

SECOND REGULAR SESSION

# SENATE BILL NO. 1462

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY SENATOR GREGORY (21).

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KRISTINA MARTIN, Secretary

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### AN ACT

To repeal sections 301.190 and 307.380, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle inspections.

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

Section A. Sections 301.190 and 307.380, RSMo, are  
2 repealed and two new sections enacted in lieu thereof, to be  
3 known as sections 301.190 and 307.380, to read as follows:

301.190. 1. No certificate of registration of any  
2 motor vehicle or trailer, or number plate therefor, shall be  
3 issued by the director of revenue unless the applicant  
4 therefor shall make application for and be granted a  
5 certificate of ownership of such motor vehicle or trailer,  
6 or shall present satisfactory evidence that such certificate  
7 has been previously issued to the applicant for such motor  
8 vehicle or trailer. Application shall be made within thirty  
9 days after the applicant acquires the motor vehicle or  
10 trailer, unless the motor vehicle was acquired under section  
11 301.213 or subsection 5 of section 301.210 in which case the  
12 applicant shall make application within thirty days after  
13 receiving title from the dealer, upon a blank form furnished  
14 by the director of revenue and shall contain the applicant's  
15 identification number, a full description of the motor  
16 vehicle or trailer, the vehicle identification number, and  
17 the mileage registered on the odometer at the time of

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

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

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

50 ownership of the vehicle has been transferred, the name of  
51 the state issuing the transferor's title and whether the  
52 transferor's odometer mileage statement executed pursuant to  
53 section 407.536 indicated that the true mileage is  
54 materially different from the number of miles shown on the  
55 odometer, or is unknown.

56       3. The director of revenue shall appropriately  
57 designate on the current and all subsequent issues of the  
58 certificate the words "Reconstructed Motor Vehicle", "Motor  
59 Change Vehicle", "Specially Constructed Motor Vehicle", or  
60 "Non-USA-Std Motor Vehicle", as defined in section 301.010.  
61 Effective July 1, 1990, on all original and all subsequent  
62 issues of the certificate for motor vehicles as referenced  
63 in subsections 2 and 3 of section 301.020, the director  
64 shall print on the face thereof the following designation:  
65 "Annual odometer updates may be available from the  
66 department of revenue.". On any duplicate certificate, the  
67 director of revenue shall reprint on the face thereof the  
68 most recent of either:

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

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

75       4. The certificate of ownership issued by the director  
76 of revenue shall be manufactured in a manner to prohibit as  
77 nearly as possible the ability to alter, counterfeit,  
78 duplicate, or forge such certificate without ready  
79 detection. In order to carry out the requirements of this  
80 subsection, the director of revenue may contract with a  
81 nonprofit scientific or educational institution specializing

82 in the analysis of secure documents to determine the most  
83 effective methods of rendering Missouri certificates of  
84 ownership nonalterable or noncounterfeitable.

85 5. The fee for each original certificate so issued  
86 shall be eight dollars and fifty cents, in addition to the  
87 fee for registration of such motor vehicle or trailer. If  
88 application for the certificate is not made within thirty  
89 days after the vehicle is acquired by the applicant, or  
90 where the motor vehicle was acquired under section 301.213  
91 or subsection 5 of section 301.210 and the applicant fails  
92 to make application within thirty days after receiving title  
93 from the dealer, a delinquency penalty fee of twenty-five  
94 dollars for the first thirty days of delinquency and twenty-  
95 five dollars for each thirty days of delinquency thereafter,  
96 not to exceed a total of two hundred dollars, but such  
97 penalty may be waived by the director for a good cause  
98 shown. If the director of revenue learns that any person  
99 has failed to obtain a certificate within thirty days after  
100 acquiring a motor vehicle or trailer, or where the motor  
101 vehicle was acquired under section 301.213 or subsection 5  
102 of section 301.210 and the applicant fails to make  
103 application within thirty days after receiving title from  
104 the dealer, or has sold a vehicle without obtaining a  
105 certificate, he shall cancel the registration of all  
106 vehicles registered in the name of the person, either as  
107 sole owner or as a co-owner, and shall notify the person  
108 that the cancellation will remain in force until the person  
109 pays the delinquency penalty fee provided in this section,  
110 together with all fees, charges and payments which the  
111 person should have paid in connection with the certificate  
112 of ownership and registration of the vehicle. The  
113 certificate shall be good for the life of the motor vehicle

114 or trailer so long as the same is owned or held by the  
115 original holder of the certificate and shall not have to be  
116 renewed annually.

117 6. Any applicant for a certificate of ownership  
118 requesting the department of revenue to process an  
119 application for a certificate of ownership in an expeditious  
120 manner requiring special handling shall pay a fee of five  
121 dollars in addition to the regular certificate of ownership  
122 fee.

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

127 8. Before an original Missouri certificate of  
128 ownership is issued, an inspection of the vehicle and a  
129 verification of vehicle identification numbers shall be made  
130 by the Missouri state highway patrol on vehicles for which  
131 there is a current title issued by another state if a  
132 Missouri salvage certificate of title has been issued for  
133 the same vehicle but no prior inspection and verification  
134 has been made in this state, except that if such vehicle has  
135 been inspected in another state by a law enforcement officer  
136 in a manner comparable to the inspection process in this  
137 state and the vehicle identification numbers have been so  
138 verified, the applicant shall not be liable for the twenty-  
139 five dollar inspection fee if such applicant submits proof  
140 of inspection and vehicle identification number verification  
141 to the director of revenue at the time of the application.  
142 The applicant, who has such a title for a vehicle on which  
143 no prior inspection and verification have been made, shall  
144 pay a fee of twenty-five dollars for such verification and  
145 inspection, payable to the director of revenue at the time

146 of the request for the application, which shall be deposited  
147 in the state treasury to the credit of the state highways  
148 and transportation department fund.

149 9. Each application for an original Missouri  
150 certificate of ownership for a vehicle which is classified  
151 as a reconstructed motor vehicle, specially constructed  
152 motor vehicle, kit vehicle, motor change vehicle, non-USA-  
153 std motor vehicle, or other vehicle as required by the  
154 director of revenue shall be accompanied by a vehicle  
155 examination certificate issued by the Missouri state highway  
156 patrol, or other law enforcement agency as authorized by the  
157 director of revenue. The vehicle examination shall include  
158 a verification of vehicle identification numbers and a  
159 determination of the classification of the vehicle. The  
160 owner of a vehicle which requires a vehicle examination  
161 certificate shall present the vehicle for examination and  
162 obtain a completed vehicle examination certificate prior to  
163 submitting an application for a certificate of ownership to  
164 the director of revenue. Notwithstanding any provision of  
165 the law to the contrary, an owner presenting a motor vehicle  
166 which has been issued a salvage title and which is ten years  
167 of age or older to a vehicle examination described in this  
168 subsection in order to obtain a certificate of ownership  
169 with the designation prior salvage motor vehicle shall not  
170 be required to repair or restore the vehicle to its original  
171 appearance in order to pass or complete the vehicle  
172 examination. The fee for the vehicle examination  
173 application shall be twenty-five dollars and shall be  
174 collected by the director of revenue at the time of the  
175 request for the application and shall be deposited in the  
176 state treasury to the credit of the state highways and  
177 transportation department fund. If the vehicle is also to

178 be registered in Missouri, the safety inspection required in  
179 chapter 307 and the emissions inspection required under  
180 chapter 643 shall be completed and the fees required by  
181 section 307.365 and section 643.315 shall be charged to the  
182 owner.

183       10. When an application is made for an original  
184 Missouri certificate of ownership for a motor vehicle  
185 previously registered or titled in a state other than  
186 Missouri or as required by section 301.020, it shall be  
187 accompanied by a current inspection form certified by a duly  
188 authorized official inspection station as described in  
189 chapter 307, **except that such inspection may be completed by**  
190 **an employee of a licensed new or used motor vehicle dealer**  
191 **for a motor vehicle sold to a person who lives outside of**  
192 **this state and intends to register the vehicle outside of**  
193 **this state or for a motor vehicle having less than thirty**  
194 **thousand miles for the three-year period following the model**  
195 **year of manufacture.** The completed form shall certify that  
196 the manufacturer's identification number for the vehicle has  
197 been inspected, that it is correctly displayed on the  
198 vehicle and shall certify the reading shown on the odometer  
199 at the time of inspection. The inspection station **or, in**  
200 **the case of a motor vehicle sold to a person who lives**  
201 **outside of this state and intends to register the vehicle**  
202 **outside of this state or a motor vehicle having less than**  
203 **thirty thousand miles for the three-year period following**  
204 **the model year of manufacture, the licensed new or used**  
205 **motor vehicle dealer** shall collect the same fee as  
206 authorized in section 307.365 for making the inspection, and  
207 the fee shall be deposited in the same manner as provided in  
208 section 307.365. If the vehicle is also to be registered in  
209 Missouri, the safety inspection required in chapter 307 and

210 the emissions inspection required under chapter 643 shall be  
211 completed and only the fees required by section 307.365 and  
212 section 643.315 shall be charged to the owner. This section  
213 shall not apply to vehicles being transferred on a  
214 manufacturer's statement of origin.

215 11. Motor vehicles brought into this state in a  
216 wrecked or damaged condition or after being towed as an  
217 abandoned vehicle pursuant to another state's abandoned  
218 motor vehicle procedures shall, in lieu of the inspection  
219 required by subsection 10 of this section, be inspected by  
220 the Missouri state highway patrol in accordance with  
221 subsection 9 of this section. If the inspection reveals the  
222 vehicle to be in a salvage or junk condition, the director  
223 shall so indicate on any Missouri certificate of ownership  
224 issued for such vehicle. Any salvage designation shall be  
225 carried forward on all subsequently issued certificates of  
226 title for the motor vehicle.

227 12. When an application is made for an original  
228 Missouri certificate of ownership for a motor vehicle  
229 previously registered or titled in a state other than  
230 Missouri, and the certificate of ownership has been  
231 appropriately designated by the issuing state as a  
232 reconstructed motor vehicle, motor change vehicle, specially  
233 constructed motor vehicle, or prior salvage vehicle, the  
234 director of revenue shall appropriately designate on the  
235 current Missouri and all subsequent issues of the  
236 certificate of ownership the name of the issuing state and  
237 such prior designation. The absence of any prior  
238 designation shall not relieve a transferor of the duty to  
239 exercise due diligence with regard to such certificate of  
240 ownership prior to the transfer of a certificate. If a  
241 transferor exercises any due diligence with regard to a

242 certificate of ownership, the legal transfer of a  
243 certificate of ownership without any designation that is  
244 subsequently discovered to have or should have had a  
245 designation shall be a transfer free and clear of any  
246 liabilities of the transferor associated with the missing  
247 designation.

248 13. When an application is made for an original  
249 Missouri certificate of ownership for a motor vehicle  
250 previously registered or titled in a state other than  
251 Missouri, and the certificate of ownership has been  
252 appropriately designated by the issuing state as non-USA-std  
253 motor vehicle, the director of revenue shall appropriately  
254 designate on the current Missouri and all subsequent issues  
255 of the certificate of ownership the words "Non-USA-Std Motor  
256 Vehicle".

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

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

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

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

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

277 (4) An inspection certificate, other than a motor  
278 vehicle examination certificate required under subsection 9  
279 of this section, completed and issued by the Missouri state  
280 highway patrol, or other law enforcement agency as  
281 authorized by the director of revenue. The inspection  
282 performed by the highway patrol or other authorized local  
283 law enforcement agency shall include a check for stolen  
284 vehicles.

285 The department of revenue shall issue the owner a  
286 certificate of ownership designated with the words  
287 "Reconstructed Motor Vehicle" and deliver such certificate  
288 of ownership in accordance with the provisions of this  
289 chapter. Notwithstanding subsection 9 of this section, no  
290 owner of a reconstructed motor vehicle described in this  
291 subsection shall be required to obtain a vehicle examination  
292 certificate issued by the Missouri state highway patrol.

307.380. 1. Every vehicle of the type required to be  
inspected upon having been involved in an accident and when  
so directed by a police officer must be inspected and an  
official certificate of inspection and approval, sticker,  
seal or other device be obtained for such vehicle before it  
is again operated on the highways of this state. [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

11 appropriate new certificate of inspection and approval,  
12 sticker, seal or other device shall be obtained.]

13       2. At the seller's expense, every used motor vehicle  
14 of the type required to be inspected by section 307.350  
15 shall, immediately prior to sale, be fully inspected  
16 regardless of any current certificate of inspection and  
17 approval, and an appropriate new certificate of inspection  
18 and approval, sticker, seal, or other device shall be  
19 obtained no more than sixty days prior to the date of sale,  
20 except that such inspection shall not be required for a  
21 motor vehicle sold to a person who lives outside of this  
22 state and intends to register the vehicle outside of this  
23 state or for a motor vehicle having less than thirty  
24 thousand miles for the three-year period following the model  
25 year of manufacture when:

26           (1) Sold by a private seller; or  
27           (2) Sold by a licensed new or used motor vehicle  
28 dealer, provided that such dealer has sold at least two  
29 hundred motor vehicles in the previous calendar year.

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

35       3. Nothing contained in the provisions of this section  
36 shall be construed to prohibit a dealer or any other person  
37 from selling a vehicle without a certificate of inspection  
38 and approval if the vehicle is sold for junk, salvage, or  
39 for rebuilding, or for vehicles sold at public auction or  
40 from dealer to dealer. The purchaser of any vehicle which  
41 is purchased for junk, salvage, or for rebuilding shall give

42 to the seller an affidavit, on a form prescribed by the  
43 superintendent of the Missouri state highway patrol, stating  
44 that the vehicle is being purchased for one of the reasons  
45 stated herein. No vehicle of the type required to be  
46 inspected by section 307.350 which is purchased as junk,  
47 salvage, or for rebuilding shall again be registered in this  
48 state until the owner has submitted the vehicle for  
49 inspection and obtained an official certificate of  
50 inspection and approval, sticker, seal or other device for  
51 such vehicle.

52 [3.] 4. Notwithstanding the provisions of section  
53 307.390, violation of this section shall be deemed an  
54 infraction.

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