

SECOND REGULAR SESSION

HOUSE BILL NO. 2585

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BRATTIN.

6523H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 301.020, 301.030, 301.055, 301.193, 306.015, 306.016, 306.031, 306.035, 306.400, 306.405, 306.410, 306.415, 306.420, 306.425, 306.430, 306.435, 306.440, 306.455, 306.456, 306.458, 306.461, 306.530, 306.532, 306.535, 306.540, 306.545, 306.550, 306.555, 306.560, 306.565, 306.570, and 306.575, RSMo, and to enact in lieu thereof twenty-one new sections relating to certain department of revenue registration requirements.

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

Section A. Sections 301.020, 301.030, 301.055, 301.193, 306.015, 306.016, 306.031, 2 306.035, 306.400, 306.405, 306.410, 306.415, 306.420, 306.425, 306.430, 306.435, 306.440, 3 306.455, 306.456, 306.458, 306.461, 306.530, 306.532, 306.535, 306.540, 306.545, 306.550, 4 306.555, 306.560, 306.565, 306.570, and 306.575, RSMo, are repealed and twenty-one new 5 sections enacted in lieu thereof, to be known as sections 301.020, 301.030, 301.055, 301.193, 6 306.015, 306.016, 306.031, 306.035, 306.400, 306.405, 306.410, 306.415, 306.420, 306.425, 7 306.430, 306.435, 306.440, 306.455, 306.456, 306.458, and 306.461, to read as follows:

301.020. 1. Every owner of a motor vehicle or trailer, which shall be operated or driven 2 upon the highways of this state, except **for all-terrain vehicles and utility vehicles and** as 3 herein otherwise expressly provided, shall annually file, by mail or otherwise, in the office of the 4 director of revenue, an application for registration on a blank to be furnished by the director of 5 revenue for that purpose containing:

6 (1) A brief description of the motor vehicle or trailer to be registered, including the name 7 of the manufacturer, the vehicle identification number, the amount of motive power of the motor

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.

8 vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a
9 motor vehicle primarily for business use as defined in section 301.010;

10 (2) The name, the applicant's identification number and address of the owner of such
11 motor vehicle or trailer;

12 (3) The gross weight of the vehicle and the desired load in pounds if the vehicle is a
13 commercial motor vehicle or trailer.

14 2. If the vehicle is a motor vehicle primarily for business use as defined in section
15 301.010 and if such vehicle is five years of age or less, the director of revenue shall retain the
16 odometer information provided in the vehicle inspection report, and provide for prompt access
17 to such information, together with the vehicle identification number for the motor vehicle to
18 which such information pertains, for a period of five years after the receipt of such information.
19 This section shall not apply unless:

20 (1) The application for the vehicle's certificate of ownership was submitted after July 1,
21 1989; and

22 (2) The certificate was issued pursuant to a manufacturer's statement of origin.

23 3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business
24 use, a recreational motor vehicle, motorcycle, motortricycle, bus or any commercial motor
25 vehicle licensed for over twelve thousand pounds and if such motor vehicle is five years of age
26 or less, the director of revenue shall retain the odometer information provided in the vehicle
27 inspection report, and provide for prompt access to such information, together with the vehicle
28 identification number for the motor vehicle to which such information pertains, for a period of
29 five years after the receipt of such information. This subsection shall not apply unless:

30 (1) The application for the vehicle's certificate of ownership was submitted after July 1,
31 1990; and

32 (2) The certificate was issued pursuant to a manufacturer's statement of origin.

33 4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle,
34 specially constructed motor vehicle, non-USA-std motor vehicle, as defined in section 301.010,
35 or prior salvage as referenced in section 301.573, the owner or lienholder shall surrender the
36 certificate of ownership. The owner shall make an application for a new certificate of ownership,
37 pay the required title fee, and obtain the vehicle examination certificate required pursuant to
38 subsection 9 of section 301.190. If an insurance company pays a claim on a salvage vehicle as
39 defined in section 301.010 and the owner retains the vehicle, as prior salvage, the vehicle shall
40 only be required to meet the examination requirements under subsection 10 of section 301.190.
41 Notarized bills of sale along with a copy of the front and back of the certificate of ownership for
42 all major component parts installed on the vehicle and invoices for all essential parts which are
43 not defined as major component parts shall accompany the application for a new certificate of

44 ownership. If the vehicle is a specially constructed motor vehicle, as defined in section 301.010,
45 two pictures of the vehicle shall be submitted with the application. If the vehicle is a kit vehicle,
46 the applicant shall submit the invoice and the manufacturer's statement of origin on the kit. If
47 the vehicle requires the issuance of a special number by the director of revenue or a replacement
48 vehicle identification number, the applicant shall submit the required application and application
49 fee. All applications required under this subsection shall be submitted with any applicable taxes
50 which may be due on the purchase of the vehicle or parts. The director of revenue shall
51 appropriately designate "Reconstructed Motor Vehicle", "Motor Change Vehicle",
52 "Non-USA-Std Motor Vehicle", or "Specially Constructed Motor Vehicle" on the current and
53 all subsequent issues of the certificate of ownership of such vehicle.

54 5. Every insurance company that pays a claim for repair of a motor vehicle which as the
55 result of such repairs becomes a reconstructed motor vehicle as defined in section 301.010 or that
56 pays a claim on a salvage vehicle as defined in section 301.010 and the owner is retaining the
57 vehicle shall in writing notify the owner of the vehicle, and in a first party claim, the lienholder
58 if a lien is in effect, that he is required to surrender the certificate of ownership, and the
59 documents and fees required pursuant to subsection 4 of this section to obtain a prior salvage
60 motor vehicle certificate of ownership or documents and fees as otherwise required by law to
61 obtain a salvage certificate of ownership, from the director of revenue. The insurance company
62 shall within thirty days of the payment of such claims report to the director of revenue the name
63 and address of such owner, the year, make, model, vehicle identification number, and license
64 plate number of the vehicle, and the date of loss and payment.

65 6. Anyone who fails to comply with the requirements of this section shall be guilty of
66 a class B misdemeanor.

67 7. An applicant for registration may make a donation of one dollar to promote a
68 blindness education, screening and treatment program. The director of revenue shall collect the
69 donations and deposit all such donations in the state treasury to the credit of the blindness
70 education, screening and treatment program fund established in section 209.015. Moneys in the
71 blindness education, screening and treatment program fund shall be used solely for the purposes
72 established in section 209.015; except that the department of revenue shall retain no more than
73 one percent for its administrative costs. The donation prescribed in this subsection is voluntary
74 and may be refused by the applicant for registration at the time of issuance or renewal. The
75 director shall inquire of each applicant at the time the applicant presents the completed
76 application to the director whether the applicant is interested in making the one dollar donation
77 prescribed in this subsection.

78 8. An applicant for registration may make a donation of one dollar to promote an organ
79 donor program. The director of revenue shall collect the donations and deposit all such

80 donations in the state treasury to the credit of the organ donor program fund as established in
81 sections 194.297 to 194.304. Moneys in the organ donor fund shall be used solely for the
82 purposes established in sections 194.297 to 194.304, except that the department of revenue shall
83 retain no more than one percent for its administrative costs. The donation prescribed in this
84 subsection is voluntary and may be refused by the applicant for registration at the time of
85 issuance or renewal. The director shall inquire of each applicant at the time the applicant
86 presents the completed application to the director whether the applicant is interested in making
87 the one dollar donation prescribed in this subsection.

88 **9. Notwithstanding any provision of this section or any other law to the contrary,**
89 **all-terrain vehicles and utility vehicles, as such terms are defined in section 301.010, shall**
90 **not be subject to the titling and registration requirements of this section.**

301.030. 1. The director shall provide for the retention of license plates by the owners
2 of motor vehicles, other than commercial motor vehicles, and shall establish a system of
3 registration on a monthly series basis to distribute the work of registering motor vehicles as
4 uniformly as practicable throughout the twelve months of the calendar year. For the purpose of
5 assigning license plate numbers, each type of motor vehicle shall be considered a separate class.
6 Commencing July 1, 1949, motor vehicles, other than commercial motor vehicles, shall be
7 registered for a period of twelve consecutive calendar months. There are established twelve
8 registration periods, each of which shall start on the first day of each calendar month of the year
9 and shall end on the last date of the twelfth month from the date of beginning.

10 2. Motor vehicles, other than commercial motor vehicles, operated for the first time upon
11 the public highways of this state, to and including the fifteenth day of any given month, shall be
12 subject to registration and payment of a fee for the twelve-month period commencing the first
13 day of the month of such operation; motor vehicles, other than commercial motor vehicles,
14 operated for the first time on the public highways of this state after the fifteenth day of any given
15 month shall be subject to registration and payment of a fee for the twelve-month period
16 commencing the first day of the next following calendar month.

17 3. All commercial motor vehicles and trailers, except those licensed under section
18 301.035 and those operated under agreements as provided for in sections 301.271 to 301.279,
19 shall be registered either on a calendar year basis or on a prorated basis as provided in this
20 section. The fees for commercial motor vehicles, trailers, semitrailers, and driveaway vehicles,
21 other than those to be operated under agreements as provided for in sections 301.271 to 301.279
22 shall be payable not later than the last day of February of each year, except when such vehicle
23 is licensed between April first and July first the fee shall be three-fourths the annual fee, when
24 licensed between July first and October first the fee shall be one-half the annual fee and when
25 licensed on or after October first the fee shall be one-fourth the annual fee. Such license plates

26 shall be made with fully reflective material with a common color scheme and design, shall be
 27 clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.
 28 Local commercial motor vehicle license plates may also be so stamped, marked or designed as
 29 to indicate they are to be used only on local commercial motor vehicles and, in addition to such
 30 stamp, mark or design, the letter "F" shall also be displayed on local commercial motor vehicle
 31 license plates issued to motor vehicles used for farm or farming transportation operations as
 32 defined in section 301.010 in the manner prescribed by the advisory committee established in
 33 section 301.129. In addition, all commercial motor vehicle license plates may be so stamped or
 34 marked with a letter, figure or other emblem as to indicate the gross weight for which issued.

35 4. The director shall, upon application, issue registration and license plates for nine
 36 thousand pounds gross weight for property-carrying commercial motor vehicles referred to
 37 herein, upon payment of the fees prescribed for twelve thousand pounds gross weight as provided
 38 in section 301.057.

39 **5. Notwithstanding any provision of this section or any other law to the contrary,**
 40 **all-terrain vehicles and utility vehicles, as such terms are defined in section 301.010, shall**
 41 **not be subject to the titling and registration requirements of this section.**

301.055. 1. The annual registration fee for motor vehicles other than commercial motor
 2 vehicles is:

3	Less than 12 horsepower	\$18.00
4	12 horsepower and less than 24 horsepower	21.00
5	24 horsepower and less than 36 horsepower	24.00
6	36 horsepower and less than 48 horsepower	33.00
7	48 horsepower and less than 60 horsepower	39.00
8	60 horsepower and less than 72 horsepower	45.00
9	72 horsepower and more	51.00
10	Motorcycles	8.50
11	Motortricycles	10.00

12 **2. Notwithstanding any provision of this section or any other law to the contrary,**
 13 **all-terrain vehicles and utility vehicles, as such terms are defined in section 301.010, shall**
 14 **not be subject to the registration fees of this section.**

301.193. 1. Any person who purchases or is the owner of real property on which
 2 vehicles, as defined in section 301.010, vessels or watercraft, as defined in section 306.010, [~~or~~
 3 ~~outboard motors, as that term is used in section 306.530,~~] have been abandoned, without the
 4 consent of said purchaser or owner of the real property, may apply to the department of revenue
 5 for a certificate of title. Any insurer which purchases a vehicle through the claims adjustment
 6 process for which the insurer is unable to obtain a negotiable title may make an application to

7 the department of revenue for a salvage certificate of title pursuant to this section. Prior to
8 making application for a certificate of title on a vehicle under this section, the insurer or owner
9 of the real estate shall have the vehicle inspected by law enforcement pursuant to subsection 9
10 of section 301.190, and shall have law enforcement perform a check in the national crime
11 information center and any appropriate statewide law enforcement computer to determine if the
12 vehicle has been reported stolen and the name and address of the person to whom the vehicle was
13 last titled and any lienholders of record. The insurer or owner or purchaser of the real estate
14 shall, thirty days prior to making application for title, notify any owners or lienholders of record
15 for the vehicle by certified mail that the owner intends to apply for a certificate of title from the
16 director for the abandoned vehicle. The application for title shall be accompanied by:

17 (1) A statement explaining the circumstances by which the property came into the
18 insurer, owner or purchaser's possession; a description of the property including the year, make,
19 model, vehicle identification number and any decal or license plate that may be affixed to the
20 vehicle; the current location of the property; and the retail value of the property;

21 (2) An inspection report of the property, if it is a vehicle, by a law enforcement agency
22 pursuant to subsection 9 of section 301.190; and

23 (3) A copy of the thirty-day notice and certified mail receipt mailed to any owner and any
24 person holding a valid security interest of record.

25 2. Upon receipt of the application and supporting documents, the director shall search
26 the records of the department of revenue, or initiate an inquiry with another state, if the evidence
27 presented indicated the property described in the application was registered or titled in another
28 state, to verify the name and address of any owners and any lienholders. If the latest owner or
29 lienholder was not notified the director shall inform the insurer, owner, or purchaser of the real
30 estate of the latest owner and lienholder information so that notice may be given as required by
31 subsection 1 of this section. Any owner or lienholder receiving notification may protest the
32 issuance of title by, within the thirty-day notice period and may file a petition to recover the
33 vehicle, naming the insurer or owner of the real estate and serving a copy of the petition on the
34 director of revenue. The director shall not be a party to such petition but shall, upon receipt of
35 the petition, suspend the processing of any further certificate of title until the rights of all parties
36 to the vehicle are determined by the court. Once all requirements are satisfied the director shall
37 issue one of the following:

38 (1) An original certificate of title if the vehicle examination certificate, as provided in
39 section 301.190, indicates that the vehicle was not previously in a salvaged condition or rebuilt;

40 (2) An original certificate of title designated as prior salvage if the vehicle examination
41 certificate as provided in section 301.190 indicates the vehicle was previously in a salvaged
42 condition or rebuilt;

43 (3) A salvage certificate of title designated with the words "salvage/abandoned property"
44 or junking certificate based on the condition of the property as stated in the inspection report.
45 An insurer purchasing a vehicle through the claims adjustment process under this section shall
46 only be eligible to obtain a salvage certificate of title or junking certificate.

47 3. Any insurer which purchases a vehicle that is currently titled in Missouri through the
48 claims adjustment process for which the insurer is unable to obtain a negotiable title may make
49 application to the department of revenue for a salvage certificate of title or junking certificate.
50 Such application may be made by the insurer or its designated salvage pool on a form provided
51 by the department and signed under penalty of perjury. The application shall include a
52 declaration that the insurer has made at least two written attempts to obtain the certificate of title,
53 transfer documents, or other acceptable evidence of title, and be accompanied by proof of claims
54 payment from the insurer, evidence that letters were sent to the vehicle owner, a statement
55 explaining the circumstances by which the property came into the insurer's possession, a
56 description of the property including the year, make, model, vehicle identification number, and
57 current location of the property, and the fee prescribed in subsection 5 of section 301.190. The
58 insurer shall, thirty days prior to making application for title, notify any owners or lienholders
59 of record for the vehicle that the insurer intends to apply for a certificate of title from the director
60 for the vehicle. Upon receipt of the application and supporting documents, the director shall
61 search the records of the department of revenue to verify the name and address of any owners
62 and any lienholders. If the director identifies any additional owner or lienholder who has not
63 been notified by the insurer, the director shall inform the insurer of such additional owner or
64 lienholder and the insurer shall notify the additional owner or lienholder of the insurer's intent
65 to obtain title as prescribed in this section. If no valid lienholders have notified the department
66 of the existence of a lien, the department shall issue a salvage certificate of title or junking
67 certificate for the vehicle in the name of the insurer.

306.015. 1. The owner of a vessel kept within this state shall cause it to be registered
2 in the office of the director of revenue who shall issue a certificate of title for the same.

3 2. The owner of any vessel acquired or brought into the state shall file his application
4 for title within sixty days after it is acquired or brought into this state. The director of revenue
5 may grant extensions of time for titling to any person in deserving cases.

6 3. The fee for the certificate of title shall be seven dollars fifty cents and shall be paid
7 to the director of revenue at the time of making application. If application for certificate of title
8 is not made within sixty days after the vessel is acquired or brought into the state, a delinquency
9 penalty fee of ten dollars for each thirty days of delinquency, not to exceed a total of thirty
10 dollars, shall be imposed. If the director of revenue learns that any person has failed to make
11 application for certificate of title within sixty days after acquiring or bringing into the state a

12 vessel or has sold a vessel without obtaining a certificate of title, he shall cancel the registration
13 of all motorboats, vessels, and watercraft registered in the name of the person, either as sole
14 owner or as co-owner, and shall notify the person that the cancellation will remain in force until
15 the person pays the delinquency penalty fee provided in this section together with all fees,
16 charges, and payments which he should have paid in connection with the certificate of title of
17 the vessel.

18 4. In the event of a sale or transfer of ownership of a vessel [~~or outboard motor~~] for
19 which a certificate of ownership or manufacturer's statement of origin has been issued, the holder
20 of such certificate shall endorse on the same an assignment thereof, with warranty of title in form
21 printed thereon, and prescribed by the director of revenue, with a statement of all liens or
22 encumbrances on such vessel [~~or outboard motor~~], and deliver the same to the buyer at the time
23 of delivery to the buyer of such vessel [~~or outboard motor~~]; provided that, when the transfer of
24 a vessel [~~or outboard motor~~] occurs within a corporation which holds a license to operate as a
25 motor vehicle or boat dealer under sections 301.550 to 301.573 and this section, the provisions
26 of subdivision (3) of subsection 6 of section 144.070 shall not apply.

306.016. 1. By January 1, 1995, the owner of any vessel documented by the United
2 States Coast Guard on August 28, 1994, and the new owner of any vessel purchased after August
3 28, 1994, who upon the sale or transfer of the vessel desires to document the vessel with the
4 United States Coast Guard, shall apply for a vessel certificate of registration and pay a
5 certification fee of seven dollars and fifty cents, an initial registration fee in an amount equal to
6 the amount required for a certificate of number under section 306.030 and all applicable state and
7 local or in lieu watercraft taxes as provided by law in effect on the date the vessel was
8 documented or submit proof that all applicable registration fees have been paid to the department
9 of revenue and all applicable taxes or in lieu watercraft taxes have been paid in this or another
10 state. Such application shall include the county in which such vessel will be normally
11 maintained by the new owner. A certificate of registration and a set of registration decals in a
12 form the director shall prescribe shall be issued for a documented vessel. A Missouri resident
13 shall make application for a vessel certificate of registration within thirty days of acquiring or
14 bringing the vessel into this state. A nonresident shall make application for a vessel certificate
15 of registration within sixty days after acquiring a vessel in this state or bringing a vessel into this
16 state if the vessel will be kept in this state for a period in excess of sixty consecutive days. A
17 delinquency penalty fee of ten dollars shall be imposed for each thirty days of delinquency, not
18 to exceed a total of thirty dollars. If the director of revenue learns that any person has failed to
19 make application for a vessel certificate of registration in accordance with this section or has sold
20 a vessel documented by the United States Coast Guard without obtaining a certificate of
21 registration as provided in this section, the director shall cancel the registration of all vessels **[and**

22 ~~outboard motors]~~ registered in the name of the person, either as sole owner or a co-owner, and
 23 shall notify the person that the cancellation will remain in force until the person pays the
 24 delinquency penalty fee together with all fees, charges, and payments which the person should
 25 have paid in connection with the vessel certificate of registration.

26 2. A boat or vessel documented by the United States Coast Guard or other agency of the
 27 federal government and operated on the waters of this state shall not be liable for the payment
 28 of any state or local sales or use tax on the purchase, but shall be liable for the payment of an
 29 in-lieu watercraft tax, which is hereby imposed. The fee in lieu of tax imposed pursuant to this
 30 section shall not apply to United States Coast Guard registered vessels purchased for purposes
 31 of marine construction including, but not limited to, barges, dredges, marine cranes, and other
 32 marine equipment utilized for construction or dredging of waterways. The in-lieu watercraft tax
 33 shall be collected by the director of revenue and deposited in the state treasury to the credit of
 34 general revenue and shall be appropriated for use by the water patrol division. Watercraft dealers
 35 in this state shall report to the director of revenue on forms furnished by the director the sale of
 36 each watercraft sold to a resident of this state. If the watercraft is registered and licensed
 37 pursuant to the provisions of this chapter and all applicable sales taxes have been paid, the
 38 director shall not collect the in-lieu tax imposed by this subsection. If the watercraft is registered
 39 with the United States Coast Guard or other agency of the federal government and not under the
 40 provisions of this chapter the director shall bill the purchaser of the watercraft for the in-lieu tax
 41 imposed by this subsection. Any person who fails to pay the in-lieu tax due under this section,
 42 within thirty days after receipt of the bill from the director of revenue, shall be liable to the same
 43 penalties imposed by law for failure to pay sales and use taxes due the state. The in-lieu tax shall
 44 be determined as follows:

		PURCHASE PRICE OF WATERCRAFT		TAX DUE
45				
46		Less than	\$ 15,000	\$ 500.00
47		\$ 15,001	to \$ 30,000	650.00
48		\$ 30,001	to \$ 50,000	1,000.00
49		\$ 50,001	to \$100,000	1,400.00
50		\$100,001	to \$150,000	2,000.00
51		\$150,001	to \$200,000	3,000.00
52		\$200,001	to \$250,000	4,000.00
53		\$250,001	to \$300,000	5,000.00
54		\$300,001	to \$350,000	5,500.00
55		\$350,001	to \$400,000	6,000.00
56		\$400,001	to \$450,000	6,500.00
57		\$450,001	to \$500,000	7,500.00

58	\$500,001	to	\$550,000	8,500.00
59	\$550,001	to	\$650,000	9,500.00
60	\$650,001	to	\$750,000	10,500.00
61	\$750,001		and above	add an additional
62				
63			1,500.00	for each
64			\$100,000	increment

65 3. The registration decals for any vessel documented by the United States Coast Guard
 66 shall be in force and effect for a period of three years so long as the vessel is owned or held by
 67 the original holder of the certificate of registration and shall be renewed upon application and
 68 payment of a registration renewal fee equal to the amount required for a certificate of number
 69 under section 306.030. The owner shall attach the registration decals to both sides of the forward
 70 half of the bow of the documented vessel in a place that is fully visible.

71 4. The department of revenue may issue a temporary vessel certificate of registration
 72 authorizing the operation of a vessel to be documented by the United States Coast Guard for not
 73 more than sixty days. The temporary registration shall be made available by the department of
 74 revenue and may be purchased from the department of revenue or from a dealer upon proof of
 75 purchase of a vessel. The department shall make temporary certificates of registration available
 76 to registered dealers in this state in sets of ten. The fee for the temporary certificates of
 77 registration shall be five dollars each. No dealer shall charge more than five dollars for each
 78 temporary certificate of registration issued. The temporary registration shall be valid for a period
 79 of sixty days from the date of issuance by the department of revenue to the purchaser of the
 80 vessel or from the date of sale of the vessel by a dealer from which the purchaser obtains a
 81 certificate of registration. The temporary certificate of registration shall be issued on a form
 82 prescribed by the department of revenue and issued only for the purchaser's use in the operation
 83 of the vessel purchased to enable the purchaser to legally operate the vessel while a certificate
 84 of registration is being obtained, and shall be displayed on no other vessel. Temporary
 85 certificates of registration issued under this section shall not be transferable or renewable and
 86 shall not be valid upon issuance of a proper certificate of registration. The dealer or authorized
 87 agent shall insert the date of issuance and expiration date, year, make and the manufacturer's
 88 identification number of the vessel on the temporary registration when issued to the purchaser.
 89 The dealer shall complete the information on the temporary registration in full. Every dealer that
 90 issues a temporary certificate of registration shall keep, for inspection by authorized officers, a
 91 correct record of each temporary certificate of registration issued by the dealer by recording the
 92 registration number, purchaser's name and address, year, make and manufacturer's identification

93 number of the vessel on which the temporary certificate of registration is to be used and the date
94 of issuance.

95 5. Upon the sale or transfer of any vessel documented by the United States Coast Guard
96 for which a certificate of registration has been issued, the registration shall be terminated. If the
97 new owner elects to have the vessel documented by the United States Coast Guard, the new
98 owner shall submit, in addition to the properly assigned certificate of registration, proof of
99 release from the documentation provided by the United States Coast Guard and shall comply
100 with the provisions of this section. If the new owner elects not to document the vessel with the
101 United States Coast Guard, the owner shall comply with the applicable provisions of this chapter.

102 6. The certificate of registration shall be available at all times for inspection on the vessel
103 for which it is issued, whenever the vessel is in operation.

306.031. 1. If an original, manufacturer's, or other distinguishing number on any
2 ~~[outboard motor or]~~ vessel has been destroyed, removed, covered, altered, defaced or is
3 otherwise nonexistent, the director of revenue, upon application, payment of seven dollars and
4 fifty cents, proper inspection, and satisfactory proof of ownership by the owner, shall issue a new
5 or replacement identification number plate to be affixed to the ~~[outboard motor or]~~ vessel. The
6 number plate shall be in the form prescribed by the director of revenue.

7 2. The owner or the owner's designee shall securely fasten the identification number
8 plate immediately to the outside of the ~~[outboard motor or]~~ vessel close to the area where the
9 original or manufacturer's identification number plate would typically be. After the identification
10 number plate has been secured to the ~~[outboard motor or]~~ vessel as required, such number shall
11 be the lawful number of the ~~[outboard motor or]~~ vessel for the purpose of identification and
12 registration. No person shall destroy, remove, cover, alter or deface such number. Any person
13 who violates the provisions of this subsection is guilty of a class B misdemeanor.

306.035. The form of the certificate of title prescribed by section 306.030 shall be set
2 by the director of revenue, and the certificate of title shall be issued as nearly as practicable as
3 certificates of title for outboard motors are issued under the provisions of sections 306.530 to
4 ~~[306.575]~~ **306.465**.

306.400. 1. As used in sections 306.400 to 306.440, the terms motorboat, vessel, and
2 watercraft shall have the same meanings given them in section 306.010~~], and the term outboard
3 motor shall include outboard motors governed by section 306.530].~~

4 2. Unless excepted by section 306.425, a lien or encumbrance on ~~[an outboard motor,]~~
5 a motorboat, vessel, or watercraft shall not be valid against subsequent transferees or lienholders
6 of the ~~[outboard motor,]~~ motorboat, vessel or watercraft, who took without knowledge of the lien
7 or encumbrance unless the lien or encumbrance is perfected as provided in sections 306.400 to
8 306.430.

9 3. A lien or encumbrance on ~~[an outboard motor,]~~ a motorboat, vessel or watercraft is
10 perfected by the delivery to the director of revenue of a notice of lien in a format as prescribed
11 by the director. Such lien or encumbrance shall be perfected as of the time of its creation if the
12 delivery of the items required in this subsection to the director of revenue is completed within
13 thirty days thereafter, otherwise such lien or encumbrance shall be perfected as of the time of the
14 delivery. A notice of lien shall contain the name and address of the owner of the ~~[outboard~~
15 ~~motor,]~~ motorboat, vessel or watercraft and the secured party, a description of the ~~[outboard~~
16 ~~motor,]~~ motorboat, vessel or watercraft motor, including any identification number, and such
17 other information as the department of revenue may prescribe. A notice of lien substantially
18 complying with the requirements of this section is effective even though it contains minor errors
19 which are not seriously misleading. Provided the lienholder submits complete and legible
20 documents, the director of revenue shall mail confirmation or electronically confirm receipt of
21 each notice of lien to the lienholder as soon as possible, but no later than fifteen business days
22 after the filing of the notice of lien.

23 4. Notwithstanding the provisions of section 306.410, on a refinance by a different lender
24 of a prior loan secured by ~~[an outboard motor,]~~ a motorboat, vessel or watercraft, a lien is
25 perfected by the delivery to the director of revenue of a notice of lien completed by the
26 refinancing lender in a format prescribed by the director of revenue.

27 5. Liens may secure future advances. The future advances may be evidenced by one or
28 more notes or other documents evidencing indebtedness and shall not be required to be executed
29 or delivered prior to the date of the future advance lien securing them. The fact that a lien may
30 secure future advances shall be clearly stated on the security agreement and noted as "subject to
31 future advances" in the second lienholder's portion of the notice of lien. To secure future
32 advances when an existing lien on ~~[an outboard motor,]~~ a motorboat, vessel or watercraft does
33 not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure
34 future advances. A lien to secure future advances is perfected in the same time and manner as
35 any other lien, except as follows. Proof of the lien for future advances is maintained by the
36 department of revenue; however, there shall be additional proof of such lien when the notice of
37 lien reflects such lien for future advances, is receipted for by the department of revenue, and
38 returned to the lienholder.

39 6. Whether ~~[an outboard motor,]~~ a motorboat, vessel, or watercraft is subject to a lien
40 or encumbrance shall be determined by the laws of the jurisdiction where the ~~[outboard motor,]~~
41 motorboat, vessel, or watercraft was when the lien or encumbrance attached, subject to the
42 following:

43 (1) If the parties understood at the time the lien or encumbrances attached that the
44 ~~[outboard motor,]~~ motorboat, vessel, or watercraft would be kept in this state and it is brought

45 into this state within thirty days thereafter for purposes other than transportation through this
46 state, the validity and effect of the lien or encumbrance in this state shall be determined by the
47 laws of this state;

48 (2) If the lien or encumbrance was perfected pursuant to the laws of the jurisdiction
49 where the [~~outboard motor,~~] motorboat, vessel, or watercraft was when the lien or encumbrance
50 attached, the following rules apply:

51 (a) If the name of the lienholder is shown on an existing certificate of title or ownership
52 issued by that jurisdiction, his or her lien or encumbrance continues perfected in this state;

53 (b) If the name of the lienholder is not shown on an existing certificate of title or
54 ownership issued by the jurisdiction, the lien or encumbrance continues perfected in this state
55 for three months after the first certificate of title of the [~~outboard motor,~~] motorboat, vessel, or
56 watercraft is issued in this state, and also thereafter if, within the three-month period, it is
57 perfected in this state. The lien or encumbrance may also be perfected in this state after the
58 expiration of the three-month period, in which case perfection dates from the time of perfection
59 in this state;

60 (3) If the lien or encumbrance was not perfected pursuant to the laws of the jurisdiction
61 where the [~~outboard motor,~~] motorboat, vessel, or watercraft was when the lien or encumbrance
62 attached, it may be perfected in this state, in which case perfection dates from the time of
63 perfection in this state;

64 (4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2)
65 or subdivision (3) of this subsection in the same manner as provided in subsection 3 of this
66 section.

67 7. The director of revenue shall by rules and regulations establish a security procedure
68 to verify that an electronic notice or lien or notice of satisfaction of a lien on [~~an outboard~~
69 ~~motor,~~] a motorboat, vessel or watercraft given pursuant to sections 306.400 to 306.440 is that
70 of the lienholder, to verify that an electronic notice of confirmation of ownership and perfection
71 of a lien given pursuant to section 306.410 is that of the director of revenue and to detect error
72 in the transmission or the content of any such notice. Such a security procedure may require the
73 use of algorithms or other codes, identifying words or numbers, encryption, callback procedures
74 or similar security devices. Comparison of a signature on a communication with an authorized
75 specimen signature shall not by itself constitute a security procedure.

306.405. 1. All certificates of title of [~~an outboard motor,~~] a motorboat, vessel, or
2 watercraft issued by the director of revenue shall be mailed to the owner named therein. If the
3 certificate of ownership is being held electronically by the director of revenue at the election of
4 a lienholder, then confirmation of such ownership shall be electronically transmitted or mailed
5 to the first lienholder named in such certificate.

6 2. A lienholder may elect to have the director of revenue retain possession of an
7 electronic certificate of title and the director shall issue regulations to govern the procedure for
8 making such an election. Each such certificate of title shall require a separate election unless the
9 director provides otherwise by regulation. A subordinate lienholder shall be bound by the
10 election of the superior lienholder with respect to the certificate involved.

11 3. "Electronic certificate of title" means any electronic record of ownership, including
12 liens that may be recorded.

 306.410. 1. If an owner creates a lien or encumbrance on ~~[an outboard motor,]~~ a
2 motorboat, vessel, or watercraft:

3 (1) The owner shall immediately execute the application, either in the space provided
4 therefor on the certificate of title or on a separate form the director of revenue prescribes, to
5 name the lienholder on the certificate of title, showing the name and address of the lienholder
6 and the date of his or her security agreement, and shall cause the certificate of title, the
7 application and the required fee to be mailed or delivered to the director of revenue. Failure of
8 the owner to do so is a class A misdemeanor;

9 (2) The lienholder or an authorized agent licensed pursuant to sections 301.112 to
10 301.119 shall deliver to the director of revenue a notice of lien as prescribed by the director
11 accompanied by all other necessary documentation to perfect a lien pursuant to section 306.400;

12 (3) To perfect a lien for a subordinate lienholder when a transfer of ownership occurs,
13 the subordinate lienholder shall either mail or deliver, or cause to be mailed or delivered, a
14 completed notice of lien to the department of revenue, accompanied by authorization from the
15 first lienholder. The owner shall ensure the subordinate lienholder is recorded on the application
16 for title at the time the application is made to the department of revenue. To perfect a lien for
17 a subordinate lienholder when there is no transfer of ownership, the owner or lienholder in
18 possession of the certificate shall either mail or deliver, or cause to be mailed or delivered, the
19 owner's application for title, certificate, notice of lien, authorization from the first lienholder and
20 title fee to the department of revenue. The delivery of the certificate and executing a notice of
21 authorization to add a subordinate lien does not affect the rights of the first lienholder under the
22 security agreement;

23 (4) Upon receipt of the documents and fee required in subdivision (3) of this section, the
24 director of revenue shall issue a new certificate of title containing the name and address of the
25 new lienholder, and mail the certificate of title to the owner named in it or if a lienholder has
26 elected to have the director of revenue retain possession of an electronic certificate of title, the
27 lienholder shall either mail or deliver to the director a notice of authorization for the director to
28 add a subordinate lienholder to the existing certificate as prescribed in section 306.405. Upon
29 receipt of such authorization and a notice of lien from a subordinate lienholder, the director shall

30 add the subordinate lienholder to the certificate of title being electronically retained by the
31 director and provide confirmation of the addition to both lienholders.

32 2. When an owner wants to add or delete a name or names on an application for
33 certificates of title of [~~an outboard motor,~~] a motorboat, vessel, or watercraft that would cause
34 it to be inconsistent with the name or names listed on the notice of lien, the owner shall provide
35 the director with documentation evidencing the lienholder's authorization to add or delete a name
36 or names on an application for certificate of title.

306.415. 1. A lienholder may assign, absolutely or otherwise, his or her lien or
2 encumbrance on the [~~outboard motor,~~] motorboat, vessel, or watercraft to a person other than the
3 owner without affecting the interest of the owner or the validity or effect of the lien or
4 encumbrance, but any person without notice of the assignment is protected in dealing with the
5 lienholder as the holder of the lien or encumbrance and the lienholder shall remain liable for any
6 obligations as lienholder until the assignee is named as lienholder on the certificate of title.

7 2. An assignee pursuant to subsection 1 of this section may, but need not to perfect the
8 assignment, have the certificate of title issued with the assignee named as lienholder, upon
9 delivering to the director of revenue the certificate of title, an assignment by the lienholder
10 named in the certificate of title, and the required fee in the form the director of revenue
11 prescribes.

12 3. If the certificate of title is being electronically retained by the director of revenue, the
13 original lienholder may mail or deliver a notice of assignment of lien to the director in a form
14 prescribed by the director. Upon receipt of notice of assignment, the director shall update the
15 electronic certificate of title to reflect the assignment of lien and lienholder.

306.420. 1. Upon the satisfaction of a lien or encumbrance on [~~an outboard motor,~~] a
2 motorboat, vessel, or watercraft, the lienholder shall within ten days execute a release of his or
3 her lien or encumbrance on the certificate, on a separate document, or electronically under
4 section 32.096 and any rules and regulations adopted thereunder, and mail or deliver the
5 certificate or separate document to the owner or any person who delivers to the lienholder an
6 authorization from the owner to receive the documentation. The release on the certificate or
7 separate document shall be notarized. Each perfected subordinate lienholder, if any, shall release
8 such lien or encumbrance as provided in this section for the first lienholder. The owner may
9 cause the certificate of title, the release, and the required fee to be mailed or delivered to the
10 director of revenue, who shall release the lienholder's rights on the certificate and issue a new
11 certificate of title.

12 2. If the electronic certificate of title is in the possession of the director of revenue, the
13 lienholder shall notify the director within ten business days of any release of lien and provide the
14 director with the most current address of the owner. The director shall note such release on the

15 electronic certificate and if no other lien exists, the director shall mail or deliver the certificate
16 free of any lien to the owner.

17 3. Any person who knowingly and intentionally sends in a separate document releasing
18 a lien of another without authority to do so shall be guilty of a class D felony.

306.425. 1. Sections 306.400 to 306.430 shall not apply to or affect:

2 (1) A lien given by statute or rule of law to a supplier of services or materials for the
3 ~~[outboard motor,]~~ motorboat, vessel, or watercraft;

4 (2) A lien given by statute to the United States, this state or any political subdivision of
5 this state;

6 (3) A lien or encumbrance on ~~[an outboard motor,]~~ a motorboat, vessel, or watercraft
7 created by a manufacturer or dealer who holds the ~~[outboard motor,]~~ motorboat, vessel, or
8 watercraft for sale.

9 2. The method provided in sections 306.400 to 306.430 of perfecting and giving notice
10 of liens or encumbrances subject to sections 306.400 to 306.430 is exclusive.

306.430. All transactions involving liens or encumbrances on ~~[outboard motors,]~~
2 motorboats, vessels, or watercraft entered into before July 1, 2003, and the rights, duties, and
3 interests flowing from such transactions shall remain valid after July 1, 2003, and may be
4 terminated, completed, consummated, or enforced as required or permitted by any statute or
5 other law amended or repealed by sections 306.400 to 306.430 as though such repeal or
6 amendment had not occurred.

306.435. 1. When the holder of any indebtedness secured by a security agreement or
2 other contract for security covering ~~[an outboard motor,]~~ a motorboat, vessel, or watercraft who
3 has a notice of lien on file with the director of revenue repossesses the ~~[outboard motor,]~~
4 motorboat, vessel, or watercraft either by legal process or in accordance with the terms of a
5 contract authorizing the repossession of the ~~[outboard motor,]~~ motorboat, vessel, or watercraft
6 without legal process, the holder may obtain a certificate of ownership from the director of
7 revenue upon presentation of:

8 (1) An application form furnished by the director of revenue which shall contain a full
9 description of the ~~[outboard motor,]~~ motorboat, vessel, or watercraft and the manufacturer's or
10 other identifying number;

11 (2) A notice of lien receipt or the original certificate of ownership reflecting the holder's
12 lien; and

13 (3) An affidavit of the holder, certified under penalties of perjury for making a false
14 statement to a public official, that the debtor defaulted in payment of the debt, and that the holder
15 repossessed the ~~[outboard motor,]~~ motorboat, vessel, or watercraft either by legal process or in
16 accordance with the terms of the contract, and the specific address where the ~~[outboard motor,]~~

17 motorboat, vessel, or watercraft is held. Such affidavit shall also state that the lienholder has the
18 written consent from all owners or lienholders of record to repossess the [~~outboard motor,~~]
19 motorboat, vessel, or watercraft or has provided all the owners or lienholders with written notice
20 of the repossession.

21 2. On [~~an outboard motor,~~] a motorboat, vessel, or watercraft, the lienholder shall first
22 give:

23 (1) Ten days' written notice by first class United States mail, postage prepaid, to each of
24 the owners and other lienholders, if any, of the [~~outboard motor,~~] motorboat, vessel, or watercraft
25 at each of their last mailing addresses as shown by the last prior certificate of ownership, if any
26 issued, or the most recent address on the lienholder's records, that an application for a
27 repossessed title will be made; or

28 (2) The lienholder may, ten days prior to applying for a repossession title, include the
29 information in the above notice in the appropriate uniform commercial code notice under
30 sections 400.9-613 or 400.9-614. Such alternative notice to all owners and lienholders shall be
31 valid and enforceable under both the uniform commercial code and this section, provided it
32 otherwise complies with the provisions of the uniform commercial code.

33 3. Upon the holder's presentation of the papers required by subsection 1 of this section
34 and the payment of a fee of ten dollars, the director of revenue, if he is satisfied with the
35 genuineness of the papers, shall issue and deliver to the holder a certificate of title which shall
36 be in its usual form except it shall be clearly captioned "Repossessed Title". Each repossessed
37 title so issued shall, for all purposes, be treated as an original certificate of ownership and shall
38 supersede the outstanding certificate of ownership, if any, and duplicates thereof, if any, on the
39 [~~outboard motor,~~] motorboat, vessel, or watercraft, all of which shall become null and void.

40 4. In any case where there is no certificate of ownership, or duplicate thereof, outstanding
41 in the name of the debtor on the repossessed [~~outboard motor,~~] motorboat, vessel, or watercraft,
42 the director of revenue shall issue a repossessed title to the holder and shall proceed to collect
43 all unpaid fees, taxes, charges and penalties from the debtor as provided in sections 306.015,
44 306.030, 306.530 and 306.535, in addition to the fee specified in subsection 3 of this section.

45 5. The director of revenue may prescribe rules and regulations for the effective
46 administration of this section. Any rule or portion of a rule, as that term is defined in section
47 536.010, that is created under the authority delegated in this section shall become effective only
48 if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
49 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
50 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove
51 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority
52 and any rule proposed or adopted after August 28, 2006, shall be invalid and void.

306.440. Failure by the owner to indicate the lienholder of a lien or encumbrance
2 attached to the [~~outboard motor,~~] motorboat, vessel, or watercraft at time of making application
3 for title is a class A misdemeanor.

306.455. When the director of revenue issues a certificate of title for [~~an outboard motor~~
2 ~~or~~] a vessel in the names of two or more persons, it shall be presumed that ownership of the
3 [~~outboard motor or~~] vessel is held by the persons shown on the title as joint tenants with right
4 of survivorship or as tenants by the entirety if the owners are husband and wife, unless at the time
5 the application for a certificate of title is filed with the director of revenue, the application states
6 that ownership of the [~~outboard motor or~~] vessel is held as tenants in common.

306.456. A certificate of title for [~~an outboard motor or~~] a vessel issued in the name of
2 only one person, on application of that person and payment of the fee required for an original
3 certificate of title, may be surrendered to and a new certificate issued by the director of revenue
4 in the name of that person and one or more other persons; and the current valid certificate of
5 number shall be so transferred into the names of the owners shown on the new certificate.

306.458. 1. A certificate of title for [~~an outboard motor or~~] a vessel issued in the names
2 of two or more persons that does not show on the face of the certificate that the persons hold
3 their interest in the [~~outboard motor or~~] vessel as tenants in common, on death of one of the
4 named persons, may be transferred to the surviving owner or owners. On proof of death of one
5 of the persons in whose names the certificate was issued, surrender of the outstanding certificate
6 of title, and on application and payment of the fee for an original certificate of title, the director
7 of revenue shall issue a new certificate for the [~~outboard motor or~~] vessel to the surviving owner
8 or owners; and the current valid certificate of number shall be so transferred. The directive to
9 the director of revenue also shall permit the beneficiary or beneficiaries to make one
10 reassignment of the original certificate of ownership upon the death of the owner to another
11 owner without transferring the certificate to the beneficiary or beneficiaries name.

2. A certificate of title for [~~an outboard motor or~~] a vessel, issued in the names of two
13 or more persons that shows on its face that the persons hold their interest in the [~~outboard motor~~
14 ~~or~~] vessel as tenants in common, on death of one of the named persons, may be transferred by
15 the director of revenue on application by the surviving owners and the personal representative
16 or successors of the deceased owner. Upon being presented proof of death of one of the persons
17 in whose names the certificate of title was issued; surrender of the outstanding certificate of title,
18 and on application and payment of the fee for an original certificate of title, the director of
19 revenue shall issue a new certificate of title for the [~~outboard motor or~~] vessel to the surviving
20 owners and personal representative or successors of the deceased owner; and the current valid
21 certificate of number shall be transferred.

306.461. 1. A sole owner of ~~[an outboard motor or]~~ a vessel, and multiple owners of ~~[an outboard motor or]~~ a vessel who hold their interest as joint tenants with right of survivorship or as tenants by the entirety, on application and payment of the fee required for an original certificate of title, may request the director of revenue to issue a certificate of title for the ~~[outboard motor or]~~ vessel in beneficiary form which includes a directive to the director of revenue to transfer the certificate of title on death of the sole owner or on death of all multiple owners to one beneficiary or to two or more beneficiaries as joint tenants with right of survivorship or as tenants by the entirety named on the face of the certificate.

2. A certificate of title in beneficiary form may not be issued to persons who hold their interest in ~~[an outboard motor or]~~ a vessel as tenants in common.

3. A certificate of title issued in beneficiary form shall include after the name of the owner, or after the names of multiple owners, the words "transfer on death to" or the abbreviation "TOD" followed by the name of the beneficiary or beneficiaries.

4. (1) During the lifetime of a sole owner or prior to the death of the last surviving multiple owner, the signature or consent of the beneficiary or beneficiaries shall not be required for any transaction relating to the ~~[outboard motor or]~~ vessel for which a certificate of title in beneficiary form has been issued.

(2) A certificate of title in beneficiary form may be revoked or the beneficiary or beneficiaries changed at any time before the death of the sole owner or the last surviving multiple owner only by the following methods:

(a) By a sale of the ~~[outboard motor or]~~ vessel with proper assignment and delivery of the certificate of title to another person; or

(b) By surrender of the outstanding certificate of title and filing an application to reissue the certificate of title with no designation of a beneficiary or with the designation of a different beneficiary or beneficiaries with the director of revenue in proper form and accompanied by the payment of the fee for an original certificate of title.

(3) The beneficiary's or beneficiaries' interest in the ~~[outboard motor or]~~ vessel at death of the owner or surviving owner shall be subject to any contract of sale, assignment of ownership or security interest to which the owner or owners of the ~~[outboard motor or]~~ vessel were subject during their lifetime.

(4) The designation of a beneficiary or beneficiaries in a certificate of title issued in beneficiary form may not be changed or revoked by a will, any other instrument, or a change in circumstances, or otherwise be changed or revoked except as provided by subdivision (2) of this subsection.

5. (1) On proof of death of one of the owners of two or more multiple owners, or of a sole owner, surrender of the outstanding certificate of title, and on application and payment of

37 the fee for an original certificate of title, the director of revenue shall issue a new certificate of
 38 title for the outboard ~~[motor or]~~ vessel to the surviving owner or owners or, if none, to the
 39 surviving beneficiary or beneficiaries, subject to any outstanding security interest; and the current
 40 valid certificate of number shall be so transferred. If the surviving beneficiary or beneficiaries
 41 make a request of the director of revenue, the director may allow the beneficiary or beneficiaries
 42 to make one assignment of title.

43 (2) The director of revenue may rely on a death certificate or record or report that
 44 constitutes prima facie proof or evidence of death under subdivisions (1) and (2) of section
 45 472.290.

46 (3) The transfer of ~~[an outboard motor or]~~ a vessel at death pursuant to this section is
 47 effective by reason of sections 301.675 to 301.682 and sections 306.455 to 306.465, and is not
 48 to be considered testamentary, or to be subject to the requirements of section 473.087 or section
 49 474.320.

~~[306.530. 1. The owner of an outboard motor kept within this state shall
 2 cause it to be registered in the office of the director of revenue who shall issue a
 3 certificate of title for the same.~~

~~4 ————— 2. The owner of any outboard motor acquired or brought into the state
 5 shall file his application for registration and pay the fee within sixty days after it
 6 is acquired or brought into this state. The director of revenue may grant
 7 extensions of time for registration to any person in deserving cases.~~

~~8 ————— 3. Any make of outboard motor older than 1960 which is owned solely
 9 as a collector's item and which is used and intended to be used for exhibition and
 10 educational purposes only and will not be used on the waterways of this state will
 11 be exempt from titling and registration pursuant to this chapter.]~~

12

~~[306.532. Effective August 28, 2012, the certificate of title for a new
 2 outboard motor shall designate the year the outboard motor was manufactured as
 3 the "Year Manufactured" and shall further designate the year the dealer received
 4 the new outboard motor from the manufacturer as the "Model Year-NEW". Any
 5 outboard motor manufactured on or after July first of any year shall be labeled
 6 with the "Year Manufactured" with the calendar year immediately following the
 7 year manufactured, unless the manufacturer indicates a specific model or program
 8 year.]~~

9

~~[306.535. 1. Applications shall be made on forms prescribed and
 2 furnished to the applicant, upon demand, by the director of revenue.~~

3 ~~2. The application shall contain a brief description of the outboard motor~~
4 ~~to be registered, the name of manufacturer, the factory number or serial number,~~
5 ~~the type and color of the outboard motor, the amount of motive power stated in~~
6 ~~figures of horsepower, and the name and address, including county, of the owner;~~
7 ~~and a declaration and affidavit of ownership, showing the date and from whom~~
8 ~~purchased.~~

9 ~~3. The fee for registering and issuing a license shall be two dollars, and~~
10 ~~the fee for a certificate of title shall be five dollars, both of which fees shall be~~
11 ~~paid to the director of revenue at the time of making the application.~~

12 ~~4. If application for the certificate of title is not made within sixty days~~
13 ~~after the outboard motor is acquired or brought into the state by the applicant, a~~
14 ~~delinquency penalty fee of ten dollars for each thirty days of delinquency, not to~~
15 ~~exceed a total of thirty dollars, shall be imposed. If the director of revenue learns~~
16 ~~that any person has failed to make application for a certificate of title within sixty~~
17 ~~days after acquiring or bringing into the state an outboard motor or has sold an~~
18 ~~outboard motor without obtaining a certificate of title, he shall cancel the~~
19 ~~registration of all outboard motors registered in the name of the person, either as~~
20 ~~sole owner or as a co-owner, and shall notify the person that the cancellation shall~~
21 ~~remain in force until the person pays the delinquency penalty fee provided in this~~
22 ~~subsection together with all fees, charges and payments which he should have~~
23 ~~paid in connection with the certificate of title and registration of the outboard~~
24 ~~motor.]~~

25

~~[306.540. Upon receipt of an application for registration of an outboard~~
2 ~~motor the director of revenue shall file the application in his office and register~~
3 ~~the described outboard motor, with the name, residence and business address of~~
4 ~~the owner, together with the essential facts stated in the application, in a book or~~
5 ~~books to be kept by him for the purpose, under the registration number to be~~
6 ~~assigned by him to the described outboard motor, which book, or books shall be~~
7 ~~open to public inspection during reasonable business hours.]~~

8

~~[306.545. 1. Upon the payment of the registration fee and the approval~~
2 ~~of the application, the director of revenue shall assign a registration number to the~~
3 ~~described outboard motor by which it may be identified during the current~~
4 ~~registration period; and shall issue and deliver to the applicant a certificate of~~
5 ~~registration containing the manufacturer's identification number or serial number,~~

6 name and address of the owner, and other particulars shown in the application,
7 together with one decal which shall contain the outboard motor registration
8 number. The decal shall be in a form as the director shall prescribe.

9 ~~2. The owner shall secure the registration decal to the outside of the~~
10 ~~outboard motor in a conspicuous place. Unless otherwise provided by law, no~~
11 ~~person shall operate, use or keep any outboard motor in this state unless a~~
12 ~~registration decal is affixed.]~~
13

~~[306.550. 1. When the certificate forms are printed, the director of~~
2 ~~revenue shall cause to be printed on the reverse side, a form for transfer of title~~
3 ~~to be used by the owner if the owner sells the registered outboard motor; to be~~
4 ~~completed and signed by the owner and delivered to the purchaser or transferee,~~
5 ~~as evidence of title.~~

6 ~~2. When an outboard motor is transferred, the seller shall remove the~~
7 ~~registration number decal from the outboard motor. The purchaser shall within~~
8 ~~thirty days thereafter file an application for registration of the outboard motor in~~
9 ~~the purchaser's name, accompanied by the transfer of title duly executed, and~~
10 ~~accompanied by the registration fee which shall be the same as though no former~~
11 ~~registration had been made.~~

12 ~~3. The department of revenue may issue a one-time temporary~~
13 ~~registration number authorizing the operation of an outboard motor by a~~
14 ~~purchaser for not more than thirty days. A temporary registration issued under~~
15 ~~this section is not renewable. The department of revenue shall provide the~~
16 ~~temporary registration numbers. A person may purchase a temporary registration~~
17 ~~number from the department of revenue with proof of purchase of an outboard~~
18 ~~motor, or from the dealer, when the outboard motor is purchased. The~~
19 ~~department shall provide temporary registration numbers to registered dealers in~~
20 ~~this state in sets of ten registration numbers. The fee for the temporary~~
21 ~~registration number shall be two dollars for each registration number issued. A~~
22 ~~dealer may not charge more than two dollars for each registration number issued~~
23 ~~by the dealer. A registration number is valid for the legal operation of an~~
24 ~~outboard motor only by the purchaser of the outboard motor from the date the~~
25 ~~certificate is issued for either thirty days or until proper registration has been~~
26 ~~obtained, whichever first occurs. A registration number may not be transferred~~
27 ~~or displayed on any outboard motor other than the outboard motor for which it~~

28 was issued. The department of revenue shall determine the size and numbering
29 configuration, construction, and color of the temporary registration number.

30 ~~4. The department of revenue or the dealer or the dealer's authorized~~
31 ~~agent shall insert the date of issuance and expiration, year, make and~~
32 ~~manufacturer's identification number of the outboard motor on the temporary~~
33 ~~registration number when issued to the buyer. The dealer shall also insert the~~
34 ~~dealer's number on the temporary registration number. Every dealer that issues~~
35 ~~a temporary registration number shall keep, for inspection by authorized officers,~~
36 ~~an accurate record of each temporary registration number issued by the dealer by~~
37 ~~recording the registration number, buyer's name and address, year, make and~~
38 ~~manufacturer's identification number of the outboard motor on which the~~
39 ~~registration number is to be used, and the date of issuance.]~~

40

2 [306.555. For the purposes of reasonable and proper administration and
enforcement of the provisions of sections 306.530 to 306.575 all outboard motors
3 within this state shall be subject to inspection by peace officers.]

4

2 [306.560. The provisions of sections 306.530 to 306.575 requiring
registration of outboard motors in the office of the director of revenue of this
3 state shall not apply to manufacturers or dealers in new unregistered outboard
4 motors, nor shall it apply to nonresident persons who may be visiting or
5 vacationing in this state for not more than sixty consecutive days at one time, or
6 to outboard motors used on motorboats designed and intended solely for racing
7 while competing in any race previously approved by the water patrol division in
8 accordance with section 306.130, including operation within a twenty-four-hour
9 period prior to such approved race in order to test or tune up the outboard motor.]

10

2 [306.565. All registration fees and other fees and money received by the
director of revenue, pursuant to this law for registration of outboard motors, shall
3 be paid into the state treasury to the credit of the general revenue fund.]

4

2 [306.570. The director of revenue is authorized, at his discretion, to
destroy by burning with fire, any letters, correspondence, papers and documents,
3 remaining in the files, pertaining to the registration of outboard motors, after four
4 years from their date.]

5

2 ~~[306.575. Any person, firm, partner, organization, association or~~
3 ~~corporation, or any agent or officer thereof, required by sections 306.530 to~~
4 ~~306.575 to register an outboard motor and to pay the registration fee, who fails~~
5 ~~to do so in the time and manner prescribed, and any person who shall remove or~~
6 ~~obliterate the factory number or the serial number from any registered outboard~~
7 ~~motor or cause the same to be done without the written consent of the director of~~
8 ~~revenue, shall upon conviction be deemed guilty of a misdemeanor, and be~~
 ~~punished as provided by law.]~~

✓