

HB 3051 -- THE MISSOURI MOTOR VEHICLE COMMISSION

SPONSOR: Perkins

This bill establishes the "Missouri Motor Vehicle Commission". The Commission will be responsible for the licensing of all motor vehicle manufacturers, motor vehicle dealers, boat dealers, wholesale motor vehicle auctions, public motor vehicle auctions, and wholesale motor vehicle dealers. The Commission's main office must be in Jefferson City, with quarters and other necessary space to be provided by the Office of Administration.

The bill transfers all powers and duties of the Department of Revenue related to the licensure of dealers, manufacturers, and auctions contained in Sections 301.550-301.580, RSMo, to the Commission by Type III transfer as provided by the Reorganization Act of 1974. The Director of the Department of Revenue will have no supervision, authority, or control over the actions or decisions of the Commission or the Director of the Commission.

The Department and the Commission must collaborate to ensure proper administration to promote compliance with laws, ordinances, rules, and regulations relating to the conduct of specified dealers and auctions and jointly manage and utilize the funds of the Commission and motor vehicle and driver license system for the purpose of dealer licensing, which must include, but not be limited to, activities related to compliance, investigations, and dealer licensing operations.

The Commission will have nine members, with not more than five from the same political party. Membership is further specified in the bill. The Commission must elect a chair and a secretary for one-year terms, with meetings held at least quarterly. A quorum of five members must be present to conduct business. Members will receive no salary or other compensation except their necessary and actual travel and related expenses to perform their duties.

All orders and decisions of the Commission must be in writing and signed by the current chair. All officials, employees, and individuals providing information or participating in Commission operations will be immune from civil liability so long as their actions were performed in good faith, without malice, and were reasonable related to the scope of the commission's inquiry.

The Commission must employ an executive director, whose duties are specified in the bill. The Commission may employ other necessary staff to fulfill their duties and responsibilities.

The annual salary of the executive director must be set according to the State uniform classification system and must not be lower than range G14 as defined by that system.

The Commission will have the authority to mitigate complaints, hold hearings, arbitrate any disputes involving dealers, and assess punitive fines and damages which must be deposited into the Motor Vehicle Commission Fund.

Currently, the sale of six or more vessels or vessel trailers or both are required as evidence that a person is eligible to be licensed as a boat dealer, and the sale of six or more trailers is required as evidence that a person is eligible to be registered as a trailer dealer. This bill increases the requirements from six to eight, which matches the requirement to be licensed as a motor vehicle dealer

Currently, dealers are divided into nine classes, including boat dealers, used motor vehicle dealers, and recreational motor vehicle dealers. This bill adds public motor vehicle auctions as an additional class.