

FIRST REGULAR SESSION

# HOUSE BILL NO. 99

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE PARSON.

Pre-filed December 11, 2006 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0470L.01I

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### AN ACT

To repeal 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, and sections 301.010, 301.020, 301.196, and 301.227, RSMo, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles, with penalty provisions.

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

Section A. 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ninety-third general assembly, second regular session, and sections 301.010, 301.020, 301.196, and 301.227, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 301.010, 301.020, 301.190, 301.196, and 301.227, to read as follows:

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

(1) "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 one thousand pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

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

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.

- 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

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

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

82 tenant lease; provided that any such property transported to any such farm is for use in the  
83 operation of such farm;

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

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

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

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

- 117 (30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly,  
118 and front clip, as those terms are defined by the director of revenue pursuant to rules and  
119 regulations or by illustrations;
- 120 (31) "Manufacturer", any person, firm, corporation or association engaged in the  
121 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;
- 122 (32) "Mobile scrap processor", a business located in Missouri or any other state that  
123 comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder  
124 or scrap metal operator for recycling;
- 125 (33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which  
126 receives a new, rebuilt or used engine, and which used the number stamped on the original  
127 engine as the vehicle identification number;
- 128 (34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,  
129 except farm tractors;
- 130 (35) "Motor vehicle primarily for business use", any vehicle other than a recreational  
131 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over  
132 twelve thousand pounds:
- 133 (a) Offered for hire or lease; or  
134 (b) The owner of which also owns ten or more such motor vehicles;
- 135 (36) "Motorcycle", a motor vehicle operated on two wheels;
- 136 (37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic  
137 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which  
138 produces less than three gross brake horsepower, and is capable of propelling the device at a  
139 maximum speed of not more than thirty miles per hour on level ground;
- 140 (38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle  
141 while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel.  
142 A motortricycle shall not be included in the definition of all-terrain vehicle;
- 143 (39) "Municipality", any city, town or village, whether incorporated or not;
- 144 (40) "Nonresident", a resident of a state or country other than the state of Missouri;
- 145 (41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in  
146 compliance with United States emissions or safety standards;
- 147 (42) "Operator", any person who operates or drives a motor vehicle;
- 148 (43) "Owner", any person, firm, corporation or association, who holds the legal title to  
149 a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease  
150 thereof with the right of purchase upon performance of the conditions stated in the agreement  
151 and with an immediate right of possession vested in the conditional vendee or lessee, or in the

152 event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee  
153 or mortgagor shall be deemed the owner for the purpose of this law;

154 (44) "Public garage", a place of business where motor vehicles are housed, stored,  
155 repaired, reconstructed or repainted for persons other than the owners or operators of such place  
156 of business;

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

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

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

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

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

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

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

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

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

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

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

192 (e) Is abandoned property which is titled pursuant to section 304.155, RSMo, or section  
193 304.157, RSMo, and designated with the words "salvage/abandoned property".

194

195 The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of  
196 repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, **or damage**  
197 **as a result of hail**, or any sales tax on parts or materials to rebuild or reconstruct the vehicle.

198 For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

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

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

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

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

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

214 (54) "Special mobile equipment", every self-propelled vehicle not designed or used  
215 primarily for the transportation of persons or property and incidentally operated or moved over  
216 the highways, including farm equipment, implements of husbandry, road construction or  
217 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,  
218 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt  
219 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,  
220 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump  
221 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and

222 shall not operate to exclude other such vehicles which are within the general terms of this  
223 section;

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

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

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

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

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

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

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

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

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

256 (64) "Vanpool", any van or other motor vehicle used or maintained by any person, group,  
257 firm, corporation, association, city, county or state agency, or any member thereof, for the



transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term "bus" or "commercial motor vehicle" as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a "chauffeur" as that term is defined by section 302.010, RSMo; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

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

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

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

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

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

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

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

2. If the vehicle is a motor vehicle primarily for business use as defined in section 301.010 and if such vehicle is five years of age or less, the director of revenue shall retain the odometer information provided in the vehicle inspection report, and provide for prompt access 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.

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

13 2. The director of revenue shall use reasonable diligence in ascertaining whether the facts  
14 stated in such application are true and shall, to the extent possible without substantially delaying  
15 processing of the application, review any odometer information pertaining to such motor vehicle  
16 that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of  
17 such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the  
18 director shall thereupon issue an appropriate certificate over his signature and sealed with the  
19 seal of his office, procured and used for such purpose. The certificate shall contain on its face  
20 a complete description, vehicle identification number, and other evidence of identification of the  
21 motor vehicle or trailer, as the director of revenue may deem necessary, together with the  
22 odometer information required to be put on the face of the certificate pursuant to section  
23 407.536, RSMo, a statement of any liens or encumbrances which the application may show to  
24 be thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing  
25 the transferor's title and whether the transferor's odometer mileage statement executed pursuant  
26 to section 407.536, RSMo, indicated that the true mileage is materially different from the number  
27 of miles shown on the odometer, or is unknown.

28 3. The director of revenue shall appropriately designate on the current and all subsequent  
29 issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change Vehicle",  
30 "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as defined in section  
31 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for  
32 motor vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print  
33 on the face thereof the following designation: "Annual odometer updates may be available from

34 the department of revenue.". On any duplicate certificate, the director of revenue shall reprint  
35 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 for  
53 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 should have paid in  
59 connection with the certificate of ownership and registration of the vehicle. The certificate shall  
60 be good for the life of the motor vehicle or trailer so long as the same is owned or held by the  
61 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 provided.

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.

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

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

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

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

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

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

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

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

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

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

138       (4) An inspection certificate, other than a motor vehicle examination certificate required  
139 under subsection 9 of this section, completed and issued by the Missouri state highway patrol,  
140 or other law enforcement agency as authorized by the director of revenue. The inspection

141 performed by the highway patrol or other authorized local law enforcement agency shall include  
142 a check for stolen vehicles.

143

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

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

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

16 2. For purposes of giving notice under this section, if the transfer occurs by operation of  
17 law, the personal representative, receiver, trustee, sheriff, or other representative or successor in  
18 interest of the person whose interest is transferred shall be considered the transferor.  
19 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.

301.227. 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.] Whenever a vehicle is sold for destruction  
8 and a salvage certificate of title, junking certificate, or certificate of ownership exists, the seller,  
9 if licensed under sections 301.217 to 301.221, shall forward the certificate to the director of  
10 revenue within ten days, with the notation of the date sold for destruction and the name of the  
11 purchaser clearly shown on the face of the certificate.

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

21           3. Upon receipt of a properly completed application for a junking certificate, the director  
22 of revenue shall issue to the applicant a junking certificate which shall authorize the holder to  
23 possess, transport, or, by assignment, transfer ownership in such parts, scrap or junk, and a  
24 certificate of title shall not again be issued for such vehicle; except that, the initial purchaser  
25 shall, within ninety days, be allowed to rescind his application for a junking certificate by  
26 surrendering the junking certificate and apply for a salvage certificate of title in his name. The  
27 seller of a vehicle for which a junking certificate has been applied for or issued shall disclose  
28 such fact in writing to any prospective buyers before sale of such vehicle; otherwise the sale shall  
29 be voidable at the option of the buyer.

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

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

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

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

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

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