

HB 818 -- Motor Vehicle Dealers

Sponsor: Denison

This bill changes the laws regarding motor vehicle dealers. In its main provisions, the bill:

- (1) Allows an owner of at least 50 fleet vehicles to apply for fleet license plates bearing the company name and logo upon the approval of the size and design by the Director of the Department of Revenue;
- (2) Requires a driveaway license plate to only be used by owners, corporate officers, or employees of the business to which the plate was issued;
- (3) Requires certain specified information to be included in an application for a driveaway license plate and specifies that anyone who violates the provision will have his or her plate revoked. Anyone who knowingly uses a revoked driveaway license plate will be guilty of a class A misdemeanor;
- (4) Specifies that a department investigator licensed as a peace officer by the Director of the Department of Public Safety must be deemed to be a peace officer within the state while acting in an investigation to enforce motor vehicle registration and licensing provisions and any provision regarding fees, licenses, or taxes administered by the Director of the Department of Revenue;
- (5) Requires an owner of a public garage to keep a record of all motor vehicles accepted by the garage for five years instead of the current three years;
- (6) Specifies that any person who knowingly makes a false statement or omission of a material fact in a monthly sales report to the Department of Revenue will be guilty of a class A misdemeanor;
- (7) Requires a person to surrender a certificate of ownership, a license plate or tab, or a Missouri nondriver identification card or driver's license if a peace officer or a representative from the department has probable cause to believe that it was obtained fraudulently. Anyone failing to surrender the item will be guilty of a class A misdemeanor;
- (8) Authorizes the department director to issue a dealer's license valid for a period of up to two years and to stagger the license periods for administrative efficiency;

(9) Allows any law enforcement officer or agent of the department to seize and surrender to the department a license plate or certificate of number if he or she has probable cause to believe that it is being misused in violation of specified provisions of law;

(10) Requires the educational seminar for applicants for a used motor vehicle dealer license to be at least two hours in duration;

(11) Requires the department director to order an agent or employee of the department or a law enforcement officer to secure possession of a person's license or distinctive number plates of any licensee who neglects or fails to surrender an item which has been suspended or revoked. Anyone not surrendering the item will be guilty of a class A misdemeanor;

(12) Specifies that certain events or acts by the holder of any license deemed to present clear and present danger to the public will be cause for the suspension or revocation of a license;

(13) Specifies the administrative procedure and notice requirements for the suspension or revocation of a license;

(14) Specifies that any person, partnership, corporation, company, or association with certain exceptions who violates the provision prohibiting the sale of six or more vehicles in a year will be guilty of a class D felony for a subsequent violation;

(15) Authorizes a criminal investigator of the department who has received a concealed carry endorsement to carry a firearm at all times;

(16) Requires the department to carry forward any title designations issued by another state for a vehicle unless the designation conflicts with a previous designation issued by Missouri. The owner must provide documentation to support the requested change, and the department director must determine the validity of the request; and

(17) Requires a motor vehicle dealer at the time of sale to provide the buyer of a motor vehicle with proof that the motor vehicle has been inspected and has met the emissions standards, if required, within 120 days preceding the date of sale and will be considered timely for registration purposes. Any violation of this provision will be deemed an unlawful practice under Section 407.020, RSMo.