

SECOND REGULAR SESSION

SENATE BILL NO. 678

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WESTFALL.

Read 1st time January 8, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S2756.02I

AN ACT

To repeal section 301.380, RSMo 1994, and to enact in lieu thereof two new sections relating to homemade trailers.

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

Section A. Section 301.380, RSMo 1994, is repealed and two new sections enacted in lieu thereof, to be known as sections 301.191 and 301.380, to read as follows:

301.191. 1. When an application is made for an original Missouri certificate of ownership for a previously untitled trailer sixteen feet or more in length which is stated to be homemade, the applicant shall present a certificate of inspection as provided in this section. No certificate of ownership shall be issued for such a homemade trailer if no certificate of inspection is presented.

2. As used in this section, "homemade" means made by a person who is not a manufacturer using readily distinguishable manufacturers' identifying numbers or a statement of origin.

3. Every person constructing a homemade trailer sixteen feet or more in length shall obtain an inspection from the sheriff of his or her county of residence prior to applying for a certificate of ownership. If the person constructing the trailer sells or transfers the trailer prior to applying for a certificate of ownership, the sheriff's certificate of inspection shall be transferred with the trailer.

4. A fee of ten dollars shall be paid for the inspection. The proceeds from the inspections shall be deposited by the sheriff within thirty days into the county law enforcement fund if one exists; otherwise into the county general revenue fund.

5. The sheriff shall inspect the trailer and certify it if the trailer appears to be homemade. The sheriff may request the owner to provide any documents or other evidence showing that the trailer was homemade. When a trailer is certified, the sheriff

shall stamp a permanent identifying number in the frame in a manner designated by the director of revenue. The certificate of inspection shall be on a form designed and provided by the director of revenue.

6. The sheriff may seize any trailer which has been stolen or has identifying numbers obliterated or removed. The sheriff may hold the trailer as evidence while an investigation is conducted. The trailer shall be returned if no related criminal charges are filed within thirty days or when the charges are later dropped or dismissed or when the owner is acquitted.

7. If the sheriff finds any trailer to be unsafe for use on the highways, he may require improvements to be made to the trailer before certifying the trailer.

301.380. 1. Whenever the original, manufacturer's, or other distinguishing number on any motor vehicle, trailer or motor vehicle tire has been destroyed, removed, covered, altered, defaced or is otherwise nonexistent, the director of revenue, upon application, payment of a fee of seven dollars and fifty cents, and satisfactory proof of ownership by the owner, shall issue a certificate authorizing the owner to place a special number designated by the director of revenue upon the vehicle, trailer or tire.

2. In order to properly calculate the sales tax due, in the case of a trailer which is alleged to have been made by someone who is not a manufacturer using readily distinguishable manufacturers' identifying numbers or a certificate of origin, the person seeking the special number authorized by the provisions of this section shall secure a written statement from a motor vehicle inspection station that the trailer has been examined and that it is not one made by a regular manufacturer. The superintendent of the state highway patrol shall provide such forms for inspection stations, and the person, firm, or corporation seeking the examination shall pay a regular inspection fee for the examination. The proceeds of the fee shall be distributed in the same manner as regular inspection fees are distributed. **This subsection shall not apply to trailers inspected under section 301.191.**

3. The director of revenue shall designate the special numbers consecutively beginning with the number one preceded by the letters "DR" and followed by the letters "Mo" for each make of motor vehicle, trailer or motor vehicle tire, or if the make be unknown, the number shall also be preceded by the letter "X".

4. When such number has been placed upon the motor vehicle or motor or engine thereof, or trailer or motor vehicle tire, it shall be the lawful number of the same for the purpose of identification, registration, and all other purposes of this chapter, and the owner may sell and transfer such property under the special number. No person shall destroy, remove, cover, alter or deface any such special number.

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