

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 189, Page 45, Section 300.100, Line 30,
2 by inserting after said section and line the following:
3

4 "301.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate
5 therefor, shall be issued by the director of revenue unless the applicant therefor shall make
6 application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall
7 present satisfactory evidence that such certificate has been previously issued to the applicant for
8 such motor vehicle or trailer. Application shall be made within thirty days after the applicant
9 acquires the motor vehicle or trailer, unless the motor vehicle was acquired under section 301.213 or
10 subsection 5 of section 301.210 in which case the applicant shall make application within thirty days
11 after receiving title from the dealer, upon a blank form furnished by the director of revenue and shall
12 contain the applicant's identification number, a full description of the motor vehicle or trailer, the
13 vehicle identification number, and the mileage registered on the odometer at the time of transfer of
14 ownership, as required by section 407.536, together with a statement of the applicant's source of title
15 and of any liens or encumbrances on the motor vehicle or trailer, provided that for good cause
16 shown the director of revenue may extend the period of time for making such application. When an
17 owner wants to add or delete a name or names on an application for certificate of ownership of a
18 motor vehicle or trailer that would cause it to be inconsistent with the name or names listed on the
19 notice of lien, the owner shall provide the director with documentation evidencing the lienholder's
20 authorization to add or delete a name or names on an application for certificate of ownership.

21 2. The director of revenue shall use reasonable diligence in ascertaining whether the facts
22 stated in such application are true and shall, to the extent possible without substantially delaying
23 processing of the application, review any odometer information pertaining to such motor vehicle
24 that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of
25 such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the
26 director shall thereupon issue an appropriate certificate over his signature and sealed with the seal of
27 his office, procured and used for such purpose. The certificate shall contain on its face a complete
28 description, vehicle identification number, and other evidence of identification of the motor vehicle
29 or trailer, as the director of revenue may deem necessary, together with the odometer information
30 required to be put on the face of the certificate pursuant to section 407.536, a statement of any liens

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1 or encumbrances which the application may show to be thereon, and, if ownership of the vehicle has
2 been transferred, the name of the state issuing the transferor's title and whether the transferor's
3 odometer mileage statement executed pursuant to section 407.536 indicated that the true mileage is
4 materially different from the number of miles shown on the odometer, or is unknown.

5 3. The director of revenue shall appropriately designate on the current and all subsequent
6 issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change Vehicle",
7 "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as defined in section
8 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for motor
9 vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print on the face
10 thereof the following designation: "Annual odometer updates may be available from the department
11 of revenue.". On any duplicate certificate, the director of revenue shall reprint on the face thereof
12 the most recent of either:

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

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

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

23 5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in
24 addition to the fee for registration of such motor vehicle or trailer. If application for the certificate is
25 not made within thirty days after the vehicle is acquired by the applicant, or where the motor vehicle
26 was acquired under section 301.213 or subsection 5 of section 301.210 and the applicant fails to
27 make application within thirty days after receiving title from the dealer, a delinquency penalty fee of
28 twenty-five dollars for the first thirty days of delinquency and twenty-five dollars for each thirty
29 days of delinquency thereafter, not to exceed a total of two hundred dollars, but such penalty may be
30 waived by the director for a good cause shown. If the director of revenue learns that any person has
31 failed to obtain a certificate within thirty days after acquiring a motor vehicle or trailer, or where the
32 motor vehicle was acquired under section 301.213 or subsection 5 of section 301.210 and the
33 applicant fails to make application within thirty days after receiving title from the dealer, or has sold
34 a vehicle without obtaining a certificate, he shall cancel the registration of all vehicles registered in
35 the name of the person, either as sole owner or as a co-owner, and shall notify the person that the
36 cancellation will remain in force until the person pays the delinquency penalty fee provided in this
37 section, together with all fees, charges and payments which the person should have paid in
38 connection with the certificate of ownership and registration of the vehicle. The certificate shall be

1 good for the life of the motor vehicle or trailer so long as the same is owned or held by the original
2 holder of the certificate and shall not have to be renewed annually.

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

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

9 8. Before an original Missouri certificate of ownership is issued, an inspection of the vehicle
10 and a verification of vehicle identification numbers shall be made by the Missouri state highway
11 patrol on vehicles for which there is a current title issued by another state if a Missouri salvage
12 certificate of title has been issued for the same vehicle but no prior inspection and verification has
13 been made in this state, except that if such vehicle has been inspected in another state by a law
14 enforcement officer in a manner comparable to the inspection process in this state and the vehicle
15 identification numbers have been so verified, the applicant shall not be liable for the twenty-five
16 dollar inspection fee if such applicant submits proof of inspection and vehicle identification number
17 verification to the director of revenue at the time of the application. The applicant, who has such a
18 title for a vehicle on which no prior inspection and verification have been made, shall pay a fee of
19 twenty-five dollars for such verification and inspection, payable to the director of revenue at the
20 time of the request for the application, which shall be deposited in the state treasury to the credit of
21 the state highways and transportation department fund.

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

1 shall be completed and the fees required by section 307.365 and section 643.315 shall be charged to
2 the owner.

3 10. When an application is made for an original Missouri certificate of ownership for a
4 motor vehicle previously registered or titled in a state other than Missouri or as required by section
5 301.020, it shall be accompanied by a current inspection form certified by a duly authorized official
6 inspection station as described in chapter 307, except that such inspection may be completed by an
7 employee of a licensed new or used motor vehicle dealer for a motor vehicle sold to a person who
8 lives outside of this state and intends to register the vehicle outside of this state or for a motor
9 vehicle having less than thirty thousand miles for the three-year period following the model year of
10 manufacture. The completed form shall certify that the manufacturer's identification number for the
11 vehicle has been inspected, that it is correctly displayed on the vehicle and shall certify the reading
12 shown on the odometer at the time of inspection. The inspection station or, in the case of a motor
13 vehicle sold to a person who lives outside of this state and intends to register the vehicle outside of
14 this state or a motor vehicle having less than thirty thousand miles for the three-year period
15 following the model year of manufacture, the licensed new or used motor vehicle dealer shall collect
16 the same fee as authorized in section 307.365 for making the inspection, and the fee shall be
17 deposited in the same manner as provided in section 307.365. If the vehicle is also to be registered
18 in Missouri, the safety inspection required in chapter 307 and the emissions inspection required
19 under chapter 643 shall be completed and only the fees required by section 307.365 and section
20 643.315 shall be charged to the owner. This section shall not apply to vehicles being transferred on
21 a manufacturer's statement of origin.

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

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

1 shall be a transfer free and clear of any liabilities of the transferor associated with the missing
2 designation.

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

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

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

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

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

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

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

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26 The department of revenue shall issue the owner a certificate of ownership designated with the
27 words "Reconstructed Motor Vehicle" and deliver such certificate of ownership in accordance with
28 the provisions of this chapter. Notwithstanding subsection 9 of this section, no owner of a
29 reconstructed motor vehicle described in this subsection shall be required to obtain a vehicle
30 examination certificate issued by the Missouri state highway patrol."; and
31

32 Further amend said bill, Page 54, Section 304.822, Line 138, by inserting after said section and line
33 the following:
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35 "307.380. 1. Every vehicle of the type required to be inspected upon having been involved
36 in an accident and when so directed by a police officer must be inspected and an official certificate
37 of inspection and approval, sticker, seal or other device be obtained for such vehicle before it is
38 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) Sold by a private seller; or

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

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

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

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

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