

Motor Vehicle and Marinecraft Titling Manual



Revised: August 2021 MISSOURI TITLING MANUAL

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GENERAL INFORMATION

PHONE NUMBERS AND GENERAL TITLING INFORMATION

Motor Vehicle Information	573-526-3669
Titles	573-526-3669, Option 1
License Plates, Placards, and General Registration	573-526-3669, Option 2
Motor Vehicle Records, Individual Notice of Lien, and Notice of Sale Filing	573-526-3669, Option 3
Business and Dealer Licenses	573-526-3669, Option 7
Driver License Information	573-526-2407

You may submit an application for title at any Department of Revenue license office (visit <u>dor.mo.gov/offloc/</u> to find an office near you) or by mail to the Motor Vehicle Bureau, PO Box 100, Jefferson City, Missouri 65105-0100.

To obtain forms, visit our website at dor.mo.gov/forms/.

If you need to order forms:

- Visit our website at https://stateofmissouri.wufoo.com/forms/dor-request-for-mail-order-forms/;
- Call 573-526-3669; or
- Send a written request (including your business name, a contact name, a contact telephone number, the name of the form/number, quantity requested, and your complete address) to the following address:

Department of Revenue Motor Vehicle Bureau Attention: Form Order PO Box 100 Jefferson City, MO 65105-0100

Several forms may also be obtained from the Missouri Automobile Dealers Association (MADA) by ordering online at <u>www.madastore.com</u>, by calling 573-761-1020, or by written request to:

MADA Services Corporation PO Box 1309 Jefferson City, MO 65102

FEE INFORMATION

Fee Chart

Title Fees	Motor Vehicle, ATV, Manufactured Homes, Trailers	Boat or Vessel	Outboard Motors
Original	\$8.50	\$7.50	\$5.00
Duplicate	\$8.50	\$8.50	\$8.50
Non-Negotiable	\$8.50	N/A	N/A
Corrected	\$8.50	\$7.50	\$7.50
Repossessed	\$10.00	\$10.00	\$10.00
Mechanic Lien	\$10.00	N/A	N/A
Salvage	\$8.50	N/A	N/A
Reconstructed	\$8.50	N/A	N/A
Motor Change	\$8.50	N/A	N/A
Specially Constructed	\$8.50	N/A	N/A

Processing Fee

For each transaction processed there will be an additional:

- \$6 title processing/agent fee;
- \$6 registration processing/agent fee; and/or
- \$6 Notice of Lien processing/agent fee.

Title Penalty

All title penalties will be calculated based on the date of sale. The date of sale is the date on which an ownership document is assigned by the seller to the purchaser.

Motor Vehicle, Trailer, All-Terrain Vehicle (ATV), and Manufactured Homes (MFGHM)

Missouri law requires that applications for a certificate of title for a motor vehicle, trailer, manufactured home, or an ATV must be made within 30 days from the date of purchase.

A title penalty will be assessed for units not titled within 30 days after the date of purchase. A delinquent title penalty of \$25 for each 30 days of delinquency, not to exceed \$200, will be imposed.

When a dealer and purchaser complete an *Agreement for Delayed Delivery of Certificate of Ownership* (Form 5830), title penalties will not be imposed until 60 days after the purchase date when the dealer is authorized under Section 301.210, RSMo;

When a dealer and purchaser complete a *Motor Vehicle Dealer Agreement to Sell without Title* (Form <u>5620</u>), title penalties will not be imposed until 90 days after the purchase date when the dealer is authorized under <u>Section 301.213</u>, RSMo.

Vessel (Watercraft) and Outboard Motor

Missouri law requires that application for a certificate of title be made within 60 days after a vessel (watercraft) or outboard motor is purchased. (See <u>Section 7</u> for units that must be titled.)

A title penalty will be assessed on units not titled within 60 days after the date of purchase. A delinquent title penalty of \$10 for each 30 days of delinquency, not to exceed \$30, will be imposed.

REQUEST FOR RECORDS

The Federal Driver's Privacy Protection Act (DPPA) requires the Department to restrict access to *personal information contained in all Department records.* Personal information includes:

- Name;
- Address (excluding zip code);
- Photograph;
- Driver license number;
- Social Security Number;
- Motor vehicle sales tax information;
- Date of birth;
- Height, weight, sex, and eye color; and
- Medical and disability information.

A person or entity may only access the personal information if they are exempt under the Federal DPPA or they have obtained a signed, notarized consent form from the record holder. A notarized *Request from Record Holder* (Form 4681) may be used for this purpose. *Federal law prohibits the release of the social security number and motor vehicle sales or use tax information.*

The law also prohibits states from releasing personal information for bulk distribution for surveys, marketing, or solicitation unless a signed, notarized consent form from the record holder is submitted with each request.

Entities and persons who qualify to receive personal information contained in motor vehicle and marine titling and registration records must apply to receive a Security Access Code Number from the Motor Vehicle Bureau. Exempt entities and persons who qualify must complete, sign, and submit a notarized *Request for MV/DL Record(s)/Security Access Code* (Form 4678). If you do not have a security access code and are interested in obtaining one, please request an application by contacting the Department of Revenue as noted below:

Email: <u>dlrecords@dor.mo.gov</u> Fax: 573-526-7367 Phone: 573-526-3669, Option 6 Mail: PO Box 2167, Jefferson City, MO 65105-2167 Web: <u>dor.mo.gov/motorv/liendeal/</u>

No Security Access Code will be issued or authorized for bulk distribution or solicitation purposes.

Requests for copies of records from individuals other than owners or lienholders of the unit must be submitted in writing and must be accompanied by the required fee.

The *Request for Information* (Form 4803) tells you about each type of record search and what the applicant must submit to obtain the requested information. The form also lists the fees for each record search and explains the payment methods offered by the Motor Vehicle Bureau.

ACCESS DOR RECORDS ONLINE

By accessing <u>dor.mo.gov/motorv/liendeal/</u> dealers, lienholders, and other businesses that qualify under the Driver's Privacy Protection Act (DPPA) and are approved by the Department may access the Department's motor vehicle and marine title and lien records online. The online record search will check the Department's title, lien, and reject file, and provide the most recent record(s) in each file. The cost is \$0.0382 per record. If there is no record on file with the Department, the \$0.0382 is waived. A \$2 office processing fee may apply if purchased at a license office. Visit <u>dor.mo.gov/motorv/liendeal/</u> to apply for your online account number and security access code.

Section

MOTOR VEHICLE AND TRAILER TITLE

COMMON REASONS AN APPLICATION MAY BE DELAYED OR NOT PROCESSED

The following are reasons a title application may be delayed or returned by the Motor Vehicle Bureau. *Please be sure to complete all items on the title application.* An application that is incomplete or incorrect will be returned to the applicant or lienholder for correction.

- Title application is incomplete or not legible.
- Title application is not signed by at least one owner.
- A descriptive notarized lien release on the lienholder's letterhead or a *Notice of Lien, Lien Release, or Authorization to Add/Remove Name From Title* (Form 4809) was not submitted or is incomplete (must contain the year, make, vehicle identification number (VIN), lien release date, and signature of the authorized agent).
- The ownership document was not submitted or properly assigned.
 NOTE: A properly assigned ownership document must be obtained from the seller at the time of purchase. A properly assigned ownership document must include:
 - Signature(s) of all owners on the face of the document;
 - Signature of at least one purchaser, if applicable;
 - Odometer reading, if applicable;
 - Purchase price;
 - Date of sale, lien date, and the lienholder name and address.
- Incorrect taxes and fees were submitted with the application. Do not send cash by mail.
 - Use the Department's <u>online sales tax calculator</u> for an estimate of the *taxes*. See <u>page</u> <u>1-2</u> for fee information.

NOTE: To avoid a title penalty, you must submit your application for title and pay state and local taxes, within 30 days of the purchase date, for a motor vehicle, trailer, all-terrain vehicle, or manufactured home. See <u>Section 1</u> for title penalty information.

• An incomplete *Bill of Sale/Even-Trade Bill of Sale* (Form 1957) was submitted. The bill of sale must include a complete description of the unit, purchase price, date of sale, purchaser's name and address, and seller's name and address.

CERTIFICATE OF OWNERSHIP

<u>Section 301.190</u>, RSMo, establishes the requirements for issuing a certificate of ownership for a motor vehicle or trailer. The following provisions are included in this section of law:

- No registration or license shall be issued for a motor vehicle or trailer unless the applicant has applied for a certificate of ownership (title). An application for certificate of title must be made within 30 days of the purchase.
- The director of revenue shall use reasonable diligence in ascertaining whether the application and supporting documents are proper. If satisfied that the applicant is the lawful owner of such motor vehicle or trailer, the director of revenue shall issue a certificate of ownership in the manner prescribed by law.
- The director shall appropriately brand certificates of titles and print the most recent mileage information on the certificate.

- The certificate of ownership shall be manufactured in a manner to prohibit, as nearly as possible, the ability to alter, counterfeit, duplicate, or forge such certificate without ready detection.
- The titling fee for each motor vehicle or trailer shall be \$8.50, in addition to any fee(s) for registration. A title penalty will be assessed on units not titled within 30 days after the date of purchase. A delinquent title penalty of \$25 for each 30 days of delinquency, not to exceed \$200, will be imposed. A processing or agent fee will be assessed on each transaction.
- It is unlawful for any person to operate, in this state, a motor vehicle or trailer, required to be registered, under the provisions of the law unless a certificate of ownership has been issued as herein provided.
- A Vehicle Examination Certificate (Form 551) or comparable out-of-state inspection must be submitted with an application for title that is accompanied by an out-of-state title if a Missouri salvage title has been issued previously on the vehicle.
- A Vehicle Examination Certificate (Form 551) must be submitted with the application for an original Missouri certificate of title for any vehicle that is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director of revenue.
- An application for motor vehicle title accompanied by an out-of-state title must also be accompanied by an inspection performed by an <u>official inspection station</u> that verifies the vehicle's identification number and odometer reading.
- A Vehicle Examination Certificate (Form 551) must be submitted with the application for a Missouri certificate of title for any vehicle brought into Missouri in a wrecked or damaged condition. If the Form 551 indicates the vehicle is salvage or junk, the Missouri certificate of title will designate that.
- A brand code on an out-of-state title which indicates the vehicle as a kit, motor change reconstructed, specially constructed, non-USA-std vehicle will be carried forward to any subsequent Missouri certificate of title.

COMPLETION OF THE APPLICATION FOR MISSOURI TITLE AND LICENSE

On the following page is a sample of an *Application for Missouri Title and License* (Form 108). Instructions for completing the title application are on the pages that follow.

NOTE: DO NOT USE WHITEOUT ON AN APPLICATION FOR TITLE.

	_						TRANS TYPE	VIO	/ FALSE STATEMENT IN LATION OF THE LAW AND M IMPRISONMENT OR BOTH.	
							PLATES	DO	R USE ONLY — REJECT 5	NUMBER
								1	ENSE PLATE NO 3	BRAND CODE
6					CLIEN (6) SALVAGE	(9) DUP. SALV,	(No comple		nership) <mark>2</mark>
		OWNER'S NAME - LAST, FIRST, MIDDLE	(ONLY FIRST 50	POSITIONS WILL PRIN	T ON TITLE) INCL	UDING TOD	TOD BEN	IEFICIARIES,	IF APPLICABLE	
	OWNER	STREET ADDRESS (MUST BE A PHYSIC	AL ADDRESS - C	ANNOT BE A PO BOX C	R RURAL ROUTE)	COUNTY	10		L/R NUMBER
	NO	CITY		STATE	ZIP CODE				OUTSIDE CITY	TELEPHONE NUMBER
		E-MAIL YEAR MAKE VE		CATION NUMBER (IF	TYPING, DISREG/			1	5 BODY STYLE	\$ 40 REBATE
		16 17			18				19	\$ <mark>41</mark>
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		D - TRAILER C - TRIGYOLE B - BUS R - REG. VEHIGLE A - ATV		H.P. TAB NUMBE	^B 35	EXP. MO		CHECK BO PLATE DOE NOT EXPIR		NET PRICE \$ 44
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	AIL TO	1 FIRST LIEN			2 SECONDI	.IEN/MAIL TO			53 📥 STFA	SECURITY AGREEMENT DATE
	LIEN/MAIL	STREET ADDRESS, R.R. OR P.O. BOX N 51	UMBER		STREET ADDF	RESS, R.R. OF	P.O. BOX NUMI	BER		FEES
	Ξ	CITY	STATE	ZIP CODE	CITY			STATE	ZIP CODE	\$ 86 BESERVATION FEE
	żШ	TRADE-IN YEAR MAKE		ENUMBER 59	EXP. YEAR	FIRST LIEN BY SIGNING	HOLDER AUTH 3 HERE: *	IORIZES SE	COND LIEN 55	\$ 87 ADDITIONAL HP/DR/DRX
	TRANSFER	LICENSE TRANSFER VEHICLE IDENTIFICA			00	нр. тіл. 62	E NUMBER	63		\$ <mark>88</mark>
	m	CREDIT If this motor vehicle is registered at the time I have and will maintain, during the period of	application for title	e is made, my signature s		SIGNAT			R REQUIRED	TRANSFER FEE
	OWNEH GNATURI	motor vehicle that I own, license, or operate You must present your insurance card or o	e on the streets o	r highways	22 22	HEREIN AR	E TRUE TO THE	BEST OF M	A KNOWLEDGE."	FAILURE TO TRANS/RENEW \$ 90
	S	Any talse atfidavit is a crime under Section MO DEALER NUMBER DEALERSHIP NA		uri law.	CITY, STATE, ZIF	^{CODE} 67	04		TELEPHONE NUMBER	RENEWAL PENALTY \$ 91
	DEALER INFO.	"I CERTIFY UNDER PENALTY OF PERJU TRUE TO THE BEST OF MY KNOWLEDG	RY THAT THE FA	ACTS HEREIN ARE ®	SIGNATURE OF I		PRESENTATIVE		() 68 TRADE-IN 70 YES NO 70	TITLE PENALTY
10	~				N APPLIES TO APP ER RECEIVED - LO	LICANT'S SIGN	1 🗆 \$1 M	MISSOURI MED	\$1 ORGAN FUND 73	FUND DONATIONS
	TITLE ONLY	NOTARY PUBLIC EMBOSSER OR BLACK RUBBER STAMP SEAL	STATE				TY OF ST. LOUIS)	IF EXEM	D S1 S10 OTHER PT FROM STATE OR AL TAXES, ENTER	TITLE/QUICK/NOTARY FEE
		7	12	D SWORN BEFORE ME, THIS	S DAY OF				TION CODE HERE:	STATE TAX
	HALO I AL		NOTARY PUBLIC	SIGNATURE)	MY COMMISSI			FICE USE ONLY WGT. OF PLATE FORM 2290	LOCAL TAX
		ICE VALIDATION					75		S DIST. AMT.	subtotal
							REJECT	FEIN FEIN FEI SAFE	TY SITE CODE	\$ 97 PROCESSING OR AGENT FEE
			80			PRC	CESSED BY	MILEAGE DA		\$ 98 NOL PROCESSING FEE
							82			\$ 99 TOTAL
								JURRENUERE	D PLATE CREDIT	s 100

TITLE WITHIN THIRTY DAYS TO AVOID PENALTY

Form 108 (Revised 08-2021)

LINE	FORM SECTION	INSTRUCTION FOR COMPLETION					
1	Transaction Type	 Mark the appropriate box: : Renewal/Transfer Plates – Mark this box if the applicant wants to renew and transfer plates at the time application for title is made. Transfer Plates – Mark this box if the applicant only wants to transfer plates at the time application for title is made. New Plates – Mark this box if new plates are issued. Title Only – Mark this box if the applicant only wants to title a vehicle and does not wish to register it and obtain plates. NOTE: If there is no complete change of ownership (such as adding or dropping a name) and the vehicle already displays license plates, the current license plate and expiration year must be shown on the application. 					
2	Title and Notice of Lien	Mark when applying for a title and filing a Notice of Lien (NOL) with no complete change of ownership.					
3	License Plate Number	Record the license plate number at the time of application for title and or license. The license plate configuration must correspond with the kind of vehicle (KOV) described on the <i>Application for Missouri Title and License</i> (Form 108)					
4	Brand Code	 The transaction types listed below are processed through the <i>central office, only,</i> except prior salvage transactions that are accompanied by a certificate of title that has already been branded "prior salvage." The applicant should submit the transaction to the Missouri Department of Revenue, PO Box 2076, Jefferson City, MO, 65105-2076. A - Salvage Abandoned Property R - Reconstructed Motor Vehicle S - Specially Constructed Motor Vehicle M - Motor Change Vehicle N - Non USA Std P - Prior Salvage NOTE: If applying for an original title and the transaction is accompanied by a salvage certificate of title and a <i>Vehicle Examination Certificate</i> (Form 551) the applicant must submit the transaction to the central office, if applicable. 					
5	DOR Use Only	Reject Number - This box is used by the central office to record the reject number, if applicable.					
6	Title Type	Mark the appropriate box to indicate the type of title for which the applicant is applying. To ensure proper processing, the box must be marked clearly. Do not mark on or over the lines separating the title types.					
7	Transfer On Death/Tenants In Common	 Mark the "Transfer on Death" box if the applicant wants to name one or more beneficiaries on the title. The beneficiaries have no ownership rights until after the vehicle owner is deceased. Mark the "Tenants in Common" box if the applicant wishes to designate a form of ownership other than joint tenancy. When ownership is Tenants In Common and one owner is deceased, the remaining owner's percentage of ownership remains the same. The deceased owner's share must be transferred by Probate Court. 					
8	Owner's Name and Address	 Record the legal name(s) of the applicant(s) in the last name, first name, and middle initial sequence. Only the first 50 characters of the owner's name (including spaces) will print on the certificate of ownership. The 50 characters will include any TOD beneficiaries that may be designated. Record the actual street, city, state, and zip code of the applicant. Only 20 characters of the owner's street address will print on the face of the certificate of title. Record the actual city name. Example: If the applicant resides in Ladue, Missouri, the application should show Ladue, not St. Louis, Missouri. The following cities may be abbreviated: Alfferson City SL University City UC Kansas City KC Springfield 					

LINE	FORM SECTION	INSTRUCTION FOR COMPLETION		
9	TOD Beneficiaries	Record the beneficiary's name(s) if the "Transfer on Death" box is marked.		
10	County	Record the county name in which the applicant's address is located.		
11	Fleet Number	Record the fleet number assigned by the Department, if the vehicle is to display fleet vehicle license plates.		
12	L/R Number	Record the lease/rental number assigned by the Department, if the applicant is a lease rental company claiming an "Exemption 12" (Missouri sales tax will not be assessed on a vehicle acquired for lease/rental by a registered Missouri motor vehicle/marinecraft leasing company) as in the instructions for Line 74.		
13	Inside/Outside City Limits	Mark the applicable box if the applicant resides inside or outside the city limits.		
14	Telephone Number	Record a daytime telephone number where the applicant may be reached.		
15	DLN or FEIN	 The applicant's identification number should be recorded as: Individual Name - Enter the driver license number or Social Security number. Business Name - Enter the Federal Employee Identification Number (FEIN). 		
16	Year	Record at least the last two digits of the vehicle's model year. <i>Example:</i> For 2014 record 14.		
17	Make	Record the make of the vehicle. Do not record the model name. At least the first four letters of the make must be shown and must be correctly spelled. Example: BUIC = Buick, CHRY = Chrysler, DODG = Dodge, FORD = Ford, MERC = Mercury, MERZ = Mercedes, and OLDS = Oldsmobile. For Geo, the make should be listed as CHEV. For a recreational motor vehicle, the make of the body (instead of the chassis) should be shown. Below are examples (this list is not all inclusive): • Winnebago Industries WINN • Holiday Rambler HOLI • Coachman Industries COAC • Pace Arrow PACE		
		Itaska Motor Home ITAS Mobil Traveler MOBI		
18	Vehicle Identification Number	Record the vehicle identification number (VIN) correctly and completely as listed on the surrendered Manufacturer's Statement of Origin or the assigned certificate of ownership.		
19	Body Style	Record the appropriate <u>body style</u> .		
20	Color	Record the primary color of the vehicle in this box.		
21	Fuel	 Record the appropriate code to indicate how the vehicle is powered: G – Gas (including Hybrid and Plug-In Hybrid Electric vehicles with a model year of 2017 or older) D – Diesel E – Electric L – LP – Propane N – Natural Gas V – Plug-In Hybrid Electric Vehicle (model year 2018 and newer) O – Other If the type of fuel is E, L, N, or V, the applicant may be required to obtain a special fuel decal. 		
22	GVWR	Mark this box if the vehicle's gross vehicle weight rating (GVWR) is over 16, 000 pounds.		
23	List GVWR	Record the gross vehicle weight rating (GVWR) from the Manufacturer's Statement of Origin for each <i>new</i> commercial motor vehicle.		
24	Mileage	When there is a change of ownership, record the mileage on the title application from the title assignment for each motor vehicle, unless the vehicle is exempt.		
25	Code	Office staff will enter the appropriate mileage code in this box, if applicable.		
26	Purchase Date Record the Month/Day/Year. Example: March 04, 2021 or 03-04-21. The purchase date and the sale date must be the same. • The purchase date should be the date the ownership document was assigned when a change of ownership is involved. • On a non-assigned title (change of state, adding a lien, etc.), the purchase date should be carried forward from the face of the title. If there is no purchase date on the face of the title, the issue date shown on the surrendered ownership document may be entered as the purchase date.			

LINE	FORM SECTION	INSTRUCTION FOR COMPLETION	
27	New/Used	Mark "New" if the vehicle was purchased on a Manufacture's Statement of Origin (MSO); otherwise, mark "Used". Mark only one box.	
28	Surrendered Title Number	 Record the previous title number of the vehicle being titled, if applicable. If the vehicle is new and has never been titled, record "MSO" (Manufacturer's Statement of Origin) or "CO" (Certificate of Origin) in this box. If a court order is the ownership document, record "Court Order" in the block. 	
29	State	Record the state abbreviation from which the previous title was issued, if available.	
30	Zone	Record the appropriate zone of operation for commercial registrations only.	
31	Licensed Gross Weight or Seating Capacity	Record the licensing weight or seating capacity that corresponds to the license plate being issued, if available. Example: 6,000 lbs, 12,000 lbs, etc. for a commercial motor vehicle. If the vehicle is a bus, record the seating capacity.	
32	Kind of Vehicle (KOV)	Record the correct code as listed on the title application. The kind of vehicle must agree with the type of registration issued.	
33	Cylinders	 Record the number of cylinders for passenger vehicles as shown on the Manufactures Statement of Origin (MSO) or the assigned certificate of ownership. EL – Electrically powered; 2R, 3R, or 4R – Rotary engine; 4 – Plug-In Hybrid Electric Vehicle (PHEV); or LS – Low speed vehicle. 	
34	Horsepower	Record the taxable horsepower for passenger vehicles only.	
35	Tab Number	Record the appropriate tab number when a new tab number is issued.	
36	Expiration Month	Record the month the registration expires.	
37	Expiration Year	Record the year the registration expires.	
38	Check box if plate does not expire	Mark this box if the plates are non-expiring (i.e., historic, permanent trailer, or official plates).	
39	Special	Mark this box if the transaction involves a personalized, specialty, or military license plate of any type.	
40	Price	Record the gross sale price of the motor vehicle, trailer, all-terrain vehicle, or manufactured home. Verify with the title assignment, if recorded.	
41	Rebate	Record the rebate amount, if applicable. A rebate offered by a motor vehicle dealer or manufacturer may be used as credit to reduce the amount of sales tax due by the purchaser when titling a new or used motor vehicle sold by a Missouri or out-of-state dealer. The selling dealer must complete the rebate information on the application for title before any credit will be allowed.	
42	Vehicle Trade-In	Record the total amount allowed on the trade-in vehicle, if applicable. Verify with the title assignment, if recorded. If the amount appears altered, the applicant may be required to provide proof of trade-in (i.e., dealer invoice).	
43	Other Credits	Record the total amount allowed on any tangible personal property that was received by the dealership as a credit or partial payment toward the purchase price of the vehicle (e.g., farm products).	
44	Net Price	Record the total net price. This is calculated by subtracting any rebate, trade-in allowance, or other credits from the purchase price.	
45	First Lien	Mark the "Yes" box if there is a lien on the vehicle; otherwise, mark the "No" box.	
46	Security Agreement Date (First Lien)	Record the lien date if a lien exists on the vehicle.	
47	Mail to Lienholder (B)	Mark the box if the title is to be mailed to the first lienholder.	
48	Lienholder's Phone Number	Record the lienholder's telephone number, if applicable.	

LINE	FORM SECTION	INSTRUCTION FOR COMPLETION		
49	Second Lien	Mark the "Yes" box if there is a second lien on the vehicle; otherwise, mark the "No" box.		
50	Mail-to Alternate Address Below	Mark this box only when the title is to be mailed to an address other than the address recorded in the "Owner's Name and Address" box (Line 8).		
51	First Lien Name and Address	Record the complete name and address of the lienholder. The words "as agent" may be recorded following the lienholder's name. Please note that only the first 20 characters of the name will appear on the certificate of ownership.		
52	Second Lien/Mail To Name and Address	Record the complete name and address of the second lienholder or mail to. Please note that only the irst 20 characters of the name will appear on the certificate of ownership, so the name may be abbreviated accordingly.		
53	STFA (Subject to Future Advances)	Mark this box if the "Subject to Future Advances" must be recorded on the certificate of ownership. Also, record "Subject to Future Advances" or "STFA" on the first line of Line 52.		
54	Security Agreement Date (Second Lien)	Record the lien date, if there is a second lien on the vehicle.		
55	First Lienholder Authorization	Required when a second lien exists and the "Second Lien" box is checked. Must be signed by an authorized agent of the first lienholder.		
56	Trade-In, License Transfer Other Credit	Mark the appropriate box or boxes. Mark "Trade-In" only if a vehicle was traded in to a dealership. Mark "Other Credit" when using replacement credit or farm products credit.		
57	Year	Record the year of the vehicle being traded in/other credit, or the year of the vehicle from which the registration is being transferred.		
58	Make	Record the make of the vehicle being traded in/other credit, or the make of the vehicle from which the registration is being transferred.		
59	License Number	Record the license plate number being transferred.		
60	Expiration Year	Record the expiration year of the license plate being transferred, if applicable.		
61	Vehicle Identification Number	Record the complete vehicle identification number of the vehicle being traded in/other credit, or for the vehicle from which the registration is being transferred.		
62	Horsepower	Record the taxable horsepower if the vehicle from which the registration is being transferred is a passenger vehicle.		
63	Title Number	Record the title number of the vehicle being traded in/other credit, or of the vehicle from which the registration is being transferred, if available.		
64	Owner Signature	 Ensure the application for title and license is signed by the owner indicated at the top of the application. If more than one owner's name is listed, only one signature is required. If the applicant is an officer of a company or corporation, they must indicate their official position with the company or corporation beside their signature. Missouri law requires every motor vehicle owner to present a current insurance identification card, or copy thereof, or other proof of financial responsibility, and to sign an affidavit certifying that the owner or the authorized agent has and will maintain financial responsibility during the registration period (does not apply to trailers and all-terrain vehicles). Signing the application meets this requirement. 		
65	MO Dealer Number	Record the dealer number if the vehicle described on the title application was sold by a <i>Missouri</i> dealer. If the application for title is in the name of a Missouri dealer, the purchasing dealer's number must be listed.		
66	Dealership Name	Record the selling dealership's name, if applicable.		
67	City, State, and Zip Code	Record the selling dealer's address, if applicable.		
68	Telephone Number	Record the selling dealer's telephone number, if applicable.		

LINE	FORM SECTION	INSTRUCTION FOR COMPLETION	
69	Signature of Dealer or Representative	 The selling dealer or an authorized representative of the dealer must sign, if applicable. A signature must be shown if a trade-in credit or other credit was allowed by the dealer. 	
70	Trade-In (Yes/No)	 The selling dealer or authorized representative of the dealer must mark the appropriate box, as listed below, if applicable: If trade-in information is listed on the application for title and a trade-in amount is shown, the "YES" box should be marked. If there is no trade-in or if the credit allowed is "Other Credit" as outlined Lines 42-43, the "NO" box should be marked. If the dealer marked the "NO" box (indicating no trade-in), the trade-in credit will not be allowed unless the applicant provides proof that there was an actual trade-in. Proof may be provided in the form of a statement from the selling dealer explaining the "NO" box was marked in error or a copy of the sale's invoice reflecting the trade-in credit, etc. 	
71	Duplicate Title Only	Mark the appropriate reason the duplicate title is needed, if applicable.	
72	Notary Information	The application must be signed in the presence of a notary public, if applying for a duplicate title. The notary public must complete the appropriate boxes.	
73	Donations	The appropriate box must be marked if the applicant wishes to donate to the Blind Fund, Organ Fund, WWI Memorial Fund, or Missouri Medal of Honor Recipients Fund.	
74	Exemption Code	Record the appropriate exemption code if exempt from state and local taxes.	
75	FHVUT (Federal Heavy Vehicle Use Tax)	Office staff will mark this box when verifying the proof of payment of this tax.	
76	Wgt. (Weight) of Plates Heavy Highway Vehicle Use Tax Return (federal Form 2290)	Office staff will record the gross vehicle weight rating (GVWR). The GVWR is determined by using the "Category" field on Schedule 1 of Form 2290 and the Category Conversion Chart.	
77	Verification Codes	 For office staff use only. The codes stand for the following: PP – Personal Property Tax Receipt or Statement of Non- Assessment; INS – Insurance; FEIN – Federal Employee Identification Number; FMCSR – Federal Motor Carrier Safety Regulations; SAFETY – Safety Inspection; and EMISSION – Emissions Inspection. 	
78	Distribution Amount	For office staff use only.	
79	Site Code	Office staff will record the site code number from the <u>Local Sales Tax Rate Chart</u> for the corresponding local tax jurisdiction (city or county).	
80	Office Validation	For office staff only.	
81	Approve/Reject	For central office use only.	
82	Processed By	For office staff only.	
83	Mileage Date	For central office staff use only.	
84	Surrendered Plate Number	Office staff will record the license plate number surrendered for credit, if applicable.	
85	Surrendered Plate Credit	Office staff will record the amount of credit for a surrendered license plate, if applicable.	
86	License Fee	Office staff will record the appropriate registration fee for the license plate being issued or renewed, if applicable.	
87	Reservation Fee	Office staff will record the appropriate fee for the personalized/specialty plate being issued or renewed, if applicable.	

LINE	FORM SECTION	INSTRUCTION FOR COMPLETION		
88	Additional Horsepower/DR/DRX Fee	Office staff will record any additional horsepower fee due, if applicable. If a DR number or a DRX number is assigned or replaced, the appropriate fee will be recorded.		
89	Transfer Fee	Office staff will record a \$2 fee if transferring a registration.		
90	Failure to Transfer/Renew	If applicable, office staff will record an \$8.50 penalty fee when an applicant elects not to transfer or renew a multi-year plate that is less than five years old.		
91	Renewal Penalty	Office staff will record a \$5 renewal penalty, if applicable.		
92	Title Penalty	Office staff will record a title penalty if the applicant fails to apply for a certificate of ownership within 30 days of purchase. The penalty fee is \$25 for each 30 days of delinquency not to exceed \$200.*		
93	Fund Donations	Office staff will record the total amount due for fund donations indicated in instructions for Line 73.		
94	Title/Quick/Notary Fee	Office staff will record the correct title fee, if applicable.		
95	State Tax	Record the amount of state tax due on the net price of the motor vehicle, trailer, all-terrain vehicle, or manufactured home. NOTE: If the unit is exempt from tax, the applicable exemption number must be recorded, as applicable, on Line 75. If the owner listed at the top of the application is a registered Missouri dealer, regular license plates cannot be issued to the vehicle because of Exemption #3 (dealer exemption).		
96	Local Tax	Record the amount of local tax due, if applicable.		
97	Subtotal	Office staff will record the total amount due for Lines 86 - 96.		
98	Processing or Agent Fee	All offices must collect a processing or agent fee.		
99	NOL Processing Fee	Office staff will record the Notice of Lien processing fee, if applicable.		
100	Total	Record the total amount of fees due.		

* Title penalty will not be assessed until after 60 days from the date of purchase if sold pursuant to <u>Section</u> <u>301.210</u>, RSMo, or after 90 days from date of purchase if sold pursuant to <u>Section 301.213</u>, RSMo.

MOTOR VEHICLE, TRAILER, ALL-TERRAIN VEHICLE (ATV), OR MANUFACTURED HOME TITLE INFORMATION

JOINT TENANCY, TENANTS IN COMMON, AND TRANSFER ON DEATH

<u>Sections 301.679</u>, <u>301.681</u>, <u>306.458</u>, <u>306.461</u>, and <u>700.630</u>, RSMo, provide that the purchaser of a motor vehicle, trailer, manufactured home, vessel (watercraft), or outboard motor may elect certain forms of ownership or may designate a beneficiary in case of death. These choices must be made at the time of application for title, as outlined below.

Joint Tenancy

Missouri law presumes that where more than one owner is shown on the title application, the motor vehicle, manufactured home, trailer, vessel (watercraft), or outboard motor will be held in joint tenancy unless otherwise specified. This means if one of the owners dies, the surviving owner(s) receives the unit upon proof of death. Persons who own the motor vehicle, trailer, manufactured home, vessel (watercraft) or outboard motor as joint tenants may also designate beneficiaries.

Tenants In Common (T/C)

If the motor vehicle, trailer, manufactured home, vessel (watercraft), or outboard motor owners do not want their ownership as joint tenancy, they may designate the unit be held as "tenants in common." This means each owner owns an equal share of the unit and if one dies, the surviving owner(s) will still only own their share, while the deceased owner's share must be transferred by Probate Court. **No beneficiaries may be named by an owner as tenants in common.** To designate ownership as tenants in common, the "T/C" block must be marked on the title application. The title will print with the "T/C" designation in the owner name field.

Transfer on Death (TOD)

The owner(s) of a motor vehicle, trailer, manufactured home, vessel (watercraft), or outboard motor may designate one or more beneficiaries to receive the unit upon the death of all listed owners. The beneficiaries hold no ownership rights in the unit while the owner(s) is alive, but becomes the owner or co-owner of the unit after the original owner's death. If more than one person owns the unit, the beneficiaries do not become the owner until all listed owners have died.

To designate a beneficiary, the beneficiary's name must appear to the right of the owner(s) name(s) in the space provided for TOD beneficiaries and the "TOD" box must be marked on the application for title. One or more beneficiaries can be named. The letters "TOD" and the beneficiaries name(s) do not have to appear on the title assignment.

For the beneficiaries to obtain title to a motor vehicle, trailer, manufactured home, vessel (watercraft), or outboard motor, the beneficiaries must submit a completed and signed application for title, proof of death of all owners, the existing certificate of title designating the TOD beneficiary, and the appropriate title and processing fees.

NOTE: The beneficiaries may assign the title without first applying for a title in their name(s). The beneficiaries must provide the purchaser proof of death of the owner(s) on the face of the title, and the properly assigned title.

Section

TRANSFER OF OWNERSHIP OF A MOTOR VEHICLE OR TRAILER

<u>Section 301.210</u>, RSMo, requires that at the time of sale of a motor vehicle or trailer, there shall pass between the parties a properly assigned certificate of title. *It is unlawful for any person or dealer to "skip" an assignment or be in possession of an "open" title.* An open title is a title that has the seller's signature in the title assignment area but the purchaser's name area is blank.

NAME CHANGE – NO CHANGE OF OWNERSHIP

On occasion, the owner listed on the face of a certificate of title may change their name because of marriage, divorce, adoption, personal reasons, etc. To reflect this change on the certificate of title, the owner must submit a completed *Application for Missouri Title and License* (Form 108), the outstanding certificate of title in their name (because there is no change of ownership, the certificate of title is not required to be assigned), and one of the documents listed below:

- A copy of the marriage certificate;
- A copy of the divorce decree that specifically states the individual's name was restored to its previous state when a divorce occurs and the former wife changes her name to her previous (maiden) name;
- Authorized adoption papers issued through the circuit court, juvenile division, indicating a change of name when an individual is adopted and a name change occurs; or
- A certified document from the circuit court division when an individual elects to have their name changed because of personal reasons. The order from the court must state the name the individual formerly used and the full name currently being used by the individual.

ADDING OR DELETING NAMES (JOINT TENANCY)

To add or delete a name on a certificate of title, the following must be submitted:

- Completed Application for Missouri Title and License (Form 108) or Application for Missouri Watercraft or Outboard Motor Title and Registration (Form 93) with the title type marked as "ORIGINAL";
- The properly assigned certificate of title;
 - The lien is not required to be released in this case, but must be shown on the application for title.
- The required title and processing fees; and
- Completed Notice of Lien, Lien Release, or Authorization to Add/Remove Name from Title (Form 4809).

In most cases, the license plates currently being used on the vehicle may remain on the vehicle. Please contact your local Department of Revenue license office for complete instructions.

ADDING OR DELETING NAMES AFTER TITLE ASSIGNED BUT PRIOR TO ISSUANCE OF A NEW TITLE (JOINT TENANCY)

On occasion, the purchaser of a newly acquired motor vehicle or trailer will request the Department to add or delete another individual's name to or from the ownership document at the time an application for title is submitted to a license office.

Adding or deleting an owner name from the title does not affect a perfected lienholder's security interest, the lienholder's ability to obtain a repossession title, or the lienholder's rights in bankruptcy.

When a name is being deleted, a statement must be submitted by the individual whose name is being deleted.

Upon presentation of the required documents and fees, an individual's name may be added or deleted on an application for title. Authorization is required from the lienholder when adding or dropping a name from a title. Use *Notice of Lien, Lien Release, or Authorization to Add/Remove Name from Title* (Form 4809) signed by the lienholder or a statement on the lienholder's letterhead for authorization.

TITLE ASSIGNMENT DATE MUST BE AFTER THE TITLE ISSUE DATE

<u>Section 301.210</u>, RSMo, provides that ownership of a motor vehicle or trailer legally transfers only at the time a certificate of ownership is assigned. The purchase or sale date must be **on or after** the issue date of the title. The **only exception** to this would be if an original title was assigned to the purchaser, then lost. The duplicate title issued (or original title in the dealer's name as explained on <u>Page 3-5</u>) may be backdated to the date of purchase listed on the original title. If the owner of a vehicle issues a bill of sale to the purchaser **without** the title, the purchaser has no legal ownership rights to the vehicle until such time as the title is assigned.

A transaction, except those listed above, in which the sale date on the assignment of title is before the issue date of the title must be rejected for a statement signed by the purchaser, seller, and lienholder (if applicable) that indicates a purchase date on or after the issue date. Only one purchaser and seller are required to sign the statement. The new date does not have to be recorded on the back of the title. The *Date of Sale Verification* (Form 4205), may be used for this purpose. The purchase or sale date recorded on the form will be used for determining title penalties.

Similarly, the date of sale on an assignment cannot be *prior to* the date of a *previous* assignment. **Example:** The first assignment cannot have a sale date of July 1, 2021, and the second assignment a sale date of June 15, 2021.

NOTE: If an original title is assigned to a purchaser and then is lost, the duplicate title that is issued must be backdated to the date of purchase as recorded on the original title.

4205	Missouri Department Date of Sale Verificati	on			
Missouri <u>Statı</u> Year	<u>ute 301.210</u> requires the tit Make	le to be assigned on the			1 1
Issue Date Ind /	icated on Face of Title (MM/D	D/YYYY) Original St	le or Purchase Da	ate Indicated on Assignment of Title (MM/DD	VYYYY)
The seller, I	ate below a sale or purcha buyer, and lienholder(s) if a urchase Date (MM/DD/YYYY)	pplicable, must sign belo	w. Only one buy	e of ownership (title) issue date. rer and seller must sign.	
Seller's Signature			Buyer's Signature		
Lienholder's Signature			Lienholder's Signature		
				Form 4205 (Revised 06-201
P.0	or Vehicle Bureau . Box 100 erson City, MO 65105-0100	Phone: (573)	526-3669	Visit http://dor.mo.gov/mvdl for additional information.	

DUPLICATE TITLES

Missouri law provides for the Department to issue a duplicate certificate of title to the owner of a motor vehicle, trailer, manufactured home, all-terrain vehicle, vessel (watercraft), or outboard motor who has lost the original title, or if the original title has been mutilated, stolen, or destroyed. If the original title was mutilated, the mutilated title must be surrendered.

For the Department to issue a duplicate title, the owner must submit:

A completed, signed, and notarized Application for Missouri Title and License (Form 108) or a completed, signed, and notarized Application for Watercraft or Outboard Motor Title and Registration (Form 93);

NOTE: If the *Application for Missouri Title and License* (Form 108) or *Application for Watercraft or Outboard Motor Title and Registration* (Form 93) is **not** notarized, a notarized affidavit explaining the reason for requesting a duplicate title must be submitted. The affidavit must also contain the owner's name; information relative to the unit, such as year, make, vehicle identification number, original title number (if available), and the current license plate number, if applicable. The *General Affidavit* (Form 768) may be used to meet this requirement.

- If an insurance company applies for duplicate title on behalf of the owner using an
 electronically signed *Power of Attorney* (Form 4054) or other similar form or document, the
 insurance company must indicate the duplicate title application is a result of a total loss. See
 Section 5 of this manual for information regarding power of attorney.
- The title fee of \$8.50; and
- The \$6 processing/agent fee.

If a lien was recorded on the original ownership document, the duplicate title will be mailed to the owner unless there is a "Mail To" address shown on the application. The lien will be reflected on the title unless a lien release is submitted with the duplicate title application. See <u>Section 6</u> of this manual for information regarding a lien release.

The application for duplicate title is not required to be signed if a notarized affidavit is attached and properly signed. On an original title issued on or after July 1, 2003, when a lienholder is recorded as a "Mail To", the lienholder may sign the application for duplicate title. On titles issued prior to July 1, 2003, the lienholder is considered the legal holder of the title; therefore, they may sign the duplicate title application, also. The agent for the lienholder should record the lienholder name, their position, and signature in the signature field on the application.

DUPLICATE MANUFACTURER'S STATEMENT OF ORIGIN (MSO)

Some manufacturers do not issue a duplicate Manufacturer's Statement of Origin once the original has been assigned and delivered to a retail customer. Instead, the manufacturer furnishes a statement to the selling dealer certifying the vehicle was sold to the dealership.

The manufacturer's statement will be accepted in lieu of a duplicate Manufacturer's Statement of Origin. The selling dealer could complete a *Reassignment of Ownership by Registered Dealer* (Form 2447) or provide a copy of the front and back of the original assigned MSO and attach it to the manufacture's statement. These two documents will serve as proof of ownership and proper odometer disclosure for title applicant.

OBTAINING TITLE IN A DEALERSHIP'S NAME WHEN A CUSTOMER LOSES THE ORIGINAL TITLE

When a unit is purchased from a dealer and the purchaser loses the original assigned title, the Department will allow the selling dealer to apply for a duplicate or original title in the dealer's name.

Duplicate Title

If the vehicle was previously titled in the dealer's name, a duplicate title may be applied for in the dealer's name. See <u>Page 3-4</u> for information regarding application for duplicate title.

Original Title

If the vehicle was not previously titled in the dealer's name, the dealer may apply for an original title by submitting the following documents:

- A signed and completed application for title (Form 108) in the dealer's name;
- A photocopy (front and back) of the lost, stolen, or mutilated title or MSO showing assignment to the purchaser;
- A notarized *General Affidavit* (<u>Form 768</u>), signed by the purchaser, which states the original title was lost, stolen, or mutilated; and
- The applicable title and processing fees.

When the dealer receives the new title in the dealership's name and assigns it to the purchaser, the dealer must record the original sale date on the assignment. Title penalties may apply.

ASSIGNMENTS MADE IN ERROR

Erroneous Assignments of Title – When New Title Is Required

Occasionally, after the vehicle owner has already completed an assignment of title, a decision is made *not* to continue the sale. When this occurs, the owner of the vehicle will possess an altered or mutilated certificate of title. To correct this, the following must be done.

- If the name of the seller (individual or dealer) who made the erroneous assignment is recorded on the face of the certificate of title, the seller must obtain a duplicate certificate of title. The seller must submit the following documents and fees to obtain a duplicate certificate of title:
 - A notarized Application for Missouri Title and License (Form 108) marked "Duplicate";
 - The altered or mutilated certificate of title;
 - A statement signed by the seller and the individual to whom the vehicle was erroneously assigned stating the date, the reason the sale was not completed, the assignment was made in error, and the purchaser has no interest in the vehicle;
 - A statement from any lienholder recorded in the assignment of title; and
 - The required duplicate title and processing fees.
- If the seller of the vehicle is a Missouri licensed motor vehicle dealer and is listed as purchaser in the *assignment area* on the back of the ownership document, the dealership will be required to obtain an *original* certificate of title in the name of the dealership. It is not necessary to obtain a duplicate title in the name of the person shown on the face of the title unless the title was in that dealership's name. Then the dealership would be required to make an application for duplicate title as indicated above. The dealership will be required to submit the following documents to obtain the original title:
 - An Application for Missouri Title and License (Form 108) marked "Original";
 - The altered or mutilated certificate of title;
 - A statement signed by the seller and the individual to whom the vehicle was erroneously assigned stating the date, the reason the sale was not completed, the assignment was made in error, and the purchaser has no interest in the vehicle;

- A statement from any lienholder recorded in the assignment of title; and
- The required original title and processing fees.

Correcting Errors on an Assignment of Title – When Statement is Acceptable

On occasion, the seller, purchaser, or lienholder of a motor vehicle, trailer, all-terrain vehicle, vessel (watercraft), or outboard motor will make an error while assigning an ownership document by recording the *correct* information on the wrong line (e.g., the seller records their name on the purchaser's name line). The Department will accept the ownership document if the error is obvious and there is no indication of an attempt to defraud the state of Missouri. *The error on the title assignment should not be erased, white-out, or written over*, as this will be considered an alteration or mutilation of the certificate of title.

One thin line should be drawn through the incorrect information and the correct information recorded above. In addition, the seller, purchaser, or lienholder who made the error must submit a statement of correction. The statement must be prepared immediately after the error is made and should include:

- An explanation of the error made;
- The correct information;
- The year, make, and vehicle identification number; and
- The signature of the individual who made the error.

RESCINDED SALES

<u>Section 144.071</u>, RSMo, permits the purchaser of a motor vehicle, trailer, vessel (watercraft), or outboard motor who rescinds the sale to receive a full refund of all state and local taxes paid on the purchase price of the unit. The purchaser must return the unit to the seller within 60 days of purchase to receive a refund of the purchase price. *Related titling, processing, and registration fees will not be refunded.* Missouri law allows a vehicle owner to surrender the license plate(s) and receive credit for time remaining toward purchase of another license plate(s) regardless of the type of license (i.e., passenger, truck, or trailer). To receive a refund of applicable taxes, the purchaser must submit:

- A completed and signed *Motor Vehicle Refund Request Application* (Form 426);
- The original receipt showing payment of taxes;
- A statement, signed by the seller and the purchaser, stating the date the vehicle/trailer/vessel/motor was returned, year, make, vehicle identification number, the facts/reason for the rescinded sale, and the amount of purchase price refunded; and
- A descriptive notarized lien release/non-interest statement from any lienholder shown. The statement must include the purchaser's name and the year, make, and identification number of the unit.
 - Each claim for a rescinded sale refund must be made within one year after payment of the tax for which the refund is claimed.

When Seller Must Apply for Title on a Rescinded Sale

When a certificate of title is assigned to a purchaser and the sale is rescinded, the assigned certificate of title is considered mutilated.

Non-Dealer as Seller

If seller is not a dealer, they must apply for a duplicate title by submitting the following:

- Application for duplicate title;
- Original assigned title;
- Statements signed by purchaser, seller, and, if applicable, lienholder acknowledging that the sale has been rescinded;
- Appropriate title fee; and
- Appropriate processing fee.

<u>Dealer as Seller</u>

If a licensed dealer assigned a title to someone who later rescinds the sale, the dealer must apply for an original title. If the unit was sold on a Manufactured Statement of Origin (MSO), the dealer can reassign the MSO to the new purchaser. The dealer must submit:

- Application for original title;
- Original assigned title;
- Statements signed by purchaser, seller, and if applicable, lienholder acknowledging that the sale has been rescinded;
- Appropriate title fee; and
- Appropriate processing/agent fee.

If a certificate of title has already been issued in the name of the purchaser who wants to rescind the sale, the purchaser must properly assign the title to the seller and provide seller with appropriate statements rescinding the sale. If original seller is not a dealer, they must apply for title within 30 days to avoid a title penalty.

ALL-TERRAIN VEHICLES (ATV)

An all-terrain vehicle (ATV) is any motorized vehicle manufactured and used exclusively for offhighway use, with an unladen dry weight of 1,500 pounds or less, traveling on three or more nonhighway tires, with either:

- A seat designed to be straddled by the operator and handlebars for steering control; or
- A width of 50 inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement.

<u>Sections 301.700</u> and <u>301.703</u>, RSMo, provide that it shall be unlawful for any person to own an all-terrain vehicle in this state unless a Missouri certificate of title has been issued.

An individual who purchases a used all-terrain vehicle after Aug. 28, 2014, which was previously defined as a utility or recreational off-highway vehicle, may present a notarized bill of sale as evidence of lawful ownership when a title has not been previously issued.

For the purposes of transferring ownership, titling, perfecting liens, and collecting taxes, fees, and other charges, all-terrain vehicles are treated the same as a motor vehicle.

ATV Equipment Requirements, Restrictions, and Regulations Regarding Where an ATV may be Operated

For information regarding equipment requirements and restrictions/regulations regarding operation of an ATV, please refer to <u>Sections 307.198</u> and <u>304.013</u>, RSMo.

MANUFACTURED HOMES

<u>Section 700.320</u>, RSMo requires that the owner of any new or used manufactured home apply to the director of revenue for a certificate of title within 30 days of purchase. This excludes registered manufactured home dealers and purchasers who convert the manufactured home to real property.

Titling a Manufactured Home

To title a manufactured home, the owner or purchaser must submit an application for Missouri title, the appropriate ownership document, and all required fees.

Appropriate ownership documents include:

- A Manufacturer's Statement of Origin (MSO) for a *new* manufactured home; or
- A certificate of title or a descriptive bill of sale for a *used* manufactured home.

NOTE: A bill of sale may only be used if the seller is from a non-titling state or if a Missouri seller provides the purchaser with a statement from the seller's county assessor stating the manufactured home was previously assessed as real estate.

Tax Information

New Units:

Missouri Dealer Sale – When a Missouri dealer fails to collect tax, state and local sales tax will be assessed on 60% of the purchase price and collected at the time of titling or affixing with the Department. Use the Department's <u>Online Sales Tax Calculator</u> for an estimate of the taxes.

• Local sales tax is based on the *seller's* address. Refer to the Local Sales Tax Chart.

Out-of-State Dealer Sale – State and local sales tax is assessed on 60% of the purchase price. Local use tax is due based on the address where the manufactured home is first delivered in Missouri (only if applicable). Refer to Local Option Use Tax Chart.

- If the out-of-state dealer collects tax at a rate greater than Missouri's sales tax rate (4.225%) plus the local option use tax, tax is not due.
- If the out-of-state dealer collects tax at a rate less than Missouri's sales tax rate plus the local option use tax, tax is due on the difference of the two.

Used Units:

No sales or use tax is due pursuant to <u>Section 144.044</u>, RSMo.

Title Penalties Assessed on Manufactured Homes

A title penalty will be assessed on any manufactured home not titled within 30 days after the date of purchase. A delinquent title penalty of \$25 for each 30 days of delinquency, not to exceed \$200, will be imposed. Title penalties will be assessed on all manufactured homes purchased after Dec. 18, 1983.

Identification Number for a Manufactured Home

The owner of manufactured home who **does not** have an identification number should contact the Public Service Commission, Manufactured Housing and Modular Unit Program at 800-819-3180 or visit their website at <u>psc.mo.gov/ManufacturedHousing/</u> to obtain information on how to get an inspection of the home by the Public Service Commission. The Department of Revenue has limited authority to issue identification numbers for manufactured homes. If the Public Service Commission inspection report indicates the home was manufactured prior to 1976, contact the Department of Revenue for more information on how to obtain an identification number. A home manufactured in 1976 or after cannot be issued an identification number by the Department of Revenue.

ABANDONED MANUFACTURED HOMES

Landowner to Secure Lien on Abandoned Manufactured Home

<u>Section 700.526</u>, RSMo, allows the owner of the real property to secure a lien on an abandoned manufactured home.

• The lien shall be for unpaid rent against the manufactured home.

- The landowner must provide a written notice to the manufactured homeowner and any lienholder of record. A *Manufactured Home Lien Notification* (Form 5328) must be mailed to the manufactured homeowner and lienholder by *certified mail;*
 - o Obtaining owner and or lienholder information;
 - Frequent record searches Subscribe to online inquiry at dor.mo.gov/motorv/liendeal/nol/.
 - One-time record search Submit a completed Request for Motor Vehicle/Driver License Records/Personal Information (Form 5091).
- Thirty days after mailing the notice (<u>Form 5328</u>) to the homeowner and lienholder by *certified mail*, submit the following items to Motor Vehicle Bureau, PO Box 100, Jefferson City, MO 65105- 0100:
 - A completed Application for Manufactured Home Lien Title, (Form 5329);
 - A copy of the 30 day notice (<u>Form 5328</u>) that was previously mailed by certified mail to the manufactured homeowner and lienholder;
 - A copy of the certified mail receipt;
 - A copy of the envelope(s) showing the addresses and postal markings indicating the notices were not forwarded or addresses unknown;
 - A copy of the rental contract negotiated between the real property owner and the manufactured homeowner;
 - A copy of any judgment of dismissal if the manufactured homeowner or lienholder filed a petition to contest the lien; and
 - All applicable title and processing fees.
- Upon receipt of all acceptable documentation, the landowner will be issued a lien title.
- With the lien title, the landowner must:
 - Begin proceedings to sell the manufactured home within 30 days.
 - The sale of the manufactured home shall only be held after giving the owner at least 20 day's notice.
 - The notice must substantially contain the following information:

NOTICE

Notice is hereby given that on [insert date], sale will be held at [insert place], to sell the following manufactured home to enforce a lien existing under the laws of the state of Missouri for real estate rental, unless the manufactured home is redeemed prior to the date of sale. Name of Owner: Amount of Lien: Description of Manufactured Home: Manufactured Home Serial Number: Name of Lienholder:

Notice to Homeowner

Notice to the homeowner shall be given by one of the following methods:

- Personal delivery;
- Registered mail with return receipt requested; or
- By publishing the notice, not less than twice, in a newspaper of general circulation in the county in which the manufactured home is to be sold. The publication of such notice shall not be less than 20 days prior to the date of the sale. See <u>Section 700.527.10</u>, RSMo, for additional details if no newspaper is published in the county.

The proceeds from the sale are to be distributed in the following order:

- To the satisfaction of the real property owner for past-due rent and reimbursement of actual and necessary expenses incurred in obtaining the lien and lien title (including attorney fees);
- The excess, if any, shall be paid to the homeowner; and if the homeowner cannot be located, the excess shall be deposited with the county treasurer in the county where the home was sold.

ODOMETER INFORMATION

ODOMETER READING REQUIRED – CERTAIN VEHICLES EXEMPT

Missouri law requires the seller of a motor vehicle to record the mileage registered on the odometer at the time of transfer on the assignment of the certificate of title. This applies to all motor vehicles except those listed below. On exempt vehicles, the mileage is not required to be recorded on any ownership document. If the seller provides the odometer reading on one of these exempt vehicles, it will not be recorded on the subsequent title issued unless specifically requested by the applicant.

For all motor vehicles, including those exempt from odometer disclosure, any material fact must be disclosed to the purchaser as required by <u>Section 407.020</u>, RSMo. Refer to <u>Section 407.531</u>, RSMo for disclosure requirements when an odometer is repaired or replaced. Also see <u>Page 4-2</u>, Odometer Repair.

Exempt from Odometer Disclosure:

- Any motor vehicle having a gross vehicle weight rating (GVWR) of more than 16,000 pounds;
 Pick-up trucks and vans are not exempt from mileage requirements.
- Any motor vehicle that is model year **2010 or older** and **at least ten years old** at the time of ownership transfer;
 - To determine the age of the vehicle for the 10-year exemption, take the year the vehicle was purchased by the applicant (rather than the current model year) and subtract 10. This calculation will give you the first exempt model year. Example: During calendar year 2020, mileage is not required on any assignment of title completed during the year (vehicles purchased in 2020) on any 2010 or older model vehicle (2020 10 = 2010).
- Effective Jan. 1, 2021, a motor vehicle with a model year **2011 or newer**, requires mileage disclosure at the time of ownership transfer **until the vehicle reaches the age of 20 years old**, unless otherwise exempt;
- Any motor vehicle that was sold directly by the manufacturer to any agency of the United States government, in conformity with contractual specification;
- Any motor vehicle that was transferred on a Manufacturer's Statement of Origin (MSO) from one franchised dealer to another franchised dealer.

MILEAGE BRANDS

A mileage brand appears on all Missouri certificates of title issued on or after Aug. 28, 1989.

If the seller states that, to the best of their knowledge, the mileage disclosed on the certificate of title and on the odometer disclosure statement, if applicable, is the actual mileage of the motor vehicle, "**ACTUAL MILEAGE**" will be printed on the face of the Missouri certificate of title. In this situation, the seller should not check any of the boxes on the certificate of title or the odometer disclosure statement.

Not Actual Mileage

If, upon receiving an application for a certificate of title, the director of revenue has credible evidence that the odometer reading is materially inaccurate (i.e., previous odometer documentation exists that

Section

conflicts with the current application), an asterisk may be printed on the face of the Missouri certificate of title that references a statement on the face and at the bottom of the title document which reads as follows:

• "This may not be the true and accurate mileage of this motor vehicle. Consult the documents on file with the Missouri Department of Revenue for an explanation of the inaccuracy."

True Mileage Unknown

If the seller(s) know(s) that the true mileage of the motor vehicle is different from the mileage shown on the odometer and the difference is greater than that caused by an odometer calibration error, or that the true mileage is unknown, the seller(s) must provide a statement containing all known facts concerning the true mileage. The seller(s) must also check the appropriate box on the certificate of title and the odometer disclosure statement, if applicable. In this situation, the following brand will appear on the face of the Missouri certificate of title and any subsequent title:

 "WARNING – ODOMETER DISCREPANCY. This is not the true and accurate mileage of this motor vehicle. Consult the documents on file with the Missouri Department of Revenue for an explanation of the inaccuracy."

Mileage Rolled Over

If the seller(s) know(s) that a motor vehicle's five-digit odometer reading has rolled over after registering 99,999 miles, the seller must:

- Record the five-digit mileage figure *actually appearing on the odometer* in the mileage block on the title assignment and odometer disclosure statement, if applicable; and
- Check the appropriate box on the certificate of title and the odometer disclosure statement, if applicable. In this situation, the following brand will appear on the face of the Missouri certificate of title and any subsequent title.
 - "This is not the true and accurate mileage of this motor vehicle. Consult the documents on file with the Missouri Department of Revenue for an explanation of the inaccuracy. MILEAGE EXCEEDS THE MECHANICAL LIMITS."

If a motor vehicle is equipped with a six-digit odometer, the six-digit mileage figure must be recorded by the seller(s) on the title assignment and odometer disclosure statement, if applicable.

Any person may challenge the director's decision to place the statement referenced on the Missouri certificate of title in any Missouri circuit court. The burden of proof shall be on the director of revenue in such proceedings.

OBTAINING MILEAGE FOR CORRECTED TITLES

If an applicant is applying for a corrected title because the incorrect mileage reading was provided to the Department at the time of titling, the applicant must submit the following documents in addition to the other documents required for a corrected title:

- A statement signed by both the buyer(s) and seller(s) explaining the mileage error; or
- A new odometer disclosure statement, completed in full by the buyer(s) and seller(s), if ownership of the vehicle was transferred on or after Aug. 28, 1989.

ODOMETER REPAIR

Nothing in <u>Sections 407.511 to 407.566</u>, RSMo, shall prevent the service, repair, or replacement of an odometer, provided the mileage indicated thereon remains the same as before the service, repair, or replacement occurred.

When a repaired or replaced odometer is incapable of registering the same mileage as before the service, repair, or replacement, the odometer shall be adjusted to read zero and a notice in writing shall be attached to the left door frame of the vehicle, by the owner or his agent, specifying the mileage prior to repair or replacement of the odometer and the date on which it was repaired or replaced.

To obtain a decal in order to document the required odometer replacement information, please visit one of the following links: <u>watdasi.com/odometernoticestickerreplacedodometers.aspx</u> or <u>paadps.com/odometerrepairlabel.aspx</u>

Removal or alteration of the notice required by <u>Section 407.531.2</u>, RSMo, is an infraction.

CRIMINAL PENALTIES FOR ODOMETER FRAUD

Section 407.536, RSMo, provides that any person defacing, obscuring, or otherwise falsifying any odometer reading on any certificate of title, odometer disclosure statement, separate statement, or application for title shall be guilty of a class E felony.

<u>Section 407.516</u>, RSMo, Odometer fraud, first degree, and penalty:

- A person commits the crime of odometer fraud in the first degree if they advertise for sale, sell, install, or has installed any device which causes an odometer to register any mileage other than the true mileage driven.
- For purposes of this section, the true mileage driven is the mileage registered by the odometer with the manufacturer's designed tolerance.
- Odometer fraud in the first degree is a class A misdemeanor.

Section 407.521, RSMo, Odometer fraud, second degree, and penalty:

- A person commits the crime of odometer fraud in the second degree if they, with the intent to defraud, disconnect, reset or alter the odometer of any motor vehicle with the intent to change the number of miles indicated thereon.
- The disconnection, resetting or altering of any odometer while in the possession of the person shall be prima facie evidence of intent to defraud.
- Odometer fraud in the second degree is a class E felony.

<u>Section 407.526</u>, RSMo, Odometer fraud, third degree, and penalty:

- A person commits the crime of odometer fraud in the third degree if, with the intent to defraud, they operate a motor vehicle less than 20 years old on any street or highway knowing that the odometer of the motor vehicle is disconnected or not functioning.
- Odometer fraud in the third degree is a class C misdemeanor.

Section 407.542, RSMo, Attempt to commit odometer fraud in first or second degree, penalties:

- A person is guilty of an attempt to commit odometer fraud in the first degree or odometer fraud in the second degree when, with the purpose of committing the offense, they do any act which is a substantial step towards the commission of the offense. A "substantial step" is conduct which is strongly corroborative of the firmness of the actor's purpose to complete the commission of the offense.
- It is no defense to a prosecution under this section that the offense attempted was, under the actual attendant circumstances, factually or legally impossible of commission, if such offense could have been committed had the attendant circumstances been as the actor believed them to be.

• An attempt to commit odometer fraud in the first or second degree is a class C misdemeanor.

<u>Section 407.543</u>, RSMo, Conspiracy to commit odometer fraud in first or second degree, penalty:

- A person is guilty of conspiring with another person or persons to commit odometer fraud in the first or second degree if, with the purpose of promoting or facilitating its commission, he agrees with such other person or persons that they or one or more of them will engage in conduct which constitutes such an offense.
- The provisions of <u>Section 562.014</u>, RSMo, shall apply to this section and as is provided in that section, conspiring to commit odometer fraud in the first or second degree is a class C misdemeanor.

ODOMETER FRAUD – COURT PROCEEDINGS

Section 407.544, RSMo, Prior convictions for odometer frauds, court may increase sentence and penalties:

Notwithstanding any provision of law to the contrary, a court may enhance the sentence for any person convicted of violating <u>Sections 407.516</u>, <u>407.521</u>, <u>407.526</u>, <u>407.536</u>, <u>407.542</u>, or <u>407.543</u>, RSMo, who has a prior conviction for any one of the foregoing sections to a fine and to a time of imprisonment within the Department of Corrections for a term not to exceed that otherwise authorized by law for violation of a class E felony.

Section

POWER OF ATTORNEY (POA)

REGULAR POWER OF ATTORNEY FORM

A regular/durable POA may be used in instances where the person holding POA is not required to complete odometer disclosure on behalf of both seller and purchaser. A regular notarized POA can be used to complete sale of a motor vehicle and *Odometer Disclosure Statement* (Form 3019).

- A regular POA cannot be used in situations where the person signing for buyer and seller is the same person or when different persons sign for buyer and seller but represent work for same entity.
- A regular POA can be used to apply for a duplicate title.
- An insurance company may submit an electronically signed *Power of Attorney* (Form 4054) or similar form in cases where an insurance company has paid or is paying a total loss claim for a vehicle or trailer and odometer disclosure is not required. In this instance:
 - The owner may appoint the insurance company as POA to execute the assignment of ownership transfer to the insurance company;
 - The owner may appoint the insurance company as POA for the purpose of applying for title (duplicate) on behalf of the owner;
 - The electronically signed POA does not require notarization; and
- The electronically signed POA is not acceptable for marine transactions.

A regular POA cannot be used in conjunction with a secure POA.

WHEN A SECURE POWER OF ATTORNEY CAN BE USED

A Secure Power of Attorney (SPOA) may be used when the vehicle title is not available for a proper assignment on the date of sale, because it is held by the lienholder or because a duplicate title is needed.

The original secure document must be submitted for processing (a copy will not be accepted), as the federal government requires that the SPOA be on secure paper. A copy of the form should be retained for your records. The form can be ordered from the Department's website at: stateofmissouri.wufoo.com/forms/dor-request-for-mail-order-forms/.

The Form 5086 may be used as follows:

- Part A of Form 5086:
 - Used when the seller authorizes the purchaser to sign the first title assignment and odometer disclosure on their behalf when the title is held by the lienholder or a duplicate title is needed.
 - \circ The date of the POA will become the purchase date on the title assignment.
 - Authorizes the purchaser to apply for a duplicate title on the seller's behalf. NOTE: The original SPOA must be submitted for processing.

- Part B of <u>Form 5086</u>:
 - Authorizes the selling dealer to sign on behalf of the purchaser on the second assignment when the duplicate title is received, allowing the dealer to sell the vehicle prior to the duplicate title being issued.
 - Part B should only be completed when a duplicate title must be obtained.
- Part C of Form 5086:
 - Must be completed by the selling dealer once the duplicate title is received after the dealer inspects the title to ensure the mileage on the duplicate title is consistent with what was recorded on the SPOA.
 - The secure, original <u>Form 5086</u> must be attached to the title;
 - A copy of <u>Form 5086</u> must be submitted with a copy of the front and back of the corresponding title to the Department by the 15th of the month following the month in which the sale occurred (with the dealer's monthly sales report if the report is filed in paper format); and
 - A photocopy of <u>Form 5086</u> must be retained in the dealership's records.

GENERAL INFORMATION REGARDING THE SECURE POWER OF ATTORNEY

An original secure POA must be given to any subsequent purchasers with the title. Purchasers, other than dealers, should retain the duplicate copy with their records. Dealers should submit the duplicate copy of the secure POA form and a copy of the front and back of the certificate of title with the dealer's monthly sales reports. Dealers are required by federal law to let any subsequent purchasers review the secure POA that was previously completed on a vehicle. Dealers must retain a copy for their records. If an original secure POA has been lost, the Department will accept a true certified copy from the dealership.

A Missouri motor vehicle dealer may buy or sell a motor vehicle when an out-of-state secure POA accompanies the title. When an out-of-state secure POA is involved, the Missouri dealer must obtain the secure POA and certificate of title, but will not be required to submit copies of those documents with the dealer's monthly sales report.

BUYING AND SELLING A VEHICLE WITHOUT A TITLE

For detailed information regarding a dealer buying and selling a vehicle without a title, refer to the <u>Missouri Dealer and Business Operating Manual</u>.

Section 6

CREATION AND RELEASE OF LIENS

PERFECTING OF A LIEN

- Missouri law states that for a lien to be perfected the date it is created, and to protect the creditor from the buyer's/debtor's possible bankruptcy, the notice of lien should be perfected (received by the Department) within 30 days from the date of the loan.
- A lien is a claim on the property of another, i.e., vehicle, vessel, etc., as security for payment of a debt.
- To perfect a lien on a motor vehicle, trailer, manufactured home, vessel, or outboard motor, see the chart below.
- File your lien online at: <u>https://dors.mo.gov/dmv/nol/loginLink.do</u>
- A certificate of title will be mailed to the owner named on the certificate of title unless the owner designates a "Mail-to" on the application for title or provides written authorization for other handling.
- It is important for the lienholder to perfect their lien with the Department promptly to prevent the title from issuing without the lien information displayed.

Liens May Secure Future Advances

<u>Sections 301.600.3</u>, <u>306.400.4</u>, and <u>700.350.3</u>, RSMo, provide that liens on motor vehicles, trailers, manufactured homes and marinecraft (vessels and motors) may secure future advances if certain procedures are followed. For example, a lienholder may file a notice of lien on a vehicle with the Department and later allow the vehicle owner to refinance their vehicle, borrow additional money, or extend their line of credit under the original security agreement. The lienholder does not have to "update" or re-perfect the lien by filing another notice of lien with the Department on the same vehicle. The lien already shown on the certificate of ownership will secure any future loan made against the vehicle as long as the loan is an extension or addendum to the original loan agreement.

For a lien on a motor vehicle, trailer, marinecraft, or manufactured home to secure future advances, the following requirements apply:

- The security agreement evidencing indebtedness must clearly state the fact that a lien may secure future advances. The Department is not required to witness the agreement.
- The lienholder must check the "STFA" block on the notice of lien form. The applicant must check the "Second Lien" block and the "STFA" block on the title application.
 - When the corresponding certificate of title issues, "Subject to Future Advances" will appear in the second lienholder area on the face of the certificate of title.
- "Subject to Future Advances" may not be recorded on any application for title or lien perfection or the subsequent certificate of title issued if a second lienholder is shown.
- If the original lien has already been released on the certificate of title, the lienholder would have to file another notice of lien on the vehicle, as the provisions to secure future advances would be terminated.

A lienholder may note the fact that a lien secures future advances on any application for an original title or notice of lien on a motor vehicle, trailer, manufactured home, vessel, or motor. This includes an application for title involving a change of ownership, updating or adding a lien, or changing a name.

PERFECTING A LIEN ONLINE

A primary (first) lienholder can file a notice of lien using the Department's online <u>Notice of Lien</u> <u>Application</u> (NOL system).

- A second lienholder cannot file a notice of line using the Department' online NOL system as the second lienholder must obtain the written authorization from the first lienholder and provide the written authorization when filing their NOL.
- Information on how to obtain access and file notice of liens use the Department's online NOL system can be found at <u>dor.mo.gov/motorv/liendeal/</u>.

Below is a summary of documents and fees required based on transaction type:

TRANSACTION TYPE	REQUIRED DOCUMENTS/FEES		
FILING FIRST LIEN ONLINE WITHOUT OWNERSHIP DOCUMENT	 Vehicle, Vessel, or Outboard motor: Notice of Lien or Lien Release or Authorization to Add/Remove Name from Title (Form 4809); or Application for title (Form 108 or 93). \$6 processing fee. 		
FILING SECOND LIEN WITHOUT OWNERSHIP DOCUMENT (cannot file online)	 Same requirements as listed above; and Written authorization from the primary (first) lienholder. 		
NO CHANGE OF OWNERSHIP	 Application; Vehicle – Application for Missouri Title and License (Form 108) with the "Title and Notice of Lien" box checked; or Vessel or outboard motor – Application for Missouri Boat/Vessel or Outboard Motor and Registration (Form 93) with the "Title and Notice of Lien" box checked. Certificate of title; and Notice of Lien, Lien Release, or Authorization to Add/Remove Name from Title (Form 4809); Lien authorization or release of the existing lien is not required if the lienholder is only updating a lien (same owner and same lienholder). Title fees: \$8.50 title fee for wessels; or \$5 title fee for outboard motor \$6 title processing fee; and \$6 NOL processing fee. Second Science (Science) 		
CHANGE OF OWNERSHIP	 Notice of Lien, Lien Release, or Authorization to Add/Remove Name from Title (Form 4809); and \$6 NOL processing fee. 		

You may take the documents to your local license office or mail to the Motor Vehicle Bureau, PO Box 100, Jefferson City, MO 65105-0100.

RELEASING A LIEN

On a motor vehicle, trailer, manufactured home, vessel, or outboard motor, <u>Sections 301.640</u>, <u>306.420</u>, and <u>700.370</u>, RSMo, require the lienholder to release the lien on a separate document within five business days after the lien is satisfied. The release document shall be notarized. Each perfected second lienholder, if any, shall release such lien in the same manner.

- Lien releases made on or after July 1, 2003, may no longer be released on the face of a Missouri title, but must be released as follows:
 - If the *lienholder is an individual,* a notice of release (lien release section of <u>Form 4809</u>) must be completed, signed, and *notarized.* An estate executor may release the lien by submitting the above with an *original or certified copy* of the probate court order.
 - If the *lienholder is a business entity,* a completed, signed, and notarized notice of release (lien release section of Form 4809) or a *notarized* lien release on the lienholder's letterhead listing the year, make, vehicle identification number, lien release date, lienholder name and signature, and vehicle owner's information must be submitted;
 NOTE: A faxed copy may be accepted as long as the notary information is legible.
- A lien released prior to July 1, 2003, may be released on the face of the title or as listed above and does not have to be notarized.
- If the owner is unable to obtain a lien release, a court order instructing the director of revenue to release the lien must be submitted.
- Some states still require the lien to be released on the face of the title. For these states, Missouri will accept this method of lien release. The out-of-state title must be notarized only if that state currently requires the release to be notarized.
- To release a lien recorded on a certificate of title when the accounts/assets of the lienholder have been taken over by the FDIC due to insolvency and/or liquidation, a document from the FDIC must be submitted.
- The document from the FDIC must grant power of attorney to the receiver of the account and list the names of the insolvent lienholder and the lienholder that took over the account. If the power of attorney references an "asset pool" only, rather than the name of the insolvent lienholder, a separate document listing the insolvent lienholder is required.

On occasion, a lienholder will release the lien on a vehicle before the original certificate of title reflecting the lien issues in the owner's name. This usually happens when the applicant fails to pay their taxes in a timely manner. In this situation, the lien may be released after the taxes are paid by submitting one of the lien release documents identified above.

COMPLETION OF THE NOTICE OF LIEN OR LIEN RELEASE FORM (FORM 4809) AND NOTICE OF LIEN ON TITLE APPLICATION (FORM 108)

Instructions for Completing a Notice of Lien, Lien Release, or Authorization to Add/Remove Name from Title (Form 4809)

To file or release a lien, complete the following using the *Notice of Lien, Lien Release, or Authorization to Add/Remove Name from Title* (Form 4809).
	in the second	MOTOR VE	DEPARTMENT (HICLE BUREAU 55, JEFFERSON		573-52	26-3669 dor.mo.gov/mvdl	Form 4809	FOR DOR USE ONLY	REJECT NUMBER			
		TO ADD/	OF LIEN, LI REMOVE N		ASE, OR AUTH DM TITLE	IORIZATION		TYPE ALL APPLI TYPED, ATTACH	CATIONS. IF NOT COPY OF TITLE.			
	OR	DOR USE ONLY			1							
	<u> </u>	NOTICE OF LIE	N (NO NOTARY F	REQUIRED)			IS THIS A CHAI	NGE OF OWNERSHIP	P? □YES □NO			
œ	TION	OWNER'S NAME (LAS	ST, FIRST, MIDDLE) A	S SHOWN ON TIT	LE APPLICATION (ONLY F	IRST 50 CHARACTER	S WILL PRINT ON TI	TLE)				
OWNE	ORMATION	STREET ADDRESS		2	2			COUNTY				
	Ľ	CITY, STATE, AND ZI	PCODE					DLN OR FEIN 3				
	NOI	PASSENGER OUTBOARD MOTO		ATV TRA	AILER MANUFACT		RV BUS	BOAT/VESSEL	4			
L	RIPT	YEAR	MAKE		VIN/HIN NUMBER		5					
	DESCRIPTION		6	PREVIOUS T	TILE NUMBER 7		NET PRICE (AFTEI	R TRADE-IN)				
EB	_	LIENHOLDER'S NAME	AS SHOWN ON TITL	E APPLICATION			FDIC OR LIENHOLI	der id number 10				
HOLE	DRMATION	STREET ADDRESS					CITY, STATE, AND	ZIP CODE				
		LIEN DATE	11		D FUTURE ADVANCES?	LOAN OR UNIT NU	MBER	13				
FIRS	INF	FIRST LIENHOLDER A	AUTHORIZES A SECC	ND LIEN BY SIGN	NING BELOW 14	2						
OLDER	N	LIENHOLDER'S NAME	E AS SHOWN ON TITL	E APPLICATION			FDIC OR LIENHOL	DER ID NUMBER 16				
	NFORMATION	STREET ADDRESS					CITY, STATE, AND	ZIP CODE				
SECOND LIENHOLDER	INFO	LIEN DATE	17	LOAN OR UI	NIT NUMBER		18					
	L	IENHOLDER A	UTHORIZATIO	N FOR OW	NERS TO ADD/RE	MOVE NAME F	OR TITLE. (NO	O NOTARY REQUIRED))			
μ	TLE	OWNER'S NAME (LAS	ST, FIRST, MIDDLE) A	S SHOWN ON TIT	LE APPLICATION	PRINT NAME BE	EING ADDED OR REI	MOVED ADD	REMOVE			
NOV	E MO	STREET ADDRESS					CITY, STATE, AND ZIP CODE					
DD/RE	ME FROM TIT	COUNTY	TITLE NUMBER	PRINTI	ED NAME OF LIENHOLDEF	R'S AGENT	SIGNATURE C	GNATURE OF LIENHOLDER'S AGENT				
	NAME	YEAR	MAKE		VIN/HIN NUMBER							
] L (IEN RELEASE-	ATTACH TO	TITLE 20		OF ANOTHER WI		ALLY SUBMITS A SEP THORITY TO DO SO S				
LARY		LIENHOLDER'S NAME	E AS SHOWN ON TITL	E	PRINTED NAME OF LIEN		SIGN	ATURE OF LIENHOLDER'S	AGENT			
SENO	INFORMATION	NOTARY PUBLIC EM RUBBER STAMP SEA		STATE CO	DUNTY (OR CITY OF ST. LC		N DATE		, 25			
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		_	-		vith <u>each</u> Notice o							
	TΗ	E ORIGINAL I	DOCUMENT	MUST BE S	SUBMITTED. It	is recommend	ded that you	retain a copy fo	r your records.			

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Instructions for Completing a Notice of Lien (Form 4809)

LINE	FORM SECTION	INSTRUCTIONS FOR COMPLETION
1	*FOR DOR USE ONLY	Office staff should validate this area for the appropriate processing or agent fee.
2	Owner's Name and Address	 Record the owner's name exactly as shown on the title application (to release a lien, only one name is required if multiple names are shown on the title). Street Address – Record the owner's street address. County – Record the county in which the owner resides. City, State, and Zip Code – Record the owner's city, state and ZIP code.
3	DLN or FEIN	Record the driver license number (DLN), Social Security number (SSN), or Federal Employee Identification Number (FEIN) of the first owner.
4	Type of Unit	Mark the appropriate box to indicate motor vehicle, ATV, trailer, manufactured home, vessel, or outboard motor.
5	Year	 Record the two-digit year, make, and identification number. Make – Record the make of the unit (e.g., Ford, Chrysler, Mazda). Identification Number – Record the identification number of the motor vehicle, ATV, manufactured home, trailer, vessel, or outboard motor.
6	Purchase Date	Record the purchase date of the unit.
7	Previous Title Number	Record the previous title number, if available.
8	Net Price	Record the net price of the unit after any trade-in credit or rebate.
9	First Lienholder's Name/Address	Record the name and address of the first lienholder.
10	FDIC or Lienholder ID Number	Record the Federal Deposit Insurance Corporation (FDIC) number or other identification number of the lienholder.
11	Lien Date	Record the date of the security agreement (lien date) for the first lienholder.
12	Subject to Future Advances (First Lienholder)	Mark this box if applicable.
13	Loan or Unit Number	Record the loan or unit number provided by the first lienholder.
14	First Lienholder Authorization	To add a second lien, the first lienholder's authorized agent must sign.
15	Second Lienholder's Name/Address	Record the name and address of the second lienholder, if applicable.
16	FDIC or Lienholder ID Number	Record the Federal Deposit Insurance Corporation (FDIC) or identification number of the second lienholder, if applicable.
17	Second Lien Date	Record the date of the security agreement (lien date) for the second lienholder, if applicable.
18	Loan or Unit Number	Record the loan or unit number provided by the second lienholder.
19	Lienholder Authorization	Mark the box and complete owner information only if adding or removing name from the title.
20	Lien Release	Mark this box when releasing a lien.
21	Lienholder's Name as Shown on Title	Record the name of the lienholder that is releasing the lien as it appears on the face of the title.
22	Printed Name of Lienholder's Agent	Print the name of the lienholder's agent that is releasing the lien.
23	Signature of Lienholder's Agent	The authorized agent of the lienholder must sign.
24	Lien Creation Date	Record the lien creation date.
25	Release Date	Record the lien release date.
26	Notary Public Information	This section must be completed by a notary public.

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TITLE WITHIN THIRTY DAYS TO AVOID PENALTY

To file a lien using the title application, complete the following using the *Application for Missouri Title and License* (Form 108).

LINE	FORM SECTION	INSTRUCTIONS FOR COMPLETION
1	Title and Notice of Lien	Mark this box when adding a lien when there is no change of ownership.
2	Owner's Name and Address	Record the name, street address, city, state, and ZIP of the owner.
3	County	Record the county name in which the applicant's address is located.
4	DLN or FEIN	Record the driver license number (DLN), Social Security number (SSN), or Federal Employee Identification Number (FEIN) of the first owner.
5	Price	Record the gross sale price of the motor vehicle, trailer, ATV, or MFGHM.
6	Year	Record the last two digits of the vehicle's model year, example: 11
7	Make	Record the make of the vehicle. (e.g., Ford, Chrysler, Mazda)
8	Vehicle Identification Number (VIN)	Record the VIN correctly and completely as listed on the surrendered Manufacturer's Statement of Origin or the assigned certificate of title.
9	Purchase Date	Record the purchase date of the unit as MM/DD/YY.
10	Surrendered Title Number	Record the previous title number of the vehicle being titled, if available.
11	Kind of Vehicle (KOV)	Record the correct code as listed on the title application.
12	Net Price	Record the net price of the unit after any trade-in credit or rebate has been deducted.
13	First Lien	Mark the appropriate box to record a first lienholder.
14	Security Agreement Date	Record the first lien date.
15	Lienholder's Phone Number	Record the lienholder's phone number.
16	First Lien	Record the first lienholder's name and complete address.
17	Second Lien	Mark the "Yes" box if a second lien is to be recorded on the certificate of ownership.
18	Mail-to Alternate Address Below	Mark this box only when the title is to be mailed to an address other than the address shown at the top of the application.
19	Subject to Future Advances (STFA)	Mark this box if the unit is subject to future advances.
20	Security Agreement Date	Record the second lien date.
21	First Lienholder Authorization	To add a second lien, the first lienholder's authorized agent must sign.
22	Office Validation	The license office uses this space to validate the transaction for the \$6 processing fee.

## WHEN A LIEN RELEASE IS NOT REQUIRED

<u>Section 301.640</u>, RSMo, provides that if the purchase price of a motor vehicle or trailer did not exceed \$6,000 at the time of purchase, a lien shown on the certificate of title shall be considered satisfied within six years from the date the lien was originally perfected. In this case, the lien does not have to be released by the lienholder. These provisions do not apply in the following situations:

- If the lienholder was a bank, credit union, savings and loan, or other depository institution, or a motor vehicle financing company whose net worth exceeds one hundred million dollars (e.g., GMAC, Ford Motor Credit).
  - The liens that **do qualify** under this provision are those made by dealers, individuals, and other entities not excluded above.
- If the certificate of title has "Subject to Future Advances" recorded in the second lienholder area of the title; or
- If the lien has been re-perfected since the original date of perfection or a new lien has been perfected on the title.

**EXAMPLE:** Mike Smith purchased a motor vehicle on June 27, 2011, from a dealer for \$5,500. The dealer financed the vehicle. When the title issued on July 20, 2011, it was mailed to the dealer showing the lien. On Aug. 28, 2019, Mr. Smith applies for a duplicate title to the vehicle. Because the purchase price of the vehicle was less than \$6,000 and at least six years had passed since the lien was perfected, Mr. Smith may obtain a clear title without submitting a lien release from the dealer.

## LIENHOLDER IS NO LONGER IN BUSINESS

A copy of a certificate of title with the lien released is not acceptable proof for releasing a lien at the time application is made for a duplicate title unless the lienholder shown is no longer in business. A statement from the Secretary of State's Office, the Federal Deposit Insurance Corporation (FDIC), or Federal Savings and Loan Association stating the lienholder is no longer in business must be submitted with the copy of the certificate of title showing the lien released.

## **REPOSSESSION TITLE**

All Department of Revenue license offices can accept a repossession title application for a motor vehicle, trailer, ATV, manufactured home, boats/vessel, or outboard motor. These applications may still be submitted to the Motor Vehicle Bureau, PO Box 2076, Jefferson City, MO 65105-2076.

To obtain a repossession title, the lienholder must submit the following documents and fees.

- Notarized Application/Affidavit for Missouri Repossession Title (Form 5005);
- A copy of the Notice of Lien (NOL) receipt or the original title reflecting the lienholder; and
- \$10 title fee and \$6 title processing fee.

Before making application, the lienholder must provide 10 days written notice to the owner and any other lienholder by first class mail; postage prepaid, of their intent to file for a repossession title, or must obtain the written consent, from all parties, to repossess the unit. The lienholder may access the Department's records online (<u>dor.mo.gov/motorv/liendeal/</u>) to ensure they have notified all interested parties of record.

## MARINE/WATERCRAFT

#### **OUTBOARD MOTORS, VESSELS, AND WATERCRAFT REQUIRED TO BE TITLED**

Missouri law requires all *motorized* vessels (watercraft) and outboard motors to be titled and registered. This includes jet skis, motorized water bikes, or any vessel over 12 feet in length powered by sail alone or combination of sail and machinery. Trolling motors and electric outboard motors are *not* titled or registered in the state of Missouri.

A vessel (watercraft), regardless of length, which is propelled solely by paddles or oars, is **not required** to be titled and registered. A vessel documented by the United States Coast Guard **must be registered**.

The owner of a vessel (watercraft) or outboard motor must submit an application for title and registration within 60 days after the unit is purchased or brought into this state or be subject to title penalties. A penalty of \$10 will be assessed on the 61st day and for each 30 days of delinquency after that, not to exceed a total of \$30.

To perfect a lien on a vessel (watercraft) or outboard motor, see <u>Section 6</u> of this manual.

#### COMMON REASONS AN APPLICATION MAY BE DELAYED OR NOT PROCESSED

The following are reasons a title application may be delayed or returned by the Motor Vehicle Bureau. Please be sure to complete all items on the title application. An application that is incomplete or incorrect will be returned to the applicant or lienholder for correction.

- The title application is incomplete or not legible.
   NOTE: The horsepower, boat type, engine drive, propulsion type, and color must be recorded on the application for vessel title. The hull identification number for a vessel must contain twelve digits. See page 7-9 for more information.
- The title application is not signed by at least one owner.
- A descriptive notarized lien release on the lienholder's letterhead or a *Notice of Lien, Lien Release, or Authorization to Add/Remove Name from Title* (Form 4809) is not submitted or is incomplete (must contain the year, make, hull identification number or outboard motor identification number, lien release date, and signature of the authorized agent).
- An ownership document is not submitted or assigned properly.
   NOTE: A properly assigned ownership document must be obtained from the seller at the time of purchase. A properly assigned ownership document must include:
  - Signature(s) of all owners on the face of the document;
  - Purchase price;
  - o Date of sale, lien date, and the lienholder name and address.
- Incorrect taxes and fees are submitted with the application. Do not send cash by mail.
   NOTE: To avoid a title penalty, you must submit your application for title and pay state and local taxes within 60 days of the purchase date for vessels (watercraft) and outboard motors.

Section

• An incomplete *Bill of Sale/Even-Trade Bill of Sale* (Form 1957) submitted. The bill of sale must include a complete description of the unit, purchase price, date of sale, purchaser's name and address, and seller's name and address.

#### COMPLETION OF THE APPLICATION FOR MISSOURI BOAT/VESSEL OR OUTBOARD MOTOR TITLE AND REGISTRATION

On the following page is a sample *Application for Missouri Boat/Vessel or Outboard Motor Title and Registration* (Form 93). Instructions for completing the title application are on the pages that follow.

**NOTE:** *Do not use white out* on an application for title. If an error is made, draw one thin line through the incorrect information and then record the correct information above it.

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SHADED BOXES FOR BOAT/VESSEL ONLY

Form 93 (Revised 08-2019)

LINE	FORM SECTION	INSTRUCTION FOR COMPLETION
1	Transaction Type	Mark the appropriate box. The type of unit and type of transaction box must be marked.
2	DOR USE ONLY- Reject Number	This box is used by the central office to record the reject number, if applicable
3	Title and Notice of Lien	Mark when applying for a title and filing a Notice of Lien (NOL) with no complete change of ownership. <b>NOTE:</b> Lienholder authorization is required to add or remove a name from a title. <i>Notice of Lien, Lien Release, or</i> <i>Authorization to Add/Remove Name</i> (Form 4809) may be used.
4	Title Type	Mark the appropriate box to indicate the type of title for which the applicant is applying. To ensure proper processing of the title application transaction, the box must be marked clearly. Do not mark on or over the lines separating the title types.
5	Transfer on Death (TOD)/Tenants in Common	<ul> <li>Mark the Transfer on Death box if the applicant wants to name one or more beneficiaries on the title. The beneficiaries have no ownership rights until after the unit's owner is deceased.</li> <li>Mark the Tenants In Common box if the applicant wishes to designate a form of ownership other than joint tenancy. When ownership is by tenants in common and one owner is deceased, the remaining owner's percentage of ownership remains the same. The deceased owner's share must transfer by probate court.</li> </ul>
6	Owner's Name and Address	<ul> <li>Record the legal name(s) of the applicant(s) in the "last name, first name, and middle initial" order.         <ul> <li>Only the first 50 characters of the owner's name (including spaces) will print on the certificate of ownership. The 50 characters will include any TOD beneficiary that may be designated.</li> </ul> </li> <li>Record the street, city, state, and zip code of the applicant. Only 20 characters of the owner's street address will print on the face of the certificate of title. Record the <i>actual city name</i>.         <ul> <li>EXAMPLE: If the applicant resides in Ladue, Missouri, the application should indicate Ladue, not St. Louis, Missouri.</li> </ul> </li> <li>The following cities may be abbreviated:         <ul> <li>Jefferson City</li> <li>North Kansas City</li> <li>NKC</li> <li>St. Louis</li> <li>STL</li> <li>University City</li> <li>UC</li> <li>Kansas City</li> <li>KC</li> <li>Springfield</li> </ul> </li> </ul>
7	Transfer on Death Beneficiaries	Record the beneficiaries' name(s) if the <b>Transfer on Death</b> box is marked.
8	County	Record the county name in which the owner's address is located.
9	In City Limits	Mark this block if the applicant resides inside the city limits.
10	Outside City Limits	Mark this block if the applicant resides outside the city limits.
11	Lease/Rental (L/R) Number	Record the lease/rental number assigned by the Department, if the applicant is a leasing/rental company.
12	DLN/FEIN	Record the driver license number (DLN), Social Security number (SSN), or Federal Employee Identification Number (FEIN) of the first owner.
13	DOB	Record the applicant's date of birth.
14	Telephone Number	Record a daytime telephone number where the applicant can be reached.
15	Year MFD	<ul> <li>Record the model year or program year of the unit. For a new outboard motor, if the model year or program year is <i>not</i> shown on the MSO, record the year of manufacture as follows:</li> <li>If the month of manufacture indicates January through June, record the year of manufacture. <i>Example: Manufacture date is 06/2012, record 2012.</i></li> <li>If the month of manufacture indicates July through December, record the <i>calendar year immediately following</i> the year of manufacture. <i>Example: Manufacture date is 07/2012, record 2013.</i></li> </ul>
16	Model Year-New	<ul> <li>Required for an outboard motor only. "Model Year-New" is the year the dealer received the outboard motor from the manufacturer. Verify "Model Year-New" with one of the following documents:         <ul> <li>MSO;</li> <li>Dealer certified application;</li> <li>Original dealer invoice; or</li> <li>Dealer signed statement.</li> </ul> </li> </ul>
17	Make	Record the make of the unit (e.g., Ford, Chrysler, Mazda). <i>Do not</i> record the model series. (See <u>Exhibit B</u> for common makes)

LINE	FORM SECTION	INSTRUCTION FOR COMPLETION
18	Manufacturer's Hull Identification Number (HIN)	Record the boat, vessel, or outboard motor identification number as reflected on the certificate of title, MSO, or ownership document.
19	Model Number	Record the model number of the unit.
20	Horsepower	Record the horsepower for all outboard motors. If the horsepower of the outboard motor is 7 1/2, enter "7.5."
21	Color	Record the appropriate color code for the unit. If the unit has two colors, record three letters of the predominant color first, followed by three letters of the secondary color. The colors should be separated by a slash (/). <i>Example:</i> RED/WHI ( <u>Exhibit C</u> ).
22	Length	Record the length of the boat or vessel in feet and inches.
23	Material	Record the appropriate code (Exhibit C) for the material of the vessel (watercraft).
24	Boat Type	Record the appropriate code (Exhibit C) for the type of vessel (watercraft) being title and registered.
25	Engine Drive Type	Record the appropriate code (Exhibit C). If the vessel (watercraft) is powered by an inboard, sterndrive, or pod drive motor, enter the horsepower of the motor in the "HP" block.
26	Type of Propulsion	Record the appropriate code ( <u>Exhibit C</u> ) for the type of propulsion.
27	New	Mark this box if the unit is purchased on an MSO or a new unit purchased from a dealer or retailer when no MSO exists.
28	Used MO	Mark this box if the unit is purchased on a Missouri certificate of title or from a Missouri seller when no certificate of title exists.
29	Used Out-of-State	Mark this box if the unit is purchased on an out-of-state certificate of title or other out-of-state ownership document.
30	Surrendered Title Number	Record if the surrendered title was a Missouri title.
31	State	Record the state that corresponds with the ownership document.
32	Fuel Type	Record the Fuel Type
33	Previous Owner's Last Name	Record the first four letters of the last name of the owner on the face of the Missouri title. If it was purchased from an out-of-state dealer or individual, leave blank.
34	Boat/Vessel License I.D. (MO) Number	Record the Missouri Registration Number ("MO number") from the previous Missouri title. If the vessel or watercraft has never been registered or the type of use changes, a new MO number will be issued.
35	Type of Use	<ul> <li>Mark the appropriate box:         <ul> <li>PLEASURE – Any watercraft (vessel) that the owner uses for recreational purposes.</li> <li>RENT/LEASE – Any watercraft (or vessel) which the owner rents or leases to another person, firm, or corporation for a fee.</li> <li>COMMERCIAL FISHING – Any watercraft (vessel) that commercially engages in the catching, taking, or harvesting of fish which, either in whole or in part, is intended to enter commerce through sale, barter, or trade.</li> <li>CHARTER FISHING – Any watercraft (vessel) carrying a passenger(s) for hire who is (are) engaged in recreational fishing.</li> <li>COMMERCIAL PASSENGER CARRYING – Any watercraft (vessel) that commercially engages in the transport of passengers.</li> <li>COMMERCIAL OTHER – Any watercraft (vessel) that the owner uses for business purposes.</li> <li>DEALER OR MANUFACTURER DEMONSTRATION – Any watercraft (vessel) that is owned by a dealer or manufacturer and used solely for demonstration purposes.</li> </ul> </li> </ul>
36	Boat/Vessel/ Outboard Motor Decal Number	The number of the decal issued to the watercraft (vessel) or outboard motor will be entered.
37	Expiration Year	The year the watercraft (vessel) decal expires will be entered. For outboard motors, "N/A" will be entered.
38	First Lien	<ul> <li>Mark "Yes" if a lien exists on the unit; or</li> <li>Mark "No" if a lien does not exist on the unit.</li> </ul>
39	Security Agreement Date (First Lien)	Record the lien date, if applicable.
40	Mail to Lienholder	Mark this box if the title is to be mailed to the first lienholder.

LINE	FORM SECTION	INSTRUCTION FOR COMPLETION
41	Lienholder's Telephone Number	Record the lienholder's telephone number, if applicable.
42	Second Lien	<ul> <li>Mark "Yes" if a second lien or Subject to Future Advances (STFA) must be recorded on the certificate of ownership; or</li> <li>Mark "No" if a second lien or STFA does not exist.</li> </ul>
43	Mail To Alternate Address Below	Mark this box only when the title is to be mailed to an address other than the address shown at the top of the application.
44	First Lien Name and Address	Record the complete name and address of the lienholder. Please note that only the first 20 characters will appear on the certificate of ownership, so the name may be abbreviated accordingly.
45	Second Lienholder or Mail To Name and Address	Record the complete name and address of the second lienholder or mail to. Please note that only the first 20 characters will appear on the certificate of ownership, so the name may be abbreviated accordingly.
46	Subject to Future Advances (STFA)	Mark this box if "STFA" must be recorded on the certificate of ownership.
47	Security Agreement Date (Second Lien)	Record the second lien date on the unit, if applicable.
48	Purchase Date	Record the Month/Day/Year. <b>EXAMPLE:</b> March 03-19 or 03-03-19. The purchase date and the sale date must be the same. The purchase date should be the date the ownership document was assigned (when a change of ownership is involved). On a non-assigned title (e.g., change of state, adding a lien), the purchase date should be carried forward from the face of the title. If there is no purchase date on the face of the title, the issue date shown on the surrendered ownership document may be entered as the purchase date.
49	Price	Record the gross sale price of the unit.
50	Rebate	Record the rebate amount, if applicable. If this amount has been altered, proof of the rebate (i.e., the dealer invoice) will be required.
51	Trade-In	Record the total amount allowed on the trade-in, if applicable. If this amount has been altered, proof of the trade-in (i.e., the dealer invoice) will be required.
52	Other Credits	Record the total amount allowed on any tangible personal property that was received by the dealership as a credit or partial payment towards the purchase price of the unit. If the purchaser is allowed a replacement unit or total loss tax credit, enter the total amount allowed and verify the applicant owned the unit being used as a replacement tax credit.
53	Net Price	Record the total net price. This is calculated by subtracting any rebate, trade-in allowance, and/or other credit from the purchase price. Verify with title assignment, if recorded.
54	Trade-In	Mark "Trade-In" only if a unit was traded in to a dealership. Do not mark for a replacement tax credit.
55	Year	Record the year of the unit being traded in.
56	Make	Record the make of the unit being traded in.
57	Title Number	Record the title number of the unit being traded in, if available.
58	Manufacturer's I.D. Number	Record the complete manufacturer's identification number of the unit being traded in.
59	Signature of Owner	If more than one owner's name is listed, only one signature is required. If the applicant is an officer of a company or corporation, they must indicate their official position with the company or corporation beside their signature.
60	MO Boat Dealer Number	Ensure the dealer number is recorded when the unit described on the title application was sold by a <i>Missouri</i> dealer. If the application for title is in the name of a Missouri dealer, enter the purchasing dealer's number on the application. If there is no ownership document attached, this section must be completed.
61	Boat Dealer Name	The selling dealer must record the dealership's name, if applicable.
62	City, State, and Zip Code	The selling dealer's address must be recorded, if applicable.
63	Telephone Number	The selling dealer's telephone number must be recorded, if applicable.
64	Signature of Dealer or Representative	Ensure the dealer (or an authorized representative of the dealer) has signed the application, if applicable

LINE	FORM SECTION	INSTRUCTION FOR COMPLETION
65	Trade-In (Yes/No)	<ul> <li>The selling dealer or authorized representative of the dealer must mark the appropriate block as listed below, if applicable:</li> <li>If trade-in information is listed on the application for title and a trade-in amount is shown, the "YES" box should be marked.</li> <li>If there is no trade-in or if the credit allowed is "Other Credit" as outlined in Line #51, the "NO" box should be marked.</li> </ul>
66	Duplicate Title Only	Mark the applicable reason for the duplicate title.
67	Notary Information	Ensure the application is signed in the presence of a notary public, if applying for a duplicate title. The notary public must complete the appropriate blocks.
68	License Office Validation	This space must legibly show the registration number and the total amount of taxes, penalties, and fees paid, as applicable.
69	Approve/Reject	For central office use only.
70	Site Code	The site code number will be entered from the Local Tax Rate Chart for the corresponding local tax jurisdiction (city or county).
71	Processed By	For license office use only.
72	PP	This box must be marked if presenting proof of personal property taxes or a statement of non-assessment.
73	Missouri City or County Where the Unit is Housed	Record the location where the unit is housed. For an out-of-state resident, record the city or county where the unit is housed, stored, or operated in Missouri.
74	Registration Fee	<ul> <li>Record the appropriate registration fee.</li> <li>Boat or vessel registration fee based on length, as follows: <ul> <li>Under 16 ft. = \$25</li> <li>16 ftless than 26 ft. = \$55</li> <li>26 ftless than 40 ft. = \$100</li> <li>40 ft. and over = \$150</li> </ul> </li> <li>NOTE: A vessel at least 16 feet in length, but less than 28 feet in length, that is homemade, constructed of wood, and has a beam of five feet or less, will be charged a registration fee of \$55.</li> <li>Outboard motor registration fee = \$2.</li> </ul>
75	MOZ/MOZA Replacement Number Fee	Record the \$7.50 fee if a replacement identification number is issued.
76	Title Penalty	Record the title penalty fee, if applicable. There is no penalty when application is made within 60 days of purchase. The maximum delinquency penalty is \$30. <ul> <li>Application made 61st day-90th day = \$10</li> <li>Application made 91st day-120th day = \$20</li> <li>Application made 121st day or after = \$30</li> </ul>
77	Title/Quick/Notary Fee	<ul> <li>Record the appropriate fee listed below.</li> <li>Boat/vessel = \$7.50</li> <li>Outboard motor = \$5</li> </ul>
78	State Tax	Record the amount of state tax on the net price of the unit.
79	Local Tax	Record the amount of local tax due, if applicable.
80	Processing or Agent Fee	The office collects a processing fee.
81	NOL Processing Fee	Collect an NOL processing fee, if applicable.
82	Total	Record the total amount of taxes, penalties, and fees due.

## DOCUMENTS AND FEES REQUIREAD TO TITLE AND/OR REGISTER VESSELS AND OUTBOARD MOTORS FOR MISSOURI RESIDENTS

To title and register a vessel (watercraft) or outboard motor, the following documents and fees must be submitted:

- Application for Missouri Boat/Vessel or Outboard Motor Registration and Title (Form 93);
- **One** of the following ownership documents:
  - Manufacturer's Statement of Origin (MSO);
  - o Certificate of title; or
  - For a unit purchased on or after Aug. 28, 2008, the following is acceptable proof of ownership only if a Missouri title has not been issued or the unit was purchased from a state that doesn't title outboard motors:
    - Application for title certified by a licensed Missouri boat dealer;
    - Bill of Sale (BOS) A Missouri resident seller must obtain a Missouri title before selling the unit unless it was exempt from titling; or
    - Boat/Vessel and/or Outboard Motor Affidavit of Ownership and Inspection (Form 798) when:
      - Previous state does not title and no BOS exists; or
      - No ownership document is available (excludes the above two situations) or the boat or vessel is homemade – *must be processed by the central* office only.
    - A *Boat/Vessel Registration Number* (Form-2691-1), if applicable.
- When applying for a Missouri title for a vessel that was previously documented through the United States Coast Guard, a Letter of Deletion is required.
- An inspection verifying the hull identification number if it is missing or is less than 12 digits (see the Vessel (Watercraft) Identification Number section on Page 7-10).
- A *paid personal property tax receipt* or a *statement of non-assessment* from the county (or city of St. Louis) collector or assessor for the previous year.
  - If registering the vessel, a paid personal property tax receipt (original or copy) or statement of non-assessment from the owner's *county* (or city of St. Louis) of *residence.*
  - If the owner is an out-of-state resident or a corporation, or the vessel is a houseboat or cabin cruiser, the tax receipt must be from the county where the vessel is located.
  - The receipt must have a description of the type and total number of vessels. If the boat or vessel is not listed on the tax receipt ("boat" is acceptable), the following must be submitted:
    - A corrected tax receipt (manual correction requires county seal); or
    - A letter (on county letterhead or with county seal) signed by authorized representative reflecting tax paid for boat or vessel.
- Title fee of \$7.50, if applicable;
- Required processing fee; and
- Registration fee:

Vessel up to 16 feet in length	\$25
16 feet but less than 26 feet	\$55
26 feet but less than 40 feet	\$100
40 feet and over	\$150

- State and local taxes, if applicable;
  - Use the Department's <u>online sales tax calculator</u> for an estimate of the taxes.
- Title penalty, if applicable. Penalty is calculated after 60 days from date of purchase or the date the vessel was brought into Missouri (see <u>Page 1-2</u>).

## DOCUMENTS AND FEES REQUIRED TO TITLE AND REGISTER VESSELS AND OUTBOARD MOTORS FOR OUT-OF-STATE RESIDENTS

*In addition* to the Missouri resident requirements, an application from an out-of-state resident operating the vessel for more than 60 consecutive days in Missouri must include the following items:

- The application must indicate the owner's out-of-state address and the Missouri city or county where the vessel is being housed, stored, or operated.
- Taxes are assessed based on the Missouri address where the vessel is housed. If taxes were paid in another state, proof of payment must be submitted. If the vessel was registered and operated in that state for *more than 90 days*, no additional sales tax is due. If the owner did not operate the vessel in another state for at least 90 days, the applicant may be required to pay taxes equivalent to the rate charged in Missouri.
  - Exception for obtaining an MO number If the out-of-state resident previously registered the vessel in their state of residence and wants to continue to operate it in their home state and Missouri, the applicant may retain the out-of-state registration number. In this case, an MO number will not be issued but the registration fee will be collected and a decal issued. To obtain a registration only, the out-of-state applicant must submit the following documents and fees:
    - Application for Watercraft/Outboard Motor Registration and Replacement Decal (Form 2686) marked "Registration Only";
    - A copy of the out-of-state title in the applicant's name;
    - The appropriate registration fee (see the table, above); and
    - The appropriate processing fee.

## COLLECTION OF TAXES ON VESSELS (WATERCRAFT) AND OUTBOARD MOTORS

- Any vessel (watercraft) or outboard motor purchased after April 1, 1986, is subject to title penalties, sales and local taxes, if applicable, and appropriate title and registration fees
- A licensed Missouri boat dealer is *not* responsible for the collection of taxes on the sale of a
  vessel (watercraft) and an outboard motor. The Department is responsible for the collection of
  these taxes on any vessel (watercraft) or outboard motor required to be titled and registered.
- Vendors, including licensed boat dealers, must collect and remit tax to the Department of Revenue, Tax Administration Bureau, on sales of a watercraft propelled solely by paddle or oars (regardless of length), sailboards, or on sailboats less than 12 feet in length and powered by sail alone, since these units are not required to be titled and registered under <u>Chapter 306</u>. Vendors who are not licensed boat dealers must also collect taxes on the sale of outboard motors.

**Example 1:** Individual A purchases a vessel (watercraft) or outboard motor from a licensed boat dealer. The individual is required to title the vessel (watercraft) or outboard motor with the Department. The purchaser of the vessel (watercraft) or outboard motor must pay sales tax on the purchase price of the vessel (watercraft) or outboard motor to the Department. **Example 2:** Individual B purchases a canoe from a boat dealer. Because the canoe is a vessel (watercraft) that is not required to be titled under <u>Chapter 306</u>, RSMo, **the boat dealer is required to collect and remit the sales tax** on the gross receipt of the sale of the canoe.

- The owner of a vessel (watercraft) or outboard motor purchased from a registered boat dealer or individual must submit state sales tax in the amount of 4.225 percent plus local tax, if applicable, calculated on the net price of the vessel (watercraft) or outboard motor. Local tax varies depending upon the applicant's Missouri address. Use the Department's <u>online sales</u> tax calculator for an estimate of the tax.
- The owner of a vessel (watercraft) or outboard motor titled in another state or country for less than 90 days must submit proof of sales tax payment to that state/country.
  - If the former state/country collected tax at a rate greater than Missouri's sales tax rate (4.225%) plus the local tax rate, tax is not due.
  - If the former state/country collected tax at a rate less than Missouri's sales tax rate plus the local tax rate, tax is due on the difference of the two.

## VESSEL (WATERCRAFT) IDENTIFICATION NUMBER

<u>Section 306.030</u>, RSMo, provides that every new vessel (watercraft) sold in this state after Jan. 1, 1970, shall have die stamped on or within three feet of the transom or stern a factory number or serial number.

Federal regulations require the hull identification number (HIN) for vessels (watercraft) manufactured after Nov. 1, 1972, to contain 12 characters. Some vessels (watercraft) are manufactured one or two years ahead of their actual model year. Consequently, there may be 1973 and 1974 model vessels (watercraft) that were actually manufactured prior to November 1972, and therefore, exempt from regulations which require a 12-character identification number.

If a vessel (watercraft) with a model year of 1973 or newer does not have a 12-character factory number or serial number, the owner must make application to the Department for the issuance of a new identification number plate to be affixed to the vessel (watercraft). Upon application, the Department may authorize the issuance of one metal identification plate, which will serve as the identification number of the vessel (watercraft).

Before selling a vessel (watercraft), the vessel's (watercraft's) identification number or the factory hull identification number (HIN) must meet the following criteria:

- Contain no spaces or dashes;
- First and second characters must be alpha characters;
- Model years older than 1973 may have less than 12 characters; and
- For model year of 1985 or newer, the 9th character must contain one of the alpha characters "A" thru "L" and the 11th and 12th digits must correspond with the model year recorded on the title application.

The following information explains what must be done for a vessel (watercraft) that does not meet the above requirements.

Before issuance of any metal identification plate, the applicant is required to have the vessel (watercraft) inspected by a law enforcement agency approved by the Department for that purpose. The inspection will determine either the true and complete identification number of the vessel (watercraft) or that no such identification number exists. The inspecting officer must complete the "Inspection Verification - Law Enforcement Agency/Agent" section of a *Watercraft and/or Outboard Motor Affidavit of Ownership and Inspection* (Form 798).

- If the owner of the vessel (watercraft) declares the vessel (watercraft) is "HOMEMADE," a Watercraft and/or Out- board Motor Affidavit of Ownership and Inspection (Form 798) must be completed by a member of the Missouri State Highway Patrol or the Missouri Conservation Commission.
- If the owner of the vessel (watercraft) declares that the vessel (watercraft) is a "MANUFACTURED" unit, the Watercraft and/or Outboard Motor Affidavit of Ownership and Inspection (Form 798) must be completed by an authorized law enforcement agency, e.g., Missouri State Highway Patrol, Sheriff, Police Officer, etc., except all 1985 and newer model vessels (watercraft) must be inspected by a member of the Missouri State Highway Patrol or the Missouri Conservation Commission.
- If the public number assigned by the manufacturer is destroyed, removed, covered, altered, or defaced, but the confidential number assigned by the manufacturer can be located, a replacement vessel (watercraft) identification number plate must be issued.

An "MOZA" number plate will be issued to a MANUFACTURED vessel (watercraft) when the manufacturer's assigned identification number cannot be determined and the confidential number is missing. An "MOZ" number plate will be issued to a HOMEMADE vessel (watercraft).

All documents (including the application for title) and applicable fees must be mailed to the Department of Revenue, Motor Vehicle Bureau, PO Box 100, Jefferson City, Missouri 65105-0100. In addition to the title fee, processing fee, registration fee, taxes, and title penalty (if applicable), the applicant will be required to pay \$7.50 for the metal identification plate.

After the identification plate is issued, MSHP must affix the identification plate on or within three feet of the transom or stem of the vessel (watercraft).

## **MISSOURI VESSEL (WATERCRAFT) REGISTRATION (MO) NUMBER**

All vessels (watercraft) that are required to be titled must display a Missouri boat registration number unless specifically exempted by law. The registration number is commonly referred to as the "MO number." The "MO number" must be affixed to the vessel (watercraft).

*If the vessel (watercraft) currently has an "MO number," this number must remain assigned to the vessel (watercraft). Only when the "TYPE OF USE" has been changed will a new Missouri vessel registration number be issued.* 

## VESSEL (WATERCRAFT) REGISTRATION DECAL

In addition to displaying a registration number, the vessel (watercraft) must display a registration decal. The vessel (watercraft) registration (decal) fee is based on the length of the vessel (watercraft) and is valid for a period of *three* years. The decals are always issued as a set of two and must be affixed to both sides of the bow of the vessel (watercraft). The decal expires on June 30th of the appropriate year. The decal fees are as follows:

Vessel (watercraft) under 16 feet in length	\$ 25
Vessel (watercraft) 16 feet in length but less than 26 feet	\$ 55
Vessel (watercraft) 26 feet in length but less than 40 feet	\$100
Vessel (watercraft) 40 feet in length and over	\$150

## **OUTBOARD MOTOR IDENTIFICATION NUMBER**

If an original, manufacturer's, or other distinguishing number on any outboard motor has been destroyed, removed, covered, altered, defaced, or is otherwise nonexistent, the director of revenue will issue a new or replacement identification number plate as required by <u>Section 306.031</u>, RSMo.

The applicant must submit the *Watercraft and/or Outboard Motor Affidavit of Ownership and Inspection* (Form 798), completed in full and signed, to the Motor Vehicle Bureau Central Office, PO Box 100, Jefferson City, Missouri 65105-0100 with the following:

- An Application for Missouri Boat/Vessel or Outboard Motor Title and Registration (Form 93), if the applicant is applying for a new identification number plate.
   NOTE: If the applicant already has a certificate of title in their name and a replacement identification number plate is being obtained, it is not necessary to submit a title application, as a new title will not be issued.
- Watercraft and/or Outboard Motor Affidavit of Ownership and Inspection (Form 798). If the unit is homemade, please include a note to explain all related facts;
- Appropriate ownership documentation; and
- The appropriate fees (i.e., title fee, processing fee, \$7.50 number plate fee, taxes, title penalty, and registration fee, if applicable).

The owner or owner's designee must securely fasten the identification number plate immediately to the outside of the outboard motor close to the area where the original manufacturer's identification number plate would typically appear.

## **OUTBOARD MOTOR REGISTRATION**

An outboard motor must be registered at the time of titling and is issued an outboard motor decal. One decal is issued for each outboard motor for a \$2 fee. There is no requirement to renew a decal until ownership of the outboard motor changes. An ownership change includes adding or deleting a name on the certificate of title.

## **DOCUMENTED VESSELS**

Most commercial vessels of five or more net tons which are used on the navigable waters of the United States *must* be documented. A recreational vessel of five or more net tons *may* be documented, at the option of the owner. A Certificate of Documentation is issued by the U.S. Coast Guard. For more information, contact the U.S. Coast Guard at the following address or phone number.

USCG/National Vessel Documentation Center 792 T J Jackson Drive Falling Waters, WV 25419-9502 Email: <u>nvdc.w.webmaster@uscg.mil</u> Phone: 800-799-8362 or 304-271-2400 (9 a.m.–3: p.m. EST, M-Tu-W-F)

In order to document a vessel, the owner must comply with all federal requirements and submit an application for documentation and the appropriate documents and fees to the U.S. Coast Guard. <u>Section 301.016</u>, RSMo, requires the owner of any vessel documented by the U.S. Coast Guard to apply for a documented vessel certificate of registration and pay a registration fee based on the length of the vessel and, if applicable, pay an "in-lieu" watercraft tax.

To comply with this law, the applicant must submit the following to the Motor Vehicle Bureau:

- A properly completed and signed Application for Documented Vessel Certificate of Registration (Form 4398);
- A copy of the Certificate of Documentation issued by the U.S. Coast Guard; NOTE: If the vessel was documented by the previous owner, the applicant must provide proof that the U.S. Coast Guard documentation is in the new owner's name.
- One of the following proof of ownership documents:
  - The original title or Manufacturer's Statement of Origin; or
  - A certified copy of the "ABSTRACT OF TITLE" in the new owner's name (if the vessel was documented by the seller with the U.S. Coast Guard) *and* the Missouri documented vessel certificate of registration properly assigned by the seller to the new owner, if applicable.
- Paid personal property tax receipt or a statement of non-assessment from the county (or city of St. Louis) collector or assessor for the previous year.
  - o A corrected tax receipt (if manually corrected, it must contain the county seal); or
  - A letter from the county collector (on letterhead or containing the county seal) reflecting payment of taxes.
- A \$7.50 certification fee;
- \$12 processing fee (\$6 certificate fee and a \$6 registration fee); and
- A registration fee based on the length of the vessel;
  - Vessel (watercraft) under 16 feet in length ......\$ 25
  - $\circ$  Vessel (watercraft) 16 feet in length but less than 26 feet. .....\$ 55
  - Vessel (watercraft) 26 feet in length but less than 40 feet.
     \$100
  - Vessel (watercraft) 40 feet in length and over......\$150
     NOTE: A Homemade vessel that is at least 16 feet but less than 28 feet in length, made out of wood, and has a beam of five feet or less will result in a \$55 registration plus \$6 processing fee.
- The "in-lieu" watercraft tax based on the purchase price of the vessel or proof that applicable taxes have been paid (trade-in credit is NOT allowed); and

Purchase Price of Watercraft	Tax Due
Less than \$15,000	\$ 500
\$15,001 - \$30,000	\$ 650
\$30,001 - \$50,000	\$1,000
\$50,001 - \$100,000	\$1,400
\$100,001 - \$150,000	\$2,000
\$150,001 - \$200,000	\$3,000
\$200,001 - \$250,000	\$4,000
\$250,001 - \$300,000	\$5,000

Purchase Price of Watercraft	Tax Due
\$300,001 - \$350,000	\$5,500
\$350,001 - \$400,000	\$6,000
\$400,001 - \$450,000	\$6,500
\$450,001 - \$500,000	\$7,500
\$500,001 - \$550,000	\$8,500
\$550,001 - \$650,000	\$9,500
\$650,001 - \$750,000	\$10,500
\$750,001 and above	Add an additional \$1,500 for each \$100,000 increment

• Title penalty, if applicable, is \$10 for each 30-day period beyond the registration due date up to a maximum of \$30.

Upon receipt of the above documents and fees, the Motor Vehicle Bureau will issue the following:

- Documented vessel certificate of registration;
- Validated application receipt; and
- Set of registration decals.

Listed below are important facts to remember about documented vessels:

- The state of Missouri cannot issue a certificate of title to a documented vessel;
- The registration decal must be displayed in a clearly visible location on each side of the forward half of the vessel; and
- The documented vessel registration must be renewed every three years.

It may take longer than 30 days for the Certificate of Documentation to be issued by the U.S. Coast Guard. *However, in order to avoid a penalty, the owner of the vessel is required by state law to make application to the Motor Vehicle Bureau for a certificate of registration and pay the inlieu tax within 30 days of purchasing the vessel.* Therefore, the owner must submit the requirements outlined above and on the previous page (with the exception of Item 2) with a bill of sale and \$5 temporary registration fee. A temporary registration will be issued for a period of 60 days. A permanent certificate of registration will not be issued until the Motor Vehicle Bureau receives a copy of the Certificate of Documentation. An owner cannot operate a vessel until a temporary or permanent registration is obtained.

## NAME CHANGE – NO CHANGE OF OWNERSHIP

On occasion, the owner listed on the face of a certificate of title may change their name because of marriage, divorce, adoption, personal reasons, etc. To reflect this change on the title, the owner must submit a completed *Application for Missouri Boat/Vessel or Outboard Motor Title and Registration* (Form 93), the outstanding title in their name, and one of the documents listed below. Because there is no change of ownership, the title is not required to be assigned.

- A copy of the marriage certificate;
- A copy of the divorce decree that specifically states the individual's name was restored to its previous state when a divorce occurs and the former spouse changes their name to their previous (pre-marriage) name;
- Authorized adoption papers issued through the Circuit Court, Juvenile Division, indicating a change of name when an individual is adopted and a name change occurs; or
- A certified document from the Circuit Court Division when an individual elects to have their name changed for personal reasons. The order from the court must state the name the individual previously used and the full name currently being used by the individual.

#### TITLING REQUIREMENTS FOR REBUILT, RECONSTRUCTED, SPECIALTY CONSTRUCTED, SALVAGE, JUNK, MOTOR CHANGE, NON-USA-STD, AND KIT MOTOR VEHICLES

Section

#### **TITLE BRANDING INFORMATION**

#### Title Branding

<u>Section 301.573</u>, RSMo, allows "branding" the certificates of title for certain motor vehicles. The designation will be on all current and subsequent issues of the certificate of title.

In accordance with <u>Section 301.190</u>, RSMo, the director of revenue will designate on the certificate of title the words, "Reconstructed Motor Vehicle', "Specially Constructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", "Bonded Vehicle", or "Prior Salvage" as appropriate. A certificate of title is branded "Prior Salvage" in the following situations:

- If applying for an original title and the transaction is accompanied by a Missouri or out-of-state salvage certificate of title and a *Vehicle Examination Certificate* (Form 551);
- In the past, the vehicle ownership document was issued as a Missouri salvage title and now has an original certificate of title;
- The vehicle's ownership document is an out-of-state title that indicates the vehicle was "Prior Salvage", "Damaged", "Rebuilt", "Rebuilt Salvage", "Flood Damaged", "Previously Damaged", "Fire Damaged", "Previously Damaged by Collision", or a similar designation; or
- An out-of-state title that was issued in the name of or assigned to an insurance company in settlement claim is branded "Prior Salvage" when a Missouri title is issued. The only exception would be if the title was owned by an insurance company for business use or if the applicant presents proof from the insurance company that the vehicle was not salvaged.

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#### **Brand Definitions**

The definitions below determine how a motor vehicle will be classified, branded, and titled.

	DEFINITION
Junk Motor Vehicle	A vehicle that is incapable of operation upon the highways, has no resale value, except as a source of parts or scrap, and shall not be titled or registered. A Missouri Junking Certificate will be issued.
Rebuilt Salvage Motor Vehicle	A vehicle that has been issued a salvage title and been repaired or restored to its original appearance and design by means of repaired sheet metal, replacement of new or used major or essential parts of the same vehicle make, model or description (these parts may include a transmission, engine, fender, hood, door, trunk lid, bumper, or grille), and which no more than one major component part has been replaced. An original Missouri certificate of title will be issued with the designation "Prior Salvage Motor Vehicle" printed on the face of the title.
Reconstructed Motor Vehicle	A vehicle that has received damage and been repaired, assembled or reconstructed by means of two or more new or used major component parts, including but not limited to such major component parts that have been derived from other motor vehicles, or makes of motor vehicles. An original Missouri certificate of title will be issued with the designation "Reconstructed Motor Vehicle" printed on the face of the title.
Specially Constructed Motor Vehicle	A vehicle that was not originally constructed under a distinctive name, make, model, or type by a manufacturer of motor vehicles. The term "Specially Constructed Motor Vehicle" includes kit vehicles. An original Missouri certificate of title will be issued with the designation "Specially Constructed Motor Vehicle" printed on the face of the title.
Motor Change Motor Vehicle	A vehicle manufactured prior to August 1957, which receives a new, rebuilt, or used engine and which used the number stamped on the original engine as the vehicle identification number. An original Missouri certificate of title will be issued with the designation "Motor Change Vehicle" printed on the face of the title.
Kit Motor Vehicle	A vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a "glider kit" or "replica" purchased from an authorized manufacturer and accompanied by a Manufacturer's Statement of Origin. An original Missouri certificate of title will be issued with the designation "Specially Constructed Motor Vehicle" printed on the face of the title.
Salvage Vehicle	A motor vehicle, semi-trailer, or house trailer that was damaged <i>less than seven years</i> from vehicle model year and that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds <i>eighty</i> percent of the fair market value of the vehicle immediately preceding the time it was damaged; by reason of condition or circumstance, has been declared salvage, either by its owner, a person, firm, corporation, or other legal entity exercising the right of security interest in it; has been declared salvage by an insurance company as a result of settlement claim; ownership of which is evidenced by a salvage title; or is abandoned property which is titled pursuant to <u>Section</u> <u>304.155</u> or <u>304.157</u> , RSMo, and designated with the words "Salvage/Abandoned Property". The cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle.
Non-USA-STD Motor Vehicle	A vehicle not originally manufactured in compliance with United States emissions or safety

## **SALVAGE TITLING INFORMATION**

#### Salvage Titling Laws

<u>Sections 301.217</u> and <u>301.010</u>, RSMo, provide the following definitions regarding the issuance of a salvage certificate of ownership:

<u>Purchaser</u> – The purchaser of a salvage vehicle, including an insurance company for purposes of <u>Sections 301.217 to 301.229</u>, RSMo.

<u>Salvage Certificate of Title</u> – The title issued by the Department as proof of ownership for a salvaged vehicle. It shall not be acceptable for the purpose of registering a motor vehicle. The salvage title is negotiable with only one reassignment possible and by a registered motor vehicle dealer.

#### Salvage Motor Vehicle

- There are no salvage title laws for boats or outboard motors.
- A Missouri salvage or prior salvage brand title issued prior to Aug. 28, 2007, will continue to be branded regardless of the vehicle's age or amount of damage.
- An out-of-state salvage or prior salvage branded title surrendered to Missouri will be issued a salvage title or prior salvage title, regardless of the vehicle's age or amount of damage.

#### **Requirements for Obtaining a Salvage Title**

When a motor vehicle is determined to be salvage and is less than seven years old or is sold for salvage, dismantling, or rebuilding, it is mandatory that the purchaser apply for a salvage title within ten days of purchase. For a vehicle more than six years old, the purchaser has the **option** of applying for salvage title on the vehicle until the entire salvaged motor vehicle is sold. The purchaser of a salvage motor vehicle is required to obtain a salvage title to the vehicle **prior to transferring** ownership.

To obtain a salvage title on a motor vehicle, the applicant must submit:

- An *Application for Missouri Title and License* (Form 108) completed and signed by the applicant;
- A properly assigned original or salvage title. If the original certificate of title was submitted to the Department's salvage file prior to Sept. 28, 1983, a bill of sale may be submitted as proof of ownership;

NOTE: For any vehicle with a model year 2011 or newer that is less than 20 years of age at the time of ownership transfer and has a gross vehicle weight rating of 16,000 pounds or less, the certificate of title must contain a proper odometer disclosure between the buyer and seller.

- The applicable fees; and
  - \$8.50 title fee; and
  - \$6 processing fee.
- Sales tax on the *purchase price* of the vehicle in addition to any local taxes, if applicable. The
  purchase price must be documented and recorded by the seller on the title assignment or bill
  of sale, unless the applicant is tax exempt.

A salvage business licensee (including a salvage dealer) is not exempt from sales tax unless they are also licensed as a motor vehicle dealer.

#### NOTE: Once a salvage title is issued on a vehicle, an original Missouri certificate of title will

# not be issued on the vehicle until after an inspection and all documents and fees are submitted.

# Titling Requirements for a Salvaged Motor Vehicle 25 Years of Age or Older for which a Title Does Not Exist

The purchaser/owner of a motor vehicle 25 years old or older for which *no certificate of ownership is known to exist*, may obtain a Missouri *salvage title* for the vehicle by submitting the following:

- An *Application for Missouri Title and License* (Form 108) completed and signed by the applicant;
- A surety bond equal to one and one-half times the purchase price of the vehicle;
- A descriptive bill of sale;
- A statement of fact(s) from the seller as to how they came to be in possession of the salvaged vehicle. In the event there may not be an actual purchase (e.g., a farm purchase where the vehicle came with the property). The applicant may provide this statement; however, a statement from the seller is preferred; and
- The applicable fees and taxes:
  - An \$8.50 original title fee;
  - \$6 processing fee; and
  - Sales tax on the *purchase price* of the vehicle in addition to any local taxes, if applicable.

#### Transferring Ownership of a Salvage Motor Vehicle

<u>Section 301.210</u>, RSMo, requires that at the time of sale of a motor vehicle or trailer, a properly assigned certificate of title shall pass between the parties. *It is unlawful for any person/dealer to "skip" an assignment or be in possession of an "open title".* An open title is a title that has the seller's signature in the title assignment area but the purchaser's name is left blank.

Once a salvage title has been issued, the ownership of the vehicle may only be transferred by assignment of the salvage title. The salvage title may not be used for licensing the vehicle. Only a Missouri-registered motor vehicle dealer may use the second assignment (reassignment) of a Missouri salvage title to transfer ownership of a salvaged vehicle without having to obtain a salvage title in the dealership's name. If an out-of-state salvage title is involved, the dealer may only make one assignment if the state's title permits such reassignment. *A Missouri dealer may not attach a Reassignment of Registered Dealer (Form 2447) to a Missouri or out-of-state salvage title.* A Missouri dealer may purchase a salvage vehicle on an out-of-state rider only if that state allows a rider to be attached. In this case, the dealer must obtain a Missouri salvage title in the dealership's name before reselling the vehicle.

#### Requirements for Owners Who Retain Their Salvage Vehicle

Missouri law provides that when a vehicle owner retains ownership of a salvaged vehicle upon payment of a total loss claim, the vehicle owner may obtain a *prior salvage* title *if the vehicle is still operable* by submitting the following to a license office:

- Application for Missouri Title and License (Form 108) marked "Prior Salvage";
- Title for the vehicle;
- Applicable inspection;
  - o If the vehicle will be registered, an official safety inspection, less than 60 days old; or
  - If the vehicle will not be registered at this time, an ID/OD inspection.
- A copy of the Notice of Vehicle Titling Requirements (Form 5043); and
- A title fee of \$8.50 and a \$6 processing fee.

#### DOCUMENTS REQUIRED FOR TITLING RECONSTRUCTED, SPECIALLY CONSTRUCTED, REPLICA, MOTOR CHANGE, NON-USA-STD, AND REBUILT VEHICLES

Below are the requirements necessary to obtain a title for the vehicle types listed above. Additional documents may be requested at the time of titling, if necessary.

- A completed and signed Application for Missouri Title and License (Form 108).
  - Please note that, in Missouri, motor vehicles are titled by appearance. Example: If a 1978 Chevrolet body is attached to a 1979 Ford frame, the vehicle will be titled as a 1978 Chevrolet. Complete the year and make boxes on Form 108 based on the appearance of the vehicle.
- A Vehicle Examination Certificate (Form 551) with the top portion completed in full and signed by the owner. **Be specific when describing parts used.** If no changes were made to the vehicle, please state this fact in section 9B of the form. The bottom portion must be completed by a representative, authorized/designated employee, or uniformed officer of the Missouri State Highway Patrol or the St. Louis City/County Auto Theft Unit.
  - If the Vehicle Examination Certificate (Form 551) indicates the public vehicle identification number of the vehicle is missing or multiple identification numbers are on the vehicle, the applicant must submit an Application for Vehicle/Trailer Identification Number Plate or Verification (Form 5062) and pay applicable fees to have a replacement or DR vehicle identification number issued. The Form 5062 must be signed by the applicant and certified by a member of the Missouri State Highway Patrol or the St. Louis City/County Auto Theft Unit. If the reason for the Form 5062 is that the public vehicle identification number is missing or not found, the application must also be notarized.
  - If a replacement vehicle identification number or DR Number is issued to the vehicle, the Motor Vehicle Bureau will not issue a new certificate of title on the vehicle until an authorized officer has certified the new VIN plate has been affixed to the vehicle and the Department has received notification from the officer.
- Properly assigned ownership document, such as:
  - o Manufacturer's Statement of Origin;
  - o Original certificate of title;
  - Salvage certificate of title; or
  - Bill of sale, if an original certificate of title was submitted to the Department's salvage unit prior to Sept. 29, 1983.

NOTE: For any vehicle with a model year 2011 or newer that is less than 20 years of age at the time of ownership transfer and has a gross vehicle weight rating of 16,000 pounds or less, the certificate of title must contain a proper odometer disclosure between the buyer and seller. If the true mileage is unknown, a statement from the seller must be submitted containing all facts concerning the true mileage of the motor vehicle and must indicate an estimated mileage. The certificate of title will issue with a mileage discrepancy brand.

- Notarized bills of sale for the major component parts used to construct the vehicle listing:
  - Applicant's name;
  - Part's name;
  - Purchase price;
  - Year, make and vehicle identification number of the motor vehicle from which the parts were obtained; and
  - Seller's name.
     NOTE: The seller's signature must be notarized.

- Copies of the front and back of the certificate(s) of title to the vehicle(s) from which the major component parts were taken.
- Invoices for essential parts. The invoice must include:
  - The part name (hood, fender, etc.);
  - Purchase price;
  - Seller's name;
  - Applicant's name; and
  - Amount of taxes collected by the seller.
- For a "Specially Constructed" vehicle, two photographs of the vehicle (one showing the front and side view of the vehicle and the other showing the back and side view of the vehicle).
- An invoice for Glider Kit or Kit Car. (This requirement applies **only** to "kit" vehicles.)
- Applicable fees and tax;
  - \$8.50 title fee;
  - \$6 title processing fee;
  - State and local sales tax on the purchase price of the vehicle and all major component parts and other parts used. The seller must record the purchase price on the bill of sale, title assignment, or invoice, as applicable. If taxes were collected by the seller, an invoice listing the amount of taxes that have been paid must be submitted; and
  - \$13.50 replacement/DR vehicle identification number plate fee (\$7.50 fee for the identification number plate and a \$6 processing fee), if applicable.
     NOTE: If a replacement vehicle identification number is needed, refer to the Replacement VIN Plates section on Page 8-7.

#### **Major Component Parts**

As part of repair or rebuilding, many vehicles require the use of one or more major component parts. The major component parts of a motor vehicle are defined as follows:

PART	DEFINITION
Rear Clip	The complete rear sheet metal assembly formed by severing the vehicle across the floor and either through the windshield post or through the rear window post.
Cowl	Sheet metal formed by severing the vehicle across the floor in the vicinity of the front seat, severing the windshield posts (not including the parts forward of the firewall).
Frame	The steel basic structure which runs the entire length of the vehicle onto which the suspensions parts are bolted to the lower side and the body is bolted to the top side.
Front-End Assembly	An entire unit consisting of that portion of the body from the firewall forward (e.g., hood, fenders, inner skirt or fenders, radiator or core support, grille).
Front Clip	All parts of the front-end assembly plus complete cowl and may include instrumentation and steering column. Requires cutting of floor and windshield post.
Body	The shell, either of a unibody or frame-type passenger vehicle, which consists of a one- piece, integrated sheet metal construction extending from the firewall back. The body includes a cowl but not a front-end assembly. It may or may not include an interior, doors and deck lid.
Cab	The passenger compartment of a common truck. It is a one-piece sheet metal construction which may or may not include glass, instrumentation, steering column and seat.

#### Vehicle Examination Certificate (Form 551)

<u>Section 301.190</u>, RSMo, requires that each application for an original Missouri certificate of title for a vehicle which is classified as a prior salvage (rebuilt), reconstructed, specially constructed, kit, motor change, Non-USA-Std, or other vehicle as required by the director of revenue must be accompanied by a *Vehicle Examination Certificate* (Form 551).

The examination must be performed by a uniformed officer, representative member, or a designated employee of the Missouri State Highway Patrol or the St. Louis City/County Auto Theft Unit. Contact one of these entities in your area at least *four weeks* in advance to schedule the required examination. The only exception to this requirement is if the vehicle has been inspected in another state by a law enforcement officer in a manner comparable to Missouri's inspection process. If an out-of-state inspection has been completed, the inspection form must accompany the application for title.

The Vehicle Examination Certificate (Form 551) must be used to meet the inspection requirement. The applicant must obtain the Form 551 before having the vehicle inspected. The inspection form may be obtained from a local license office or the applicant may submit a written request containing name/address and a check or money order made payable to Department of Revenue in the amount of \$31 for each Form 551 requested (\$25 for the Form 551 and a \$6 processing fee) to the Motor Vehicle Bureau, PO Box 100, Jefferson City, Missouri 65105-0100. The completed Form 551 is valid for six months from the date of inspection.

#### **REPLACEMENT VIN PLATES**

The Department may authorize the issuance of one metal replacement VIN plate with the original vehicle identification number stamped on it. The plate will be designed to distinguish the replacement plate from the original plate. Before the issuance of any such plate, an authorized officer of Missouri Highway Patrol, St. Louis City/County Auto Theft Unit must make a physical inspection of the vehicle to determine the true and complete vehicle identification number. The inspecting officer must certify the inspection in the appropriate place on the *Application for Vehicle/Trailer Identification Number Plate or Verification* (Form 5062).

When the replacement VIN plate is issued, the Department will forward a copy of the Form 5062 to the Missouri State Highway Patrol. The Missouri State Highway Patrol will make the plate and forward it to the authorized officer who will contact the vehicle owner.

The authorized officer must attach, or supervise the attachment of, the replacement plate to the vehicle. The officer must make a certification on the <u>Form 5062</u> attesting to the attachment of the plate and return the copy to the Department. No replacement VIN plate, other than one provided by the Department, shall be affixed to any motor vehicle or trailer.

**NOTE:** The Motor Vehicle Bureau *will not issue* a new certificate of title on the vehicle (if applicable) until an authorized officer has certified the replacement VIN plate has been affixed to the vehicle and the Department has received notification from the officer.

When applying for a VIN replacement plate, the applicant must submit the following:

• Application for Vehicle/Trailer Identification Number Plate or Verification (Form 5062) signed by the applicant and notarized.

**NOTE:** The inspection portion of the *Application for Vehicle/Trailer Identification Number Plate or Verification* (Form 5062) must be completed and signed by an authorized officer of the Missouri State Highway Patrol or St. Louis City/County Auto Theft Unit.

- A copy of the certificate of title in the applicant's name; and
  - A Missouri-registered motor vehicle dealer must submit either a copy of the front of the title in their name or a copy of the front and back of the title assigned to the dealer.
- Applicable fees.
  - o \$7.50 replacement VIN plate fee; and
  - \$6 VIN plate processing fee.

## JUNKING CERTIFICATE

Whenever a vehicle is sold for parts, scrap, or junk and **not** for rebuilding or reconstruction, the purchaser may obtain a Junking Certificate. A Junking Certificate authorizes the holder to possess, transport, or transfer ownership of such parts, scrap, or junk. A certificate of title will never be issued again on a vehicle for which a Junking Certificate has been issued.

To obtain a Junking Certificate, the applicant must submit the following:

- An Application for Missouri Title and License (Form 108) completed and signed;
- Ownership document; and
  - o A properly assigned certificate of title or Junking Certificate; or
  - Bill of sale for a 1954 or older model vehicle.
- \$6 processing fee.

**NOTE:** There is no title fee or taxes due on a Junking Certificate.

If, within 90 days from the date of issuance of the Junking Certificate, the initial purchaser wishes to rescind the certificate, the initial purchaser must apply for a salvage title by mailing the following requirements directly to the Department of Revenue, Motor Vehicle Bureau, PO Box 100, Jefferson City, Missouri 65105-0100:

- An Application for Missouri Title and License (Form 108) for a salvage title completed in full and signed;
- Junking Certificate in the applicant's name;
- A properly completed Odometer Disclosure Statement (Form 3019), if applicable;
- A bill of sale, if applicable;
- Applicable taxes and fees.
  - State and local sales tax due on the purchase price;
  - o \$8.50 title fee; and
  - \$6 processing fee.

## PARTING OUT A SALVAGE MOTOR VEHICLE

After a salvage business licensee has applied for a salvage title, they may proceed to "part out" (sell parts separately) the salvage motor vehicle. If the licensee sells any part that is **not** a major component part, the licensee must provide a descriptive bill of sale to the purchaser. If the licensee sells any part that **is** a major component part, a copy of the front and back of the salvage title and a descriptive notarized bill of sale must be provided to the purchaser. If the licensee sells any part that **is** a major component part, a copy of the front and back of the salvage title and a descriptive notarized bill of sale must be provided to the purchaser. If the licensee sells any part that **is** a major component part and has not received a salvage title in their name, they must provide the purchaser with a copy of the front and back of the surrendered title, a copy of the titling receipt, and a descriptive notarized bill of sale.

#### Parting out a Motor Vehicle More Than Seven Years Old

A registered salvage business licensee who is also a registered motor vehicle dealer, may "part out" a salvage motor vehicle which is more than six years old without obtaining a salvage title in the dealership's name, only if a salvage title has been properly assigned to the dealership. The dealer must provide the purchaser(s) of major component parts of the vehicle in question with a copy (front and back) of the assigned salvage title along with a descriptive notarized bill of sale.

#### MOTOR VEHICLES DESTROYED OR SOLD FOR DESTRUCTION

Whenever a salvage business licensee sells a motor vehicle for destruction, the certificate of title must be forwarded to the Department within ten days. The seller must write on the face of the title certificate "SOLD FOR DESTRUCTION" or "DESTROYED," the name(s) of the purchaser(s), and the date the vehicle was sold. Writing "**JUNK**" on the face of the title is **not acceptable** and will be rejected.

If the owner destroys the vehicle, the owner must write on the face of the certificate of title "Destroyed by (name)" and the date the vehicle was destroyed. The certificate of title must be forwarded to:

Motor Vehicle Bureau ATTN: Destroyed Vehicles Unit PO Box 2076 Jefferson City, MO 65105-2076

Section 9

## **MISCELLANEOUS TITLING INFORMATION**

#### **IDENTIFICATION NUMBER AND ODOMETER READING (ID/OD) INSPECTION**

In order to obtain a Missouri certificate of title for a motor vehicle previously titled in another state, the applicant must obtain a completed *Missouri Motor Vehicle Inspection Approval Certificate* to verify the vehicle identification number and odometer reading (ID/OD) inspection from an official inspection station authorized by the Missouri State Highway Patrol. The fee for an inspection is determined by each inspection station and will not exceed \$12.

A licensed Missouri motor vehicle dealer may submit either the original or a copy of the safety inspection certificate with the application for title in a dealership's name on a motor vehicle previously titled in another state. The dealership may retain the original safety inspection approval certificate in order to provide the ultimate purchaser of the vehicle with this inspection and prevents the dealership from having to perform two separate inspections on the same vehicle.

The requirement to obtain a *Missouri Motor Vehicle Inspection Approval Certificate* verifying the manufacturer's identification number and odometer reading applies to every individual, company, corporation, and dealership which is making application for an original "Title Only". *There is no exception to this rule.* 

## REASSIGNMENT OF OWNERSHIP BY A REGISTERED DEALER (RIDER)

A Reassignment of Ownership by Registered Dealer (Form 2447) (commonly referred to as a "rider") is a secure document issued by the director of revenue in accordance with <u>Section 301.200</u>, RSMo, which provides a registered Missouri dealer (not an out-of-state dealer) one additional assignment as an extension of the ownership document. See <u>12 CSR 10-23.434</u> for information regarding who may use a rider form and when a rider form may be used.

A rider may be used with a Missouri certificate of title, Manufacturer's Statement of Origin, or an outof-state certificate of title. Only one **original** rider may be used with each transaction. The applicant must retain a photocopy of the completed <u>Form 2447</u> for their records. **A Missouri dealer may not attach a rider to a Missouri or out-of-state salvage title.** 

Riders are issued at no cost in books of 50. Riders may be obtained by calling 573-526-3669, Option 7, emailing <u>dealerlic@dor.mo.gov</u>, online at <u>DOR.mo.gov/online forms ordering</u>, or by submitting a written request to Missouri Department of Revenue, Motor Vehicle Bureau, Dealer Licensing Section, PO Box 43, Jefferson City, Missouri 65105-0043. When contacting the Department, be sure to include the following:

- Dealership name and address;
- Dealer license number; and
- Quantity of books requested.

#### **Completing the Rider**

All fields on the rider must be completed. In the purchaser(s) and seller(s) name blocks, **one** purchaser and **all** sellers **must physically hand print their names.** The dealer must **legibly** hand print the name of the dealership, agent's name, and their title/position in the company when the dealer is purchaser or seller. One purchaser and all sellers must also sign the form in the designated areas. The **original** Form 2447 must be submitted, but the dealer must retain a photocopy for their records.

## **UTILITY AND RECREATIONAL OFF-HIGHWAY VEHICLES**

A **utility vehicle (UTV)** is any motorized vehicle manufactured and used exclusively for off-highway use which is more than 50 inches but no more than 80 inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of 3,500 pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes.

A **recreational off-highway vehicle (ROHV)** is any motorized vehicle manufactured and used exclusively for off-highway use which is more than 50 inches but no more than 80 inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of 3,500 pounds or less, traveling on four or more non-highway tires and which may have access to ATV trails.

- Utility and recreational off-highway vehicles do not meet the definition of a motor vehicle or ATV and will not be titled and registered. Ownership of utility and recreational off-highway vehicles is transferred through a bill of sale negotiated between the buyer and seller.
- Utility and recreational off-highway vehicles cannot be operated upon the highways of this state unless they are owned and operated by a governmental entity for official use, operated for agricultural or industrial on-premises purposes, or operated by handicapped persons for short distances on secondary roads.
- The operator must have a valid driver license, but does not have to be motorcycle qualified.
- Cities or counties are allowed to issue special permits for utility vehicles to be used on county roads within the county or on highways within the city to licensed drivers for a fee of \$15. The fee is to be kept by such city/county.
- The seller of a utility vehicle is responsible for collecting and remitting all applicable state and local tax on new utility vehicles.
- Utility vehicle owners may qualify for a "farm use" tax exemption.

## TITLING REQUIREMENTS FOR DIRT BIKES

If a motor vehicle operated on two wheels does not meet the definition of an autocycle, motorcycle, or a motorized bicycle, it is considered a **dirt bike** and **must be titled**. A 1982 Missouri Supreme Court decision ruled that, for the purposes of collecting sales tax, a dirt bike is a motor vehicle. Therefore, it is subject to the tax provided by <u>Section 144.070</u>, RSMo. However, a dirt bike may not be registered for highway use, unless it is modified to meet all safety requirements and passes a safety inspection. For additional information on titling requirements for dirt bikes, please call 573-526-3669.

## **BONDED VEHICLE TITLE**

<u>Section 301.192</u>, RSMo, provides for the issuance of a certificate of title for a bonded vehicle if the following requirements are met:

- The motor vehicle or trailer is at least seven years old or older;
- The value of the vehicle does not exceed \$3,000; and
- No record of any prior application for title on the motor vehicle or trailer exists in the records of the Department, or the records of the Department reflect incomplete or conflicting documentation of ownership.

To obtain a title for a bonded vehicle, the owner of the vehicle must complete an *Application for Missouri Title and License* (Form 108), and submit it to the Motor Vehicle Bureau with the following:

- A statement explaining how the bonded vehicle was acquired and the reason a valid certificate of ownership cannot be furnished;
- All evidence of ownership in the applicant's possession;
- Title verification from the state in which the vehicle was previously titled or registered, if known, (applies only if no Missouri title record exists);
- A notarized lien release from any lienholders of record;
- A Vehicle Examination Certificate (Form 551) completed by the Missouri State Highway Patrol or the St. Louis City or County Auto Theft Unit;
- An Odometer Disclosure Statement (Form 3019) certifying the motor vehicle odometer reading, unless the vehicle is exempt by law;
- A surety bond or a suitable financial security agreement equal to two times the value of the vehicle. <u>Exhibit A</u> may be used for this purpose; and
- The applicable title and processing fees and state and local taxes, based on the value of the vehicle.

**NOTE:** State and local taxes, if applicable, will be based on the value of the vehicle as disclosed in the surety bond.

Thirty days after receipt of the application, supporting documents, and applicable fees, the director of revenue shall issue a new title branded with the words "BONDED VEHICLE."

If the vehicle meets the above requirements, the purchaser of the vehicle may file a surety bond, see <u>Exhibit A</u>, equal to two times the value of the vehicle at the time the vehicle was obtained as determined by the Kelly Blue Book, NADA Used Car Guide, or two appraisals from motor vehicle dealers licensed by the Department. The bond must be for a minimum of \$100 and will expire after three years unless the Department has been notified of pending action taken against the bond.

## MOTOR VEHICLES OR MARINECRAFT ACQUIRED BY GIFT

A gift statement must be submitted when a motor vehicle, trailer, all-terrain vehicle, vessel (watercraft), or outboard motor is acquired by gift for the recipient to be exempt from sales tax. This statement must be signed by the donor(s) and indicate the complete description of the unit. The donor must have met their tax liability on the motor vehicle, trailer, all-terrain vehicle, vessel (watercraft), or outboard motor for the recipient of the unit to be tax exempt.

#### TRADE-INS, REPLACEMENT VEHICLE, TOTAL LOSS TAX CREDITS, REBATES, AND DISCOUNTS

<u>Sections 144.025</u> and <u>144.027</u>, RSMo, allow certain tax credits on the purchase of a motor vehicle, trailer, vessel (watercraft), or outboard motor, as outlined below.

#### Trade-In Credit

Any article of tangible personal property can be claimed as a trade-in allowance to a registered dealer; however, the amount allowed for the article traded in cannot exceed the true value of the article. When a motor vehicle, trailer, watercraft, or outboard motor is being used as a trade-in *tax* credit, the owner listed on the title for the unit being traded is not required to be the same as the owner of the unit being purchased. Real property (land) does not qualify for a trade-in allowance.

When accepting a trade-in vehicle, the dealer should:

- Record the purchase price, actual trade-in amount or "None" if there is no trade-in, and the net price on the title assignment; and
- Provide the purchaser with one of the following, and advise the purchaser to submit the copy with their title application to the local license office:
  - A copy of the front and back of the title assigned from the owner to the dealer for the trade-in; or
  - A copy of the *Secure Power of Attorney* (Form 5086) for the trade-in vehicle if the title is held by the lienholder or a duplicate title is needed.

#### **Replacement Vehicle Credit**

The seller of a motor vehicle, trailer, vessel (watercraft), or outboard motor who purchases or contracts to purchase a subsequent unit may receive a tax credit if the subsequent unit is purchased or contracted to purchase within **180 days** before or after the date the original unit is sold. The actual sale price of the unit will be deducted from the purchase price of the new unit for the purposes of calculating state and local taxes, if applicable. The applicant must submit a bill of sale or notice of sale with the application for title to receive the tax credit.

The bill of sale or notice of sale is not required to be notarized to receive the vehicle sales tax credit.

The law **does not** restrict the tax credit to "exact or like" replacement units (e.g., a motor vehicle for a motor vehicle, trailer for trailer). Accordingly, an individual may sell a boat and buy a motor vehicle or trailer or vice versa and still qualify for the tax credit. The unit being purchased or contracted to purchase must be titled in at least one of the owners' names as the unit being replaced (or sold) to qualify for a tax credit.

A new Missouri resident *must* submit *original* proof of ownership from their previous state of residence (i.e., *original* registration receipt or *certified* title record from the other state) before allowing the vehicle to be used as a 180-day tax credit.

An individual who sells a unit in their personal name, may not use the tax allowance toward the purchase of a vehicle titled to their trust.

#### **Total Loss Credit**

The purchaser of a motor vehicle, trailer, vessel (watercraft), or outboard motor may deduct the amount of a total loss claim settlement received from an insurance company, plus the owner's deductible, from the purchase price of another like unit that is purchased or contracted to purchase after the total loss occurs, but within **180 days** of the payment by the insurance company.

The applicant must present a notarized statement from the insurance company indicating the year, make, and identification number of the "total loss" unit, the date the insurance company paid the settlement, the amount of the insurance settlement, and the amount of the insurance deductible, if applicable. If the insurance agent certifies that the information in the statement is true and accurate, the form does not have to be notarized.

The total loss statement can be in anyone's name; however, at least one of the owners of the total loss vehicle must be the same on the application for title on the newly acquired vehicle. **EXAMPLE:** John and Jane Smith have a vehicle titled in their name that is declared a total loss. Brenda Smith insured the vehicle and receives a certified total loss claim from the insurance company. As long as John or Jane's name is listed as an owner or co-owner on the new vehicle, the total loss credit in Brenda's name may be used.

In addition, the owner of a motor vehicle, trailer, vessel (watercraft), or outboard motor, that was replaced because of theft or casualty loss, who does not have insurance coverage on the unit, may receive a tax credit on the fair market value of the unit being replaced. The applicant must present the accident report (original or copy) completed by a law enforcement agent showing the year, make, and identification number of the total loss vehicle, and the date of accident or loss accompanied by two appraisals listing the fair market value of the total loss vehicle.

The fair market value of the unit is determined on the pre-wrecked condition of the vehicle based on the <u>Kelly Blue Book</u>, <u>NADA Used Car Guide</u>, <u>Abos Blue Book</u>, or the average of two appraisals from licensed motor vehicle or boat dealers. The fair market value is deducted from the purchase price of the replacement unit. The replacement unit must be purchased or contracted to purchase within 180 days after the date of loss as certified by a law enforcement agent on the accident report.

To receive a tax credit on a total loss vehicle, the vehicle being replaced must be a like unit (e.g., a motor vehicle must be replaced by a motor vehicle, a trailer replaced by a trailer).

#### Rebates

Rebates are offered by motor vehicle dealers or manufacturers to be used as a credit to reduce the amount of sales tax due by a purchaser when titling a new or used motor vehicle sold by a Missouri or out-of-state dealer. The selling dealer must complete all rebate information on the application for title before any credit will be allowed.

# The Department of Revenue has the authority to request additional documentation from the applicant any time the purchase price of a vehicle is questionable.

#### Farm Products (i.e., grain, livestock) Used as Trade-in Tax Credit

The Department will allow a sales tax credit when grain or livestock raised or produced by the purchaser is traded for a vehicle purchased from a dealer for agricultural use. To receive this credit, the grain or livestock must be traded to the dealer within one week of the actual purchase date of the vehicle and the criteria below must be met:

- The vehicle being purchased must be used for agricultural use;
- The purchaser of the vehicle must have either raised or produced the agricultural product; and
- The purchaser must submit a *Bill of Transfer (Farm Products Only)* (Form 4606), on which the purchaser certifies the information noted above.

**NOTE:** If the grain is stored at a grain elevator, a separate receipt from the grain company showing the dealership has title to the grain must accompany the bill of transfer. A statement or invoice from a grain company in the name of "CASH SALE" is not acceptable. A check made payable directly to the dealership by the grain company is not acceptable without the receipt from the grain elevator company showing the grain transferring to the dealership.

If the dealership physically accepts delivery of the agricultural product from the vehicle purchaser, a statement on the dealership's letterhead showing this information may be submitted in lieu of the *Bill of Transfer (Farm Products Only)* (Form 4606).

## FINANCIAL RESPONSIBILITY (VEHICLE INSURANCE)

<u>Section 303.026</u>, RSMo, requires motor vehicle owners, including motor vehicle dealers, to maintain financial responsibility for each motor vehicle registered and operated on the streets or highways. This includes vehicles held for resale.

Financial responsibility may be one of the following:

- A motor vehicle liability insurance policy;
- A self-insurance certificate issued by the Missouri Department of Revenue;
- A surety bond, cash deposit, or other type of securities filed with the Department; or
- A real estate bond filed with the Department.

**NOTE:** For additional information regarding methods of proof of financial responsibility, please contact the Missouri Department of Revenue, Driver License Bureau, PO Box 200, Jefferson City, Missouri 65105-0200 or call 573-526-2407 or your insurance agent or company.

No motor vehicle owner will be issued registration for a motor vehicle unless the owner or their authorized agent signs a statement, provided by the Department at the time of registration, that certifies that they have and will maintain financial responsibility during the period of registration, for each motor vehicle that is owned, licensed or operated on the streets or highways of Missouri. The applicant must also show proof of financial responsibility at the time of registration by presenting their insurance card (paper or electronic) or other proof of financial responsibility.

#### Penalties for Failure to Maintain Financial Responsibility

Sections 302.281 and 303.024 to 303.044, RSMo, outline all financial responsibility requirements and penalties.

## LICENSE PLATES – 30 DAY TRANSFER ALLOWED

The buyer of a newly acquired motor vehicle or trailer may attach the license plates from their motor vehicle or trailer* that is being sold or traded to the newly acquired motor vehicle or trailer. This transfer is legal for only 30 days.** After that time, the buyer must legally transfer the plates and pay a \$2 transfer fee. The buyer may transfer the license plates only if vehicle acquired is of the same vehicle category as vehicle being replaced (e.g., passenger vehicle plates may not be displayed on a commercial motor vehicle).

- * A permanent trailer license plate is non-transferrable, even temporarily.
- ** The transfer is legal for 60 days if the motor vehicle is sold pursuant to <u>Section 301.210</u>, RSMo, or 90 days if the motor vehicle is sold pursuant to <u>Section 301.213</u>, RSMo.

## **TEMPORARY PERMITS**

Section 301.140, RSMo, authorizes the Department to issue temporary permits to vehicle purchasers. The temporary permit authorizes the purchaser to operate a motor vehicle or trailer for a period of **30** *days* from the date of purchase of the motor vehicle or trailer. A motor vehicle dealer who has filed a \$100,000 surety bond or irrevocable letter of credit may be authorized to issue a 60-day temporary permit for a motor vehicle sold without a title, pursuant to <u>Section 301.210</u>, RSMo. Refer to the

<u>Missouri Dealer and Business Operating Manual</u> for more information about dealers buying and selling a motor vehicle without a title. A motor vehicle or trailer displaying a temporary permit can be operated empty, loaded, or with mounted equipment. Only an individual who has no registration plate(s) available for transfer may purchase a temporary permit.

A dealer:

- May not issue a temporary permit on a motor vehicle owned by the dealership for leasing or rental purposes;
- May charge no more than \$5 for each temporary permit issued; and
- A *franchised dealer* may transfer or sell any unissued temporary permits remaining in the dealer's inventory at the time the dealership is sold to a purchasing dealer. The seller must notify the Motor Vehicle Bureau in writing of such fact, including the control number of each temporary permit that was transferred.

For an applicant to purchase a temporary permit from the selling dealer, the following must be submitted:

- Motor vehicle safety inspection (not more than 60 days old or not more than 90 days old if the seller is a Missouri dealer and the safety inspection provided by the Missouri dealer was completed within 60 days prior to the purchase date), unless exempt for the following reason:
  - The motor vehicle is less than 11 years old and the mileage is less than 150,000 miles;
  - $\circ$  The buyer is a resident of a state other than Missouri; or
  - The buyer is obtaining a temporary permit for a trailer.
- A current, legible insurance identification card, which includes an original, copy, or electronic version or other proof of financial responsibility; and
  - This requirement does not apply for a trailer.
- Payment of \$5 temporary permit fee.

# 60-Day Temporary Permit – Applies only to vehicles sold without a Missouri title pursuant to <u>Section 301.210</u>, RSMo.

In addition to the requirements for issuing a 30-day temporary permit, a licensed motor vehicle dealer may sell a motor vehicle without a title and issue a 60-day temporary permit to the purchaser when the dealer:

- Has filed a \$100,000 surety bond or irrevocable letter of credit with the Department of Revenue;
  - *The Temporary Registration Permit Application* (TRPA) system will determine if the proper bond/letter of credit requirement has been met prior to allowing a licensed motor vehicle dealer to issue a 60-day temporary permit.
- Has completed an Agreement for *Delayed Delivery of Certificate of Ownership* (Form 5830) with the vehicle purchaser;
- Has provided the purchaser with *Agreement for Delayed Delivery of Certificate of Ownership* (Form 5830).

For detailed information for dealers buying and selling a vehicle without a title, refer to the <u>Missouri</u> <u>Dealer and Business Operating Manual</u>.

#### Responsibility of the Buyer

The temporary permit must be affixed to the rear of vehicle where a standard license plate is normally displayed. They are not valid upon the issuance of proper registration plates for the motor vehicle or trailer. The purchaser must sign the permit in ink.

## SALES TO MINORS

The legal age at which a person becomes competent to enter into a contract in Missouri is 18 years old. Although an individual purchasing a vehicle does not have to be 18 years old to **own** a vehicle, a **contract to purchase a vehicle** signed by anyone younger than 18 years old is invalid and may be voided. A minor may release themselves from the sales contract, return the vehicle, and recover the vehicle purchase price paid, even though the vehicle has been used and deteriorated in value.

## **INFORMATION FOR AUCTIONS AND DEALERS SELLING AT AUCTIONS**

If an auctioneer is conducting business with both buyer and seller present, the seller must assign the title directly to buyer. The seller must list the purchaser's name in the assignment area. The seller may not leave the purchaser's name blank, as this constitutes an open title. The seller must disclose the mileage to the buyer, except on an exempt vehicle. The auctioneer becomes a transferor (seller) if they buy a vehicle and later auction it. If auctioneer is acting as consignee for a seller who is not present, the seller must execute a regular power of attorney authorizing auctioneer to make the disclosure.

- If a dealer brings a motor vehicle to an auction but is not present at time of sale, the following must be followed:
  - If a title is involved, the seller should give the auctioneer a power of attorney and title document;
  - A representative of the auction should complete title assignment on behalf of the seller. The purchaser(s) must print and sign their name(s) in the designated area for odometer disclosure, if applicable;
  - The representative of the auction cannot sign as seller **and** purchaser for the same transaction; and
  - When reporting the sale on the dealer's monthly report, dealer must list the actual purchaser, not the auto auction.

## **EXHIBIT A**

SURETY BOND FOR C	DBTAINING BONDED VEHICLE TITLE
APPLIES ONLY TO MOTOR VEHICLES OR TH	RAILERS 7 YEARS OR OLDER WORTH \$3000 OR LESS
KNOW ALL MEN BY THESE PRESENT, that	I/WE
	as principal, and
(Name of Bonding	a corporation
	we of the State of, having
its selected place of business at	
the State of Missouri, in the penal and maximum of \$6,000), equal to two determined by the Kelly Blue Book, I licensed Missouri motor vehicle deal which, well and truly to be made, we	securi, as Surety, are held and firmly bound unt sum of \$
NARE:	
MODEL :	
YEAR: VEHICLE IDENTIFICATION NUMBER:	
RIMARKS :	
interest, against any expense, loss by reason of the issuance of the ce of any defect in or undisclosed sem of the applicant in and to the webi action to recover on the bond for an liability of the Surety to all person The bond shall take effect on (C effective date by its can operation This bond may be cancelled by the S Missouri Director of Revenue, station less than 30 days after receipt of a the surety shall remain liable for a bond up to the date of cancellation To cancel this bond BOTH of the for remain. 1. The motor vehicle must no	This Surety bond will expire three years from th .1 urety giving written notice to the Principal and ng the date of cancellation, which shall not be said notice by the Director of Revenue; however, any and all acts of the Principal covered by thi collowing must occur; however, the surety shall longer be registered in Missouri; and
Department of Revenue.	ficate of title is surrendered to the
Dated this day of	
WITNESS TO PRINCIPAL'S SIGNATURE	
Signature	Signature of Dealer (Principal)
WITNESS TO SURETY'S SIGNATURE	

## EXHIBIT B Marine Makes

MAKE	CODE	MAKE	CODE	MAKE	CODE
4WINNS	4WINN	IMP	IMP	SEA STAR	SEAST
AFC	AFC	K CRAFT	KCRAF	SEARS	SEARS
ALOHA	ALOHA	KEN CRAFT	KENCR	SIGNA	SIGNA
ALUMCRAFT	ALUMA	KING FISH	KINGF	SKEETER	SKEET
ARISTOCRAT	ARIST	LANDAU	LANDA	SKI NOUTIQUE	SKINO
ARK RAMBLER	ARKRA	LARSON	LARSO	SPEEDLIN	SPEED
ARK TRAVELER	ARKTR	LONE STAR	LONES	SPORTCRAFT	SPORT
BANSHEE	BANSH	LOWELINE	LOWEL	ST MARQUES	STMAR
BARETTA	BARET	LSM	LSM	STAR CRAFT	STARC
BARR	BARR	LUND	LUND	STEURY	STEUR
BASS TRACKER	BASST	MARK	MARK	SUCCESS	SUCCE
BAYLINER	BAYLI	MARK TWAIN	MARKT	SUNBIRD	SUNBI
BEE CRAFT	BEECR	MASTER C	MASTER	SUN DOLPHIN	SUNDO
BES	BES	MAY YACHT	MAYYA	SUNFISH	SUNFI
BIG JON	BIGJO	MFG	MFG	SUN TRACKER	SUNTR
BLU STAR	BLUST	MONARK	MONAR	T BIRD	TBIRD
BURNSCRAFT	BURNS	NATIONAL	NATIO	TAHITI	TAHIT
CHARGER	CHARG	NEW WAVE	NEWWA	TERRY	TERRY
CHRIS CRAFT	CHRIS	NEWMAN	NEWMA	TEXAS	TEXAS
CHRYSLER	CHRYS	OSAGIN	OSAGI	THUNDERCRAFT	THUND
CLASSIC	CLASS	P14	P14	TOM SAWYER	TOMSA
COBALT	COBAL	PLAYBOUY	PLAYB	TRISONIC	TRISO
COM-PAC	СОМРА	PLAZA	PLAZA	TRI-HULL	TRIHU
DEHI	DEHI	POLAR CRAFT	POLAR	TRI-TOOM	TRITO
DINGHY	DINGH	PORT STAR	PORTS	VIKING	VIKIN
DISCOVERY	DISCO	PRO ANGLER	PROAN	VIO HOLDA	VIOHO
DOW	DOW	PROCRAFT	PROCR	VIP	VIP
DRAKE	DRAKE	QUACHITA	QUACH	WARDS	WARDS
DURACRAFT	DURAC	RANGER	RANGE	WEERE	WEERE
EBKO	EBKO	RED FISH	REDFI	WOLVERTINE	WOLVE
ELDO CRAFT	ELDO	REINELL	REINE	Z BOAT	ZBOAT
ELGIN	ELGIN	RICHLINE	RICHL		
ELITE	ELITE	SEA ARROW	SEAAR		
FISCHER	FISCH	SEA EAGLE	SEAEA		
FLOTE BOAT	FLOTE	SEA HAWK	SEAHA		
GEN-MARI	GENMA	SEA KING	SEAKI		
GLASTRON	GLAST	SEA NYMPH	SEANY		
GRUMMAN	GRUMM	SEA RAY	SEARA		
HYDROSTAR	HYDRO	SEA SPRITE	SEASP		

## EXHIBIT C

## Color/Material/Engine Drive Type/Propulsion/Vessel

COLOR	CODE
BEIGE	BGE
BLACK	BLK
BLUE	BLU
BROWN	BRO
BRONZE	BRZ
CHROME	СОМ
CREAM (IVORY)	CRM
DARK BLUE	DBL
DARK GREEN	DGR
GOLD	GLD
GREEN	GRN
GRAY	GRY
LAVENDER	LAV
LIGHT BLUE	LBL
LIGHT GREEN	LGR
MAROON	MAR
ORANGE	ORG
PURPLE	PLE
PINK	PNK
RED	RED
SILVER	SIL
TAN	TAN
TURQUOISE	TRQ
WHITE	WHI
YELLOW	YEL

TYPE OF MATERIAL	CODE
ALUMINUM	ALUM
CONCRETE	CONCR
FIBERGLASS	FGLAS
HYPAL	HYPAL
KEVLA – type of fiberglass	KEVLA
OTHER	OTHER
PLASTIC	PLAS
RUBBER/VINYL/CANVAS	RUBBR
STEEL	STEEL
WOOD	WOOD

ENGINE DRIVE TYPE	CODE
INBOARD	INB
OUTBOARD	OUT
POD DRIVE	POD
STERNDRIVE	STE
OTHER	OTH

TYPE OF PROPULSION	CODE
AIR THRUST	AIR
MANUAL	MAN
OTHER	OTH
PROPELLER	PRO
SAIL	SAIL
WATER JET	WAT

TYPE OF VESSEL / CODE					
AIRBOAT	AIR		INFLATABLE BOAT	RAF	
AMPHIBIOUS	AMP		JET SKI	JET	
AUXILIARY SAIL	AUX		OFFICIAL	OFF	
BARGE	BAR		OPEN MOTORBOAT	OPE	
BASS BOAT	BAS		OTHER	OTH	
CABIN MOTORBOAT	CAB		PADDLECRAFT	PAD	
CANOE	CAN		PERSONAL WATERCRAFT	PER	
COMMERCIAL	COM		PONTOON	PON	
CRUISER	CRU		ROWBOAT	ROW	
DAY CRUISER	DAY		RUNABOUT	RUN	
DECK BOAT	DEC		SAIL ONLY	SAL	
DRAG OR PERFORMANCE BOAT	DRG		SUBMARINE	SUB	
HOUSEBOAT	HSE		SURF JET	SUR	
HOVERCRAFT	HOV		UTILITY	UTL	
HYDROFOIL	HYD		WET BIKE	WET	
HYDROPLANE	HRO		YACHT	YAT	