

HCS SS SB 358 -- MOTOR VEHICLES

SPONSOR: Engler (Jones, 117)

COMMITTEE ACTION: Voted "do pass" by the Committee on Transportation by a vote of 9 to 0.

This substitute changes the laws regarding motor vehicles.

DECLARATIONS

The substitute authorizes the Director of the Department of Revenue to administer oaths to individuals filing declarations, statements, or other documents. A signed declaration will be prima facie evidence that the individual signed the declaration.

LOCAL LOG TRUCKS

The area in which local log trucks and tractors can operate is expanded from 50 to 100 miles from a forested site.

SELF-PROPELLED SPRAYERS

Self-propelled sprayers, floaters, or other forms of farm implements used for spraying chemicals or spreading fertilizer for agricultural purposes are exempt from the motor vehicle titling, registration, and licensing requirements.

ACCESSIBLE PARKING SIGNS

All new signs erected after August 28, 2007, relating to disabled parking must contain the words "Accessible Parking" instead of "Handicap Parking."

MOTOR VEHICLE INSPECTIONS

The substitute requires the owner of a motor vehicle that is exempt from a motor vehicle safety inspection to submit an affidavit stating that the motor vehicle has less than 50,000 miles and is less than five years old.

SALVAGE REGULATIONS

The State Highway Patrol in addition to the Department of Revenue is allowed to administer and enforce salvage regulations.

LICENSE PLATES AND TABS

The substitute changes the requirements for the replacement of stolen license plate tabs. Until January 1, 2009, an individual

can receive up to two sets of license plate tabs per year by submitting a notarized affidavit that the license plate tab or tabs were stolen. After January 1, 2009, an individual must submit a copy of the police report to receive the replacement tabs.

License plates are allowed to be encased in a transparent cover if the plate is plainly visible and its reflective qualities are not impaired.

Currently, the reissuance of license plates must begin January 1, 2009. The substitute requires the reissuance occur no later than January 1, 2009.

EMERGENCY VEHICLE DEALERS

The substitute defines "emergency vehicles" and exempts dealers who sell only emergency vehicles from maintaining a bona fide place of business, including the related law enforcement certification requirements, and from meeting the minimum yearly sales.

LIMITATION ON ISSUANCE OF DEALER PLATES

The Department of Revenue is required to issue one distinctive dealer plate and two additional number plates to new motor vehicle manufacturers and other dealers. The fee for the two additional number plates is \$21. New motor vehicle manufacturers cannot be issued or possess more than 347 additional number plates or certificates of number annually. New and used motor vehicle dealers, powersport dealers, wholesale motor vehicle dealers, boat dealers, and trailer dealers are limited to one additional plate or certificate of number per 10-unit qualified transactions annually. New and used recreational motor vehicle dealers are limited to additional plates or certificates of number per 10-unit qualified transactions annually for their first 50 transactions and one additional plate or certificate of number per 10-unit qualified transactions thereafter. An applicant seeking the issuance of an initial license must indicate on his or her initial application, the applicant's proposed annual number of sales in order for the department director to issue the appropriate number of additional plates or certificates of number. Wholesale and public auctions will be issued a certificate of dealer registration in lieu of a dealer number plate.

RECREATION VEHICLE SHOW PROMOTIONS

Out-of-state show promoters are allowed to hold recreation vehicle shows or exhibits in Missouri if:

(1) The show or exhibit has a minimum of 10 recreation vehicle dealers licensed as motor vehicle dealers in the state; and

(2) More than 50% of the participating recreation vehicle dealers are licensed motor vehicle dealers in the state.

A person who violates this provision will be subject to a \$5,000 fine.

SATISFACTION OF A LIEN

The substitute reduces the number of days a lienholder has to release a lien from within 10 to within five business days after its satisfaction. A lienholder will be required to notify the Department of Revenue within five business days if the certificate of ownership is in its possession. Any lienholder who fails to timely comply must pay the person satisfying the lien liquidated damages from \$500 to \$2,500.

SCHOOL BUS EXEMPTION FROM CHILD PASSENGER RESTRAINT LAW

The child passenger restraint law will not apply to school buses transporting children four years of age or older regardless of whether the buses are being used for educational, religious, or other purposes. Currently, only school buses used for educational purposes are exempt.

The substitute contains an emergency clause for the provisions regarding stolen license plate tabs and child passenger restraints on buses.

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$634 in FY 2008, FY 2009, and FY 2010. Estimated Cost on Other State Funds of Unknown - Greater than \$335,426 in FY 2008, Unknown - Greater than \$296,795 in FY 2009, and Unknown - Greater than \$269,647 in FY 2010.

PROPONENTS: Supporters say the bill will ensure that dealer plates are being used on vehicles properly and will speed up the process of getting a title to a vehicle.

Testifying for the bill were Senator Engler; Missouri Automobile Dealers Association; and Missouri Bankers Association.

OPPONENTS: There was no opposition voiced to the committee.