

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NOS. 1420 & 527**  
**103RD GENERAL ASSEMBLY**

2067H.02C

JOSEPH ENGLER, Chief Clerk

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**AN ACT**

To repeal section 301.190, RSMo, and to enact in lieu thereof seven new sections relating to auto theft prevention.

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

Section A. Section 301.190, RSMo, is repealed and seven new sections enacted in lieu thereof, to be known as sections 43.280, 43.282, 43.284, 43.285, 43.286, 43.287, and 301.190, to read as follows:

**43.280. Sections 43.280 to 43.287 shall be known and may be cited as the "Auto Theft Prevention Act".**

**43.282. 1. There is hereby created within the department of public safety the "Auto Theft Prevention Program". Under the program, law enforcement agencies or other qualified applicants may apply for grants to assist in improving and supporting automobile theft prevention programs or programs for the enforcement of prosecution of automobile theft crimes through statewide planning and coordination.**

**2. Matters relating to the supervision, authority, and control over the auto theft prevention program shall be at the discretion of the "Auto Theft Prevention Commission", which is hereby established. Any allocation of moneys by the commission under sections 43.280 to 43.287, including grants awarded under section 43.284, shall receive approval from the director of the department of public safety prior to any such allocation. The commission shall consist of the following members:**

**(1) The superintendent of the Missouri state highway patrol or his or her designee;**

**(2) The following persons, appointed by the governor:**

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.

15           (a) A representative from the department of revenue, as designated by the  
16 director of revenue, who is employed by a division that investigates and regulates fraud  
17 relating to motor vehicle dealers, salvage dealers, and consumers;

18           (b) A law enforcement representative as designated by the Missouri Sheriffs'  
19 Association;

20           (c) A law enforcement representative as designated by the Missouri Police Chiefs  
21 Association;

22           (d) A law enforcement representative from a major metropolitan police agency;

23           (e) A prosecuting attorney as designated by the Missouri Association of  
24 Prosecuting Attorneys;

25           (f) A representative of the motor vehicle rental industry as designated by the  
26 Missouri Rental Dealers Association;

27           (g) A representative from the Missouri Automobile Dealers Association or the  
28 Missouri Independent Automobile Dealers Association;

29           (h) A representative from the National Insurance Crime Bureau;

30           (i) A representative from the Missouri Better Business Bureau; and

31           (j) A consumer at large who has been impacted by motor vehicle theft.

32           3. The commission shall elect annually from its membership a chair and a vice  
33 chair. A quorum shall consist of a majority of appointed members and may be met by  
34 electronic attendance.

35           4. The term of office for each member of the commission who is appointed by the  
36 governor shall be four years, except that of the initial appointments, five members shall  
37 be appointed for a term of two years and six members shall be appointed for a term of  
38 four years. Before the expiration of the term of a member appointed by the governor,  
39 the governor shall appoint a successor whose term begins on the next following July  
40 first. A member is eligible for reappointment. If there is a vacancy for any cause, the  
41 governor shall make an appointment to become effective immediately for the remainder  
42 of the unexpired term.

43           5. Members of the commission shall serve without compensation, except that  
44 they shall be reimbursed for their reasonable and necessary expenses incurred in the  
45 performance of their duties.

46           6. (1) The state highway patrol shall provide to the commission all  
47 administration, management, and organization of the commission's activities and  
48 grant programs. Subject to available moneys, the commission may appoint a director,  
49 who may employ such staff as may be necessary to operate and administer the program.

50           (2) No more than eight percent of the moneys in the fund created under section  
51 43.286 shall be used for operational or administrative expenses of the program.

52           **(3) The FTE authorization for any staff necessary to support the program shall**  
53 **be eliminated if sufficient moneys from gifts, grants, or donations are no longer**  
54 **available for the program.**

**43.284. 1. The commission shall:**

2           **(1) Establish a grant program for the provision of funds to local law enforcement**  
3 **agencies and multijurisdiction task forces for the following:**

4           **(a) Prevention, reduction, and investigation of motor vehicle and motor vehicle**  
5 **parts theft;**

6           **(b) Prevention, reduction, and investigation of motor vehicle-related crime;**

7           **(c) Establishment of multijurisdiction task forces upon request of local law**  
8 **enforcement agencies;**

9           **(d) Investigation of fraud related to motor vehicle insurance, motor vehicle**  
10 **dealer purchases, and motor vehicle rental transactions, and other forms of financial**  
11 **fraud relating to motor vehicles;**

12           **(e) Hiring of personnel by local law enforcement agencies for the purpose of**  
13 **preventing, reducing, and investigating motor vehicle-related crime;**

14           **(f) Purchase of equipment and technology for support in motor vehicle-related**  
15 **crime prevention, reduction, and investigation;**

16           **(g) Provision of training to local law enforcement agencies and multijurisdiction**  
17 **task forces relative to motor vehicle-related crime prevention, reduction, and**  
18 **investigation; and**

19           **(h) Production of public awareness materials and programs relating to motor**  
20 **vehicle-related crime prevention;**

21           **(2) Promote statewide planning and coordination of the investigation and**  
22 **prosecution of crimes relating to motor vehicle and motor vehicle parts theft;**

23           **(3) Provide support to local prosecutors handling motor vehicle and motor**  
24 **vehicle parts theft-related-prosecutions; and**

25           **(4) Provide support to multijurisdiction task forces established by local law**  
26 **enforcement agencies for the purpose of preventing, reducing, and investigating motor**  
27 **vehicle-related crime.**

28           **2. The commission shall solicit and review applications for grants under this**  
29 **section. The commission may award grants for one to three years. The commission**  
30 **shall give priority to applications representing multijurisdictional programs. Each**  
31 **grant application, at a minimum, shall describe the type of motor vehicle-related crime**  
32 **prevention, reduction, investigation, enforcement, prosecution, or offender**  
33 **rehabilitation program to be implemented. Such programs may include, but shall**  
34 **not be limited to:**

35           **(1) Multijurisdiction task forces and programs utilizing the National Insurance**  
36 **Crime Bureau task force that reduce motor vehicle-related crime and increase the**  
37 **apprehension of motor vehicle and motor vehicle parts thieves and persons who attempt**  
38 **to defraud insurance companies;**

39           **(2) motor vehicle-related crime prevention efforts, activities, and public**  
40 **awareness campaigns intended to reduce victimization by motor vehicle-related crime**  
41 **and fraud;**

42           **(3) The provision of specialized training for motor vehicle-related crime**  
43 **investigation personnel including, but not limited to, law enforcement personnel, local**  
44 **motor vehicle registration agents and title clerks, and port facility employees, in order to**  
45 **enhance knowledge, skills, procedures, and systems to detect, prevent, and combat**  
46 **motor vehicle-related crime and fraud;**

47           **(4) The provision of support and maintenance by one or more dedicated**  
48 **prosecutors who have the specific mission and expertise to provide legal guidance and**  
49 **prosecutorial continuity to complex criminal cases arising from the activities of a**  
50 **multijurisdiction task force; and**

51           **(5) The prevention of future criminal behavior by first-time offenders who have**  
52 **been charged, convicted, or adjudicated for a motor vehicle-related crime.**

53           **3. Subject to available moneys, the commission shall approve grants under this**  
54 **section. To the extent possible, grants awarded under this section shall be awarded to**  
55 **local law enforcement agencies, multijurisdiction task forces, or other qualified**  
56 **applicants in a variety of geographic areas of the state. The ability to contribute**  
57 **additional moneys or match funding for a program shall not be required as a condition**  
58 **of receipt of a grant under this section.**

**43.285. 1. The executive director of the department of public safety shall**  
2 **promulgate rules for the administration of sections 43.280 to 43.287, including, but not**  
3 **limited to:**

4           **(1) Requirements for an entity other than a law enforcement agency to be a**  
5 **qualified applicant;**

6           **(2) Application procedures by which law enforcement agencies or other qualified**  
7 **applicants may apply for grants pursuant to the grant program established under**  
8 **section 43.284;**

9           **(3) The criteria for selecting those agencies or other qualified applicants that**  
10 **shall receive grants, and the criteria for determining the amount to be granted to the**  
11 **selected agencies or applicants, and the duration of the grants; and**

12           **(4) Procedures for reviewing the success of the programs that receive grants.**

13           **2. On or before December 1, 2026, any law enforcement agency or other**  
14 **qualified applicant that receives a grant pursuant to section 43.284 shall submit a report**  
15 **to the commission concerning the implementation of the program funded through the**  
16 **grant.**

17           **3. On or before February 1, 2027, the commission shall report to the judiciary**  
18 **committees of the senate and the house of representatives on the implementation of the**  
19 **programs receiving grants pursuant to this section. The report shall include, but shall**  
20 **not be limited to:**

21           **(1) The number and geographic jurisdiction of law enforcement agencies or**  
22 **other qualified applicants that received grants under this section and the amount and**  
23 **duration of the grants;**

24           **(2) The effect that the programs that received grants had on the number of**  
25 **automobile thefts in those areas of the state;**

26           **(3) Recommendations for legislative changes to assist in the prevention,**  
27 **enforcement, and prosecution of automobile-theft-related criminal activities; and**

28           **(4) Recommendations for changes in state programs, policies, budgets, and**  
29 **standards relating to improving and supporting the motor vehicle-related crime**  
30 **prevention initiatives of local law enforcement agencies and multijurisdictional task**  
31 **forces.**

**43.286. 1. There is hereby created in the state treasury the "Auto Theft**  
2 **Prevention Commission Revolving Fund", which shall consist of moneys collected under**  
3 **subdivision (2) of subsection 5 of section 301.190.**

4           **2. For purposes of this section, the commission may accept and use federal funds**  
5 **granted by Congress or by Executive Order, as well as gifts and donations from**  
6 **individuals, private organizations, or foundations. The acceptance and use of federal**  
7 **funds shall not require state matching funds nor shall such acceptance place an**  
8 **obligation on the general assembly to continue the purposes for which the federal funds**  
9 **are made available.**

10           **3. The state treasurer shall be custodian of the fund. The fund shall be a**  
11 **dedicated fund and, upon appropriation, moneys in this fund shall be used solely as**  
12 **provided in sections 43.280 to 43.287. Notwithstanding the provisions of section 33.080**  
13 **to the contrary, any moneys remaining in the fund at the end of the biennium shall not**  
14 **revert to the credit of the general revenue fund. The state treasurer shall invest moneys**  
15 **in the fund in the same manner as other funds are invested. Any interest and moneys**  
16 **earned on such investments shall be credited to the fund.**

**43.287. Under section 23.253 of the Missouri sunset act:**

2       **(1) The provisions of the new program authorized under sections 43.280 to**  
3 **43.287 shall automatically sunset six years after the effective date of sections 43.280 to**  
4 **43.287 unless reauthorized by an act of the general assembly;**

5       **(2) If such program is reauthorized, the program authorized under sections**  
6 **43.280 to 43.287 shall automatically sunset twelve years after the effective date of the**  
7 **reauthorization of sections 43.280 to 43.287; and**

8       **(3) Sections 43.280 to 43.287 shall terminate on September first of the calendar**  
9 **year immediately following the calendar year in which the program authorized under**  
10 **sections 43.280 to 43.287 is sunset.**

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

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

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

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

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

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

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

54         5. **(1)** The fee for each original certificate so issued shall be ~~[eight]~~ **thirteen** dollars  
55 and fifty cents, in addition to the fee for registration of such motor vehicle or trailer. If  
56 application for the certificate is not made within thirty days after the vehicle is acquired by the  
57 applicant, or where the motor vehicle was acquired under section 301.213 or subsection 5 of  
58 section 301.210 and the applicant fails to make application within thirty days after receiving  
59 title from the dealer, a delinquency penalty fee of twenty-five dollars for the first thirty days  
60 of delinquency and twenty-five dollars for each thirty days of delinquency thereafter, not to  
61 exceed a total of two hundred dollars, but such penalty may be waived by the director for a  
62 good cause shown. If the director of revenue learns that any person has failed to obtain a  
63 certificate within thirty days after acquiring a motor vehicle or trailer, or where the motor  
64 vehicle was acquired under section 301.213 or subsection 5 of section 301.210 and the  
65 applicant fails to make application within thirty days after receiving title from the dealer, or

66 has sold a vehicle without obtaining a certificate, he shall cancel the registration of all  
67 vehicles registered in the name of the person, either as sole owner or as a co-owner, and shall  
68 notify the person that the cancellation will remain in force until the person pays the  
69 delinquency penalty fee provided in this section, together with all fees, charges and payments  
70 which the person should have paid in connection with the certificate of ownership and  
71 registration of the vehicle. The certificate shall be good for the life of the motor vehicle or  
72 trailer so long as the same is owned or held by the original holder of the certificate and shall  
73 not have to be renewed annually.

74 **(2) The sum of five dollars from each original certificate fee submitted as**  
75 **provided under subdivision (1) of this subsection shall be transferred to the auto theft**  
76 **prevention commission revolving fund in accordance with section 43.286.**

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

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

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

98 9. Each application for an original Missouri certificate of ownership for a vehicle  
99 which is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit  
100 vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by  
101 the director of revenue shall be accompanied by a vehicle examination certificate issued by  
102 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. 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 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.

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.

176 The inspection performed by the highway patrol or other authorized local law enforcement  
177 agency shall include a check for stolen vehicles.

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

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