

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 378, Page 1, Section A, Line 2, by
2 inserting after said section and line the following:
3

4 "301.020. 1. Every owner of a motor vehicle or trailer, which shall be operated or driven
5 upon the highways of this state, except as herein otherwise expressly provided, shall annually file,
6 by mail or otherwise, in the office of the director of revenue, an application for registration on a
7 blank to be furnished by the director of revenue for that purpose containing:

8 (1) A brief description of the motor vehicle or trailer to be registered, including the name of
9 the manufacturer, the vehicle identification number, the amount of motive power of the motor
10 vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a motor
11 vehicle primarily for business use as defined in section 301.010;

12 (2) The name, the applicant's identification number and address of the owner of such motor
13 vehicle or trailer;

14 (3) The gross weight of the vehicle and the desired load in pounds if the vehicle is a
15 commercial motor vehicle or trailer.

16 2. If the vehicle is a motor vehicle primarily for business use as defined in section 301.010
17 and if such vehicle is ~~[ten years of age or less]~~ model year 2012 or newer and has less than one
18 hundred fifty thousand miles on the odometer, the director of revenue shall retain the odometer
19 information provided in the vehicle inspection report, and provide for prompt access to such
20 information, together with the vehicle identification number for the motor vehicle to which such
21 information pertains, for a period of ten years after the receipt of such information. This section
22 shall not apply unless:

23 (1) The application for the vehicle's certificate of ownership was submitted after July 1,
24 1989; and

25 (2) The certificate was issued pursuant to a manufacturer's statement of origin.

26 3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business use, a
27 recreational motor vehicle, motorcycle, motortricycle, autocycle, bus, or any commercial motor
28 vehicle licensed for over twelve thousand pounds and if such motor vehicle is ~~[ten years of age or
29 less]~~ model year 2012 or newer and has less than one hundred fifty thousand miles on the odometer,
30 the director of revenue shall retain the odometer information provided in the vehicle inspection

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1 report, and provide for prompt access to such information, together with the vehicle identification
2 number for the motor vehicle to which such information pertains, for a period of ten years after the
3 receipt of such information. This subsection shall not apply unless:

4 (1) The application for the vehicle's certificate of ownership was submitted after July 1,
5 1990; and

6 (2) The certificate was issued pursuant to a manufacturer's statement of origin.

7 4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle, specially
8 constructed motor vehicle, non-USA-std motor vehicle, as defined in section 301.010, or prior
9 salvage as referenced in section 301.573, the owner or lienholder shall surrender the certificate of
10 ownership. The owner shall make an application for a new certificate of ownership, pay the
11 required title fee, and obtain the vehicle examination certificate required pursuant to subsection 9 of
12 section 301.190. If an insurance company pays a claim on a salvage vehicle as defined in section
13 301.010 and the owner retains the vehicle, as prior salvage, the vehicle shall only be required to
14 meet the examination requirements under subsection 10 of section 301.190. Notarized bills of sale
15 along with a copy of the front and back of the certificate of ownership for all major component parts
16 installed on the vehicle and invoices for all essential parts which are not defined as major
17 component parts shall accompany the application for a new certificate of ownership. If the vehicle
18 is a specially constructed motor vehicle, as defined in section 301.010, two pictures of the vehicle
19 shall be submitted with the application. If the vehicle is a kit vehicle, the applicant shall submit the
20 invoice and the manufacturer's statement of origin on the kit. If the vehicle requires the issuance of
21 a special number by the director of revenue or a replacement vehicle identification number, the
22 applicant shall submit the required application and application fee. All applications required under
23 this subsection shall be submitted with any applicable taxes which may be due on the purchase of
24 the vehicle or parts. The director of revenue shall appropriately designate "Reconstructed Motor
25 Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially Constructed
26 Motor Vehicle" on the current and all subsequent issues of the certificate of ownership of such
27 vehicle.

28 5. Every insurance company that pays a claim for repair of a motor vehicle which as the
29 result of such repairs becomes a reconstructed motor vehicle as defined in section 301.010 or that
30 pays a claim on a salvage vehicle as defined in section 301.010 and the owner is retaining the
31 vehicle shall in writing notify the owner of the vehicle, and in a first party claim, the lienholder if a
32 lien is in effect, that he is required to surrender the certificate of ownership, and the documents and
33 fees required pursuant to subsection 4 of this section to obtain a prior salvage motor vehicle
34 certificate of ownership or documents and fees as otherwise required by law to obtain a salvage
35 certificate of ownership, from the director of revenue. The insurance company shall within thirty
36 days of the payment of such claims report to the director of revenue the name and address of such
37 owner, the year, make, model, vehicle identification number, and license plate number of the
38 vehicle, and the date of loss and payment.

1 6. Anyone who fails to comply with the requirements of this section shall be guilty of a
2 class B misdemeanor.

3 7. An applicant for registration may make a donation of one dollar to promote a blindness
4 education, screening and treatment program. The director of revenue shall collect the donations and
5 deposit all such donations in the state treasury to the credit of the blindness education, screening and
6 treatment program fund established in section 209.015. Moneys in the blindness education,
7 screening and treatment program fund shall be used solely for the purposes established in section
8 209.015; except that the department of revenue shall retain no more than one percent for its
9 administrative costs. The donation prescribed in this subsection is voluntary and may be refused by
10 the applicant for registration at the time of issuance or renewal. The director shall inquire of each
11 applicant at the time the applicant presents the completed application to the director whether the
12 applicant is interested in making the one dollar donation prescribed in this subsection.

13 8. An applicant for registration may make a donation of an amount not less than one dollar
14 to promote an organ donor program. The director of revenue shall collect the donations and deposit
15 all such donations in the state treasury to the credit of the organ donor program fund as established
16 in sections 194.297 to 194.304. Moneys in the organ donor fund shall be used solely for the
17 purposes established in sections 194.297 to 194.304, except that the department of revenue shall
18 retain no more than one percent for its administrative costs. The donation prescribed in this
19 subsection is voluntary and may be refused by the applicant for registration at the time of issuance
20 or renewal. The director shall inquire of each applicant at the time the applicant presents the
21 completed application to the director whether the applicant is interested in making a contribution not
22 less than one dollar as prescribed in this subsection.

23 9. An applicant for registration may make a donation of one dollar to the Missouri medal of
24 honor recipients fund. The director of revenue shall collect the donations and deposit all such
25 donations in the state treasury to the credit of the Missouri medal of honor recipients fund as
26 established in section 226.925. Moneys in the medal of honor recipients fund shall be used solely
27 for the purposes established in section 226.925, except that the department of revenue shall retain no
28 more than one percent for its administrative costs. The donation prescribed in this subsection is
29 voluntary and may be refused by the applicant for registration at the time of issuance or renewal.
30 The director shall inquire of each applicant at the time the applicant presents the completed
31 application to the director whether the applicant is interested in making the one dollar donation
32 prescribed in this subsection."; and
33

34 Further amend said bill, Page 6, Section 301.140, Line 167, by inserting after said section and line
35 the following:
36

37 "301.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate
38 therefor, shall be issued by the director of revenue unless the applicant therefor shall make
39 application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall

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

15 2. The director of revenue shall use reasonable diligence in ascertaining whether the facts
16 stated in such application are true and shall, to the extent possible without substantially delaying
17 processing of the application, review any odometer information pertaining to such motor vehicle
18 that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of
19 such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the
20 director shall thereupon issue an appropriate certificate over his signature and sealed with the seal of
21 his office, procured and used for such purpose. The certificate shall contain on its face a complete
22 description, vehicle identification number, and other evidence of identification of the motor vehicle
23 or trailer, as the director of revenue may deem necessary, together with the odometer information
24 required to be put on the face of the certificate pursuant to section 407.536, a statement of any liens
25 or encumbrances which the application may show to be thereon, and, if ownership of the vehicle has
26 been transferred, the name of the state issuing the transferor's title and whether the transferor's
27 odometer mileage statement executed pursuant to section 407.536 indicated that the true mileage is
28 materially different from the number of miles shown on the odometer, or is unknown.

29 3. The director of revenue shall appropriately designate on the current and all subsequent
30 issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change Vehicle",
31 "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as defined in section
32 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for motor
33 vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print on the face
34 thereof the following designation: "Annual odometer updates may be available from the department
35 of revenue.". On any duplicate certificate, the director of revenue shall reprint on the face thereof
36 the most recent of either:

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

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

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

9 5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in
10 addition to the fee for registration of such motor vehicle or trailer. If application for the certificate is
11 not made within thirty days after the vehicle is acquired by the applicant, or where the motor vehicle
12 was acquired under section 301.213 or subsection 5 of section 301.210 and the applicant fails to
13 make application within thirty days after receiving title from the dealer, a delinquency penalty fee of
14 twenty-five dollars for the first thirty days of delinquency and twenty-five dollars for each thirty
15 days of delinquency thereafter, not to exceed a total of two hundred dollars, but such penalty may be
16 waived by the director for a good cause shown. If the director of revenue learns that any person has
17 failed to obtain a certificate within thirty days after acquiring a motor vehicle or trailer, or where the
18 motor vehicle was acquired under section 301.213 or subsection 5 of section 301.210 and the
19 applicant fails to make application within thirty days after receiving title from the dealer, or has sold
20 a vehicle without obtaining a certificate, he shall cancel the registration of all vehicles registered in
21 the name of the person, either as sole owner or as a co-owner, and shall notify the person that the
22 cancellation will remain in force until the person pays the delinquency penalty fee provided in this
23 section, together with all fees, charges and payments which the person should have paid in
24 connection with the certificate of ownership and registration of the vehicle. The certificate shall be
25 good for the life of the motor vehicle or trailer so long as the same is owned or held by the original
26 holder of the certificate and shall not have to be renewed annually.

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

30 7. It is unlawful for any person to operate in this state a motor vehicle or trailer required to
31 be registered under the provisions of the law unless a certificate of ownership has been applied for
32 as provided in this section.

33 8. Before an original Missouri certificate of ownership is issued, an inspection of the vehicle
34 and a verification of vehicle identification numbers shall be made by the Missouri state highway
35 patrol on vehicles for which there is a current title issued by another state if a Missouri salvage
36 certificate of title has been issued for the same vehicle but no prior inspection and verification has
37 been made in this state, except that if such vehicle has been inspected in another state by a law
38 enforcement officer in a manner comparable to the inspection process in this state and the vehicle
39 identification numbers have been so verified, the applicant shall not be liable for the twenty-five

dollar inspection fee if such applicant submits proof of inspection and vehicle identification number verification to the director of revenue at the time of the application. The applicant, who has such a title for a vehicle on which no prior inspection and verification have been made, shall pay a fee of twenty-five dollars for such verification and inspection, payable to the director of revenue at the time of the request for the application, which shall be deposited in the state treasury to the credit of the state highways and transportation department fund.

9. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The vehicle examination shall include a verification of vehicle identification numbers and a determination of the classification of the vehicle. The owner of a vehicle which requires a vehicle examination certificate shall present the vehicle for examination and obtain a completed vehicle examination certificate prior to submitting an application for a certificate of ownership to the director of revenue. Notwithstanding any provision of the law to the contrary, an owner presenting a motor vehicle which has been issued a salvage title and which is ten years of age or older to a vehicle examination described in this subsection in order to obtain a certificate of ownership with the designation prior salvage motor vehicle shall not be required to repair or restore the vehicle to its original appearance in order to pass or complete the vehicle examination. The fee for the vehicle examination application shall be twenty-five dollars and shall be collected by the director of revenue at the time of the request for the application and shall be deposited in the state treasury to the credit of the state highways and transportation department fund. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and the fees required by section 307.365 and section 643.315 shall be charged to the owner.

10. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri or as required by section 301.020, it shall be accompanied by a current inspection form certified by a duly authorized official inspection station as described in chapter 307, except that such inspection may be completed by an employee of a licensed new or used motor vehicle dealer for a motor vehicle sold to a person who lives outside of this state and intends to register the vehicle outside of this state or for a motor vehicle having less than thirty thousand miles for the three-year period following the model year of manufacture. The completed form shall certify that the manufacturer's identification number for the vehicle has been inspected, that it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the time of inspection. The inspection station or, in the case of a motor vehicle sold to a person who lives outside of this state and intends to register the vehicle outside of this state or a motor vehicle having less than thirty thousand miles for the three-year period following the model year of manufacture, the licensed new or used motor vehicle dealer shall collect

the same fee as authorized in section 307.365 for making the inspection, and the fee shall be deposited in the same manner as provided in section 307.365. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and only the fees required by section 307.365 and section 643.315 shall be charged to the owner. This section shall not apply to vehicles being transferred on a manufacturer's statement of origin. A licensed new or used motor vehicle dealer completing the inspection under this section shall be subject to disciplinary action up to and including suspension or revocation of their dealer's license for knowingly completing such inspection with incorrect information. Such disciplinary action shall take place in accordance with department of revenue regular procedures for disciplinary action.

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

12. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, or prior salvage vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the name of the issuing state and such prior designation. The absence of any prior designation shall not relieve a transferor of the duty to exercise due diligence with regard to such certificate of ownership prior to the transfer of a certificate. If a transferor exercises any due diligence with regard to a certificate of ownership, the legal transfer of a certificate of ownership without any designation that is subsequently discovered to have or should have had a designation shall be a transfer free and clear of any liabilities of the transferor associated with the missing designation.

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

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

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

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

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

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

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

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

307.350. 1. The owner of every motor vehicle as defined in section 301.010 which is required to be registered in this state, except:

(1) Motor vehicles having less than one hundred fifty thousand miles~~[, for the ten-year period following their model year of manufacture]~~ and of model year 2012 or newer, excluding prior salvage vehicles immediately following a rebuilding process and vehicles subject to the provisions of section 307.380;

(2) Those motor vehicles which are engaged in interstate commerce and are proportionately registered in this state with the Missouri highway reciprocity commission, although the owner may request that such vehicle be inspected by an official inspection station, and a peace officer may stop and inspect such vehicles to determine whether the mechanical condition is in compliance with the safety regulations established by the United States Department of Transportation; and

(3) Historic motor vehicles registered pursuant to section 301.131;

(4) Vehicles registered in excess of twenty-four thousand pounds for a period of less than twelve months;

shall submit such vehicles to a biennial inspection of their mechanism and equipment in accordance with the provisions of sections 307.350 to 307.390 and obtain a certificate of inspection and approval and a sticker, seal, or other device from a duly authorized official inspection station. The inspection, except the inspection of school buses which shall be made at the time provided in section 307.375, shall be made at the time prescribed in the rules and regulations issued by the superintendent of the Missouri state highway patrol; but the inspection of a vehicle shall not be

made more than sixty days prior to the date of application for registration or within sixty days of when a vehicle's registration is transferred; however, if a vehicle was purchased from a motor vehicle dealer and a valid inspection had been made within sixty days of the purchase date, the new owner shall be able to utilize an inspection performed within ninety days prior to the application for registration or transfer. Any vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved pursuant to the safety inspection program established pursuant to sections 307.350 to 307.390 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved pursuant to sections 307.350 to 307.390 in each odd-numbered year. The certificate of inspection and approval shall be a sticker, seal, or other device or combination thereof, as the superintendent of the Missouri state highway patrol prescribes by regulation and shall be displayed upon the motor vehicle or trailer as prescribed by the regulations established by him. The replacement of certificates of inspection and approval which are lost or destroyed shall be made by the superintendent of the Missouri state highway patrol under regulations prescribed by him.

2. For the purpose of obtaining an inspection only, it shall be lawful to operate a vehicle over the most direct route between the owner's usual place of residence and an inspection station of such owner's choice, notwithstanding the fact that the vehicle does not have a current state registration license. It shall also be lawful to operate such a vehicle from an inspection station to another place where repairs may be made and to return the vehicle to the inspection station notwithstanding the absence of a current state registration license.

3. No person whose motor vehicle was duly inspected and approved as provided in this section shall be required to have the same motor vehicle again inspected and approved for the sole reason that such person wishes to obtain a set of any special personalized license plates available pursuant to section 301.144 or a set of any license plates available pursuant to section 301.142, prior to the expiration date of such motor vehicle's current registration.

4. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed an infraction.

307.380. 1. Every vehicle of the type required to be inspected upon having been involved in an accident and when so directed by a police officer must be inspected and an official certificate of inspection and approval, sticker, seal or other device be obtained for such vehicle before it is again operated on the highways of this state.

2. At the seller's expense every used motor vehicle of the type required to be inspected by section 307.350 shall immediately prior to sale be fully inspected regardless of any current certificate of inspection and approval, and an appropriate new certificate of inspection and approval, sticker, seal or other device shall be obtained no more than sixty days prior to the date of sale, except that such inspection shall not be required for a motor vehicle sold to a person who lives outside of this state and intends to register the vehicle outside of this state or for a motor vehicle having less than thirty thousand miles for the three-year period following the model year of manufacture when:

1 (1) Sold by a private seller; or

2 (2) Sold by a licensed new or used motor vehicle dealer, provided that such dealer has sold
3 at least two hundred motor vehicles in the previous calendar year.

4
5 The seller of a motor vehicle required to be inspected under this subsection shall present the
6 certificate of inspection and approval to the buyer at the point of sale and the buyer shall be required
7 to submit the certificate of inspection when applying for registration of the vehicle.

8 ~~[2-]~~ 3. Nothing contained in the provisions of this section shall be construed to prohibit a
9 dealer or any other person from selling a vehicle without a certificate of inspection and approval if
10 the vehicle is sold for junk, salvage, or for rebuilding, or for vehicles sold at public auction or from
11 dealer to dealer. The purchaser of any vehicle which is purchased for junk, salvage, or for
12 rebuilding shall give to the seller an affidavit, on a form prescribed by the superintendent of the
13 Missouri state highway patrol, stating that the vehicle is being purchased for one of the reasons
14 stated herein. No vehicle of the type required to be inspected by section 307.350 which is purchased
15 as junk, salvage, or for rebuilding shall again be registered in this state until the owner has submitted
16 the vehicle for inspection and obtained an official certificate of inspection and approval, sticker, seal
17 or other device for such vehicle.

18 ~~[3-]~~ 4. Notwithstanding the provisions of section 307.390, violation of this section shall be
19 deemed an infraction."; and

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