

HB 1860 -- MISSOURI MOTOR VEHICLE THEFT PREVENTION ACT

SPONSOR: Roorda

This bill establishes the Missouri Motor Vehicle Theft Prevention Act. In its main provisions, the bill:

(1) Establishes, within the Department of Public Safety, the Missouri Motor Vehicle Theft Prevention Council to improve and support motor vehicle theft law enforcement, the prosecution and administration of motor vehicle theft laws;

(a) The council will consist of 11 members including: the Director; Superintendent of the State Highway Patrol; Chief of Police of the St. Louis Metropolitan Police Department; Chief of Police of the St. Louis County Police Department; and Chief of Police of the Kansas City Missouri Police Department. The remaining five will be appointed by the Governor and must be: the prosecuting attorney of any county; the chief law enforcement officer of any county; and four representatives of the insurance industry authorized to write motor vehicle insurance and domiciled in Missouri;

(b) The six appointed members will be appointed for four-year terms except the prosecuting attorney and two of the insurance representatives who will be appointed for a two-year term. After completing the first two-year term, the prosecuting attorney and insurance representatives will be appointed for four-year terms;

(c) The council must meet at least once each calendar quarter and the chairman must give notice to each member of the time and place of each meeting at least 10 days before the date of the meeting;

(d) The council members must not be compensated but must be reimbursed for actual and necessary travel expenses incurred in the performance of his or her duties as council members; and

(e) The director must employ any administrative, professional, clerical, or other personnel as may be required and may organize the staff as may be appropriate;

(2) Specifies the council's powers, duties and responsibilities as follows:

(a) Apply for, solicit, receive, establish priorities for, allocate, disburse, contract for, and spend funds that are made available to the council for the purposes of this act;

(b) Create grants and to provide financial support for federal and

state agencies, political subdivisions, corporations, and community and business organizations;

(c) Assess the scope of the problem of motor vehicle theft including particular areas of the state where the problem is greatest and to conduct impact analyses of state and local criminal justice policies, programs, plans, and methods for combating vehicle theft;

(d) Develop and sponsor the implementation of statewide plans and strategies to combat motor vehicle theft and to improve the administration of the motor vehicle theft laws and provide an effective forum for identification of critical problems associated with motor vehicle theft;

(e) Coordinate the development, adoption and implementation of plans and strategies relating to interagency or intergovernmental cooperation with respect to motor vehicle theft law enforcement;

(f) Report annually, beginning January 1, 2016, to the Governor and the General Assembly, on the council's activities in the preceding year; and

(g) Exercise any other powers that are reasonable, necessary, or convenient to fulfill its responsibilities; to carry out and to effectuate the objectives and purposes of the council and the provisions of Sections 650.700 to 650.712 RSMo; and to comply with the requirements of applicable federal or state laws or regulations;

(3) Authorizes the Department of Public Safety to promulgate rules to implement these provisions;

(4) Creates, within the treasury, the "Motor Vehicle Theft Prevention Trust Fund," to be administered by the Department of Public Safety at the direction of the council. The moneys deposited in this fund must not be considered general revenue and shall be expended as follows:

(a) Pay the department's costs to administer the council and the fund, not to exceed 10% in one fiscal year of the funds collected in the same fiscal year; and

(b) Achieve the purposes and objectives of these provisions; and

(5) Requires each insurer engaged in private auto insurance coverage to collect and pay into the fund an amount equal to \$1, or a lesser amount determined by the council, multiplied by the insurer's total earned car years of private passenger motor vehicle

insurance policies providing physical damage insurance coverage
written in Missouri during the preceding calendar year.