

HOUSE AMENDMENT NO. _____
TO
HOUSE AMENDMENT NO. _____

Offered By

1 AMEND House Amendment No. _____ to House Committee Substitute for Senate Substitute No. 2
2 for Senate Bill No. 26, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the
3 following:

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

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

29 3. For any vehicle issued a junking certificate or such similar document or classification
30 pursuant to the laws of another state, regardless of whether such designation has been subsequently
31 changed by law in any other state, the department shall only issue a junking certificate, and a
32 salvage certificate of title or original certificate of ownership shall not thereafter be issued for such
33 vehicle, unless the vehicle has been inspected by the highway patrol and passes such inspection in
34 which case it shall receive a salvage certificate of title. Notwithstanding the provisions of this

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1 subsection, if the vehicle has not previously been classified as a junk vehicle, the applicant making
2 the original junking certification application shall, within ninety days, be allowed to rescind his
3 application for a junking certificate by surrendering the junking certificate and apply for a salvage
4 certificate of title in his name. The seller of a vehicle for which a junking certificate has been
5 applied for or issued shall disclose such fact in writing to any prospective buyers before sale of such
6 vehicle; otherwise the sale shall be voidable at the option of the buyer.

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

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

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

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

20 8. Notwithstanding the provisions of subsection 1 of this section, an insurance company
21 which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage
22 certificate of title without the payment of any fee upon proper application within thirty days after
23 settlement of the claim for such stolen vehicle. However, if the insurance company upon recovery
24 of a stolen vehicle determines that the stolen vehicle has not sustained damage to the extent that the
25 vehicle would have otherwise been declared a salvage vehicle pursuant to section 301.010, then the
26 insurance company may have the vehicle inspected by the Missouri state highway patrol, or other
27 law enforcement agency authorized by the director of revenue, in accordance with the inspection
28 provisions of subsection 9 of section 301.190. Upon receipt of title application, applicable fee, the
29 completed inspection, and the return of any previously issued negotiable salvage certificate, the
30 director shall issue an original title with no salvage or prior salvage designation. Upon the issuance
31 of an original title the director shall remove any indication of the negotiable salvage title previously
32 issued to the insurance company from the 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
37 ownership, salvage certificate of title, or junking certificate from the seller of the vehicle or parts,
38 provided the scrap metal operator verifies with the department of revenue, via the department's
39 online record access, that the motor vehicle is not subject to any recorded security interest or lien
40 and the scrap metal operator complies with the requirements of this subsection. In lieu of
41 forwarding certificates of title or ownership for such motor vehicles as required by subsection 5 of
42 this section, the scrap metal operator shall forward a copy of the seller's state identification card
43 along with a bill of sale to the department of revenue. The bill of sale form shall be designed by the
44 director and such form shall include, but not be limited to, a certification that the motor vehicle is at
45 least ten model years old, is inoperable, is not subject to any recorded security interest or lien, and a
46 certification by the seller that the seller has the legal authority to sell or otherwise transfer the
47 seller's interest in the motor vehicle or parts. Upon receipt of the information required by this
48 subsection, the department of revenue shall cancel any certificate of title or ownership and
49 registration for the motor vehicle. If the motor vehicle is inoperable and at least twenty model years

1 old, then the scrap metal operator shall not be required to verify with the department of revenue
2 whether the motor vehicle is subject to any recorded security interests or liens. As used in this
3 subsection, the term "inoperable" means a motor vehicle that is in a rusted, wrecked, discarded,
4 worn out, extensively damaged, dismantled, and mechanically inoperative condition and the
5 vehicle's highest and best use is for scrap purposes. The director of the department of revenue is
6 directed to promulgate rules and regulations to implement and administer the provisions of this
7 section, including but not limited to, the development of a uniform bill of sale. Any rule or portion
8 of a rule, as that term is defined in section 536.010, that is created under the authority delegated in
9 this section shall become effective only if it complies with and is subject to all of the provisions of
10 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and
11 if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
12 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
13 grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be
14 invalid and void.

15 210.143. 1. The children's division; law enforcement, including the state technical"; and

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

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20 AMENDS 0828H05.55H