

FIRST REGULAR SESSION

HOUSE BILL NO. 686

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HINSON.

1638H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 301.010 and 301.227, RSMo, and to enact in lieu thereof two new sections relating to junking certificates on motor vehicles.

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

Section A. Sections 301.010 and 301.227, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 301.010 and 301.227, to read as follows:

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

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.

18 (7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying
19 freight and merchandise, or more than eight passengers but not including vanpools or shuttle
20 buses;

21 (8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at
22 speeds less than forty miles per hour from field to field or from field to market and return;

23 (9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in
24 the sale or exchange of new, used or reconstructed motor vehicles or trailers;

25 (10) "Director" or "director of revenue", the director of the department of revenue;

26 (11) "Driveaway operation":

27 (a) The movement of a motor vehicle or trailer by any person or motor carrier other than
28 a dealer over any public highway, under its own power singly, or in a fixed combination of two
29 or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

30 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting
31 the commodity being transported, by a person engaged in the business of furnishing drivers and
32 operators for the purpose of transporting vehicles in transit from one place to another by the
33 driveaway or towaway methods; or

34 (c) The movement of a motor vehicle by any person who is lawfully engaged in the
35 business of transporting or delivering vehicles that are not the person's own and vehicles of a
36 type otherwise required to be registered, by the driveaway or towaway methods, from a point of
37 manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent
38 of a manufacturer or to any consignee designated by the shipper or consignor;

39 (12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth
40 wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor
41 equipped with a dromedary may carry part of a load when operating independently or in a
42 combination with a semitrailer;

43 (13) "Farm tractor", a tractor used exclusively for agricultural purposes;

44 (14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

45 (15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

46 (16) "Fullmount", a vehicle mounted completely on the frame of either the first or last
47 vehicle in a saddlemount combination;

48 (17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus
49 the weight of any load thereon;

50 (18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the
51 result of the impact of hail;

52 (19) "Highway", any public thoroughfare for vehicles, including state roads, county roads
53 and public streets, avenues, boulevards, parkways or alleys in any municipality;

54 (20) "Improved highway", a highway which has been paved with gravel, macadam,
55 concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

56 (21) "Intersecting highway", any highway which joins another, whether or not it crosses
57 the same;

58 (22) "Junk vehicle", a vehicle which:

59 (a) Is incapable of operation or use upon the highways and has no resale value except
60 as a source of parts or scrap [, and shall not be titled or registered] ; **or**

61 (b) **Has been designated as junk or a substantially equivalent designation by this**
62 **state or any other state;**

63 (23) "Kit vehicle", a motor vehicle assembled by a person other than a generally
64 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
65 an authorized manufacturer and accompanied by a manufacturer's statement of origin;

66 (24) "Land improvement contractors' commercial motor vehicle", any not-for-hire
67 commercial motor vehicle the operation of which is confined to:

68 (a) An area that extends not more than a radius of one hundred miles from its home base
69 of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or
70 from projects involving soil and water conservation, or to and from equipment dealers'
71 maintenance facilities for maintenance purposes; or

72 (b) An area that extends not more than a radius of fifty miles from its home base of
73 operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from
74 projects not involving soil and water conservation. Nothing in this subdivision shall be
75 construed to prevent any motor vehicle from being registered as a commercial motor vehicle or
76 local commercial motor vehicle;

77 (25) "Local commercial motor vehicle", a commercial motor vehicle whose operations
78 are confined solely to a municipality and that area extending not more than fifty miles therefrom,
79 or a commercial motor vehicle whose property-carrying operations are confined solely to the
80 transportation of property owned by any person who is the owner or operator of such vehicle to
81 or from a farm owned by such person or under the person's control by virtue of a landlord and
82 tenant lease; provided that any such property transported to any such farm is for use in the
83 operation of such farm;

84 (26) "Local log truck", a commercial motor vehicle which is registered pursuant to this
85 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
86 state, used to transport harvested forest products, operated solely at a forested site and in an area
87 extending not more than a one hundred-mile radius from such site, carries a load with
88 dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when
89 operated on the national system of interstate and defense highways described in Title 23, Section

90 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section
91 304.180, does not have more than four axles, and does not pull a trailer which has more than two
92 axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimiting,
93 debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local
94 log truck. A local log truck may not exceed the limits required by law, however, if the truck does
95 exceed such limits as determined by the inspecting officer, then notwithstanding any other
96 provisions of law to the contrary, such truck shall be subject to the weight limits required by such
97 sections as licensed for eighty thousand pounds;

98 (27) "Local log truck tractor", a commercial motor vehicle which is registered under this
99 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
100 state, used to transport harvested forest products, operated solely at a forested site and in an area
101 extending not more than a one hundred-mile radius from such site, operates with a weight not
102 exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding
103 forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national
104 system of interstate and defense highways described in Title 23, Section 103(e) of the United
105 States Code, such vehicle does not exceed the weight limits contained in section 304.180, and
106 does not have more than three axles and does not pull a trailer which has more than two axles.
107 Violations of axle weight limitations shall be subject to the load limit penalty as described for
108 in sections 304.180 to 304.220;

109 (28) "Local transit bus", a bus whose operations are confined wholly within a municipal
110 corporation, or wholly within a municipal corporation and a commercial zone, as defined in
111 section 390.020, adjacent thereto, forming a part of a public transportation system within such
112 municipal corporation and such municipal corporation and adjacent commercial zone;

113 (29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and
114 is used exclusively to transport harvested forest products to and from forested sites which is
115 registered pursuant to this chapter to operate as a motor vehicle on the public highways of this
116 state for the transportation of harvested forest products;

117 (30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly,
118 and front clip, as those terms are defined by the director of revenue pursuant to rules and
119 regulations or by illustrations;

120 (31) "Manufacturer", any person, firm, corporation or association engaged in the
121 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

122 (32) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
123 receives a new, rebuilt or used engine, and which used the number stamped on the original
124 engine as the vehicle identification number;

- 125 (33) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
126 except farm tractors;
- 127 (34) "Motor vehicle primarily for business use", any vehicle other than a recreational
128 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over
129 twelve thousand pounds:
- 130 (a) Offered for hire or lease; or
131 (b) The owner of which also owns ten or more such motor vehicles;
- 132 (35) "Motorcycle", a motor vehicle operated on two wheels;
- 133 (36) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic
134 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which
135 produces less than three gross brake horsepower, and is capable of propelling the device at a
136 maximum speed of not more than thirty miles per hour on level ground;
- 137 (37) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle
138 while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel.
139 A motortricycle shall not be included in the definition of all-terrain vehicle;
- 140 (38) "Municipality", any city, town or village, whether incorporated or not;
- 141 (39) "Nonresident", a resident of a state or country other than the state of Missouri;
- 142 (40) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in
143 compliance with United States emissions or safety standards;
- 144 (41) "Operator", any person who operates or drives a motor vehicle;
- 145 (42) "Owner", any person, firm, corporation or association, who holds the legal title to
146 a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease
147 thereof with the right of purchase upon performance of the conditions stated in the agreement
148 and with an immediate right of possession vested in the conditional vendee or lessee, or in the
149 event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee
150 or mortgagor shall be deemed the owner for the purpose of this law;
- 151 (43) "Public garage", a place of business where motor vehicles are housed, stored,
152 repaired, reconstructed or repainted for persons other than the owners or operators of such place
153 of business;
- 154 (44) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the
155 rebuilder, but does not include certificated common or contract carriers of persons or property;
- 156 (45) "Reconstructed motor vehicle", a vehicle that is altered from its original
157 construction by the addition or substitution of two or more new or used major component parts,
158 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;
- 159 (46) "Recreational motor vehicle", any motor vehicle designed, constructed or
160 substantially modified so that it may be used and is used for the purposes of temporary housing

161 quarters, including therein sleeping and eating facilities which are either permanently attached
162 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.
163 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor
164 vehicle if the motor vehicle could otherwise be so registered;

165 (47) "Recreational off-highway vehicle", any motorized vehicle manufactured and used
166 exclusively for off-highway use which is more than fifty inches but no more than sixty-seven
167 inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four
168 or more nonhighway tires and which may have access to ATV trails;

169 (48) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,
170 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a
171 wrecker or towing service;

172 (49) "Saddlemount combination", a combination of vehicles in which a truck or truck
173 tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth
174 wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of
175 the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth
176 wheel kingpin connection. When two vehicles are towed in this manner the combination is
177 called a "double saddlemount combination". When three vehicles are towed in this manner, the
178 combination is called a "triple saddlemount combination";

179 (50) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for
180 the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

181 (51) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

182 (a) Was damaged during a year that is no more than six years after the manufacturer's
183 model year designation for such vehicle to the extent that the total cost of repairs to rebuild or
184 reconstruct the vehicle to its condition immediately before it was damaged for legal operation
185 on the roads or highways exceeds eighty percent of the fair market value of the vehicle
186 immediately preceding the time it was damaged;

187 (b) By reason of condition or circumstance, has been declared salvage, either by its
188 owner, or by a person, firm, corporation, or other legal entity exercising the right of security
189 interest in it;

190 (c) Has been declared salvage by an insurance company as a result of settlement of a
191 claim;

192 (d) Ownership of which is evidenced by a salvage title; or

193 (e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157
194 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild
195 or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling
196 inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on

197 parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair
198 market value" means the retail value of a motor vehicle as:

199 a. Set forth in a current edition of any nationally recognized compilation of retail values,
200 including automated databases, or from publications commonly used by the automotive and
201 insurance industries to establish the values of motor vehicles;

202 b. Determined pursuant to a market survey of comparable vehicles with regard to
203 condition and equipment; and

204 c. Determined by an insurance company using any other procedure recognized by the
205 insurance industry, including market surveys, that is applied by the company in a uniform
206 manner;

207 (52) "School bus", any motor vehicle used solely to transport students to or from school
208 or to transport students to or from any place for educational purposes;

209 (53) "Scrap processor", a business that, through the use of fixed or mobile equipment,
210 flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or
211 transportation to a shredder or scrap metal operator for recycling;

212 (54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
213 corporation as an incidental service to transport patrons or customers of the regular business of
214 such person, firm, or corporation to and from the place of business of the person, firm, or
215 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
216 buses or as commercial motor vehicles;

217 (55) "Special mobile equipment", every self-propelled vehicle not designed or used
218 primarily for the transportation of persons or property and incidentally operated or moved over
219 the highways, including farm equipment, implements of husbandry, road construction or
220 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,
221 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt
222 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
223 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump
224 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and
225 shall not operate to exclude other such vehicles which are within the general terms of this
226 section;

227 (56) "Specially constructed motor vehicle", a motor vehicle which shall not have been
228 originally constructed under a distinctive name, make, model or type by a manufacturer of motor
229 vehicles. The term specially constructed motor vehicle includes kit vehicles;

230 (57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel
231 is located on a drop frame located behind and below the rearmost axle of the power unit;

232 (58) "Tandem axle", a group of two or more axles, arranged one behind another, the
233 distance between the extremes of which is more than forty inches and not more than ninety-six
234 inches apart;

235 (59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed
236 for drawing other vehicles, but not for the carriage of any load when operating independently.
237 When attached to a semitrailer, it supports a part of the weight thereof;

238 (60) "Trailer", any vehicle without motive power designed for carrying property or
239 passengers on its own structure and for being drawn by a self-propelled vehicle, except those
240 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
241 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
242 rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton
243 trailers as defined in subdivision (8) of this section and shall not include manufactured homes
244 as defined in section 700.010;

245 (61) "Truck", a motor vehicle designed, used, or maintained for the transportation of
246 property;

247 (62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two
248 trailing units are connected with a B-train assembly which is a rigid frame extension attached to
249 the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second
250 semitrailer and has one less articulation point than the conventional A-dolly connected
251 truck-tractor semitrailer-trailer combination;

252 (63) "Truck-trailer boat transporter combination", a boat transporter combination
253 consisting of a straight truck towing a trailer using typically a ball and socket connection with
254 the trailer axle located substantially at the trailer center of gravity rather than the rear of the
255 trailer but so as to maintain a downward force on the trailer tongue;

256 (64) "Used parts dealer", a business that buys and sells used motor vehicle parts or
257 accessories, but not including a business that sells only new, remanufactured or rebuilt parts.
258 "Business" does not include isolated sales at a swap meet of less than three days;

259 (65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for
260 off-highway use which is more than fifty inches but no more than sixty-seven inches in width,
261 with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to
262 be used primarily for landscaping, lawn care, or maintenance purposes;

263 (66) "Vanpool", any van or other motor vehicle used or maintained by any person, group,
264 firm, corporation, association, city, county or state agency, or any member thereof, for the
265 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
266 and from their place of employment; however, a vanpool shall not be included in the definition
267 of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this

268 section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section
269 303.020; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal,
270 or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary
271 profit other than for use in a ride-sharing arrangement;

272 (67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
273 on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power,
274 or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs
275 operated by handicapped persons;

276 (68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed
277 and used to assist or render aid and transport or tow disabled or wrecked vehicles from a
278 highway, road, street or highway rights-of-way to a point of storage or repair, including towing
279 a replacement vehicle to replace a disabled or wrecked vehicle;

280 (69) "Wrecker or towing service", the act of transporting, towing or recovering with a
281 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker,
282 tow truck, rollback or car carrier for which the operator directly or indirectly receives
283 compensation or other personal gain.

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

14 2. Whenever a vehicle is classified as "junk", as defined in section 301.010, the
15 purchaser [may] **shall** forward to the director of revenue the salvage certificate of title or
16 certificate of ownership and the director shall issue a negotiable junking certificate [to the
17 purchaser of the vehicle] **which shall authorize the holder to possess, transport, or by**
18 **assignment transfer ownership in such parts, scrap, or junk.** The director may also issue a
19 junking certificate to a possessor of a vehicle manufactured twenty-six years or more prior to the
20 current model year who has a bill of sale for said vehicle but does not possess a certificate of

21 ownership, provided no claim of theft has been made on the vehicle and the highway patrol has
22 by letter stated the vehicle is not listed as stolen after checking the registration number through
23 its nationwide computer system. Such certificate may be granted within thirty days of the
24 submission of a request.

25 3. [Upon receipt of a properly completed application for a junking certificate, the director
26 of revenue shall issue to the applicant a junking certificate which shall authorize the holder to
27 possess, transport, or, by assignment, transfer ownership in such parts, scrap or junk, and a
28 certificate of title shall not again be issued for such vehicle; except that] **For any junk vehicle,**
29 **regardless of whether such designation has been subsequently changed erroneously or by**
30 **law in this or any other state, the department shall only issue a junking certificate, and a**
31 **salvage or original certificate of title shall not thereafter be issued for such vehicle. If the**
32 **vehicle has not previously been designated as a junk vehicle,** the [initial purchaser] **applicant**
33 **making the original junking certification application** shall, within ninety days, be allowed
34 to rescind his application for a junking certificate by surrendering the junking certificate and
35 apply for a salvage certificate of title in his name. The seller of a vehicle for which a junking
36 certificate has been applied for or issued shall disclose such fact in writing to any prospective
37 buyers before sale of such vehicle; otherwise the sale shall be voidable at the option of the buyer.

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

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

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

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

51 8. Notwithstanding the provisions of subsection 1 of this section, an insurance company
52 which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage
53 certificate of title without the payment of any fee upon proper application within thirty days after
54 settlement of the claim for such stolen vehicle. However, if the insurance company upon
55 recovery of a stolen vehicle determines that the stolen vehicle has not sustained damage to the
56 extent that the vehicle would have otherwise been declared a salvage vehicle pursuant to

57 subdivision (51) of section 301.010, then the insurance company may have the vehicle inspected
58 by the Missouri state highway patrol, or other law enforcement agency authorized by the director
59 of revenue, in accordance with the inspection provisions of subsection 9 of section 301.190.
60 Upon receipt of title application, applicable fee, the completed inspection, and the return of any
61 previously issued negotiable salvage certificate, the director shall issue an original title with no
62 salvage or prior salvage designation. Upon the issuance of an original title the director shall
63 remove any indication of the negotiable salvage title previously issued to the insurance company
64 from the department's electronic records.

65 9. Notwithstanding subsection 4 of this section or any other provision of the law to the
66 contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts are from
67 a motor vehicle that is inoperable and is at least ten model years old, a scrap metal operator may
68 purchase or acquire such motor vehicle or parts without receiving the original certificate of title,
69 salvage certificate of title, or junking certificate from the seller of the vehicle or parts, provided
70 the scrap metal operator verifies with the department of revenue, via the department's online
71 record access, that the motor vehicle is not subject to any recorded security interest or lien and
72 the scrap metal operator complies with the requirements of this subsection. In lieu of forwarding
73 certificates of titles for such motor vehicles as required by subsection 5 of this section, the scrap
74 metal operator shall forward a copy of the seller's state identification along with a bill of sale to
75 the department of revenue. The bill of sale form shall be designed by the director and such form
76 shall include, but not be limited to, a certification that the motor vehicle is at least ten model
77 years old, is inoperable, is not subject to any recorded security interest or lien, and a certification
78 by the seller that the seller has the legal authority to sell or otherwise transfer the seller's interest
79 in the motor vehicle or parts. Upon receipt of the information required by this subsection, the
80 department of revenue shall cancel any certificate of title and registration for the motor vehicle.
81 If the motor vehicle is inoperable and at least twenty model years old, then the scrap metal
82 operator shall not be required to verify with the department of revenue whether the motor vehicle
83 is subject to any recorded security interests or liens. As used in this subsection, the term
84 "inoperable" means a motor vehicle that is in a rusted, wrecked, discarded, worn out, extensively
85 damaged, dismantled, and mechanically inoperative condition and the vehicle's highest and best
86 use is for scrap purposes. The director of the department of revenue is directed to promulgate
87 rules and regulations to implement and administer the provisions of this section, including but
88 not limited to, the development of a uniform bill of sale. Any rule or portion of a rule, as that
89 term is defined in section 536.010, that is created under the authority delegated in this section
90 shall become effective only if it complies with and is subject to all of the provisions of chapter
91 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any
92 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the

93 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
94 grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be
95 invalid and void.

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