

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 2122, Pages 5 and 6, Section 301.550, Lines 34 to 51, by removing all of
2 said lines from the bill and inserting in lieu thereof the following:

3
4 "(8) "Motor vehicle dealer" or "dealer", any person who, for commission or with an intent
5 to make a profit or gain of money or other thing of value, sells, barter, exchanges, leases or rents
6 with the option to purchase, or who offers or attempts to sell or negotiates the sale of motor vehicles
7 or trailers whether or not the motor vehicles or trailers are owned by such person; provided,
8 however, an individual auctioneer or auction conducted by an auctioneer licensed pursuant to
9 chapter 343 shall not be included within the definition of a motor vehicle dealer. The sale of six or
10 more motor vehicles or trailers in any calendar year shall be required as evidence that such person is
11 engaged in the motor vehicle business and is eligible for licensure as a motor vehicle dealer under
12 sections 301.550 to [~~301.573~~] 301.580. Any motor vehicle dealer licensed before August 28, 2007,
13 shall be required to meet the minimum calendar year sales of six or more motor vehicles provided
14 the dealer can prove the business achieved, cumulatively, six or more sales per year for the
15 preceding twenty-four months in business; or if the dealer has not been in business for twenty-four
16 months, the cumulative equivalent of one sale every two months for the months the dealer has been
17 in business before August 28, 2007. Any licensed motor vehicle dealer failing to meet the
18 minimum vehicle sales requirements as referenced in this subsection shall not be qualified to renew
19 his or her license for one year. Applicants who reapply after the one-year period shall meet the
20 minimum requirement of six sales per year. Dealers shall be subject to the licensure requirements
21 under section 301.552 with regard to additional sales requirements for the award of certain tax
22 exempt dealer plates;" and

23
24 Further amend said bill, Page 8, Section 301.550, Line 127, by inserting after all of said section and
25 line the following:

26 "301.552. 1. Notwithstanding any other provision of law to the contrary, motor vehicle
27 dealers shall be eligible for dealer plates according to the following schedule of annual motor
28 vehicle sales:

29 (1) One dealer plate shall be issued at the time of initial application for licensure as a motor
30 vehicle dealer under section 301.550, and such plate may be retained if the minimum requirement of

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1 six sales per year is met thereafter;

2 (2) A second dealer plate shall be issued upon report of twelve sales per year during the
 3 requisite reporting period;

4 (3) A third dealer plate shall be issued upon report of twenty sales per year during the
 5 requisite reporting period; and

6 (4) Thereafter, one additional dealer plate shall be issued for each ten additional sales
 7 reported during the requisite reporting period.

8 2. For purposes of this section, the term "motor vehicle" means non-commercial passenger
 9 vehicles eligible for highway use and does not include motorcycles, trailers, farm vehicles, boats,
 10 recreational vehicles, or any type of vehicle not having four wheels."; and

11
 12 Further amend said bill, Page 13, Line 95, to Page 16, Line 175, by removing all of said lines from
 13 the bill and inserting in lieu thereof the following:

14
 15 "3. Upon the initial issuance of a license by the department, the department shall assign a
 16 distinctive dealer license number or certificate of number to the applicant and the department shall
 17 issue [~~one number plate or certificate~~] two number plates or certificates bearing the distinctive
 18 dealer license number or certificate of number [~~and two additional number plates or certificates of~~
 19 ~~number~~] within eight working hours after presentment of the application, upon payment by the
 20 applicant of a fee of fifty dollars for the first plate or certificate and ten dollars and fifty cents for
 21 each additional plate or certificate issued by the department. Upon renewal, the department shall
 22 issue the distinctive dealer license number or certificate of number as quickly as possible. The
 23 issuance of such distinctive dealer license number or certificate of number shall be in lieu of
 24 registering each motor vehicle, trailer, vessel or vessel trailer dealt with by a boat dealer, boat
 25 manufacturer, manufacturer, public motor vehicle auction, wholesale motor vehicle dealer,
 26 wholesale motor vehicle auction or new or used motor vehicle dealer.

27 4. Notwithstanding any other provision of the law to the contrary, the department shall
 28 assign the following distinctive dealer license numbers to:

29 New motor vehicle franchise

30 dealers

D-0 through D-999

31 New powersport dealers [~~and motoreyele~~

32 ~~franchise dealers]~~

D-1000 through D-1999

33 Used motor vehicle[,] and used

34 powersport[~~, and used motoreyele~~]

35 dealers

D-2000 through D-9999

36 Wholesale motor vehicle

37 dealers

W-0 through W-1999

38 Wholesale motor vehicle

39 auctions

WA-0 through WA-999

40 New and used trailer dealers

T-0 through T-9999

1	Motor vehicle, trailer, and boat	
2	manufacturers	DM-0 through DM-999
3	Public motor vehicle auctions	A-0 through A-1999
4	Boat dealers	M-0 through M-9999
5	New and used recreational motor	
6	vehicle dealers	RV-0 through RV-999

7
8 For purposes of this subsection, qualified transactions shall include the purchase of salvage titled
9 vehicles by a licensed salvage dealer. A used motor vehicle dealer who also holds a salvage dealer's
10 license shall be allowed one additional plate or certificate number per fifty-unit qualified
11 transactions annually. In order for salvage dealers to obtain number plates or certificates under this
12 section, dealers shall submit to the department of revenue on August first of each year a statement
13 certifying, under penalty of perjury, the dealer's number of purchases during the reporting period of
14 July first of the immediately preceding year to June thirtieth of the present year. The provisions of
15 this subsection shall become effective on the date the director of the department of revenue begins
16 to reissue new license plates under section 301.130, or on December 1, 2008, whichever occurs
17 first. If the director of revenue begins reissuing new license plates under the authority granted
18 under section 301.130 prior to December 1, 2008, the director of the department of revenue shall
19 notify the revisor of statutes of such fact.

20 5. Upon the sale of a currently licensed new motor vehicle franchise dealership the
21 department shall, upon request, authorize the new approved dealer applicant to retain the selling
22 dealer's license number and shall cause the new dealer's records to indicate such transfer. If the new
23 approved dealer applicant elects not to retain the selling dealer's license number, then the
24 department shall issue the new dealer applicant a new dealer's license number and an equal number
25 of plates or certificates as the department had issued to the selling dealer.

26 6. ~~[In the case of new motor vehicle manufacturers, motor vehicle dealers, powersport~~
27 ~~dealers, recreational motor vehicle dealers, and trailer dealers, the department shall issue one~~
28 ~~number plate bearing the distinctive dealer license number and may issue two additional number~~
29 ~~plates to the applicant upon payment by the manufacturer or dealer of a fifty dollar fee for the~~
30 ~~number plate bearing the distinctive dealer license number and ten dollars and fifty cents for each~~
31 ~~additional number plate.]~~ Such license plates shall be made with fully reflective material with a
32 common color scheme and design, shall be clearly visible at night, and shall be aesthetically
33 attractive, as prescribed by section 301.130. Boat dealers and boat manufacturers shall be entitled to
34 one certificate of number bearing such number upon the payment of a fifty dollar fee. Additional
35 number plates and as many additional certificates of number may be obtained upon payment of a fee
36 of ten dollars and fifty cents for each additional plate or certificate. New motor vehicle
37 manufacturers shall not be issued or possess more than three hundred forty-seven additional number
38 plates or certificates of number annually. New ~~[and used motor vehicle dealers]~~ motor vehicle
39 franchise dealers, powersport dealers, wholesale motor vehicle dealers, boat dealers, and trailer
40 dealers are limited to one additional plate or certificate of number per ten-unit qualified transactions
41 annually. Notwithstanding any provision of subsection 3 of this section to the contrary, used motor

1 vehicle dealers are limited to one initial plate or certificate until they have twelve qualified
2 transactions annually, at which time they may receive their first additional plate or certificate. When
3 such used vehicle dealers have twenty qualified transactions annually, then they may receive their
4 second additional plate or certificate and, thereafter, they may obtain one additional plate or
5 certificate for each additional group of ten annual qualified transactions. New and used recreational
6 motor vehicle dealers are limited to two additional plates or certificate of number per ten-unit
7 qualified transactions annually for their first fifty transactions and one additional plate or certificate
8 of number per ten-unit qualified transactions thereafter. An applicant seeking the issuance of an
9 initial license shall indicate on his or her initial application the applicant's proposed annual number
10 of sales in order for the director to issue the appropriate number of additional plates or certificates
11 of number. A motor vehicle dealer, trailer dealer, boat dealer, powersport dealer, recreational motor
12 vehicle dealer, motor vehicle manufacturer, boat manufacturer, or wholesale motor vehicle dealer
13 obtaining a distinctive dealer license plate or certificate of number or additional license plate or
14 additional certificate of number, throughout the calendar year, shall be required to pay a fee for such
15 license plates or certificates of number computed on the basis of one-twelfth of the full fee
16 prescribed for the original and duplicate number plates or certificates of number for such dealers'
17 licenses, multiplied by the number of months remaining in the licensing period for which the dealer
18 or manufacturers shall be required to be licensed. In the event of a renewing dealer, the fee due at
19 the time of renewal shall not be prorated. Wholesale and public auctions shall be issued a certificate
20 of dealer registration in lieu of a dealer number plate. In order for dealers to obtain number plates
21 or certificates under this section, dealers shall submit to the department of revenue on August first
22 of each year a statement certifying, under penalty of perjury, the dealer's number of sales during the
23 reporting period of July first of the immediately preceding year to June thirtieth of the present
24 year."; and

25
26 Further amend said bill by amending the title, enacting clause, and intersectional references
27 accordingly.