

SECOND REGULAR SESSION

# HOUSE BILL NO. 2758

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE KOLKMEYER.

6857H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 301.218, RSMo, and to enact in lieu thereof one new section relating to salvage pool or salvage disposal sales, with a penalty provision.

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

Section A. Section 301.218, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.218, to read as follows:

301.218. 1. No person shall, except as an incident to the sale, repair, rebuilding or servicing of vehicles by a licensed franchised motor vehicle dealer, carry on or conduct the following business unless licensed to do so by the department of revenue under sections 301.217 to 301.229:

(1) Selling used parts of or used accessories for vehicles as a used parts dealer, as defined in section 301.010;

(2) Salvaging, wrecking or dismantling vehicles for resale of the parts thereof as a salvage dealer or dismantler, as defined in section 301.010;

(3) Rebuilding and repairing four or more wrecked or dismantled vehicles in a calendar year as a rebuilder or body shop, as defined in section 301.010;

(4) Processing scrapped vehicles or vehicle parts as a scrap processor, as defined in section 301.010.

2. Sales at a salvage pool or a salvage disposal sale shall be open only to and made to persons actually engaged in and holding a current license under sections 301.217 to 301.221 and 301.550 to 301.573 or any person from another state or jurisdiction who is legally allowed in his or her state of domicile to purchase for resale, rebuild, dismantle, crush, or scrap either motor vehicles or salvage vehicles, and to persons who reside in a foreign country that are purchasing

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.

18 salvage vehicles for export outside of the United States. Operators of salvage pools or salvage  
19 disposal sales shall keep a record, for three years, of [sales of salvage vehicles with the  
20 purchasers' name and address, and the year, make, and vehicle identification number for each  
21 vehicle. These records shall be open for inspection as provided in section 301.225. Such records  
22 shall be submitted to the department on a quarterly basis] **the information contained in**  
23 **subsection 3 of this section.**

24 **3. Every salvage dealer and salvage pool or salvage disposal sale operator who is**  
25 **engaged in the sale of a vehicle whose title is branded as salvage, junk, wrecked,**  
26 **nonrepairable, or carries a similar brand shall:**

27 **(1) Keep an electronic record of all sales of such vehicle and shall include in the**  
28 **record the make, model, and year of the vehicle; the vehicle identification number; the**  
29 **names and addresses of the purchaser; a copy of the purchaser's driver's license or other**  
30 **government-issued identification; and the names and addresses of the seller of such vehicle;**

31 **(2) Obtain from any purchaser of such vehicle documented proof of any required**  
32 **license or other authorization to do business under this chapter or, for any person residing**  
33 **in a state, jurisdiction, or country that does not hold a similar license, a declaration under**  
34 **penalty of perjury that the purchaser is authorized to purchase salvage vehicles in that**  
35 **person's state, jurisdiction, or country.**

36 **4. The department shall, subject to appropriations, contract with an entity**  
37 **approved by the department as a third party data consolidator to the National Motor**  
38 **Vehicle Title Information System (NMVTIS) to receive information reported by the**  
39 **department under this section. The system shall maintain an accurate record of all**  
40 **reported transactions.**

41 **5. The department shall use a unique identifier for all purchasers, as described in**  
42 **subsection 2 of this section, of salvage, wrecked, nonrepairable, junked, or other similarly**  
43 **branded vehicles, for such purchasers to use when submitting the sales transaction**  
44 **information required under this section.**

45 **6. The department shall make the information received under this section available**  
46 **to any state or local law enforcement agency upon request.**

47 **7. Any seller of a vehicle whose title is branded as total loss, salvage, junk, derelict,**  
48 **or carries a similar brand shall report to the department within seven days all transactions**  
49 **involving the acquisition, transfer of ownership, or disposal of a total loss, salvage, junk,**  
50 **derelict, or other similarly branded vehicles.**

51 **8. Any purchaser of a vehicle whose title is branded as total loss, salvage, junk,**  
52 **derelict, or carries a similar brand and who is not licensed under section 301.218 shall**  
53 **report within seven days to the state database developed by the department all transactions**

54 **involving the acquisition, transfer of ownership, or disposal of a total loss, salvage, junk,**  
55 **derelict, or similarly branded vehicles.**

56 **9. The department shall forward to the state database all purchases of a vehicle**  
57 **whose title is branded as total loss, salvage, junk, derelict, or carries a similar brand. Any**  
58 **person who knowingly violates this subsection by failing to report all transactions of a**  
59 **vehicle whose title is branded as salvage, junk, wrecked, nonrepairable, or carries a similar**  
60 **brand to the statewide database shall be guilty of a civil infraction, punishable by up to one**  
61 **thousand dollars per infraction.**

62 **10.** The operator of a salvage pool or salvage disposal sale, or subsequent purchaser, who  
63 sells a nonrepairable motor vehicle or a salvage motor vehicle to a person who is not a resident  
64 of the United States at a salvage pool or a salvage disposal sale shall:

65 (1) Stamp on the face of the title so as not to obscure any name, date, or mileage  
66 statement on the title the words "FOR EXPORT ONLY" in capital letters that are black; and

67 (2) Stamp in each unused reassignment space on the back of the title the words "FOR  
68 EXPORT ONLY" and print the number of the dealer's salvage vehicle license, name of the  
69 salvage pool, or the name of the governmental entity, as applicable.

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71 The words "FOR EXPORT ONLY" required under subdivisions (1) and (2) of this subsection  
72 shall be at least two inches wide and clearly legible. Copies of the stamped titles shall be  
73 forwarded to the department.

74 [4.] **11.** The director of revenue shall issue a separate license for each kind of business  
75 described in subsection 1 of this section, to be entitled and designated as either "used parts  
76 dealer"; "salvage dealer or dismantler"; "rebuilder or body shop"; or "scrap processor" license.

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