

## Miscellaneous Titling Information

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### Vehicle Identification Number and Odometer Verification Required With Out-Of- State Titles

[Section 301.190, RSMo](#), provides that when an application is made for a Missouri certificate of title for a motor vehicle previously registered or titled in a state other than Missouri (or for a prior salvage vehicle being retained by the owner as provided in section [301.020](#), RSMo), the application shall be accompanied by a current inspection form certified by an authorized official inspection station. The inspection shall certify that the manufacturer's identification number for the vehicle has been inspected, that it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the time of inspection. The inspection must accompany the title application. If the vehicle is being registered, a current safety and emissions inspection (if applicable) must be submitted.

Sections [301.679 to 301.681](#), RSMo; [306.458](#), RSMo; [306.461](#), RSMo and [700.630](#), 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 application for title is made as outlined below.

### Tenants in Common/ Transfer on Death

#### Tenants In Common (T/C)

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](#) as outlined below.

If 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 other owner(s) will still only own his or her share, while the deceased owner's share must transfer by Probate Court. **NO BENEFICIARIES MAY BE NAMED BY OWNERS 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" brand code.

#### 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/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.

## Title Penalty Information

To designate beneficiaries, the beneficiaries name(s) must appear to the right of the owner(s) name(s) in the space provided for TOD beneficiaries and the "TOD" block must be marked. 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/agent fee.

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.

### **Motor Vehicle, Trailer, All-Terrain Vehicle, and Manufactured Homes**

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.

If the purchaser does not apply for a certificate of title and pay all applicable taxes and fees within 30 days from the date of purchase, a delinquent title penalty fee 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 December 18, 1983.

### **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 Section 8 for units that must be titled.)

If the purchaser does not apply for a certificate of title and pay all applicable taxes and fees within 60 days from the date of purchase, a delinquent title penalty fee will be imposed as follows:

- 61 days to 90 days \$10
- 91 days to 120 days \$20
- 121 days and over \$30

\$30 is the maximum amount of penalty for a vessel (watercraft) or outboard motor.

All title penalties will be calculated based on the date of sale. The date of sale is the date on which a Manufacturer's Statement of Origin or certificate of ownership is assigned by the seller to the purchaser.

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## Trade-ins, Replacement Vehicle, Total Loss Tax Credits, Rebates, and Discounts

Missouri law allows 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.

Effective December 12, 2011:

The dealer must:

- 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.

**Example:** *An individual may purchase two vehicles from a dealer and trade in only one vehicle. The trade-in allowance for the one vehicle may be divided and credit applied to the purchase price of each vehicle provided the total trade-in allowance for the vehicle does not exceed the actual trade-in value. Similarly, an individual can trade in more than one vehicle.*

**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, i.e., a motor vehicle for a motor vehicle, trailer for trailer, etc. Accordingly, an individual can 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.

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Effective December 12, 2011, new Missouri residents **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.

Individuals who sell 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 before or after the date of the total loss claim settlement. 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 pays 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 original or copy of the accident report completed by 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 Kelly Blue Book, NADA Used Car Guide, Abos Blue Book, 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 agency on the accident report.

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

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**Rebates** offered by a motor vehicle dealer or manufacturer may be used as a credit to reduce the amount of sales tax due by a purchaser when titling a motor vehicle. 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 ANYTIME THE PURCHASE PRICE OF A VEHICLE IS QUESTIONABLE.**

**FARM PRODUCTS (I.E. GRAIN, LIVESTOCK, ETC.) USED AS TRADE-IN TAX CREDIT:** Section [144.025](#), RSMo, provides that, "Any purchaser of a motor vehicle or trailer used for agricultural use by the purchaser shall be allowed to use as an allowance to offset the sales tax liability towards the purchase of the motor vehicle or trailer any grain or livestock produced or raised by the purchaser."

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.

1. The vehicle being purchased must be used for agricultural use.
2. The purchaser of the vehicle must have either raised or produced the agricultural product.
3. The purchaser must submit a *Bill of Transfer (Farm Products Only)* ([Form 4606](#)), in 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](#)).

## Motor Vehicle /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 paid taxes on the motor vehicle, trailer, all-terrain vehicle, vessel (watercraft), or outboard motor for the recipient of the unit to be tax exempt.**

## Financial Responsibility

[Section 303.026, 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 P.O. Box 200, Jefferson City, Missouri 65105-0200 or call (573) 751-4600 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 he or she has, 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 his or her insurance card (a copy is acceptable) or other proof of financial responsibility.

### Penalties for Failure to Maintain Financial Responsibility

If the Department determines that you are at fault for damages or personal injuries in an accident, and do not have proof that you have made restitution for the damages or personal injuries in the accident, your driving and/or registration privileges will be suspended for one year.

## All-Terrain Vehicles

If the Department finds that you do not have liability insurance on your vehicle or the vehicle you are operating, your driver license and vehicle registration will be suspended as follows:

1. First Offense - Lose driver license and plates (eligible for reinstatement immediately), \$20 reinstatement fee, and three years filing of proof of financial responsibility;
2. Second Offense - 90-day suspension of driver license and plates, \$200 reinstatement fee, and three years filing of proof of financial responsibility; and
3. Third Offense - One year suspension of driver license and plates, \$400 reinstatement fee, and three years filing of proof of financial responsibility.

Missouri law provides 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.

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.

## Utility Vehicles

A "Utility vehicle" is "any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of 1,850 pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes."

- Utility vehicles do not meet the definition of a motor vehicle or ATV, and will not be titled and registered. Examples of off-road utility vehicles include, but are not limited to: Minicab, Mule, Gator, Max/Buffalo, Etc.
- Utility vehicles cannot be operated upon the highways of this state unless they are: Owned and operated by governmental entity for official use, operated for agricultural or industrial on-premise 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/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.

## Manufactured Homes

### Perfecting Liens

Ownership documents may be in the form of:

Liens created on all-terrain vehicles should be perfected by filing a notice of lien as explained in [Section 6](#).

### Taxes

Any all-terrain vehicles purchased from a dealer or retailer are subject to state and applicable local taxes regardless of the purchase price. Used all-terrain vehicles purchased from an individual for OVER \$3,000 are subject to all applicable taxes. State and local taxes will not be collected on used all-terrain vehicles purchased from an individual for \$3,000 or less.

### ATV Equipment Requirements and Restrictions/Regulations Regarding Where an ATV may be operated:

For information regarding equipment requirements and restrictions/regulations regarding operation of an ATV, please refer to the Missouri Revised Statutes, Sections [307.198](#) and [304.013](#), RSMo.

### Titling Requirements for Dirt Bikes

If a vehicle does not meet the definition of an all-terrain vehicle, a motorcycle, motortricycle, 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 Section [144.070](#), RSMo. However, a dirt bike may not be registered for highway use unless it is modified to meet all safety requirements and pass a safety inspection. For additional information on titling requirements for dirt bikes, please call (573) 526-3669.

Missouri law [700.320](#), RSMo provides that the owner of any new or used manufactured home must 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.

- A Manufacturer’s Statement of Origin on all NEW manufactured homes; or
- A certificate of title or a descriptive bill of sale on all USED manufactured homes.

**NOTE:** A bill of sale may only be used if the purchaser/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

State and local taxes are based on the seller as noted below.

### New Units:

**Missouri Dealers:** 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.

- Local sales tax is based on the seller's address. Refer to the [Local Sales Tax Chart](#).

**Out-of-State Dealers:** State Compensating Use tax is assessed on 60% of the purchase price.

- Local option 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 dealer collects tax at a rate greater than Missouri's use tax rate (4.225%) plus the local option use tax, tax is not due.

### Used Units:

**Missouri Dealers:** No state or local sales tax is due unless the MFGHM was purchased on a Missouri Title and the selling dealer purchased the unit from an individual who purchased the unit prior to 1985.

**Missouri Individual:** No state or local option use tax is due unless the MFGHM was purchased on a Missouri title from an individual who purchased the unit prior to 1985.

### **Out-of-State Dealers and Out-of-State Individuals:**

State Compensating Use tax will be assessed on the purchase price.

Local option use tax is base on the address where the manufactured home is first delivered in Missouri (only if applicable). Refer to the [Local Option Use Tax Chart](#).

## 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 fee of \$25 for each 30 days of delinquency, not to exceed \$200, will be imposed.

## Identification Number for a Manufactured Home

If a manufactured home does not have an identification number, a special number must be assigned. The Department of Revenue does not have the authority to issue assigned identification numbers on modular or manufactured homes.

- Owners of manufactured homes that do not have an identification number should contact the Public Service Commission, Manufactured Housing and Modular Unit Program at 1-800-819-3180 or visit their web site at <http://psc.mo.gov/manufactured-housing/> to obtain information on how to get an inspection of the home by the Public Service Commission.

## Bonded Vehicle Title

Section [301.192](#), RSMo, provides for the issuance of a certificate of title for a bonded vehicle if the following requirements are met:

1. The motor vehicle or trailer is at least seven years old or older;
2. The value of the vehicle does not exceed \$3,000; and
3. 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.

If the vehicle meets the above requirements, the purchaser of the vehicle may file a surety bond (see [Exhibit C](#)) 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.

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 Driver and Vehicle Services Bureau with the following:

- A statement explaining how the bonded vehicle was acquired and the reasons 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. [Exhibit C](#) may be used for this purpose; and
- The applicable title and processing fees and state and local taxes, if applicable, based on the value of the vehicle.

## Repossessed Placards

**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."

Missouri law [301.144](#), RSMo, provides that repossessed placards may be issued to insurance companies, finance companies, banks or trust companies who repossess motor vehicles or trailers. The repossessed placard must be displayed on the rear of the motor vehicle or trailer and shall only be used for demonstration purposes. The original owner's license plates cannot be used to operate the vehicle.

To obtain a repossessed placard, you must submit:

- An *Application for Repossessed Placards* ([Form 2510](#)), completed and signed.
  - The application must indicate the legal business name of the applicant. (A repossessed placard will not be issued in an individual's name.)
- The complete business address must be shown.
  - The applicant must sign the application and indicate his or her official position in the company.
- A signed statement certifying Missouri financial responsibility.
- A check or money order made payable to the Department of Revenue for the \$50 original placard fee and \$10.50 for each additional placard requested.

### Replacement Repossessed Placards

If a repossessed placard is lost, stolen, mutilated, or destroyed, the holder may apply for a replacement repossessed placard and pay the required replacement fee of \$8.50 per placard. The *Application for Repossessed Placards* ([Form 2510](#)) must be completed as follows:

In addition to all owner information, the reason for replacement repossession placard(s) must be shown.

The placard number(s) to be replaced must be shown.

The applicant's signature must be properly notarized. The notary information must contain the date notarized, date commission expires, notary's signature, and seal impression.

An *Application for Repossessed Placards* or repossessed replacement placards must be sent to Motor Vehicle Bureau, Dealers Licensing Section, PO Box 43, Jefferson City, Missouri 65105-0043. Allow two weeks for delivery of the repossessed/replacement placards.