

SECOND REGULAR SESSION

HOUSE BILL NO. 2742

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TATE.

5713H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 301.010, 301.140, 301.190, 301.210, 301.213, 301.280, and 301.560, RSMo, and to enact in lieu thereof seven new sections relating to transportation.

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

Section A. Sections 301.010, 301.140, 301.190, 301.210, 301.213, 301.280, and 301.560, RSMo, are repealed and seven new sections enacted in lieu thereof, to be known as sections 301.010, 301.140, 301.190, 301.210, 301.213, 301.280, and 301.560, to read as follows:

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires;

(2) "Autocycle", a three-wheeled motor vehicle which the drivers and passengers ride in a partially or completely enclosed nonstraddle seating area, that is designed to be controlled with a steering wheel and pedals, and that has met applicable Department of Transportation National Highway Traffic Safety Administration requirements or federal motorcycle safety standards;

(3) "Automobile transporter", any vehicle combination capable of carrying cargo on the power unit and designed and used for the transport of assembled motor vehicles, including truck camper units;

(4) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

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 (5) "Backhaul", the return trip of a vehicle transporting cargo or general freight,
18 especially when carrying goods back over all or part of the same route;

19 (6) "Boat transporter", any vehicle combination capable of carrying cargo on the power
20 unit and designed and used specifically to transport assembled boats and boat hulls. Boats may
21 be partially disassembled to facilitate transporting;

22 (7) "Body shop", a business that repairs physical damage on motor vehicles that are not
23 owned by the shop or its officers or employees by mending, straightening, replacing body parts,
24 or painting;

25 (8) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more
26 passengers but not including shuttle buses;

27 (9) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying
28 freight and merchandise, or more than eight passengers but not including vanpools or shuttle
29 buses;

30 (10) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at
31 speeds less than forty miles per hour from field to field or from field to market and return;

32 (11) "Dealer", any person, firm, corporation, association, agent or subagent engaged in
33 the sale or exchange of new, used or reconstructed motor vehicles or trailers;

34 (12) "Director" or "director of revenue", the director of the department of revenue;

35 (13) "Driveaway operation":

36 (a) The movement of a motor vehicle or trailer by any person or motor carrier other than
37 a dealer over any public highway, under its own power singly, or in a fixed combination of two
38 or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

39 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting
40 the commodity being transported, by a person engaged in the business of furnishing drivers and
41 operators for the purpose of transporting vehicles in transit from one place to another by the
42 driveaway or towaway methods; or

43 (c) The movement of a motor vehicle by any person who is lawfully engaged in the
44 business of transporting or delivering vehicles that are not the person's own and vehicles of a
45 type otherwise required to be registered, by the driveaway or towaway methods, from a point of
46 manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent
47 of a manufacturer or to any consignee designated by the shipper or consignor;

48 (14) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth
49 wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor
50 equipped with a dromedary may carry part of a load when operating independently or in a
51 combination with a semitrailer;

52 (15) "Farm tractor", a tractor used exclusively for agricultural purposes;

- 53 (16) "Fleet", any group of ten or more motor vehicles owned by the same owner;
- 54 (17) "Fleet vehicle", a motor vehicle which is included as part of a fleet;
- 55 (18) "Fullmount", a vehicle mounted completely on the frame of either the first or last
56 vehicle in a saddlemount combination;
- 57 (19) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus
58 the weight of any load thereon;
- 59 (20) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the
60 result of the impact of hail;
- 61 (21) "Highway", any public thoroughfare for vehicles, including state roads, county roads
62 and public streets, avenues, boulevards, parkways or alleys in any municipality;
- 63 (22) "Improved highway", a highway which has been paved with gravel, macadam,
64 concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;
- 65 (23) "Intersecting highway", any highway which joins another, whether or not it crosses
66 the same;
- 67 (24) "Junk vehicle", a vehicle which:
- 68 (a) Is incapable of operation or use upon the highways and has no resale value except as
69 a source of parts or scrap; or
- 70 (b) Has been designated as junk or a substantially equivalent designation by this state
71 or any other state;
- 72 (25) "Kit vehicle", a motor vehicle assembled by a person other than a generally
73 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
74 an authorized manufacturer and accompanied by a manufacturer's statement of origin;
- 75 (26) "Land improvement contractors' commercial motor vehicle", any not-for-hire
76 commercial motor vehicle the operation of which is confined to:
- 77 (a) An area that extends not more than a radius of one hundred miles from its home base
78 of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or
79 from projects involving soil and water conservation, or to and from equipment dealers'
80 maintenance facilities for maintenance purposes; or
- 81 (b) An area that extends not more than a radius of fifty miles from its home base of
82 operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from
83 projects not involving soil and water conservation.
- 84 Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered
85 as a commercial motor vehicle or local commercial motor vehicle;
- 86 (27) "Local commercial motor vehicle", a commercial motor vehicle whose operations
87 are confined to a municipality and that area extending not more than fifty miles therefrom, or a
88 commercial motor vehicle whose property-carrying operations are confined solely to the

89 transportation of property owned by any person who is the owner or operator of such vehicle to
90 or from a farm owned by such person or under the person's control by virtue of a landlord and
91 tenant lease; provided that any such property transported to any such farm is for use in the
92 operation of such farm;

93 (28) "Local log truck", a commercial motor vehicle which is registered pursuant to this
94 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
95 state, used to transport harvested forest products, operated solely at a forested site and in an area
96 extending not more than a one hundred mile radius from such site, carries a load with dimensions
97 not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on
98 the national system of interstate and defense highways described in 23 U.S.C. Section 103, as
99 amended, or outside the one hundred mile radius from such site with an extended distance local
100 log truck permit, such vehicle shall not exceed the weight limits of section 304.180, does not
101 have more than four axles, and does not pull a trailer which has more than three axles.
102 Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing,
103 debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local
104 log truck. A local log truck may not exceed the limits required by law, however, if the truck does
105 exceed such limits as determined by the inspecting officer, then notwithstanding any other
106 provisions of law to the contrary, such truck shall be subject to the weight limits required by such
107 sections as licensed for eighty thousand pounds;

108 (29) "Local log truck tractor", a commercial motor vehicle which is registered under this
109 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
110 state, used to transport harvested forest products, operated at a forested site and in an area
111 extending not more than a one hundred mile radius from such site, operates with a weight not
112 exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding
113 forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national
114 system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, or
115 outside the one hundred mile radius from such site with an extended distance local log truck
116 permit, such vehicle does not exceed the weight limits contained in section 304.180, and does
117 not have more than three axles and does not pull a trailer which has more than three axles.
118 Violations of axle weight limitations shall be subject to the load limit penalty as described for
119 in sections 304.180 to 304.220;

120 (30) "Local transit bus", a bus whose operations are confined wholly within a municipal
121 corporation, or wholly within a municipal corporation and a commercial zone, as defined in
122 section 390.020, adjacent thereto, forming a part of a public transportation system within such
123 municipal corporation and such municipal corporation and adjacent commercial zone;

124 (31) "Log truck", a vehicle which is not a local log truck or local log truck tractor and
125 is used exclusively to transport harvested forest products to and from forested sites which is
126 registered pursuant to this chapter to operate as a motor vehicle on the public highways of this
127 state for the transportation of harvested forest products;

128 (32) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly,
129 and front clip, as those terms are defined by the director of revenue pursuant to rules and
130 regulations or by illustrations;

131 (33) "Manufacturer", any person, firm, corporation or association engaged in the
132 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

133 (34) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
134 receives a new, rebuilt or used engine, and which used the number stamped on the original
135 engine as the vehicle identification number;

136 (35) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
137 except farm tractors;

138 (36) "Motor vehicle primarily for business use", any vehicle other than a recreational
139 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over
140 twelve thousand pounds:

141 (a) Offered for hire or lease; or

142 (b) The owner of which also owns ten or more such motor vehicles;

143 (37) "Motorcycle", a motor vehicle operated on two wheels;

144 (38) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic
145 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which
146 produces less than three gross brake horsepower, and is capable of propelling the device at a
147 maximum speed of not more than thirty miles per hour on level ground;

148 (39) "Motortricycle", a motor vehicle upon which the operator straddles or sits astride
149 that is designed to be controlled by handle bars and is operated on three wheels, including a
150 motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of
151 a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

152 (40) "Municipality", any city, town or village, whether incorporated or not;

153 (41) "Nonresident", a resident of a state or country other than the state of Missouri;

154 (42) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in
155 compliance with United States emissions or safety standards;

156 (43) "Operator", any person who operates or drives a motor vehicle;

157 (44) "Owner", any person, firm, corporation or association, who holds the legal title to
158 a vehicle **or who has executed a buyer's order or retail installment sales contract with a**
159 **motor vehicle dealer licensed under sections 301.550 to 301.580 for the purchase of a**

160 **vehicle with an immediate right of possession vested in the transferee**, or in the event a
161 vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of
162 purchase upon performance of the conditions stated in the agreement and with an immediate
163 right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a
164 vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be
165 deemed the owner;

166 (45) "Public garage", a place of business where motor vehicles are housed, stored,
167 repaired, reconstructed or repainted for persons other than the owners or operators of such place
168 of business;

169 (46) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the
170 rebuilder, but does not include certificated common or contract carriers of persons or property;

171 (47) "Reconstructed motor vehicle", a vehicle that is altered from its original
172 construction by the addition or substitution of two or more new or used major component parts,
173 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

174 (48) "Recreational motor vehicle", any motor vehicle designed, constructed or
175 substantially modified so that it may be used and is used for the purposes of temporary housing
176 quarters, including therein sleeping and eating facilities which are either permanently attached
177 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.
178 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor
179 vehicle if the motor vehicle could otherwise be so registered;

180 (49) "Recreational off-highway vehicle", any motorized vehicle manufactured and used
181 exclusively for off-highway use which is more than fifty inches but no more than sixty-seven
182 inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four
183 or more nonhighway tires and which may have access to ATV trails;

184 (50) "Recreational trailer", any trailer designed, constructed, or substantially modified
185 so that it may be used and is used for the purpose of temporary housing quarters, including
186 therein sleeping or eating facilities, which can be temporarily attached to a motor vehicle or
187 attached to a unit which is securely attached to a motor vehicle;

188 (51) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,
189 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a
190 wrecker or towing service;

191 (52) "Saddlemount combination", a combination of vehicles in which a truck or truck
192 tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth
193 wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of
194 the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth
195 wheel kingpin connection. When two vehicles are towed in this manner the combination is

196 called a "double saddlemount combination". When three vehicles are towed in this manner, the
197 combination is called a "triple saddlemount combination";

198 (53) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for
199 the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

200 (54) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

201 (a) Was damaged during a year that is no more than six years after the manufacturer's
202 model year designation for such vehicle to the extent that the total cost of repairs to rebuild or
203 reconstruct the vehicle to its condition immediately before it was damaged for legal operation
204 on the roads or highways exceeds eighty percent of the fair market value of the vehicle
205 immediately preceding the time it was damaged;

206 (b) By reason of condition or circumstance, has been declared salvage, either by its
207 owner, or by a person, firm, corporation, or other legal entity exercising the right of security
208 interest in it;

209 (c) Has been declared salvage by an insurance company as a result of settlement of a
210 claim;

211 (d) Ownership of which is evidenced by a salvage title; or

212 (e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157
213 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild
214 or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling
215 inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on
216 parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair
217 market value" means the retail value of a motor vehicle as:

218 a. Set forth in a current edition of any nationally recognized compilation of retail values,
219 including automated databases, or from publications commonly used by the automotive and
220 insurance industries to establish the values of motor vehicles;

221 b. Determined pursuant to a market survey of comparable vehicles with regard to
222 condition and equipment; and

223 c. Determined by an insurance company using any other procedure recognized by the
224 insurance industry, including market surveys, that is applied by the company in a uniform
225 manner;

226 (55) "School bus", any motor vehicle used solely to transport students to or from school
227 or to transport students to or from any place for educational purposes;

228 (56) "Scrap processor", a business that, through the use of fixed or mobile equipment,
229 flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or
230 transportation to a shredder or scrap metal operator for recycling;

231 (57) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
232 corporation as an incidental service to transport patrons or customers of the regular business of
233 such person, firm, or corporation to and from the place of business of the person, firm, or
234 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
235 buses or as commercial motor vehicles;

236 (58) "Special mobile equipment", every self-propelled vehicle not designed or used
237 primarily for the transportation of persons or property and incidentally operated or moved over
238 the highways, including farm equipment, implements of husbandry, road construction or
239 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,
240 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt
241 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
242 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump
243 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and
244 shall not operate to exclude other such vehicles which are within the general terms of this
245 section;

246 (59) "Specially constructed motor vehicle", a motor vehicle which shall not have been
247 originally constructed under a distinctive name, make, model or type by a manufacturer of motor
248 vehicles. The term specially constructed motor vehicle includes kit vehicles;

249 (60) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel
250 is located on a drop frame located behind and below the rearmost axle of the power unit;

251 (61) "Tandem axle", a group of two or more axles, arranged one behind another, the
252 distance between the extremes of which is more than forty inches and not more than ninety-six
253 inches apart;

254 (62) "Towaway trailer transporter combination", a combination of vehicles consisting
255 of a trailer transporter towing unit and two trailers or semitrailers, with a total weight that does
256 not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry no
257 property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers
258 or semitrailers;

259 (63) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed
260 for drawing other vehicles, but not for the carriage of any load when operating independently.
261 When attached to a semitrailer, it supports a part of the weight thereof;

262 (64) "Trailer", any vehicle without motive power designed for carrying property or
263 passengers on its own structure and for being drawn by a self-propelled vehicle, except those
264 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
265 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
266 rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers

267 as defined in this section and shall not include manufactured homes as defined in section
268 700.010;

269 (65) "Trailer transporter towing unit", a power unit that is not used to carry property
270 when operating in a towaway trailer transporter combination;

271 (66) "Truck", a motor vehicle designed, used, or maintained for the transportation of
272 property;

273 (67) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two
274 trailing units are connected with a B-train assembly which is a rigid frame extension attached to
275 the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second
276 semitrailer and has one less articulation point than the conventional A-dolly connected
277 truck-tractor semitrailer-trailer combination;

278 (68) "Truck-trailer boat transporter combination", a boat transporter combination
279 consisting of a straight truck towing a trailer using typically a ball and socket connection with
280 the trailer axle located substantially at the trailer center of gravity rather than the rear of the
281 trailer but so as to maintain a downward force on the trailer tongue;

282 (69) "Used parts dealer", a business that buys and sells used motor vehicle parts or
283 accessories, but not including a business that sells only new, remanufactured or rebuilt parts.
284 Business does not include isolated sales at a swap meet of less than three days;

285 (70) "Utility vehicle", any motorized vehicle manufactured and used exclusively for
286 off-highway use which is more than fifty inches but no more than sixty-seven inches in width,
287 with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to
288 be used primarily for landscaping, lawn care, or maintenance purposes;

289 (71) "Vanpool", any van or other motor vehicle used or maintained by any person, group,
290 firm, corporation, association, city, county or state agency, or any member thereof, for the
291 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
292 and from their place of employment; however, a vanpool shall not be included in the definition
293 of the term bus or commercial motor vehicle as defined in this section, nor shall a vanpool driver
294 be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool
295 vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an
296 unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a
297 ride-sharing arrangement;

298 (72) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
299 on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power,
300 or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs
301 operated by handicapped persons;

302 (73) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed
303 and used to assist or render aid and transport or tow disabled or wrecked vehicles from a
304 highway, road, street or highway rights-of-way to a point of storage or repair, including towing
305 a replacement vehicle to replace a disabled or wrecked vehicle;

306 (74) "Wrecker or towing service", the act of transporting, towing or recovering with a
307 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker,
308 tow truck, rollback or car carrier for which the operator directly or indirectly receives
309 compensation or other personal gain.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate
2 of registration and the right to use the number plates shall expire and the number plates shall be
3 removed by the owner at the time of the transfer of possession, and it shall be unlawful for any
4 person other than the person to whom such number plates were originally issued to have the
5 same in his or her possession whether in use or not, unless such possession is solely for
6 charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor
7 vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the
8 newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred
9 plates shall be lawful for no more than thirty days, or no more than ~~ninety~~ **sixty** days if the
10 dealer is selling the motor vehicle under the provisions of **subsection 5 of section 301.210 or**
11 **ninety days if the dealer is selling the motor vehicle under the provisions of** section 301.213.
12 As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single
13 motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the
14 license plates for the trade-in motor vehicle or trailer are still valid.

15 2. In the case of a transfer of ownership the original owner may register another motor
16 vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle
17 is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle)
18 seating capacity, not in excess of that originally registered. When such motor vehicle is of
19 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
20 vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee
21 of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less
22 horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating
23 capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

24 3. License plates may be transferred from a motor vehicle which will no longer be
25 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay
26 a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in
27 the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that
28 of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of

29 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
30 vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer
31 fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased
32 vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial
33 motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be
34 entitled to a refund.

35 4. The director of the department of revenue shall have authority to produce or allow
36 others to produce a weather resistant, nontearing temporary permit authorizing the operation of
37 a motor vehicle or trailer by a buyer for not more than thirty days, or no more than ~~ninety~~ **sixty**
38 days if issued by a dealer selling the motor vehicle under the provisions of **subsection 5 of**
39 **section 301.210 or ninety days if the dealer is selling the motor vehicle under the provisions**
40 **of** section 301.213, from the date of purchase. The temporary permit authorized under this
41 section may be purchased by the purchaser of a motor vehicle or trailer from the central office
42 of the department of revenue or from an authorized agent of the department of revenue upon
43 proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate
44 available for transfer and upon proof of financial responsibility, or from a motor vehicle dealer
45 upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available
46 for transfer, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which
47 the buyer has registered and is awaiting receipt of registration plates. The director of the
48 department of revenue or a producer authorized by the director of the department of revenue may
49 make temporary permits available to registered dealers in this state, authorized agents of the
50 department of revenue or the department of revenue. The price paid by a motor vehicle dealer,
51 an authorized agent of the department of revenue or the department of revenue for a temporary
52 permit shall not exceed five dollars for each permit. The director of the department of revenue
53 shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an
54 authorized producer. Amounts received by the director of the department of revenue for
55 temporary permits shall constitute state revenue; however, amounts received by an authorized
56 producer other than the director of the department of revenue shall not constitute state revenue
57 and any amounts received by motor vehicle dealers or authorized agents for temporary permits
58 purchased from a producer other than the director of the department of revenue shall not
59 constitute state revenue. In no event shall revenues from the general revenue fund or any other
60 state fund be utilized to compensate motor vehicle dealers or other producers for their role in
61 producing temporary permits as authorized under this section. Amounts that do not constitute
62 state revenue under this section shall also not constitute fees for registration or certificates of title
63 to be collected by the director of the department of revenue under section 301.190. No motor
64 vehicle dealer, authorized agent or the department of revenue shall charge more than five dollars

65 for each permit issued. The permit shall be valid for a period of thirty days, or no more than
66 ~~[ninety]~~ **sixty** days if issued by a dealer selling the motor vehicle under the provisions of
67 **subsection 5 of section 301.210 or ninety days if issued by a dealer selling the motor vehicle**
68 **under the provisions of** section 301.213, from the date of purchase of a motor vehicle or trailer,
69 or from the date of sale of the motor vehicle or trailer by a motor vehicle dealer for which the
70 purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this
71 section unless the buyer shows proof of financial responsibility. Each temporary permit issued
72 shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the
73 motor vehicle consistent with registration plates so that all parts and qualities of the temporary
74 permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any
75 way.

76 5. The permit shall be issued on a form prescribed by the director of the department of
77 revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer
78 purchased to enable the applicant to temporarily operate the motor vehicle while proper title and
79 registration plates are being obtained, or while awaiting receipt of registration plates, and shall
80 be displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall
81 not be transferable or renewable, shall not be valid upon issuance of proper registration plates
82 for the motor vehicle or trailer, and shall be returned to the department or to the department's
83 agent upon the issuance of such proper registration plates. Any temporary permit returned to the
84 department or to the department's agent shall be immediately destroyed. The provisions of this
85 subsection shall not apply to temporary permits issued for commercial motor vehicles licensed
86 in excess of twenty-four thousand pounds gross weight. The director of the department of
87 revenue shall determine the size, material, design, numbering configuration, construction, and
88 color of the permit. The director of the department of revenue, at his or her discretion, shall have
89 the authority to reissue, and thereby extend the use of, a temporary permit previously and legally
90 issued for a motor vehicle or trailer while proper title and registration are being obtained.

91 6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection
92 by proper officers, an accurate record of each permit issued by recording the permit number, the
93 motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and
94 manufacturer's vehicle identification number, and the permit's date of issuance and expiration
95 date. Upon the issuance of a temporary permit by either the central office of the department of
96 revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director
97 of the department of revenue shall make the information associated with the issued temporary
98 permit immediately available to the law enforcement community of the state of Missouri.

99 7. Upon the transfer of ownership of any currently registered motor vehicle wherein the
100 owner cannot transfer the license plates due to a change of motor vehicle category, the owner

101 may surrender the license plates issued to the motor vehicle and receive credit for any unused
102 portion of the original registration fee against the registration fee of another motor vehicle. Such
103 credit shall be granted based upon the date the license plates are surrendered. No refunds shall
104 be made on the unused portion of any license plates surrendered for such credit.

105 8. An additional temporary license plate produced in a manner and of materials
106 determined by the director to be the most cost-effective means of production with a configuration
107 that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be
108 placed in the interior of the vehicle's rear window such that the driver's view out of the rear
109 window is not obstructed and the plate configuration is clearly visible from the outside of the
110 vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the
111 actual plate. Such temporary plate is only authorized for use when the matching actual plate is
112 affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee
113 charged for the temporary plate shall be equal to the fee charged for a temporary permit issued
114 under subsection 4 of this section. Replacement temporary plates authorized in this subsection
115 may be issued as needed upon the payment of a fee equal to the fee charged for a temporary
116 permit under subsection 4 of this section. The newly produced third plate may only be used on
117 the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a
118 third plate and only used for the purpose specified in this subsection.

119 9. Notwithstanding the provisions of section 301.217, the director may issue a temporary
120 permit to an individual who possesses a salvage motor vehicle which requires an inspection
121 under subsection 9 of section 301.190. The operation of a salvage motor vehicle for which the
122 permit has been issued shall be limited to the most direct route from the residence, maintenance,
123 or storage facility of the individual in possession of such motor vehicle to the nearest authorized
124 inspection facility and return to the originating location. Notwithstanding any other requirements
125 for the issuance of a temporary permit under this section, an individual obtaining a temporary
126 permit for the purpose of operating a motor vehicle to and from an examination facility as
127 prescribed in this subsection shall also purchase the required motor vehicle examination form
128 which is required to be completed for an examination under subsection 9 of section 301.190 and
129 provide satisfactory evidence that such vehicle has passed a motor vehicle safety inspection for
130 such vehicle as required in section 307.350.

131 10. The director of the department of revenue may promulgate all necessary rules and
132 regulations for the administration of this section. Any rule or portion of a rule, as that term is
133 defined in section 536.010, that is created under the authority delegated in this section shall
134 become effective only if it complies with and is subject to all of the provisions of chapter 536
135 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of
136 the powers vested with the general assembly pursuant to chapter 536 to review, to delay the

137 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
138 grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be
139 invalid and void.

140 11. The repeal and reenactment of this section shall become effective on the date the
141 department of revenue or a producer authorized by the director of the department of revenue
142 begins producing temporary permits described in subsection 4 of such section, or on July 1,
143 2013, whichever occurs first. If the director of revenue or a producer authorized by the director
144 of the department of revenue begins producing temporary permits prior to July 1, 2013, the
145 director of the department of revenue shall notify the revisor of statutes of such fact.

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, unless the motor vehicle was acquired under **subsection 5**
7 **of section 301.210 or** section 301.213 in which case the applicant shall make application within
8 thirty days after receiving title from the dealer, upon a blank form furnished by the director of
9 revenue and shall contain the applicant's identification number, a full description of the motor
10 vehicle or trailer, the vehicle identification number, and the mileage registered on the odometer
11 at the time of transfer of ownership, as required by section 407.536, together with a statement
12 of the applicant's source of title and of any liens or encumbrances on the motor vehicle or trailer,
13 provided that for good cause shown the director of revenue may extend the period of time for
14 making such application. When an owner wants to add or delete a name or names on an
15 application for certificate of ownership of a motor vehicle or trailer that would cause it to be
16 inconsistent with the name or names listed on the notice of lien, the owner shall provide the
17 director with documentation evidencing the lienholder's authorization to add or delete a name
18 or names on an application for certificate of ownership.

19 2. The director of revenue shall use reasonable diligence in ascertaining whether the facts
20 stated in such application are true and shall, to the extent possible without substantially delaying
21 processing of the application, review any odometer information pertaining to such motor vehicle
22 that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of
23 such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the
24 director shall thereupon issue an appropriate certificate over his signature and sealed with the
25 seal of his office, procured and used for such purpose. The certificate shall contain on its face
26 a complete description, vehicle identification number, and other evidence of identification of the
27 motor vehicle or trailer, as the director of revenue may deem necessary, together with the

28 odometer information required to be put on the face of the certificate pursuant to section
29 407.536, a statement of any liens or encumbrances which the application may show to be
30 thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing the
31 transferor's title and whether the transferor's odometer mileage statement executed pursuant to
32 section 407.536 indicated that the true mileage is materially different from the number of miles
33 shown on the odometer, or is unknown.

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

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

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

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

52 5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in
53 addition to the fee for registration of such motor vehicle or trailer. If application for the
54 certificate is not made within thirty days after the vehicle is acquired by the applicant, or where
55 the motor vehicle was acquired under **subsection 5 of section 301.210** or section 301.213 and
56 the applicant fails to make application within thirty days after receiving title from the dealer, a
57 delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and
58 twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of two
59 hundred dollars, but such penalty may be waived by the director for a good cause shown. If the
60 director of revenue learns that any person has failed to obtain a certificate within thirty days after
61 acquiring a motor vehicle or trailer, or where the motor vehicle was acquired under **subsection**
62 **5 of section 301.210** or section 301.213 and the applicant fails to make application within thirty
63 days after receiving title from the dealer, or has sold a vehicle without obtaining a certificate, he

64 shall cancel the registration of all vehicles registered in the name of the person, either as sole
65 owner or as a co-owner, and shall notify the person that the cancellation will remain in force until
66 the person pays the delinquency penalty fee provided in this section, together with all fees,
67 charges and payments which the person should have paid in connection with the certificate of
68 ownership and registration of the vehicle. The certificate shall be good for the life of the motor
69 vehicle or trailer so long as the same is owned or held by the original holder of the certificate and
70 shall not have to be renewed annually.

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

74 7. It is unlawful for any person to operate in this state a motor vehicle or trailer required
75 to be registered under the provisions of the law unless a certificate of ownership has been applied
76 for as provided in this section **or will be applied for as provided under subsection 5 of section**
77 **301.210.**

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

91 9. Each application for an original Missouri certificate of ownership for a vehicle which
92 is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle,
93 motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director
94 of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state
95 highway patrol, or other law enforcement agency as authorized by the director of revenue. The
96 vehicle examination shall include a verification of vehicle identification numbers and a
97 determination of the classification of the vehicle. The owner of a vehicle which requires a
98 vehicle examination certificate shall present the vehicle for examination and obtain a completed
99 vehicle examination certificate prior to submitting an application for a certificate of ownership

100 to the director of revenue. Notwithstanding any provision of the law to the contrary, an owner
101 presenting a motor vehicle which has been issued a salvage title and which is ten years of age
102 or older to a vehicle examination described in this subsection in order to obtain a certificate of
103 ownership with the designation prior salvage motor vehicle shall not be required to repair or
104 restore the vehicle to its original appearance in order to pass or complete the vehicle
105 examination. The fee for the vehicle examination application shall be twenty-five dollars and
106 shall be collected by the director of revenue at the time of the request for the application and
107 shall be deposited in the state treasury to the credit of the state highways and transportation
108 department fund. If the vehicle is also to be registered in Missouri, the safety inspection required
109 in chapter 307 and the emissions inspection required under chapter 643 shall be completed and
110 the fees required by section 307.365 and section 643.315 shall be charged to the owner.

111 10. When an application is made for an original Missouri certificate of ownership for a
112 motor vehicle previously registered or titled in a state other than Missouri or as required by
113 section 301.020, it shall be accompanied by a current inspection form certified by a duly
114 authorized official inspection station as described in chapter 307. The completed form shall
115 certify that the manufacturer's identification number for the vehicle has been inspected, that it
116 is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the
117 time of inspection. The inspection station shall collect the same fee as authorized in section
118 307.365 for making the inspection, and the fee shall be deposited in the same manner as provided
119 in section 307.365. If the vehicle is also to be registered in Missouri, the safety inspection
120 required in chapter 307 and the emissions inspection required under chapter 643 shall be
121 completed and only the fees required by section 307.365 and section 643.315 shall be charged
122 to the owner. This section shall not apply to vehicles being transferred on a manufacturer's
123 statement of origin.

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

131 12. When an application is made for an original Missouri certificate of ownership for a
132 motor vehicle previously registered or titled in a state other than Missouri, and the certificate of
133 ownership has been appropriately designated by the issuing state as a reconstructed motor
134 vehicle, motor change vehicle, specially constructed motor vehicle, or prior salvage vehicle, the
135 director of revenue shall appropriately designate on the current Missouri and all subsequent

136 issues of the certificate of ownership the name of the issuing state and such prior designation.
137 The absence of any prior designation shall not relieve a transferor of the duty to exercise due
138 diligence with regard to such certificate of ownership prior to the transfer of a certificate. If a
139 transferor exercises any due diligence with regard to a certificate of ownership, the legal transfer
140 of a certificate of ownership without any designation that is subsequently discovered to have or
141 should have had a designation shall be a transfer free and clear of any liabilities of the transferor
142 associated with the missing designation.

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

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

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

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

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

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

161 (4) An inspection certificate, other than a motor vehicle examination certificate required
162 under subsection 9 of this section, completed and issued by the Missouri state highway patrol,
163 or other law enforcement agency as authorized by the director of revenue. The inspection
164 performed by the highway patrol or other authorized local law enforcement agency shall include
165 a check for stolen vehicles.

166

167 The department of revenue shall issue the owner a certificate of ownership designated with the
168 words "Reconstructed Motor Vehicle" and deliver such certificate of ownership in accordance
169 with the provisions of this chapter. Notwithstanding subsection 9 of this section, no owner of
170 a reconstructed motor vehicle described in this subsection shall be required to obtain a vehicle
171 examination certificate issued by the Missouri state highway patrol.

301.210. 1. In the event of a sale or transfer of ownership of a motor vehicle or trailer for which a certificate of ownership has been issued, the holder of such certificate shall endorse on the same an assignment thereof, with warranty of title in form printed thereon, and prescribed by the director of revenue, with a statement of all liens or encumbrances on such motor vehicle or trailer, and deliver the same to the buyer at the time of the delivery to him of such motor vehicle or trailer; provided that, when the transfer of a motor vehicle, trailer, boat or outboard motor occurs within a corporation which holds a license to operate as a motor vehicle or boat dealer pursuant to sections 301.550 to 301.575, the provisions of subdivision (3) of subsection 7 of section 144.070 shall not apply.

2. The buyer shall then present such certificate, assigned as aforesaid, to the director of revenue, at the time of making application for the registration of such motor vehicle or trailer, whereupon a new certificate of ownership shall be issued to the buyer, the fee therefor being that prescribed in subsection 5 of section 301.190.

3. If such motor vehicle or trailer is sold to a resident of another state or country, or if such motor vehicle or trailer is destroyed or dismantled, the owner thereof shall immediately notify the director of revenue. Certificates when so signed and returned to the director of revenue shall be retained by the director of revenue and all certificates shall be appropriately indexed so that at all times it will be possible for him to expeditiously trace the ownership of the motor vehicle or trailer designated therein.

4. It shall be unlawful for any person to buy or sell in this state any motor vehicle or trailer registered under the laws of this state, unless, at the time of the delivery thereof, there shall pass between the parties such certificates of ownership with an assignment thereof, as provided in this section, and the sale of any motor vehicle or trailer registered under the laws of this state, without the assignment of such certificate of ownership, shall be **presumed** fraudulent and void, **unless the parties have executed a written agreement for delayed delivery of certificate of ownership as provided under subsection 5 of this section.**

5. (1) **Notwithstanding provisions of this section to the contrary, a motor vehicle dealer licensed under sections 301.550 to 301.580 may deliver a motor vehicle or trailer to a purchaser with a written agreement to pass the certificate of ownership with an assignment to the purchaser within thirty days after delivery, inclusive of weekends and holidays. The form of the agreement shall be prescribed by the director of revenue. The agreement shall provide that if the motor vehicle dealer does not pass the certificate of ownership with an assignment to the purchaser within thirty days that the sale shall be voidable at the purchaser's option and, in such case, the dealer shall repurchase the vehicle by paying and satisfying in full any purchase money lien against the vehicle including accrued penalties and fees, and the dealer shall refund to the buyer one hundred percent**

37 of the sale price. For purposes of this subdivision, the sale price includes the negotiated
38 price of the vehicle; the down payment; the trade-in allowance, even if the allowance
39 reflected negative equity; and the price of all optional services and products sold to the
40 buyer under the sales and finance transaction.

41 (2) If a motor vehicle suffers physical damage covered by the purchaser's vehicle
42 insurance policy before the certificate of ownership is passed to the purchaser under
43 subdivision (1) of this subsection, the purchaser may assign the purchaser's corresponding
44 insurance benefits to the motor vehicle dealer, subject to the insurer's approval, in lieu of
45 the purchaser repairing the vehicle or in lieu of the purchaser surrendering the vehicle to
46 the insurance company if the vehicle is determined by the insurance company to be a total
47 loss.

48 (3) Notwithstanding any provision of law to the contrary, completion of the
49 requirements of this subsection shall constitute prima facie evidence of an ownership
50 interest vested in the purchaser of the vehicle for all purposes except for a subsequent
51 transfer of ownership of the vehicle by the purchaser, subject to the rights of any secured
52 lienholder of record; however, the purchaser may use the dealer-supplied copy of the
53 agreement to transfer his or her ownership of the vehicle to an insurance company when
54 the vehicle has been declared salvage or a total loss by the insurance company as a result
55 of a settlement of a claim. Such insurance company may apply for a salvage certificate of
56 title or junking certificate pursuant to the provisions of subsection 3 of section 301.193 in
57 order to transfer its interest in such vehicle. The purchaser may also use the
58 dealer-supplied copy of the agreement on the form prescribed by the director of revenue
59 as proof of ownership interest. Any lender or insurance company may rely upon a copy
60 of the signed written agreement on the form prescribed by the director of revenue as proof
61 of ownership interest. Any lien placed upon a vehicle based upon such signed written
62 agreement shall be valid and enforceable, notwithstanding the absence of a certificate of
63 ownership.

64 (4) No motor vehicle dealer shall be authorized to transfer a certificate of title as
65 provided under subdivision (1) of this subsection unless such dealer has provided to the
66 director of revenue a surety bond or irrevocable letter of credit in an amount of no less
67 than one hundred thousand dollars, in a form that complies with section 301.560. Such
68 surety bond or irrevocable letter of credit shall be in lieu of the fifty thousand dollar bond
69 otherwise required for licensure as a motor vehicle dealer.

301.213. 1. Notwithstanding the provisions of sections 301.200 and 301.210, any person
2 licensed as a motor vehicle dealer under sections 301.550 to 301.580 that has provided to the
3 director of revenue a surety bond or irrevocable letter of credit in an amount not less than one

4 hundred thousand dollars in a form which complies with the requirements of section 301.560 and
5 in lieu of the fifty thousand dollar bond otherwise required for licensure as a motor vehicle dealer
6 shall be authorized to purchase or accept in trade any motor vehicle for which there has been
7 issued a certificate of ownership, and to receive such vehicle subject to any existing liens thereon
8 created and perfected under sections 301.600 to 301.660 provided the licensed dealer receives
9 the following:

10 (1) A signed written contract between the licensed dealer and the owner of the vehicle
11 outlining the terms of the sale or acceptance in trade of such motor vehicle without transfer of
12 the certificate of ownership; and

13 (2) Physical delivery of the vehicle to the licensed dealer; and

14 (3) A power of attorney from the owner to the licensed dealer, in accordance with
15 subsection 4 of section 301.300, authorizing the licensed dealer to obtain a duplicate or
16 replacement title in the owner's name and sign any title assignments on the owner's behalf.

17 2. If the dealer complies with the requirements of subsection 1 of this section, the sale
18 or trade of the vehicle to the dealer shall be considered final, subject to any existing liens created
19 and perfected under sections 301.600 to 301.660. Once the prior owner of the motor vehicle has
20 physically delivered the motor vehicle to the licensed dealer, the prior owners' insurable interest
21 in such vehicle shall cease to exist.

22 3. If a licensed dealer complies with the requirements of subsection 1 of this section, and
23 such dealer has provided to the director of revenue a surety bond or irrevocable letter of credit
24 in amount not less than one hundred thousand dollars in a form which complies with the
25 requirements of section 301.560 and in lieu of the fifty thousand dollar bond otherwise required
26 for licensure as a motor vehicle dealer, such dealer may sell such vehicle prior to receiving and
27 assigning to the purchaser the certificate of ownership, provided such dealer complies with the
28 following:

29 (1) All outstanding liens created on the vehicle pursuant to sections 301.600 to 301.660
30 have been paid in full, and the dealer provides a copy of proof or other evidence to the purchaser;
31 and

32 (2) The dealer has obtained proof or other evidence from the department of revenue
33 confirming that no outstanding child support liens exist upon the vehicle at the time of sale and
34 provides a copy of said proof or other evidence to the purchaser; and

35 (3) The dealer has obtained proof or other evidence from the department of revenue
36 confirming that all applicable state sales tax has been satisfied on the sale of the vehicle to the
37 previous owner and provides a copy of said proof or other evidence to the purchaser; and

38 (4) The dealer has signed an application for duplicate or replacement title for the vehicle
39 under subsection 4 of section 301.300 and provides a copy of the application to the purchaser,

40 along with a copy of the power of attorney required by subsection 1 of this section, and the dealer
41 has prepared and delivered to the purchaser an application for title for the vehicle in the
42 purchaser's name; and

43 (5) The dealer and the purchaser have entered into a written agreement for the
44 subsequent assignment and delivery of such certificate of ownership, on a form prescribed by the
45 director of revenue, to take place at a time, not to exceed sixty calendar days, after the time of
46 delivery of the motor vehicle to the purchaser. Such agreement shall require the purchaser to
47 provide to the dealer proof of financial responsibility in accordance with chapter 303 and proof
48 of comprehensive and collision coverage on the motor vehicle. Such dealer shall maintain the
49 original or an electronic copy of the signed agreement and deliver a copy of the signed agreement
50 to the purchaser. Such dealer shall also complete and deliver to the director of revenue such
51 form as the director shall prescribe demonstrating that the purchaser has purchased the vehicle
52 without contemporaneous delivery of the title.

53

54 Notwithstanding any provision of law to the contrary, completion of the requirements of this
55 subsection shall constitute prima facie evidence of an ownership interest vested in the purchaser
56 of the vehicle for all purposes other than for a subsequent transfer of ownership of the vehicle
57 by the purchaser, subject to the rights of any secured lienholder of record; however, the purchaser
58 may use the dealer-supplied copy of the agreement to transfer his or her ownership of the vehicle
59 to an insurance company in situations where the vehicle has been declared salvage or a total loss
60 by the insurance company as a result of a settlement of a claim. Such insurance company may
61 apply for a salvage certificate of title or junking certificate pursuant to the provisions of
62 subsection 3 of section 301.193 in order to transfer its interest in such vehicle. The purchaser
63 may also use the dealer-supplied copy of the agreement on the form prescribed by the director
64 of revenue as proof of ownership interest. Any lender or insurance company may rely upon a
65 copy of the signed written agreement on the form prescribed by the director of revenue as proof
66 of ownership interest. Any lien placed upon a vehicle based upon such signed written agreement
67 shall be valid and enforceable, notwithstanding the absence of a certificate of ownership.

68 4. Following a sale or other transaction in which a certificate of ownership has not been
69 assigned from the owner to the licensed dealer, the dealer shall, within ten business days, apply
70 for a duplicate or replacement certificate of ownership. Upon receipt of a duplicate or
71 replacement certificate of ownership applied for under subsection 4 of section 301.300, the
72 dealer shall assign and deliver said certificate of ownership to the purchaser of the vehicle within
73 five business days. The dealer shall maintain proof of the assignment and delivery of the
74 certificate of ownership to the purchaser. For purposes of this subsection, a dealer shall be
75 deemed to have delivered the certificate of ownership to the purchaser upon either:

76 (1) Physical delivery of the certificate of ownership to any of the purchasers identified
77 in the contract with such dealer; or

78 (2) Mailing of the certificate, postage prepaid, return receipt requested, to any of the
79 purchasers at any of their addresses identified in the contract with such dealer.

80 5. If a licensed dealer fails to comply with subsection 3 of this section, and the purchaser
81 of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle
82 for actual damages, plus court costs and reasonable attorney fees.

83 6. If a licensed dealer fails or is unable to comply with subsection 4 of this section, and
84 the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser
85 of the vehicle for actual damages, plus court costs and reasonable attorney fees. If the dealer
86 cannot be found by the purchaser after making reasonable attempts, or if the dealer fails to assign
87 and deliver the duplicate or replacement certificate of ownership to the purchaser by the date
88 agreed upon by the dealer and the purchaser, as required by subsection 4 of this section, then the
89 purchaser may deliver to the director a copy of the contract for sale of the vehicle, a copy of the
90 application for duplicate title provided by the dealer to the purchaser, a copy of the secure power
91 of attorney allowing the dealer to assign the duplicate title, and the proof or other evidence
92 obtained by the purchaser from the dealer under subsection 3 of this section. Thereafter, the
93 director shall mail by certified mail, return receipt requested, a notice to the dealer at the last
94 address given to the department by that dealer. That notice shall inform the dealer that the
95 director intends to cancel any prior certificate of title which may have been issued to the dealer
96 on the vehicle and issue to the purchaser a certificate of title in the name of the purchaser, subject
97 to any liens incurred by the purchaser in connection with the purchase of the vehicle, unless the
98 dealer, within ten business days from the date of the director's notice, files with the director a
99 written objection to the director taking such action. If the dealer does file a timely, written
100 objection with the director, then the director shall not take any further action without an order
101 from a court of competent jurisdiction. However, if the dealer does not file a timely, written
102 objection with the director, then the director shall cancel the prior certificate of title issued to the
103 dealer on the vehicle and issue a certificate of title to the purchaser of the vehicle, subject to any
104 liens incurred by the purchaser in connection with the purchase of the vehicle and subject to the
105 purchaser satisfying all applicable taxes and fees associated with registering the vehicle.

106 7. If a seller misrepresents to a dealer that the seller is the owner of a vehicle and the
107 dealer, the owner, any subsequent purchaser, or any prior or subsequent lienholder is thereby
108 damaged, then the seller shall be liable to each such party for actual and punitive damages, plus
109 court costs and reasonable attorney fees.

8. When a lienholder is damaged as a result of a licensed dealer's acts, errors, omissions, or violations of this section, then the dealer shall be liable to the lienholder for actual damages, plus court costs and reasonable attorney fees.

9. No court costs or attorney fees shall be awarded under this section unless, prior to filing any such action, the following conditions have been met:

(1) The aggrieved party seeking damages has delivered an itemized written demand of the party's actual damages to the party from whom damages are sought; and

(2) The party from whom damages are sought has not satisfied the written demand within thirty days after receipt of the written demand.

10. The department of revenue may use a dealer's repeated or intentional violation of this section as a cause to suspend, revoke, or refuse to issue or renew any license required pursuant to sections 301.550 to 301.580, in addition to the causes set forth in section 301.562. The hearing process shall be the same as that established in subsection 6 of section 301.562.

11. Notwithstanding any other provision of law, no dealer shall enter into a contract under this section after December 31, 2020. Any contract entered into prior to December 31, 2020 shall be enforceable as provided in this section.

301.280. 1. Every motor vehicle dealer and boat dealer shall make a monthly report to the department of revenue, on blanks to be prescribed by the department of revenue, giving the following information: date of the sale of each motor vehicle, boat, trailer and all-terrain vehicle sold; the name and address of the buyer; the name of the manufacturer; year of manufacture; model of vehicle; vehicle identification number; style of vehicle; odometer setting; and it shall also state whether the motor vehicle, boat, trailer or all-terrain vehicle is new or secondhand. Each monthly sales report filed by a motor vehicle dealer who collects sales tax under subsection 10 of section 144.070 shall also include the amount of state and local sales tax collected for each motor vehicle sold if sales tax was due. The odometer reading is not required when reporting the sale of any motor vehicle that is ten years old or older, any motor vehicle having a gross vehicle weight rating of more than sixteen thousand pounds, new vehicles that are transferred on a manufacturer's statement of origin between one franchised motor vehicle dealer and another, or boats, all-terrain vehicles or trailers. The sale of all temporary permits shall be recorded in the appropriate space on the dealer's monthly sales report, unless the sale of the temporary permit is already recorded by electronic means as determined by the department. **The monthly sales report shall include a statement of motor vehicles or trailers sold during the month under subsection 5 of section 31.210.** The monthly sales report shall be completed in full and signed by an officer, partner, or owner of the dealership, and actually received by the department of revenue on or before the fifteenth day of the month succeeding the month for which the sales are being reported. If no sales occur in any given month, a report shall be submitted for that month

21 indicating no sales. Any vehicle dealer who fails to file a monthly report or who fails to file a
22 timely report shall be subject to disciplinary action as prescribed in section 301.562 or a penalty
23 assessed by the director not to exceed three hundred dollars per violation. Every motor vehicle
24 and boat dealer shall retain copies of the monthly sales report as part of the records to be
25 maintained at the dealership location and shall hold them available for inspection by appropriate
26 law enforcement officials and officials of the department of revenue. Every vehicle dealer
27 selling twenty or more vehicles a month shall file the monthly sales report with the department
28 in an electronic format. Any dealer filing a monthly sales report in an electronic format shall be
29 exempt from filing the notice of transfer required by section 301.196. For any dealer not filing
30 electronically, the notice of transfer required by section 301.196 shall be submitted with the
31 monthly sales report as prescribed by the director.

32 2. Every dealer and every person operating a public garage shall keep a correct record
33 of the vehicle identification number, odometer setting, manufacturer's name of all motor vehicles
34 or trailers accepted by him for the purpose of sale, rental, storage, repair or repainting, together
35 with the name and address of the person delivering such motor vehicle or trailer to the dealer or
36 public garage keeper, and the person delivering such motor vehicle or trailer shall record such
37 information in a file kept by the dealer or garage keeper. The record shall be kept for five years
38 and be open for inspection by law enforcement officials, members or authorized or designated
39 employees of the Missouri highway patrol, and persons, agencies and officials designated by the
40 director of revenue.

41 3. Every dealer and every person operating a public garage in which a motor vehicle
42 remains unclaimed for a period of fifteen days shall, within five days after the expiration of that
43 period, report the motor vehicle as unclaimed to the director of revenue. Such report shall be on
44 a form prescribed by the director of revenue. A motor vehicle left by its owner whose name and
45 address are known to the dealer or his employee or person operating a public garage or his
46 employee is not considered unclaimed. Any dealer or person operating a public garage who fails
47 to report a motor vehicle as unclaimed as herein required forfeits all claims and liens for its
48 garaging, parking or storing.

49 4. The director of revenue shall maintain appropriately indexed cumulative records of
50 unclaimed vehicles reported to the director. Such records shall be kept open to public inspection
51 during reasonable business hours.

52 5. The alteration or obliteration of the vehicle identification number on any such motor
53 vehicle shall be prima facie evidence of larceny, and the dealer or person operating such public
54 garage shall upon the discovery of such obliteration or alteration immediately notify the highway
55 patrol, sheriff, marshal, constable or chief of police of the municipality where the dealer or

56 garage keeper has his place of business, and shall hold such motor vehicle or trailer for a period
57 of forty-eight hours for the purpose of an investigation by the officer so notified.

58 6. Any person who knowingly makes a false statement or omission of a material fact in
59 a monthly sales report to the department of revenue, as described in subsection 1 of this section,
60 shall be deemed guilty of a class A misdemeanor.

301.560. 1. In addition to the application forms prescribed by the department, each
2 applicant shall submit the following to the department:

3 (1) Every application other than a renewal application for a motor vehicle franchise
4 dealer shall include a certification that the applicant has a bona fide established place of business.
5 Such application shall include an annual certification that the applicant has a bona fide
6 established place of business for the first three years and only for every other year thereafter. The
7 certification shall be performed by a uniformed member of the Missouri state highway patrol or
8 authorized or designated employee stationed in the troop area in which the applicant's place of
9 business is located; except that in counties of the first classification, certification may be
10 performed by an officer of a metropolitan police department when the applicant's established
11 place of business of distributing or selling motor vehicles or trailers is in the metropolitan area
12 where the certifying metropolitan police officer is employed. When the application is being
13 made for licensure as a boat manufacturer or boat dealer, certification shall be performed by a
14 uniformed member of the Missouri state water patrol stationed in the district area in which the
15 applicant's place of business is located or by a uniformed member of the Missouri state highway
16 patrol stationed in the troop area in which the applicant's place of business is located or, if the
17 applicant's place of business is located within the jurisdiction of a metropolitan police
18 department in a first class county, by an officer of such metropolitan police department. A bona
19 fide established place of business for any new motor vehicle franchise dealer, used motor vehicle
20 dealer, boat dealer, powersport dealer, wholesale motor vehicle dealer, trailer dealer, or
21 wholesale or public auction shall be a permanent enclosed building or structure, either owned
22 in fee or leased and actually occupied as a place of business by the applicant for the selling,
23 bartering, trading, servicing, or exchanging of motor vehicles, boats, personal watercraft, or
24 trailers and wherein the public may contact the owner or operator at any reasonable time, and
25 wherein shall be kept and maintained the books, records, files and other matters required and
26 necessary to conduct the business. The applicant shall maintain a working telephone number
27 during the entire registration year which will allow the public, the department, and law
28 enforcement to contact the applicant during regular business hours. The applicant shall also
29 maintain an email address during the entire registration year which may be used for official
30 correspondence with the department. In order to qualify as a bona fide established place of
31 business for all applicants licensed pursuant to this section there shall be an exterior sign

32 displayed carrying the name of the business set forth in letters at least six inches in height and
33 clearly visible to the public and there shall be an area or lot which shall not be a public street on
34 which multiple vehicles, boats, personal watercraft, or trailers may be displayed. The sign shall
35 contain the name of the dealership by which it is known to the public through advertising or
36 otherwise, which need not be identical to the name appearing on the dealership's license so long
37 as such name is registered as a fictitious name with the secretary of state, has been approved by
38 its line-make manufacturer in writing in the case of a new motor vehicle franchise dealer and a
39 copy of such fictitious name registration has been provided to the department. Dealers who sell
40 only emergency vehicles as defined in section 301.550 are exempt from maintaining a bona fide
41 place of business, including the related law enforcement certification requirements, and from
42 meeting the minimum yearly sales;

43 (2) The initial application for licensure shall include a photograph, not to exceed eight
44 inches by ten inches but no less than five inches by seven inches, showing the business building,
45 lot, and sign. A new motor vehicle franchise dealer applicant who has purchased a currently
46 licensed new motor vehicle franchised dealership shall be allowed to submit a photograph of the
47 existing dealership building, lot and sign but shall be required to submit a new photograph upon
48 the installation of the new dealership sign as required by sections 301.550 to 301.580.
49 Applicants shall not be required to submit a photograph annually unless the business has moved
50 from its previously licensed location, or unless the name of the business or address has changed,
51 or unless the class of business has changed;

52 (3) Every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer,
53 a powersport dealer, a wholesale motor vehicle dealer, trailer dealer, or boat dealer shall furnish
54 with the application a corporate surety bond or an irrevocable letter of credit as defined in section
55 400.5-102, issued by any state or federal financial institution in the penal sum of fifty thousand
56 dollars on a form approved by the department. The bond or irrevocable letter of credit shall be
57 conditioned upon the dealer complying with the provisions of the statutes applicable to new
58 motor vehicle franchise dealers, used motor vehicle dealers, powersport dealers, wholesale motor
59 vehicle dealers, trailer dealers, and boat dealers, and the bond shall be an indemnity for any loss
60 sustained by reason of the acts of the person bonded when such acts constitute grounds for the
61 suspension or revocation of the dealer's license. The bond shall be executed in the name of the
62 state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of credit shall
63 name the state of Missouri as the beneficiary; except, that the aggregate liability of the surety or
64 financial institution to the aggrieved parties shall, in no event, exceed the amount of the bond or
65 irrevocable letter of credit. The proceeds of the bond or irrevocable letter of credit shall be paid
66 upon receipt by the department of a final judgment from a Missouri court of competent
67 jurisdiction against the principal and in favor of an aggrieved party. Additionally, every

68 applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer, a powersport
69 dealer, a wholesale motor vehicle dealer, or boat dealer shall furnish with the application a copy
70 of a current dealer garage policy bearing the policy number and name of the insurer and the
71 insured;

72 (4) The proceeds of the bond or irrevocable letter of credit furnished by an
73 applicant shall be paid at the order of the department and an amount determined by the
74 department to any buyer or interested lienholder up to the greater of the amount required
75 for the release of the purchase money lien or the sales price paid by the buyer when a
76 dealer has failed to fulfill the dealer's obligations under an agreement to assign and deliver
77 title to the buyer within thirty days under a contract entered into under subsection 5 of
78 section 301.210. The department shall direct the release of the bond or irrevocable letter
79 of credit proceeds upon presentation of a written agreement under subsection 5 of section
80 301.210 or copies of the associated sales and finance documents, or upon an affidavit or
81 affidavits of the buyer or the lienholder stating that the certificate of title with assignment
82 thereof has not been passed to the buyer within thirty days of the date of the contract
83 under subsection 5 of section 301.210, that the dealer has not fulfilled the agreement under
84 the contract to repurchase the vehicle, and that the buyer or the lienholder has notified the
85 dealer of the claim on the bond or letter of credit and stating the amount claimed by the
86 purchaser or the lienholder. In addition, the department shall, prior to directing release
87 and payment of the proceeds of a bond or irrevocable letter of credit, ensure that there is
88 satisfactory evidence to establish that the vehicle that is subject to the written agreement
89 has been returned by the buyer to the dealer or that the buyer has represented to the
90 department that the buyer will surrender possession of the vehicle to the dealer upon
91 payment of the proceeds of the bond or letter of credit directed by the department. Except
92 for ordinary wear and tear or mechanical failures not caused by the buyer, the amount of
93 proceeds to be paid under the bond or irrevocable letter of credit due to the buyer shall be
94 reduced by an amount equivalent to any damage, abuse, or destruction of the vehicle while
95 in the buyer's possession as agreed between the buyer and the dealer. The dealer may
96 apply to a court of competent jurisdiction to contest the claim on the bond or letter of
97 credit, including the amount of the claim and the amount of any adjustment for any
98 damage, abuse, or destruction, by filing a petition with the court within thirty days of the
99 notification by the buyer or lienholder. If the dealer does not fulfill the agreement or file
100 a petition to request judicial relief from the terms of the agreement or contest the amount
101 of the claim, the bond or letter of credit shall be released by the department and directed
102 paid in the amount or amounts presented by the lienholder or buyer;

103 **(5)** Payment of all necessary license fees as established by the department. In
104 establishing the amount of the annual license fees, the department shall, as near as possible,
105 produce sufficient total income to offset operational expenses of the department relating to the
106 administration of sections 301.550 to 301.580. All fees payable pursuant to the provisions of
107 sections 301.550 to 301.580, other than those fees collected for the issuance of dealer plates or
108 certificates of number collected pursuant to subsection 6 of this section, shall be collected by the
109 department for deposit in the state treasury to the credit of the "Motor Vehicle Commission
110 Fund", which is hereby created. The motor vehicle commission fund shall be administered by
111 the Missouri department of revenue. The provisions of section 33.080 to the contrary
112 notwithstanding, money in such fund shall not be transferred and placed to the credit of the
113 general revenue fund until the amount in the motor vehicle commission fund at the end of the
114 biennium exceeds two times the amount of the appropriation from such fund for the preceding
115 fiscal year or, if the department requires permit renewal less frequently than yearly, then three
116 times the appropriation from such fund for the preceding fiscal year. The amount, if any, in the
117 fund which shall lapse is that amount in the fund which exceeds the multiple of the appropriation
118 from such fund for the preceding fiscal year.

119 2. In the event a new vehicle manufacturer, boat manufacturer, motor vehicle dealer,
120 wholesale motor vehicle dealer, boat dealer, powersport dealer, wholesale motor vehicle auction,
121 trailer dealer, or a public motor vehicle auction submits an application for a license for a new
122 business and the applicant has complied with all the provisions of this section, the department
123 shall make a decision to grant or deny the license to the applicant within eight working hours
124 after receipt of the dealer's application, notwithstanding any rule of the department.

125 3. Except as otherwise provided in subsection 6 of this section, upon the initial issuance
126 of a license by the department, the department shall assign a distinctive dealer license number
127 or certificate of number to the applicant and the department shall issue one number plate or
128 certificate bearing the distinctive dealer license number or certificate of number and two
129 additional number plates or certificates of number within eight working hours after presentment
130 of the application and payment by the applicant of a fee of fifty dollars for the first plate or
131 certificate and ten dollars and fifty cents for each additional plate or certificate. Upon renewal,
132 the department shall issue the distinctive dealer license number or certificate of number as
133 quickly as possible. The issuance of such distinctive dealer license number or certificate of
134 number shall be in lieu of registering each motor vehicle, trailer, vessel or vessel trailer dealt
135 with by a boat dealer, boat manufacturer, manufacturer, public motor vehicle auction, wholesale
136 motor vehicle dealer, wholesale motor vehicle auction or new or used motor vehicle dealer. The
137 license plates described in this section shall be made with fully reflective material with a

138 common color scheme and design, shall be clearly visible at night, and shall be aesthetically
139 attractive, as prescribed by section 301.130.

140 4. Notwithstanding any other provision of the law to the contrary, the department shall
141 assign the following distinctive dealer license numbers to:

142

143 New motor vehicle franchise dealers	D-0 through D-999
144 New powersport dealers	D-1000 through D-1999
145 Used motor vehicle and used powersport dealers	
146	D-2000 through D-9999
147 Wholesale motor vehicle dealers	W-0 through W-1999
148 Wholesale motor vehicle auctions	WA-0 through WA-999
149 New and used trailer dealers	T-0 through T-9999
150 Motor vehicle, trailer, and boat manufacturers	
151	DM-0 through DM-999
152 Public motor vehicle auctions	A-0 through A-1999
153 Boat dealers	M-0 through M-9999
154 New and used recreational motor vehicle dealers	
155	RV-0 through RV-999

156

157 For purposes of this subsection, qualified transactions shall include the purchase of salvage titled
158 vehicles by a licensed salvage dealer. A used motor vehicle dealer who also holds a salvage
159 dealer's license shall be allowed one additional plate or certificate number per fifty-unit qualified
160 transactions annually. In order for salvage dealers to obtain number plates or certificates under
161 this section, dealers shall submit to the department of revenue on August first of each year a
162 statement certifying, under penalty of perjury, the dealer's number of purchases during the
163 reporting period of July first of the immediately preceding year to June thirtieth of the present
164 year. The provisions of this subsection shall become effective on the date the director of the
165 department of revenue begins to reissue new license plates under section 301.130, or on
166 December 1, 2008, whichever occurs first. If the director of revenue begins reissuing new
167 license plates under the authority granted under section 301.130 prior to December 1, 2008, the
168 director of the department of revenue shall notify the revisor of statutes of such fact.

169 5. Upon the sale of a currently licensed motor vehicle dealership the department shall,
170 upon request, authorize the new approved dealer applicant to retain the selling dealer's license
171 number and shall cause the new dealer's records to indicate such transfer. If the new approved
172 dealer applicant elects not to retain the selling dealer's license number, the department shall issue

173 the new dealer applicant a new dealer's license number and an equal number of plates or
174 certificates as the department had issued to the selling dealer.

175 6. In the case of motor vehicle dealers, the department shall issue one number plate
176 bearing the distinctive dealer license number and may issue one additional number plate to the
177 applicant upon payment by the dealer of a fifty dollar fee for the number plate bearing the
178 distinctive dealer license number and ten dollars and fifty cents for the additional number plate.
179 The department may issue a third plate to the motor vehicle dealer upon completion of the
180 dealer's fifteenth qualified transaction and payment of a fee of ten dollars and fifty cents. In the
181 case of new motor vehicle manufacturers, powersport dealers, recreational motor vehicle dealers,
182 and trailer dealers, the department shall issue one number plate bearing the distinctive dealer
183 license number and may issue two additional number plates to the applicant upon payment by
184 the manufacturer or dealer of a fifty dollar fee for the number plate bearing the distinctive dealer
185 license number and ten dollars and fifty cents for each additional number plate. Boat dealers and
186 boat manufacturers shall be entitled to one certificate of number bearing such number upon the
187 payment of a fifty dollar fee. Additional number plates and as many additional certificates of
188 number may be obtained upon payment of a fee of ten dollars and fifty cents for each additional
189 plate or certificate. New motor vehicle manufacturers shall not be issued or possess more than
190 three hundred forty-seven additional number plates or certificates of number annually. New and
191 used motor vehicle dealers, powersport dealers, wholesale motor vehicle dealers, boat dealers,
192 and trailer dealers are limited to one additional plate or certificate of number per ten-unit
193 qualified transactions annually. New and used recreational motor vehicle dealers are limited to
194 two additional plates or certificate of number per ten-unit qualified transactions annually for their
195 first fifty transactions and one additional plate or certificate of number per ten-unit qualified
196 transactions thereafter. An applicant seeking the issuance of an initial license shall indicate on
197 his or her initial application the applicant's proposed annual number of sales in order for the
198 director to issue the appropriate number of additional plates or certificates of number. A motor
199 vehicle dealer, trailer dealer, boat dealer, powersport dealer, recreational motor vehicle dealer,
200 motor vehicle manufacturer, boat manufacturer, or wholesale motor vehicle dealer obtaining a
201 distinctive dealer license plate or certificate of number or additional license plate or additional
202 certificate of number, throughout the calendar year, shall be required to pay a fee for such license
203 plates or certificates of number computed on the basis of one-twelfth of the full fee prescribed
204 for the original and duplicate number plates or certificates of number for such dealers' licenses,
205 multiplied by the number of months remaining in the licensing period for which the dealer or
206 manufacturers shall be required to be licensed. In the event of a renewing dealer, the fee due at
207 the time of renewal shall not be prorated. Wholesale and public auctions shall be issued a
208 certificate of dealer registration in lieu of a dealer number plate. In order for dealers to obtain

209 number plates or certificates under this section, dealers shall submit to the department of revenue
210 on August first of each year a statement certifying, under penalty of perjury, the dealer's number
211 of sales during the reporting period of July first of the immediately preceding year to June
212 thirtieth of the present year.

213 7. The plates issued pursuant to subsection 3 or 6 of this section may be displayed on any
214 motor vehicle owned by a new motor vehicle manufacturer. The plates issued pursuant to
215 subsection 3 or 6 of this section may be displayed on any motor vehicle or trailer owned and held
216 for resale by a motor vehicle dealer for use by a customer who is test driving the motor vehicle,
217 for use by any customer while the customer's vehicle is being serviced or repaired by the motor
218 vehicle dealer, for use and display purposes during, but not limited to, parades, private events,
219 charitable events, or for use by an employee or officer, but shall not be displayed on any motor
220 vehicle or trailer hired or loaned to others or upon any regularly used service or wrecker vehicle.
221 Motor vehicle dealers may display their dealer plates on a tractor, truck or trailer to demonstrate
222 a vehicle under a loaded condition. Trailer dealers may display their dealer license plates in like
223 manner, except such plates may only be displayed on trailers owned and held for resale by the
224 trailer dealer.

225 8. The certificates of number issued pursuant to subsection 3 or 6 of this section may be
226 displayed on any vessel or vessel trailer owned and held for resale by a boat manufacturer or a
227 boat dealer, and used by a customer who is test driving the vessel or vessel trailer, or is used by
228 an employee or officer on a vessel or vessel trailer only, but shall not be displayed on any motor
229 vehicle owned by a boat manufacturer, boat dealer, or trailer dealer, or vessel or vessel trailer
230 hired or loaned to others or upon any regularly used service vessel or vessel trailer. Boat dealers
231 and boat manufacturers may display their certificate of number on a vessel or vessel trailer when
232 transporting a vessel or vessels to an exhibit or show.

233 9. If any law enforcement officer has probable cause to believe that any license plate or
234 certificate of number issued under subsection 3 or 6 of this section is being misused in violation
235 of subsection 7 or 8 of this section, the license plate or certificate of number may be seized and
236 surrendered to the department.

237 10. (1) Every application for the issuance of a used motor vehicle dealer's license shall
238 be accompanied by proof that the applicant, within the last twelve months, has completed an
239 educational seminar course approved by the department as prescribed by subdivision (2) of this
240 subsection. Wholesale and public auto auctions and applicants currently holding a new or used
241 license for a separate dealership shall be exempt from the requirements of this subsection. The
242 provisions of this subsection shall not apply to current new motor vehicle franchise dealers or
243 motor vehicle leasing agencies or applicants for a new motor vehicle franchise or a motor vehicle

244 leasing agency. The provisions of this subsection shall not apply to used motor vehicle dealers
245 who were licensed prior to August 28, 2006.

246 (2) The educational seminar shall include, but is not limited to, the dealer requirements
247 of sections 301.550 to 301.580, the rules promulgated to implement, enforce, and administer
248 sections 301.550 to 301.580, and any other rules and regulations promulgated by the department.

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