

SECOND REGULAR SESSION

# HOUSE BILL NO. 1196

97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BERRY.

4155L.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 301.210, RSMo, and to enact in lieu thereof one new section relating to motor vehicle sales by dealers.

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

Section A. Section 301.210, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.210, to read as follows:

301.210. 1. **Except as provided in subsection 2 of this section**, in the event of a sale or transfer of ownership of a motor vehicle or trailer for which a certificate of ownership has been issued, the holder of such certificate shall endorse on the same an assignment thereof, with warranty of title in form printed thereon, and prescribed by the director of revenue, with a statement of all liens or encumbrances on such motor vehicle or trailer, and deliver the same to the buyer at the time of the delivery to him of such motor vehicle or trailer; provided that, when the transfer of a motor vehicle, trailer, boat or outboard motor occurs within a corporation which holds a license to operate as a motor vehicle or boat dealer pursuant to sections 301.550 to 301.575, the provisions of subdivision (3) of subsection 6 of section 144.070 shall not apply.

2. **In the event of a sale or transfer of ownership of a motor vehicle or trailer for which a certificate of ownership has been issued made to any person by a motor vehicle dealer, the holder of such certificate shall endorse on the same an assignment thereof, with warranty of title in form printed thereon, and prescribed by the director of revenue, with a statement of all liens or encumbrances on such motor vehicle or trailer, and deliver the same to the buyer within twenty-one days of the delivery to him or her of such motor vehicle or trailer. A photocopy of such certificate shall be provided to the buyer at the time of purchase.**

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           3. The buyer shall then present such certificate, assigned as aforesaid, to the director of  
19 revenue, at the time of making application for the registration of such motor vehicle or trailer,  
20 whereupon a new certificate of ownership shall be issued to the buyer, the fee therefor being that  
21 prescribed in subsection 5 of section 301.190.

22           [3.] 4. If such motor vehicle or trailer is sold to a resident of another state or country, or  
23 if such motor vehicle or trailer is destroyed or dismantled, the owner thereof shall immediately  
24 notify the director of revenue. Certificates when so signed and returned to the director of  
25 revenue shall be retained by the director of revenue and all certificates shall be appropriately  
26 indexed so that at all times it will be possible for him to expeditiously trace the ownership of the  
27 motor vehicle or trailer designated therein.

28           [4.] 5. It shall be unlawful for any person to buy or sell in this state any motor vehicle  
29 or trailer registered under the laws of this state, unless, at the time of the delivery thereof **or**  
30 **within twenty-one days of the delivery for a sale made by a dealer**, there shall pass between  
31 the parties such certificates of ownership with an assignment thereof, as provided in this section,  
32 and the sale of any motor vehicle or trailer registered under the laws of this state, without the  
33 assignment of such certificate of ownership, shall be fraudulent and void.

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