

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

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 398, Page 7, Section 144.070, Line 121, by inserting after all of the said section and  
3 line the following:  
4

5 "301.227. 1. Whenever a vehicle is sold for salvage, dismantling or rebuilding, the  
6 purchaser shall forward to the director of revenue within ten days the certificate of ownership or  
7 salvage certificate of title and the proper application and fee of eight dollars and fifty cents, and the  
8 director shall issue a negotiable salvage certificate of title to the purchaser of the salvaged vehicle.  
9 On vehicles purchased during a year that is no more than six years after the manufacturer's model  
10 year designation for such vehicle, it shall be mandatory that the purchaser apply for a salvage title.  
11 On vehicles purchased during a year that is more than six years after the manufacturer's model year  
12 designation for such vehicle, then application for a salvage title shall be optional on the part of the  
13 purchaser. Whenever a vehicle is sold for destruction and a salvage certificate of title, junking  
14 certificate, or certificate of ownership exists, the seller, if licensed under sections 301.217 to  
15 301.221, shall forward the certificate to the director of revenue within ten days, with the notation of  
16 the date sold for destruction and the name of the purchaser clearly shown on the face of the  
17 certificate.

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

29 3. For any vehicle issued a junking certificate or such similar document or classification  
30 pursuant to the laws of another state, regardless of whether such designation has been subsequently

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1 changed by law in any other state, the department shall only issue a junking certificate, and a  
2 salvage certificate of title or original certificate of ownership shall not thereafter be issued for such  
3 vehicle. Notwithstanding the provisions of this subsection, if the vehicle has not previously been  
4 classified as a junk vehicle, the applicant making the original junking certification application shall,  
5 within ninety days, be allowed to rescind his application for a junking certificate by surrendering the  
6 junking certificate and apply for a salvage certificate of title in his name. The seller of a vehicle for  
7 which a junking certificate has been applied for or issued shall disclose such fact in writing to any  
8 prospective buyers before sale of such vehicle; otherwise the sale shall be voidable at the option of  
9 the buyer.

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

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

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

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

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

36 9. Notwithstanding subsection 4 of this section or any other provision of the law to the  
37 contrary, if a motor vehicle is inoperable and is at least ~~ten~~ twenty model years old, or the parts are  
38 from a motor vehicle that is inoperable and is at least ~~ten~~ twenty model years old, a scrap metal  
39 operator may purchase or acquire such motor vehicle or parts without receiving the original

1 certificate of ownership, salvage certificate of title, or junking certificate from the seller of the  
2 vehicle or parts, provided the scrap metal operator verifies with the department of revenue, via the  
3 department's online record access, that the motor vehicle is not subject to any recorded security  
4 interest or lien and the scrap metal operator complies with the requirements of this subsection. In  
5 lieu of forwarding certificates of title or ownership for such motor vehicles as required by  
6 subsection 5 of this section, the scrap metal operator shall forward a copy of the seller's state  
7 identification card along with a bill of sale to the department of revenue. The bill of sale form shall  
8 be designed by the director and such form shall include, but not be limited to, a certification that the  
9 motor vehicle is at least ~~ten~~ twenty model years old, is inoperable, is not subject to any recorded  
10 security interest or lien, and a certification by the seller that the seller has the legal authority to sell  
11 or otherwise transfer the seller's interest in the motor vehicle or parts. Upon receipt of the  
12 information required by this subsection, the department of revenue shall cancel any certificate of  
13 title or ownership and registration for the motor vehicle. If the motor vehicle is inoperable and at  
14 least twenty model years old, then the scrap metal operator shall not be required to verify with the  
15 department of revenue whether the motor vehicle is subject to any recorded security interests or  
16 liens. As used in this subsection, the term "inoperable" means a motor vehicle that is in a rusted,  
17 wrecked, discarded, worn out, extensively damaged, dismantled, and mechanically inoperative  
18 condition and the vehicle's highest and best use is for scrap purposes. The director of the  
19 department of revenue is directed to promulgate rules and regulations to implement and administer  
20 the provisions of this section, including but not limited to, the development of a uniform bill of sale.  
21 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the  
22 authority delegated in this section shall become effective only if it complies with and is subject to all  
23 of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536  
24 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536  
25 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held  
26 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
27 August 28, 2012, shall be invalid and void."; and

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29 Further amend said bill by amending the title, enacting clause, and intersectional references  
30 accordingly.