

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 686**  
98TH GENERAL ASSEMBLY

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Reported from the Committee on Transportation, Infrastructure and Public Safety, May 4, 2015, with recommendation that the Senate Committee Substitute do pass.

ADRIANE D. CROUSE, Secretary.

1638S.03C

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**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.

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*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  
2 repealed and four new sections enacted in lieu thereof, to be known as sections  
3 301.010, 301.196, 301.227, and 301.280, to read as follows:

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

3 (1) "All-terrain vehicle", any motorized vehicle manufactured and used  
4 exclusively for off-highway use which is fifty inches or less in width, with an  
5 unladen dry weight of one thousand five hundred pounds or less, traveling on  
6 three, four or more nonhighway tires;

7 (2) "Automobile transporter", any vehicle combination designed and used  
8 specifically for the transport of assembled motor vehicles;

9 (3) "Axle load", the total load transmitted to the road by all wheels whose  
10 centers are included between two parallel transverse vertical planes forty inches  
11 apart, extending across the full width of the vehicle;

12 (4) "Boat transporter", any vehicle combination designed and used  
13 specifically to transport assembled boats and boat hulls;

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

**EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

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

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

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

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

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

30 (11) "Driveaway operation":

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

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

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

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

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

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

53 owner;

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

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

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

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

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

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

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

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

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

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

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

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

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

86 (b) An area that extends not more than a radius of fifty miles from its  
87 home base of operations when transporting its owner's machinery, equipment, or  
88 auxiliary supplies to or from projects not involving soil and water

89 conservation. Nothing in this subdivision shall be construed to prevent any motor  
90 vehicle from being registered as a commercial motor vehicle or local commercial  
91 motor vehicle;

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

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

117 (27) "Local log truck tractor", a commercial motor vehicle which is  
118 registered under this chapter to operate as a motor vehicle on the public  
119 highways of this state, used exclusively in this state, used to transport harvested  
120 forest products, operated solely at a forested site and in an area extending not  
121 more than a one hundred-mile radius from such site, operates with a weight not  
122 exceeding twenty-two thousand four hundred pounds on one axle or with a weight  
123 not exceeding forty-four thousand eight hundred pounds on any tandem axle, and  
124 when operated on the national system of interstate and defense highways

125 described in Title 23, Section 103(e) of the United States Code, such vehicle does  
126 not exceed the weight limits contained in section 304.180, and does not have more  
127 than three axles and does not pull a trailer which has more than two  
128 axles. Violations of axle weight limitations shall be subject to the load limit  
129 penalty as described for in sections 304.180 to 304.220;

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

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

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

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

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

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

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

154 (a) Offered for hire or lease; or

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

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

157 (36) "Motorized bicycle", any two-wheeled or three-wheeled device having  
158 an automatic transmission and a motor with a cylinder capacity of not more than  
159 fifty cubic centimeters, which produces less than three gross brake horsepower,  
160 and is capable of propelling the device at a maximum speed of not more than

161 thirty miles per hour on level ground;

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

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

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

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

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

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

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

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

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

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

196 (47) "Recreational off-highway vehicle", any motorized vehicle

197 manufactured and used exclusively for off-highway use which is more than fifty  
198 inches but no more than sixty-seven inches in width, with an unladen dry weight  
199 of two thousand pounds or less, traveling on four or more nonhighway tires and  
200 which may have access to ATV trails;

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

204 (49) "Saddlemount combination", a combination of vehicles in which a  
205 truck or truck tractor tows one or more trucks or truck tractors, each connected  
206 by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle"  
207 is a mechanism that connects the front axle of the towed vehicle to the frame or  
208 fifth wheel of the vehicle in front and functions like a fifth wheel kingpin  
209 connection. When two vehicles are towed in this manner the combination is  
210 called a "double saddlemount combination". When three vehicles are towed in  
211 this manner, the combination is called a "triple saddlemount combination";

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

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

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

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

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

227 (d) Ownership of which is evidenced by a salvage title; or

228 (e) Is abandoned property which is titled pursuant to section 304.155 or  
229 section 304.157 and designated with the words "salvage/abandoned  
230 property". The total cost of repairs to rebuild or reconstruct the vehicle shall not  
231 include the cost of repairing, replacing, or reinstalling inflatable safety restraints,  
232 tires, sound systems, or damage as a result of hail, or any sales tax on parts or

233 materials to rebuild or reconstruct the vehicle. For purposes of this definition,  
234 "fair market value" means the retail value of a motor vehicle as:

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

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

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

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

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

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

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

268         (56) "Specially constructed motor vehicle", a motor vehicle which shall not



269 have been originally constructed under a distinctive name, make, model or type  
270 by a manufacturer of motor vehicles. The term specially constructed motor  
271 vehicle includes kit vehicles;

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

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

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

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

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

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

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

303 (64) "Used parts dealer", a business that buys and sells used motor vehicle  
304 parts or accessories, but not including a business that sells only new,

305 remanufactured or rebuilt parts. "Business" does not include isolated sales at a  
306 swap meet of less than three days;

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

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

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

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

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

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

6 shall contain:

7 (1) **The name of the transferor;**

8 (2) A description of the motor vehicle or trailer sufficient to identify it;

9 [(2)] (3) The vehicle identification number of the motor vehicle or trailer;

10 [(3)] (4) The name and address of the transferee;

11 [(4)] (5) The date of birth of the transferee, unless the transferee is not  
12 a natural person;

13 [(5)] (6) The date of the transfer or sale;

14 [(6)] (7) The purchase price of the motor vehicle or trailer, if applicable;

15 [(7)] (8) The number of the transferee's drivers license, unless the  
16 transferee does not have a drivers license;

17 [(8) The printed name and signature]

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

23 [(9)] (10) Any other information required by the department by rule.

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

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

32 [3.] 4. The requirements of this section shall not apply to transfers when  
33 there is no complete change of ownership interest or upon award of ownership of  
34 a motor vehicle or trailer made by court order, or transfers of ownership of a  
35 motor vehicle or trailer to or between vehicle dealers, or transfers of ownership  
36 of a motor vehicle or trailer to an insurance company due to a theft or casualty  
37 loss, or transfers of beneficial ownership of a motor vehicle owned by a trust.

38 [4.] 5. Notification under this section is only required for transfers of  
39 ownership that would otherwise require registration and an application for  
40 certificate of title in this state under section 301.190, and is for informational  
41 purposes only and does not constitute an assignment or release of any interest in

42 the vehicle.

43 [5.] 6. Retail sales made by licensed dealers including sales of new  
44 vehicles shall be reported pursuant to the provisions of section 301.280.

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

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

31 3. [Upon receipt of a properly completed application for a junking  
32 certificate, the director of revenue shall issue to the applicant a junking  
33 certificate which shall authorize the holder to possess, transport, or, by

34 assignment, transfer ownership in such parts, scrap or junk, and a certificate of  
35 title shall not again be issued for such vehicle; except that, the initial purchaser]  
36 **For any vehicle issued a junking certificate or such similar document**  
37 **or classification pursuant to the laws of another state, regardless of**  
38 **whether such designation has been subsequently changed by law in any**  
39 **other state, the department shall only issue a junking certificate, and**  
40 **a salvage certificate of title or original certificate of ownership shall**  
41 **not thereafter be issued for such vehicle. Notwithstanding the**  
42 **provisions of this subsection, if the vehicle has not previously been**  
43 **classified as a "junk" vehicle, the applicant making the original junking**  
44 **certification application** shall, within ninety days, be allowed to rescind his  
45 application for a junking certificate by surrendering the junking certificate and  
46 apply for a salvage certificate of title in his name. The seller of a vehicle for  
47 which a junking certificate has been applied for or issued shall disclose such fact  
48 in writing to any prospective buyers before sale of such vehicle; otherwise the sale  
49 shall be voidable at the option of the buyer.

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

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

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

62         7. Notwithstanding any other provision of this section, a motor vehicle  
63 dealer as defined in section 301.550 and licensed under the provisions of sections  
64 301.550 to 301.572 may negotiate one reassignment of a salvage certificate of title  
65 on the back thereof.

66         8. Notwithstanding the provisions of subsection 1 of this section, an  
67 insurance company which settles a claim for a stolen vehicle may apply for and  
68 shall be issued a negotiable salvage certificate of title without the payment of any  
69 fee upon proper application within thirty days after settlement of the claim for

70 such stolen vehicle. However, if the insurance company upon recovery of a stolen  
71 vehicle determines that the stolen vehicle has not sustained damage to the extent  
72 that the vehicle would have otherwise been declared a salvage vehicle pursuant  
73 to subdivision (51) of section 301.010, then the insurance company may have the  
74 vehicle inspected by the Missouri state highway patrol, or other law enforcement  
75 agency authorized by the director of revenue, in accordance with the inspection  
76 provisions of subsection 9 of section 301.190. Upon receipt of title application,  
77 applicable fee, the completed inspection, and the return of any previously issued  
78 negotiable salvage certificate, the director shall issue an original title with no  
79 salvage or prior salvage designation. Upon the issuance of an original title the  
80 director shall remove any indication of the negotiable salvage title previously  
81 issued to the insurance company from the department's electronic records.

82           9. Notwithstanding subsection 4 of this section or any other provision of  
83 the law to the contrary, if a motor vehicle is inoperable and is at least ten model  
84 years old, or the parts are from a motor vehicle that is inoperable and is at least  
85 ten model years old, a scrap metal operator may purchase or acquire such motor  
86 vehicle or parts without receiving the original certificate of [title] **ownership**,  
87 salvage certificate of title, or junking certificate from the seller of the vehicle or  
88 parts, provided the scrap metal operator verifies with the department of revenue,  
89 via the department's online record access, that the motor vehicle is not subject to  
90 any recorded security interest or lien and the scrap metal operator complies with  
91 the requirements of this subsection. In lieu of forwarding certificates of [titles]  
92 **title or ownership** for such motor vehicles as required by subsection 5 of this  
93 section, the scrap metal operator shall forward a copy of the seller's state  
94 identification along with a bill of sale to the department of revenue. The bill of  
95 sale form shall be designed by the director and such form shall include, but not  
96 be limited to, a certification that the motor vehicle is at least ten model years old,  
97 is inoperable, is not subject to any recorded security interest or lien, and a  
98 certification by the seller that the seller has the legal authority to sell or  
99 otherwise transfer the seller's interest in the motor vehicle or parts. Upon receipt  
100 of the information required by this subsection, the department of revenue shall  
101 cancel any certificate of title **or ownership** and registration for the motor  
102 vehicle. If the motor vehicle is inoperable and at least twenty model years old,  
103 then the scrap metal operator shall not be required to verify with the department  
104 of revenue whether the motor vehicle is subject to any recorded security interests  
105 or liens. As used in this subsection, the term "inoperable" means a motor vehicle

106 that is in a rusted, wrecked, discarded, worn out, extensively damaged,  
107 dismantled, and mechanically inoperative condition and the vehicle's highest and  
108 best use is for scrap purposes. The director of the department of revenue is  
109 directed to promulgate rules and regulations to implement and administer the  
110 provisions of this section, including but not limited to, the development of a  
111 uniform bill of sale. Any rule or portion of a rule, as that term is defined in  
112 section 536.010, that is created under the authority delegated in this section shall  
113 become effective only if it complies with and is subject to all of the provisions of  
114 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are  
115 nonseverable and if any of the powers vested with the general assembly pursuant  
116 to chapter 536 to review, to delay the effective date, or to disapprove and annul  
117 a rule are subsequently held unconstitutional, then the grant of rulemaking  
118 authority and any rule proposed or adopted after August 28, 2012, shall be  
119 invalid and void.

301.280. 1. Every motor vehicle dealer and boat dealer shall make a  
2 monthly report to the department of revenue, on blanks to be prescribed by the  
3 department of revenue, giving the following information: date of the sale of each  
4 motor vehicle, boat, trailer and all-terrain vehicle sold; the name and address of  
5 the buyer; the name of the manufacturer; year of manufacture; model of vehicle;  
6 vehicle identification number; style of vehicle; odometer setting; and it shall also  
7 state whether the motor vehicle, boat, trailer or all-terrain vehicle is new or  
8 secondhand. Each monthly sales report filed by a motor vehicle dealer who  
9 collects sales tax under subsection 8 of section 144.070 shall also include the  
10 amount of state and local sales tax collected for each motor vehicle sold if sales  
11 tax was due. The odometer reading is not required when reporting the sale of  
12 any motor vehicle that is ten years old or older, any motor vehicle having a gross  
13 vehicle weight rating of more than sixteen thousand pounds, new vehicles that  
14 are transferred on a manufacturer's statement of origin between one franchised  
15 motor vehicle dealer and another, or boats, all-terrain vehicles or trailers. The  
16 sale of all thirty-day temporary permits[, without exception,] shall be recorded  
17 in the appropriate space on the dealer's monthly sales report [by recording the  
18 complete permit number issued on the motor vehicle or trailer sale listed],  
19 **unless the sale of the thirty-day temporary permit is already recorded**  
20 **by electronic means as determined by the department.** The monthly sales  
21 report shall be completed in full and signed by an officer, partner, or owner of the  
22 dealership, and actually received by the department of revenue on or before the

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

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

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

57         4. The director of revenue shall maintain appropriately indexed  
58 cumulative records of unclaimed vehicles reported to the director. Such records



59 shall be kept open to public inspection during reasonable business hours.

60           5. The alteration or obliteration of the vehicle identification number on  
61 any such motor vehicle shall be prima facie evidence of larceny, and the dealer  
62 or person operating such public garage shall upon the discovery of such  
63 obliteration or alteration immediately notify the highway patrol, sheriff, marshal,  
64 constable or chief of police of the municipality where the dealer or garage keeper  
65 has his place of business, and shall hold such motor vehicle or trailer for a period  
66 of forty-eight hours for the purpose of an investigation by the officer so notified.

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

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