

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND Senate Bill No. 557, Page 6, Section 301.190, Line 196, by inserting after all of said
2 section and line, the following:

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4 “301.227. 1. Whenever a vehicle is sold for salvage, dismantling or rebuilding, the
5 purchaser shall forward to the director of revenue within ten days the certificate of ownership or
6 salvage certificate of title and the proper application and fee of eight dollars and fifty cents, and
7 the director shall issue a negotiable salvage certificate of title to the purchaser of the salvaged
8 vehicle. On vehicles purchased during a year that is no more than six years after the
9 manufacturer's model year designation for such vehicle, it shall be mandatory that the purchaser
10 apply for a salvage title. On vehicles purchased during a year that is more than six years after the
11 manufacturer's model year designation for such vehicle, then application for a salvage title shall
12 be optional on the part of the purchaser. Whenever a vehicle is sold for destruction and a salvage
13 certificate of title, junking certificate, or certificate of ownership exists, the seller, if licensed
14 under sections 301.217 to 301.221, shall forward the certificate to the director of revenue within
15 ten days, with the notation of the date sold for destruction and the name of the purchaser clearly
16 shown on the face of the certificate.

17 2. Whenever a vehicle is classified as "junk", as defined in section 301.010, the purchaser
18 may forward to the director of revenue the salvage certificate of title or certificate of ownership
19 and the director shall issue a negotiable junking certificate to the purchaser of the vehicle. The
20 director may also issue a junking certificate to a possessor of a vehicle manufactured twenty-six
21 years or more prior to the current model year who has a bill of sale for said vehicle but does not
22 possess a certificate of ownership, provided no claim of theft has been made on the vehicle and
23 the highway patrol has by letter stated the vehicle is not listed as stolen after checking the
24 registration number through its nationwide computer system. Such certificate may be granted
25 within thirty days of the submission of a request.

26 3. Upon receipt of a properly completed application for a junking certificate, the director
27 of revenue shall issue to the applicant a junking certificate which shall authorize the holder to
28 possess, transport, or, by assignment, transfer ownership in such parts, scrap or junk, and a
29 certificate of title shall not again be issued for such vehicle; except that, the initial purchaser shall,

1 within ninety days, be allowed to rescind his application for a junking certificate by surrendering
2 the junking certificate and apply for a salvage certificate of title in his name. The seller of a
3 vehicle for which a junking certificate has been applied for or issued shall disclose such fact in
4 writing to any prospective buyers before sale of such vehicle; otherwise the sale shall be voidable
5 at the option of the buyer.

6 4. No scrap metal operator shall acquire or purchase a motor vehicle or parts thereof
7 without, at the time of such acquisition, receiving the original certificate of title or salvage
8 certificate of title or junking certificate from the seller of the vehicle or parts, unless the seller is a
9 licensee under sections 301.219 to 301.221.

10 5. All titles and certificates required to be received by scrap metal operators from
11 nonlicensees shall be forwarded by the operator to the director of revenue within ten days of the
12 receipt of the vehicle or parts.

13 6. The scrap metal operator shall keep a record, for three years, of the seller's name and
14 address, the salvage business license number of the licensee, date of purchase, and any vehicle or
15 parts identification numbers open for inspection as provided in section 301.225.

16 7. Notwithstanding any other provision of this section, a motor vehicle dealer as defined
17 in section 301.550 and licensed under the provisions of sections 301.550 to 301.572 may
18 negotiate one reassignment of a salvage certificate of title on the back thereof.

19 8. Notwithstanding the provisions of subsection 1 of this section, an insurance company
20 which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage
21 certificate of title without the payment of any fee upon proper application within thirty days after
22 settlement of the claim for such stolen vehicle. However, if the insurance company upon recovery
23 of a stolen vehicle determines that the stolen vehicle has not sustained damage to the extent that
24 the vehicle would have otherwise been declared a salvage vehicle pursuant to subdivision (51) of
25 section 301.010, then the insurance company may have the vehicle inspected by the Missouri state
26 highway patrol, or other law enforcement agency authorized by the director of revenue, in
27 accordance with the inspection provisions of subsection 9 of section 301.190. Upon receipt of
28 title application, applicable fee, the completed inspection, and the return of any previously issued
29 negotiable salvage certificate, the director shall issue an original title with no salvage or prior
30 salvage designation. Upon the issuance of an original title the director shall remove any
31 indication of the negotiable salvage title previously issued to the insurance company from the
32 department's electronic records.

33 9. Notwithstanding subsection 4 of this section or any other provision of the law to the
34 contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts are from a
35 motor vehicle that is inoperable and is at least ten model years old, a scrap metal operator may
36 purchase or acquire such motor vehicle or parts without receiving the original certificate of title,

1 salvage certificate of title, or junking certificate from the seller of the vehicle or parts, provided
2 the scrap metal operator verifies with the department of revenue, via the department's online
3 record access, that the motor vehicle is not subject to any recorded security interest or lien and the
4 scrap metal operator complies with the requirements of this subsection. In lieu of forwarding
5 certificates of titles for such motor vehicles as required by subsection 5 of this section, the scrap
6 metal operator shall forward a copy of the seller's state identification along with a bill of sale to
7 the department of revenue. The bill of sale form shall be designed by the director and such form
8 shall include, but not be limited to, a certification that the motor vehicle is at least ten model years
9 old, is inoperable, is not subject to any recorded security interest or lien, and a certification by the
10 seller that the seller has the legal authority to sell or otherwise transfer the seller's interest in the
11 motor vehicle or parts. Upon receipt of the information required by this subsection, the
12 department of revenue shall cancel any certificate of title and registration for the motor vehicle. If
13 the motor vehicle is inoperable and at least twenty model years old, then the scrap metal operator
14 shall not be required to verify with the department of revenue whether the motor vehicle is subject
15 to any recorded security interests or liens. As used in this subsection, the term "inoperable" means
16 a motor vehicle that is in a rusted, wrecked, discarded, worn out, extensively damaged,
17 dismantled, and mechanically inoperative condition and the vehicle's highest and best use is for
18 scrap purposes. The director of the department of revenue is directed to promulgate rules and
19 regulations to implement and administer the provisions of this section, including but not limited
20 to, the development of a uniform bill of sale. Any rule or portion of a rule, as that term is defined
21 in section 536.010 that is created under the authority delegated in this section shall become
22 effective only if it complies with and is subject to all of the provisions of chapter 536, and, if
23 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
24 powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective
25 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
26 rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and
27 void."; and

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29 Further amend said bill by amending the title, enacting clause, and intersectional references
30 accordingly.