

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 82
94TH GENERAL ASSEMBLY

Reported from the Special Committee on General Laws April 18, 2007 with recommendation that House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

0319L.10C

AN ACT

To repeal sections 301.010, 301.020, 301.130, 301.140, 301.144, 301.170, 301.177, 301.196, 301.200, 301.218, 301.221, 301.225, 301.227, 301.229, 301.280, 301.550, 301.560, 301.567, 301.570, 301.640, 304.022, 304.170, 407.815, RSMo, section 301.190 as enacted by house committee substitute for senate substitute no. 2 for senate committee substitute for senate bill no. 583, ninety-third general assembly, second regular session, section 301.190 as enacted by senate substitute for senate committee substitute for house bill no. 487 merged with senate bill no. 488, ninety-third general assembly, first regular session, section 301.566 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1288, ninety-second general assembly, second regular session, and section 301.566 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session, and to enact in lieu thereof twenty-three new sections relating to motor vehicles, with penalty provisions and an effective date for certain sections.

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

- Section A. Sections 301.010, 301.020, 301.130, 301.140, 301.144, 301.170, 301.177,
2 301.196, 301.200, 301.218, 301.221, 301.225, 301.227, 301.229, 301.280, 301.550, 301.560,
3 301.567, 301.570, 301.640, 304.022, 304.170, 407.815, RSMo, section 301.190 as enacted by

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.

4 house committee substitute for senate substitute no. 2 for senate committee substitute for senate
5 bill no. 583, ninety-third general assembly, second regular session, section 301.190 as enacted
6 by senate substitute for senate committee substitute for house bill no. 487 merged with senate
7 bill no. 488, ninety-third general assembly, first regular session, section 301.566 as enacted by
8 conference committee substitute for senate substitute for senate committee substitute for house
9 committee substitute for house bill no. 1288, ninety-second general assembly, second regular
10 session, and section 301.566 as enacted by house substitute for senate substitute for senate
11 committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly,
12 second regular session, are repealed and twenty-three new sections enacted in lieu thereof, to be
13 known as sections 301.010, 301.020, 301.130, 301.140, 301.144, 301.190, 301.196, 301.200,
14 301.218, 301.221, 301.225, 301.227, 301.229, 301.280, 301.550, 301.560, 301.566, 301.567,
15 301.570, 301.640, 304.022, 304.170, and 407.815, to read as follows:

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260,
2 RSMo, and sections 307.010 to 307.175, RSMo, 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 pounds or less, traveling on three, four or more low pressure tires, with a seat designed
6 to be straddled by the operator, or with a seat designed to carry more than one person, and
7 handlebars for steering control;
- 8 (2) "Automobile transporter", any vehicle combination designed and used specifically
9 for the transport of assembled motor vehicles;
- 10 (3) "Axle load", the total load transmitted to the road by all wheels whose centers are
11 included between two parallel transverse vertical planes forty inches apart, extending across the
12 full width of the vehicle;
- 13 (4) "Boat transporter", any vehicle combination designed and used specifically to
14 transport assembled boats and boat hulls;
- 15 (5) "Body shop", a business that repairs physical damage on motor vehicles that are not
16 owned by the shop or its officers or employees by mending, straightening, replacing body parts,
17 or painting;
- 18 (6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more
19 passengers but not including shuttle buses;
- 20 (7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying
21 freight and merchandise, or more than eight passengers but not including vanpools or shuttle
22 buses;
- 23 (8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at
24 speeds less than forty miles per hour from field to field or from field to market and return;

- 25 (9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in
26 the sale or exchange of new, used or reconstructed motor vehicles or trailers;
- 27 (10) "Director" or "director of revenue", the director of the department of revenue;
- 28 (11) "Driveaway operation":
- 29 (a) The movement of a motor vehicle or trailer by any person or motor carrier other than
30 a dealer over any public highway, under its own power singly, or in a fixed combination of two
31 or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;
- 32 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting
33 the commodity being transported, by a person engaged in the business of furnishing drivers and
34 operators for the purpose of transporting vehicles in transit from one place to another by the
35 driveaway or towaway methods; or
- 36 (c) The movement of a motor vehicle by any person who is lawfully engaged in the
37 business of transporting or delivering vehicles that are not the person's own and vehicles of a
38 type otherwise required to be registered, by the driveaway or towaway methods, from a point of
39 manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent
40 of a manufacturer or to any consignee designated by the shipper or consignor;
- 41 (12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth
42 wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor
43 equipped with a dromedary may carry part of a load when operating independently or in a
44 combination with a semitrailer;
- 45 (13) "Farm tractor", a tractor used exclusively for agricultural purposes;
- 46 (14) "Fleet", any group of ten or more motor vehicles owned by the same owner;
- 47 (15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;
- 48 (16) "Fullmount", a vehicle mounted completely on the frame of either the first or last
49 vehicle in a saddlemount combination;
- 50 (17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus
51 the weight of any load thereon;
- 52 (18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the
53 result of the impact of hail;
- 54 (19) "Highway", any public thoroughfare for vehicles, including state roads, county roads
55 and public streets, avenues, boulevards, parkways or alleys in any municipality;
- 56 (20) "Improved highway", a highway which has been paved with gravel, macadam,
57 concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;
- 58 (21) "Intersecting highway", any highway which joins another, whether or not it crosses
59 the same;

60 (22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways
61 and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

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

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

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

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

74 Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered
75 as a commercial motor vehicle or local commercial motor vehicle;

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

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

95 notwithstanding any other provisions of law to the contrary, such truck shall be subject to the
96 weight limits required by such sections as licensed for eighty thousand pounds;

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

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

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

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

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

121 (32) "Mobile scrap processor", a business located in Missouri or any other state that
122 comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder
123 or scrap metal operator for recycling;

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

127 (34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
128 except farm tractors;

- 129 (35) "Motor vehicle primarily for business use", any vehicle other than a recreational
130 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over
131 twelve thousand pounds:
- 132 (a) Offered for hire or lease; or
133 (b) The owner of which also owns ten or more such motor vehicles;
- 134 (36) "Motorcycle", a motor vehicle operated on two wheels;
- 135 (37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic
136 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which
137 produces less than three gross brake horsepower, and is capable of propelling the device at a
138 maximum speed of not more than thirty miles per hour on level ground;
- 139 (38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle
140 while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel.
141 A motortricycle shall not be included in the definition of all-terrain vehicle;
- 142 (39) "Municipality", any city, town or village, whether incorporated or not;
- 143 (40) "Nonresident", a resident of a state or country other than the state of Missouri;
- 144 (41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in
145 compliance with United States emissions or safety standards;
- 146 (42) "Operator", any person who operates or drives a motor vehicle;
- 147 (43) "Owner", any person, firm, corporation or association, who holds the legal title to
148 a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease
149 thereof with the right of purchase upon performance of the conditions stated in the agreement
150 and with an immediate right of possession vested in the conditional vendee or lessee, or in the
151 event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee
152 or mortgagor shall be deemed the owner for the purpose of this law;
- 153 (44) "Public garage", a place of business where motor vehicles are housed, stored,
154 repaired, reconstructed or repainted for persons other than the owners or operators of such place
155 of business;
- 156 (45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the
157 rebuilder, but does not include certificated common or contract carriers of persons or property;
- 158 (46) "Reconstructed motor vehicle", a vehicle that is altered from its original
159 construction by the addition or substitution of two or more new or used major component parts,
160 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;
- 161 (47) "Recreational motor vehicle", any motor vehicle designed, constructed or
162 substantially modified so that it may be used and is used for the purposes of temporary housing
163 quarters, including therein sleeping and eating facilities which are either permanently attached
164 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.

165 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor
166 vehicle if the motor vehicle could otherwise be so registered;

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

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

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

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

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

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

188 (c) Has been declared salvage by an insurance company as a result of settlement of a
189 claim [for loss due to damage or theft];

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

191 (e) Is abandoned property which is titled pursuant to section 304.155, RSMo, or section
192 304.157, RSMo, and designated with the words "salvage/abandoned property".

193 The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of
194 repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, **or damage**
195 **as a result of hail**, or any sales tax on parts or materials to rebuild or reconstruct the vehicle.
196 For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

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

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

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

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

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

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

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

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

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

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

(59) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed

236 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
237 rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton
238 trailers as defined in subdivision (8) of this section and shall not include manufactured homes
239 as defined in section 700.010, RSMo;

240 (60) "Truck", a motor vehicle designed, used, or maintained for the transportation of
241 property;

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

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

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

254 (64) "Vanpool", any van or other motor vehicle used or maintained by any person, group,
255 firm, corporation, association, city, county or state agency, or any member thereof, for the
256 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
257 and from their place of employment; however, a vanpool shall not be included in the definition
258 of the term "bus" or "commercial motor vehicle" as defined by subdivisions (6) and (7) of this
259 section, nor shall a vanpool driver be deemed a "chauffeur" as that term is defined by section
260 302.010, RSMo; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational,
261 personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for
262 monetary profit other than for use in a ride-sharing arrangement;

263 (65) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
264 on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power,
265 or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs
266 operated by handicapped persons;

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

271 (67) "Wrecker or towing service", the act of transporting, towing or recovering with a
272 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker,
273 tow truck, rollback or car carrier for which the operator directly or indirectly receives
274 compensation or other personal gain.

301.020. 1. Every owner of a motor vehicle or trailer, which shall be operated or driven
2 upon the highways of this state, except as herein otherwise expressly provided, shall annually
3 file, by mail or otherwise, in the office of the director of revenue, an application for registration
4 on a blank to be furnished by the director of revenue for that purpose containing:

5 (1) A brief description of the motor vehicle or trailer to be registered, including the name
6 of the manufacturer, the vehicle identification number, the amount of motive power of the motor
7 vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a
8 motor vehicle primarily for business use as defined in section 301.010;

9 (2) The name, the applicant's identification number and address of the owner of such
10 motor vehicle or trailer;

11 (3) The gross weight of the vehicle and the desired load in pounds if the vehicle is a
12 commercial motor vehicle or trailer.

13 2. If the vehicle is a motor vehicle primarily for business use as defined in section
14 301.010 and if such vehicle is five years of age or less, the director of revenue shall retain the
15 odometer information provided in the vehicle inspection report, and provide for prompt access
16 to such information, together with the vehicle identification number for the motor vehicle to
17 which such information pertains, for a period of five years after the receipt of such information.
18 This section shall not apply unless:

19 (1) The application for the vehicle's certificate of ownership was submitted after July 1,
20 1989; and

21 (2) The certificate was issued pursuant to a manufacturer's statement of origin.

22 3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business
23 use, a recreational motor vehicle, motorcycle, motortricycle, bus or any commercial motor
24 vehicle licensed for over twelve thousand pounds and if such motor vehicle is five years of age
25 or less, the director of revenue shall retain the odometer information provided in the vehicle
26 inspection report, and provide for prompt access to such information, together with the vehicle
27 identification number for the motor vehicle to which such information pertains, for a period of
28 five years after the receipt of such information. This subsection shall not apply unless:

29 (1) The application for the vehicle's certificate of ownership was submitted after July 1,
30 1990; and

31 (2) The certificate was issued pursuant to a manufacturer's statement of origin.

32 4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle,
33 specially constructed motor vehicle, non-USA-std motor vehicle, as defined in section 301.010,
34 or prior salvage as referenced in section 301.573, the owner or lienholder shall surrender the
35 certificate of ownership. The owner shall make an application for a new certificate of ownership,
36 pay the required title fee, and obtain the vehicle examination certificate required pursuant to
37 subsection 9 of section 301.190. If an insurance company [which] pays a claim on a salvage
38 vehicle as defined in section 301.010 and the [insured is retaining ownership of] **owner retains**
39 the vehicle, as prior salvage, the vehicle shall only be required to meet the examination
40 requirements under and pursuant to subsection 10 of section 301.190. Notarized bills of sale
41 along with a copy of the front and back of the certificate of ownership for all major component
42 parts installed on the vehicle and invoices for all essential parts which are not defined as major
43 component parts shall accompany the application for a new certificate of ownership. If the
44 vehicle is a specially constructed motor vehicle, as defined in section 301.010, two pictures of
45 the vehicle shall be submitted with the application. If the vehicle is a kit vehicle, the applicant
46 shall submit the invoice and the manufacturer's statement of origin on the kit. If the vehicle
47 requires the issuance of a special number by the director of revenue or a replacement vehicle
48 identification number, the applicant shall submit the required application and application fee.
49 All applications required under this subsection shall be submitted with any applicable taxes
50 which may be due on the purchase of the vehicle or parts. The director of revenue shall
51 appropriately designate "Reconstructed Motor Vehicle", "Motor Change Vehicle",
52 "Non-USA-Std Motor Vehicle", or "Specially Constructed Motor Vehicle" on the current and
53 all subsequent issues of the certificate of ownership of such vehicle.

54 5. Every insurance company [which] **that** pays a claim for repair of a motor vehicle
55 which as the result of such repairs becomes a reconstructed motor vehicle as defined in section
56 301.010 or [which] **that** pays a claim on a salvage vehicle as defined in section 301.010 and the
57 [insured] **owner** is retaining [ownership of] the vehicle, shall in writing notify [the claimant, if
58 he is] the owner of the vehicle, and **in a first party claim**, the lienholder if a lien is in effect, that
59 he is required to surrender the certificate of ownership, and the documents and fees required
60 pursuant to subsection 4 of this section to obtain a prior salvage motor vehicle certificate of
61 ownership or documents and fees as otherwise required by law to obtain a salvage certificate of
62 ownership, from the director of revenue. The insurance company shall within thirty days of the
63 payment of such claims report to the director of revenue the name and address of such [claimant]
64 **owner**, the year, make, model, vehicle identification number, and license plate number of the
65 vehicle, and the date of loss and payment.

66 6. Anyone who fails to comply with the requirements of this section shall be guilty of
67 a class B misdemeanor.

68 7. An applicant for registration may make a donation of one dollar to promote a
69 blindness education, screening and treatment program. The director of revenue shall collect the
70 donations and deposit all such donations in the state treasury to the credit of the blindness
71 education, screening and treatment program fund established in section 192.935, RSMo. Moneys
72 in the blindness education, screening and treatment program fund shall be used solely for the
73 purposes established in section 192.935, RSMo, except that the department of revenue shall
74 retain no more than one percent for its administrative costs. The donation prescribed in this
75 subsection is voluntary and may be refused by the applicant for registration at the time of
76 issuance or renewal. The director shall inquire of each applicant at the time the applicant
77 presents the completed application to the director whether the applicant is interested in making
78 the one dollar donation prescribed in this subsection.

79 8. An applicant for registration may make a donation of one dollar to promote an organ
80 donor program. The director of revenue shall collect the donations and deposit all such
81 donations in the state treasury to the credit of the organ donor program fund as established in
82 sections 194.297 to 194.304, RSMo. Moneys in the organ donor fund shall be used solely for
83 the purposes established in sections 194.297 to 194.304, RSMo, except that the department of
84 revenue shall retain no more than one percent for its administrative costs. The donation
85 prescribed in this subsection is voluntary and may be refused by the applicant for registration at
86 the time of issuance or renewal. The director shall inquire of each applicant at the time the
87 applicant presents the completed application to the director whether the applicant is interested
88 in making the one dollar donation prescribed in this subsection.

301.130. 1. The director of revenue, upon receipt of a proper application for registration,
2 required fees and any other information which may be required by law, shall issue to the
3 applicant a certificate of registration in such manner and form as the director of revenue may
4 prescribe and a set of license plates, or other evidence of registration, as provided by this section.
5 Each set of license plates shall bear the name or abbreviated name of this state, the words
6 "SHOW-ME STATE", the month and year in which the registration shall expire, and an
7 arrangement of numbers or letters, or both, as shall be assigned from year to year by the director
8 of revenue. The plates shall also contain fully reflective material with a common color scheme
9 and design for each type of license plate issued pursuant to this chapter. The plates shall be
10 clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled
11 veterans will have the "DISABLED VETERAN" wording on the license plates in preference to
12 the words "SHOW-ME STATE" and special plates for members of the national guard will have
13 the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

14 2. The arrangement of letters and numbers of license plates shall be uniform throughout
15 each classification of registration. The director may provide for the arrangement of the numbers
16 in groups or otherwise, and for other distinguishing marks on the plates.

17 3. All property-carrying commercial motor vehicles to be registered at a gross weight in
18 excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local
19 transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and
20 driveaway vehicles shall be registered with the director of revenue as provided for in subsection
21 3 of section 301.030, or with the state highways and transportation commission as otherwise
22 provided in this chapter, but only one license plate shall be issued for each such vehicle except
23 as provided in this subsection. The applicant for registration of any property-carrying
24 commercial motor vehicle may request and be issued two license plates for such vehicle, and if
25 such plates are issued the director of revenue may assess and collect an additional charge from
26 the applicant in an amount not to exceed the fee prescribed for personalized license plates in
27 subsection 1 of section 301.144.

28 4. The plates issued to manufacturers and dealers shall bear the [letter "D" preceding the
29 number] **letters and numbers as prescribed by section 301.560**, and the director may place
30 upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and
31 other types of motor vehicles.

32 5. No motor vehicle or trailer shall be operated on any highway of this state unless it
33 shall have displayed thereon the license plate or set of license plates issued by the director of
34 revenue or the state highways and transportation commission and authorized by section 301.140.
35 Each such plate shall be securely fastened to the motor vehicle **or trailer** in a manner so that all
36 parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof
37 are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors,
38 truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear
39 of such vehicles not less than eight nor more than forty-eight inches above the ground, with the
40 letters and numbers thereon right side up. The license plates on trailers, motorcycles,
41 motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters
42 and numbers thereon right side up. The license plate on buses, other than school buses, and on
43 trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall
44 be displayed on the front of such vehicles not less than eight nor more than forty-eight inches
45 above the ground, with the letters and numbers thereon right side up or if two plates are issued
46 for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front
47 and rear of such vehicles. The license plate or plates authorized by section 301.140, when
48 properly attached, shall be prima facie evidence that the required fees have been paid.

49 6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as
50 provided by law as evidence of the annual payment of registration fees and the current
51 registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may
52 prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs
53 positively correlate with the license plate or plates issued by the department of revenue for such
54 vehicle. Such tabs shall be produced in each license bureau office.

55 (2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such
56 tab or tabs in the designated area of the license plate, no more than one per plate.

57 (3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in
58 the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has
59 been paid.

60 (4) Except as otherwise provided in this section, the director of revenue shall issue plates
61 for a period of at least six years.

62 (5) For those commercial motor vehicles and trailers registered pursuant to section
63 301.041, the plate issued by the highways and transportation commission shall be a permanent
64 nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve
65 the owner of any vehicle permanently registered pursuant to this section from the obligation to
66 pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall
67 be returned to the highways and transportation commission upon the sale or disposal of the
68 vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may
69 be transferred to a replacement commercial motor vehicle when the owner files a supplemental
70 application with the Missouri highways and transportation commission for the registration of
71 such replacement commercial motor vehicle. Upon payment of the annual registration fee, the
72 highways and transportation commission shall issue a certificate of registration or other suitable
73 evidence of payment of the annual fee, and such evidence of payment shall be carried at all times
74 in the vehicle for which it is issued.

75 (6) Upon the sale or disposal of any vehicle permanently registered under this section,
76 or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued
77 for such vehicle shall be returned to the highways and transportation commission and shall not
78 be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle
79 when the owner files a supplemental application with the Missouri highways and transportation
80 commission for the registration of such replacement vehicle. If a vehicle which is permanently
81 registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated,
82 the registrant shall be given credit for any unused portion of the annual registration fee when the
83 vehicle is replaced by the purchase or lease of another vehicle during the registration year.

84 7. The director of revenue and the highways and transportation commission may
85 prescribe rules and regulations for the effective administration of this section. No rule or portion
86 of a rule promulgated under the authority of this section shall become effective unless it has been
87 promulgated pursuant to the provisions of section 536.024, RSMo.

88 8. Notwithstanding the provisions of any other law to the contrary, owners of motor
89 vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess
90 of eighteen thousand pounds gross weight may apply for special personalized license plates.
91 Vehicles licensed for eighteen thousand pounds that display special personalized license plates
92 shall be subject to the provisions of subsections 1 and 2 of section 301.030.

93 9. Commencing January 1, 2009, the director of revenue shall cause to be reissued new
94 license plates of such design as directed by the director consistent with the terms, conditions, and
95 provisions of this section and this chapter. Except as otherwise provided in this section, in
96 addition to all other fees required by law, applicants for registration of vehicles with license
97 plates that expire between January 1, 2009, and December 31, 2011, applicants for registration
98 of trailers or semitrailers with license plates that expire between January 1, 2009, and December
99 31, 2011, and applicants for registration of vehicles that are to be issued new license plates shall
100 pay an additional fee, based on the actual cost of the reissuance, to cover the cost of the newly
101 reissued plates required by this subsection. The additional fee prescribed in this subsection shall
102 not be charged to persons receiving special license plates issued under section 301.073 or
103 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and
104 specialized license plates are exempt from the provisions of this subsection.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate
2 of registration and the right to use the number plates shall expire and the number plates shall be
3 removed by the owner at the time of the transfer of possession, and it shall be unlawful for any
4 person other than the person to whom such number plates were originally issued to have the
5 same in his or her possession whether in use or not; except that the buyer of a motor vehicle or
6 trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in
7 motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor
8 vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this
9 subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or
10 trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates
11 for the trade-in motor vehicle or trailer are still valid.

12 2. In the case of a transfer of ownership the original owner may register another motor
13 vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle
14 is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle)
15 seating capacity, not in excess of that originally registered. When such motor vehicle is of

16 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
17 vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee
18 of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less
19 horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating
20 capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

21 3. License plates may be transferred from a motor vehicle which will no longer be
22 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay
23 a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in
24 the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that
25 of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of
26 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
27 vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer
28 fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased
29 vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial
30 motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be
31 entitled to a refund.

32 4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made
33 application for registration, by mail or otherwise, may operate the same for a period of thirty days
34 after taking possession thereof, if during such period the motor vehicle or trailer shall have
35 attached thereto, in the manner required by section 301.130, number plates issued to the dealer.
36 Upon application and presentation of satisfactory evidence that the buyer has applied for
37 registration, a dealer may furnish such number plates to the buyer for such temporary use. In
38 such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to
39 be returned to the buyer upon return of the number plates as a guarantee that said buyer will
40 return to the dealer such number plates within thirty days. The director shall issue a temporary
41 permit [or paper plate] authorizing the operation of a motor vehicle or trailer by a buyer for not
42 more than thirty days of the date of purchase.

43 5. The temporary permit [or paper plate] shall be made available by the director of
44 revenue and may be purchased from the department of revenue upon proof of purchase of a
45 motor vehicle or trailer for which the buyer has no registration plate available for transfer, or
46 from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration
47 plate available for transfer. The director shall make temporary [plates or] permits available to
48 registered dealers in this state **or authorized agents of the department of revenue** in sets of
49 ten [plates or] permits. The fee for the temporary permit [or plate] shall be seven dollars and
50 fifty cents for each permit or plate issued. No dealer **or authorized agent** shall charge more than
51 seven dollars and fifty cents for each permit issued. The permit [or plate] shall be valid for a

52 period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of
53 sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit [or plate]
54 as set out above.

55 6. The permit [or plate] shall be issued on a form prescribed by the director and issued
56 only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable
57 the applicant to legally operate the vehicle while proper title and registration plate are being
58 obtained, and shall be displayed on no other vehicle. **Temporary** permits [or paper plates]
59 issued pursuant to this section shall not be transferable or renewable and shall not be valid upon
60 issuance of proper registration plates for the motor vehicle or trailer. The director shall
61 determine the size and numbering configuration, construction, and color of the permit [and
62 plate].

63 7. The dealer or authorized agent shall insert the date of issuance and expiration date,
64 year, make, and manufacturer's number of vehicle on the [paper plate or] permit when issued to
65 the buyer. The dealer shall also insert such dealer's number on the [paper plate] **permit**. Every
66 dealer that issues a temporary permit [or paper plate] shall keep, for inspection of proper officers,
67 a correct record of each permit [or plate] issued by recording the permit or plate number, buyer's
68 name and address, year, make, manufacturer's **vehicle identification** number [of vehicle] on
69 which the permit [or plate] is to be used, and the date of issuance.

70 8. Upon the transfer of ownership of any currently registered motor vehicle wherein the
71 owner cannot transfer the license plates due to a change of vehicle category, the owner may
72 surrender the license plates issued to the motor vehicle and receive credit for any unused portion
73 of the original registration fee against the registration fee of another motor vehicle. Such credit
74 shall be granted based upon the date the license plates are surrendered. No refunds shall be made
75 on the unused portion of any license plates surrendered for such credit.

301.144. 1. The director of revenue shall establish and issue special personalized license
2 plates containing letters or numbers or combinations of letters and numbers. Such license plates
3 shall be made with fully reflective material with a common color scheme and design, shall be
4 clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.
5 Any person desiring to obtain a special personalized license plate for any motor vehicle the
6 person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial
7 motor vehicle licensed in excess of eighteen thousand pounds gross weight shall apply to the
8 director of revenue on a form provided by the director and shall pay a fee of fifteen dollars in
9 addition to the regular registration fees. The director of revenue shall issue rules and regulations
10 setting the standards and establishing the procedure for application for and issuance of the special
11 personalized license plates and shall provide a deadline each year for the applications. Any rule
12 or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the

13 authority delegated in this section shall become effective only if it complies with and is subject
14 to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This
15 section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the
16 general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to
17 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
18 authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void. No
19 two owners shall be issued identical plates. An owner shall make a new application and pay a
20 new fee each year such owner desires to obtain or retain special personalized license plates;
21 however, notwithstanding the provisions of subsection 8 of section 301.130 to the contrary, the
22 director shall allow the special personalized license plates to be replaced with new plates every
23 three years without any additional charge, above the fee established in this section, to the renewal
24 applicant. Any person currently in possession of an approved personalized license plate shall
25 have first priority on that particular plate for each of the following years that timely and
26 appropriate application is made.

27 2. Upon application for a personalized plate by the owner of a motor vehicle for which
28 the owner has no registration plate available for transfer as prescribed by section 301.140, the
29 director shall issue a temporary permit authorizing the operation of the motor vehicle until the
30 personalized plate is issued.

31 3. No personalized license plates shall be issued containing any letters, numbers or
32 combination of letters and numbers which are obscene, profane, patently offensive or
33 contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present
34 an unreasonable danger to the health or safety of the applicant, of other users of streets and
35 highways, or of the public in any location where the vehicle with such a plate may be found. The
36 director may recall any personalized license plates, including those issued prior to August 28,
37 1992, if the director determines that the plates are obscene, profane, patently offensive or
38 contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present
39 an unreasonable danger to the health or safety of the applicant, of other users of streets and
40 highways, or of the public in any location where the vehicle with such a plate may be found.
41 Where the director recalls such plates pursuant to the provisions of this subsection, the director
42 shall reissue personalized license plates to the owner of the motor vehicle for which they were
43 issued at no charge, if the new plates proposed by the owner of the motor vehicle meet the
44 standards established pursuant to this section. The director shall not apply the provisions of this
45 statute in a way that violates the Missouri or United States Constitutions as interpreted by the
46 courts with controlling authority in the state of Missouri. The primary purpose of motor vehicle
47 [licence] **license** plates is to identify motor vehicles. Nothing in the issuance of a personalized
48 license plate creates a designated or limited public forum. Nothing contained in this subsection

49 shall be interpreted to prohibit the use of license plates, which are no longer valid for registration
50 purposes, as collector's items or for decorative purposes.

51 4. The director may also establish categories of special license plates from which license
52 plates may be issued. Any such person, other than a person exempted from the additional fee
53 pursuant to subsection 7 of this section, that desires a personalized special license plate from any
54 such category shall pay the same additional fee and make the same kind of application as that
55 required by subsection 1 of this section, and the director shall issue such plates in the same
56 manner as other personalized special license plates are issued.

57 5. The director of revenue shall issue to residents of the state of Missouri who hold an
58 unrevoked and unexpired official amateur radio license issued by the Federal Communications
59 Commission, upon application and upon payment of the additional fee specified in subsection
60 1 of this section, except for a person exempted from the additional fee pursuant to subsection 7
61 of this section, personalized special license plates bearing the official amateur radio call letters
62 assigned by the Federal Communications Commission to the applicant with the words
63 "AMATEUR RADIO" in place of the words "SHOW-ME STATE". The application shall be
64 accompanied by a statement stating that the applicant has an unrevoked and unexpired amateur
65 radio license issued by the Federal Communications Commission and the official radio call
66 letters assigned by the Federal Communications Commission to the applicant. An owner making
67 a new application and paying a new fee to retain an amateur radio plate may request a
68 replacement plate with the words "AMATEUR RADIO" in place of the words "SHOW-ME
69 STATE". If application is made to retain a plate that is three years old or older, the replacement
70 plate shall be issued upon the payment of required fees.

71 6. Notwithstanding any other provision to the contrary, any business that repossesses
72 motor vehicles or trailers and sells or otherwise disposes of them shall be issued a placard
73 displaying the word "Repossessed", provided such business pays the **license** fees presently
74 required of a manufacturer, distributor, or dealer in [subsection 1 of section 301.253] **section**
75 **301.560**. Such placard shall bear a number and shall be in such form as the director of revenue
76 shall determine, and shall be only used for demonstrations when displayed substantially as
77 provided for number plates on the rear of the **repossessed** motor vehicle or trailer.

78 7. Notwithstanding any provision of law to the contrary, any person who has retired from
79 any branch of the United States armed forces or reserves, the United States Coast Guard or
80 reserve, the United States Merchant Marines or reserve, the National Guard, or any subdivision
81 of any such services shall be exempt from the additional fee required for personalized license
82 plates issued pursuant to section 301.441. As used in this subsection, "retired" means having
83 served twenty or more years in the appropriate branch of service and having received an
84 honorable discharge.

301.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate therefor, shall be issued by the director of revenue unless the applicant therefor shall make application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall present satisfactory evidence that such certificate has been previously issued to the applicant for such motor vehicle or trailer. Application shall be made within thirty days after the applicant acquires the motor vehicle or trailer upon a blank form furnished by the director of revenue and shall contain the applicant's identification number, a full description of the motor vehicle or trailer, the vehicle identification number, and the mileage registered on the odometer at the time of transfer of ownership, as required by section 407.536, RSMo, together with a statement of the applicant's source of title and of any liens or encumbrances on the motor vehicle or trailer, provided that for good cause shown the director of revenue may extend the period of time for making such application.

2. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true and shall, to the extent possible without substantially delaying processing of the application, review any odometer information pertaining to such motor vehicle that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the director shall thereupon issue an appropriate certificate over his signature and sealed with the seal of his office, procured and used for such purpose. The certificate shall contain on its face a complete description, vehicle identification number, and other evidence of identification of the motor vehicle or trailer, as the director of revenue may deem necessary, together with the odometer information required to be put on the face of the certificate pursuant to section 407.536, RSMo, a statement of any liens or encumbrances which the application may show to be thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing the transferor's title and whether the transferor's odometer mileage statement executed pursuant to section 407.536, RSMo, indicated that the true mileage is materially different from the number of miles shown on the odometer, or is unknown.

3. The director of revenue shall appropriately designate on the current and all subsequent issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for motor vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print on the face thereof the following designation: "Annual odometer updates may be available from the department of revenue.". On any duplicate certificate, the director of revenue shall reprint on the face thereof the most recent of either:

36 (1) The mileage information included on the face of the immediately prior certificate and
37 the date of purchase or issuance of the immediately prior certificate; or

38 (2) Any other mileage information provided to the director of revenue, and the date the
39 director obtained or recorded that information.

40 4. The certificate of ownership issued by the director of revenue shall be manufactured
41 in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge
42 such certificate without ready detection. In order to carry out the requirements of this subsection,
43 the director of revenue may contract with a nonprofit scientific or educational institution
44 specializing in the analysis of secure documents to determine the most effective methods of
45 rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

46 5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in
47 addition to the fee for registration of such motor vehicle or trailer. If application for the
48 certificate is not made within thirty days after the vehicle is acquired by the applicant, a
49 delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and
50 twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of [one
51 hundred dollars before November 1, 2003, and not to exceed a total of] two hundred dollars [on
52 or after November 1, 2003, shall be imposed], but such penalty may be waived by the director
53 for a good cause shown. If the director of revenue learns that any person has failed to obtain a
54 certificate within thirty days after acquiring a motor vehicle or trailer or has sold a vehicle
55 without obtaining a certificate, he shall cancel the registration of all vehicles registered in the
56 name of the person, either as sole owner or as a co-owner, and shall notify the person that the
57 cancellation will remain in force until the person pays the delinquency penalty fee provided in
58 this section, together with all fees, charges and payments which [he] **the person** should have
59 paid in connection with the certificate of ownership and registration of the vehicle. The
60 certificate shall be good for the life of the motor vehicle or trailer so long as the same is owned
61 or held by the original holder of the certificate and shall not have to be renewed annually.

62 6. Any applicant for a certificate of ownership requesting the department of revenue to
63 process an application for a certificate of ownership in an expeditious manner requiring special
64 handling shall pay a fee of five dollars in addition to the regular certificate of ownership fee.

65 7. It is unlawful for any person to operate in this state a motor vehicle or trailer required
66 to be registered under the provisions of the law unless a certificate of ownership has been [issued
67 as herein] **applied for as provided in this section.**

68 8. Before an original Missouri certificate of ownership is issued, an inspection of the
69 vehicle and a verification of vehicle identification numbers shall be made by the Missouri state
70 highway patrol on vehicles for which there is a current title issued by another state if a Missouri
71 salvage certificate of title has been issued for the same vehicle but no prior inspection and

72 verification has been made in this state, except that if such vehicle has been inspected in another
73 state by a law enforcement officer in a manner comparable to the inspection process in this state
74 and the vehicle identification numbers have been so verified, the applicant shall not be liable for
75 the twenty-five dollar inspection fee if such applicant submits proof of inspection and vehicle
76 identification number verification to the director of revenue at the time of the application. The
77 applicant, who has such a title for a vehicle on which no prior inspection and verification have
78 been made, shall pay a fee of twenty-five dollars for such verification and inspection, payable
79 to the director of revenue at the time of the request for the application, which shall be deposited
80 in the state treasury to the credit of the state highways and transportation department fund.

81 9. Each application for an original Missouri certificate of ownership for a vehicle which
82 is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle,
83 motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director
84 of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state
85 highway patrol, or other law enforcement agency as authorized by the director of revenue. The
86 vehicle examination shall include a verification of vehicle identification numbers and a
87 determination of the classification of the vehicle. The owner of a vehicle which requires a
88 vehicle examination certificate shall present the vehicle for examination and obtain a completed
89 vehicle examination certificate prior to submitting an application for a certificate of ownership
90 to the director of revenue. The fee for the vehicle examination application shall be twenty-five
91 dollars and shall be collected by the director of revenue at the time of the request for the
92 application and shall be deposited in the state treasury to the credit of the state highways and
93 transportation department fund. **If the vehicle is also to be registered in Missouri, the safety**
94 **inspection required in chapter 307, RSMo, and the emissions inspection required under**
95 **chapter 643, RSMo, shall be completed and the fees required by section 307.365, RSMo,**
96 **and section 643.315, RSMo, shall be charged to the owner.**

97 10. When an application is made for an original Missouri certificate of ownership for a
98 motor vehicle previously registered or titled in a state other than Missouri or as required by
99 section 301.020, it shall be accompanied by a current inspection form certified by a duly
100 authorized official inspection station as described in chapter 307, RSMo. The completed form
101 shall certify that the manufacturer's identification number for the vehicle has been inspected, that
102 it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the
103 time of inspection. The inspection station shall collect the same fee as authorized in section
104 307.365, RSMo, for making the inspection, and the fee shall be deposited in the same manner
105 as provided in section 307.365, RSMo. If the vehicle is also to be registered in Missouri, the
106 safety inspection required in chapter 307, RSMo, and the emissions inspection required under
107 chapter 643, RSMo, shall be completed and only the fees required by section 307.365, RSMo,

108 and section 643.315, RSMo, shall be charged to the owner. This section shall not apply to
109 vehicles being transferred on a manufacturer's statement of origin.

110 11. Motor vehicles brought into this state in a wrecked or damaged condition or after
111 being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle
112 procedures shall, in lieu of the inspection required by subsection 10 of this section, be inspected
113 by the Missouri state highway patrol in accordance with subsection 9 of this section. If the
114 inspection reveals the vehicle to be in a salvage or junk condition, the director shall so indicate
115 on any Missouri certificate of ownership issued for such vehicle. Any salvage designation shall
116 be carried forward on all subsequently issued certificates of title for the motor vehicle.

117 12. When an application is made for an original Missouri certificate of ownership for a
118 motor vehicle previously registered or titled in a state other than Missouri, and the certificate of
119 ownership has been appropriately designated by the issuing state as a reconstructed motor
120 vehicle, motor change vehicle, [or] specially constructed motor vehicle, **or prior salvage**
121 **vehicle**, the director of revenue shall appropriately designate on the current Missouri and all
122 subsequent issues of the certificate of ownership the name of the issuing state and such prior
123 designation. **The absence of any prior designation shall not relieve a transferor of the duty**
124 **to exercise due diligence with regard to such certificate of ownership prior to the transfer**
125 **of a certificate. If a transferor exercises any due diligence with regard to a certificate of**
126 **ownership, the legal transfer of a certificate of ownership without any designation that is**
127 **subsequently discovered to have or should have had a designation shall be a transfer free**
128 **and clear of any liabilities of the transferor associated with the missing designation.**

129 13. When an application is made for an original Missouri certificate of ownership for a
130 motor vehicle previously registered or titled in a state other than Missouri, and the certificate of
131 ownership has been appropriately designated by the issuing state as non-USA-std motor vehicle,
132 the director of revenue shall appropriately designate on the current Missouri and all subsequent
133 issues of the certificate of ownership the words "Non-USA-Std Motor Vehicle".

134 14. The director of revenue and the superintendent of the Missouri state highway patrol
135 shall make and enforce rules for the administration of the inspections required by this section.

136 15. Each application for an original Missouri certificate of ownership for a vehicle which
137 is classified as a reconstructed motor vehicle, manufactured forty or more years prior to the
138 current model year, and which has a value of three thousand dollars or less shall be accompanied
139 by:

140 (1) A proper affidavit submitted by the owner explaining how the motor vehicle or trailer
141 was acquired and, if applicable, the reasons a valid certificate of ownership cannot be furnished;

142 (2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the source
143 of all major component parts used to rebuild the vehicle;

(3) A fee of one hundred fifty dollars in addition to the fees described in subsection 5 of this section. Such fee shall be deposited in the state treasury to the credit of the state highways and transportation department fund; and

(4) An inspection certificate, other than a motor vehicle examination certificate required under subsection 9 of this section, completed and issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The inspection performed by the highway patrol or other authorized local law enforcement agency shall include a check for stolen vehicles.

The department of revenue shall issue the owner a certificate of ownership designated with the words "Reconstructed Motor Vehicle" and deliver such certificate of ownership in accordance with the provisions of this chapter. Notwithstanding subsection 9 of this section, no owner of a reconstructed motor vehicle described in this subsection shall be required to obtain a vehicle examination certificate issued by the Missouri state highway patrol.

[301.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate therefor, shall be issued by the director of revenue unless the applicant therefor shall make application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall present satisfactory evidence that such certificate has been previously issued to the applicant for such motor vehicle or trailer. Application shall be made within thirty days after the applicant acquires the motor vehicle or trailer upon a blank form furnished by the director of revenue and shall contain the applicant's identification number, a full description of the motor vehicle or trailer, the vehicle identification number, and the mileage registered on the odometer at the time of transfer of ownership, as required by section 407.536, RSMo, together with a statement of the applicant's source of title and of any liens or encumbrances on the motor vehicle or trailer, provided that for good cause shown the director of revenue may extend the period of time for making such application.

2. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true and shall, to the extent possible without substantially delaying processing of the application, review any odometer information pertaining to such motor vehicle that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the director shall thereupon issue an appropriate certificate over his signature and sealed with the seal of his office, procured and used for such purpose. The certificate shall contain on its face a complete description, vehicle identification number, and other evidence of identification of the motor vehicle or trailer, as the director of revenue may deem necessary, together with the odometer information required to be put on the face of the certificate pursuant to section 407.536, RSMo, a statement of any liens or encumbrances which the

application may show to be thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing the transferor's title and whether the transferor's odometer mileage statement executed pursuant to section 407.536, RSMo, indicated that the true mileage is materially different from the number of miles shown on the odometer, or is unknown.

3. The director of revenue shall appropriately designate on the current and all subsequent issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for motor vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print on the face thereof the following designation: "Annual odometer updates may be available from the department of revenue.". On any duplicate certificate, the director of revenue shall reprint on the face thereof the most recent of either:

(1) The mileage information included on the face of the immediately prior certificate and the date of purchase or issuance of the immediately prior certificate; or

(2) Any other mileage information provided to the director of revenue, and the date the director obtained or recorded that information.

4. The certificate of ownership issued by the director of revenue shall be manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge such certificate without ready detection. In order to carry out the requirements of this subsection, the director of revenue may contract with a nonprofit scientific or educational institution specializing in the analysis of secure documents to determine the most effective methods of rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in addition to the fee for registration of such motor vehicle or trailer. If application for the certificate is not made within thirty days after the vehicle is acquired by the applicant, a delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of one hundred dollars before November 1, 2003, and not to exceed a total of two hundred dollars on or after November 1, 2003, shall be imposed, but such penalty may be waived by the director for a good cause shown. If the director of revenue learns that any person has failed to obtain a certificate within thirty days after acquiring a motor vehicle or trailer or has sold a vehicle without obtaining a certificate, he shall cancel the registration of all vehicles registered in the name of the person, either as sole owner or as a co-owner, and shall notify the person that the cancellation will remain in force until the person pays the delinquency penalty fee provided in this section, together with all fees, charges and payments which he should have paid in connection with the certificate of ownership and registration of the vehicle. The certificate shall be good for the life of the motor vehicle or trailer so long as

71 the same is owned or held by the original holder of the certificate and shall not
72 have to be renewed annually.

73 6. Any applicant for a certificate of ownership requesting the department
74 of revenue to process an application for a certificate of ownership in an
75 expeditious manner requiring special handling shall pay a fee of five dollars in
76 addition to the regular certificate of ownership fee.

77 7. It is unlawful for any person to operate in this state a motor vehicle or
78 trailer required to be registered under the provisions of the law unless a certificate
79 of ownership has been issued as herein provided.

80 8. Before an original Missouri certificate of ownership is issued, an
81 inspection of the vehicle and a verification of vehicle identification numbers shall
82 be made by the Missouri state highway patrol on vehicles for which there is a
83 current title issued by another state if a Missouri salvage certificate of title has
84 been issued for the same vehicle but no prior inspection and verification has been
85 made in this state, except that if such vehicle has been inspected in another state
86 by a law enforcement officer in a manner comparable to the inspection process
87 in this state and the vehicle identification numbers have been so verified, the
88 applicant shall not be liable for the twenty-five dollar inspection fee if such
89 applicant submits proof of inspection and vehicle identification number
90 verification to the director of revenue at the time of the application. The
91 applicant, who has such a title for a vehicle on which no prior inspection and
92 verification have been made, shall pay a fee of twenty-five dollars for such
93 verification and inspection, payable to the director of revenue at the time of the
94 request for the application, which shall be deposited in the state treasury to the
95 credit of the state highways and transportation department fund.

96 9. Each application for an original Missouri certificate of ownership for
97 a vehicle which is classified as a reconstructed motor vehicle, specially
98 constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor
99 vehicle, or other vehicle as required by the director of revenue shall be
100 accompanied by a vehicle examination certificate issued by the Missouri state
101 highway patrol, or other law enforcement agency as authorized by the director of
102 revenue. The vehicle examination shall include a verification of vehicle
103 identification numbers and a determination of the classification of the vehicle.
104 The owner of a vehicle which requires a vehicle examination certificate shall
105 present the vehicle for examination and obtain a completed vehicle examination
106 certificate prior to submitting an application for a certificate of ownership to the
107 director of revenue. The fee for the vehicle examination application shall be
108 twenty-five dollars and shall be collected by the director of revenue at the time
109 of the request for the application and shall be deposited in the state treasury to the
110 credit of the state highways and transportation department fund.

111 10. When an application is made for an original Missouri certificate of
112 ownership for a motor vehicle previously registered or titled in a state other than
113 Missouri or as required by section 301.020, it shall be accompanied by a current

inspection form certified by a duly authorized official inspection station as described in chapter 307, RSMo. The completed form shall certify that the manufacturer's identification number for the vehicle has been inspected, that it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the time of inspection. The inspection station shall collect the same fee as authorized in section 307.365, RSMo, for making the inspection, and the fee shall be deposited in the same manner as provided in section 307.365, RSMo. If the vehicle is also to be registered in Missouri, the safety and emissions inspections required in chapter 307, RSMo, shall be completed and only the fees required by sections 307.365 and 307.366, RSMo, shall be charged to the owner. This section shall not apply to vehicles being transferred on a manufacturer's statement of origin.

11. Motor vehicles brought into this state in a wrecked or damaged condition or after being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle procedures shall, in lieu of the inspection required by subsection 10 of this section, be inspected by the Missouri state highway patrol in accordance with subsection 9 of this section. If the inspection reveals the vehicle to be in a salvage or junk condition, the director shall so indicate on any Missouri certificate of ownership issued for such vehicle. Any salvage designation shall be carried forward on all subsequently issued certificates of title for the motor vehicle.

12. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as a reconstructed motor vehicle, motor change vehicle, or specially constructed motor vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the name of the issuing state and such prior designation.

13. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as non-USA-std motor vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the words "Non-USA-Std Motor Vehicle".

14. The director of revenue and the superintendent of the Missouri state highway patrol shall make and enforce rules for the administration of the inspections required by this section.

15. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, manufactured forty or more years prior to the current model year, and which has a value of three thousand dollars or less shall be accompanied by:

(1) A proper affidavit submitted by the owner explaining how the motor vehicle or trailer was acquired and, if applicable, the reasons a valid certificate of ownership cannot be furnished;

(2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the source of all major component parts used to rebuild the vehicle;

(3) A fee of one hundred fifty dollars in addition to the fees described in subsection 5 of this section. Such fee shall be deposited in the state treasury to the credit of the state highways and transportation department fund; and

(4) An inspection certificate, other than a motor vehicle examination certificate required under subsection 9 of this section, completed and issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The inspection performed by the highway patrol or other authorized local law enforcement agency shall include a check for stolen vehicles.

The department of revenue shall issue the owner a certificate of ownership designated with the words "Reconstructed Motor Vehicle" and deliver such certificate of ownership in accordance with the provisions of this chapter. Notwithstanding subsection 9 of this section, no owner of a reconstructed motor vehicle described in this subsection shall be required to obtain a vehicle examination certificate issued by the Missouri state highway patrol.]

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

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

(2) The vehicle identification number of the motor vehicle or trailer;

(3) The name and address of the transferee;

(4) The date of birth of the transferee, unless the transferee is not a natural person;

(5) The date of the transfer or sale;

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

(7) The number of the transferee's drivers license, unless the transferee does not have a drivers license;

(8) The printed name and signature of the transferee;

(9) Any other information required by the department by rule.

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

20 3. The requirements of this section shall not apply to transfers when there is no complete
21 change of ownership interest or upon award of ownership of a motor vehicle or trailer made by
22 court order, or transfers of ownership of a motor vehicle or trailer to or between vehicle dealers,
23 **or transfers of ownership of a motor vehicle or trailer to an insurance company due to a**
24 **theft or casualty loss**, or transfers of beneficial ownership of a motor vehicle owned by a trust.

25 4. Notification under this section is only required for transfers of ownership that would
26 otherwise require registration and an application for certificate of title in this state under section
27 301.190, and is for informational purposes only and does not constitute an assignment or release
28 of any interest in the vehicle.

29 5. Retail sales made by licensed dealers including sales of new vehicles shall be reported
30 pursuant to the provisions of section 301.280.

 301.200. 1. In the case of dealers, a [separate] certificate of ownership[, either of such
2 dealer's immediate vendor, or of the dealer himself,] **or proof that a dealer has applied for a**
3 **certificate of ownership or that a prior lien has been satisfied by the dealer** shall be required
4 in the case of each motor vehicle in his possession, and the director of revenue shall determine
5 the form in which application for such certificates of ownership and assignments shall be made,
6 in case forms differing from those used for individuals are, in his judgment, reasonably required;
7 provided, however, that no such certificates shall be required in the case of new motor vehicles
8 or trailers sold by manufacturers to dealers.

9 2. Dealers shall execute and deliver manufacturer's statements of origin in accordance
10 with forms prescribed by the director of revenue for all new cars sold by them. On the
11 presentation of a manufacturer's statement of origin, executed in the form prescribed by the
12 director of revenue, by a manufacturer or a dealer for a new car sold in this state, a certificate of
13 ownership shall be issued.

14 3. Each certificate of ownership issued by the department of revenue shall contain space
15 for four assignments. On all certificates of ownership containing fewer than four assignment
16 spaces, the director shall prescribe a secure document for use in making a fourth assignment by
17 a dealer. All secure documents for assignments which are spoiled shall be marked "void" and
18 shall be returned by the dealer to the department of revenue at the end of each month.

 301.218. 1. No person shall, except as an incident to the sale, repair, rebuilding or
2 servicing of vehicles by a licensed franchised motor vehicle dealer carry on or conduct the
3 following business unless licensed to do so by the department of revenue under sections 301.217
4 to 301.229:

5 (1) Selling used parts of or used accessories for vehicles as a used parts dealer, as defined
6 in section 301.010;

7 (2) Salvaging, wrecking or dismantling vehicles for resale of the parts thereof as a
8 salvage dealer or dismantler, as defined in section 301.010;

9 (3) Rebuilding and repairing four or more wrecked or dismantled vehicles in a calendar
10 year as a rebuilder or body shop, as defined in section 301.010;

11 (4) Processing scrapped vehicles or vehicle parts as a mobile scrap processor, as defined
12 in section 301.010.

13 2. Sales at a salvage pool or a salvage disposal sale shall be open [only to and made to
14 persons holding a current license under sections 301.217 to 301.221 as a salvage dealer and
15 dismantler and actually engaged in that business. Such persons must have and present a separate
16 buyer's identification card issued by the department of revenue to buy at a salvage pool or
17 salvage disposal sale. If the prospective purchasers are not engaged in such business in Missouri
18 but are in some other state, then they shall submit a fee of twenty-five dollars and must furnish
19 proof of licensure or nonrequirement therefor from their state to the director of revenue who shall
20 issue a buyer's identification card after verifying that the prospective purchaser is entitled to have
21 the same in order to buy salvage vehicles. The director of revenue shall adopt rules for criteria
22 and requirements for out of state, prospective purchasers to meet in order to be issued a buyer's
23 identification card] **to all potential buyers, whether or not they are required to be licensed**
24 **under sections 301.218 to 301.226.** Operators of salvage pools or salvage disposal sales shall
25 keep a record, for three years, of sales of salvage vehicles with the purchasers' name and address,
26 and the year, make, and vehicle identification number for each vehicle. These records shall be
27 open for inspection as provided in section 301.225.

28 3. The director of revenue shall issue a separate license for each kind of business
29 described in this section, to be entitled and designated as either "used parts dealer"; "salvage
30 dealer or dismantler"; "rebuilder or body shop"; or "mobile scrap processor" license.

301.221. 1. The department shall file each application received by it with the required
2 fee, and when satisfied that the applicant, if an individual, or each of the partners or principal
3 officers of the applicant, if a partnership or a corporation, is of good moral character and that the
4 applicant, so far as can be ascertained, has complied and will comply with the provisions of
5 sections 301.217 to 301.229 and the laws of this state relating to registration of and certificates
6 of title of vehicles, shall issue to the applicant a license to carry on and conduct the kind of
7 businesses, enumerated in section 301.218, specified in the application at the address therein
8 specified, until the next license renewal date.

9 2. When the application is being made for licensure as a salvage dealer, **the applicant**
10 **shall obtain** a certification by a uniformed member **or authorized or designated employee** of
11 the Missouri state highway patrol stationed in the troop area in which the applicant's place of
12 business is located; except, that in counties of the first classification, certification may be

13 performed by an officer of a metropolitan police department when the applicant's established
14 place of business of salvage is in the metropolitan area where the certifying metropolitan police
15 officer is employed. An applicant shall have a bona fide established place of business which
16 shall include a permanent enclosed building or structure, either owned in fee or leased and
17 actually occupied as a place of business by the applicant for:

- 18 (1) Selling used parts of or used accessories for vehicles; or
- 19 (2) Salvaging, wrecking or dismantling vehicles for resale of the parts thereof; or
- 20 (3) Rebuilding and repairing wrecked or dismantled vehicles; or
- 21 (4) Processing scrapped vehicles or vehicle parts.

22 3. The applicant's place of business shall be a place wherein the public may contact the
23 owner or operator, in person or by telephone, at any reasonable time, and wherein shall be kept
24 and maintained the books, records, files, tools, equipment and other matters required and
25 necessary to conduct the business.

26 4. The application shall include a photograph, not to exceed eight inches by ten inches,
27 showing the building and business premises and shall accompany the initial application but will
28 not be required for subsequent renewals unless substantial changes have been made to the
29 building or business premises.

301.225. Every person licensed or required to be licensed shall maintain for three years
2 on vehicles not more than seven years old a record of:

3 (1) Every vehicle or used transmission, rear end, cowl, frame, body, front end assembly
4 or engine of or for a vehicle received or acquired by him, its description and identifying number,
5 if any, the date of its receipt or acquisition, and the name and address of the person from whom
6 received or acquired;

7 (2) Every vehicle wrecked, dismantled or disposed of by him, and the date of its
8 wrecking or dismantling and, if sold to a scrap metal operator, the operator's name and address.

9
10 Every such record shall be retained by the person licensed or required to be licensed at his
11 principal place of business and shall be open to inspection by any representative of the
12 department, member **or authorized or designated employee** of the Missouri highway patrol,
13 or any police officer during reasonable business hours. Members of the patrol or any police
14 officer may inspect the premises of every person licensed or required to be licensed at any time
15 that business is being conducted or work is being performed, whether or not open to the public
16 to enforce the provisions of sections 301.217 to 301.229.

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 not more than seven years old, it shall be mandatory that the
6 purchaser apply for a salvage title, but on vehicles over seven years old, application for a salvage
7 title shall be optional on the part of the purchaser.] **On vehicles purchased during a year that
8 is no more than six years after the manufacturer's model year designation for such vehicle,
9 it shall be mandatory that the purchaser apply for a salvage title. On vehicles purchased
10 during a year that is more than six years after the manufacturer's model year designation
11 for such vehicle, then application for a salvage title shall be optional on the part of the
12 purchaser.** Whenever a vehicle is sold for destruction and a salvage certificate of title, junking
13 certificate, or certificate of ownership exists, the seller, if licensed under sections 301.217 to
14 301.221, shall forward the certificate to the director of revenue within ten days, with the notation
15 of the date sold for 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, the
18 purchaser may forward to the director of revenue the salvage certificate of title or certificate of
19 ownership and the director shall issue a negotiable junking certificate to the purchaser of the
20 vehicle. The director may also issue a junking certificate to a possessor of a vehicle
21 manufactured twenty-six years or more prior to the current model year who has a bill of sale for
22 said vehicle but does not possess a certificate of ownership, provided no claim of theft has been
23 made on the vehicle and the highway patrol has by letter stated the vehicle is not listed as stolen
24 after checking the registration number through its nationwide computer system. Such certificate
25 may be granted within thirty days of the submission of a request.

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
30 shall, within ninety days, be allowed to rescind his application for a junking certificate by
31 surrendering the junking certificate and apply for a salvage certificate of title in his name. The
32 seller of a vehicle for which a junking certificate has been applied for or issued shall disclose
33 such fact in writing to any prospective buyers before sale of such vehicle; otherwise the sale shall
34 be voidable at the option of the buyer.

35 4. No scrap metal operator shall acquire or purchase a motor vehicle or parts thereof
36 without, at the time of such acquisition, receiving the original certificate of title or salvage
37 certificate of title or junking certificate from the seller of the vehicle or parts, unless the seller
38 is a licensee under sections 301.219 to 301.221.

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

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

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

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

301.229. 1. Anyone who violates any provision of sections 301.217 to 301.229 is guilty
2 of a class A misdemeanor and, upon conviction, shall be punished as provided by law.

3 2. The director of revenue or his **or her** designated representative, **including members**
4 **or authorized or designated employees of the Missouri highway patrol** shall administer and
5 enforce the provisions of sections 301.217 to 301.229 and may develop, prescribe and issue any
6 forms, notices or other written documents in order to enforce such authority and to ensure that
7 every person licensed or required to be licensed pursuant to sections 301.217 to 301.229 is in
8 compliance with sections 301.217 to 301.229.

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 The odometer reading is not required when reporting the sale of any motor vehicle that is ten
8 years old or older, any motor vehicle having a gross vehicle weight rating of more than sixteen
9 thousand pounds, new vehicles that are transferred on a manufacturer's statement of origin
10 between one franchised motor vehicle dealer and another, or boats, all-terrain vehicles or trailers.
11 The sale of all thirty-day temporary permits, without exception, shall be recorded in the
12 appropriate space on the dealer's monthly sales report by recording the complete permit number
13 issued on the motor vehicle or trailer sale listed. The monthly sales report shall be completed
14 in full and signed by an officer, partner, or owner of the dealership, and actually received by the
15 department of revenue on or before the fifteenth day of the month succeeding the month for
16 which the sales are being reported. If no sales occur in any given month, a report shall be
17 submitted for that month indicating no sales. Any vehicle dealer who fails to file a monthly
18 report or who fails to file a timely report shall be subject to disciplinary action as prescribed in
19 section 301.562 or a penalty assessed by the director not to exceed three hundred dollars per
20 violation. Every motor vehicle and boat dealer shall retain copies of the monthly sales report as
21 part of the records to be maintained at the dealership location and shall hold them available for
22 inspection by appropriate law enforcement officials and officials of the department of revenue.
23 [Beginning January 1, 2006, the monthly sales report required by this subsection may be filed
24 electronically. Beginning January 1, 2007,] Every vehicle dealer selling twenty or more vehicles
25 a month shall file the monthly sales report with the department in an electronic format. Any
26 dealer filing a monthly sales report in an electronic format shall be exempt from filing the notice
27 of transfer required by section 301.196. For any dealer not filing electronically, the notice of
28 transfer required by section 301.196 shall be submitted with the monthly sales report as
29 prescribed by the director.

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

39 3. Every dealer and every person operating a public garage in which a motor vehicle
40 remains unclaimed for a period of fifteen days [shall, within five days after the expiration of that
41 period,] **may** report the motor vehicle as unclaimed to the director of revenue. Such report shall

42 be on a form prescribed by the director of revenue. A motor vehicle left by its owner whose
43 name and address are known to the dealer or his employee or person operating a public garage
44 or his employee is not considered unclaimed. [Any dealer or person operating a public garage
45 who fails to report a motor vehicle as unclaimed as herein required forfeits all claims and liens
46 for its garaging, parking or storing.]

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

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

301.550. 1. The definitions contained in section 301.010 shall apply to sections 301.550
2 to 301.573, and in addition as used in sections 301.550 to 301.573, the following terms mean:

3 (1) "Boat dealer", any natural person, partnership, or corporation who, for a commission
4 or with an intent to make a profit or gain of money or other thing of value, sells, barter,
5 exchanges, leases or rents with the option to purchase, offers, attempts to sell, or negotiates the
6 sale of any vessel or vessel trailer, whether or not the vessel or vessel trailer is owned by such
7 person. The sale of six or more vessels or vessel trailers or both in any calendar year shall be
8 required as evidence that such person is eligible for licensure as a boat dealer under sections
9 301.550 to 301.573. The boat dealer shall demonstrate eligibility for renewal of his license by
10 selling six or more vessels or vessel trailers or both in the prior calendar year while licensed as
11 a boat dealer pursuant to sections 301.550 to 301.573;

12 (2) "Boat manufacturer", any person engaged in the manufacturing, assembling or
13 modification of new vessels or vessel trailers as a regular business, including a person,
14 partnership or corporation which acts for and is under the control of a manufacturer or assembly
15 in connection with the distribution of vessels or vessel trailers;

16 (3) "Department", the Missouri department of revenue;

17 (4) "Director", the director of the Missouri department of revenue;

18 (5) "Manufacturer", any person engaged in the manufacturing, assembling or
19 modification of new motor vehicles or trailers as a regular business, including a person,
20 partnership or corporation which acts for and is under the control of a manufacturer or assembly
21 in connection with the distribution of motor vehicles or accessories for motor vehicles;

22 (6) "Motor vehicle broker", a person who holds himself out through solicitation,
23 advertisement, or otherwise as one who offers to arrange a transaction involving the retail sale
24 of a motor vehicle, and who is not:

25 (a) A dealer, or any agent, or any employee of a dealer when acting on behalf of a dealer;

26 (b) A manufacturer, or any agent, or employee of a manufacturer when acting on behalf
27 of a manufacturer;

28 (c) The owner of the vehicle involved in the transaction; or

29 (d) A public motor vehicle auction or wholesale motor vehicle auction where buyers are
30 licensed dealers in this or any other jurisdiction;

31 (7) "Motor vehicle dealer" or "dealer", any person who, for commission or with an intent
32 to make a profit or gain of money or other thing of value, sells, barter, exchanges, leases or rents
33 with the option to purchase, or who offers or attempts to sell or negotiates the sale of motor
34 vehicles or trailers whether or not the motor vehicles or trailers are owned by such person;
35 provided, however, an individual auctioneer or auction conducted by an auctioneer licensed
36 pursuant to chapter 343, RSMo, shall not be included within the definition of a motor vehicle
37 dealer. The sale of six or more motor vehicles or trailers in any calendar year shall be required
38 as evidence that such person is engaged in the motor vehicle business and is eligible for licensure
39 as a motor vehicle dealer under sections 301.550 to 301.573. **Any motor vehicle dealer**
40 **licensed before August 28, 2007, shall be required to meet the minimum calendar year sales**
41 **of six or more motor vehicles provided the dealer can prove the business achieved,**
42 **cumulatively, six or more sales per year for the preceding twenty-four months in business;**
43 **or if the dealer has not been in business for twenty-four months, the cumulative equivalent**
44 **of one sale every two months for the months the dealer has been in business before August**
45 **28, 2007. Any licensed motor vehicle dealer failing to meet the minimum vehicle sales**
46 **requirements as referenced in this subsection shall not be qualified to renew his or her**
47 **license for one year. Applicants who reapply after the one-year period shall meet the**
48 **requirement of six sales per year;**

49 (8) "New motor vehicle", any motor vehicle being transferred for the first time from a
50 manufacturer, distributor or new vehicle dealer which has not been registered or titled in this
51 state or any other state and which is offered for sale, barter or exchange by a dealer who is
52 franchised to sell, barter or exchange that particular make of motor vehicle. The term "new
53 motor vehicle" shall not include manufactured homes, as defined in section 700.010, RSMo;

54 (9) "New motor vehicle franchise dealer", any motor vehicle dealer who has been
55 franchised to deal in a certain make of motor vehicle by the manufacturer or distributor of that
56 make and motor vehicle and who may, in line with conducting his business as a franchise dealer,
57 sell, barter or exchange used motor vehicles;

58 (10) "Person" includes an individual, a partnership, corporation, an unincorporated
59 society or association, joint venture or any other entity;

60 (11) "Powersport dealer", any motor vehicle dealer who sells, either pursuant to a
61 franchise agreement or otherwise, primarily motor vehicles including but not limited to
62 motorcycles, all-terrain vehicles, and personal watercraft, as those terms are defined in this
63 chapter and chapter 306, RSMo;

64 (12) "Public motor vehicle auction", any person, firm or corporation who takes
65 possession of a motor vehicle whether by consignment, bailment or any other arrangement,
66 except by title, for the purpose of selling motor vehicles at a public auction by a licensed
67 auctioneer;

68 (13) "Storage lot", an area, within the same city or county where a dealer may store
69 excess vehicle inventory;

70 (14) **"Trailer dealer", any person selling, either exclusively or otherwise, trailers**
71 **as defined in subdivision (59) of section 301.010. A trailer dealer may acquire a motor**
72 **vehicle for resale only as a trade-in for a trailer. Notwithstanding the provisions of**
73 **subdivision (11) of section 301.010 and section 301.069, trailer dealers may purchase one**
74 **driveaway license plate to display such motor vehicle for demonstration purposes. The sale**
75 **of six or more trailers in any calendar year shall be required as evidence that such person**
76 **is engaged in the trailer business and is eligible for licensure as a trailer dealer under**
77 **sections 301.550 to 301.573. Any trailer dealer licensed before August 28, 2007, shall be**
78 **required to meet the minimum calendar year sales of six or more trailers provided the**
79 **dealer can prove the business achieved, cumulatively, six or more sales per year for the**
80 **preceding twenty-four months in business; or if the dealer has not been in business for**
81 **twenty-four months, the cumulative equivalent of one sale every two months for the**
82 **months the dealer has been in business before August 28, 2007. Any licensed trailer dealer**
83 **failing to meet the minimum trailer and vehicle sales requirements as referenced in this**
84 **subsection shall not be qualified to renew his or her license for one year. Applicants who**
85 **reapply after the one-year period shall meet the requirement of six sales per year;**

86 (15) "Used motor vehicle", any motor vehicle which is not a new motor vehicle, as
87 defined in sections 301.550 to 301.573, and which has been sold, bartered, exchanged or given
88 away or which may have had a title issued in this state or any other state, or a motor vehicle so
89 used as to be what is commonly known as a secondhand motor vehicle. In the event of an
90 assignment of the statement of origin from an original franchise dealer to any individual or other
91 motor vehicle dealer other than a new motor vehicle franchise dealer of the same make, the
92 vehicle so assigned shall be deemed to be a used motor vehicle and a certificate of ownership

93 shall be obtained in the assignee's name. The term "used motor vehicle" shall not include
94 manufactured homes, as defined in section 700.010, RSMo;

95 [(15)] **(16)** "Used motor vehicle dealer", any motor vehicle dealer who is not a new
96 motor vehicle franchise dealer;

97 [(16)] **(17)** "Vessel", every boat and watercraft defined as a vessel in section 306.010,
98 RSMo;

99 [(17)] **(18)** "Vessel trailer", any trailer, as defined by section 301.010 which is designed
100 and manufactured for the purposes of transporting vessels;

101 [(18)] **(19)** "Wholesale motor vehicle auction", any person, firm or corporation in the
102 business of providing auction services solely in wholesale transactions at its established place
103 of business in which the purchasers are motor vehicle dealers licensed by this or any other
104 jurisdiction, and which neither buys, sells nor owns the motor vehicles it auctions in the ordinary
105 course of its business. Except as required by law with regard to the auction sale of a government
106 owned motor vehicle, a wholesale motor vehicle auction shall not provide auction services in
107 connection with the retail sale of a motor vehicle;

108 [(19)] **(20)** "Wholesale motor vehicle dealer", a motor vehicle dealer who sells motor
109 vehicles only to other new motor vehicle franchise dealers or used motor vehicle dealers or via
110 auctions limited to other dealers of any class.

111 2. For purposes of sections 301.550 to 301.573, neither the term "motor vehicle" nor the
112 term "trailer" shall include manufactured homes, as defined in section 700.010, RSMo.

113 3. Dealers shall be divided into classes as follows:

- 114 (1) Boat dealers;
115 (2) Franchised new motor vehicle dealers;
116 (3) Used motor vehicle dealers;
117 (4) Wholesale motor vehicle dealers;
118 (5) Recreational motor vehicle dealers;
119 (6) Historic motor vehicle dealers;
120 (7) Classic motor vehicle dealers; [and]
121 (8) Powersport dealers; **and**
122 **(9) Trailer dealers.**

301.560. 1. In addition to the application forms prescribed by the department, each
2 applicant shall submit the following to the department:

- 3 (1) Every application other than a renewal application for a motor vehicle franchise
4 dealer shall include a certification that the applicant has a bona fide established place of business.
5 [When the application is being made for licensure as a manufacturer, motor vehicle dealer,
6 wholesale motor vehicle dealer, wholesale motor vehicle auction or a public motor vehicle

7 auction,] **Such application shall include an annual certification that the applicant has a**
8 **bona fide established place of business for the first three years and only for every other**
9 **year thereafter.** The certification shall be performed by a uniformed member of the Missouri
10 state highway patrol **or authorized or designated employee** stationed in the troop area in which
11 the applicant's place of business is located; except, that in counties of the first classification,
12 certification may be performed by an officer of a metropolitan police department when the
13 applicant's established place of business of distributing or selling motor vehicles or trailers is in
14 the metropolitan area where the certifying metropolitan police officer is employed. When the
15 application is being made for licensure as a boat manufacturer or boat dealer, certification shall
16 be performed by a uniformed member of the Missouri state water patrol stationed in the district
17 area in which the applicant's place of business is located or by a uniformed member of the
18 Missouri state highway patrol stationed in the troop area in which the applicant's place of
19 business is located or, if the applicant's place of business is located within the jurisdiction of a
20 metropolitan police department in a first class county, by an officer of such metropolitan police
21 department. A bona fide established place of business for any new motor vehicle franchise
22 dealer [or] , used motor vehicle dealer, **boat dealer, powersport dealer, wholesale motor**
23 **vehicle dealer, trailer dealer, or wholesale or public auction** shall [include] **be** a permanent
24 enclosed building or structure, either owned in fee or leased and actually occupied as a place of
25 business by the applicant for the selling, bartering, trading, **servicing**, or exchanging of motor
26 vehicles, **boats, personal watercraft**, or trailers and wherein the public may contact the owner
27 or operator at any reasonable time, and wherein shall be kept and maintained the books, records,
28 files and other matters required and necessary to conduct the business. The applicant's place of
29 business shall contain a working telephone which shall be maintained during the entire
30 registration year. In order to qualify as a bona fide established place of business for all applicants
31 licensed pursuant to this section there shall be an exterior sign displayed carrying the name of
32 the business set forth in letters at least six inches in height and clearly visible to the public and
33 there shall be an area or lot which shall not be a public street on which [one or more] **multiple**
34 vehicles, **boats, personal watercraft, or trailers** may be displayed[, except when licensure is
35 for a wholesale motor vehicle dealer, a lot and sign shall not be required]. The sign shall contain
36 the name of the dealership by which it is known to the public through advertising or otherwise,
37 which need not be identical to the name appearing on the dealership's license so long as such
38 name is registered as a fictitious name with the secretary of state, has been approved by its
39 line-make manufacturer in writing in the case of a new motor vehicle franchise dealer and a copy
40 of such fictitious name registration has been provided to the department. [When licensure is for
41 a boat dealer, a lot shall not be required. In the case of new motor vehicle franchise dealers, the
42 bona fide established place of business shall include adequate facilities, tools and personnel

43 necessary to properly service and repair motor vehicles and trailers under their franchisor's
44 warranty];

45 (2) [If] The **initial** application [is] for licensure [as a manufacturer, boat manufacturer,
46 new motor vehicle franchise dealer, used motor vehicle dealer, wholesale motor vehicle auction,
47 boat dealer or a public motor vehicle auction,] **shall include** a photograph, not to exceed eight
48 inches by ten inches **but no less than five inches by seven inches**, showing the business
49 building, **lot**, and sign [shall accompany the initial application. In the case of a manufacturer,
50 new motor vehicle franchise dealer or used motor vehicle dealer, the photograph shall include
51 the lot of the business]. A new motor vehicle franchise dealer applicant who has purchased a
52 currently licensed new motor vehicle franchised dealership shall be allowed to submit a
53 photograph of the existing dealership building, lot and sign but shall be required to submit a new
54 photograph upon the installation of the new dealership sign as required by sections 301.550 to
55 301.573. Applicants shall not be required to submit a photograph annually unless the business
56 has moved from its previously licensed location, or unless the name of the business or address
57 has changed, or unless the class of business has changed;

58 (3) [If the application is for licensure as a wholesale motor vehicle dealer or as a boat
59 dealer, the application shall contain the business address, not a post office box, and telephone
60 number of the place where the books, records, files and other matters required and necessary to
61 conduct the business are located and where the same may be inspected during normal daytime
62 business hours. Wholesale motor vehicle dealers and boat dealers shall file reports as required
63 of new franchised motor vehicle dealers and used motor vehicle dealers;

64 (4)] Every applicant as a new motor vehicle franchise dealer, a used motor vehicle
65 dealer, **a powersport dealer**, a wholesale motor vehicle dealer, **trailer dealer**, or boat dealer
66 shall furnish with the application a corporate surety bond or an irrevocable letter of credit as
67 defined in section 400.5-103, RSMo, issued by any state or federal financial institution in the
68 penal sum of [twenty-five] **thirty** thousand dollars on a form approved by the department. The
69 bond or irrevocable letter of credit shall be conditioned upon the dealer complying with the
70 provisions of the statutes applicable to new motor vehicle franchise dealers, used motor vehicle
71 dealers, **powersport dealers**, wholesale motor vehicle dealers, **trailer dealers**, and boat dealers,
72 and the bond shall be an indemnity for any loss sustained by reason of the acts of the person
73 bonded when such acts constitute grounds for the suspension or revocation of the dealer's license.
74 The bond shall be executed in the name of the state of Missouri for the benefit of all aggrieved
75 parties or the irrevocable letter of credit shall name the state of Missouri as the beneficiary;
76 except, that the aggregate liability of the surety or financial institution to the aggrieved parties
77 shall, in no event, exceed the amount of the bond or irrevocable letter of credit. The proceeds
78 of the bond or irrevocable letter of credit shall be paid upon receipt by the department of a final

79 judgment from a Missouri court of competent jurisdiction against the principal and in favor of
80 an aggrieved party. **Additionally, every applicant as a new motor vehicle franchise dealer,**
81 **a used motor vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, trailer**
82 **dealer, or boat dealer shall furnish with the application a copy of a current dealer garage**
83 **policy bearing the policy number and name of the insurer and the insured, and a copy of**
84 **a current property and casualty policy bearing the policy number and name of the insurer**
85 **and the insured from an insurance carrier registered with the director of the Missouri**
86 **department of insurance, financial institutions and professional registration;**

87 [(5)] (4) Payment of all necessary license fees as established by the department. In
88 establishing the amount of the annual license fees, the department shall, as near as possible,
89 produce sufficient total income to offset operational expenses of the department relating to the
90 administration of sections 301.550 to 301.573. All fees payable pursuant to the provisions of
91 sections 301.550 to 301.573, other than those fees collected for the issuance of dealer plates or
92 certificates of number collected pursuant to subsection 6 of this section, shall be collected by the
93 department for deposit in the state treasury to the credit of the "Motor Vehicle Commission
94 Fund", which is hereby created. The motor vehicle commission fund shall be administered by
95 the Missouri department of revenue. The provisions of section 33.080, RSMo, to the contrary
96 notwithstanding, money in such fund shall not be transferred and placed to the credit of the
97 general revenue fund until the amount in the motor vehicle commission fund at the end of the
98 biennium exceeds two times the amount of the appropriation from such fund for the preceding
99 fiscal year or, if the department requires permit renewal less frequently than yearly, then three
100 times the appropriation from such fund for the preceding fiscal year. The amount, if any, in the
101 fund which shall lapse is that amount in the fund which exceeds the multiple of the appropriation
102 from such fund for the preceding fiscal year.

103 2. In the event a new **vehicle** manufacturer, boat manufacturer, motor vehicle dealer,
104 wholesale motor vehicle dealer, boat dealer, **powersport dealer**, wholesale motor vehicle
105 auction, **trailer dealer**, or a public motor vehicle auction submits an application for a license for
106 a new business and the applicant has complied with all the provisions of this section, the
107 department shall make a decision to grant or deny the license to the applicant within eight
108 working hours after receipt of the dealer's application, notwithstanding any rule of the
109 department.

110 3. Upon the initial issuance of a license by the department, the department shall assign
111 a distinctive dealer license number or certificate of number to the applicant and the department
112 shall issue one number plate or certificate bearing the distinctive dealer license number or
113 certificate of number **and two additional number plates or certificates of number** within eight
114 working hours after presentment of the application. Upon [the] renewal [of a boat dealer, boat

manufacturer, manufacturer, motor vehicle dealer, public motor vehicle auction, wholesale motor vehicle dealer or wholesale motor vehicle auction], the department shall issue the distinctive dealer license number or certificate of number as quickly as possible. The issuance of such distinctive dealer license number or certificate of number shall be in lieu of registering each motor vehicle, trailer, vessel or vessel trailer dealt with by a boat dealer, boat manufacturer, manufacturer, public motor vehicle auction, wholesale motor vehicle dealer, wholesale motor vehicle auction or **new or used** motor vehicle dealer.

4. Notwithstanding any other provision of the law to the contrary, the department shall assign the following distinctive dealer license numbers to:

New motor vehicle franchise dealers D-0 through D-999

New [motor vehicle franchise and commercial motor vehicle]

powersport dealers and motorcycle franchise dealers . . . D-1000 through D-1999

Used motor vehicle, **used powersport, and used motorcycle**

dealers D-2000 through [D-5399
and D-6000 through] D-9999

Wholesale motor vehicle dealers [W-1000] **W-0** through W-1999

Wholesale motor vehicle auctions [W-2000] **WA-0** through [W-2999] **WA-999**

New and used trailer dealers T-0 through T-9999

Motor vehicle [and] , trailer, **and boat**

manufacturers [M-0] **DM-0** through [M-9999] **DM-999**

[Motorcycle dealers D-5400 through D-5999]

Public motor vehicle auctions [A-1000] **A-0** through A-1999

Boat dealers [and boat manufacturers] [B-0] **M-0** through [B-9999] **M-9999**

New and used recreational motor vehicle dealers **RV-0** through **RV-999**

For purposes of this subsection, qualified transactions shall include the purchase of salvage titled vehicles by a licensed salvage dealer. A used motor vehicle dealer who also holds a salvage dealers license shall be allowed one additional plate or certificate number per fifty-unit qualified transactions annually. In order for salvage dealers to obtain number plates or certificates under this section, dealers shall submit to the department of revenue on August first of each year a statement certifying, under penalty of perjury, the dealer's number of purchases during the reporting period of July first of the immediately preceding year to June thirtieth of the present year.

The provisions of this subsection shall become effective on the date the director of the department of revenue begins to reissue new license plates under section 301.130, or on December 1, 2008, whichever occurs first. If the director of revenue begins reissuing new

151 **license plates under the authority granted under section 301.130 prior to December 1, 2008,**
152 **the director of the department of revenue shall notify the revisor of statutes of such fact.**

153 5. Upon the sale of a currently licensed new motor vehicle franchise dealership the
154 department shall, upon request, authorize the new approved dealer applicant to retain the selling
155 dealer's license number and shall cause the new dealer's records to indicate such transfer.

156 6. In the case of **new motor vehicle** manufacturers [and] , motor vehicle dealers,
157 **powersport dealers, recreational motor vehicle dealers, and trailer dealers,** the department
158 shall [also] issue one number plate bearing the distinctive dealer license number **and two**
159 **additional number plates** to the applicant upon payment by the manufacturer or dealer of a fifty
160 dollar fee **for the number plate bearing the distinctive dealer license number and twenty-**
161 **one dollar fee for the additional number plates.** Such license plates shall be made with fully
162 reflective material with a common color scheme and design, shall be clearly visible at night, and
163 shall be aesthetically attractive, as prescribed by section 301.130. Boat dealers and boat
164 manufacturers shall be entitled to one certificate of number bearing such number upon the
165 payment of a fifty dollar fee. [As many] Additional number plates [as may be desired by
166 manufacturers and motor vehicle dealers] and as many additional certificates of number [as may
167 be desired by boat dealers and boat manufacturers] may be obtained upon payment of a fee of
168 ten dollars and fifty cents for each additional plate or certificate. **New motor vehicle**
169 **manufacturers shall not be issued or possess more than three hundred forty-seven**
170 **additional number plates or certificates of number annually. New and used motor vehicle**
171 **dealers, powersport dealers, wholesale motor vehicle dealers, boat dealers, and trailer**
172 **dealers are limited to one additional plate or certificate of number per ten-unit qualified**
173 **transactions annually. New and used recreational motor vehicle dealers are limited to two**
174 **additional plates or certificate of number per ten-unit qualified transactions annually for**
175 **their first fifty transactions and one additional plate or certificate of number per ten-unit**
176 **qualified transactions thereafter. An applicant seeking the issuance of an initial license**
177 **shall indicate on his or her initial application the applicant's proposed annual number of**
178 **sales in order for the director to issue the appropriate number of additional plates or**
179 **certificates of number.** A motor vehicle dealer, **trailer dealer,** boat dealer, **powersport dealer,**
180 **recreational motor vehicle dealer, motor vehicle** manufacturer, boat manufacturer, [public
181 motor vehicle auction,] **or** wholesale motor vehicle dealer [or wholesale motor vehicle auction]
182 obtaining a **distinctive** dealer license plate or certificate of number or additional license plate or
183 additional certificate of number, throughout the calendar year, shall be required to pay a fee for
184 such license plates or certificates of number computed on the basis of one-twelfth of the full fee
185 prescribed for the original and duplicate number plates or certificates of number for such dealers'
186 licenses, multiplied by the number of months remaining in the licensing period for which the

187 dealer or manufacturers shall be required to be licensed. In the event of a renewing dealer, the
188 fee due at the time of renewal shall not be prorated. **Wholesale and public auctions shall be**
189 **issued a certificate of dealer registration in lieu of a dealer number plate. In order for**
190 **dealers to obtain number plates or certificates under this section, dealers shall submit to**
191 **the department of revenue on August first of each year a statement certifying, under**
192 **penalty of perjury, the dealer's number of sales during the reporting period of July first**
193 **of the immediately preceding year to June thirtieth of the present year.**

194 7. The plates issued pursuant to subsection 3 or 6 of this section may be displayed on any
195 motor vehicle owned by a new motor vehicle manufacturer. **The plates issued pursuant to**
196 **subsection 3 or 6 of this section may be displayed on any motor vehicle or trailer owned and**
197 held for resale by [the] a motor vehicle dealer [or manufacturer, and used] for use by a customer
198 who is test driving the motor vehicle, [or is used] for use and display purposes during, but not
199 limited to, parades, private events, charitable events, or for use by an employee or officer,
200 but shall not be displayed on any motor vehicle or trailer hired or loaned to others or upon any
201 regularly used service or wrecker vehicle. Motor vehicle dealers may display their dealer plates
202 on a tractor, truck or trailer to demonstrate a vehicle under a loaded condition. **Trailer dealers**
203 **may display their dealer license plates in like manner, except such plates may only be**
204 **displayed on trailers owned and held for resale by the trailer dealer.**

205 8. The certificates of number issued pursuant to subsection 3 or 6 of this section may be
206 displayed on any vessel or vessel trailer owned and held for resale by a boat manufacturer or a
207 boat dealer, and used by a customer who is test driving the vessel or vessel trailer, or is used by
208 an employee or officer on a vessel or vessel trailer only, but shall not be displayed on any
209 motor vehicle owned by a boat manufacturer, boat dealer, or trailer dealer, or vessel or
210 vessel trailer hired or loaned to others or upon any regularly used service vessel or vessel trailer.
211 Boat dealers and boat manufacturers may display their certificate of number on a vessel or vessel
212 trailer [which is being transported] when transporting a vessel or vessels to an exhibit or show.

213 9. (1) [Beginning August 28, 2006,] Every application for the issuance of a used motor
214 vehicle dealer's license shall be accompanied by proof that the applicant, within the last twelve
215 months, has completed an educational seminar course approved by the department as prescribed
216 by subdivision (2) of this subsection. Wholesale and [retail] public auto auctions and
217 applicants currently holding a new or used license for a separate dealership shall be exempt
218 from the requirements of this subsection. The provisions of this subsection shall not apply to
219 current new motor vehicle franchise dealers or motor vehicle leasing agencies or applicants
220 for a new motor vehicle franchise [dealers] or a motor vehicle leasing agency. The provisions
221 of this subsection shall not apply to used motor vehicle dealers who were licensed prior to
222 August 28, 2006.

223 (2) The educational seminar shall include, but is not limited to, the dealer requirements
224 of sections 301.550 to 301.573, the rules promulgated to implement, enforce, and administer
225 sections 301.550 to 301.570, and any other rules and regulations promulgated by the department.

2 [301.566. 1. A motor vehicle dealer may participate in any motor vehicle
3 show or sale and conduct sales of motor vehicles away from the dealer's usual,
4 licensed place of business if either the requirements of subsection 2 or 3 of this
5 section are met or the event is conducted for not more than ten days, and if a
6 majority of the motor vehicle dealers within a class of dealers described pursuant
7 to subsection 3 of section 301.550 in a city or town participate or are invited and
8 have the opportunity to participate in the event, except that a recreational motor
9 vehicle dealer classified in subdivision (5) of subsection 3 of section 301.550
10 may participate in such a show or sale even if a majority of recreational motor
11 vehicle dealers in a city or town do not participate in the event. The department
12 shall consider such events to be proper in all respects and as if each dealer
13 participant was conducting business at the dealer's usual business location.
14 Nothing contained in this section shall be construed as applying to the sale of
15 motor vehicles or trailers through either a wholesale motor vehicle auction or
16 public motor vehicle auction.

17 2. Any person, partnership, corporation or association disposing of
18 vehicles used and titled solely in its ordinary course of business as provided in
19 section 301.570 may sell at retail such vehicles away from that person's bona fide
20 established place of business, thus constituting an off-site sale, by adhering to
21 each of the following conditions with regard to each and every off-site sale
22 conducted:

23 (1) Have in effect a valid license, pursuant to sections 301.550 to
24 301.575, from the department for the sale of used motor vehicles;

25 (2) No off-site sale may exceed ten days in duration, and only one sale
26 may be held per year, per county, in counties of the third and fourth
27 classification;

28 (3) Pay to the motor vehicle commission fund, pursuant to section
29 301.560, a permit fee of two hundred fifty dollars for each off-site sale event;

30 (4) Advise the department, at least ten days prior to the sale, of the date,
31 location and duration of each off-site sale;

32 (5) The sale of vehicles at off-site sales shall be limited to sales by a
33 seller of vehicles used and titled solely in its ordinary course of business, and
34 such sales shall be held in conjunction with a credit union and limited to
35 members of the credit union, thus constituting a private sale to be advertised to
36 members only;

37 (6) Off-site sales by a seller of vehicles used and titled solely in its
38 ordinary course of business may also be held in conjunction with other financial
39 institutions provided that any such sale event shall be held on the premises of the
40 financial institution, and sales shall be limited to persons who were customers of
the financial institution prior to the date of the sale event. Off-site sales held with

such other financial institutions shall be limited to one sale per year per institution;

(7) The sale of motor vehicles which have the designation of the current model year, except discontinued models, is prohibited at off-site sales until subsequent model year designated vehicles of the same manufacture and model are offered for sale to the public.

3. A recreational vehicle dealer, as that term is defined in section 700.010, RSMo, who is licensed in another state may participate in recreational vehicle shows or exhibits with recreational vehicles within this state, in which less than fifty dealers participate as exhibitors with permission of the dealer's licensed manufacturer if all of the following conditions exist:

(1) The show or exhibition has a minimum of ten recreational vehicle dealers licensed as motor vehicle dealers in this state;

(2) More than fifty percent of the participating recreational vehicle dealers are licensed motor vehicle dealers in this state; and

(3) The state in which the recreational vehicle is licensed is a state contiguous to Missouri and the state permits recreational vehicle dealers licensed in Missouri to participate in recreational vehicle shows in such state pursuant to conditions substantially equivalent to the conditions which are imposed on dealers from such state who participate in recreational vehicle shows in Missouri.

4. A recreational vehicle dealer licensed in another state may participate in a vehicle show or exhibition in Missouri which has, when it opens to the public, at least fifty dealers displaying recreational vehicles if the show or exhibition is trade-oriented and is predominantly funded by recreational vehicle manufacturers. All of the participating dealers who are not licensed in Missouri shall be licensed as recreational vehicle dealers by the state of their residence.

5. A recreational vehicle dealer licensed in another state who intends to participate in a vehicle show or exhibition in this state shall send written notification of such intended participation to the department of revenue at least thirty days prior to the vehicle show or exhibition. Upon receipt of such written notification, the department of revenue shall make a determination regarding compliance with the provisions of this section. If such recreational vehicle dealer would be unable to participate in the vehicle show or exhibition in this state pursuant to this section, the department of revenue shall notify the recreational vehicle dealer at least fifteen days prior to the vehicle show or exhibition of the inability to participate in the vehicle show or exhibition in this state, a violation of this section shall result in a fine of one thousand dollars to be assessed by the department of revenue.]

301.566. 1. A motor vehicle dealer may participate in [any] **no more than two** motor vehicle [show or sale] **shows or sales annually** and conduct sales of motor vehicles away from the dealer's usual, licensed place of business if either the requirements of subsection 2 or 3 of this section are met or the event is conducted for not more than [ten] **five consecutive days, the event**

5 **does not require any motor vehicle dealer participant to pay an unreasonably prohibitive**
6 **participation fee**, and if a majority of the motor vehicle dealers within a class of dealers
7 described pursuant to subsection 3 of section 301.550 in a city or town participate or are invited
8 and have the opportunity to participate in the event, except that a recreational motor vehicle
9 dealer classified in subdivision (5) of subsection 3 of section 301.550 may participate in such a
10 show or sale even if a majority of recreational motor vehicle dealers in a city or town do not
11 participate in the event. **If any show or sale includes a class of dealer or franchised new**
12 **vehicle line-make, that is also represented by a same class dealer or dealer representing the**
13 **same line-make outside of the boundary lines of the city or town and is within ten miles of**
14 **where the show or sale is to take place, the dealer outside of the boundary lines of the city**
15 **or town shall be invited to participate in the show or sale.** The department shall consider
16 such events to be proper in all respects and as if each dealer participant was conducting business
17 at the dealer's usual business location. Nothing contained in this section shall be construed as
18 applying to the sale of motor vehicles or trailers through either a wholesale motor vehicle auction
19 or public motor vehicle auction.

20 2. Any person, partnership, corporation or association disposing of vehicles used and
21 titled solely in its ordinary course of business as provided in section 301.570 may sell at retail
22 such vehicles away from that person's bona fide established place of business, thus constituting
23 an off-site sale, by adhering to each of the following conditions with regard to each and every
24 off-site sale conducted:

25 (1) Have in effect a valid license, pursuant to sections 301.550 to 301.575, from the
26 department for the sale of used motor vehicles;

27 (2) No off-site sale may exceed [ten] **five** days in duration, and only one sale may be held
28 per year, per county[, in counties of the third and fourth classification];

29 (3) Pay to the motor vehicle commission fund, pursuant to section 301.560, a permit fee
30 of [two] **five** hundred fifty dollars for each off-site sale event;

31 (4) Advise the department, at least ten days prior to the sale, of the date, location and
32 duration of each off-site sale;

33 (5) The sale of vehicles at off-site sales shall be limited to sales by a seller of vehicles
34 used and titled solely in its ordinary course of business, and such sales shall be held in
35 conjunction with a credit union and limited to members of the credit union, thus constituting a
36 private sale to be advertised to members only;

37 (6) Off-site sales by a seller of vehicles used and titled solely in its ordinary course of
38 business may also be held in conjunction with other financial institutions provided that any such
39 sale event shall be held on the premises of the financial institution, and sales shall be limited to
40 persons who were customers of the financial institution prior to the date of the sale event.

41 Off-site sales held with such other financial institutions shall be limited to one sale per year per
42 institution;

43 (7) The sale of motor vehicles which have the designation of the current model year,
44 except discontinued models, is prohibited at off-site sales until subsequent model year designated
45 vehicles of the same manufacture and model are offered for sale to the public.

46 3. A recreational vehicle dealer, as that term is defined in section 700.010, RSMo, who
47 is licensed in another state may participate in recreational vehicle shows or exhibits with
48 recreational vehicles within this state, in which less than fifty dealers participate as exhibitors
49 with permission of the dealer's licensed manufacturer if all of the following conditions exist:

50 (1) The show or exhibition has a minimum of ten recreational vehicle dealers licensed
51 as motor vehicle dealers in this state;

52 (2) More than fifty percent of the participating recreational vehicle dealers are licensed
53 motor vehicle dealers in this state; and

54 (3) The state in which the recreational vehicle is licensed is a state contiguous to
55 Missouri and the state permits recreational vehicle dealers licensed in Missouri to participate in
56 recreational vehicle shows in such state pursuant to conditions substantially equivalent to the
57 conditions which are imposed on dealers from such state who participate in recreational vehicle
58 shows in Missouri.

59 4. A recreational vehicle dealer licensed in another state may participate in a vehicle
60 show or exhibition in Missouri which has, when it opens to the public, at least fifty dealers
61 displaying recreational vehicles if the show or exhibition is trade-oriented and is predominantly
62 funded by recreational vehicle manufacturers. All of the participating dealers who are not
63 licensed in Missouri shall be licensed as recreational vehicle dealers by the state of their
64 residence.

65 5. A recreational vehicle dealer licensed in another state who intends to participate in a
66 vehicle show or exhibition in this state shall send written notification of such intended
67 participation to the department of revenue at least thirty days prior to the vehicle show or
68 exhibition. Upon receipt of such written notification, the department of revenue shall make a
69 determination regarding compliance with the provisions of this section. If such recreational
70 vehicle dealer would be unable to participate in the vehicle show or exhibition in this state
71 pursuant to this section, the department of revenue shall notify the recreational vehicle dealer at
72 least fifteen days prior to the vehicle show or exhibition of the inability to participate in the
73 vehicle show or exhibition in this state.

74 6. The department of revenue may assess a fine of up to one thousand dollars for any
75 violation of this section.

301.567. 1. For purposes of this section, a violation of any of the following advertising standards shall be deemed an attempt by the advertising dealer to obtain a fee or other compensation by fraud, deception or misrepresentation in violation of section 301.562:

(1) A motor vehicle shall not be advertised as new, either by express terms or implication, unless it is a "new motor vehicle" as defined in section 301.550;

(2) When advertising any motor vehicle which is not a new motor vehicle, such advertisement must expressly identify that the motor vehicle is a used motor vehicle by express use of the term "used", or by such other term as is commonly understood to mean that the vehicle is used;

(3) Any terms, conditions, and disclaimers relating to the advertised motor vehicle's price or financing options shall be stated clearly and conspicuously. An asterisk or other reference symbol may be used to point to a disclaimer or other information, but not be used as a means of contradicting or changing the meaning of an advertised statement;

(4) The expiration date, if any, of an advertised sale or vehicle price shall be clearly and conspicuously disclosed. In the absence of such disclosure, the advertised sale or vehicle price shall be deemed effective so long as such vehicles remain in the advertising dealership's inventory;

(5) The terms "list price", "sticker price", or "suggested retail price" shall be used only in reference to the manufacturer's suggested retail price for new motor vehicles, and, if used, shall be accompanied by a clear and conspicuous disclosure that such terms represent the "manufacturer's suggested retail price" of the advertised vehicle;

(6) Terms such as "at cost", "\$..... above cost", **"invoice price"**, and **"\$..... below/over invoice"** shall not be used in advertisements because of the difficulty in determining a dealer's actual net cost at the time of the sale[. Terms such as "invoice price", "\$..... over invoice" may be used, provided that the invoice referred to is the manufacturer's factory invoice for a new motor vehicle and the invoice is available for customer inspection. For purposes of this section, "manufacturer's factory invoice" means that document supplied by the manufacturer to the dealer listing the manufacturer's charge to the dealer before any deduction for holdback, group advertising, factory incentives or rebates, or any governmental charges];

(7) When the price or financing terms of a motor vehicle are advertised, the vehicle shall be fully identified as to year, make, and model. In addition, in advertisements placed by individual dealers and not line-make marketing groups, the advertised price or credit terms shall include all charges which the buyer must pay to the dealer, except buyer-selected options and state and local taxes. If a processing fee or freight or destination charges are not included in the advertised price, the amount of any such processing fee and freight or destination charge must be clearly and conspicuously disclosed within the advertisement;

37 (8) [Advertisements which offer to match or better any competitors' prices shall not be
38 used;

39 (9) Advertisements of "dealer rebates" shall not be used, however, this shall not be
40 deemed to prohibit the advertising of manufacturer rebates, so long as all material terms of such
41 rebates are clearly and conspicuously disclosed;

42 [(10)] (9) "Free", "at no cost" shall not be used if any purchase is required to qualify for
43 the "free" item, merchandise, or service;

44 [(11)] (10) "Bait advertising", in which an advertiser may have no intention to sell at the
45 prices or terms advertised, shall not be used. Bait advertising shall include, but not be limited
46 to, the following examples:

47 (a) Not having available for sale the advertised motor vehicles at the advertised prices.
48 If a specific vehicle is advertised, the dealer shall be in possession of a reasonable supply of such
49 vehicles, and they shall be available at the advertised price. If the advertised vehicle is available
50 only in limited numbers or only by order, such limitations shall be stated in the advertisement;

51 (b) Advertising a motor vehicle at a specified price, including such terms as "as low as
52 \$.....", but having available for sale only vehicles equipped with dealer-added cost options
53 which increase the selling price above the advertised price;

54 [(12)] (11) Any reference to monthly payments, down payments, or other reference to
55 financing or leasing information shall be accompanied by a clear and conspicuous disclosure of
56 the following:

57 (a) Whether the payment or other information relates to a financing or a lease
58 transaction;

59 (b) If the payment or other information relates to a financing transaction, the minimum
60 down payment, annual percentage interest rate, and number of payments necessary to obtain the
61 advertised payment amount must be disclosed, in addition to any special qualifications required
62 for obtaining the advertised terms including, but not limited to, "first-time buyer" discounts,
63 "college graduate" discounts, and a statement concerning whether the advertised terms are
64 subject to credit approval;

65 (c) If the payment or other information relates to a lease transaction, the total amount due
66 from the purchaser at signing with such costs broken down and identified by category, lease term
67 expressed in number of months, whether the lease is closed-end or open-end, and total cost to
68 the lessee over the lease term in dollars;

69 [(13)] (12) Any advertisement which states or implies that the advertising dealer has a
70 special arrangement or relationship with the distributor or manufacturer, as compared to similarly
71 situated dealers, shall not be used;

72 [(14)] **(13)** Any advertisement which, in the circumstances under which it is made or
73 applied, is false, deceptive, or misleading shall not be used;

74 [(15)] **(14)** No abbreviations for industry words or phrases shall be used in any
75 advertisement unless such abbreviations are accompanied by the fully spelled or spoken words
76 or phrases.

77 2. The requirements of this section shall apply regardless of whether a dealer advertises
78 by means of print, broadcast, or electronic media, or direct mail. If the advertisement is by means
79 of a broadcast or print media, a dealer may provide the disclaimers and disclosures required
80 under subdivision (3) of subsection 1 of this section by reference to an Internet web page or
81 toll-free telephone number containing the information required to be disclosed.

82 3. Dealers shall clearly and conspicuously identify themselves in each advertisement by
83 use of a dealership name which complies with subsection 6 of section 301.560.

301.570. 1. It shall be unlawful for any person, partnership, corporation, company or
2 association, unless the seller is a financial institution, or is selling repossessed motor vehicles
3 or is disposing of vehicles used and titled solely in its ordinary course of business or is a collector
4 of antique motor vehicles, to sell or display with an intent to sell [seven] **six** or more motor
5 vehicles in a calendar year, except when such motor vehicles are registered in the name of the
6 seller, unless such person, partnership, corporation, company or association is:

7 (1) Licensed as a motor vehicle dealer by the department under the provisions of sections
8 301.550 to 301.573;

9 (2) Exempt from licensure as a motor vehicle dealer pursuant to subsection 4 of section
10 301.559;

11 (3) Selling commercial motor vehicles with a gross weight of at least nineteen thousand
12 five hundred pounds, but only with respect to such commercial motor vehicles;

13 (4) An auctioneer, acting at the request of the owner at an auction, when such auction
14 is not a public motor vehicle auction.

15 2. Any person, partnership, corporation, company or association that has reason to
16 believe that the provisions of this section are being violated shall file a complaint with the
17 prosecuting attorney in the county in which the violation occurred. The prosecuting attorney
18 shall investigate the complaint and take appropriate action.

19 3. For the purposes of sections 301.550 to 301.573, the sale, barter, exchange, lease or
20 rental with option to purchase of [seven] **six** or more motor vehicles in a calendar year by any
21 person, partnership, corporation, company or association, whether or not the motor vehicles are
22 owned by them, shall be prima facie evidence of intent to make a profit or gain of money and
23 such person, partnership, corporation, company or association shall be deemed to be acting as
24 a motor vehicle dealer **without a license**.

25 4. Any person, partnership, corporation, company or association who violates subsection
26 1 of this section is guilty of a class A misdemeanor.

27 5. The provisions of this section shall not apply to liquidation of an estate.

301.640. 1. [Upon] **Within five business days after** the satisfaction of any lien or
2 encumbrance of a motor vehicle or trailer, the lienholder shall[, within ten business days] release
3 the lien or encumbrance on the certificate or a separate document, and mail or deliver the
4 certificate or a separate document to the owner or any person who delivers to the lienholder an
5 authorization from the owner to receive the certificate or such documentation. The release on
6 the certificate or separate document shall be notarized. Each perfected subordinate lienholder,
7 if any, shall release such lien or encumbrance as provided in this section for the first lienholder.
8 The owner may cause the certificate to be mailed or delivered to the director of revenue, who
9 shall issue a new certificate of ownership upon application and payment of the required fee. A
10 lien or encumbrance shall be satisfied for the purposes of this section when a lienholder receives
11 payment in full in the form of certified funds, as defined in section 381.410, RSMo, **or when the**
12 **lienholder receives payment in full electronically or by way of electronic funds transfer,**
13 **whichever first occurs.**

14 2. If the electronic certificate of ownership is in the possession of the director of revenue,
15 the lienholder shall notify the director within [ten] **five business days [of] after** any release of
16 a lien and provide the director with the most current address of the owner **or any person who**
17 **delivers to the lienholder an authorization from the owner to receive the certificate or such**
18 **documentation.** The director shall note such release on the electronic certificate and if no other
19 lien exists the director shall mail or deliver the certificate free of any lien to the owner **or any**
20 **person who has delivered to the lienholder an authorization from the owner to receive the**
21 **certificate or such documentation from the director.**

22 3. If the purchase price of a motor vehicle or trailer did not exceed six thousand dollars
23 at the time of purchase, a lien or encumbrance which was not perfected by a motor vehicle
24 financing corporation whose net worth exceeds one hundred million dollars, or a depository
25 institution, shall be considered satisfied within six years from the date the lien or encumbrance
26 was originally perfected unless a new lien or encumbrance has been perfected as provided in
27 section 301.600. This subsection does not apply to motor vehicles or trailers for which the
28 certificate of ownership has recorded in the second lienholder portion the words "subject to
29 future advances".

30 4. Any lienholder who fails to **timely** comply with subsection 1 or 2 of this section shall
31 pay to the person or persons satisfying the lien or encumbrance [twenty-five dollars for the first
32 ten business days after expiration of the time period prescribed in subsection 1 or 2 of this
33 section, and such payment shall double for each ten days thereafter in which there is continued

34 noncompliance, up to a maximum of five hundred dollars for each lien] **liquidated damages up**
35 **to a maximum of two thousand five hundred dollars for each lien. Liquidated damages**
36 **shall be five hundred dollars if the lienholder does not comply within five business days**
37 **after satisfaction of the lien or encumbrance. Liquidated damages shall be one thousand**
38 **dollars if the lienholder does not comply within ten business days after satisfaction of the**
39 **lien or encumbrance. Liquidated damages shall be two thousand dollars if the lienholder**
40 **does not comply within fifteen business days after satisfaction of the lien or encumbrance.**
41 **Liquidated damages shall be two thousand five hundred dollars if the lienholder does not**
42 **comply within twenty business days after satisfaction of the lien or encumbrance. If**
43 delivery of the certificate or other lien release is made by mail, the delivery date is the date of the
44 postmark for purposes of this subsection. **In computing any period of time prescribed or**
45 **allowed by this section, the day of the act or event after which the designated period of time**
46 **begins to run is not to be counted. However, the last day of the period so computed is to**
47 **be included, unless it is a Saturday, Sunday, or a legal holiday, in which event the period**
48 **runs until the end of the next day that is not a Saturday, Sunday, or legal holiday.**

49 5. Any person who knowingly and intentionally sends in a separate document releasing
50 a lien of another without authority to do so shall be guilty of a class C felony.

304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal
2 by siren or while having at least one lighted lamp exhibiting red light visible under normal
3 atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a
4 flashing blue light authorized by section 307.175, RSMo, the driver of every other vehicle shall
5 yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible
6 to the right of, the traveled portion of the highway and thereupon stop and remain in such
7 position until such emergency vehicle has passed, except when otherwise directed by a police
8 or traffic officer.

9 2. Upon approaching a stationary emergency vehicle displaying lighted red or red and
10 blue lights, the driver of every motor vehicle shall:

11 (1) Proceed with caution and yield the right-of-way, if possible with due regard to safety
12 and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary
13 vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the
14 same direction as the approaching vehicle; or

15 (2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe
16 speed for road conditions, if changing lanes would be unsafe or impossible.

17 3. The motorman of every streetcar shall immediately stop such car clear of any
18 intersection and keep it in such position until the emergency vehicle has passed, except as
19 otherwise directed by a police or traffic officer.

20 4. An "emergency vehicle" is a vehicle of any of the following types:

21 (1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri
22 capitol police, **a conservation agent**, or a state park ranger, those vehicles operated by
23 enforcement personnel of the state highways and transportation commission, police or fire
24 department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to
25 carry firearms and to make arrests for violations of the laws of the United States, traffic officer
26 or coroner or by a privately owned emergency vehicle company;

27 (2) A vehicle operated as an ambulance or operated commercially for the purpose of
28 transporting emergency medical supplies or organs;

29 (3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175, RSMo;

30 (4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or
31 public service corporation while performing emergency service;

32 (5) Any vehicle transporting equipment designed to extricate human beings from the
33 wreckage of a motor vehicle;

34 (6) Any vehicle designated to perform emergency functions for a civil defense or
35 emergency management agency established pursuant to the provisions of chapter 44, RSMo;

36 (7) Any vehicle operated by an authorized employee of the department of corrections
37 who, as part of the employee's official duties, is responding to a riot, disturbance, hostage
38 incident, escape or other critical situation where there is the threat of serious physical injury or
39 death, responding to mutual aid call from another criminal justice agency, or in accompanying
40 an ambulance which is transporting an offender to a medical facility;

41 (8) Any vehicle designated to perform hazardous substance emergency functions
42 established pursuant to the provisions of sections 260.500 to 260.550, RSMo.

43 5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound
44 the siren thereon or have the front red lights or blue lights on except when such vehicle is
45 responding to an emergency call or when in pursuit of an actual or suspected law violator, or
46 when responding to, but not upon returning from, a fire.

47 (2) The driver of an emergency vehicle may:

48 (a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;

49 (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be
50 necessary for safe operation;

51 (c) Exceed the prima facie speed limit so long as the driver does not endanger life or
52 property;

53 (d) Disregard regulations governing direction of movement or turning in specified
54 directions.

55 (3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this
56 subsection shall apply only when the driver of any such vehicle while in motion sounds audible
57 signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle
58 is equipped with at least one lighted lamp displaying a red light or blue light visible under normal
59 atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

60 6. No person shall purchase an emergency light as described in this section without
61 furnishing the seller of such light an affidavit stating that the light will be used exclusively for
62 emergency vehicle purposes.

63 7. Violation of this section shall be deemed a class A misdemeanor.

304.170. 1. No vehicle operated upon the highways of this state shall have a width,
2 including load, in excess of ninety-six inches, except clearance lights, rearview mirrors or other
3 accessories required by federal, state or city law or regulation; except that, vehicles having a
4 width, including load, not in excess of one hundred two inches, exclusive of clearance lights,
5 rearview mirrors or other accessories required by law or regulations, may be operated on the
6 interstate highways and such other highways as may be designated by the highways and
7 transportation commission for the operation of such vehicles plus a distance not to exceed ten
8 miles from such interstate or designated highway. Provided however, a recreational vehicle as
9 defined in section 700.010, RSMo, may exceed the foregoing width limits if the appurtenances
10 on such recreational vehicle extend no further than the rearview mirrors. Such mirrors may only
11 extend the distance necessary to provide the required field of view before the appurtenances were
12 attached.

13 2. No vehicle operated upon the interstate highway system or upon any route designated
14 by the chief engineer of the state transportation department shall have a height, including load,
15 in excess of fourteen feet. On all other highways, no vehicle shall have a height, including load,
16 in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles
17 transporting automobiles or other motor vehicles may have a height, including load, of not more
18 than fourteen feet.

19 3. No single motor vehicle operated upon the highways of this state shall have a length,
20 including load, in excess of forty-five feet, except as otherwise provided in this section.

21 4. No bus, recreational motor vehicle or trackless trolley coach operated upon the
22 highways of this state shall have a length in excess of forty-five feet, except that such vehicles
23 may exceed the forty-five feet length when such excess length is caused by the projection of a
24 front safety bumper or a rear safety bumper or both. Such safety bumper shall not cause the
25 length of the bus or recreational motor vehicle to exceed the forty-five feet length limit by more
26 than one foot in the front and one foot in the rear. The term "safety bumper" means any device

27 which may be fitted on an existing bumper or which replaces the bumper and is so constructed,
28 treated, or manufactured that it absorbs energy upon impact.

29 5. No combination of truck-tractor and semitrailer or truck-tractor equipped with
30 dromedary and semitrailer operated upon the highways of this state shall have a length, including
31 load, in excess of sixty feet; except that in order to comply with the provisions of Title 23 of the
32 United States Code (Public Law 97-424), no combination of truck-tractor and semitrailer or
33 truck-tractor equipped with dromedary and semitrailer operated upon the interstate highway
34 system of this state shall have an overall length, including load, in excess of the length of the
35 truck-tractor plus the semitrailer or truck-tractor equipped with dromedary and semitrailer. The
36 length of such semitrailer shall not exceed fifty-three feet.

37 6. In order to comply with the provisions of Title 23 of the United States Code (Public
38 Law 97-424), no combination of truck-tractor, semitrailer and trailer operated upon the interstate
39 highway system of this state shall have an overall length, including load, in excess of the length
40 of the truck-tractor plus the semitrailer and trailer, neither of which semitrailer or trailer shall
41 exceed twenty-eight feet in length, except that any existing semitrailer or trailer up to
42 twenty-eight and one-half feet in length actually and lawfully operated on December 1, 1982,
43 within a sixty-five foot overall length limit in any state, may continue to be operated upon the
44 interstate highways of this state. On those primary highways not designated by the state
45 highways and transportation commission as provided in subsection 10 of this section, no
46 combination of truck-tractor, semitrailer and trailer shall have an overall length, including load,
47 in excess of sixty-five feet; provided, however, the state highways and transportation commission
48 may designate additional routes for such sixty-five foot combinations.

49 7. Automobile transporters, boat transporters, truck-trailer boat transporter combinations,
50 stinger-steered combination automobile transporters and stinger-steered combination boat
51 transporters having a length not in excess of seventy-five feet may be operated on the interstate
52 highways of this state and such other highways as may be designated by the highways and
53 transportation commission for the operation of such vehicles plus a distance not to exceed ten
54 miles from such interstate or designated highway. All length provisions regarding automobile
55 or boat transporters, truck-trailer boat transporter combinations and stinger-steered combinations
56 shall include a semitrailer length not to exceed fifty-three feet and are exclusive of front and rear
57 overhang, which shall be no greater than a three-foot front overhang and no greater than a
58 four-foot rear overhang.

59 8. Driveaway saddlemount combinations having a length not in excess of [seventy-five]
60 **ninety-seven** feet may be operated on the interstate highways of this state and such other
61 highways as may be designated by the highways and transportation commission for the operation
62 of such vehicles plus a distance not to exceed ten miles from such interstate or designated

63 highway. Saddle mount combinations must comply with the safety requirements of Section
64 393.71 of Title 49 of the Code of Federal Regulations and may contain no more than three
65 saddle mounted vehicles and one full mount.

66 9. No truck-tractor semitrailer-semi trailer combination vehicles operated upon the
67 interstate and designated primary highway system of this state shall have a semitrailer length in
68 excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and
69 lawful operation in any state on December 1, 1982, operating in a truck-tractor
70 semitrailer-semi trailer combination. The B-train assembly is excluded from the measurement
71 of semitrailer length when used between the first and second semitrailer of a truck-tractor
72 semitrailer-semi trailer combination, except that when there is no semitrailer mounted to the
73 B-train assembly, it shall be included in the length measurement of the semitrailer.

74 10. The highways and transportation commission is authorized to designate routes on
75 the state highway system other than the interstate system over which those combinations of
76 vehicles of the lengths specified in subsections 5, 6, 7, 8 and 9 of this section may be operated.
77 Combinations of vehicles operated under the provisions of subsections 5, 6, 7, 8 and 9 of this
78 section may be operated at a distance not to exceed ten miles from the interstate system and such
79 routes as designated under the provisions of this subsection.

80 11. Except as provided in subsections 5, 6, 7, 8, 9 and 10 of this section, no other
81 combination of vehicles operated upon the primary or interstate highways of this state plus a
82 distance of ten miles from a primary or interstate highway shall have an overall length, unladen
83 or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other highway,
84 except the state highways and transportation commission may designate additional routes for use
85 by sixty-five foot combinations, seventy-five foot stinger-steered combinations or seventy-five
86 foot saddle mount combinations. Any vehicle or combination of vehicles transporting
87 automobiles, boats or other motor vehicles may carry a load which extends no more than three
88 feet beyond the front and four feet beyond the rear of the transporting vehicle or combination of
89 vehicles.

90 12. (1) Except as hereinafter provided, these restrictions shall not apply to agricultural
91 implements operating occasionally on the highways for short distances, or to self-propelled
92 hay-hauling equipment or to implements of husbandry, or to the movement of farm products as
93 defined in section 400.9-109, RSMo, or to vehicles temporarily transporting agricultural
94 implements or implements of husbandry or roadmaking machinery, or road materials or towing
95 for repair purposes vehicles that have become disabled upon the highways; or to implement
96 dealers delivering or moving farm machinery for repairs on any state highway other than the
97 interstate system.

(2) Implements of husbandry and vehicles transporting such machinery or equipment and the movement of farm products as defined in section 400.9.109, RSMo, may be operated occasionally for short distances on state highways when operated between the hours of sunrise and sunset by a driver licensed as an operator or chauffeur.

13. As used in this chapter the term "implements of husbandry" means all self-propelled machinery operated at speeds of less than thirty miles per hour, specifically designed for, or especially adapted to be capable of, incidental over-the-road and primary offroad usage and used exclusively for the application of commercial plant food materials or agricultural chemicals, and not specifically designed or intended for transportation of such chemicals and materials.

14. The purpose of this section is to permit a single trip per day by the implement of husbandry from the source of supply to a given farm.

15. Sludge disposal units may be operated on all state highways other than the interstate system. Such units shall not exceed one hundred thirty-eight inches in width and may be equipped with over-width tires. Such units shall observe all axle weight limits. The chief engineer of the state transportation department shall issue special permits for the movement of such disposal units and may by such permits restrict the movements to specified routes, days and hours.

407.815. As used in sections 407.810 to 407.835, unless the context otherwise requires, the following terms mean:

(1) "Administrative hearing commission", the body established in chapter 621, RSMo, to conduct administrative hearings;

(2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of six hundred pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be straddled by the operator, and handlebars for steering control;

(3) "Coerce", to force a person to act in a given manner or to compel by pressure or threat but shall not be construed to include the following:

(a) Good faith recommendations, exposition, argument, persuasion or attempts at persuasion;

(b) Notice given in good faith to any franchisee of such franchisee's violation of terms or provisions of such franchise or contractual agreement;

(c) Any other conduct set forth in section 407.830 as a defense to an action brought pursuant to sections 407.810 to 407.835; or

(d) Any other conduct set forth in sections 407.810 to 407.835 that is permitted of the franchisor or is expressly excluded from coercion or a violation of sections 407.810 to 407.835;

19 (4) "Franchise" or "franchise agreement", a written arrangement or contract for a definite
20 or indefinite period, in which a person grants to another person a license to use, or the right to
21 grant to others a license to use, a trade name, trademark, service mark, or related characteristics,
22 in which there is a community of interest in the marketing of goods or services, or both, at
23 wholesale or retail, by agreement, lease or otherwise, and in which the operation of the
24 franchisee's business with respect to such franchise is substantially reliant on the franchisor for
25 the continued supply of franchised new motor vehicles, parts and accessories for sale at
26 wholesale or retail;

27 (5) "Franchisee", a person to whom a franchise is granted;

28 (6) "Franchisor", a person who grants a franchise to another person;

29 (7) "Motor vehicle", for the purposes of sections 407.810 to 407.835, any motor-driven
30 vehicle required to be registered pursuant to the provisions of chapter 301, RSMo, except that,
31 motorcycles and all-terrain vehicles as defined in section 301.010, RSMo, shall not be included.
32 **The term "motor vehicle" shall also include any engine, transmission, or rear axle,**
33 **regardless of whether attached to a vehicle chassis, that is manufactured for the installation**
34 **in any motor-driven vehicle with a gross vehicle weight rating of more than sixteen**
35 **thousand pounds that is registered for the operations on the highways of this state under**
36 **chapter 301, RSMo;**

37 (8) "New", when referring to motor vehicles or parts, means those motor vehicles or
38 parts which have not been held except as inventory, as that term is defined in subdivision (4) of
39 section 400.9-109, RSMo;

40 (9) "Person", a natural person, sole proprietor, partnership, corporation, or any other
41 form of business entity or organization.

2 [301.170. 1. Motor vehicles and trailers in the course of delivery from
3 a manufacturer to a dealer, or from one dealer to another, may be operated on the
4 highways without number plates being attached thereto, provided they bear on the
5 front and on the rear, substantially as provided for number plates, a placard
6 displaying the words "In Transit" and the number of the certificate issued as
7 herein provided in letters and figures not less than three inches high with a stroke
8 not less than three-eighths of an inch wide; and provided further, that the operator
9 of each motor vehicle shall carry, and exhibit on request, a certificate bearing the
10 seal of the director of revenue and his facsimile signature, countersigned with the
11 genuine signature of the manufacturer or dealer selling such motor vehicle, or his
12 authorized agent. Such certificate shall bear a number and shall show the date
13 and place of issue and the destination of the motor vehicle, and shall be of such
14 form as the director of revenue shall determine.

15 2. The manufacturer, dealer or authorized agent shall insert the correct
16 date, place of issue and destination, and mail a duplicate copy of such certificate
to the director of revenue at the time the original is issued; original and duplicate

17 forms of certificates shall be furnished to manufacturers and dealers, and to no
18 others, in books of ten sets of certificates each for a fee of five dollars, and in
19 books of fifty sets of certificates each for a fee of twenty-five dollars. It shall be
20 unlawful for any person to display such placard or to use such certificate except
21 as herein provided.]
22

2 [301.177. 1. The director shall issue a temporary permit authorizing the
3 operation of a motor vehicle or trailer by a nonresident buyer for not more than
4 fifteen days from the date of purchase. Proof of ownership must be presented to
5 the director and application for such permit shall be made upon a blank form
6 furnished by the director of revenue and shall contain a full description of the
7 motor vehicle, including manufacturer's or other identifying number.

8 2. The director of revenue shall use reasonable diligence in ascertaining
9 whether the facts stated in such application are true, and, if satisfied that the
10 applicant is the lawful owner of such motor vehicle, issuance of such permit shall
11 be granted and the director shall furnish an appropriate placard evidencing the
12 issuance thereof to be displayed on the vehicle. A fee of ten dollars shall be
collected upon the issuance of each such permit.]

Section B. The repeal and reenactment of section 301.560 of section A of this act shall
2 become effective January 1, 2008.

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