

Titling Tips

September 2009

Important Reminders for Dealers

➤ NOTICE OF SALE / MONTHLY SALES REPORTS

When using the online Notice of Sale system, you must log in using the user information for the specific dealer license responsible for the sale. For example, if you have both licenses D-1234 and M-4567, you must report your motor vehicle sales under D-1234 and your marine sales under M-4567. To apply for an additional Notice of Sale user account, please complete an [Application for Online Dealer's Monthly Sales Report Filing \(Form 5092\)](#).

Legislative Changes Effective August 28, 2009

➤ FINANCIAL RESPONSIBILITY FOR TEMPORARY PERMITS

House Bill 683, passed during the 2009, legislative session requires proof of financial responsibility (insurance) **prior** to purchasing a temporary permit. The effective date of this legislation is **August 28, 2009**. Motor Vehicle dealers are required to witness proof of financial responsibility prior to selling a temporary permit beginning August 28, 2009. Proof of financial responsibility can be satisfied by showing a valid insurance card, other insurance company documentation, or a self-insurance card issued by the Missouri Department of Revenue.

➤ NOTICE OF LIEN – ADDING OR DROPPING NAMES ON TITLES

HB 269, passed during the 2009 legislative session, requires lienholder authorization when an owner wants to add or delete a name on a certificate of title, to ensure the title is not inconsistent with the lien. Effective August 28, 2009, applicants will not be allowed to add or drop a name on the title without proper authorization from the lienholder.

- The [Notice of Lien, Lien Release, or Authorization to Add/Remove Name from Title \(Form 4809\)](#) has been updated to include a section for authorization by the lienholder to add or delete a name on a certificate of title.

➤ MECHANIC LIENS

HB 269, passed during the 2009 legislative session,

and effective August 28, 2009, shortens from three months to 45 days from the time services were rendered when a mechanic can apply to the Department of Revenue for a certificate of ownership if charges have not been paid. If towing or storage charges have commenced, a mechanic must notify the owner and lienholder of record by certified mail that he/she will apply for a lien title if the owner or lienholder of record fails to arrange to pay the charges in 30 days, instead of 45 days.

In addition, the mechanic can apply for a lien title 30 days (instead of 45 days) after the notice is mailed and storage or towing charges have not been paid, or if the notice has been returned to sender. HB 269 also specifies that the mechanic can apply for a lien title by submitting an affidavit that notice was provided to all owners and lienholders along with a copy of the notice.

➤ MOBILITY MOTOR VEHICLE DEALERS

HB 683, passed during the 2009 legislative session, authorizes new and used motor vehicle dealers to sell mobility motor vehicles and to purchase or acquire a new motor vehicle from a franchise motor vehicle dealer and equip it to transport a person with a disability. The mobility motor vehicle dealer may display and sell the equipped vehicle with the resale occurring through or by a franchised dealer. The mobility motor vehicle dealer is not allowed to advertise the vehicle for resale unless it has been fitted or equipped to be a mobility motor vehicle.

Titling and Other Issues

➤ SALVAGE TITLE PROCESSING

Salvage title transactions may now be processed at your local license office. And, because salvage title transactions can be processed quickly using the Department's Title and Registration Intranet Processing System (TRIPS), there is no \$5 quick title fee associated with salvage title transactions. Please note, however, that transactions involving a change from a salvage title to an original title must still be referred to Central Office for processing. These transactions require specific multi-agency verification steps before an original title can be issued.

➤ DEALERS SALES REPORT INFORMATION

Reminder: Dealers, who sell an average of 20 or

more motor vehicles, trailers, all-terrain vehicles, and/or boats per month, **are required** to file their sales reports electronically. If you are required by law to file your motor vehicle, trailer, all-terrain vehicle, and/or boat sales electronically, **all sales must be reported** using one of the two electronic reporting options below.

- **Option 1** – Enter each sale one at a time on the department’s internet notice of sale (NOS) reporting system. If you file electronically, you will no longer file the paper [Dealer Monthly Sales Report \(DOR-385\)](#); or
- **Option 2** – Submit a prescribed file to the department’s secure server through the department’s internet notice of sale (NOS) reporting system. This method is for dealers who use front-end vendor software (or software developed by the dealership) to complete title applications, etc., and avoid duplicate entry of the sales data. If you file electronically, you will no longer file the paper [Dealer Monthly Sales Report \(Form 385\)](#).

➤ **FORM CHANGES**

- **Secure Power of Attorney (Form 5086)**
A [Secure Power of Attorney \(Form 5086\)](#) (SPOA) is used when a vehicle is sold and the title is not available for proper assignment on the date of sale because the title is held by a lienholder, or a duplicate title is needed. The Department recently announced that an original SPOA must be submitted as federal law requires a secure printing process.

Copies will not be accepted. Missouri Dealers may attach a copy of this document to their monthly sales reports to fulfill their reporting requirements. If you file your sales report electronically, please submit the SPOA to the Dealer Licensing Section, PO Box 43, Jefferson City, MO, 65105.

The Department has modified this form to a single-part secure document. Therefore, it is recommended that you retain a copy for your records. **The original secure document must be submitted for processing as copies will not be accepted.**

- **Application for Missouri Title & License (Form 108)**
The [Application for Missouri Title & License](#)

[\(Form 108\)](#) has been modified to a single-part form and is now available in fillable format on the Department of Revenue web site! You must complete all applicable areas of the form. Detailed instructions for completing the application are located on page two of the form.

Although the Department is now accepting the single-part form, all form orders will be filled with the remaining multi-part version until the supply has been depleted.

- **BAJA HEAT MINI BIKE (HT65), MINI BAJA (MB165), BAJA BLITZ MINI BIKE (DB30-BL)**
The Missouri Department of Revenue has reviewed documentation on the above-referenced mini bikes. The units in question have a rope start, a single hand brake, will only go 15 MPH as equipped when purchased, and do not meet safety requirements for Missouri roadways.

The Missouri State Highway Patrol has also reviewed the documentation; these units can not be titled or registered as they do not meet National Highway Safety and Transportation Administration (NHSTA) standards for safety and Environmental Protection Agency (EPA) standards for emissions. Therefore, these units should not be reported on dealer monthly sales reports.