

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 1735 & 1618
97TH GENERAL ASSEMBLY

Reported from the Committee on Commerce, Consumer Protection, Energy and the Environment, April 30, 2014, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

5860S.04C

AN ACT

To repeal section 578.120, RSMo, and to enact in lieu thereof one new section relating to the sales 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Section A. Section 578.120, RSMo, is repealed and one new section
2 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,
2 no dealer, distributor or manufacturer licensed under section 301.559 may keep
3 open, operate, or assist in keeping open or operating any established place of
4 business for the purpose of buying, selling, bartering or exchanging, or offering
5 for sale, barter or exchange, any motor vehicle, whether new or used, on
6 Sunday. However, this section does not apply to the sale of manufactured
7 housing; the sale of recreational motor vehicles; **the sale of motorcycles as**
8 **that term is defined in section 301.010; the sale of motortricycles,**
9 **motorized bicycles, all-terrain vehicles, recreational off-highway**
10 **vehicles, utility vehicles, personal watercraft, or other motorized**
11 **vehicles customarily sold by powersports dealers licensed pursuant to**
12 **sections 301.550 to 301.560;** washing, towing, wrecking or repairing operations;
13 the sale of petroleum products, tires, and repair parts and accessories; or new
14 vehicle shows or displays participated in by five or more franchised dealers or in
15 towns or cities with five or fewer dealers, a majority.

16 2. No association consisting of motor vehicle dealers, distributors or
17 manufacturers licensed under section 301.559 shall be in violation of antitrust or
18 restraint of trade statutes under chapter 416 or regulation promulgated
19 thereunder solely because it encourages its members not to open or operate on

20 Sunday a place of business for the purpose of buying, selling, bartering or
21 exchanging any motor vehicle.

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

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