certificate has been applied for
39 or issued shall disclose such fact in writing to any prospective buyers before sale of such vehicle;
40 otherwise the sale shall be voidable at the option of the buyer.

41 4. No scrap metal operator shall acquire or purchase a motor vehicle or parts thereof
42 without, at the time of such acquisition, receiving the original certificate of [title] **ownership** or
43 salvage certificate of title or junking certificate from the seller of the vehicle or parts, unless the
44 seller is a licensee under sections 301.219 to 301.221.

45 5. All titles and certificates required to be received by scrap metal operators from
46 nonlicensees shall be forwarded by the operator to the director of revenue within ten days of the
47 receipt of the vehicle or parts.

48 6. The scrap metal operator shall keep a record, for three years, of the seller's name and
49 address, the salvage business license number of the licensee, date of purchase, and any vehicle
50 or parts identification numbers open for inspection as provided in section 301.225.

51 7. Notwithstanding any other provision of this section, a motor vehicle dealer as defined
52 in section 301.550 and licensed under the provisions of sections 301.550 to 301.572 may
53 negotiate one reassignment of a salvage certificate of title on the back thereof.

54 8. Notwithstanding the provisions of subsection 1 of this section, an insurance company
55 which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage
56 certificate of title without the payment of any fee upon proper application within thirty days after
57 settlement of the claim for such stolen vehicle. However, if the insurance company upon
58 recovery of a stolen vehicle determines that the stolen vehicle has not sustained damage to the
59 extent that the vehicle would have otherwise been declared a salvage vehicle pursuant to
60 subdivision (51) of section 301.010, then the insurance company may have the vehicle inspected
61 by the Missouri state highway patrol, or other law enforcement agency authorized by the director
62 of revenue, in accordance with the inspection provisions of subsection 9 of section 301.190.
63 Upon receipt of title application, applicable fee, the completed inspection, and the return of any
64 previously issued negotiable salvage certificate, the director shall issue an original title with no
65 salvage or prior salvage designation. Upon the issuance of an original title the director shall
66 remove any indication of the negotiable salvage title previously issued to the insurance company
67 from the department's electronic records.

68 9. Notwithstanding subsection 4 of this section or any other provision of the law to the
69 contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts are from
70 a motor vehicle that is inoperable and is at least ten model years old, a scrap metal operator may
71 purchase or acquire such motor vehicle or parts without receiving the original certificate of [title]
72 **ownership**, salvage certificate of title, or junking certificate from the seller of the vehicle or
73 parts, provided the scrap metal operator verifies with the department of revenue, via the
74 department's online record access, that the motor vehicle is not subject to any recorded security
75 interest or lien and the scrap metal operator complies with the requirements of this subsection.
76 In lieu of forwarding certificates of [titles] **title or ownership** for such motor vehicles as
77 required by subsection 5 of this section, the scrap metal operator shall forward a copy of the
78 seller's state identification along with a bill of sale to the department of revenue. The bill of sale
79 form shall be designed by the director and such form shall include, but not be limited to, a
80 certification that the motor vehicle is at least ten model years old, is inoperable, is not subject
81 to any recorded security interest or lien, and a certification by the seller that the seller has the
82 legal authority to sell or otherwise transfer the seller's interest in the motor vehicle or parts.
83 Upon receipt of the information required by this subsection, the department of revenue shall

84 cancel any certificate of title **or ownership** and registration for the motor vehicle. If the motor
85 vehicle is inoperable and at least twenty model years old, then the scrap metal operator shall not
86 be required to verify with the department of revenue whether the motor vehicle is subject to any
87 recorded security interests or liens. As used in this subsection, the term "inoperable" means a
88 motor vehicle that is in a rusted, wrecked, discarded, worn out, extensively damaged, dismantled,
89 and mechanically inoperative condition and the vehicle's highest and best use is for scrap
90 purposes. The director of the department of revenue is directed to promulgate rules and
91 regulations to implement and administer the provisions of this section, including but not limited
92 to, the development of a uniform bill of sale. Any rule or portion of a rule, as that term is
93 defined in section 536.010, that is created under the authority delegated in this section shall
94 become effective only if it complies with and is subject to all of the provisions of chapter 536
95 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of
96 the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
97 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
98 grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be
99 invalid and void.

301.280. 1. Every motor vehicle dealer and boat dealer shall make a monthly report to
2 the department of revenue, on blanks to be prescribed by the department of revenue, giving the
3 following information: date of the sale of each motor vehicle, boat, trailer and all-terrain vehicle
4 sold; the name and address of the buyer; the name of the manufacturer; year of manufacture;
5 model of vehicle; vehicle identification number; style of vehicle; odometer setting; and it shall
6 also state whether the motor vehicle, boat, trailer or all-terrain vehicle is new or secondhand.
7 Each monthly sales report filed by a motor vehicle dealer who collects sales tax under subsection
8 8 of section 144.070 shall also include the amount of state and local sales tax collected for each
9 motor vehicle sold if sales tax was due. The odometer reading is not required when reporting
10 the sale of any motor vehicle that is ten years old or older, any motor vehicle having a gross
11 vehicle weight rating of more than sixteen thousand pounds, new vehicles that are transferred
12 on a manufacturer's statement of origin between one franchised motor vehicle dealer and another,
13 or boats, all-terrain vehicles or trailers. The sale of all [thirty-day] temporary permits[, without
14 exception,] shall be recorded in the appropriate space on the dealer's monthly sales report [by
15 recording the complete permit number issued on the motor vehicle or trailer sale listed], **unless**
16 **the sale of the temporary permit is already recorded by electronic means as determined by**
17 **the department.** The monthly sales report shall be completed in full and signed by an officer,
18 partner, or owner of the dealership, and actually received by the department of revenue on or
19 before the fifteenth day of the month succeeding the month for which the sales are being
20 reported. If no sales occur in any given month, a report shall be submitted for that month

21 indicating no sales. Any vehicle dealer who fails to file a monthly report or who fails to file a
22 timely report shall be subject to disciplinary action as prescribed in section 301.562 or a penalty
23 assessed by the director not to exceed three hundred dollars per violation. Every motor vehicle
24 and boat dealer shall retain copies of the monthly sales report as part of the records to be
25 maintained at the dealership location and shall hold them available for inspection by appropriate
26 law enforcement officials and officials of the department of revenue. Every vehicle dealer
27 selling twenty or more vehicles a month shall file the monthly sales report with the department
28 in an electronic format. Any dealer filing a monthly sales report in an electronic format shall be
29 exempt from filing the notice of transfer required by section 301.196. For any dealer not filing
30 electronically, the notice of transfer required by section 301.196 shall be submitted with the
31 monthly sales report as prescribed by the director.

32 2. Every dealer and every person operating a public garage shall keep a correct record
33 of the vehicle identification number, odometer setting, manufacturer's name of all motor vehicles
34 or trailers accepted by him for the purpose of sale, rental, storage, repair or repainting, together
35 with the name and address of the person delivering such motor vehicle or trailer to the dealer or
36 public garage keeper, and the person delivering such motor vehicle or trailer shall record such
37 information in a file kept by the dealer or garage keeper. The record shall be kept for five years
38 and be open for inspection by law enforcement officials, members or authorized or designated
39 employees of the Missouri highway patrol, and persons, agencies and officials designated by the
40 director of revenue.

41 3. Every dealer and every person operating a public garage in which a motor vehicle
42 remains unclaimed for a period of fifteen days shall, within five days after the expiration of that
43 period, report the motor vehicle as unclaimed to the director of revenue. Such report shall be on
44 a form prescribed by the director of revenue. A motor vehicle left by its owner whose name and
45 address are known to the dealer or his employee or person operating a public garage or his
46 employee is not considered unclaimed. Any dealer or person operating a public garage who fails
47 to report a motor vehicle as unclaimed as herein required forfeits all claims and liens for its
48 garaging, parking or storing.

49 4. The director of revenue shall maintain appropriately indexed cumulative records of
50 unclaimed vehicles reported to the director. Such records shall be kept open to public inspection
51 during reasonable business hours.

52 5. The alteration or obliteration of the vehicle identification number on any such motor
53 vehicle shall be prima facie evidence of larceny, and the dealer or person operating such public
54 garage shall upon the discovery of such obliteration or alteration immediately notify the highway
55 patrol, sheriff, marshal, constable or chief of police of the municipality where the dealer or

56 garage keeper has his place of business, and shall hold such motor vehicle or trailer for a period
57 of forty-eight hours for the purpose of an investigation by the officer so notified.

58 6. Any person who knowingly makes a false statement or omission of a material fact in
59 a monthly sales report to the department of revenue, as described in subsection 1 of this section,
60 shall be deemed guilty of a class A misdemeanor.

✓