

FIRST REGULAR SESSION

HOUSE BILL NO. 706

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOUX.

0996H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 301.010 and 301.227, RSMo, and to enact in lieu thereof two new sections relating to salvage vehicles.

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

Section A. Sections 301.010 and 301.227, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 301.010 and 301.227, to read as follows:

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to
2 304.260, and sections 307.010 to 307.175, the following terms mean:

3 (1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively
4 for off-highway use, with an unladen dry weight of one thousand five hundred pounds or less,
5 traveling on three, four or more nonhighway tires, with either:

6 (a) A seat designed to be straddled by the operator, and handlebars for steering
7 control, but excluding an electric bicycle; or

8 (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire
9 rim, regardless of seating or steering arrangement;

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

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

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

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

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

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

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

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

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

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

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

39 (13) "Driveaway operation":

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

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

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

53 (14) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the
54 fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck

55 tractor equipped with a dromedary may carry part of a load when operating independently or
56 in a combination with a semitrailer;

57 (15) "Electric bicycle", a bicycle equipped with fully operable pedals, a saddle or seat
58 for the rider, and an electric motor of less than 750 watts that meets the requirements of one of
59 the following three classes:

60 (a) "Class 1 electric bicycle", an electric bicycle equipped with a motor that provides
61 assistance only when the rider is pedaling and that ceases to provide assistance when the
62 bicycle reaches the speed of twenty miles per hour;

63 (b) "Class 2 electric bicycle", an electric bicycle equipped with a motor that may be
64 used exclusively to propel the bicycle and that is not capable of providing assistance when the
65 bicycle reaches the speed of twenty miles per hour; or

66 (c) "Class 3 electric bicycle", an electric bicycle equipped with a motor that provides
67 assistance only when the rider is pedaling and that ceases to provide assistance when the
68 bicycle reaches the speed of twenty-eight miles per hour;

69 (16) "Farm tractor", a tractor used exclusively for agricultural purposes;

70 (17) "Fleet", any group of ten or more motor vehicles owned by the same owner;

71 (18) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

72 (19) "Fullmount", a vehicle mounted completely on the frame of either the first or last
73 vehicle in a saddlemount combination;

74 (20) "Gross weight", the weight of vehicle and/or vehicle combination without load,
75 plus the weight of any load thereon;

76 (21) "Hail-damaged vehicle", any vehicle, the body of which has become dented as
77 the result of the impact of hail;

78 (22) "Highway", any public thoroughfare for vehicles, including state roads, county
79 roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

80 (23) "Improved highway", a highway which has been paved with gravel, macadam,
81 concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth
82 surface;

83 (24) "Intersecting highway", any highway which joins another, whether or not it
84 crosses the same;

85 (25) "Junk vehicle", a vehicle which:

86 (a) Is incapable of operation or use upon the highways and has no resale value except
87 as a source of parts or scrap; or

88 (b) Has been designated as junk or a substantially equivalent designation by this state
89 or any other state;

90 (26) "Kit vehicle", a motor vehicle assembled by a person other than a generally
91 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
92 an authorized manufacturer and accompanied by a manufacturer's statement of origin;

93 (27) "Land improvement contractors' commercial motor vehicle", any not-for-hire
94 commercial motor vehicle the operation of which is confined to:

95 (a) An area that extends not more than a radius of one hundred fifty miles from its
96 home base of operations when transporting its owner's machinery, equipment, or auxiliary
97 supplies to or from projects involving soil and water conservation, or to and from equipment
98 dealers' maintenance facilities for maintenance purposes; or

99 (b) An area that extends not more than a radius of fifty miles from its home base of
100 operations when transporting its owner's machinery, equipment, or auxiliary supplies to or
101 from projects not involving soil and water conservation.

102

103 Nothing in this subdivision shall be construed to prevent any motor vehicle from being
104 registered as a commercial motor vehicle or local commercial motor vehicle;

105 (28) "Local commercial motor vehicle", a commercial motor vehicle whose
106 operations are confined to a municipality and that area extending not more than fifty miles
107 therefrom, or a commercial motor vehicle whose property-carrying operations are confined
108 solely to the transportation of property owned by any person who is the owner or operator of
109 such vehicle to or from a farm owned by such person or under the person's control by virtue
110 of a landlord and tenant lease; provided that any such property transported to any such farm is
111 for use in the operation of such farm;

112 (29) "Local log truck", a commercial motor vehicle which is registered pursuant to
113 this chapter to operate as a motor vehicle on the public highways of this state; used
114 exclusively in this state; used to transport harvested forest products; operated solely at a
115 forested site and in an area extending not more than a one hundred fifty mile radius from such
116 site; and when operated on the national system of interstate and defense highways described
117 in 23 U.S.C. Section 103, as amended, or outside the one hundred fifty mile radius from such
118 site with an extended distance local log truck permit, does not have more than four axles, and
119 does not pull a trailer which has more than three axles. Harvesting equipment which is used
120 specifically for cutting, felling, trimming, delimiting, debarking, chipping, skidding, loading,
121 unloading, and stacking may be transported on a local log truck;

122 (30) "Local log truck tractor", a commercial motor vehicle which is registered under
123 this chapter to operate as a motor vehicle on the public highways of this state; used
124 exclusively in this state; used to transport harvested forest products, operated at a forested site
125 and in an area extending not more than a one hundred fifty mile radius from such site; and
126 when operated on the national system of interstate and defense highways described in 23

127 U.S.C. Section 103, as amended, or outside the one hundred fifty mile radius from such site
128 with an extended distance local log truck permit, does not have more than three axles and
129 does not pull a trailer which has more than three axles;

130 (31) "Local transit bus", a bus whose operations are confined wholly within a
131 municipal corporation, or wholly within a municipal corporation and a commercial zone, as
132 defined in section 390.020, adjacent thereto, forming a part of a public transportation system
133 within such municipal corporation and such municipal corporation and adjacent commercial
134 zone;

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

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

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

144 (35) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
145 receives a new, rebuilt or used engine, and which used the number stamped on the original
146 engine as the vehicle identification number;

147 (36) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
148 except farm tractors and electric bicycles;

149 (37) "Motor vehicle primarily for business use", any vehicle other than a recreational
150 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over
151 twelve thousand pounds:

152 (a) Offered for hire or lease; or

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

154 (38) "Motorcycle", a motor vehicle operated on two wheels;

155 (39) "Motorized bicycle", any two-wheeled or three-wheeled device having an
156 automatic transmission and a motor with a cylinder capacity of not more than fifty cubic
157 centimeters, which produces less than three gross brake horsepower, and is capable of
158 propelling the device at a maximum speed of not more than thirty miles per hour on level
159 ground, but excluding an electric bicycle;

160 (40) "Motortricycle", a motor vehicle upon which the operator straddles or sits astride
161 that is designed to be controlled by handle bars and is operated on three wheels, including a
162 motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of

163 a third wheel, but excluding an electric bicycle. A motortricycle shall not be included in the
164 definition of all-terrain vehicle;

165 (41) "Municipality", any city, town or village, whether incorporated or not;

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

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

169 (44) "Operator", any person who operates or drives a motor vehicle;

170 (45) "Owner", any person, firm, corporation or association, who holds the legal title
171 to a vehicle or who has executed a buyer's order or retail installment sales contract with a
172 motor vehicle dealer licensed under sections 301.550 to 301.580 for the purchase of a vehicle
173 with an immediate right of possession vested in the transferee, or in the event a vehicle is the
174 subject of an agreement for the conditional sale or lease thereof with the right of purchase
175 upon performance of the conditions stated in the agreement and with an immediate right of
176 possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle
177 is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed
178 the owner;

179 (46) "Public garage", a place of business where motor vehicles are housed, stored,
180 repaired, reconstructed or repainted for persons other than the owners or operators of such
181 place of business;

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

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

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

195 (50) "Recreational off-highway vehicle", any motorized vehicle manufactured and
196 used exclusively for off-highway use which is more than fifty inches but no more than eighty
197 inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry
198 weight of three thousand five hundred pounds or less, traveling on four or more nonhighway
199 tires and which may have access to ATV trails;

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

204 (52) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,
205 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a
206 wrecker or towing service;

207 (53) "Saddlemount combination", a combination of vehicles in which a truck or truck
208 tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or
209 fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front
210 axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like
211 a fifth wheel kingpin connection. When two vehicles are towed in this manner the
212 combination is called a "double saddlemount combination". When three vehicles are towed
213 in this manner, the combination is called a "triple saddlemount combination";

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

216 (55) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

217 (a) Was damaged [~~during a year that is no more than six years after the manufacturer's~~
218 ~~model year designation for such vehicle~~] to the extent that the total cost of repairs to rebuild
219 or reconstruct the vehicle to its condition immediately before it was damaged for legal
220 operation on the roads or highways exceeds eighty percent of the fair market value of the
221 vehicle immediately preceding the time it was damaged, **except when the vehicle was**
222 **damaged during a year that is more than six years after the manufacturer's model year**
223 **designation for the vehicle and the owner retains ownership of the vehicle;**

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

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

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

230 (e) Is abandoned property which is titled pursuant to section 304.155 or section
231 304.157 and designated with the words "salvage/abandoned property". The total cost of
232 repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing,
233 or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail,
234 or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of
235 this definition, "fair market value" means the retail value of a motor vehicle as:

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

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

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

244 (56) "School bus", any motor vehicle used solely to transport students to or from
245 school or to transport students to or from any place for educational purposes;

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

249 (58) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
250 corporation as an incidental service to transport patrons or customers of the regular business
251 of such person, firm, or corporation to and from the place of business of the person, firm, or
252 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
253 buses or as commercial motor vehicles;

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

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

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

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

272 (63) "Towaway trailer transporter combination", a combination of vehicles consisting
273 of a trailer transporter towing unit and two trailers or semitrailers, with a total weight that
274 does not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry no
275 property and constitute inventory property of a manufacturer, distributor, or dealer of such
276 trailers or semitrailers;

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

280 (65) "Trailer", any vehicle without motive power designed for carrying property or
281 passengers on its own structure and for being drawn by a self-propelled vehicle, except those
282 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
283 and used in conjunction with a self-propelled vehicle that a considerable part of its own
284 weight rests upon and is carried by the towing vehicle. The term trailer shall not include
285 cotton trailers as defined in this section and shall not include manufactured homes as defined
286 in section 700.010;

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

289 (67) "Truck", a motor vehicle designed, used, or maintained for the transportation of
290 property;

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

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

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

303 (71) "Utility vehicle", any motorized vehicle manufactured and used exclusively for
304 off-highway use which is more than fifty inches but no more than eighty inches in width,
305 measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three
306 thousand five hundred pounds or less, traveling on four or six wheels, to be used primarily for
307 landscaping, lawn care, or maintenance purposes;

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

317 (73) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
318 on highways, except motorized bicycles, electric bicycles, vehicles propelled or drawn by
319 horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers
320 or motorized wheelchairs operated by handicapped persons;

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

325 (75) "Wrecker or towing service", the act of transporting, towing or recovering with a
326 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the
327 wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly
328 receives compensation or other personal gain.

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

14 2. Whenever a vehicle is classified as junk, as defined in section 301.010, the
15 purchaser may forward to the director of revenue a properly completed application for a
16 junking certificate as well as the salvage certificate of title or certificate of ownership and the

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

26 3. For any vehicle issued a junking certificate or such similar document or
27 classification pursuant to the laws of another state, regardless of whether such designation has
28 been subsequently changed by law in any other state, the department shall only issue a
29 junking certificate, and a salvage certificate of title or original certificate of ownership shall
30 not thereafter be issued for such vehicle. Notwithstanding the provisions of this subsection, if
31 the vehicle has not previously been classified as a junk vehicle, the applicant making the
32 original junking certification application shall, within ninety days, be allowed to rescind his
33 application for a junking certificate by surrendering the junking certificate and apply for a
34 salvage certificate of title in his name. The seller of a vehicle for which a junking certificate
35 has been applied for or issued shall disclose such fact in writing to any prospective buyers
36 before sale of such vehicle; otherwise the sale shall be voidable at the option of the buyer.

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

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

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

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

50 8. Notwithstanding the provisions of subsection 1 of this section, an insurance
51 company which settles a claim for a stolen vehicle may apply for and shall be issued a
52 negotiable salvage certificate of title without the payment of any fee upon proper application
53 within thirty days after settlement of the claim for such stolen vehicle. However, if the

54 insurance company upon recovery of a stolen vehicle determines that the stolen vehicle has
55 not sustained damage to the extent that the vehicle would have otherwise been declared a
56 salvage vehicle pursuant to section 301.010, then the insurance company may have the
57 vehicle inspected by the Missouri state highway patrol, or other law enforcement agency
58 authorized by the director of revenue, in accordance with the inspection provisions of
59 subsection 9 of section 301.190. Upon receipt of title application, applicable fee, the
60 completed inspection, and the return of any previously issued negotiable salvage certificate,
61 the director shall issue an original title with no salvage or prior salvage designation. Upon the
62 issuance of an original title the director shall remove any indication of the negotiable salvage
63 title previously issued to the insurance company from the department's electronic records.

64 9. Notwithstanding subsection 4 of this section or any other provision of the law to
65 the contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts
66 are from a motor vehicle that is inoperable and is at least ten model years old, a scrap metal
67 operator may purchase or acquire such motor vehicle or parts without receiving the original
68 certificate of ownership, salvage certificate of title, or junking certificate from the seller of the
69 vehicle or parts, provided the scrap metal operator verifies with the department of revenue,
70 via the department's online record access, that the motor vehicle is not subject to any recorded
71 security interest or lien and the scrap metal operator complies with the requirements of this
72 subsection. In lieu of forwarding certificates of title or ownership for such motor vehicles as
73 required by subsection 5 of this section, the scrap metal operator shall forward a copy of the
74 seller's state identification card along with a bill of sale to the department of revenue. The bill
75 of sale form shall be designed by the director and such form shall include, but not be limited
76 to, a certification that the motor vehicle is at least ten model years old, is inoperable, is not
77 subject to any recorded security interest or lien, and a certification by the seller that the seller
78 has the legal authority to sell or otherwise transfer the seller's interest in the motor vehicle or
79 parts. Upon receipt of the information required by this subsection, the department of revenue
80 shall cancel any certificate of title or ownership and registration for the motor vehicle. If the
81 motor vehicle is inoperable and at least twenty model years old, then the scrap metal operator
82 shall not be required to verify with the department of revenue whether the motor vehicle is
83 subject to any recorded security interests or liens. As used in this subsection, the term
84 "inoperable" means a motor vehicle that is in a rusted, wrecked, discarded, worn out,
85 extensively damaged, dismantled, and mechanically inoperative condition and the vehicle's
86 highest and best use is for scrap purposes. The director of the department of revenue is
87 directed to promulgate rules and regulations to implement and administer the provisions of
88 this section, including but not limited to, the development of a uniform bill of sale. Any rule
89 or portion of a rule, as that term is defined in section 536.010, that is created under the
90 authority delegated in this section shall become effective only if it complies with and is

91 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
92 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
93 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a
94 rule are subsequently held unconstitutional, then the grant of rulemaking authority and any
95 rule proposed or adopted after August 28, 2012, shall be invalid and void.

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