

SECOND REGULAR SESSION

HOUSE BILL NO. 1735

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CIERPIOT (Sponsor), SOLON AND SCHIEBER (Co-sponsors).

5860H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 578.120, RSMo, and to enact in lieu thereof one new section relating to the sale of motorcycles on Sunday, with a penalty provision.

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

Section A. Section 578.120, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 578.120, to read as follows:

578.120. 1. Notwithstanding any provision in this chapter to the contrary, no dealer, distributor or manufacturer licensed under section 301.559 may keep open, operate, or assist in keeping open or operating any established place of business for the purpose of buying, selling, bartering or exchanging, or offering for sale, barter or exchange, any motor vehicle, whether new or used, on Sunday. However, this section does not apply to the sale of manufactured housing; the sale of recreational motor vehicles; washing, towing, wrecking or repairing operations; the sale of petroleum products, tires, and repair parts and accessories; or new vehicle shows or displays participated in by five or more franchised dealers or in towns or cities with five or fewer dealers, a majority.

2. No association consisting of motor vehicle dealers, distributors or manufacturers licensed under section 301.559 shall be in violation of antitrust or restraint of trade statutes under chapter 416 or regulation promulgated thereunder solely because it encourages its members not to open or operate on Sunday a place of business for the purpose of buying, selling, bartering or exchanging any motor vehicle.

3. Any person who violates the provisions of this section shall be guilty of a class C misdemeanor.

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 **4. This section shall not apply to the sale of motorcycles, as defined in section**
18 **301.010, in a county of the first classification with more than eighty-three thousand but**
19 **fewer than ninety-two thousand inhabitants and with a city of the fourth classification with**
20 **more than four thousand five hundred but fewer than five thousand inhabitants as the**
21 **county seat or a county with a charter form of government and with more than six**
22 **hundred thousand but fewer than seven hundred thousand inhabitants.**

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