

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2180
99TH GENERAL ASSEMBLY

5986H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 301.218, RSMo, and to enact in lieu thereof one new section relating to the sale of vehicles, with penalty provisions.

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

Section A. Section 301.218, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.218, to read as follows:

301.218. 1. No person shall, except as an incident to the sale, repair, rebuilding or servicing of vehicles by a licensed franchised motor vehicle dealer, carry on or conduct the following business unless licensed to do so by the department of revenue under sections 301.217 to 301.229:

(1) Selling used parts of or used accessories for vehicles as a used parts dealer, as defined in section 301.010;

(2) Salvaging, wrecking or dismantling vehicles for resale of the parts thereof as a salvage dealer or dismantler, as defined in section 301.010;

(3) Rebuilding and repairing four or more wrecked or dismantled vehicles in a calendar year as a rebuilder or body shop, as defined in section 301.010;

(4) Processing scrapped vehicles or vehicle parts as a scrap processor, as defined in section 301.010.

2. Sales at a salvage pool or a salvage disposal sale shall be open only to and made to persons actually engaged in and holding a current license under sections 301.217 to 301.221 and 301.550 to 301.573 or any person from another state or jurisdiction who is legally allowed in his or her state of domicile to purchase for resale, rebuild, dismantle, crush, or scrap either motor vehicles or salvage vehicles, and to persons who reside in a foreign country that are purchasing

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 salvage vehicles for export outside of the United States. Operators of salvage pools or salvage
19 disposal sales shall:

20 (1) Keep [a] **an electronic** record, for three years, of sales of [~~salvage vehicles with the~~
21 ~~purchasers' name and address, and the year, make, and vehicle identification number for each~~
22 ~~vehicle]~~ **a vehicle whose title is branded as salvage, junk, wrecked, nonrepairable, or**
23 **carries a similar brand.** These records shall be open for inspection as **allowed for records**
24 **provided in section 301.225.** Such records shall be submitted to the department on a quarterly
25 **basis and made available to the National Motor Vehicle Information System (NMTVTIS).**

26 **The electronic record shall:**

27 (a) **Include the make, model, and year of the vehicle; the vehicle identification**
28 **number; and current odometer reading;**

29 (b) **The names and addresses of the purchaser;**

30 (c) **A copy of the purchaser's driver's license or other government-issued**
31 **identification; and**

32 (d) **The names and addresses of the seller of such vehicle; and**

33 (2) **Obtain from any purchaser of such vehicle documented proof of any required**
34 **license or other authorization to do business under this chapter or, for any person residing**
35 **in a state, jurisdiction, or country that does not hold a similar license, a declaration under**
36 **penalty of perjury that the purchaser is authorized to purchase salvage vehicles in that**
37 **person's state, jurisdiction, or country.**

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39 **Any person who knowingly violates this subsection by failing to report all transactions of**
40 **a vehicle whose title is branded as salvage, junk, wrecked, nonrepairable, or carries a**
41 **similar brand to the statewide database shall be guilty of a civil infraction, punishable by**
42 **a fine of up to one thousand dollars per infraction.**

43 3. **The department shall maintain an accurate record of all reported transactions.**

44 4. **The department shall assign a unique identifier number of its choosing for all**
45 **purchasers, as described in subsection 2 of this section, of salvage, wrecked, nonrepairable,**
46 **junked, or other similarly branded vehicles, for such purchasers to use when submitting**
47 **the sales transaction information required under this section.**

48 5. **The department shall make the information received under this section available,**
49 **without charge, to any state or local law enforcement agency upon request when the person**
50 **acting on behalf of any of these entities is acting within the course and scope of the entity's**
51 **duties. Vehicular information on the make, model, and year of the vehicle; the vehicle**
52 **identification number; and the current odometer reading received by the department**
53 **under this section may be released to third parties under contract with the department.**

54 **6. Any person who is licensed under sections 301.217 to 301.229 who is selling a**
55 **vehicle whose title is branded as total loss, salvage, junk, derelict, or carries a similar brand**
56 **shall report to the department within ten days all transactions involving the acquisition,**
57 **transfer of ownership, or disposal of a total loss, salvage, junk, derelict, or other similarly**
58 **branded vehicle.**

59 **7. The department shall maintain an electronic record of all purchases of a vehicle**
60 **whose title is branded as total loss, salvage, junk, derelict, or carries a similar brand, and**
61 **report each transaction without personal identifying information to NMVTIS within two**
62 **business days after receiving report of the transaction.**

63 **8. The operator of a salvage pool or salvage disposal sale, or subsequent purchaser, who**
64 **sells a nonrepairable motor vehicle or a salvage motor vehicle to a person who is not a resident**
65 **of the United States at a salvage pool or a salvage disposal sale shall:**

66 (1) Stamp on the face of the title so as not to obscure any name, date, or mileage
67 statement on the title the words "FOR EXPORT ONLY" in capital letters that are black; and

68 (2) Stamp in each unused reassignment space on the back of the title the words "FOR
69 EXPORT ONLY" and print the number of the dealer's salvage vehicle license, name of the
70 salvage pool, or the name of the governmental entity, as applicable.

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72 The words "FOR EXPORT ONLY" required under subdivisions (1) and (2) of this subsection
73 shall be at least two inches wide and clearly legible. Copies of the stamped titles shall be
74 forwarded to the department.

75 ~~[4-]~~ **9. The director of revenue shall issue a separate license for each kind of business**
76 **described in subsection 1 of this section, to be entitled and designated as either "used parts**
77 **dealer"; "salvage dealer or dismantler"; "rebuilder or body shop"; or "scrap processor" license.**

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