

SECOND REGULAR SESSION

SENATE BILL NO. 780

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOUGH.

Pre-filed December 11, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4014S.011

AN ACT

To repeal sections 301.010, 301.190, 301.197, 301.200, and 301.210, RSMo, and to enact in lieu thereof five new sections relating to transportation.

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

Section A. Sections 301.010, 301.190, 301.197, 301.200, and 301.210, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 301.010, 301.190, 301.197, 301.200, and 301.210, to read as follows:

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires;

(2) "Autocycle", a three-wheeled motor vehicle which the drivers and passengers ride in a partially or completely enclosed nonstraddle seating area, that is designed to be controlled with a steering wheel and pedals, and that has met applicable Department of Transportation National Highway Traffic Safety Administration requirements or federal motorcycle safety standards;

(3) "Automobile transporter", any vehicle combination capable of carrying cargo on the power unit and designed and used for the transport of assembled motor vehicles, including truck camper units;

(4) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(5) "Backhaul", the return trip of a vehicle transporting cargo or general

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

- 19 freight, especially when carrying goods back over all or part of the same route;
20 (6) "Boat transporter", any vehicle combination capable of carrying cargo
21 on the power unit and designed and used specifically to transport assembled
22 boats and boat hulls. Boats may be partially disassembled to facilitate
23 transporting;
- 24 (7) "Body shop", a business that repairs physical damage on motor
25 vehicles that are not owned by the shop or its officers or employees by mending,
26 straightening, replacing body parts, or painting;
- 27 (8) "Bus", a motor vehicle primarily for the transportation of a driver and
28 eight or more passengers but not including shuttle buses;
- 29 (9) "Commercial motor vehicle", a motor vehicle designed or regularly used
30 for carrying freight and merchandise, or more than eight passengers but not
31 including vanpools or shuttle buses;
- 32 (10) "Cotton trailer", a trailer designed and used exclusively for
33 transporting cotton at speeds less than forty miles per hour from field to field or
34 from field to market and return;
- 35 (11) "Dealer", any person, firm, corporation, association, agent or subagent
36 engaged in the sale or exchange of new, used or reconstructed motor vehicles or
37 trailers;
- 38 (12) "Director" or "director of revenue", the director of the department of
39 revenue;
- 40 (13) "Driveaway operation":
- 41 (a) The movement of a motor vehicle or trailer by any person or motor
42 carrier other than a dealer over any public highway, under its own power singly,
43 or in a fixed combination of two or more vehicles, for the purpose of delivery for
44 sale or for delivery either before or after sale;
- 45 (b) The movement of any vehicle or vehicles, not owned by the transporter,
46 constituting the commodity being transported, by a person engaged in the
47 business of furnishing drivers and operators for the purpose of transporting
48 vehicles in transit from one place to another by the driveaway or towaway
49 methods; or
- 50 (c) The movement of a motor vehicle by any person who is lawfully
51 engaged in the business of transporting or delivering vehicles that are not the
52 person's own and vehicles of a type otherwise required to be registered, by the
53 driveaway or towaway methods, from a point of manufacture, assembly or
54 distribution or from the owner of the vehicles to a dealer or sales agent of a

- 55 manufacturer or to any consignee designated by the shipper or consignor;
- 56 (14) "Dromedary", a box, deck, or plate mounted behind the cab and
57 forward of the fifth wheel on the frame of the power unit of a truck
58 tractor-semitrailer combination. A truck tractor equipped with a dromedary may
59 carry part of a load when operating independently or in a combination with a
60 semitrailer;
- 61 (15) "Farm tractor", a tractor used exclusively for agricultural purposes;
- 62 (16) "Fleet", any group of ten or more motor vehicles owned by the same
63 owner;
- 64 (17) "Fleet vehicle", a motor vehicle which is included as part of a fleet;
- 65 (18) "Fullmount", a vehicle mounted completely on the frame of either the
66 first or last vehicle in a saddlemount combination;
- 67 (19) "Gross weight", the weight of vehicle and/or vehicle combination
68 without load, plus the weight of any load thereon;
- 69 (20) "Hail-damaged vehicle", any vehicle, the body of which has become
70 dented as the result of the impact of hail;
- 71 (21) "Highway", any public thoroughfare for vehicles, including state
72 roads, county roads and public streets, avenues, boulevards, parkways or alleys
73 in any municipality;
- 74 (22) "Improved highway", a highway which has been paved with gravel,
75 macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall
76 have a hard, smooth surface;
- 77 (23) "Intersecting highway", any highway which joins another, whether
78 or not it crosses the same;
- 79 (24) "Junk vehicle", a vehicle which:
- 80 (a) Is incapable of operation or use upon the highways and has no resale
81 value except as a source of parts or scrap; or
- 82 (b) Has been designated as junk or a substantially equivalent designation
83 by this state or any other state;
- 84 (25) "Kit vehicle", a motor vehicle assembled by a person other than a
85 generally recognized manufacturer of motor vehicles by the use of a glider kit or
86 replica purchased from an authorized manufacturer and accompanied by a
87 manufacturer's statement of origin;
- 88 (26) "Land improvement contractors' commercial motor vehicle", any
89 not-for-hire commercial motor vehicle the operation of which is confined to:
- 90 (a) An area that extends not more than a radius of one hundred miles

91 from its home base of operations when transporting its owner's machinery,
92 equipment, or auxiliary supplies to or from projects involving soil and water
93 conservation, or to and from equipment dealers' maintenance facilities for
94 maintenance purposes; or

95 (b) An area that extends not more than a radius of fifty miles from its
96 home base of operations when transporting its owner's machinery, equipment, or
97 auxiliary supplies to or from projects not involving soil and water conservation.
98 Nothing in this subdivision shall be construed to prevent any motor vehicle from
99 being registered as a commercial motor vehicle or local commercial motor vehicle;

100 (27) "Local commercial motor vehicle", a commercial motor vehicle whose
101 operations are confined to a municipality and that area extending not more than
102 fifty miles therefrom, or a commercial motor vehicle whose property-carrying
103 operations are confined solely to the transportation of property owned by any
104 person who is the owner or operator of such vehicle to or from a farm owned by
105 such person or under the person's control by virtue of a landlord and tenant lease;
106 provided that any such property transported to any such farm is for use in the
107 operation of such farm;

108 (28) "Local log truck", a commercial motor vehicle which is registered
109 pursuant to this chapter to operate as a motor vehicle on the public highways of
110 this state, used exclusively in this state, used to transport harvested forest
111 products, operated solely at a forested site and in an area extending not more
112 than a one hundred mile radius from such site, carries a load with dimensions not
113 in excess of twenty-five cubic yards per two axles with dual wheels, and when
114 operated on the national system of interstate and defense highways described in
115 23 U.S.C. Section 103, as amended, or outside the one hundred mile radius from
116 such site with an extended distance local log truck permit, such vehicle shall not
117 exceed the weight limits of section 304.180, does not have more than four axles,
118 and does not pull a trailer which has more than three axles. Harvesting
119 equipment which is used specifically for cutting, felling, trimming, delimiting,
120 debarking, chipping, skidding, loading, unloading, and stacking may be
121 transported on a local log truck. A local log truck may not exceed the limits
122 required by law, however, if the truck does exceed such limits as determined by
123 the inspecting officer, then notwithstanding any other provisions of law to the
124 contrary, such truck shall be subject to the weight limits required by such
125 sections as licensed for eighty thousand pounds;

126 (29) "Local log truck tractor", a commercial motor vehicle which is

127 registered under this chapter to operate as a motor vehicle on the public
128 highways of this state, used exclusively in this state, used to transport harvested
129 forest products, operated at a forested site and in an area extending not more
130 than a one hundred mile radius from such site, operates with a weight not
131 exceeding twenty-two thousand four hundred pounds on one axle or with a weight
132 not exceeding forty-four thousand eight hundred pounds on any tandem axle, and
133 when operated on the national system of interstate and defense highways
134 described in 23 U.S.C. Section 103, as amended, or outside the one hundred mile
135 radius from such site with an extended distance local log truck permit, such
136 vehicle does not exceed the weight limits contained in section 304.180, and does
137 not have more than three axles and does not pull a trailer which has more than
138 three axles. Violations of axle weight limitations shall be subject to the load limit
139 penalty as described for in sections 304.180 to 304.220;

140 (30) "Local transit bus", a bus whose operations are confined wholly
141 within a municipal corporation, or wholly within a municipal corporation and a
142 commercial zone, as defined in section 390.020, adjacent thereto, forming a part
143 of a public transportation system within such municipal corporation and such
144 municipal corporation and adjacent commercial zone;

145 (31) "Log truck", a vehicle which is not a local log truck or local log truck
146 tractor and is used exclusively to transport harvested forest products to and from
147 forested sites which is registered pursuant to this chapter to operate as a motor
148 vehicle on the public highways of this state for the transportation of harvested
149 forest products;

150 (32) "Major component parts", the rear clip, cowl, frame, body, cab,
151 front-end assembly, and front clip, as those terms are defined by the director of
152 revenue pursuant to rules and regulations or by illustrations;

153 (33) "Manufacturer", any person, firm, corporation or association engaged
154 in the business of manufacturing or assembling motor vehicles, trailers or vessels
155 for sale;

156 (34) "Motor change vehicle", a vehicle manufactured prior to August, 1957,
157 which receives a new, rebuilt or used engine, and which used the number
158 stamped on the original engine as the vehicle identification number;

159 (35) "Motor vehicle", any self-propelled vehicle not operated exclusively
160 upon tracks, except farm tractors;

161 (36) "Motor vehicle primarily for business use", any vehicle other than a
162 recreational motor vehicle, motorcycle, motortricycle, or any commercial motor

163 vehicle licensed for over twelve thousand pounds:

164 (a) Offered for hire or lease; or

165 (b) The owner of which also owns ten or more such motor vehicles;

166 (37) "Motorcycle", a motor vehicle operated on two wheels;

167 (38) "Motorized bicycle", any two-wheeled or three-wheeled device having
168 an automatic transmission and a motor with a cylinder capacity of not more than
169 fifty cubic centimeters, which produces less than three gross brake horsepower,
170 and is capable of propelling the device at a maximum speed of not more than
171 thirty miles per hour on level ground;

172 (39) "Motortricycle", a motor vehicle upon which the operator straddles or
173 sits astride that is designed to be controlled by handle bars and is operated on
174 three wheels, including a motorcycle while operated with any conveyance,
175 temporary or otherwise, requiring the use of a third wheel. A motortricycle shall
176 not be included in the definition of all-terrain vehicle;

177 (40) "Municipality", any city, town or village, whether incorporated or not;

178 (41) "Nonresident", a resident of a state or country other than the state
179 of Missouri;

180 (42) "Non-USA-std motor vehicle", a motor vehicle not originally
181 manufactured in compliance with United States emissions or safety standards;

182 (43) "Operator", any person who operates or drives a motor vehicle;

183 (44) "Owner", any person, firm, corporation or association, who holds the
184 legal title to a vehicle **or who has executed a buyer's order or retail**
185 **installment sales contract with a motor vehicle dealer licensed under**
186 **sections 301.550 to 301.580 for the purchase of a vehicle with an**
187 **immediate right of possession vested in the transferee**, or in the event a
188 vehicle is the subject of an agreement for the conditional sale or lease thereof
189 with the right of purchase upon performance of the conditions stated in the
190 agreement and with an immediate right of possession vested in the conditional
191 vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession,
192 then such conditional vendee or lessee or mortgagor shall be deemed the owner;

193 (45) "Public garage", a place of business where motor vehicles are housed,
194 stored, repaired, reconstructed or repainted for persons other than the owners or
195 operators of such place of business;

196 (46) "Rebuilder", a business that repairs or rebuilds motor vehicles owned
197 by the rebuilder, but does not include certificated common or contract carriers of
198 persons or property;

199 (47) "Reconstructed motor vehicle", a vehicle that is altered from its
200 original construction by the addition or substitution of two or more new or used
201 major component parts, excluding motor vehicles made from all new parts, and
202 new multistage manufactured vehicles;

203 (48) "Recreational motor vehicle", any motor vehicle designed, constructed
204 or substantially modified so that it may be used and is used for the purposes of
205 temporary housing quarters, including therein sleeping and eating facilities
206 which are either permanently attached to the motor vehicle or attached to a unit
207 which is securely attached to the motor vehicle. Nothing herein shall prevent any
208 motor vehicle from being registered as a commercial motor vehicle if the motor
209 vehicle could otherwise be so registered;

210 (49) "Recreational off-highway vehicle", any motorized vehicle
211 manufactured and used exclusively for off-highway use which is more than fifty
212 inches but no more than sixty-seven inches in width, with an unladen dry weight
213 of two thousand pounds or less, traveling on four or more nonhighway tires and
214 which may have access to ATV trails;

215 (50) "Recreational trailer", any trailer designed, constructed, or
216 substantially modified so that it may be used and is used for the purpose of
217 temporary housing quarters, including therein sleeping or eating facilities, which
218 can be temporarily attached to a motor vehicle or attached to a unit which is
219 securely attached to a motor vehicle;

220 (51) "Rollback or car carrier", any vehicle specifically designed to
221 transport wrecked, disabled or otherwise inoperable vehicles, when the
222 transportation is directly connected to a wrecker or towing service;

223 (52) "Saddlemount combination", a combination of vehicles in which a
224 truck or truck tractor tows one or more trucks or truck tractors, each connected
225 by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle"
226 is a mechanism that connects the front axle of the towed vehicle to the frame or
227 fifth wheel of the vehicle in front and functions like a fifth wheel kingpin
228 connection. When two vehicles are towed in this manner the combination is
229 called a "double saddlemount combination". When three vehicles are towed in
230 this manner, the combination is called a "triple saddlemount combination";

231 (53) "Salvage dealer and dismantler", a business that dismantles used
232 motor vehicles for the sale of the parts thereof, and buys and sells used motor
233 vehicle parts and accessories;

234 (54) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

235 (a) Was damaged during a year that is no more than six years after the
236 manufacturer's model year designation for such vehicle to the extent that the
237 total cost of repairs to rebuild or reconstruct the vehicle to its condition
238 immediately before it was damaged for legal operation on the roads or highways
239 exceeds eighty percent of the fair market value of the vehicle immediately
240 preceding the time it was damaged;

241 (b) By reason of condition or circumstance, has been declared salvage,
242 either by its owner, or by a person, firm, corporation, or other legal entity
243 exercising the right of security interest in it;

244 (c) Has been declared salvage by an insurance company as a result of
245 settlement of a claim;

246 (d) Ownership of which is evidenced by a salvage title; or

247 (e) Is abandoned property which is titled pursuant to section 304.155 or
248 section 304.157 and designated with the words "salvage/abandoned
249 property". The total cost of repairs to rebuild or reconstruct the vehicle shall not
250 include the cost of repairing, replacing, or reinstalling inflatable safety restraints,
251 tires, sound systems, or damage as a result of hail, or any sales tax on parts or
252 materials to rebuild or reconstruct the vehicle. For purposes of this definition,
253 "fair market value" means the retail value of a motor vehicle as:

254 a. Set forth in a current edition of any nationally recognized compilation
255 of retail values, including automated databases, or from publications commonly
256 used by the automotive and insurance industries to establish the values of motor
257 vehicles;

258 b. Determined pursuant to a market survey of comparable vehicles with
259 regard to condition and equipment; and

260 c. Determined by an insurance company using any other procedure
261 recognized by the insurance industry, including market surveys, that is applied
262 by the company in a uniform manner;

263 (55) "School bus", any motor vehicle used solely to transport students to
264 or from school or to transport students to or from any place for educational
265 purposes;

266 (56) "Scrap processor", a business that, through the use of fixed or mobile
267 equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle
268 parts for processing or transportation to a shredder or scrap metal operator for
269 recycling;

270 (57) "Shuttle bus", a motor vehicle used or maintained by any person,

271 firm, or corporation as an incidental service to transport patrons or customers of
272 the regular business of such person, firm, or corporation to and from the place of
273 business of the person, firm, or corporation providing the service at no fee or
274 charge. Shuttle buses shall not be registered as buses or as commercial motor
275 vehicles;

276 (58) "Special mobile equipment", every self-propelled vehicle not designed
277 or used primarily for the transportation of persons or property and incidentally
278 operated or moved over the highways, including farm equipment, implements of
279 husbandry, road construction or maintenance machinery, ditch-digging apparatus,
280 stone crushers, air compressors, power shovels, cranes, graders, rollers,
281 well-drillers and wood-sawing equipment used for hire, asphalt spreaders,
282 bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
283 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag
284 lines, concrete pump trucks, rock-drilling and earth-moving equipment. This
285 enumeration shall be deemed partial and shall not operate to exclude other such
286 vehicles which are within the general terms of this section;

287 (59) "Specially constructed motor vehicle", a motor vehicle which shall not
288 have been originally constructed under a distinctive name, make, model or type
289 by a manufacturer of motor vehicles. The term specially constructed motor
290 vehicle includes kit vehicles;

291 (60) "Stinger-steered combination", a truck tractor-semitrailer wherein the
292 fifth wheel is located on a drop frame located behind and below the rearmost axle
293 of the power unit;

294 (61) "Tandem axle", a group of two or more axles, arranged one behind
295 another, the distance between the extremes of which is more than forty inches
296 and not more than ninety-six inches apart;

297 (62) "Towaway trailer transporter combination", a combination of vehicles
298 consisting of a trailer transporter towing unit and two trailers or semitrailers,
299 with a total weight that does not exceed twenty-six thousand pounds; and in
300 which the trailers or semitrailers carry no property and constitute inventory
301 property of a manufacturer, distributor, or dealer of such trailers or semitrailers;

302 (63) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor
303 vehicle designed for drawing other vehicles, but not for the carriage of any load
304 when operating independently. When attached to a semitrailer, it supports a part
305 of the weight thereof;

306 (64) "Trailer", any vehicle without motive power designed for carrying

307 property or passengers on its own structure and for being drawn by a
308 self-propelled vehicle, except those running exclusively on tracks, including a
309 semitrailer or vehicle of the trailer type so designed and used in conjunction with
310 a self-propelled vehicle that a considerable part of its own weight rests upon and
311 is carried by the towing vehicle. The term trailer shall not include cotton trailers
312 as defined in this section and shall not include manufactured homes as defined
313 in section 700.010;

314 (65) "Trailer transporter towing unit", a power unit that is not used to
315 carry property when operating in a towaway trailer transporter combination;

316 (66) "Truck", a motor vehicle designed, used, or maintained for the
317 transportation of property;

318 (67) "Truck-tractor semitrailer-semitrailer", a combination vehicle in
319 which the two trailing units are connected with a B-train assembly which is a
320 rigid frame extension attached to the rear frame of a first semitrailer which
321 allows for a fifth-wheel connection point for the second semitrailer and has one
322 less articulation point than the conventional A-dolly connected truck-tractor
323 semitrailer-trailer combination;

324 (68) "Truck-trailer boat transporter combination", a boat transporter
325 combination consisting of a straight truck towing a trailer using typically a ball
326 and socket connection with the trailer axle located substantially at the trailer
327 center of gravity rather than the rear of the trailer but so as to maintain a
328 downward force on the trailer tongue;

329 (69) "Used parts dealer", a business that buys and sells used motor vehicle
330 parts or accessories, but not including a business that sells only new,
331 remanufactured or rebuilt parts. Business does not include isolated sales at a
332 swap meet of less than three days;

333 (70) "Utility vehicle", any motorized vehicle manufactured and used
334 exclusively for off-highway use which is more than fifty inches but no more than
335 sixty-seven inches in width, with an unladen dry weight of two thousand pounds
336 or less, traveling on four or six wheels, to be used primarily for landscaping, lawn
337 care, or maintenance purposes;

338 (71) "Vanpool", any van or other motor vehicle used or maintained by any
339 person, group, firm, corporation, association, city, county or state agency, or any
340 member thereof, for the transportation of not less than eight nor more than
341 forty-eight employees, per motor vehicle, to and from their place of employment;
342 however, a vanpool shall not be included in the definition of the term bus or

343 commercial motor vehicle as defined in this section, nor shall a vanpool driver be
344 deemed a chauffeur as that term is defined by section 303.020; nor shall use of
345 a vanpool vehicle for ride-sharing arrangements, recreational, personal, or
346 maintenance uses constitute an unlicensed use of the motor vehicle, unless used
347 for monetary profit other than for use in a ride-sharing arrangement;

348 (72) "Vehicle", any mechanical device on wheels, designed primarily for
349 use, or used, on highways, except motorized bicycles, vehicles propelled or drawn
350 by horses or human power, or vehicles used exclusively on fixed rails or tracks,
351 or cotton trailers or motorized wheelchairs operated by handicapped persons;

352 (73) "Wrecker" or "tow truck", any emergency commercial vehicle
353 equipped, designed and used to assist or render aid and transport or tow disabled
354 or wrecked vehicles from a highway, road, street or highway rights-of-way to a
355 point of storage or repair, including towing a replacement vehicle to replace a
356 disabled or wrecked vehicle;

357 (74) "Wrecker or towing service", the act of transporting, towing or
358 recovering with a wrecker, tow truck, rollback or car carrier any vehicle not
359 owned by the operator of the wrecker, tow truck, rollback or car carrier for which
360 the operator directly or indirectly receives compensation or other personal gain.

301.190. 1. No certificate of registration of any motor vehicle or trailer,
2 or number plate therefor, shall be issued by the director of revenue unless the
3 applicant therefor shall make application for and be granted a certificate of
4 ownership of such motor vehicle or trailer, or shall present satisfactory evidence
5 that such certificate has been previously issued to the applicant for such motor
6 vehicle or trailer. Application shall be made within thirty days after the
7 applicant acquires the motor vehicle or trailer, unless the motor vehicle was
8 acquired under section 301.213 in which case the applicant shall make
9 application within thirty days after receiving title from the dealer, **or unless the**
10 **applicant and a licensed motor vehicle dealer agreed in writing in**
11 **accordance with subsection 4 of section 301.210 that the certificate of**
12 **title with assignment thereof shall pass at a time other than the time**
13 **of delivery in which case the applicant shall make application within**
14 **thirty days of acquiring the title but not more than sixty days after the**
15 **applicant's acquisition of the vehicle. Application under section 301.213**
16 **shall be made** upon a blank form furnished by the director of revenue and shall
17 contain the applicant's identification number, a full description of the motor
18 vehicle or trailer, the vehicle identification number, and the mileage registered

19 on the odometer at the time of transfer of ownership, as required by section
20 407.536, together with a statement of the applicant's source of title and of any
21 liens or encumbrances on the motor vehicle or trailer, provided that for good
22 cause shown the director of revenue may extend the period of time for making
23 such application. When an owner wants to add or delete a name or names on an
24 application for certificate of ownership of a motor vehicle or trailer that would
25 cause it to be inconsistent with the name or names listed on the notice of lien, the
26 owner shall provide the director with documentation evidencing the lienholder's
27 authorization to add or delete a name or names on an application for certificate
28 of ownership.

29 2. The director of revenue shall use reasonable diligence in ascertaining
30 whether the facts stated in such application are true and shall, to the extent
31 possible without substantially delaying processing of the application, review any
32 odometer information pertaining to such motor vehicle that is accessible to the
33 director of revenue. If satisfied that the applicant is the lawful owner of such
34 motor vehicle or trailer, or otherwise entitled to have the same registered in his
35 name, the director shall thereupon issue an appropriate certificate over his
36 signature and sealed with the seal of his office, procured and used for such
37 purpose. The certificate shall contain on its face a complete description, vehicle
38 identification number, and other evidence of identification of the motor vehicle
39 or trailer, as the director of revenue may deem necessary, together with the
40 odometer information required to be put on the face of the certificate pursuant to
41 section 407.536, a statement of any liens or encumbrances which the application
42 may show to be thereon, and, if ownership of the vehicle has been transferred, the
43 name of the state issuing the transferor's title and whether the transferor's
44 odometer mileage statement executed pursuant to section 407.536 indicated that
45 the true mileage is materially different from the number of miles shown on the
46 odometer, or is unknown.

47 3. The director of revenue shall appropriately designate on the current
48 and all subsequent issues of the certificate the words "Reconstructed Motor
49 Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or
50 "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1,
51 1990, on all original and all subsequent issues of the certificate for motor vehicles
52 as referenced in subsections 2 and 3 of section 301.020, the director shall print
53 on the face thereof the following designation: "Annual odometer updates may be
54 available from the department of revenue.". On any duplicate certificate, the

55 director of revenue shall reprint on the face thereof the most recent of either:

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

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

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

68 5. The fee for each original certificate so issued shall be eight dollars and
69 fifty cents, in addition to the fee for registration of such motor vehicle or trailer.
70 If application for the certificate is not made within thirty days after the vehicle
71 is acquired by the applicant, or where the motor vehicle was acquired under
72 section 301.213 and the applicant fails to make application within thirty days
73 after receiving title from the dealer, a delinquency penalty fee of twenty-five
74 dollars for the first thirty days of delinquency and twenty-five dollars for each
75 thirty days of delinquency thereafter, not to exceed a total of two hundred dollars,
76 but such penalty may be waived by the director for a good cause shown. If the
77 director of revenue learns that any person has failed to obtain a certificate within
78 thirty days after acquiring a motor vehicle or trailer, or where the motor vehicle
79 was acquired under section 301.213 and the applicant fails to make application
80 within thirty days after receiving title from the dealer, or has sold a vehicle
81 without obtaining a certificate, he shall cancel the registration of all vehicles
82 registered in the name of the person, either as sole owner or as a co-owner, and
83 shall notify the person that the cancellation will remain in force until the person
84 pays the delinquency penalty fee provided in this section, together with all fees,
85 charges and payments which the person should have paid in connection with the
86 certificate of ownership and registration of the vehicle. The certificate shall be
87 good for the life of the motor vehicle or trailer so long as the same is owned or
88 held by the original holder of the certificate and shall not have to be renewed
89 annually.

90 6. Any applicant for a certificate of ownership requesting the department

91 of revenue to process an application for a certificate of ownership in an
92 expeditious manner requiring special handling shall pay a fee of five dollars in
93 addition to the regular certificate of ownership fee.

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

97 8. Before an original Missouri certificate of ownership is issued, an
98 inspection of the vehicle and a verification of vehicle identification numbers shall
99 be made by the Missouri state highway patrol on vehicles for which there is a
100 current title issued by another state if a Missouri salvage certificate of title has
101 been issued for the same vehicle but no prior inspection and verification has been
102 made in this state, except that if such vehicle has been inspected in another state
103 by a law enforcement officer in a manner comparable to the inspection process in
104 this state and the vehicle identification numbers have been so verified, the
105 applicant shall not be liable for the twenty-five dollar inspection fee if such
106 applicant submits proof of inspection and vehicle identification number
107 verification to the director of revenue at the time of the application. The
108 applicant, who has such a title for a vehicle on which no prior inspection and
109 verification have been made, shall pay a fee of twenty-five dollars for such
110 verification and inspection, payable to the director of revenue at the time of the
111 request for the application, which shall be deposited in the state treasury to the
112 credit of the state highways and transportation department fund.

113 9. Each application for an original Missouri certificate of ownership for
114 a vehicle which is classified as a reconstructed motor vehicle, specially
115 constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor
116 vehicle, or other vehicle as required by the director of revenue shall be
117 accompanied by a vehicle examination certificate issued by the Missouri state
118 highway patrol, or other law enforcement agency as authorized by the director of
119 revenue. The vehicle examination shall include a verification of vehicle
120 identification numbers and a determination of the classification of the
121 vehicle. The owner of a vehicle which requires a vehicle examination certificate
122 shall present the vehicle for examination and obtain a completed vehicle
123 examination certificate prior to submitting an application for a certificate of
124 ownership to the director of revenue. Notwithstanding any provision of the law
125 to the contrary, an owner presenting a motor vehicle which has been issued a
126 salvage title and which is ten years of age or older to a vehicle examination

127 described in this subsection in order to obtain a certificate of ownership with the
128 designation prior salvage motor vehicle shall not be required to repair or restore
129 the vehicle to its original appearance in order to pass or complete the vehicle
130 examination. The fee for the vehicle examination application shall be twenty-five
131 dollars and shall be collected by the director of revenue at the time of the request
132 for the application and shall be deposited in the state treasury to the credit of the
133 state highways and transportation department fund. If the vehicle is also to be
134 registered in Missouri, the safety inspection required in chapter 307 and the
135 emissions inspection required under chapter 643 shall be completed and the fees
136 required by section 307.365 and section 643.315 shall be charged to the owner.

137 10. When an application is made for an original Missouri certificate of
138 ownership for a motor vehicle previously registered or titled in a state other than
139 Missouri or as required by section 301.020, it shall be accompanied by a current
140 inspection form certified by a duly authorized official inspection station as
141 described in chapter 307. The completed form shall certify that the
142 manufacturer's identification number for the vehicle has been inspected, that it
143 is correctly displayed on the vehicle and shall certify the reading shown on the
144 odometer at the time of inspection. The inspection station shall collect the same
145 fee as authorized in section 307.365 for making the inspection, and the fee shall
146 be deposited in the same manner as provided in section 307.365. If the vehicle
147 is also to be registered in Missouri, the safety inspection required in chapter 307
148 and the emissions inspection required under chapter 643 shall be completed and
149 only the fees required by section 307.365 and section 643.315 shall be charged to
150 the owner. This section shall not apply to vehicles being transferred on a
151 manufacturer's statement of origin.

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

161 12. When an application is made for an original Missouri certificate of
162 ownership for a motor vehicle previously registered or titled in a state other than

163 Missouri, and the certificate of ownership has been appropriately designated by
164 the issuing state as a reconstructed motor vehicle, motor change vehicle, specially
165 constructed motor vehicle, or prior salvage vehicle, the director of revenue shall
166 appropriately designate on the current Missouri and all subsequent issues of the
167 certificate of ownership the name of the issuing state and such prior
168 designation. The absence of any prior designation shall not relieve a transferor
169 of the duty to exercise due diligence with regard to such certificate of ownership
170 prior to the transfer of a certificate. If a transferor exercises any due diligence
171 with regard to a certificate of ownership, the legal transfer of a certificate of
172 ownership without any designation that is subsequently discovered to have or
173 should have had a designation shall be a transfer free and clear of any liabilities
174 of the transferor associated with the missing designation.

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

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

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

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

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

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

196 (4) An inspection certificate, other than a motor vehicle examination
197 certificate required under subsection 9 of this section, completed and issued by
198 the Missouri state highway patrol, or other law enforcement agency as authorized

199 by the director of revenue. The inspection performed by the highway patrol or
200 other authorized local law enforcement agency shall include a check for stolen
201 vehicles.

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

301.197. 1. Beginning January 1, 2006, upon receipt of a notification of
2 transfer described in section 301.196, the department shall make a notation on
3 its records indicating that it has received notification that an interest in the
4 motor vehicle or trailer has been transferred. The notation shall be made
5 whether or not the form submitted to the department contains all the information
6 required by section 301.196, so long as there is sufficient information to identify
7 the motor vehicle or trailer and the name and address of the
8 transferee. Thereafter, until a new title is issued, when the department is asked
9 or is required by law to provide the name of the owner or lienholder of a motor
10 vehicle or trailer as shown on its records, the department shall provide the name
11 of the owner or lienholder recorded on the latest title or lien perfection of record
12 and indicate that department records show a notification of transfer but do not
13 show a title transfer. The department shall also provide the name of the
14 transferee, if otherwise permitted by law, if it is shown on the form submitted by
15 the transferor pursuant to section 301.196.

16 2. If the department does not receive an application for title from the
17 person named as transferee in a form submitted pursuant to section 301.196
18 within sixty days of the receipt of the form, **or within ninety days of the date**
19 **of the sale for any transferee who purchased from a licensed motor**
20 **vehicle dealer and has a written agreement for delayed passage of**
21 **certificate of title with assignment thereof in accordance with**
22 **subsection 4 of section 301.210**, the department shall notify the transferee to
23 apply for title. Notification shall be made as soon [after the sixtieth day after
24 receipt of the form] **thereafter** as is convenient for the department. The
25 provisions of this subsection shall be in addition to the requirements of section
26 301.190.

27 3. The department may adopt rules for the implementation of section
28 301.196 and this section. Any rule or portion of a rule, as that term is defined
29 in section 536.010, that is created under the authority delegated in this section
30 shall become effective only if it complies with and is subject to all of the
31 provisions of chapter 536 and, if applicable, section 536.028. This section and
32 chapter 536 are nonseverable and if any of the powers vested with the general
33 assembly pursuant to chapter 536 to review, to delay the effective date, or to
34 disapprove and annul a rule are subsequently held unconstitutional, then the
35 grant of rulemaking authority and any rule proposed or adopted after August 28,
36 2004, shall be invalid and void. Notwithstanding section 226.200 to the contrary
37 the general assembly may appropriate state highways and transportation
38 department funds for the requirements of sections 301.196, 301.198, and 301.280,
39 and this section.

 301.200. 1. In the case of dealers, a certificate of ownership or proof that
2 a dealer has applied for a certificate of ownership or that a prior lien has been
3 satisfied by the dealer shall be required in the case of each motor vehicle in his
4 possession, and the director of revenue shall determine the form in which
5 application for such certificates of ownership and assignments shall be made, in
6 case forms differing from those used for individuals are, in his judgment,
7 reasonably required; provided, however, that no such certificates shall be required
8 in the case of new motor vehicles or trailers sold by manufacturers to dealers,
9 **nor in the case of vehicles held for resale by a dealer which may be sold**
10 **in accordance with section 301.210.**

11 2. Dealers shall execute and deliver manufacturer's statements of origin
12 in accordance with forms prescribed by the director of revenue for all new cars
13 sold by them. On the presentation of a manufacturer's statement of origin,
14 executed in the form prescribed by the director of revenue, by a manufacturer or
15 a dealer for a new car sold in this state, a certificate of ownership shall be issued.

16 3. Each certificate of ownership issued by the department of revenue shall
17 contain space for four assignments. On all certificates of ownership containing
18 fewer than four assignment spaces, the director shall prescribe a secure document
19 for use in making a fourth assignment by a dealer. All secure documents for
20 assignments which are spoiled shall be marked "void" and shall be returned by
21 the dealer to the department of revenue at the end of each month.

 301.210. 1. In the event of a sale or transfer of ownership of a motor
2 vehicle or trailer for which a certificate of ownership has been issued, the holder

3 of such certificate shall endorse on the same an assignment thereof, with
4 warranty of title in form printed thereon, and prescribed by the director of
5 revenue, with a statement of all liens or encumbrances on such motor vehicle or
6 trailer, and deliver the same to the buyer [at the time of the delivery to him of
7 such motor vehicle or trailer]; provided that, when the transfer of a motor vehicle,
8 trailer, boat or outboard motor occurs within a corporation which holds a license
9 to operate as a motor vehicle or boat dealer pursuant to sections 301.550 to
10 301.575, the provisions of subdivision (3) of subsection 7 of section 144.070 shall
11 not apply.

12 2. The buyer shall then present such certificate, assigned as aforesaid, to
13 the director of revenue, at the time of making application for the registration of
14 such motor vehicle or trailer, whereupon a new certificate of ownership shall be
15 issued to the buyer, the fee therefor being that prescribed in subsection 5 of
16 section 301.190.

17 3. If such motor vehicle or trailer is sold to a resident of another state or
18 country, or if such motor vehicle or trailer is destroyed or dismantled, the owner
19 thereof shall immediately notify the director of revenue. Certificates when so
20 signed and returned to the director of revenue shall be retained by the director
21 of revenue and all certificates shall be appropriately indexed so that at all times
22 it will be possible for him to expeditiously trace the ownership of the motor
23 vehicle or trailer designated therein.

24 4. It shall be unlawful for any person to buy or sell in this state any motor
25 vehicle or trailer registered under the laws of this state, unless, at the time of the
26 delivery thereof **or at a time agreed upon in writing by a buyer and a**
27 **motor vehicle dealer licensed under sections 301.550 to 301.580 not to**
28 **exceed sixty days, inclusive of weekends and holidays, after the time of**
29 **delivery**, there shall pass between the parties such certificates of ownership with
30 an assignment thereof, as provided in this section[, and]. The sale of any motor
31 vehicle or trailer registered under the laws of this state, without the assignment
32 of such certificate of ownership, shall be [fraudulent and void] **voidable unless**
33 **the buyer and the motor vehicle dealer selling the vehicle agree in**
34 **writing that the certificate of title with assignment thereof shall pass**
35 **between them at a time other than the time of delivery, but within sixty**
36 **days thereof, as provided in this subsection.**

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