

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 1999, Page 1, in the Title, Line 3, by  
2 deleting all of said line and inserting in lieu thereof the following: "motor vehicles."; and

3  
4 Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the  
5 following:

6  
7 "301.227. 1. Whenever a vehicle is sold for salvage, dismantling or rebuilding, the  
8 purchaser shall forward to the director of revenue within ten days the certificate of ownership or  
9 salvage certificate of title and the proper application and fee of eight dollars and fifty cents, and the  
10 director shall issue a negotiable salvage certificate of title to the purchaser of the salvaged vehicle.  
11 On vehicles purchased during a year that is no more than six years after the manufacturer's model  
12 year designation for such vehicle, it shall be mandatory that the purchaser apply for a salvage title.  
13 On vehicles purchased during a year that is more than six years after the manufacturer's model year  
14 designation for such vehicle, then application for a salvage title shall be optional on the part of the  
15 purchaser. Whenever a vehicle is sold for destruction and a salvage certificate of title, junking  
16 certificate, or certificate of ownership exists, the seller, if licensed under sections 301.217 to  
17 301.221, shall forward the certificate to the director of revenue within ten days, with the notation of  
18 the date sold for destruction and the name of the purchaser clearly shown on the face of the  
19 certificate.

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

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

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

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

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

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

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

14           8. Notwithstanding the provisions of subsection 1 of this section, an insurance company  
15 which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage  
16 certificate of title without the payment of any fee upon proper application within thirty days after  
17 settlement of the claim for such stolen vehicle. However, if the insurance company upon recovery of  
18 a stolen vehicle determines that the stolen vehicle has not sustained damage to the extent that the  
19 vehicle would have otherwise been declared a salvage vehicle pursuant to subdivision (51) of section  
20 301.010, then the insurance company may have the vehicle inspected by the Missouri state highway  
21 patrol, or other law enforcement agency authorized by the director of revenue, in accordance with  
22 the inspection provisions of subsection 9 of section 301.190. Upon receipt of title application,  
23 applicable fee, the completed inspection, and the return of any previously issued negotiable salvage  
24 certificate, the director shall issue an original title with no salvage or prior salvage designation.  
25 Upon the issuance of an original title the director shall remove any indication of the negotiable  
26 salvage title previously issued to the insurance company from the department's electronic records.

27           9. [Notwithstanding subsection 4 of this section or any other provision of the law to the  
28 contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts are from a  
29 motor vehicle that is inoperable and is at least ten model years old, a scrap metal operator may  
30 purchase or acquire such motor vehicle or parts without receiving the original certificate of title,  
31 salvage certificate of title, or junking certificate from the seller of the vehicle or parts, provided the  
32 scrap metal operator verifies with the department of revenue, via the department's online record  
33 access, that the motor vehicle is not subject to any recorded security interest or lien and the scrap  
34 metal operator complies with the requirements of this subsection. In lieu of forwarding certificates  
35 of titles for such motor vehicles as required by subsection 5 of this section, the scrap metal operator  
36 shall forward a copy of the seller's state identification along with a bill of sale to the department of  
37 revenue. The bill of sale form shall be designed by the director and such form shall include, but not  
38 be limited to, a certification that the motor vehicle is at least ten model years old, is inoperable, is not  
39 subject to any recorded security interest or lien, and a certification by the seller that the seller has the  
40 legal authority to sell or otherwise transfer the seller's interest in the motor vehicle or parts. Upon  
41 receipt of the information required by this subsection, the department of revenue shall cancel any  
42 certificate of title and registration for the motor vehicle. If the motor vehicle is inoperable and at  
43 least twenty model years old, then the scrap metal operator shall not be required to verify with the  
44 department of revenue whether the motor vehicle is subject to any recorded security interests or  
45 liens. As used in this subsection, the term "inoperable" means a motor vehicle that is in a rusted,  
46 wrecked, discarded, worn out, extensively damaged, dismantled, and mechanically inoperative  
47 condition and the vehicle's highest and best use is for scrap purposes.] The director of the  
48 department of revenue is directed to promulgate rules and regulations to implement and administer

1 the provisions of this section, including but not limited to, the development of a uniform bill of sale.  
2 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the  
3 authority delegated in this section shall become effective only if it complies with and is subject to all  
4 of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are  
5 nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to  
6 review, to delay the effective date, or to disapprove and annul a rule are subsequently held  
7 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
8 August 28, 2012, shall be invalid and void."; and  
9

10 Further amend said bill by amending the title, enacting clause, and intersectional references  
11 accordingly.  
12