

FIRST REGULAR SESSION

SENATE BILL NO. 500

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WESTFALL.

Read 1st time March 1, 1999, and 1,000 copies ordered printed.

S2165.011

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 301.191, RSMo Supp. 1998, relating to the inspection of homemade trailers, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 301.191, RSMo Supp. 1998, is repealed and one new section enacted in lieu thereof, to be known as section 301.191, to read as follows: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 **or from the Missouri state highway patrol** 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 **or the Missouri state highway patrol's** certificate of inspection shall be transferred with the trailer.

4. A fee of ten dollars shall be paid for the inspection. **[The] If the inspection is completed by the sheriff, 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. **If the inspection is completed by the Missouri state highway patrol,**

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

the applicant shall pay the ten dollar inspection fee to the director of revenue at the time of application for a certificate of ownership for the homemade trailer. The fee shall be deposited in the state treasury to the credit of the state highway fund.

5. The sheriff **or Missouri state highway patrol** shall inspect the trailer and certify it if the trailer appears to be homemade. The sheriff **or Missouri state highway patrol** may request the owner to provide any documents or other evidence showing that the trailer was homemade. When a trailer is certified **by the sheriff**, the sheriff [shall] **may** stamp a permanent identifying number in **the tongue of** 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. **Upon presentation of the certificate of inspection and all applicable documents and fees including the identification plate fee provided in section 301.380, the director of revenue shall issue a readily distinguishable manufacturers' identifying number plate. The identification number plate shall be affixed to the tongue of the trailer's frame.**

7. The sheriff **or Missouri state highway patrol** may seize any trailer which has been stolen or has identifying numbers obliterated or removed. The sheriff **or Missouri state highway patrol** 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.

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