

FIRST REGULAR SESSION

# HOUSE BILL NO. 761

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE JONES.

1280H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 301.196, RSMo, and to enact in lieu thereof one new section relating to transfers of interest in motor vehicles and trailers.

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

Section A. Section 301.196, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.196, to read as follows:

301.196. 1. Beginning January 1, 2006, except as otherwise provided in this section, the transferor of an interest in a motor vehicle or trailer listed on the face of a Missouri title, excluding salvage titles and junking certificates, shall notify the department of revenue of the transfer within thirty days of the date of transfer. The notice shall be in a form determined by the department by rule and shall contain:

- (1) **The name of the transferor and transferee;**
- (2) A description of the motor vehicle or trailer sufficient to identify it;
- [(2)] (3) The vehicle identification number of the motor vehicle or trailer;
- [(3)] (4) The name and address of the transferee;
- [(4)] (5) The date of birth of the transferee, unless the transferee is not a natural person;
- [(5)] (6) The date of the transfer or sale;
- [(6)] (7) The purchase price of the motor vehicle or trailer, if applicable;
- [(7)] (8) The number of the transferee's drivers license, unless the transferee does not have a drivers license;
- [(8) The printed name and signature] (9) **The transferor's electronic signature if transmitted electronically or the signatures of the transferee and transferor if not submitted**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **electronically. For the purposes of this section, “transmitted electronically” shall have the**  
18 **same meaning as an electronic signature as defined in section 432.205;**

19 ~~[(9)]~~ (10) Any other information required by the department by rule.

20 **2. A notice of sale substantially complying with the requirements of this section is**  
21 **effective even though it contains minor errors which are not materially misleading.**

22 **3.** For purposes of giving notice under this section, if the transfer occurs by operation of  
23 law, the personal representative, receiver, trustee, sheriff, or other representative or successor in  
24 interest of the person whose interest is transferred shall be considered the transferor.  
25 Repossession by a creditor shall not be considered a transfer of ownership requiring such notice.

26 ~~[3.]~~ **4.** The requirements of this section shall not apply to transfers when there is no  
27 complete change of ownership interest or upon award of ownership of a motor vehicle or trailer  
28 made by court order, or transfers of ownership of a motor vehicle or trailer to or between vehicle  
29 dealers, or transfers of ownership of a motor vehicle or trailer to an insurance company due to  
30 a theft or casualty loss, or transfers of beneficial ownership of a motor vehicle owned by a trust.

31 ~~[4.]~~ **5.** Notification under this section is only required for transfers of ownership that  
32 would otherwise require registration and an application for certificate of title in this state under  
33 section 301.190, and is for informational purposes only and does not constitute an assignment  
34 or release of any interest in the vehicle.

35 ~~[5.]~~ **6.** Retail sales made by licensed dealers including sales of new vehicles shall be  
36 reported pursuant to the provisions of section 301.280.

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