

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 557**  
**96TH GENERAL ASSEMBLY**

4558L.02C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 301.190 and 301.193, RSMo, and to enact in lieu thereof two new sections relating to the vehicle examination process used for the issuance of prior salvage motor vehicle titles.

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

Section A. Sections 301.190 and 301.193, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 301.190 and 301.193, to read as follows:

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, 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. When an owner wants to add or delete a name or names on an  
13 application for certificate of ownership of a motor vehicle or trailer that would cause it to be  
14 inconsistent with the name or names listed on the notice of lien, the owner shall provide the  
15 director with documentation evidencing the lienholder's authorization to add or delete a name  
16 or names on an application for certificate of ownership.

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.

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

32           3. The director of revenue shall appropriately designate on the current and all subsequent  
33 issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change Vehicle",  
34 "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as defined in section  
35 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for  
36 motor vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print  
37 on the face thereof the following designation: "Annual odometer updates may be available from  
38 the department of revenue.". On any duplicate certificate, the director of revenue shall reprint  
39 on the face thereof the most recent of either:

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

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

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

50           5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in  
51 addition to the fee for registration of such motor vehicle or trailer. If application for the  
52 certificate is not made within thirty days after the vehicle is acquired by the applicant, a

53 delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and  
54 twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of two  
55 hundred dollars, but such penalty may be waived by the director for a good cause shown. If the  
56 director of revenue learns that any person has failed to obtain a certificate within thirty days after  
57 acquiring a motor vehicle or trailer or has sold a vehicle without obtaining a certificate, he shall  
58 cancel the registration of all vehicles registered in the name of the person, either as sole owner  
59 or as a co-owner, and shall notify the person that the cancellation will remain in force until the  
60 person pays the delinquency penalty fee provided in this section, together with all fees, charges  
61 and payments which the person should have paid in connection with the certificate of ownership  
62 and registration of the vehicle. The certificate shall be good for the life of the motor vehicle or  
63 trailer so long as the same is owned or held by the original holder of the certificate and shall not  
64 have to be renewed annually.

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

68         7. It is unlawful for any person to operate in this state a motor vehicle or trailer required  
69 to be registered under the provisions of the law unless a certificate of ownership has been applied  
70 for as provided in this section.

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

84         9. Each application for an original Missouri certificate of ownership for a vehicle which  
85 is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle,  
86 motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director  
87 of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state  
88 highway patrol, or other law enforcement agency as authorized by the director of revenue. The

89 vehicle examination shall include a verification of vehicle identification numbers and a  
90 determination of the classification of the vehicle. The owner of a vehicle which requires a  
91 vehicle examination certificate shall present the vehicle for examination and obtain a completed  
92 vehicle examination certificate prior to submitting an application for a certificate of ownership  
93 to the director of revenue. **Notwithstanding any provision of the law to the contrary, an**  
94 **owner presenting a motor vehicle which has been issued a salvage title and which is ten**  
95 **years of age or older to a vehicle examination described in this subsection in order to**  
96 **obtain a certificate of ownership with the designation prior salvage motor vehicle, shall not**  
97 **be required to repair or restore the vehicle to its original appearance in order to pass or**  
98 **complete the vehicle examination.** The fee for the vehicle examination application shall be  
99 twenty-five dollars and shall be collected by the director of revenue at the time of the request for  
100 the application and shall be deposited in the state treasury to the credit of the state highways and  
101 transportation department fund. If the vehicle is also to be registered in Missouri, the safety  
102 inspection required in chapter 307 and the emissions inspection required under chapter 643 shall  
103 be completed and the fees required by section 307.365 and section 643.315 shall be charged to  
104 the owner.

105         10. When an application is made for an original Missouri certificate of ownership for a  
106 motor vehicle previously registered or titled in a state other than Missouri or as required by  
107 section 301.020, it shall be accompanied by a current inspection form certified by a duly  
108 authorized official inspection station as described in chapter 307. The completed form shall  
109 certify that the manufacturer's identification number for the vehicle has been inspected, that it  
110 is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the  
111 time of inspection. The inspection station shall collect the same fee as authorized in section  
112 307.365 for making the inspection, and the fee shall be deposited in the same manner as provided  
113 in section 307.365. If the vehicle is also to be registered in Missouri, the safety inspection  
114 required in chapter 307 and the emissions inspection required under chapter 643 shall be  
115 completed and only the fees required by section 307.365 and section 643.315 shall be charged  
116 to the owner. This section shall not apply to vehicles being transferred on a manufacturer's  
117 statement of origin.

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

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

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

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

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

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

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

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

155           (4) An inspection certificate, other than a motor vehicle examination certificate required  
156 under subsection 9 of this section, completed and issued by the Missouri state highway patrol,  
157 or other law enforcement agency as authorized by the director of revenue. The inspection  
158 performed by the highway patrol or other authorized local law enforcement agency shall include  
159 a check for stolen vehicles. The department of revenue shall issue the owner a certificate of  
160 ownership designated with the words "Reconstructed Motor Vehicle" and deliver such certificate

161 of ownership in accordance with the provisions of this chapter. Notwithstanding subsection 9  
162 of this section, no owner of a reconstructed motor vehicle described in this subsection shall be  
163 required to obtain a vehicle examination certificate issued by the Missouri state highway patrol.

301.193. 1. Any person who purchases or is the owner of real property on which  
2 vehicles, as defined in section [301.011] **301.010**, vessels or watercraft, as defined in section  
3 306.010, or outboard motors, as that term is used in section 306.530, have been abandoned,  
4 without the consent of said purchaser or owner of the real property, may apply to the department  
5 of revenue for a certificate of title. [Any insurer which purchases a vehicle through the claims  
6 adjustment process for which the insurer is unable to obtain a negotiable title may make an  
7 application to the department of revenue for a salvage certificate of title pursuant to this section.]  
8 Prior to making application for a certificate of title on a vehicle under this section, the [insurer  
9 or] owner of the real estate shall have the vehicle inspected by law enforcement pursuant to  
10 subsection 9 of section 301.190, and shall have law enforcement perform a check in the national  
11 crime information center and any appropriate statewide law enforcement computer to determine  
12 if the vehicle has been reported stolen and the name and address of the person to whom the  
13 vehicle was last titled and any lienholders of record. The [insurer or] owner or purchaser of the  
14 real estate shall, thirty days prior to making application for title, notify any owners or lienholders  
15 of record for the vehicle by certified mail that the owner intends to apply for a certificate of title  
16 from the director for the abandoned vehicle. The application for title shall be accompanied by:

17 (1) A statement explaining the circumstances by which the property came into the  
18 [insurer,] owner or purchaser's possession; a description of the property including the year, make,  
19 model, vehicle identification number and any decal or license plate that may be affixed to the  
20 vehicle; the current location of the property; and the retail value of the property;

21 (2) An inspection report of the property, if it is a vehicle, by a law enforcement agency  
22 pursuant to subsection 9 of section 301.190; and

23 (3) A copy of the thirty-day notice and certified mail receipt mailed to any owner and any  
24 person holding a valid security interest of record.

25 2. Upon receipt of the application and supporting documents, the director shall search  
26 the records of the department of revenue, or initiate an inquiry with another state, if the evidence  
27 presented indicated the property described in the application was registered or titled in another  
28 state, to verify the name and address of any owners and any lienholders. If the latest owner or  
29 lienholder was not notified the director shall inform the [insurer,] owner[, ] or purchaser of the  
30 real estate of the latest owner and lienholder information so that notice may be given as required  
31 by subsection 1 of this section. Any owner or lienholder receiving notification may protest the  
32 issuance of title by, within the thirty-day notice period and may file a petition to recover the  
33 vehicle, naming the [insurer or] owner of the real estate and serving a copy of the petition on the

34 director of revenue. The director shall not be a party to such petition but shall, upon receipt of  
35 the petition, suspend the processing of any further certificate of title until the rights of all parties  
36 to the vehicle are determined by the court. Once all requirements are satisfied the director shall  
37 issue one of the following:

38 (1) An original certificate of title if the vehicle examination certificate, as provided in  
39 section 301.190, indicates that the vehicle was not previously in a salvaged condition or rebuilt;

40 (2) An original certificate of title designated as prior salvage if the vehicle examination  
41 certificate as provided in section 301.190 indicates the vehicle was previously in a salvaged  
42 condition or rebuilt;

43 (3) A salvage certificate of title designated with the words "salvage/abandoned property"  
44 or junking certificate based on the condition of the property as stated in the inspection report.  
45 [An insurer purchasing a vehicle through the claims adjustment process under this section shall  
46 only be eligible to obtain a salvage certificate of title or junking certificate.]

47 **3. Any insurer which purchases a vehicle, other than a vehicle described in**  
48 **subsection 1 of this section, through the claims adjustment process for which the insurer**  
49 **is unable to obtain a negotiable title may make application to the department of revenue**  
50 **for a salvage certificate of title or junking certificate. Such application may be made by**  
51 **the insurer or its designated salvage pool on a form provided by the department and signed**  
52 **under penalty of perjury. The application shall include a declaration that the insurer has**  
53 **made at least two written attempts to obtain the certificate of ownership, transfer**  
54 **documents, or other acceptable evidence of title, and be accompanied by proof of claims**  
55 **payment from the insurer, evidence that letters were delivered to the vehicle owner, a**  
56 **statement explaining the circumstances by which the property came into the insurer's**  
57 **possession, a description of the property including the year, make, model, vehicle**  
58 **identification number, and current location of the property, and the fee prescribed in**  
59 **subsection 5 of section 301.190. The insurer shall, thirty days prior to making application**  
60 **for title, notify any owners or lienholders of record for the vehicle that the owner intends**  
61 **to apply for a certificate of title from the director for the vehicle. Upon receipt of the**  
62 **application and supporting documents, the director shall search the records of the**  
63 **department of revenue, or initiate an inquiry with another state, if the evidence presented**  
64 **indicated the vehicle described in the application was registered or titled in another state,**  
65 **to verify the name and address of any owners and any lienholders. After thirty days from**  
66 **receipt of the application, if no valid lienholders have notified the department of the**  
67 **existence of a lien, the department shall issue a salvage certificate of title or junking**  
68 **certificate for the vehicle in the name of the insurer.**

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