

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 82

94TH GENERAL ASSEMBLY

2007

0319S.14T

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## AN ACT

To repeal sections 301.010, 301.020, 301.030, 301.130, 301.140, 301.142, 301.144, 301.170, 301.177, 301.196, 301.200, 301.218, 301.221, 301.225, 301.227, 301.229, 301.280, 301.444, 301.550, 301.560, 301.567, 301.570, 301.640, 302.171, 302.302, 302.720, 304.022, 304.170, 407.730, 407.732, 407.815, RSMo, section 301.190 as enacted by house committee substitute for senate substitute no. 2 for senate committee substitute for senate bill no. 583, ninety-third general assembly, second regular session, section 301.190 as enacted by senate substitute for senate committee substitute for house bill no. 487 merged with senate bill no. 488, ninety-third general assembly, first regular session, section 301.566 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1288, ninety-second general assembly, second regular session, and section 301.566 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session, and to enact in lieu thereof thirty-three new sections relating to motor vehicles, with penalty provisions and an effective date for certain sections.

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

Section A. Sections 301.010, 301.020, 301.030, 301.130, 301.140, 301.142,  
2 301.144, 301.170, 301.177, 301.196, 301.200, 301.218, 301.221, 301.225, 301.227,  
3 301.229, 301.280, 301.444, 301.550, 301.560, 301.567, 301.570, 301.640, 302.171,

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

4 302.302, 302.720, 304.022, 304.170, 407.730, 407.732, 407.815, RSMo, section  
5 301.190 as enacted by house committee substitute for senate substitute no. 2 for  
6 senate committee substitute for senate bill no. 583, ninety-third general  
7 assembly, second regular session, section 301.190 as enacted by senate substitute  
8 for senate committee substitute for house bill no. 487 merged with senate bill no.  
9 488, ninety-third general assembly, first regular session, section 301.566 as  
10 enacted by conference committee substitute for senate substitute for senate  
11 committee substitute for house committee substitute for house bill no. 1288,  
12 ninety-second general assembly, second regular session, and section 301.566 as  
13 enacted by house substitute for senate substitute for senate committee substitute  
14 for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second  
15 regular session, are repealed and thirty-three new sections enacted in lieu  
16 thereof, to be known as sections 301.010, 301.020, 301.030, 301.130, 301.140,  
17 301.142 301.144, 301.190, 301.196, 301.200, 301.218, 301.221, 301.225, 301.227,  
18 301.229, 301.280, 301.444, 301.550, 301.560, 301.566, 301.567, 301.569, 301.570,  
19 301.640, 301.2998, 302.171, 302.302, 302.720, 304.022, 304.170, 407.730, 407.732,  
20 and 407.815, to read as follows:

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120  
2 to 304.260, RSMo, and sections 307.010 to 307.175, RSMo, the following terms  
3 mean:

- 4 (1) "All-terrain vehicle", any motorized vehicle manufactured and used  
5 exclusively for off-highway use which is fifty inches or less in width, with an  
6 unladen dry weight of one thousand pounds or less, traveling on three, four or  
7 more low pressure tires, with a seat designed to be straddled by the operator, or  
8 with a seat designed to carry more than one person, and handlebars for steering  
9 control;
- 10 (2) "Automobile transporter", any vehicle combination designed and used  
11 specifically for the transport of assembled motor vehicles;
- 12 (3) "Axle load", the total load transmitted to the road by all wheels whose  
13 centers are included between two parallel transverse vertical planes forty inches  
14 apart, extending across the full width of the vehicle;
- 15 (4) "Boat transporter", any vehicle combination designed and used  
16 specifically to transport assembled boats and boat hulls;
- 17 (5) "Body shop", a business that repairs physical damage on motor  
18 vehicles that are not owned by the shop or its officers or employees by mending,  
19 straightening, replacing body parts, or painting;

20 (6) "Bus", a motor vehicle primarily for the transportation of a driver and  
21 eight or more passengers but not including shuttle buses;

22 (7) "Commercial motor vehicle", a motor vehicle designed or regularly used  
23 for carrying freight and merchandise, or more than eight passengers but not  
24 including vanpools or shuttle buses;

25 (8) "Cotton trailer", a trailer designed and used exclusively for  
26 transporting cotton at speeds less than forty miles per hour from field to field or  
27 from field to market and return;

28 (9) "Dealer", any person, firm, corporation, association, agent or subagent  
29 engaged in the sale or exchange of new, used or reconstructed motor vehicles or  
30 trailers;

31 (10) "Director" or "director of revenue", the director of the department of  
32 revenue;

33 (11) "Driveaway operation":

34 (a) The movement of a motor vehicle or trailer by any person or motor  
35 carrier other than a dealer over any public highway, under its own power singly,  
36 or in a fixed combination of two or more vehicles, for the purpose of delivery for  
37 sale or for delivery either before or after sale;

38 (b) The movement of any vehicle or vehicles, not owned by the transporter,  
39 constituting the commodity being transported, by a person engaged in the  
40 business of furnishing drivers and operators for the purpose of transporting  
41 vehicles in transit from one place to another by the driveaway or towaway  
42 methods; or

43 (c) The movement of a motor vehicle by any person who is lawfully  
44 engaged in the business of transporting or delivering vehicles that are not the  
45 person's own and vehicles of a type otherwise required to be registered, by the  
46 driveaway or towaway methods, from a point of manufacture, assembly or  
47 distribution or from the owner of the vehicles to a dealer or sales agent of a  
48 manufacturer or to any consignee designated by the shipper or consignor;

49 (12) "Dromedary", a box, deck, or plate mounted behind the cab and  
50 forward of the fifth wheel on the frame of the power unit of a truck  
51 tractor-semitrailer combination. A truck tractor equipped with a dromedary may  
52 carry part of a load when operating independently or in a combination with a  
53 semitrailer;

54 (13) "Farm tractor", a tractor used exclusively for agricultural purposes;

55 (14) "Fleet", any group of ten or more motor vehicles owned by the same

56 owner;

57 (15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

58 (16) "Fullmount", a vehicle mounted completely on the frame of either the  
59 first or last vehicle in a saddlemount combination;

60 (17) "Gross weight", the weight of vehicle and/or vehicle combination  
61 without load, plus the weight of any load thereon;

62 (18) "Hail-damaged vehicle", any vehicle, the body of which has become  
63 dented as the result of the impact of hail;

64 (19) "Highway", any public thoroughfare for vehicles, including state  
65 roads, county roads and public streets, avenues, boulevards, parkways or alleys  
66 in any municipality;

67 (20) "Improved highway", a highway which has been paved with gravel,  
68 macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall  
69 have a hard, smooth surface;

70 (21) "Intersecting highway", any highway which joins another, whether  
71 or not it crosses the same;

72 (22) "Junk vehicle", a vehicle which is incapable of operation or use upon  
73 the highways and has no resale value except as a source of parts or scrap, and  
74 shall not be titled or registered;

75 (23) "Kit vehicle", a motor vehicle assembled by a person other than a  
76 generally recognized manufacturer of motor vehicles by the use of a glider kit or  
77 replica purchased from an authorized manufacturer and accompanied by a  
78 manufacturer's statement of origin;

79 (24) "Land improvement contractors' commercial motor vehicle", any  
80 not-for-hire commercial motor vehicle the operation of which is confined to:

81 (a) An area that extends not more than a radius of one hundred miles  
82 from its home base of operations when transporting its owner's machinery,  
83 equipment, or auxiliary supplies to or from projects involving soil and water  
84 conservation, or to and from equipment dealers' maintenance facilities for  
85 maintenance purposes; or

86 (b) An area that extends not more than a radius of fifty miles from its  
87 home base of operations when transporting its owner's machinery, equipment, or  
88 auxiliary supplies to or from projects not involving soil and water conservation.  
89 Nothing in this subdivision shall be construed to prevent any motor vehicle from  
90 being registered as a commercial motor vehicle or local commercial motor vehicle;

91 (25) "Local commercial motor vehicle", a commercial motor vehicle whose

92 operations are confined solely to a municipality and that area extending not more  
93 than fifty miles therefrom, or a commercial motor vehicle whose property-carrying  
94 operations are confined solely to the transportation of property owned by any  
95 person who is the owner or operator of such vehicle to or from a farm owned by  
96 such person or under the person's control by virtue of a landlord and tenant lease;  
97 provided that any such property transported to any such farm is for use in the  
98 operation of such farm;

99 (26) "Local log truck", a commercial motor vehicle which is registered  
100 pursuant to this chapter to operate as a motor vehicle on the public highways of  
101 this state, used exclusively in this state, used to transport harvested forest  
102 products, operated solely at a forested site and in an area extending not more  
103 than a [fifty-mile] **one hundred-mile** radius from such site, carries a load with  
104 dimensions not in excess of twenty-five cubic yards per two axles with dual  
105 wheels, and when operated on the national system of interstate and defense  
106 highways described in Title 23, Section 103(e) of the United States Code, such  
107 vehicle shall not exceed the weight limits of section 304.180, RSMo, does not have  
108 more than four axles, and does not pull a trailer which has more than two  
109 axles. Harvesting equipment which is used specifically for cutting, felling,  
110 trimming, delimiting, debarking, chipping, skidding, loading, unloading, and  
111 stacking may be transported on a local log truck. A local log truck may not  
112 exceed the limits required by law, however, if the truck does exceed such limits  
113 as determined by the inspecting officer, then notwithstanding any other  
114 provisions of law to the contrary, such truck shall be subject to the weight limits  
115 required by such sections as licensed for eighty thousand pounds;

116 (27) "Local log truck tractor", a commercial motor vehicle which is  
117 registered under this chapter to operate as a motor vehicle on the public  
118 highways of this state, used exclusively in this state, used to transport harvested  
119 forest products, operated solely at a forested site and in an area extending not  
120 more than a [fifty-mile] **one hundred-mile** radius from such site, operates with  
121 a weight not exceeding twenty-two thousand four hundred pounds on one axle or  
122 with a weight not exceeding forty-four thousand eight hundred pounds on any  
123 tandem axle, and when operated on the national system of interstate and defense  
124 highways described in Title 23, Section 103(e) of the United States Code, such  
125 vehicle does not exceed the weight limits contained in section 304.180, RSMo, and  
126 does not have more than three axles and does not pull a trailer which has more  
127 than two axles. Violations of axle weight limitations shall be subject to the load

128 limit penalty as described for in sections 304.180 to 304.220, RSMo;

129 (28) "Local transit bus", a bus whose operations are confined wholly  
130 within a municipal corporation, or wholly within a municipal corporation and a  
131 commercial zone, as defined in section 390.020, RSMo, adjacent thereto, forming  
132 a part of a public transportation system within such municipal corporation and  
133 such municipal corporation and adjacent commercial zone;

134 (29) "Log truck", a vehicle which is not a local log truck or local log truck  
135 tractor and is used exclusively to transport harvested forest products to and from  
136 forested sites which is registered pursuant to this chapter to operate as a motor  
137 vehicle on the public highways of this state for the transportation of harvested  
138 forest products;

139 (30) "Major component parts", the rear clip, cowl, frame, body, cab,  
140 front-end assembly, and front clip, as those terms are defined by the director of  
141 revenue pursuant to rules and regulations or by illustrations;

142 (31) "Manufacturer", any person, firm, corporation or association engaged  
143 in the business of manufacturing or assembling motor vehicles, trailers or vessels  
144 for sale;

145 (32) "Mobile scrap processor", a business located in Missouri or any other  
146 state that comes onto a salvage site and crushes motor vehicles and parts for  
147 transportation to a shredder or scrap metal operator for recycling;

148 (33) "Motor change vehicle", a vehicle manufactured prior to August, 1957,  
149 which receives a new, rebuilt or used engine, and which used the number  
150 stamped on the original engine as the vehicle identification number;

151 (34) "Motor vehicle", any self-propelled vehicle not operated exclusively  
152 upon tracks, except farm tractors;

153 (35) "Motor vehicle primarily for business use", any vehicle other than a  
154 recreational motor vehicle, motorcycle, motortricycle, or any commercial motor  
155 vehicle licensed for over twelve thousand pounds:

156 (a) Offered for hire or lease; or

157 (b) The owner of which also owns ten or more such motor vehicles;

158 (36) "Motorcycle", a motor vehicle operated on two wheels;

159 (37) "Motorized bicycle", any two-wheeled or three-wheeled device having  
160 an automatic transmission and a motor with a cylinder capacity of not more than  
161 fifty cubic centimeters, which produces less than three gross brake horsepower,  
162 and is capable of propelling the device at a maximum speed of not more than  
163 thirty miles per hour on level ground;

164 (38) "Motortricycle", a motor vehicle operated on three wheels, including  
165 a motorcycle while operated with any conveyance, temporary or otherwise,  
166 requiring the use of a third wheel. A motortricycle shall not be included in the  
167 definition of all-terrain vehicle;

168 (39) "Municipality", any city, town or village, whether incorporated or not;

169 (40) "Nonresident", a resident of a state or country other than the state  
170 of Missouri;

171 (41) "Non-USA-std motor vehicle", a motor vehicle not originally  
172 manufactured in compliance with United States emissions or safety standards;

173 (42) "Operator", any person who operates or drives a motor vehicle;

174 (43) "Owner", any person, firm, corporation or association, who holds the  
175 legal title to a vehicle or in the event a vehicle is the subject of an agreement for  
176 the conditional sale or lease thereof with the right of purchase upon performance  
177 of the conditions stated in the agreement and with an immediate right of  
178 possession vested in the conditional vendee or lessee, or in the event a mortgagor  
179 of a vehicle is entitled to possession, then such conditional vendee or lessee or  
180 mortgagor shall be deemed the owner for the purpose of this law;

181 (44) "Public garage", a place of business where motor vehicles are housed,  
182 stored, repaired, reconstructed or repainted for persons other than the owners or  
183 operators of such place of business;

184 (45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned  
185 by the rebuilder, but does not include certificated common or contract carriers of  
186 persons or property;

187 (46) "Reconstructed motor vehicle", a vehicle that is altered from its  
188 original construction by the addition or substitution of two or more new or used  
189 major component parts, excluding motor vehicles made from all new parts, and  
190 new multistage manufactured vehicles;

191 (47) "Recreational motor vehicle", any motor vehicle designed, constructed  
192 or substantially modified so that it may be used and is used for the purposes of  
193 temporary housing quarters, including therein sleeping and eating facilities  
194 which are either permanently attached to the motor vehicle or attached to a unit  
195 which is securely attached to the motor vehicle. Nothing herein shall prevent any  
196 motor vehicle from being registered as a commercial motor vehicle if the motor  
197 vehicle could otherwise be so registered;

198 (48) "Rollback or car carrier", any vehicle specifically designed to  
199 transport wrecked, disabled or otherwise inoperable vehicles, when the

200 transportation is directly connected to a wrecker or towing service;

201 (49) "Saddlemount combination", a combination of vehicles in which a  
202 truck or truck tractor tows one or more trucks or truck tractors, each connected  
203 by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle"  
204 is a mechanism that connects the front axle of the towed vehicle to the frame or  
205 fifth wheel of the vehicle in front and functions like a fifth wheel kingpin  
206 connection. When two vehicles are towed in this manner the combination is  
207 called a "double saddlemount combination". When three vehicles are towed in  
208 this manner, the combination is called a "triple saddlemount combination";

209 (50) "Salvage dealer and dismantler", a business that dismantles used  
210 motor vehicles for the sale of the parts thereof, and buys and sells used motor  
211 vehicle parts and accessories;

212 (51) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

213 (a) **[Has been] Was damaged during a year that is no more than six**  
214 **years after the manufacturer's model year designation for such vehicle**  
215 to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to  
216 its condition immediately before it was damaged for legal operation on the roads  
217 or highways exceeds **[seventy-five] eighty** percent of the fair market value of the  
218 vehicle immediately preceding the time it was damaged;

219 (b) By reason of condition or circumstance, has been declared salvage,  
220 either by its owner, or by a person, firm, corporation, or other legal entity  
221 exercising the right of security interest in it;

222 (c) Has been declared salvage by an insurance company as a result of  
223 settlement of a claim **[for loss due to damage or theft]**;

224 (d) Ownership of which is evidenced by a salvage title; or

225 (e) Is abandoned property which is titled pursuant to section 304.155,  
226 RSMo, or section 304.157, RSMo, and designated with the words  
227 "salvage/abandoned property".

228 The total cost of repairs to rebuild or reconstruct the vehicle shall not include the  
229 cost of repairing, replacing, or reinstalling inflatable safety restraints, tires,  
230 sound systems, **or damage as a result of hail**, or any sales tax on parts or  
231 materials to rebuild or reconstruct the vehicle. For purposes of this definition,  
232 "fair market value" means the retail value of a motor vehicle as:

233 a. Set forth in a current edition of any nationally recognized compilation  
234 of retail values, including automated databases, or from publications commonly  
235 used by the automotive and insurance industries to establish the values of motor

236 vehicles;

237           b. Determined pursuant to a market survey of comparable vehicles with  
238 regard to condition and equipment; and

239           c. Determined by an insurance company using any other procedure  
240 recognized by the insurance industry, including market surveys, that is applied  
241 by the company in a uniform manner;

242           (52) "School bus", any motor vehicle used solely to transport students to  
243 or from school or to transport students to or from any place for educational  
244 purposes;

245           (53) "Shuttle bus", a motor vehicle used or maintained by any person,  
246 firm, or corporation as an incidental service to transport patrons or customers of  
247 the regular business of such person, firm, or corporation to and from the place of  
248 business of the person, firm, or corporation providing the service at no fee or  
249 charge. Shuttle buses shall not be registered as buses or as commercial motor  
250 vehicles;

251           (54) "Special mobile equipment", every self-propelled vehicle not designed  
252 or used primarily for the transportation of persons or property and incidentally  
253 operated or moved over the highways, including farm equipment, implements of  
254 husbandry, road construction or maintenance machinery, ditch-digging apparatus,  
255 stone crushers, air compressors, power shovels, cranes, graders, rollers,  
256 well-drillers and wood-sawing equipment used for hire, asphalt spreaders,  
257 bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,  
258 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag  
259 lines, concrete pump trucks, rock-drilling and earth-moving equipment. This  
260 enumeration shall be deemed partial and shall not operate to exclude other such  
261 vehicles which are within the general terms of this section;

262           (55) "Specially constructed motor vehicle", a motor vehicle which shall not  
263 have been originally constructed under a distinctive name, make, model or type  
264 by a manufacturer of motor vehicles. The term "specially constructed motor  
265 vehicle" includes kit vehicles;

266           (56) "Stinger-steered combination", a truck tractor-semitrailer wherein the  
267 fifth wheel is located on a drop frame located behind and below the rearmost axle  
268 of the power unit;

269           (57) "Tandem axle", a group of two or more axles, arranged one behind  
270 another, the distance between the extremes of which is more than forty inches  
271 and not more than ninety-six inches apart;

272 (58) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor  
273 vehicle designed for drawing other vehicles, but not for the carriage of any load  
274 when operating independently. When attached to a semitrailer, it supports a part  
275 of the weight thereof;

276 (59) "Trailer", any vehicle without motive power designed for carrying  
277 property or passengers on its own structure and for being drawn by a  
278 self-propelled vehicle, except those running exclusively on tracks, including a  
279 semitrailer or vehicle of the trailer type so designed and used in conjunction with  
280 a self-propelled vehicle that a considerable part of its own weight rests upon and  
281 is carried by the towing vehicle. The term "trailer" shall not include cotton  
282 trailers as defined in subdivision (8) of this section and shall not include  
283 manufactured homes as defined in section 700.010, RSMo;

284 (60) "Truck", a motor vehicle designed, used, or maintained for the  
285 transportation of property;

286 (61) "Truck-tractor semitrailer-semitrailer", a combination vehicle in  
287 which the two trailing units are connected with a B-train assembly which is a  
288 rigid frame extension attached to the rear frame of a first semitrailer which  
289 allows for a fifth-wheel connection point for the second semitrailer and has one  
290 less articulation point than the conventional "A dolly" connected truck-tractor  
291 semitrailer-trailer combination;

292 (62) "Truck-trailer boat transporter combination", a boat transporter  
293 combination consisting of a straight truck towing a trailer using typically a ball  
294 and socket connection with the trailer axle located substantially at the trailer  
295 center of gravity rather than the rear of the trailer but so as to maintain a  
296 downward force on the trailer tongue;

297 (63) "Used parts dealer", a business that buys and sells used motor vehicle  
298 parts or accessories, but not including a business that sells only new,  
299 remanufactured or rebuilt parts. "Business" does not include isolated sales at a  
300 swap meet of less than three days;

301 (64) "Vanpool", any van or other motor vehicle used or maintained by any  
302 person, group, firm, corporation, association, city, county or state agency, or any  
303 member thereof, for the transportation of not less than eight nor more than  
304 forty-eight employees, per motor vehicle, to and from their place of employment;  
305 however, a vanpool shall not be included in the definition of the term "bus" or  
306 "commercial motor vehicle" as defined by subdivisions (6) and (7) of this section,  
307 nor shall a vanpool driver be deemed a "chauffeur" as that term is defined by

308 section 302.010, RSMo; nor shall use of a vanpool vehicle for ride-sharing  
309 arrangements, recreational, personal, or maintenance uses constitute an  
310 unlicensed use of the motor vehicle, unless used for monetary profit other than  
311 for use in a ride-sharing arrangement;

312 (65) "Vehicle", any mechanical device on wheels, designed primarily for  
313 use, or used, on highways, except motorized bicycles, vehicles propelled or drawn  
314 by horses or human power, or vehicles used exclusively on fixed rails or tracks,  
315 or cotton trailers or motorized wheelchairs operated by handicapped persons;

316 (66) "Wrecker" or "tow truck", any emergency commercial vehicle  
317 equipped, designed and used to assist or render aid and transport or tow disabled  
318 or wrecked vehicles from a highway, road, street or highway rights-of-way to a  
319 point of storage or repair, including towing a replacement vehicle to replace a  
320 disabled or wrecked vehicle;

321 (67) "Wrecker or towing service", the act of transporting, towing or  
322 recovering with a wrecker, tow truck, rollback or car carrier any vehicle not  
323 owned by the operator of the wrecker, tow truck, rollback or car carrier for which  
324 the operator directly or indirectly receives compensation or other personal gain.

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

6 (1) A brief description of the motor vehicle or trailer to be registered,  
7 including the name of the manufacturer, the vehicle identification number, the  
8 amount of motive power of the motor vehicle, stated in figures of horsepower and  
9 whether the motor vehicle is to be registered as a motor vehicle primarily for  
10 business use as defined in section 301.010;

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

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

15 2. If the vehicle is a motor vehicle primarily for business use as defined  
16 in section 301.010 and if such vehicle is five years of age or less, the director of  
17 revenue shall retain the odometer information provided in the vehicle inspection  
18 report, and provide for prompt access to such information, together with the  
19 vehicle identification number for the motor vehicle to which such information

20 pertains, for a period of five years after the receipt of such information. This  
21 section shall not apply unless:

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

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

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

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

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

39 4. If the vehicle qualifies as a reconstructed motor vehicle, motor change  
40 vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as  
41 defined in section 301.010, or prior salvage as referenced in section 301.573, the  
42 owner or lienholder shall surrender the certificate of ownership. The owner shall  
43 make an application for a new certificate of ownership, pay the required title fee,  
44 and obtain the vehicle examination certificate required pursuant to subsection 9  
45 of section 301.190. If an insurance company [which] pays a claim on a salvage  
46 vehicle as defined in section 301.010 and the [insured is retaining ownership of]  
47 **owner retains** the vehicle, as prior salvage, the vehicle shall only be required  
48 to meet the examination requirements under and pursuant to subsection 10 of  
49 section 301.190. Notarized bills of sale along with a copy of the front and back  
50 of the certificate of ownership for all major component parts installed on the  
51 vehicle and invoices for all essential parts which are not defined as major  
52 component parts shall accompany the application for a new certificate of  
53 ownership. If the vehicle is a specially constructed motor vehicle, as defined in  
54 section 301.010, two pictures of the vehicle shall be submitted with the  
55 application. If the vehicle is a kit vehicle, the applicant shall submit the invoice

56 and the manufacturer's statement of origin on the kit. If the vehicle requires the  
57 issuance of a special number by the director of revenue or a replacement vehicle  
58 identification number, the applicant shall submit the required application and  
59 application fee. All applications required under this subsection shall be  
60 submitted with any applicable taxes which may be due on the purchase of the  
61 vehicle or parts. The director of revenue shall appropriately designate  
62 "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor  
63 Vehicle", or "Specially Constructed Motor Vehicle" on the current and all  
64 subsequent issues of the certificate of ownership of such vehicle.

65         5. Every insurance company [which] **that** pays a claim for repair of a  
66 motor vehicle which as the result of such repairs becomes a reconstructed motor  
67 vehicle as defined in section 301.010 or [which] **that** pays a claim on a salvage  
68 vehicle as defined in section 301.010 and the [insured] **owner** is retaining  
69 [ownership of] the vehicle, shall in writing notify [the claimant, if he is] the  
70 owner of the vehicle, and **in a first party claim**, the lienholder if a lien is in  
71 effect, that he is required to surrender the certificate of ownership, and the  
72 documents and fees required pursuant to subsection 4 of this section to obtain a  
73 prior salvage motor vehicle certificate of ownership or documents and fees as  
74 otherwise required by law to obtain a salvage certificate of ownership, from the  
75 director of revenue. The insurance company shall within thirty days of the  
76 payment of such claims report to the director of revenue the name and address  
77 of such [claimant] **owner**, the year, make, model, vehicle identification number,  
78 and license plate number of the vehicle, and the date of loss and payment.

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

81         7. An applicant for registration may make a donation of one dollar to  
82 promote a blindness education, screening and treatment program. The director  
83 of revenue shall collect the donations and deposit all such donations in the state  
84 treasury to the credit of the blindness education, screening and treatment  
85 program fund established in section 192.935, RSMo. Moneys in the blindness  
86 education, screening and treatment program fund shall be used solely for the  
87 purposes established in section 192.935, RSMo, except that the department of  
88 revenue shall retain no more than one percent for its administrative costs. The  
89 donation prescribed in this subsection is voluntary and may be refused by the  
90 applicant for registration at the time of issuance or renewal. The director shall  
91 inquire of each applicant at the time the applicant presents the completed

92 application to the director whether the applicant is interested in making the one  
93 dollar donation prescribed in this subsection.

94           8. An applicant for registration may make a donation of one dollar to  
95 promote an organ donor program. The director of revenue shall collect the  
96 donations and deposit all such donations in the state treasury to the credit of the  
97 organ donor program fund as established in sections 194.297 to 194.304,  
98 RSMo. Moneys in the organ donor fund shall be used solely for the purposes  
99 established in sections 194.297 to 194.304, RSMo, except that the department of  
100 revenue shall retain no more than one percent for its administrative costs. The  
101 donation prescribed in this subsection is voluntary and may be refused by the  
102 applicant for registration at the time of issuance or renewal. The director shall  
103 inquire of each applicant at the time the applicant presents the completed  
104 application to the director whether the applicant is interested in making the one  
105 dollar donation prescribed in this subsection.

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

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

20           3. All commercial motor vehicles and trailers, except those licensed under  
21 section 301.035 and those operated under agreements as provided for in sections  
22 301.271 to 301.279, shall be registered either on a calendar year basis or on a

23 prorated basis as provided in this section. The fees for commercial motor  
24 vehicles, trailers, semitrailers, and driveaway vehicles, other than those to be  
25 operated under agreements as provided for in sections 301.271 to 301.279 shall  
26 be payable not later than the last day of February of each year, except when such  
27 vehicle is licensed between April first and July first the fee shall be three-fourths  
28 the annual fee, when licensed between July first and October first the fee shall  
29 be one-half the annual fee and when licensed on or after October first the fee  
30 shall be one-fourth the annual fee. Such license plates shall be made with fully  
31 reflective material with a common color scheme and design, shall be clearly  
32 visible at night, and shall be aesthetically attractive, as prescribed by section  
33 301.130. Local commercial motor vehicle license plates [shall] **may** also be so  
34 stamped, marked or designed as to indicate they are to be used only on local  
35 commercial motor vehicles and, in addition to such stamp, mark or design, the  
36 letter "F" shall also be displayed on local commercial motor vehicle license plates  
37 issued to motor vehicles used for farm or farming transportation operations as  
38 defined in section 301.010 in the manner prescribed by the advisory committee  
39 established in section 301.129. In addition, all commercial motor vehicle license  
40 plates [shall] **may** be so stamped or marked with a letter, figure or other emblem  
41 as to indicate the gross weight for which issued.

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

301.130. 1. The director of revenue, upon receipt of a proper application  
2 for registration, required fees and any other information which may be required  
3 by law, shall issue to the applicant a certificate of registration in such manner  
4 and form as the director of revenue may prescribe and a set of license plates, or  
5 other evidence of registration, as provided by this section. Each set of license  
6 plates shall bear the name or abbreviated name of this state, the words  
7 "SHOW-ME STATE", the month and year in which the registration shall expire,  
8 and an arrangement of numbers or letters, or both, as shall be assigned from year  
9 to year by the director of revenue. The plates shall also contain fully reflective  
10 material with a common color scheme and design for each type of license plate  
11 issued pursuant to this chapter. The plates shall be clearly visible at night, and  
12 shall be aesthetically attractive. Special plates for qualified disabled veterans  
13 will have the "DISABLED VETERAN" wording on the license plates in preference

14 to the words "SHOW-ME STATE" and special plates for members of the national  
15 guard will have the "NATIONAL GUARD" wording in preference to the words  
16 "SHOW-ME STATE".

17 2. The arrangement of letters and numbers of license plates shall be  
18 uniform throughout each classification of registration. The director may provide  
19 for the arrangement of the numbers in groups or otherwise, and for other  
20 distinguishing marks on the plates.

21 3. All property-carrying commercial motor vehicles to be registered at a  
22 gross weight in excess of twelve thousand pounds, all passenger-carrying  
23 commercial motor vehicles, local transit buses, school buses, trailers, semitrailers,  
24 motorcycles, motortricycles, motorscooters and driveaway vehicles shall be  
25 registered with the director of revenue as provided for in subsection 3 of section  
26 301.030, or with the state highways and transportation commission as otherwise  
27 provided in this chapter, but only one license plate shall be issued for each such  
28 vehicle except as provided in this subsection. The applicant for registration of  
29 any property-carrying commercial motor vehicle may request and be issued two  
30 license plates for such vehicle, and if such plates are issued the director of  
31 revenue may assess and collect an additional charge from the applicant in an  
32 amount not to exceed the fee prescribed for personalized license plates in  
33 subsection 1 of section 301.144.

34 4. The plates issued to manufacturers and dealers shall bear the [letter  
35 "D" preceding the number] **letters and numbers as prescribed by section**  
36 **301.560**, and the director may place upon the plates other letters or marks to  
37 distinguish commercial motor vehicles and trailers and other types of motor  
38 vehicles.

39 5. No motor vehicle or trailer shall be operated on any highway of this  
40 state unless it shall have displayed thereon the license plate or set of license  
41 plates issued by the director of revenue or the state highways and transportation  
42 commission and authorized by section 301.140. Each such plate shall be securely  
43 fastened to the motor vehicle **or trailer** in a manner so that all parts thereof  
44 shall be plainly visible and reasonably clean so that the reflective qualities  
45 thereof are not impaired. License plates shall be fastened to all motor vehicles  
46 except trucks, tractors, truck tractors or truck-tractors licensed in excess of  
47 twelve thousand pounds on the front and rear of such vehicles not less than eight  
48 nor more than forty-eight inches above the ground, with the letters and numbers  
49 thereon right side up. The license plates on trailers, motorcycles, motortricycles

50 and motorscooters shall be displayed on the rear of such vehicles, with the letters  
51 and numbers thereon right side up. The license plate on buses, other than school  
52 buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess  
53 of twelve thousand pounds shall be displayed on the front of such vehicles not  
54 less than eight nor more than forty-eight inches above the ground, with the  
55 letters and numbers thereon right side up or if two plates are issued for the  
56 vehicle pursuant to subsection 3 of this section, displayed in the same manner on  
57 the front and rear of such vehicles. The license plate or plates authorized by  
58 section 301.140, when properly attached, shall be prima facie evidence that the  
59 required fees have been paid.

60           6. (1) The director of revenue shall issue annually or biennially a tab or  
61 set of tabs as provided by law as evidence of the annual payment of registration  
62 fees and the current registration of a vehicle in lieu of the set of  
63 plates. Beginning January 1, 2010, the director may prescribe any additional  
64 information recorded on the tab or tabs to ensure that the tab or tabs positively  
65 correlate with the license plate or plates issued by the department of revenue for  
66 such vehicle. Such tabs shall be produced in each license bureau office.

67           (2) The vehicle owner to whom a tab or set of tabs is issued shall affix and  
68 display such tab or tabs in the designated area of the license plate, no more than  
69 one per plate.

70           (3) A tab or set of tabs issued by the director of revenue when attached  
71 to a vehicle in the prescribed manner shall be prima facie evidence that the  
72 registration fee for such vehicle has been paid.

73           (4) Except as otherwise provided in this section, the director of revenue  
74 shall issue plates for a period of at least six years.

75           (5) For those commercial motor vehicles and trailers registered pursuant  
76 to section 301.041, the plate issued by the highways and transportation  
77 commission shall be a permanent nonexpiring license plate for which no tabs  
78 shall be issued. Nothing in this section shall relieve the owner of any vehicle  
79 permanently registered pursuant to this section from the obligation to pay the  
80 annual registration fee due for the vehicle. The permanent nonexpiring license  
81 plate shall be returned to the highways and transportation commission upon the  
82 sale or disposal of the vehicle by the owner to whom the permanent nonexpiring  
83 license plate is issued, or the plate may be transferred to a replacement  
84 commercial motor vehicle when the owner files a supplemental application with  
85 the Missouri highways and transportation commission for the registration of such

86 replacement commercial motor vehicle. Upon payment of the annual registration  
87 fee, the highways and transportation commission shall issue a certificate of  
88 registration or other suitable evidence of payment of the annual fee, and such  
89 evidence of payment shall be carried at all times in the vehicle for which it is  
90 issued.

91 (6) Upon the sale or disposal of any vehicle permanently registered under  
92 this section, or upon the termination of a lease of any such vehicle, the permanent  
93 nonexpiring plate issued for such vehicle shall be returned to the highways and  
94 transportation commission and shall not be valid for operation of such vehicle, or  
95 the plate may be transferred to a replacement vehicle when the owner files a  
96 supplemental application with the Missouri highways and transportation  
97 commission for the registration of such replacement vehicle. If a vehicle which  
98 is permanently registered under this section is sold, wrecked or otherwise  
99 disposed of, or the lease terminated, the registrant shall be given credit for any  
100 unused portion of the annual registration fee when the vehicle is replaced by the  
101 purchase or lease of another vehicle during the registration year.

102 7. The director of revenue and the highways and transportation  
103 commission may prescribe rules and regulations for the effective administration  
104 of this section. No rule or portion of a rule promulgated under the authority of  
105 this section shall become effective unless it has been promulgated pursuant to the  
106 provisions of section 536.024, RSMo.

107 8. Notwithstanding the provisions of any other law to the contrary, owners  
108 of motor vehicles other than apportioned motor vehicles or commercial motor  
109 vehicles licensed in excess of eighteen thousand pounds gross weight may apply  
110 for special personalized license plates. Vehicles licensed for eighteen thousand  
111 pounds that display special personalized license plates shall be subject to the  
112 provisions of subsections 1 and 2 of section 301.030.

113 9. [Commencing] **No later than** January 1, 2009, the director of revenue  
114 shall [cause to be reissued] **commence the reissuance of** new license plates  
115 of such design as directed by the director consistent with the terms, conditions,  
116 and provisions of this section and this chapter. Except as otherwise provided in  
117 this section, in addition to all other fees required by law, applicants for  
118 registration of vehicles with license plates that expire [between January 1, 2009,  
119 and December 31, 2011] **during the period of reissuance**, applicants for  
120 registration of trailers or semitrailers with license plates that expire [between  
121 January 1, 2009, and December 31, 2011,] **during the period of reissuance**

122 and applicants for registration of vehicles that are to be issued new license plates  
123 **during the period of reissuance** shall pay [an additional fee, based on the  
124 actual cost of the reissuance, to cover] the cost of the [newly reissued] plates  
125 required by this subsection. The additional [fee] **cost** prescribed in this  
126 subsection shall not be charged to persons receiving special license plates issued  
127 under section 301.073 or 301.443. Historic motor vehicle license plates registered  
128 pursuant to section 301.131 and specialized license plates are exempt from the  
129 provisions of this subsection.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer,  
2 the certificate of registration and the right to use the number plates shall expire  
3 and the number plates shall be removed by the owner at the time of the transfer  
4 of possession, and it shall be unlawful for any person other than the person to  
5 whom such number plates were originally issued to have the same in his or her  
6 possession whether in use or not; except that the buyer of a motor vehicle or  
7 trailer who trades in a motor vehicle or trailer may attach the license plates from  
8 the traded-in motor vehicle or trailer to the newly purchased motor vehicle or  
9 trailer. The operation of a motor vehicle with such transferred plates shall be  
10 lawful for no more than thirty days. As used in this subsection, the term  
11 "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer  
12 sold by the buyer of the newly purchased vehicle or trailer, as long as the license  
13 plates for the trade-in motor vehicle or trailer are still valid.

14 2. In the case of a transfer of ownership the original owner may register  
15 another motor vehicle under the same number, upon the payment of a fee of two  
16 dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a  
17 passenger-carrying commercial motor vehicle) seating capacity, not in excess of  
18 that originally registered. When such motor vehicle is of greater horsepower,  
19 gross weight or (in the case of a passenger-carrying commercial motor vehicle)  
20 seating capacity, for which a greater fee is prescribed, applicant shall pay a  
21 transfer fee of two dollars and a pro rata portion for the difference in fees. When  
22 such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying  
23 commercial motor vehicle) seating capacity, for which a lesser fee is prescribed,  
24 applicant shall not be entitled to a refund.

25 3. License plates may be transferred from a motor vehicle which will no  
26 longer be operated to a newly purchased motor vehicle by the owner of such  
27 vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased  
28 vehicle is of horsepower, gross weight or (in the case of a passenger-carrying

29 commercial motor vehicle) seating capacity, not in excess of that of the vehicle  
30 which will no longer be operated. When the newly purchased motor vehicle is of  
31 greater horsepower, gross weight or (in the case of a passenger-carrying  
32 commercial motor vehicle) seating capacity, for which a greater fee is prescribed,  
33 the applicant shall pay a transfer fee of two dollars and a pro rata portion of the  
34 difference in fees. When the newly purchased vehicle is of less horsepower, gross  
35 weight or (in the case of a passenger-carrying commercial motor vehicle) seating  
36 capacity, for which a lesser fee is prescribed, the applicant shall not be entitled  
37 to a refund.

38 4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has  
39 made application for registration, by mail or otherwise, may operate the same for  
40 a period of thirty days after taking possession thereof, if during such period the  
41 motor vehicle or trailer shall have attached thereto, in the manner required by  
42 section 301.130, number plates issued to the dealer. Upon application and  
43 presentation of satisfactory evidence that the buyer has applied for registration,  
44 a dealer may furnish such number plates to the buyer for such temporary use. In  
45 such event, the dealer shall require the buyer to deposit the sum of ten dollars  
46 and fifty cents to be returned to the buyer upon return of the number plates as  
47 a guarantee that said buyer will return to the dealer such number plates within  
48 thirty days. The director shall issue a temporary permit [or paper plate]  
49 authorizing the operation of a motor vehicle or trailer by a buyer for not more  
50 than thirty days of the date of purchase.

51 5. The temporary permit [or paper plate] shall be made available by the  
52 director of revenue and may be purchased from the department of revenue upon  
53 proof of purchase of a motor vehicle or trailer for which the buyer has no  
54 registration plate available for transfer, or from a dealer upon purchase of a  
55 motor vehicle or trailer for which the buyer has no registration plate available for  
56 transfer. The director shall make temporary [plates or] permits available to  
57 registered dealers in this state **or authorized agents of the department of**  
58 **revenue** in sets of ten [plates or] permits. The fee for the temporary permit [or  
59 plate] shall be seven dollars and fifty cents for each permit or plate issued. No  
60 dealer **or authorized agent** shall charge more than seven dollars and fifty cents  
61 for each permit issued. The permit [or plate] shall be valid for a period of thirty  
62 days from the date of purchase of a motor vehicle or trailer, or from the date of  
63 sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a  
64 permit [or plate] as set out above.

65           6. The permit [or plate] shall be issued on a form prescribed by the  
66 director and issued only for the applicant's use in the operation of the motor  
67 vehicle or trailer purchased to enable the applicant to legally operate the vehicle  
68 while proper title and registration plate are being obtained, and shall be  
69 displayed on no other vehicle. **Temporary** permits [or paper plates] issued  
70 pursuant to this section shall not be transferable or renewable and shall not be  
71 valid upon issuance of proper registration plates for the motor vehicle or  
72 trailer. The director shall determine the size and numbering configuration,  
73 construction, and color of the permit [and plate].

74           7. The dealer or authorized agent shall insert the date of issuance and  
75 expiration date, year, make, and manufacturer's number of vehicle on the [paper  
76 plate or] permit when issued to the buyer. The dealer shall also insert such  
77 dealer's number on the [paper plate] **permit**. Every dealer that issues a  
78 temporary permit [or paper plate] shall keep, for inspection of proper officers, a  
79 correct record of each permit [or plate] issued by recording the permit or plate  
80 number, buyer's name and address, year, make, manufacturer's **vehicle**  
81 **identification** number [of vehicle] on which the permit [or plate] is to be used,  
82 and the date of issuance.

83           8. Upon the transfer of ownership of any currently registered motor  
84 vehicle wherein the owner cannot transfer the license plates due to a change of  
85 vehicle category, the owner may surrender the license plates issued to the motor  
86 vehicle and receive credit for any unused portion of the original registration fee  
87 against the registration fee of another motor vehicle. Such credit shall be granted  
88 based upon the date the license plates are surrendered. No refunds shall be  
89 made on the unused portion of any license plates surrendered for such credit.

          301.142. 1. As used in sections 301.141 to 301.143, the following terms  
2 mean:

- 3           (1) "Department", the department of revenue;
- 4           (2) "Director", the director of the department of revenue;
- 5           (3) "Other authorized health care practitioner" includes advanced practice  
6 registered nurses licensed pursuant to chapter 335, RSMo, chiropractors licensed  
7 pursuant to chapter 331, RSMo, podiatrists licensed pursuant to chapter 330,  
8 RSMo, and optometrists licensed pursuant to chapter 336, RSMo;
- 9           (4) "Physically disabled", a natural person who is blind, as defined in  
10 section 8.700, RSMo, or a natural person with medical disabilities which  
11 prohibits, limits, or severely impairs one's ability to ambulate or walk, as

12 determined by a licensed physician or other authorized health care practitioner  
13 as follows:

14 (a) The person cannot ambulate or walk fifty or less feet without stopping  
15 to rest due to a severe and disabling arthritic, neurological, orthopedic condition,  
16 or other severe and disabling condition; or

17 (b) The person cannot ambulate or walk without the use of, or assistance  
18 from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other  
19 assistive device; or

20 (c) Is restricted by a respiratory or other disease to such an extent that  
21 the person's forced respiratory expiratory volume for one second, when measured  
22 by spirometry, is less than one liter, or the arterial oxygen tension is less than  
23 sixty mm/hg on room air at rest; or

24 (d) Uses portable oxygen; or

25 (e) Has a cardiac condition to the extent that the person's functional  
26 limitations are classified in severity as class III or class IV according to standards  
27 set by the American Heart Association; or

28 (f) A person's age, in and of itself, shall not be a factor in determining  
29 whether such person is physically disabled or is otherwise entitled to disabled  
30 license plates and/or disabled windshield hanging placards within the meaning  
31 of sections 301.141 to 301.143;

32 (5) "Physician", a person licensed to practice medicine pursuant to chapter  
33 334, RSMo;

34 (6) "Physician's statement", a statement personally signed by a duly  
35 authorized person which certifies that a person is disabled as defined in this  
36 section;

37 (7) "Temporarily disabled person", a disabled person as defined in this  
38 section whose disability or incapacity is expected to last no more than one  
39 hundred eighty days;

40 **(8) "Temporary windshield placard", a placard to be issued to**  
41 **persons who are temporarily disabled persons as defined in this**  
42 **section, certification of which shall be indicated on the physician's**  
43 **statement;**

44 **(9) "Windshield placard", a placard to be issued to persons who**  
45 **are physically disabled as defined in this section, certification of which**  
46 **shall be indicated on the physician's statement.**

47 2. Other authorized health care practitioners may furnish to a disabled

48 or temporarily disabled person a physician's statement for only those physical  
49 health care conditions for which such health care practitioner is legally  
50 authorized to diagnose and treat.

51 3. A physician's statement shall:

52 (1) Be on a form prescribed by the director of revenue;

53 (2) Set forth the specific diagnosis and medical condition which renders  
54 the person physically disabled or temporarily disabled as defined in this section;

55 (3) Include the physician's or other authorized health care practitioner's  
56 license number; and

57 (4) Be personally signed by the issuing physician or other authorized  
58 health care practitioner.

59 4. If it is the professional opinion of the physician or other authorized  
60 health care practitioner issuing the statement that the physical disability of the  
61 applicant, user, or member of the applicant's household is permanent, it shall be  
62 noted on the statement. Otherwise, the physician or other authorized health care  
63 practitioner shall note on the statement the anticipated length of the disability  
64 which period may not exceed one hundred eighty days. If the physician or health  
65 care practitioner fails to record an expiration date on the physician's statement,  
66 the director shall issue a temporary windshield placard for a period of thirty  
67 days.

68 5. A physician or other authorized health care practitioner who issues or  
69 signs a physician's statement so that disabled plates or a disabled windshield  
70 placard may be obtained shall maintain in such disabled person's medical chart  
71 documentation that such a certificate has been issued, the date the statement was  
72 signed, the diagnosis or condition which existed that qualified the person as  
73 disabled pursuant to this section and shall contain sufficient documentation so  
74 as to objectively confirm that such condition exists.

75 6. The medical or other records of the physician or other authorized  
76 health care practitioner who issued a physician's statement shall be open to  
77 inspection and review by such practitioner's licensing board, in order to verify  
78 compliance with this section. Information contained within such records shall be  
79 confidential unless required for prosecution, disciplinary purposes, or otherwise  
80 required to be disclosed by law.

81 7. Owners of motor vehicles who are residents of the state of Missouri,  
82 and who are physically disabled, owners of motor vehicles operated at least fifty  
83 percent of the time by a physically disabled person, or owners of motor vehicles

84 used to primarily transport physically disabled members of the owner's household  
85 may obtain disabled person license plates. Such owners, upon application,  
86 accompanied by the documents and fees provided for in this section, a current  
87 physician's statement which has been issued within ninety days preceding the  
88 date the application is made and proof of compliance with the state motor vehicle  
89 laws relating to registration and licensing of motor vehicles, shall be issued motor  
90 vehicle license plates for vehicles, other than commercial vehicles with a gross  
91 weight in excess of twenty-four thousand pounds, upon which shall be inscribed  
92 the international wheelchair accessibility symbol and the word "DISABLED" in  
93 addition to a combination of letters and numbers. Such license plates shall be  
94 made with fully reflective material with a common color scheme and design, shall  
95 be clearly visible at night, and shall be aesthetically attractive, as prescribed by  
96 section 301.130.

97           8. The director shall further issue, upon request, to such applicant one,  
98 and for good cause shown, as the director may define by rule and regulations, not  
99 more than two, removable disabled windshield hanging placards for use when the  
100 disabled person is occupying a vehicle or when a vehicle not bearing the  
101 permanent handicap plate is being used to pick up, deliver, or collect the  
102 physically disabled person issued the disabled motor vehicle license plate or  
103 disabled windshield hanging placard.

104           9. No additional fee shall be paid to the director for the issuance of the  
105 special license plates provided in this section, except for special personalized  
106 license plates and other license plates described in this subsection. Priority for  
107 any specific set of special license plates shall be given to the applicant who  
108 received the number in the immediately preceding license period subject to the  
109 applicant's compliance with the provisions of this section and any applicable rules  
110 or regulations issued by the director. If determined feasible by the advisory  
111 committee established in section 301.129, any special license plate issued  
112 pursuant to this section may be adapted to also include the international  
113 wheelchair accessibility symbol and the word "DISABLED" as prescribed in this  
114 section and such plate may be issued to any applicant who meets the  
115 requirements of this section and the other appropriate provision of this chapter,  
116 subject to the requirements and fees of the appropriate provision of this chapter.

117           10. Any physically disabled person, or the parent or guardian of any such  
118 person, or any not-for-profit group, organization, or other entity which transports  
119 more than one physically disabled person, may apply to the director of revenue

120 for a removable windshield placard. The placard may be used in motor vehicles  
121 which do not bear the permanent handicap symbol on the license plate. Such  
122 placards must be hung from the front, middle rearview mirror of a parked motor  
123 vehicle and may not be hung from the mirror during operation. These placards  
124 may only be used during the period of time when the vehicle is being used by a  
125 disabled person, or when the vehicle is being used to pick up, deliver, or collect  
126 a disabled person. When there is no rearview mirror, the placard shall be  
127 displayed on the dashboard on the driver's side.

128         11. The removable windshield placard shall conform to the specifications,  
129 in respect to size, color, and content, as set forth in federal regulations published  
130 by the Department of Transportation. The [fee for each removable windshield  
131 placard shall be four dollars and the] removable windshield placard shall be  
132 renewed every [two] **four** years. The director may stagger the expiration dates  
133 to equalize workload. Only one removable placard may be issued to an applicant  
134 who has been issued disabled person license plates. Upon request, one additional  
135 windshield placard may be issued to an applicant who has not been issued  
136 disabled person license plates[, at the appropriate fee].

137         12. A temporary windshield placard shall be issued to any physically  
138 disabled person, or the parent or guardian of any such person who otherwise  
139 qualifies except that the physical disability, in the opinion of the physician, is not  
140 expected to exceed a period of one hundred eighty days. The temporary  
141 windshield placard shall conform to the specifications, in respect to size, color,  
142 and content, as set forth in federal regulations published by the Department of  
143 Transportation. The fee for the temporary windshield placard shall be two  
144 dollars. Upon request, and for good cause shown, one additional temporary  
145 windshield placard may be issued to an applicant. Temporary windshield  
146 placards shall be issued upon presentation of the physician's statement provided  
147 by this section and shall be displayed in the same manner as removable  
148 windshield placards. A person or entity shall be qualified to possess and display  
149 a temporary removable windshield placard for six months and the placard may  
150 be renewed once for an additional six months if a physician's statement pursuant  
151 to this section is supplied to the director of revenue at the time of renewal.

152         13. Application for license plates or windshield placards issued pursuant  
153 to this section shall be made to the director of revenue and shall be accompanied  
154 by a statement signed by a licensed physician or other authorized health care  
155 practitioner which certifies that the applicant, user, or member of the applicant's

156 household is a physically disabled person as defined by this section.

157           14. The placard shall be renewable only by the person or entity to which  
158 the placard was originally issued. Any placard issued pursuant to this section  
159 shall only be used when the physically disabled occupant for whom the disabled  
160 plate or placard was issued is in the motor vehicle at the time of parking or when  
161 a physically disabled person is being delivered or collected. A disabled license  
162 plate and/or a removable windshield hanging placard are not transferable and  
163 may not be used by any other person whether disabled or not.

164           15. At the time the disabled plates or windshield hanging placards are  
165 issued, the director shall issue a registration certificate which shall include the  
166 applicant's name, address, and other identifying information as prescribed by the  
167 director, or if issued to an agency, such agency's name and address. This  
168 certificate shall further contain the disabled license plate number or, for  
169 windshield hanging placards, the registration or identifying number stamped on  
170 the placard. The validated registration receipt given to the applicant shall serve  
171 as the registration certificate.

172           16. The director shall, upon issuing any disabled registration certificate  
173 for license plates and/or windshield hanging placards, provide information which  
174 explains that such plates or windshield hanging placards are nontransferable,  
175 and the restrictions explaining who and when a person or vehicle which bears or  
176 has the disabled plates or windshield hanging placards may be used or be parked  
177 in a disabled reserved parking space, and the penalties prescribed for violations  
178 of the provisions of this act.

179           17. Every new applicant for a disabled license plate or placard shall be  
180 required to present a new physician's statement dated no more than ninety days  
181 prior to such application. Renewal applicants will be required to submit a  
182 physician's statement dated no more than ninety days prior to such application  
183 upon their first renewal occurring on or after August 1, 2005. Upon completing  
184 subsequent renewal applications, a physician's statement dated no more than  
185 ninety days prior to such application shall be required every fourth year. Such  
186 physician's statement shall state the expiration date for the temporary windshield  
187 placard. If the physician fails to record an expiration date on the physician's  
188 statement, the director shall issue the temporary windshield placard for a period  
189 of thirty days. **The director may stagger the requirement of a physician's**  
190 **statement on all renewals for the initial implementation of a four-year**  
191 **period.**

192           18. The director of revenue upon receiving a physician's statement  
193 pursuant to this subsection shall check with the state board of registration for the  
194 healing arts created in section 334.120, RSMo, or the Missouri state board of  
195 nursing established in section 335.021, RSMo, with respect to physician's  
196 statements signed by advanced practice registered nurses, or the Missouri state  
197 board of chiropractic examiners established in section 331.090, RSMo, with  
198 respect to physician's statements signed by licensed chiropractors, or with the  
199 board of optometry established in section 336.130, RSMo, with respect to  
200 physician's statements signed by licensed optometrists, or the state board of  
201 podiatric medicine created in section 330.100, RSMo, with respect to physician's  
202 statements signed by physicians of the foot or podiatrists to determine whether  
203 the physician is duly licensed and registered pursuant to law. If such applicant  
204 obtaining a disabled license plate or placard presents proof of disability in the  
205 form of a statement from the United States Veterans' Administration verifying  
206 that the person is permanently disabled, the applicant shall be exempt from the  
207 four-year certification requirement of this subsection for renewal of the plate or  
208 placard. Initial applications shall be accompanied by the physician's statement  
209 required by this section. **Notwithstanding the provisions of paragraph (f)**  
210 **of subdivision (4) of subsection 1 of this section, any person seventy-**  
211 **five years of age or older who provided the physician's statement with**  
212 **the original application shall not be required to provide a physician's**  
213 **statement for the purpose of renewal of disabled persons license plates**  
214 **or windshield placards.**

215           19. The boards shall cooperate with the director and shall supply  
216 information requested pursuant to this subsection. The director shall, in  
217 cooperation with the boards which shall assist the director, establish a list of all  
218 Missouri physicians and other authorized health care practitioners and of any  
219 other information necessary to administer this section.

220           20. Where the owner's application is based on the fact that the vehicle is  
221 used at least fifty percent of the time by a physically disabled person, the  
222 applicant shall submit a statement stating this fact, in addition to the physician's  
223 statement. The statement shall be signed by both the owner of the vehicle and  
224 the physically disabled person. The applicant shall be required to submit this  
225 statement with each application for license plates. No person shall willingly or  
226 knowingly submit a false statement and any such false statement shall be  
227 considered perjury and may be punishable pursuant to section 301.420.

228           21. The director of revenue shall retain all physicians' statements and all  
229 other documents received in connection with a person's application for disabled  
230 license plates and/or disabled windshield placards.

231           22. The director of revenue shall enter into reciprocity agreements with  
232 other states or the federal government for the purpose of recognizing disabled  
233 person license plates or windshield placards issued to physically disabled persons.

234           23. When a person to whom disabled person license plates or a removable  
235 or temporary windshield placard or both have been issued dies, the personal  
236 representative of the decedent or such other person who may come into or  
237 otherwise take possession of the disabled license plates or disabled windshield  
238 placard shall return the same to the director of revenue under penalty of law.  
239 Failure to return such plates or placards shall constitute a class B misdemeanor.

240           24. The director of revenue may order any person issued disabled person  
241 license plates or windshield placards to submit to an examination by a  
242 chiropractor, osteopath, or physician, or to such other investigation as will  
243 determine whether such person qualifies for the special plates or placards.

244           25. If such person refuses to submit or is found to no longer qualify for  
245 special plates or placards provided for in this section, the director of revenue  
246 shall collect the special plates or placards, and shall furnish license plates to  
247 replace the ones collected as provided by this chapter.

248           26. In the event a removable or temporary windshield placard is lost,  
249 stolen, or mutilated, the lawful holder thereof shall, within five days, file with the  
250 director of revenue an application and an affidavit stating such fact, in order to  
251 purchase a new placard. The fee for the replacement windshield placard shall be  
252 four dollars.

253           27. Fraudulent application, renewal, issuance, procurement or use of  
254 disabled person license plates or windshield placards shall be a class A  
255 misdemeanor. It is a class B misdemeanor for a physician, chiropractor,  
256 podiatrist or optometrist to certify that an individual or family member is  
257 qualified for a license plate or windshield placard based on a disability, the  
258 diagnosis of which is outside their scope of practice or if there is no basis for the  
259 diagnosis.

301.144. 1. The director of revenue shall establish and issue special  
2 personalized license plates containing letters or numbers or combinations of  
3 letters and numbers. Such license plates shall be made with fully reflective  
4 material with a common color scheme and design, shall be clearly visible at night,

5 and shall be aesthetically attractive, as prescribed by section 301.130. Any  
6 person desiring to obtain a special personalized license plate for any motor  
7 vehicle the person owns, either solely or jointly, other than an apportioned motor  
8 vehicle or a commercial motor vehicle licensed in excess of eighteen thousand  
9 pounds gross weight shall apply to the director of revenue on a form provided by  
10 the director and shall pay a fee of fifteen dollars in addition to the regular  
11 registration fees. The director of revenue shall issue rules and regulations  
12 setting the standards and establishing the procedure for application for and  
13 issuance of the special personalized license plates and shall provide a deadline  
14 each year for the applications. Any rule or portion of a rule, as that term is  
15 defined in section 536.010, RSMo, that is created under the authority delegated  
16 in this section shall become effective only if it complies with and is subject to all  
17 of the provisions of chapter 536, RSMo, and, if applicable, section 536.028,  
18 RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the  
19 powers vested with the general assembly pursuant to chapter 536, RSMo, to  
20 review, to delay the effective date or to disapprove and annul a rule are  
21 subsequently held unconstitutional, then the grant of rulemaking authority and  
22 any rule proposed or adopted after August 28, 2001, shall be invalid and void. No  
23 two owners shall be issued identical plates. An owner shall make a new  
24 application and pay a new fee each year such owner desires to obtain or retain  
25 special personalized license plates; however, notwithstanding the provisions of  
26 subsection 8 of section 301.130 to the contrary, the director shall allow the special  
27 personalized license plates to be replaced with new plates every three years  
28 without any additional charge, above the fee established in this section, to the  
29 renewal applicant. Any person currently in possession of an approved  
30 personalized license plate shall have first priority on that particular plate for  
31 each of the following years that timely and appropriate application is made.

32         2. Upon application for a personalized plate by the owner of a motor  
33 vehicle for which the owner has no registration plate available for transfer as  
34 prescribed by section 301.140, the director shall issue a temporary permit  
35 authorizing the operation of the motor vehicle until the personalized plate is  
36 issued.

37         3. No personalized license plates shall be issued containing any letters,  
38 numbers or combination of letters and numbers which are obscene, profane,  
39 patently offensive or contemptuous of a racial or ethnic group, or offensive to good  
40 taste or decency, or would present an unreasonable danger to the health or safety

41 of the applicant, of other users of streets and highways, or of the public in any  
42 location where the vehicle with such a plate may be found. The director may  
43 recall any personalized license plates, including those issued prior to August 28,  
44 1992, if the director determines that the plates are obscene, profane, patently  
45 offensive or contemptuous of a racial or ethnic group, or offensive to good taste  
46 or decency, or would present an unreasonable danger to the health or safety of  
47 the applicant, of other users of streets and highways, or of the public in any  
48 location where the vehicle with such a plate may be found. Where the director  
49 recalls such plates pursuant to the provisions of this subsection, the director shall  
50 reissue personalized license plates to the owner of the motor vehicle for which  
51 they were issued at no charge, if the new plates proposed by the owner of the  
52 motor vehicle meet the standards established pursuant to this section. The  
53 director shall not apply the provisions of this statute in a way that violates the  
54 Missouri or United States Constitutions as interpreted by the courts with  
55 controlling authority in the state of Missouri. The primary purpose of motor  
56 vehicle [licence] **license** plates is to identify motor vehicles. Nothing in the  
57 issuance of a personalized license plate creates a designated or limited public  
58 forum. Nothing contained in this subsection shall be interpreted to prohibit the  
59 use of license plates, which are no longer valid for registration purposes, as  
60 collector's items or for decorative purposes.

61           4. The director may also establish categories of special license plates from  
62 which license plates may be issued. Any such person, other than a person  
63 exempted from the additional fee pursuant to subsection 7 of this section, that  
64 desires a personalized special license plate from any such category shall pay the  
65 same additional fee and make the same kind of application as that required by  
66 subsection 1 of this section, and the director shall issue such plates in the same  
67 manner as other personalized special license plates are issued.

68           5. The director of revenue shall issue to residents of the state of Missouri  
69 who hold an unrevoked and unexpired official amateur radio license issued by the  
70 Federal Communications Commission, upon application and upon payment of the  
71 additional fee specified in subsection 1 of this section, except for a person  
72 exempted from the additional fee pursuant to subsection 7 of this section,  
73 personalized special license plates bearing the official amateur radio call letters  
74 assigned by the Federal Communications Commission to the applicant with the  
75 words "AMATEUR RADIO" in place of the words "SHOW-ME STATE". The  
76 application shall be accompanied by a statement stating that the applicant has

77 an unrevoked and unexpired amateur radio license issued by the Federal  
78 Communications Commission and the official radio call letters assigned by the  
79 Federal Communications Commission to the applicant. An owner making a new  
80 application and paying a new fee to retain an amateur radio plate may request  
81 a replacement plate with the words "AMATEUR RADIO" in place of the words  
82 "SHOW-ME STATE". If application is made to retain a plate that is three years  
83 old or older, the replacement plate shall be issued upon the payment of required  
84 fees.

85 6. Notwithstanding any other provision to the contrary, any business that  
86 repossesses motor vehicles or trailers and sells or otherwise disposes of them  
87 shall be issued a placard displaying the word "Repossessed", provided such  
88 business pays the **license** fees presently required of a manufacturer, distributor,  
89 or dealer in [subsection 1 of section 301.253] **section 301.560**. Such placard  
90 shall bear a number and shall be in such form as the director of revenue shall  
91 determine, and shall be only used for demonstrations when displayed  
92 substantially as provided for number plates on the rear of the **repossessed**  
93 motor vehicle or trailer.

94 7. Notwithstanding any provision of law to the contrary, any person who  
95 has retired from any branch of the United States armed forces or reserves, the  
96 United States Coast Guard or reserve, the United States Merchant Marines or  
97 reserve, the National Guard, or any subdivision of any such services shall be  
98 exempt from the additional fee required for personalized license plates issued  
99 pursuant to section 301.441. As used in this subsection, "retired" means having  
100 served twenty or more years in the appropriate branch of service and having  
101 received an honorable discharge.

301.190. 1. No certificate of registration of any motor vehicle or trailer,  
2 or number plate therefor, shall be issued by the director of revenue unless the  
3 applicant therefor shall make application for and be granted a certificate of  
4 ownership of such motor vehicle or trailer, or shall present satisfactory evidence  
5 that such certificate has been previously issued to the applicant for such motor  
6 vehicle or trailer. Application shall be made within thirty days after the  
7 applicant acquires the motor vehicle or trailer upon a blank form furnished by the  
8 director of revenue and shall contain the applicant's identification number, a full  
9 description of the motor vehicle or trailer, the vehicle identification number, and  
10 the mileage registered on the odometer at the time of transfer of ownership, as  
11 required by section 407.536, RSMo, together with a statement of the applicant's

12 source of title and of any liens or encumbrances on the motor vehicle or trailer,  
13 provided that for good cause shown the director of revenue may extend the period  
14 of time for making such application.

15         2. The director of revenue shall use reasonable diligence in ascertaining  
16 whether the facts stated in such application are true and shall, to the extent  
17 possible without substantially delaying processing of the application, review any  
18 odometer information pertaining to such motor vehicle that is accessible to the  
19 director of revenue. If satisfied that the applicant is the lawful owner of such  
20 motor vehicle or trailer, or otherwise entitled to have the same registered in his  
21 name, the director shall thereupon issue an appropriate certificate over his  
22 signature and sealed with the seal of his office, procured and used for such  
23 purpose. The certificate shall contain on its face a complete description, vehicle  
24 identification number, and other evidence of identification of the motor vehicle  
25 or trailer, as the director of revenue may deem necessary, together with the  
26 odometer information required to be put on the face of the certificate pursuant to  
27 section 407.536, RSMo, a statement of any liens or encumbrances which the  
28 application may show to be thereon, and, if ownership of the vehicle has been  
29 transferred, the name of the state issuing the transferor's title and whether the  
30 transferor's odometer mileage statement executed pursuant to section 407.536,  
31 RSMo, indicated that the true mileage is materially different from the number of  
32 miles shown on the odometer, or is unknown.

33         3. The director of revenue shall appropriately designate on the current  
34 and all subsequent issues of the certificate the words "Reconstructed Motor  
35 Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or  
36 "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1,  
37 1990, on all original and all subsequent issues of the certificate for motor vehicles  
38 as referenced in subsections 2 and 3 of section 301.020, the director shall print  
39 on the face thereof the following designation: "Annual odometer updates may be  
40 available from the department of revenue.". On any duplicate certificate, the  
41 director of revenue shall reprint on the face thereof the most recent of either:

42             (1) The mileage information included on the face of the immediately prior  
43 certificate and the date of purchase or issuance of the immediately prior  
44 certificate; or

45             (2) Any other mileage information provided to the director of revenue, and  
46 the date the director obtained or recorded that information.

47         4. The certificate of ownership issued by the director of revenue shall be

48 manufactured in a manner to prohibit as nearly as possible the ability to alter,  
49 counterfeit, duplicate, or forge such certificate without ready detection. In order  
50 to carry out the requirements of this subsection, the director of revenue may  
51 contract with a nonprofit scientific or educational institution specializing in the  
52 analysis of secure documents to determine the most effective methods of  
53 rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

54         5. The fee for each original certificate so issued shall be eight dollars and  
55 fifty cents, in addition to the fee for registration of such motor vehicle or trailer.  
56 If application for the certificate is not made within thirty days after the vehicle  
57 is acquired by the applicant, a delinquency penalty fee of twenty-five dollars for  
58 the first thirty days of delinquency and twenty-five dollars for each thirty days  
59 of delinquency thereafter, not to exceed a total of [one hundred dollars before  
60 November 1, 2003, and not to exceed a total of] two hundred dollars [on or after  
61 November 1, 2003, shall be imposed], but such penalty may be waived by the  
62 director for a good cause shown. If the director of revenue learns that any person  
63 has failed to obtain a certificate within thirty days after acquiring a motor vehicle  
64 or trailer or has sold a vehicle without obtaining a certificate, he shall cancel the  
65 registration of all vehicles registered in the name of the person, either as sole  
66 owner or as a co-owner, and shall notify the person that the cancellation will  
67 remain in force until the person pays the delinquency penalty fee provided in this  
68 section, together with all fees, charges and payments which [he] **the person**  
69 should have paid in connection with the certificate of ownership and registration  
70 of the vehicle. The certificate shall be good for the life of the motor vehicle or  
71 trailer so long as the same is owned or held by the original holder of the  
72 certificate and shall not have to be renewed annually.

73         6. Any applicant for a certificate of ownership requesting the department  
74 of revenue to process an application for a certificate of ownership in an  
75 expeditious manner requiring special handling shall pay a fee of five dollars in  
76 addition to the regular certificate of ownership fee.

77         7. It is unlawful for any person to operate in this state a motor vehicle or  
78 trailer required to be registered under the provisions of the law unless a  
79 certificate of ownership has been [issued as herein] **applied for as provided in**  
80 **this section.**

81         8. Before an original Missouri certificate of ownership is issued, an  
82 inspection of the vehicle and a verification of vehicle identification numbers shall  
83 be made by the Missouri state highway patrol on vehicles for which there is a

84 current title issued by another state if a Missouri salvage certificate of title has  
85 been issued for the same vehicle but no prior inspection and verification has been  
86 made in this state, except that if such vehicle has been inspected in another state  
87 by a law enforcement officer in a manner comparable to the inspection process in  
88 this state and the vehicle identification numbers have been so verified, the  
89 applicant shall not be liable for the twenty-five dollar inspection fee if such  
90 applicant submits proof of inspection and vehicle identification number  
91 verification to the director of revenue at the time of the application. The  
92 applicant, who has such a title for a vehicle on which no prior inspection and  
93 verification have been made, shall pay a fee of twenty-five dollars for such  
94 verification and inspection, payable to the director of revenue at the time of the  
95 request for the application, which shall be deposited in the state treasury to the  
96 credit of the state highways and transportation department fund.

97           9. Each application for an original Missouri certificate of ownership for  
98 a vehicle which is classified as a reconstructed motor vehicle, specially  
99 constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor  
100 vehicle, or other vehicle as required by the director of revenue shall be  
101 accompanied by a vehicle examination certificate issued by the Missouri state  
102 highway patrol, or other law enforcement agency as authorized by the director of  
103 revenue. The vehicle examination shall include a verification of vehicle  
104 identification numbers and a determination of the classification of the  
105 vehicle. The owner of a vehicle which requires a vehicle examination certificate  
106 shall present the vehicle for examination and obtain a completed vehicle  
107 examination certificate prior to submitting an application for a certificate of  
108 ownership to the director of revenue. The fee for the vehicle examination  
109 application shall be twenty-five dollars and shall be collected by the director of  
110 revenue at the time of the request for the application and shall be deposited in  
111 the state treasury to the credit of the state highways and transportation  
112 department fund. **If the vehicle is also to be registered in Missouri, the**  
113 **safety inspection required in chapter 307, RSMo, and the emissions**  
114 **inspection required under chapter 643, RSMo, shall be completed and**  
115 **the fees required by section 307.365, RSMo, and section 643.315, RSMo,**  
116 **shall be charged to the owner.**

117           10. When an application is made for an original Missouri certificate of  
118 ownership for a motor vehicle previously registered or titled in a state other than  
119 Missouri or as required by section 301.020, it shall be accompanied by a current

120 inspection form certified by a duly authorized official inspection station as  
121 described in chapter 307, RSMo. The completed form shall certify that the  
122 manufacturer's identification number for the vehicle has been inspected, that it  
123 is correctly displayed on the vehicle and shall certify the reading shown on the  
124 odometer at the time of inspection. The inspection station shall collect the same  
125 fee as authorized in section 307.365, RSMo, for making the inspection, and the  
126 fee shall be deposited in the same manner as provided in section 307.365, RSMo.  
127 If the vehicle is also to be registered in Missouri, the safety inspection required  
128 in chapter 307, RSMo, and the emissions inspection required under chapter 643,  
129 RSMo, shall be completed and only the fees required by section 307.365, RSMo,  
130 and section 643.315, RSMo, shall be charged to the owner. This section shall not  
131 apply to vehicles being transferred on a manufacturer's statement of origin.

132       11. Motor vehicles brought into this state in a wrecked or damaged  
133 condition or after being towed as an abandoned vehicle pursuant to another  
134 state's abandoned motor vehicle procedures shall, in lieu of the inspection  
135 required by subsection 10 of this section, be inspected by the Missouri state  
136 highway patrol in accordance with subsection 9 of this section. If the inspection  
137 reveals the vehicle to be in a salvage or junk condition, the director shall so  
138 indicate on any Missouri certificate of ownership issued for such vehicle. Any  
139 salvage designation shall be carried forward on all subsequently issued  
140 certificates of title for the motor vehicle.

141       12. When an application is made for an original Missouri certificate of  
142 ownership for a motor vehicle previously registered or titled in a state other than  
143 Missouri, and the certificate of ownership has been appropriately designated by  
144 the issuing state as a reconstructed motor vehicle, motor change vehicle, [or]  
145 specially constructed motor vehicle, **or prior salvage vehicle**, the director of  
146 revenue shall appropriately designate on the current Missouri and all subsequent  
147 issues of the certificate of ownership the name of the issuing state and such prior  
148 designation. **The absence of any prior designation shall not relieve a**  
149 **transferor of the duty to exercise due diligence with regard to such**  
150 **certificate of ownership prior to the transfer of a certificate. If a**  
151 **transferor exercises any due diligence with regard to a certificate of**  
152 **ownership, the legal transfer of a certificate of ownership without any**  
153 **designation that is subsequently discovered to have or should have had**  
154 **a designation shall be a transfer free and clear of any liabilities of the**  
155 **transferor associated with the missing designation.**

156           13. When an application is made for an original Missouri certificate of  
157 ownership for a motor vehicle previously registered or titled in a state other than  
158 Missouri, and the certificate of ownership has been appropriately designated by  
159 the issuing state as non-USA-std motor vehicle, the director of revenue shall  
160 appropriately designate on the current Missouri and all subsequent issues of the  
161 certificate of ownership the words "Non-USA-Std Motor Vehicle".

162           14. The director of revenue and the superintendent of the Missouri state  
163 highway patrol shall make and enforce rules for the administration of the  
164 inspections required by this section.

165           15. Each application for an original Missouri certificate of ownership for  
166 a vehicle which is classified as a reconstructed motor vehicle, manufactured forty  
167 or more years prior to the current model year, and which has a value of three  
168 thousand dollars or less shall be accompanied by:

169           (1) A proper affidavit submitted by the owner explaining how the motor  
170 vehicle or trailer was acquired and, if applicable, the reasons a valid certificate  
171 of ownership cannot be furnished;

172           (2) Photocopies of receipts, bills of sale establishing ownership, or titles,  
173 and the source of all major component parts used to rebuild the vehicle;

174           (3) A fee of one hundred fifty dollars in addition to the fees described in  
175 subsection 5 of this section. Such fee shall be deposited in the state treasury to  
176 the credit of the state highways and transportation department fund; and

177           (4) An inspection certificate, other than a motor vehicle examination  
178 certificate required under subsection 9 of this section, completed and issued by  
179 the Missouri state highway patrol, or other law enforcement agency as authorized  
180 by the director of revenue. The inspection performed by the highway patrol or  
181 other authorized local law enforcement agency shall include a check for stolen  
182 vehicles.

183 The department of revenue shall issue the owner a certificate of ownership  
184 designated with the words "Reconstructed Motor Vehicle" and deliver such  
185 certificate of ownership in accordance with the provisions of this  
186 chapter. Notwithstanding subsection 9 of this section, no owner of a  
187 reconstructed motor vehicle described in this subsection shall be required to  
188 obtain a vehicle examination certificate issued by the Missouri state highway  
189 patrol.

                  [301.190. 1. No certificate of registration of any motor  
2           vehicle or trailer, or number plate therefor, shall be issued by the

3 director of revenue unless the applicant therefor shall make  
4 application for and be granted a certificate of ownership of such  
5 motor vehicle or trailer, or shall present satisfactory evidence that  
6 such certificate has been previously issued to the applicant for such  
7 motor vehicle or trailer. Application shall be made within thirty  
8 days after the applicant acquires the motor vehicle or trailer upon  
9 a blank form furnished by the director of revenue and shall contain  
10 the applicant's identification number, a full description of the  
11 motor vehicle or trailer, the vehicle identification number, and the  
12 mileage registered on the odometer at the time of transfer of  
13 ownership, as required by section 407.536, RSMo, together with a  
14 statement of the applicant's source of title and of any liens or  
15 encumbrances on the motor vehicle or trailer, provided that for  
16 good cause shown the director of revenue may extend the period of  
17 time for making such application.

18 2. The director of revenue shall use reasonable diligence in  
19 ascertaining whether the facts stated in such application are true  
20 and shall, to the extent possible without substantially delaying  
21 processing of the application, review any odometer information  
22 pertaining to such motor vehicle that is accessible to the director  
23 of revenue. If satisfied that the applicant is the lawful owner of  
24 such motor vehicle or trailer, or otherwise entitled to have the  
25 same registered in his name, the director shall thereupon issue an  
26 appropriate certificate over his signature and sealed with the seal  
27 of his office, procured and used for such purpose. The certificate  
28 shall contain on its face a complete description, vehicle  
29 identification number, and other evidence of identification of the  
30 motor vehicle or trailer, as the director of revenue may deem  
31 necessary, together with the odometer information required to be  
32 put on the face of the certificate pursuant to section 407.536,  
33 RSMo, a statement of any liens or encumbrances which the  
34 application may show to be thereon, and, if ownership of the  
35 vehicle has been transferred, the name of the state issuing the  
36 transferor's title and whether the transferor's odometer mileage  
37 statement executed pursuant to section 407.536, RSMo, indicated  
38 that the true mileage is materially different from the number of

39 miles shown on the odometer, or is unknown.

40 3. The director of revenue shall appropriately designate on  
41 the current and all subsequent issues of the certificate the words  
42 "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Specially  
43 Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as  
44 defined in section 301.010. Effective July 1, 1990, on all original  
45 and all subsequent issues of the certificate for motor vehicles as  
46 referenced in subsections 2 and 3 of section 301.020, the director  
47 shall print on the face thereof the following designation: "Annual  
48 odometer updates may be available from the department of  
49 revenue.". On any duplicate certificate, the director of revenue  
50 shall reprint on the face thereof the most recent of either:

51 (1) The mileage information included on the face of the  
52 immediately prior certificate and the date of purchase or issuance  
53 of the immediately prior certificate; or

54 (2) Any other mileage information provided to the director  
55 of revenue, and the date the director obtained or recorded that  
56 information.

57 4. The certificate of ownership issued by the director of  
58 revenue shall be manufactured in a manner to prohibit as nearly  
59 as possible the ability to alter, counterfeit, duplicate, or forge such  
60 certificate without ready detection. In order to carry out the  
61 requirements of this subsection, the director of revenue may  
62 contract with a nonprofit scientific or educational institution  
63 specializing in the analysis of secure documents to determine the  
64 most effective methods of rendering Missouri certificates of  
65 ownership nonalterable or noncounterfeitable.

66 5. The fee for each original certificate so issued shall be  
67 eight dollars and fifty cents, in addition to the fee for registration  
68 of such motor vehicle or trailer. If application for the certificate is  
69 not made within thirty days after the vehicle is acquired by the  
70 applicant, a delinquency penalty fee of twenty-five dollars for the  
71 first thirty days of delinquency and twenty-five dollars for each  
72 thirty days of delinquency thereafter, not to exceed a total of one  
73 hundred dollars before November 1, 2003, and not to exceed a total  
74 of two hundred dollars on or after November 1, 2003, shall be

75 imposed, but such penalty may be waived by the director for a good  
76 cause shown. If the director of revenue learns that any person has  
77 failed to obtain a certificate within thirty days after acquiring a  
78 motor vehicle or trailer or has sold a vehicle without obtaining a  
79 certificate, he shall cancel the registration of all vehicles registered  
80 in the name of the person, either as sole owner or as a co-owner,  
81 and shall notify the person that the cancellation will remain in  
82 force until the person pays the delinquency penalty fee provided in  
83 this section, together with all fees, charges and payments which he  
84 should have paid in connection with the certificate of ownership  
85 and registration of the vehicle. The certificate shall be good for the  
86 life of the motor vehicle or trailer so long as the same is owned or  
87 held by the original holder of the certificate and shall not have to  
88 be renewed annually.

89 6. Any applicant for a certificate of ownership requesting  
90 the department of revenue to process an application for a certificate  
91 of ownership in an expeditious manner requiring special handling  
92 shall pay a fee of five dollars in addition to the regular certificate  
93 of ownership fee.

94 7. It is unlawful for any person to operate in this state a  
95 motor vehicle or trailer required to be registered under the  
96 provisions of the law unless a certificate of ownership has been  
97 issued as herein provided.

98 8. Before an original Missouri certificate of ownership is  
99 issued, an inspection of the vehicle and a verification of vehicle  
100 identification numbers shall be made by the Missouri state  
101 highway patrol on vehicles for which there is a current title issued  
102 by another state if a Missouri salvage certificate of title has been  
103 issued for the same vehicle but no prior inspection and verification  
104 has been made in this state, except that if such vehicle has been  
105 inspected in another state by a law enforcement officer in a manner  
106 comparable to the inspection process in this state and the vehicle  
107 identification numbers have been so verified, the applicant shall  
108 not be liable for the twenty-five dollar inspection fee if such  
109 applicant submits proof of inspection and vehicle identification  
110 number verification to the director of revenue at the time of the

111 application. The applicant, who has such a title for a vehicle on  
112 which no prior inspection and verification have been made, shall  
113 pay a fee of twenty-five dollars for such verification and inspection,  
114 payable to the director of revenue at the time of the request for the  
115 application, which shall be deposited in the state treasury to the  
116 credit of the state highways and transportation department fund.

117 9. Each application for an original Missouri certificate of  
118 ownership for a vehicle which is classified as a reconstructed motor  
119 vehicle, specially constructed motor vehicle, kit vehicle, motor  
120 change vehicle, non-USA-std motor vehicle, or other vehicle as  
121 required by the director of revenue shall be accompanied by a  
122 vehicle examination certificate issued by the Missouri state  
123 highway patrol, or other law enforcement agency as authorized by  
124 the director of revenue. The vehicle examination shall include a  
125 verification of vehicle identification numbers and a determination  
126 of the classification of the vehicle. The owner of a vehicle which  
127 requires a vehicle examination certificate shall present the vehicle  
128 for examination and obtain a completed vehicle examination  
129 certificate prior to submitting an application for a certificate of  
130 ownership to the director of revenue. The fee for the vehicle  
131 examination application shall be twenty-five dollars and shall be  
132 collected by the director of revenue at the time of the request for  
133 the application and shall be deposited in the state treasury to the  
134 credit of the state highways and transportation department fund.

135 10. When an application is made for an original Missouri  
136 certificate of ownership for a motor vehicle previously registered or  
137 titled in a state other than Missouri or as required by section  
138 301.020, it shall be accompanied by a current inspection form  
139 certified by a duly authorized official inspection station as  
140 described in chapter 307, RSMo. The completed form shall certify  
141 that the manufacturer's identification number for the vehicle has  
142 been inspected, that it is correctly displayed on the vehicle and  
143 shall certify the reading shown on the odometer at the time of  
144 inspection. The inspection station shall collect the same fee as  
145 authorized in section 307.365, RSMo, for making the inspection,  
146 and the fee shall be deposited in the same manner as provided in

147 section 307.365, RSMo. If the vehicle is also to be registered in  
148 Missouri, the safety and emissions inspections required in chapter  
149 307, RSMo, shall be completed and only the fees required by  
150 sections 307.365 and 307.366, RSMo, shall be charged to the  
151 owner. This section shall not apply to vehicles being transferred  
152 on a manufacturer's statement of origin.

153 11. Motor vehicles brought into this state in a wrecked or  
154 damaged condition or after being towed as an abandoned vehicle  
155 pursuant to another state's abandoned motor vehicle procedures  
156 shall, in lieu of the inspection required by subsection 10 of this  
157 section, be inspected by the Missouri state highway patrol in  
158 accordance with subsection 9 of this section. If the inspection  
159 reveals the vehicle to be in a salvage or junk condition, the director  
160 shall so indicate on any Missouri certificate of ownership issued for  
161 such vehicle. Any salvage designation shall be carried forward on  
162 all subsequently issued certificates of title for the motor vehicle.

163 12. When an application is made for an original Missouri  
164 certificate of ownership for a motor vehicle previously registered or  
165 titled in a state other than Missouri, and the certificate of  
166 ownership has been appropriately designated by the issuing state  
167 as a reconstructed motor vehicle, motor change vehicle, or specially  
168 constructed motor vehicle, the director of revenue shall  
169 appropriately designate on the current Missouri and all subsequent  
170 issues of the certificate of ownership the name of the issuing state  
171 and such prior designation.

172 13. When an application is made for an original Missouri  
173 certificate of ownership for a motor vehicle previously registered or  
174 titled in a state other than Missouri, and the certificate of  
175 ownership has been appropriately designated by the issuing state  
176 as non-USA-std motor vehicle, the director of revenue shall  
177 appropriately designate on the current Missouri and all subsequent  
178 issues of the certificate of ownership the words "Non-USA-Std  
179 Motor Vehicle".

180 14. The director of revenue and the superintendent of the  
181 Missouri state highway patrol shall make and enforce rules for the  
182 administration of the inspections required by this section.

183                   15. Each application for an original Missouri certificate of  
184                   ownership for a vehicle which is classified as a reconstructed motor  
185                   vehicle, manufactured forty or more years prior to the current  
186                   model year, and which has a value of three thousand dollars or less  
187                   shall be accompanied by:

188                   (1) A proper affidavit submitted by the owner explaining  
189                   how the motor vehicle or trailer was acquired and, if applicable, the  
190                   reasons a valid certificate of ownership cannot be furnished;

191                   (2) Photocopies of receipts, bills of sale establishing  
192                   ownership, or titles, and the source of all major component parts  
193                   used to rebuild the vehicle;

194                   (3) A fee of one hundred fifty dollars in addition to the fees  
195                   described in subsection 5 of this section. Such fee shall be  
196                   deposited in the state treasury to the credit of the state highways  
197                   and transportation department fund; and

198                   (4) An inspection certificate, other than a motor vehicle  
199                   examination certificate required under subsection 9 of this section,  
200                   completed and issued by the Missouri state highway patrol, or  
201                   other law enforcement agency as authorized by the director of  
202                   revenue. The inspection performed by the highway patrol or other  
203                   authorized local law enforcement agency shall include a check for  
204                   stolen vehicles.

205                   The department of revenue shall issue the owner a certificate of  
206                   ownership designated with the words "Reconstructed Motor  
207                   Vehicle" and deliver such certificate of ownership in accordance  
208                   with the provisions of this chapter. Notwithstanding subsection 9  
209                   of this section, no owner of a reconstructed motor vehicle described  
210                   in this subsection shall be required to obtain a vehicle examination  
211                   certificate issued by the Missouri state highway patrol.]

301.196. 1. Beginning January 1, 2006, except as otherwise provided in  
2 this section, the transferor of an interest in a motor vehicle or trailer listed on the  
3 face of a Missouri title, excluding salvage titles and junking certificates, shall  
4 notify the department of revenue of the transfer within thirty days of the date of  
5 transfer. The notice shall be in a form determined by the department by rule and  
6 shall contain:

7                   (1) A description of the motor vehicle or trailer sufficient to identify it;

- 8 (2) The vehicle identification number of the motor vehicle or trailer;
- 9 (3) The name and address of the transferee;
- 10 (4) The date of birth of the transferee, unless the transferee is not a  
11 natural person;
- 12 (5) The date of the transfer or sale;
- 13 (6) The purchase price of the motor vehicle or trailer, if applicable;
- 14 (7) The number of the transferee's drivers license, unless the transferee  
15 does not have a drivers license;
- 16 (8) The printed name and signature of the transferee;
- 17 (9) Any other information required by the department by rule.

18 2. For purposes of giving notice under this section, if the transfer occurs  
19 by operation of law, the personal representative, receiver, trustee, sheriff, or other  
20 representative or successor in interest of the person whose interest is transferred  
21 shall be considered the transferor. Repossession by a creditor shall not be  
22 considered a transfer of ownership requiring such notice.

23 3. The requirements of this section shall not apply to transfers when there  
24 is no complete change of ownership interest or upon award of ownership of a  
25 motor vehicle or trailer made by court order, or transfers of ownership of a motor  
26 vehicle or trailer to or between vehicle dealers, **or transfers of ownership of**  
27 **a motor vehicle or trailer to an insurance company due to a theft or**  
28 **casualty loss**, or transfers of beneficial ownership of a motor vehicle owned by  
29 a trust.

30 4. Notification under this section is only required for transfers of  
31 ownership that would otherwise require registration and an application for  
32 certificate of title in this state under section 301.190, and is for informational  
33 purposes only and does not constitute an assignment or release of any interest in  
34 the vehicle.

35 5. Retail sales made by licensed dealers including sales of new vehicles  
36 shall be reported pursuant to the provisions of section 301.280.

301.200. 1. In the case of dealers, a [separate] certificate of ownership[,  
2 either of such dealer's immediate vendor, or of the dealer himself,] **or proof that**  
3 **a dealer has applied for a certificate of ownership or that a prior lien**  
4 **has been satisfied by the dealer** shall be required in the case of each motor  
5 vehicle in his possession, and the director of revenue shall determine the form in  
6 which application for such certificates of ownership and assignments shall be  
7 made, in case forms differing from those used for individuals are, in his judgment,

8 reasonably required; provided, however, that no such certificates shall be required  
9 in the case of new motor vehicles or trailers sold by manufacturers to dealers.

10 2. Dealers shall execute and deliver manufacturer's statements of origin  
11 in accordance with forms prescribed by the director of revenue for all new cars  
12 sold by them. On the presentation of a manufacturer's statement of origin,  
13 executed in the form prescribed by the director of revenue, by a manufacturer or  
14 a dealer for a new car sold in this state, a certificate of ownership shall be issued.

15 3. Each certificate of ownership issued by the department of revenue shall  
16 contain space for four assignments. On all certificates of ownership containing  
17 fewer than four assignment spaces, the director shall prescribe a secure document  
18 for use in making a fourth assignment by a dealer. All secure documents for  
19 assignments which are spoiled shall be marked "void" and shall be returned by  
20 the dealer to the department of revenue at the end of each month.

301.218. 1. No person shall, except as an incident to the sale, repair,  
2 rebuilding or servicing of vehicles by a licensed franchised motor vehicle dealer  
3 carry on or conduct the following business unless licensed to do so by the  
4 department of revenue under sections 301.217 to 301.229:

5 (1) Selling used parts of or used accessories for vehicles as a used parts  
6 dealer, as defined in section 301.010;

7 (2) Salvaging, wrecking or dismantling vehicles for resale of the parts  
8 thereof as a salvage dealer or dismantler, as defined in section 301.010;

9 (3) Rebuilding and repairing four or more wrecked or dismantled vehicles  
10 in a calendar year as a rebuilder or body shop, as defined in section 301.010;

11 (4) Processing scrapped vehicles or vehicle parts as a mobile scrap  
12 processor, as defined in section 301.010.

13 2. Sales at a salvage pool or a salvage disposal sale shall be open only to  
14 and made to persons **actually engaged in and** holding a current license under  
15 sections 301.217 to 301.221 [as a salvage dealer and dismantler and actually  
16 engaged in that business. Such persons must have and present a separate  
17 buyer's identification card issued by the department of revenue to buy at a  
18 salvage pool or salvage disposal sale. If the prospective purchasers are not  
19 engaged in such business in Missouri but are in some other state, then they shall  
20 submit a fee of twenty-five dollars and must furnish proof of licensure or  
21 nonrequirement therefor from their state to the director of revenue who shall  
22 issue a buyer's identification card after verifying that the prospective purchaser  
23 is entitled to have the same in order to buy salvage vehicles. The director of

24 revenue shall adopt rules for criteria and requirements for out of state,  
25 prospective purchasers to meet in order to be issued a buyer's identification card]  
26 **and 301.550 to 301.573 or any person from another state or jurisdiction**  
27 **who is legally allowed in his or her state of domicile to purchase for**  
28 **resale, rebuild, dismantle, crush, or scrap either motor vehicles or**  
29 **salvage vehicles, and to persons who reside in a foreign country that**  
30 **are purchasing salvage vehicles for export outside of the United**  
31 **States.** Operators of salvage pools or salvage disposal sales shall keep a record,  
32 for three years, of sales of salvage vehicles with the purchasers' name and  
33 address, and the year, make, and vehicle identification number for each  
34 vehicle. These records shall be open for inspection as provided in section  
35 301.225. **Such records shall be submitted to the department on a**  
36 **quarterly basis.**

37 **3. The seller of a nonrepairable motor vehicle or a salvage motor**  
38 **vehicle to a person who is not a resident of the United States at a**  
39 **salvage pool or a salvage disposal sale shall:**

40 **(1) Stamp on the face of the title so as not to obscure any name,**  
41 **date, or mileage statement on the title the words "FOR EXPORT ONLY"**  
42 **in capital letters that are black; and**

43 **(2) Stamp in each unused reassignment space on the back of the**  
44 **title the words "FOR EXPORT ONLY" and print the number of the**  
45 **dealer's salvage vehicle license, name of the salvage pool, or the name**  
46 **of the governmental entity, as applicable.**

47 **The words "FOR EXPORT ONLY" required under subdivisions (1) and**  
48 **(2) of this subsection shall be at least two inches wide and clearly**  
49 **legible. Copies of the stamped titles shall be forwarded to the**  
50 **department.**

51 **4. The director of revenue shall issue a separate license for each kind of**  
52 **business described in subsection 1 of this section, to be entitled and designated**  
53 **as either "used parts dealer"; "salvage dealer or dismantler"; "rebuilder or body**  
54 **shop"; or "mobile scrap processor" license.**

301.221. 1. The department shall file each application received by it with  
2 the required fee, and when satisfied that the applicant, if an individual, or each  
3 of the partners or principal officers of the applicant, if a partnership or a  
4 corporation, is of good moral character and that the applicant, so far as can be  
5 ascertained, has complied and will comply with the provisions of sections 301.217

6 to 301.229 and the laws of this state relating to registration of and certificates of  
7 title of vehicles, shall issue to the applicant a license to carry on and conduct the  
8 kind of businesses, enumerated in section 301.218, specified in the application at  
9 the address therein specified, until the next license renewal date.

10 2. When the application is being made for licensure as a salvage dealer,  
11 **the applicant shall obtain** a certification by a uniformed member **or**  
12 **authorized or designated employee** of the Missouri state highway patrol  
13 stationed in the troop area in which the applicant's place of business is located;  
14 except, that in counties of the first classification, certification may be performed  
15 by an officer of a metropolitan police department when the applicant's established  
16 place of business of salvage is in the metropolitan area where the certifying  
17 metropolitan police officer is employed. An applicant shall have a bona fide  
18 established place of business which shall include a permanent enclosed building  
19 or structure, either owned in fee or leased and actually occupied as a place of  
20 business by the applicant for:

- 21 (1) Selling used parts of or used accessories for vehicles; or
- 22 (2) Salvaging, wrecking or dismantling vehicles for resale of the parts  
23 thereof; or
- 24 (3) Rebuilding and repairing wrecked or dismantled vehicles; or
- 25 (4) Processing scrapped vehicles or vehicle parts.

26 3. The applicant's place of business shall be a place wherein the public  
27 may contact the owner or operator, in person or by telephone, at any reasonable  
28 time, and wherein shall be kept and maintained the books, records, files, tools,  
29 equipment and other matters required and necessary to conduct the business.

30 4. The application shall include a photograph, not to exceed eight inches  
31 by ten inches, showing the building and business premises and shall accompany  
32 the initial application but will not be required for subsequent renewals unless  
33 substantial changes have been made to the building or business premises.

301.225. Every person licensed or required to be licensed shall maintain  
2 for three years on vehicles not more than seven years old a record of:

- 3 (1) Every vehicle or used transmission, rear end, cowl, frame, body, front  
4 end assembly or engine of or for a vehicle received or acquired by him, its  
5 description and identifying number, if any, the date of its receipt or acquisition,  
6 and the name and address of the person from whom received or acquired;
- 7 (2) Every vehicle wrecked, dismantled or disposed of by him, and the date  
8 of its wrecking or dismantling and, if sold to a scrap metal operator, the

9 operator's name and address.

10 Every such record shall be retained by the person licensed or required to be  
11 licensed at his principal place of business and shall be open to inspection by any  
12 representative of the department, member **or authorized or designated**  
13 **employee** of the Missouri highway patrol, or any police officer during reasonable  
14 business hours. Members of the patrol or any police officer may inspect the  
15 premises of every person licensed or required to be licensed at any time that  
16 business is being conducted or work is being performed, whether or not open to  
17 the public to enforce the provisions of sections 301.217 to 301.229.

301.227. 1. Whenever a vehicle is sold for salvage, dismantling or  
2 rebuilding, the purchaser shall forward to the director of revenue within ten days  
3 the certificate of ownership or salvage certificate of title and the proper  
4 application and fee of eight dollars and fifty cents, and the director shall issue a  
5 negotiable salvage certificate of title to the purchaser of the salvaged  
6 vehicle. [On vehicles not more than seven years old, it shall be mandatory that  
7 the purchaser apply for a salvage title, but on vehicles over seven years old,  
8 application for a salvage title shall be optional on the part of the purchaser.] **On**  
9 **vehicles purchased during a year that is no more than six years after**  
10 **the manufacturer's model year designation for such vehicle, it shall be**  
11 **mandatory that the purchaser apply for a salvage title. On vehicles**  
12 **purchased during a year that is more than six years after the**  
13 **manufacturer's model year designation for such vehicle, then**  
14 **application for a salvage title shall be optional on the part of the**  
15 **purchaser.** Whenever a vehicle is sold for destruction and a salvage certificate  
16 of title, junking certificate, or certificate of ownership exists, the seller, if licensed  
17 under sections 301.217 to 301.221, shall forward the certificate to the director of  
18 revenue within ten days, with the notation of the date sold for destruction and  
19 the name of the purchaser clearly shown on the face of the certificate.

20 2. Whenever a vehicle is classified as "junk", as defined in section 301.010,  
21 the purchaser may forward to the director of revenue the salvage certificate of  
22 title or certificate of ownership and the director shall issue a negotiable junking  
23 certificate to the purchaser of the vehicle. The director may also issue a junking  
24 certificate to a possessor of a vehicle manufactured twenty-six years or more prior  
25 to the current model year who has a bill of sale for said vehicle but does not  
26 possess a certificate of ownership, provided no claim of theft has been made on  
27 the vehicle and the highway patrol has by letter stated the vehicle is not listed

28 as stolen after checking the registration number through its nationwide computer  
29 system. Such certificate may be granted within thirty days of the submission of  
30 a request.

31 3. Upon receipt of a properly completed application for a junking  
32 certificate, the director of revenue shall issue to the applicant a junking  
33 certificate which shall authorize the holder to possess, transport, or, by  
34 assignment, transfer ownership in such parts, scrap or junk, and a certificate of  
35 title shall not again be issued for such vehicle; except that, the initial purchaser  
36 shall, within ninety days, be allowed to rescind his application for a junking  
37 certificate by surrendering the junking certificate and apply for a salvage  
38 certificate of title in his name. The seller of a vehicle for which a junking  
39 certificate has been applied for or issued shall disclose such fact in writing to any  
40 prospective buyers before sale of such vehicle; otherwise the sale shall be voidable  
41 at the option of the buyer.

42 4. No scrap metal operator shall acquire or purchase a motor vehicle or  
43 parts thereof without, at the time of such acquisition, receiving the original  
44 certificate of title or salvage certificate of title or junking certificate from the  
45 seller of the vehicle or parts, unless the seller is a licensee under sections 301.219  
46 to 301.221.

47 5. All titles and certificates required to be received by scrap metal  
48 operators from nonlicensees shall be forwarded by the operator to the director of  
49 revenue within ten days of the receipt of the vehicle or parts.

50 6. The scrap metal operator shall keep a record, for three years, of the  
51 seller's name and address, the salvage business license number of the licensee,  
52 date of purchase, and any vehicle or parts identification numbers open for  
53 inspection as provided in section 301.225.

54 7. Notwithstanding any other provision of this section, a motor vehicle  
55 dealer as defined in section 301.550 and licensed under the provisions of sections  
56 301.550 to 301.572 may negotiate one reassignment of a salvage certificate of title  
57 on the back thereof.

58 8. Notwithstanding the provisions of subsection 1 of this section, an  
59 insurance company which settles a claim for a stolen vehicle **may apply for and**  
60 shall be issued a negotiable salvage certificate of title without the payment of any  
61 fee upon proper application within thirty days after settlement of the claim for  
62 such stolen vehicle. However, if the insurance company upon recovery of a stolen  
63 vehicle determines that the stolen vehicle has not sustained damage to the extent

64 that the vehicle would have otherwise been declared a salvage vehicle pursuant  
65 to subdivision (51) of section 301.010, then the insurance company may have the  
66 vehicle inspected by the Missouri state highway patrol, or other law enforcement  
67 agency authorized by the director of revenue, in accordance with the inspection  
68 provisions of subsection 9 of section 301.190. Upon receipt of title application,  
69 applicable fee, the completed inspection, and the return of any previously issued  
70 negotiable salvage certificate, the director shall issue an original title with no  
71 salvage **or prior salvage** designation. Upon the issuance of an original title the  
72 director shall remove any indication of the negotiable salvage title previously  
73 issued to the insurance company from the department's electronic records.

301.229. 1. Anyone who violates any provision of sections 301.217 to  
2 301.229 is guilty of a class A misdemeanor and, upon conviction, shall be  
3 punished as provided by law.

4 2. The director of revenue or his **or her** designated representative,  
5 **including members or authorized or designated employees of the**  
6 **Missouri highway patrol** shall administer and enforce the provisions of  
7 sections 301.217 to 301.229 and may develop, prescribe and issue any forms,  
8 notices or other written documents in order to enforce such authority and to  
9 ensure that every person licensed or required to be licensed pursuant to sections  
10 301.217 to 301.229 is in compliance with sections 301.217 to 301.229.

301.280. 1. Every motor vehicle dealer and boat dealer shall make a  
2 monthly report to the department of revenue, on blanks to be prescribed by the  
3 department of revenue, giving the following information: date of the sale of each  
4 motor vehicle, boat, trailer and all-terrain vehicle sold; the name and address of  
5 the buyer; the name of the manufacturer; year of manufacture; model of vehicle;  
6 vehicle identification number; style of vehicle; odometer setting; and it shall also  
7 state whether the motor vehicle, boat, trailer or all-terrain vehicle is new or  
8 secondhand. The odometer reading is not required when reporting the sale of any  
9 motor vehicle that is ten years old or older, any motor vehicle having a gross  
10 vehicle weight rating of more than sixteen thousand pounds, new vehicles that  
11 are transferred on a manufacturer's statement of origin between one franchised  
12 motor vehicle dealer and another, or boats, all-terrain vehicles or trailers. The  
13 sale of all thirty-day temporary permits, without exception, shall be recorded in  
14 the appropriate space on the dealer's monthly sales report by recording the  
15 complete permit number issued on the motor vehicle or trailer sale listed. The  
16 monthly sales report shall be completed in full and signed by an officer, partner,

17 or owner of the dealership, and actually received by the department of revenue  
18 on or before the fifteenth day of the month succeeding the month for which the  
19 sales are being reported. If no sales occur in any given month, a report shall be  
20 submitted for that month indicating no sales. Any vehicle dealer who fails to file  
21 a monthly report or who fails to file a timely report shall be subject to  
22 disciplinary action as prescribed in section 301.562 or a penalty assessed by the  
23 director not to exceed three hundred dollars per violation. Every motor vehicle  
24 and boat dealer shall retain copies of the monthly sales report as part of the  
25 records to be maintained at the dealership location and shall hold them available  
26 for inspection by appropriate law enforcement officials and officials of the  
27 department of revenue. [Beginning January 1, 2006, the monthly sales report  
28 required by this subsection may be filed electronically. Beginning January 1,  
29 2007,] Every vehicle dealer selling twenty or more vehicles a month shall file the  
30 monthly sales report with the department in an electronic format. Any dealer  
31 filing a monthly sales report in an electronic format shall be exempt from filing  
32 the notice of transfer required by section 301.196. For any dealer not filing  
33 electronically, the notice of transfer required by section 301.196 shall be  
34 submitted with the monthly sales report as prescribed by the director.

35           2. Every dealer and every person operating a public garage shall keep a  
36 correct record of the vehicle identification number, odometer setting,  
37 manufacturer's name of all motor vehicles or trailers accepted by him for the  
38 purpose of sale, rental, storage, repair or repainting, together with the name and  
39 address of the person delivering such motor vehicle or trailer to the dealer or  
40 public garage keeper, and the person delivering such motor vehicle or trailer shall  
41 record such information in a file kept by the dealer or garage keeper. The record  
42 shall be kept for three years and be open for inspection by law enforcement  
43 officials, **members or authorized or designated employees of the Missouri**  
44 **highway patrol**, and persons, agencies and officials designated by the director  
45 of revenue.

46           3. Every dealer and every person operating a public garage in which a  
47 motor vehicle remains unclaimed for a period of fifteen days shall, within five  
48 days after the expiration of that period, report the motor vehicle as unclaimed to  
49 the director of revenue. Such report shall be on a form prescribed by the director  
50 of revenue. A motor vehicle left by its owner whose name and address are known  
51 to the dealer or his employee or person operating a public garage or his employee  
52 is not considered unclaimed. Any dealer or person operating a public garage who

53 fails to report a motor vehicle as unclaimed as herein required forfeits all claims  
54 and liens for its garaging, parking or storing.

55 4. The director of revenue shall maintain appropriately indexed  
56 cumulative records of unclaimed vehicles reported to the director. Such records  
57 shall be kept open to public inspection during reasonable business hours.

58 5. The alteration or obliteration of the vehicle identification number on  
59 any such motor vehicle shall be prima facie evidence of larceny, and the dealer  
60 or person operating such public garage shall upon the discovery of such  
61 obliteration or alteration immediately notify the highway patrol, sheriff, marshal,  
62 constable or chief of police of the municipality where the dealer or garage keeper  
63 has his place of business, and shall hold such motor vehicle or trailer for a period  
64 of forty-eight hours for the purpose of an investigation by the officer so notified.

301.444. 1. [Any person, as defined in subsection 3 of this section, may  
2 apply for special license plates for any motor vehicle such person owns, either  
3 solely or jointly, other than an apportioned motor vehicle or a commercial motor  
4 vehicle licensed in excess of eighteen thousand pounds gross weight. The  
5 firefighter memorial foundation of Missouri hereby authorizes the use of its  
6 official emblem to be affixed on multiyear personalized license plates as provided  
7 in this section.

8 2. Upon application and payment of a one-time twenty-five dollar emblem-  
9 use contribution to the firefighter memorial foundation of Missouri, the  
10 foundation shall issue to the vehicle owner, without further charge, an emblem-  
11 use authorization statement, which shall be presented to the department of  
12 revenue at the time of registration of a motor vehicle.

13 3. As used in this section, the term "person" shall mean:

14 (1) A director of a fire protection district;

15 (2) Persons compensated, partially compensated, or volunteer members  
16 of any fire department, fire protection district, or voluntary fire protection  
17 association of this state;

18 (3) A person wounded in the line of duty as a firefighter; or

19 (4) A surviving spouse, parent, brother, sister, or adult child, including  
20 an adopted child or stepchild, of a person killed in the line of duty as a  
21 firefighter.

22 4. Upon presentation of the emblem-use authorization statement and  
23 payment of a fifteen dollar fee in addition to the regular registration fees and  
24 presentation of other documents which may be required by law, the department

25 of revenue shall issue a personalized license plate to the vehicle owner, which  
26 shall bear the emblem of the firefighter memorial foundation of Missouri and the  
27 word "FIREFIGHTER" in place of the words "SHOW-ME STATE". Such license  
28 plates shall be made with fully reflective material with a common color scheme  
29 and design, shall be clearly visible at night, and shall be aesthetically attractive,  
30 as prescribed by section 301.130. Notwithstanding the provisions of section  
31 301.144, no additional fee shall be charged for the personalization of license  
32 plates pursuant to this section.

33           5. The director of revenue may promulgate rules and regulations for the  
34 administration of this section. Any rule or portion of a rule, as that term is  
35 defined in section 536.010, RSMo, that is created under the authority delegated  
36 in this section shall become effective only if it complies with and is subject to all  
37 of the provisions of chapter 536, RSMo, and, if applicable, section 536.028,  
38 RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the  
39 powers vested with the general assembly pursuant to chapter 536, RSMo, to  
40 review, to delay the effective date, or to disapprove and annul a rule are  
41 subsequently held unconstitutional, then the grant of rulemaking authority and  
42 any rule proposed or adopted after August 28, 2004, shall be invalid and void.]  
43 **Owners or a joint owner of motor vehicles who are residents of the**  
44 **state of Missouri, and who are directors of a fire protection district or**  
45 **who are compensated, partially compensated, or volunteer members of**  
46 **any fire department, fire protection district, or voluntary fire**  
47 **protection association in this state, upon application accompanied by**  
48 **affidavit as prescribed in this section, complying with the state motor**  
49 **vehicle laws relating to registration and licensing of motor vehicles,**  
50 **and upon payment of a fee as prescribed in this section, shall be issued**  
51 **a set of license plates for any motor vehicle such person owns, either**  
52 **solely or jointly, other than an apportioned motor vehicle or a**  
53 **commercial motor vehicle licensed in excess of eighteen thousand**  
54 **pounds gross weight. The license plates shall be inscribed with a**  
55 **variation of the Maltese cross that signifies the universally recognized**  
56 **symbol for firefighters. In addition, upon such set of license plates**  
57 **shall be inscribed, in lieu of the words "Show-me State", the word**  
58 **"FIREFIGHTER". Such license plates shall be made with fully reflective**  
59 **material, shall be clearly visible at night, and shall be aesthetically**  
60 **attractive, as prescribed by section 301.130.**

61           **2. Applications for license plates issued under this section shall**  
62 **be made to the director of revenue and shall be accompanied by an**  
63 **affidavit stating that the applicant is a person described in subsection**  
64 **1 of this section. Any person who is lawfully in possession of such**  
65 **plates who resigns, is removed, or otherwise terminates or is**  
66 **terminated from his association with such fire department, fire**  
67 **protection district, or voluntary fire protection association shall return**  
68 **such special plates to the director within fifteen days.**

69           **3. An additional annual fee equal to that charged for**  
70 **personalized license plates in section 301.144 shall be paid to the**  
71 **director of revenue for the issuance of the license plates provided for**  
72 **in this section.**

          301.550. 1. The definitions contained in section 301.010 shall apply to  
2 sections 301.550 to 301.573, and in addition as used in sections 301.550 to  
3 301.573, the following terms mean:

4           (1) "Boat dealer", any natural person, partnership, or corporation who, for  
5 a commission or with an intent to make a profit or gain of money or other thing  
6 of value, sells, barter, exchanges, leases or rents with the option to purchase,  
7 offers, attempts to sell, or negotiates the sale of any vessel or vessel trailer,  
8 whether or not the vessel or vessel trailer is owned by such person. The sale of  
9 six or more vessels or vessel trailers or both in any calendar year shall be  
10 required as evidence that such person is eligible for licensure as a boat dealer  
11 under sections 301.550 to 301.573. The boat dealer shall demonstrate eligibility  
12 for renewal of his license by selling six or more vessels or vessel trailers or both  
13 in the prior calendar year while licensed as a boat dealer pursuant to sections  
14 301.550 to 301.573;

15           (2) "Boat manufacturer", any person engaged in the manufacturing,  
16 assembling or modification of new vessels or vessel trailers as a regular business,  
17 including a person, partnership or corporation which acts for and is under the  
18 control of a manufacturer or assembly in connection with the distribution of  
19 vessels or vessel trailers;

20           (3) "Department", the Missouri department of revenue;

21           (4) "Director", the director of the Missouri department of revenue;

22           (5) **"Emergency vehicles", motor vehicles used as ambulances, law**  
23 **enforcement vehicles, and fire fighting and assistance vehicles;**

24           (6) "Manufacturer", any person engaged in the manufacturing, assembling

25 or modification of new motor vehicles or trailers as a regular business, including  
26 a person, partnership or corporation which acts for and is under the control of a  
27 manufacturer or assembly in connection with the distribution of motor vehicles  
28 or accessories for motor vehicles;

29 [(6)] (7) "Motor vehicle broker", a person who holds himself out through  
30 solicitation, advertisement, or otherwise as one who offers to arrange a  
31 transaction involving the retail sale of a motor vehicle, and who is not:

32 (a) A dealer, or any agent, or any employee of a dealer when acting on  
33 behalf of a dealer;

34 (b) A manufacturer, or any agent, or employee of a manufacturer when  
35 acting on behalf of a manufacturer;

36 (c) The owner of the vehicle involved in the transaction; or

37 (d) A public motor vehicle auction or wholesale motor vehicle auction  
38 where buyers are licensed dealers in this or any other jurisdiction;

39 [(7)] (8) "Motor vehicle dealer" or "dealer", any person who, for  
40 commission or with an intent to make a profit or gain of money or other thing of  
41 value, sells, barter, exchanges, leases or rents with the option to purchase, or  
42 who offers or attempts to sell or negotiates the sale of motor vehicles or trailers  
43 whether or not the motor vehicles or trailers are owned by such person; provided,  
44 however, an individual auctioneer or auction conducted by an auctioneer licensed  
45 pursuant to chapter 343, RSMo, shall not be included within the definition of a  
46 motor vehicle dealer. **The sale of six or more motor vehicles or trailers in any**  
47 **calendar year shall be required as evidence that such person is engaged in the**  
48 **motor vehicle business and is eligible for licensure as a motor vehicle dealer**  
49 **under sections 301.550 to 301.573. Any motor vehicle dealer licensed**  
50 **before August 28, 2007, shall be required to meet the minimum calendar**  
51 **year sales of six or more motor vehicles provided the dealer can prove**  
52 **the business achieved, cumulatively, six or more sales per year for the**  
53 **preceding twenty-four months in business; or if the dealer has not been**  
54 **in business for twenty-four months, the cumulative equivalent of one**  
55 **sale every two months for the months the dealer has been in business**  
56 **before August 28, 2007. Any licensed motor vehicle dealer failing to**  
57 **meet the minimum vehicle sales requirements as referenced in this**  
58 **subsection shall not be qualified to renew his or her license for one**  
59 **year. Applicants who reapply after the one-year period shall meet the**  
60 **requirement of six sales per year;**

61            [(8)] **(9)** "New motor vehicle", any motor vehicle being transferred for the  
62 first time from a manufacturer, distributor or new vehicle dealer which has not  
63 been registered or titled in this state or any other state and which is offered for  
64 sale, barter or exchange by a dealer who is franchised to sell, barter or exchange  
65 that particular make of motor vehicle. The term "new motor vehicle" shall not  
66 include manufactured homes, as defined in section 700.010, RSMo;

67            [(9)] **(10)** "New motor vehicle franchise dealer", any motor vehicle dealer  
68 who has been franchised to deal in a certain make of motor vehicle by the  
69 manufacturer or distributor of that make and motor vehicle and who may, in line  
70 with conducting his business as a franchise dealer, sell, barter or exchange used  
71 motor vehicles;

72            [(10)] **(11)** "Person" includes an individual, a partnership, corporation,  
73 an unincorporated society or association, joint venture or any other entity;

74            [(11)] **(12)** "Powersport dealer", any motor vehicle dealer who sells, either  
75 pursuant to a franchise agreement or otherwise, primarily motor vehicles  
76 including but not limited to motorcycles, all-terrain vehicles, and personal  
77 watercraft, as those terms are defined in this chapter and chapter 306, RSMo;

78            [(12)] **(13)** "Public motor vehicle auction", any person, firm or corporation  
79 who takes possession of a motor vehicle whether by consignment, bailment or any  
80 other arrangement, except by title, for the purpose of selling motor vehicles at a  
81 public auction by a licensed auctioneer;

82            [(13)] **(14)** "Recreational motor vehicle dealer", a dealer of new  
83 or used motor vehicles designed, constructed or substantially modified  
84 for use as temporary housing quarters, including sleeping and eating  
85 facilities which are either permanently attached to the motor vehicle  
86 or attached to a unit which is securely attached to the motor vehicle;

87            **(15)** "Storage lot", an area, within the same city or county where a dealer  
88 may store excess vehicle inventory;

89            **(16)** "Trailer dealer", any person selling, either exclusively or  
90 otherwise, trailers as defined in subdivision (59) of section 301.010. A  
91 trailer dealer may acquire a motor vehicle for resale only as a trade-in  
92 for a trailer. Notwithstanding the provisions of subdivision (11) of  
93 section 301.010 and section 301.069, trailer dealers may purchase one  
94 driveaway license plate to display such motor vehicle for  
95 demonstration purposes. The sale of six or more trailers in any  
96 calendar year shall be required as evidence that such person is engaged

97 **in the trailer business and is eligible for licensure as a trailer dealer**  
98 **under sections 301.550 to 301.573. Any trailer dealer licensed before**  
99 **August 28, 2007, shall be required to meet the minimum calendar year**  
100 **sales of six or more trailers provided the dealer can prove the business**  
101 **achieved, cumulatively, six or more sales per year for the preceding**  
102 **twenty-four months in business; or if the dealer has not been in**  
103 **business for twenty-four months, the cumulative equivalent of one sale**  
104 **every two months for the months the dealer has been in business before**  
105 **August 28, 2007. Any licensed trailer dealer failing to meet the**  
106 **minimum trailer and vehicle sales requirements as referenced in this**  
107 **subsection shall not be qualified to renew his or her license for one**  
108 **year. Applicants who reapply after the one-year period shall meet the**  
109 **requirement of six sales per year;**

110        **[(14)] (17)** "Used motor vehicle", any motor vehicle which is not a new  
111 motor vehicle, as defined in sections 301.550 to 301.573, and which has been sold,  
112 bartered, exchanged or given away or which may have had a title issued in this  
113 state or any other state, or a motor vehicle so used as to be what is commonly  
114 known as a secondhand motor vehicle. In the event of an assignment of the  
115 statement of origin from an original franchise dealer to any individual or other  
116 motor vehicle dealer other than a new motor vehicle franchise dealer of the same  
117 make, the vehicle so assigned shall be deemed to be a used motor vehicle and a  
118 certificate of ownership shall be obtained in the assignee's name. The term "used  
119 motor vehicle" shall not include manufactured homes, as defined in section  
120 700.010, RSMo;

121        **[(15)] (18)** "Used motor vehicle dealer", any motor vehicle dealer who is  
122 not a new motor vehicle franchise dealer;

123        **[(16)] (19)** "Vessel", every boat and watercraft defined as a vessel in  
124 section 306.010, RSMo;

125        **[(17)] (20)** "Vessel trailer", any trailer, as defined by section 301.010  
126 which is designed and manufactured for the purposes of transporting vessels;

127        **[(18)] (21)** "Wholesale motor vehicle auction", any person, firm or  
128 corporation in the business of providing auction services solely in wholesale  
129 transactions at its established place of business in which the purchasers are  
130 motor vehicle dealers licensed by this or any other jurisdiction, and which neither  
131 buys, sells nor owns the motor vehicles it auctions in the ordinary course of its  
132 business. Except as required by law with regard to the auction sale of a

133 government owned motor vehicle, a wholesale motor vehicle auction shall not  
134 provide auction services in connection with the retail sale of a motor vehicle;

135 [(19)] **(22)** "Wholesale motor vehicle dealer", a motor vehicle dealer who  
136 sells motor vehicles only to other new motor vehicle franchise dealers or used  
137 motor vehicle dealers or via auctions limited to other dealers of any class.

138 2. For purposes of sections 301.550 to 301.573, neither the term "motor  
139 vehicle" nor the term "trailer" shall include manufactured homes, as defined in  
140 section 700.010, RSMo.

141 3. Dealers shall be divided into classes as follows:

- 142 (1) Boat dealers;  
143 (2) Franchised new motor vehicle dealers;  
144 (3) Used motor vehicle dealers;  
145 (4) Wholesale motor vehicle dealers;  
146 (5) Recreational motor vehicle dealers;  
147 (6) Historic motor vehicle dealers;  
148 (7) Classic motor vehicle dealers; [and]  
149 (8) Powersport dealers; **and**  
150 **(9) Trailer dealers.**

301.560. 1. In addition to the application forms prescribed by the  
2 department, each applicant shall submit the following to the department:

- 3 (1) Every application other than a renewal application for a motor vehicle  
4 franchise dealer shall include a certification that the applicant has a bona fide  
5 established place of business. [When the application is being made for licensure  
6 as a manufacturer, motor vehicle dealer, wholesale motor vehicle dealer,  
7 wholesale motor vehicle auction or a public motor vehicle auction,] **Such**  
8 **application shall include an annual certification that the applicant has**  
9 **a bona fide established place of business for the first three years and**  
10 **only for every other year thereafter. The certification shall be performed**  
11 **by a uniformed member of the Missouri state highway patrol or authorized or**  
12 **designated employee** stationed in the troop area in which the applicant's place  
13 of business is located; except, that in counties of the first classification,  
14 certification may be performed by an officer of a metropolitan police department  
15 when the applicant's established place of business of distributing or selling motor  
16 vehicles or trailers is in the metropolitan area where the certifying metropolitan  
17 police officer is employed. When the application is being made for licensure as  
18 a boat manufacturer or boat dealer, certification shall be performed by a

19 uniformed member of the Missouri state water patrol stationed in the district  
20 area in which the applicant's place of business is located or by a uniformed  
21 member of the Missouri state highway patrol stationed in the troop area in which  
22 the applicant's place of business is located or, if the applicant's place of business  
23 is located within the jurisdiction of a metropolitan police department in a first  
24 class county, by an officer of such metropolitan police department. A bona fide  
25 established place of business for any new motor vehicle franchise dealer [or], used  
26 motor vehicle dealer, **boat dealer, powersport dealer, wholesale motor**  
27 **vehicle dealer, trailer dealer, or wholesale or public auction** shall  
28 [include] **be** a permanent enclosed building or structure, either owned in fee or  
29 leased and actually occupied as a place of business by the applicant for the  
30 selling, bartering, trading, **servicing**, or exchanging of motor vehicles, **boats,**  
31 **personal watercraft**, or trailers and wherein the public may contact the owner  
32 or operator at any reasonable time, and wherein shall be kept and maintained the  
33 books, records, files and other matters required and necessary to conduct the  
34 business. The applicant's place of business shall contain a working telephone  
35 which shall be maintained during the entire registration year. In order to qualify  
36 as a bona fide established place of business for all applicants licensed pursuant  
37 to this section there shall be an exterior sign displayed carrying the name of the  
38 business set forth in letters at least six inches in height and clearly visible to the  
39 public and there shall be an area or lot which shall not be a public street on  
40 which [one or more] **multiple** vehicles, **boats, personal watercraft, or**  
41 **trailers** may be displayed[, except when licensure is for a wholesale motor  
42 vehicle dealer, a lot and sign shall not be required]. The sign shall contain the  
43 name of the dealership by which it is known to the public through advertising or  
44 otherwise, which need not be identical to the name appearing on the dealership's  
45 license so long as such name is registered as a fictitious name with the secretary  
46 of state, has been approved by its line-make manufacturer in writing in the case  
47 of a new motor vehicle franchise dealer and a copy of such fictitious name  
48 registration has been provided to the department. [When licensure is for a boat  
49 dealer, a lot shall not be required. In the case of new motor vehicle franchise  
50 dealers, the bona fide established place of business shall include adequate  
51 facilities, tools and personnel necessary to properly service and repair motor  
52 vehicles and trailers under their franchisor's warranty] **Dealers who sell only**  
53 **emergency vehicles as defined in section 301.550 are exempt from**  
54 **maintaining a bona fide place of business, including the related law**

55 **enforcement certification requirements, and from meeting the minimum**  
56 **yearly sales;**

57 (2) [If] The **initial** application [is] for licensure [as a manufacturer, boat  
58 manufacturer, new motor vehicle franchise dealer, used motor vehicle dealer,  
59 wholesale motor vehicle auction, boat dealer or a public motor vehicle auction,]  
60 **shall include** a photograph, not to exceed eight inches by ten inches **but no**  
61 **less than five inches by seven inches**, showing the business building, **lot**,  
62 and sign [shall accompany the initial application. In the case of a manufacturer,  
63 new motor vehicle franchise dealer or used motor vehicle dealer, the photograph  
64 shall include the lot of the business]. A new motor vehicle franchise dealer  
65 applicant who has purchased a currently licensed new motor vehicle franchised  
66 dealership shall be allowed to submit a photograph of the existing dealership  
67 building, lot and sign but shall be required to submit a new photograph upon the  
68 installation of the new dealership sign as required by sections 301.550 to  
69 301.573. Applicants shall not be required to submit a photograph annually  
70 unless the business has moved from its previously licensed location, or unless the  
71 name of the business or address has changed, or unless the class of business has  
72 changed;

73 (3) [If the application is for licensure as a wholesale motor vehicle dealer  
74 or as a boat dealer, the application shall contain the business address, not a post  
75 office box, and telephone number of the place where the books, records, files and  
76 other matters required and necessary to conduct the business are located and  
77 where the same may be inspected during normal daytime business  
78 hours. Wholesale motor vehicle dealers and boat dealers shall file reports as  
79 required of new franchised motor vehicle dealers and used motor vehicle dealers;

80 (4) Every applicant as a new motor vehicle franchise dealer, a used motor  
81 vehicle dealer, **a powersport dealer**, a wholesale motor vehicle dealer, **trailer**  
82 **dealer**, or boat dealer shall furnish with the application a corporate surety bond  
83 or an irrevocable letter of credit as defined in section 400.5-103, RSMo, issued by  
84 any state or federal financial institution in the penal sum of twenty-five thousand  
85 dollars on a form approved by the department. The bond or irrevocable letter of  
86 credit shall be conditioned upon the dealer complying with the provisions of the  
87 statutes applicable to new motor vehicle franchise dealers, used motor vehicle  
88 dealers, **powersport dealers**, wholesale motor vehicle dealers, **trailer dealers**,  
89 and boat dealers, and the bond shall be an indemnity for any loss sustained by  
90 reason of the acts of the person bonded when such acts constitute grounds for the

91 suspension or revocation of the dealer's license. The bond shall be executed in  
92 the name of the state of Missouri for the benefit of all aggrieved parties or the  
93 irrevocable letter of credit shall name the state of Missouri as the beneficiary;  
94 except, that the aggregate liability of the surety or financial institution to the  
95 aggrieved parties shall, in no event, exceed the amount of the bond or irrevocable  
96 letter of credit. The proceeds of the bond or irrevocable letter of credit shall be  
97 paid upon receipt by the department of a final judgment from a Missouri court of  
98 competent jurisdiction against the principal and in favor of an aggrieved  
99 party. **Additionally, every applicant as a new motor vehicle franchise**  
100 **dealer, a used motor vehicle dealer, a powersport dealer, a wholesale**  
101 **motor vehicle dealer, trailer dealer, or boat dealer shall furnish with**  
102 **the application a copy of a current dealer garage policy bearing the**  
103 **policy number and name of the insurer and the insured;**

104       [(5)] (4) Payment of all necessary license fees as established by the  
105 department. In establishing the amount of the annual license fees, the  
106 department shall, as near as possible, produce sufficient total income to offset  
107 operational expenses of the department relating to the administration of sections  
108 301.550 to 301.573. All fees payable pursuant to the provisions of sections  
109 301.550 to 301.573, other than those fees collected for the issuance of dealer  
110 plates or certificates of number collected pursuant to subsection 6 of this section,  
111 shall be collected by the department for deposit in the state treasury to the credit  
112 of the "Motor Vehicle Commission Fund", which is hereby created. The motor  
113 vehicle commission fund shall be administered by the Missouri department of  
114 revenue. The provisions of section 33.080, RSMo, to the contrary  
115 notwithstanding, money in such fund shall not be transferred and placed to the  
116 credit of the general revenue fund until the amount in the motor vehicle  
117 commission fund at the end of the biennium exceeds two times the amount of the  
118 appropriation from such fund for the preceding fiscal year or, if the department  
119 requires permit renewal less frequently than yearly, then three times the  
120 appropriation from such fund for the preceding fiscal year. The amount, if any,  
121 in the fund which shall lapse is that amount in the fund which exceeds the  
122 multiple of the appropriation from such fund for the preceding fiscal year.

123       2. In the event a new **vehicle** manufacturer, boat manufacturer, motor  
124 vehicle dealer, wholesale motor vehicle dealer, boat dealer, **powersport dealer**,  
125 wholesale motor vehicle auction, **trailer dealer**, or a public motor vehicle  
126 auction submits an application for a license for a new business and the applicant

127 has complied with all the provisions of this section, the department shall make  
128 a decision to grant or deny the license to the applicant within eight working  
129 hours after receipt of the dealer's application, notwithstanding any rule of the  
130 department.

131 3. Upon the initial issuance of a license by the department, the  
132 department shall assign a distinctive dealer license number or certificate of  
133 number to the applicant and the department shall issue one number plate or  
134 certificate bearing the distinctive dealer license number or certificate of number  
135 **and two additional number plates or certificates of number** within eight  
136 working hours after presentment of the application. Upon [the] renewal [of a  
137 boat dealer, boat manufacturer, manufacturer, motor vehicle dealer, public motor  
138 vehicle auction, wholesale motor vehicle dealer or wholesale motor vehicle  
139 auction], the department shall issue the distinctive dealer license number or  
140 certificate of number as quickly as possible. The issuance of such distinctive  
141 dealer license number or certificate of number shall be in lieu of registering each  
142 motor vehicle, trailer, vessel or vessel trailer dealt with by a boat dealer, boat  
143 manufacturer, manufacturer, public motor vehicle auction, wholesale motor  
144 vehicle dealer, wholesale motor vehicle auction or **new or used** motor vehicle  
145 dealer.

146 4. Notwithstanding any other provision of the law to the contrary, the  
147 department shall assign the following distinctive dealer license numbers to:

- 148 New motor vehicle franchise dealers. . . . . D-0 through D-999
- 149 New [motor vehicle franchise and commercial  
150 motor vehicle] **powersport dealers and motorcycle franchise**  
151 **dealers.** . . . . . D-1000 through D-1999
- 152 Used motor vehicle, **used powersport, and used motorcycle**  
153 dealers. . . . . D-2000 through [D-5399 and D-6000 through] D-9999
- 154 Wholesale motor vehicle dealers. . . . . [W-1000] **W-0** through W-1999
- 155 Wholesale motor vehicle auctions. . . . . [W-2000] **WA-0** through  
156 **[W-2999] WA-999**
- 157 **New and used** trailer dealers. . . . . T-0 through T-9999
- 158 Motor vehicle [and], trailer, **and boat**  
159 manufacturers. . . . . [M-0] **DM-0** through [M-9999] **DM-999**
- 160 [Motorcycle dealers. . . . . D-5400 through D-5999]
- 161 Public motor vehicle auctions. . . . . [A-1000] **A-0** through A-1999
- 162 Boat dealers [and boat manufacturers]. . . . . [B-0] **M-0**

163 through [B-9999] M-9999

164 **New and used recreational motor vehicle**

165 **dealers. .... RV-0 through RV-999**

166 **For purposes of this subsection, qualified transactions shall include the**

167 **purchase of salvage titled vehicles by a licensed salvage dealer. A used**

168 **motor vehicle dealer who also holds a salvage dealers license shall be**

169 **allowed one additional plate or certificate number per fifty-unit**

170 **qualified transactions annually. In order for salvage dealers to obtain**

171 **number plates or certificates under this section, dealers shall submit**

172 **to the department of revenue on August first of each year a statement**

173 **certifying, under penalty of perjury, the dealer's number of purchases**

174 **during the reporting period of July first of the immediately preceding**

175 **year to June thirtieth of the present year.**

176 **The provisions of this subsection shall become effective on the date the**

177 **director of the department of revenue begins to reissue new license**

178 **plates under section 301.130, or on December 1, 2008, whichever occurs**

179 **first. If the director of revenue begins reissuing new license plates**

180 **under the authority granted under section 301.130 prior to December**

181 **1, 2008, the director of the department of revenue shall notify the**

182 **revisor of statutes of such fact.**

183 5. Upon the sale of a currently licensed new motor vehicle franchise

184 dealership the department shall, upon request, authorize the new approved dealer

185 applicant to retain the selling dealer's license number and shall cause the new

186 dealer's records to indicate such transfer.

187 6. In the case of **new motor vehicle** manufacturers [and], motor vehicle

188 dealers, **powersport dealers, recreational motor vehicle dealers, and**

189 **trailer dealers**, the department shall [also] issue one number plate bearing the

190 distinctive dealer license number **and may issue two additional number**

191 **plates** to the applicant upon payment by the manufacturer or dealer of a fifty

192 dollar fee **for the number plate bearing the distinctive dealer license**

193 **number and ten dollars and fifty cents for each additional number**

194 **plate**. Such license plates shall be made with fully reflective material with a

195 common color scheme and design, shall be clearly visible at night, and shall be

196 aesthetically attractive, as prescribed by section 301.130. Boat dealers and boat

197 manufacturers shall be entitled to one certificate of number bearing such number

198 upon the payment of a fifty dollar fee. [As many] Additional number plates [as

199 may be desired by manufacturers and motor vehicle dealers] and as many  
200 additional certificates of number [as may be desired by boat dealers and boat  
201 manufacturers] may be obtained upon payment of a fee of ten dollars and fifty  
202 cents for each additional plate or certificate. **New motor vehicle**  
203 **manufacturers shall not be issued or possess more than three hundred**  
204 **forty-seven additional number plates or certificates of number**  
205 **annually. New and used motor vehicle dealers, powersport dealers,**  
206 **wholesale motor vehicle dealers, boat dealers, and trailer dealers are**  
207 **limited to one additional plate or certificate of number per ten-unit**  
208 **qualified transactions annually. New and used recreational motor**  
209 **vehicle dealers are limited to two additional plates or certificate of**  
210 **number per ten-unit qualified transactions annually for their first fifty**  
211 **transactions and one additional plate or certificate of number per ten-**  
212 **unit qualified transactions thereafter. An applicant seeking the**  
213 **issuance of an initial license shall indicate on his or her initial**  
214 **application the applicant's proposed annual number of sales in order**  
215 **for the director to issue the appropriate number of additional plates or**  
216 **certificates of number. A motor vehicle dealer, trailer dealer, boat dealer,**  
217 **powersport dealer, recreational motor vehicle dealer, motor vehicle**  
218 **manufacturer, boat manufacturer, [public motor vehicle auction,] or wholesale**  
219 **motor vehicle dealer [or wholesale motor vehicle auction] obtaining a distinctive**  
220 **dealer license plate or certificate of number or additional license plate or**  
221 **additional certificate of number, throughout the calendar year, shall be required**  
222 **to pay a fee for such license plates or certificates of number computed on the**  
223 **basis of one-twelfth of the full fee prescribed for the original and duplicate**  
224 **number plates or certificates of number for such dealers' licenses, multiplied by**  
225 **the number of months remaining in the licensing period for which the dealer or**  
226 **manufacturers shall be required to be licensed. In the event of a renewing dealer,**  
227 **the fee due at the time of renewal shall not be prorated. Wholesale and public**  
228 **auctions shall be issued a certificate of dealer registration in lieu of a**  
229 **dealer number plate. In order for dealers to obtain number plates or**  
230 **certificates under this section, dealers shall submit to the department**  
231 **of revenue on August first of each year a statement certifying, under**  
232 **penalty of perjury, the dealer's number of sales during the reporting**  
233 **period of July first of the immediately preceding year to June thirtieth**  
234 **of the present year.**

235           7. The plates issued pursuant to subsection 3 or 6 of this section may be  
236 displayed on any motor vehicle owned **by a new motor vehicle**  
237 **manufacturer. The plates issued pursuant to subsection 3 or 6 of this**  
238 **section may be displayed on any motor vehicle or trailer owned** and held  
239 for resale by [the] a motor vehicle dealer [or manufacturer, and used] **for use** by  
240 a customer who is test driving the motor vehicle, [or is used] **for use and**  
241 **display purposes during, but not limited to, parades, private events,**  
242 **charitable events, or for use** by an employee or officer, but shall not be  
243 displayed on any motor vehicle or trailer hired or loaned to others or upon any  
244 regularly used service or wrecker vehicle. Motor vehicle dealers may display  
245 their dealer plates on a tractor, truck or trailer to demonstrate a vehicle under  
246 a loaded condition. **Trailer dealers may display their dealer license plates**  
247 **in like manner, except such plates may only be displayed on trailers**  
248 **owned and held for resale by the trailer dealer.**

249           8. The certificates of number issued pursuant to subsection 3 or 6 of this  
250 section may be displayed on any vessel or vessel trailer owned and held for resale  
251 by a boat manufacturer or a boat dealer, and used by a customer who is test  
252 driving the vessel or vessel trailer, or is used by an employee or officer **on a**  
253 **vessel or vessel trailer only**, but shall not be displayed on any **motor vehicle**  
254 **owned by a boat manufacturer, boat dealer, or trailer dealer, or** vessel  
255 or vessel trailer hired or loaned to others or upon any regularly used service  
256 vessel or vessel trailer. Boat dealers and **boat** manufacturers may display their  
257 certificate of number on a vessel or vessel trailer [which is being transported]  
258 **when transporting a vessel or vessels** to an exhibit or show.

259           9. (1) [Beginning August 28, 2006,] Every application for the issuance of  
260 a used motor vehicle dealer's license shall be accompanied by proof that the  
261 applicant, within the last twelve months, has completed an educational seminar  
262 course approved by the department as prescribed by subdivision (2) of this  
263 subsection. Wholesale and [retail] **public auto auctions and applicants**  
264 **currently holding a new or used license for a separate dealership** shall  
265 be exempt from the requirements of this subsection. The provisions of this  
266 subsection shall not apply to **current new motor vehicle franchise dealers**  
267 **or motor vehicle leasing agencies or applicants for a new motor vehicle**  
268 franchise [dealers] or a motor vehicle leasing agency. The provisions of this  
269 subsection shall not apply to used motor vehicle dealers who were licensed prior  
270 to August 28, 2006.

271 (2) The educational seminar shall include, but is not limited to, the dealer  
272 requirements of sections 301.550 to 301.573, the rules promulgated to implement,  
273 enforce, and administer sections 301.550 to 301.570, and any other rules and  
274 regulations promulgated by the department.

[301.566. 1. A motor vehicle dealer may participate in any  
2 motor vehicle show or sale and conduct sales of motor vehicles  
3 away from the dealer's usual, licensed place of business if either  
4 the requirements of subsection 2 or 3 of this section are met or the  
5 event is conducted for not more than ten days, and if a majority of  
6 the motor vehicle dealers within a class of dealers described  
7 pursuant to subsection 3 of section 301.550 in a city or town  
8 participate or are invited and have the opportunity to participate  
9 in the event, except that a recreational motor vehicle dealer  
10 classified in subdivision (5) of subsection 3 of section 301.550 may  
11 participate in such a show or sale even if a majority of recreational  
12 motor vehicle dealers in a city or town do not participate in the  
13 event. The department shall consider such events to be proper in  
14 all respects and as if each dealer participant was conducting  
15 business at the dealer's usual business location. Nothing contained  
16 in this section shall be construed as applying to the sale of motor  
17 vehicles or trailers through either a wholesale motor vehicle  
18 auction or public motor vehicle auction.

19 2. Any person, partnership, corporation or association  
20 disposing of vehicles used and titled solely in its ordinary course of  
21 business as provided in section 301.570 may sell at retail such  
22 vehicles away from that person's bona fide established place of  
23 business, thus constituting an off-site sale, by adhering to each of  
24 the following conditions with regard to each and every off-site sale  
25 conducted:

26 (1) Have in effect a valid license, pursuant to sections  
27 301.550 to 301.575, from the department for the sale of used motor  
28 vehicles;

29 (2) No off-site sale may exceed ten days in duration, and  
30 only one sale may be held per year, per county, in counties of the  
31 third and fourth classification;

32 (3) Pay to the motor vehicle commission fund, pursuant to

33 section 301.560, a permit fee of two hundred fifty dollars for each  
34 off-site sale event;

35 (4) Advise the department, at least ten days prior to the  
36 sale, of the date, location and duration of each off-site sale;

37 (5) The sale of vehicles at off-site sales shall be limited to  
38 sales by a seller of vehicles used and titled solely in its ordinary  
39 course of business, and such sales shall be held in conjunction with  
40 a credit union and limited to members of the credit union, thus  
41 constituting a private sale to be advertised to members only;

42 (6) Off-site sales by a seller of vehicles used and titled  
43 solely in its ordinary course of business may also be held in  
44 conjunction with other financial institutions provided that any such  
45 sale event shall be held on the premises of the financial institution,  
46 and sales shall be limited to persons who were customers of the  
47 financial institution prior to the date of the sale event. Off-site  
48 sales held with such other financial institutions shall be limited to  
49 one sale per year per institution;

50 (7) The sale of motor vehicles which have the designation  
51 of the current model year, except discontinued models, is prohibited  
52 at off-site sales until subsequent model year designated vehicles of  
53 the same manufacture and model are offered for sale to the public.

54 3. A recreational vehicle dealer, as that term is defined in  
55 section 700.010, RSMo, who is licensed in another state may  
56 participate in recreational vehicle shows or exhibits with  
57 recreational vehicles within this state, in which less than fifty  
58 dealers participate as exhibitors with permission of the dealer's  
59 licensed manufacturer if all of the following conditions exist:

60 (1) The show or exhibition has a minimum of ten  
61 recreational vehicle dealers licensed as motor vehicle dealers in  
62 this state;

63 (2) More than fifty percent of the participating recreational  
64 vehicle dealers are licensed motor vehicle dealers in this state; and

65 (3) The state in which the recreational vehicle is licensed  
66 is a state contiguous to Missouri and the state permits recreational  
67 vehicle dealers licensed in Missouri to participate in recreational  
68 vehicle shows in such state pursuant to conditions substantially

69 equivalent to the conditions which are imposed on dealers from  
70 such state who participate in recreational vehicle shows in  
71 Missouri.

72 4. A recreational vehicle dealer licensed in another state  
73 may participate in a vehicle show or exhibition in Missouri which  
74 has, when it opens to the public, at least fifty dealers displaying  
75 recreational vehicles if the show or exhibition is trade-oriented and  
76 is predominantly funded by recreational vehicle manufacturers. All  
77 of the participating dealers who are not licensed in Missouri shall  
78 be licensed as recreational vehicle dealers by the state of their  
79 residence.

80 5. A recreational vehicle dealer licensed in another state  
81 who intends to participate in a vehicle show or exhibition in this  
82 state shall send written notification of such intended participation  
83 to the department of revenue at least thirty days prior to the  
84 vehicle show or exhibition. Upon receipt of such written  
85 notification, the department of revenue shall make a determination  
86 regarding compliance with the provisions of this section. If such  
87 recreational vehicle dealer would be unable to participate in the  
88 vehicle show or exhibition in this state pursuant to this section, the  
89 department of revenue shall notify the recreational vehicle dealer  
90 at least fifteen days prior to the vehicle show or exhibition of the  
91 inability to participate in the vehicle show or exhibition in this  
92 state, a violation of this section shall result in a fine of one  
93 thousand dollars to be assessed by the department of revenue.]

301.566. 1. A motor vehicle dealer may participate in [any] **no more**  
2 **than two** motor vehicle [show or sale] **shows or sales annually** and conduct  
3 sales of motor vehicles away from the dealer's usual, licensed place of business  
4 if either the requirements of subsection 2 or 3 of this section are met or the event  
5 is conducted for not more than [ten] **five consecutive** days, **the event does**  
6 **not require any motor vehicle dealer participant to pay an**  
7 **unreasonably prohibitive participation fee**, and if a majority of the motor  
8 vehicle dealers within a class of dealers described pursuant to subsection 3 of  
9 section 301.550 in a city or town participate or are invited and have the  
10 opportunity to participate in the event, except that a recreational motor vehicle  
11 dealer classified in subdivision (5) of subsection 3 of section 301.550 may

12 participate in such a show or sale even if a majority of recreational motor vehicle  
13 dealers in a city or town do not participate in the event. **If any show or sale**  
14 **includes a class of dealer or franchised new vehicle line-make, that is**  
15 **also represented by a same class dealer or dealer representing the same**  
16 **line-make outside of the boundary lines of the city or town and is**  
17 **within ten miles of where the show or sale is to take place, the dealer**  
18 **outside of the boundary lines of the city or town shall be invited to**  
19 **participate in the show or sale.** The department shall consider such events  
20 to be proper in all respects and as if each dealer participant was conducting  
21 business at the dealer's usual business location. Nothing contained in this  
22 section shall be construed as applying to the sale of motor vehicles or trailers  
23 through either a wholesale motor vehicle auction or public motor vehicle auction.

24 2. Any person, partnership, corporation or association disposing of  
25 vehicles used and titled solely in its ordinary course of business as provided in  
26 section 301.570 may sell at retail such vehicles away from that person's bona fide  
27 established place of business, thus constituting an off-site sale, by adhering to  
28 each of the following conditions with regard to each and every off-site sale  
29 conducted:

30 (1) Have in effect a valid license, pursuant to sections 301.550 to 301.575,  
31 from the department for the sale of used motor vehicles;

32 (2) No off-site sale may exceed **[ten] five** days in duration, and only one  
33 sale may be held per year, per county[, in counties of the third and fourth  
34 classification];

35 (3) Pay to the motor vehicle commission fund, pursuant to section 301.560,  
36 a permit fee of **[two] five** hundred fifty dollars for each off-site sale event;

37 (4) Advise the department, at least ten days prior to the sale, of the date,  
38 location and duration of each off-site sale;

39 (5) The sale of vehicles at off-site sales shall be limited to sales by a seller  
40 of vehicles used and titled solely in its ordinary course of business, and such sales  
41 shall be held in conjunction with a credit union and limited to members of the  
42 credit union, thus constituting a private sale to be advertised to members only;

43 (6) Off-site sales by a seller of vehicles used and titled solely in its  
44 ordinary course of business may also be held in conjunction with other financial  
45 institutions provided that any such sale event shall be held on the premises of the  
46 financial institution, and sales shall be limited to persons who were customers of  
47 the financial institution prior to the date of the sale event. Off-site sales held

48 with such other financial institutions shall be limited to one sale per year per  
49 institution;

50 (7) The sale of motor vehicles which have the designation of the current  
51 model year, except discontinued models, is prohibited at off-site sales until  
52 subsequent model year designated vehicles of the same manufacture and model  
53 are offered for sale to the public.

54 3. A recreational vehicle dealer, as that term is defined in section 700.010,  
55 RSMo, who is licensed in another state may participate in recreational vehicle  
56 shows or exhibits with recreational vehicles within this state, in which less than  
57 fifty dealers participate as exhibitors with permission of the dealer's licensed  
58 manufacturer if all of the following conditions exist:

59 (1) The show or exhibition has a minimum of ten recreational vehicle  
60 dealers licensed as motor vehicle dealers in this state;

61 (2) More than fifty percent of the participating recreational vehicle dealers  
62 are licensed motor vehicle dealers in this state; and

63 (3) The state in which the recreational vehicle is licensed is a state  
64 contiguous to Missouri and the state permits recreational vehicle dealers licensed  
65 in Missouri to participate in recreational vehicle shows in such state pursuant to  
66 conditions substantially equivalent to the conditions which are imposed on  
67 dealers from such state who participate in recreational vehicle shows in Missouri.

68 4. A recreational vehicle dealer licensed in another state may participate  
69 in a vehicle show or exhibition in Missouri which has, when it opens to the public,  
70 at least fifty dealers displaying recreational vehicles if the show or exhibition is  
71 trade-oriented and is predominantly funded by recreational vehicle  
72 manufacturers. All of the participating dealers who are not licensed in Missouri  
73 shall be licensed as recreational vehicle dealers by the state of their residence.

74 5. A recreational vehicle dealer licensed in another state who intends to  
75 participate in a vehicle show or exhibition in this state shall send written  
76 notification of such intended participation to the department of revenue at least  
77 thirty days prior to the vehicle show or exhibition. Upon receipt of such written  
78 notification, the department of revenue shall make a determination regarding  
79 compliance with the provisions of this section. If such recreational vehicle dealer  
80 would be unable to participate in the vehicle show or exhibition in this state  
81 pursuant to this section, the department of revenue shall notify the recreational  
82 vehicle dealer at least fifteen days prior to the vehicle show or exhibition of the  
83 inability to participate in the vehicle show or exhibition in this state.

84           6. The department of revenue may assess a fine of up to one thousand  
85 dollars for any violation of this section.

          301.567. 1. For purposes of this section, a violation of any of the following  
2 advertising standards shall be deemed an attempt by the advertising dealer to  
3 obtain a fee or other compensation by fraud, deception or misrepresentation in  
4 violation of section 301.562:

5           (1) A motor vehicle shall not be advertised as new, either by express terms  
6 or implication, unless it is a "new motor vehicle" as defined in section 301.550;

7           (2) When advertising any motor vehicle which is not a new motor vehicle,  
8 such advertisement must expressly identify that the motor vehicle is a used motor  
9 vehicle by express use of the term "used", or by such other term as is commonly  
10 understood to mean that the vehicle is used;

11          (3) Any terms, conditions, and disclaimers relating to the advertised motor  
12 vehicle's price or financing options shall be stated clearly and conspicuously. An  
13 asterisk or other reference symbol may be used to point to a disclaimer or other  
14 information, but not be used as a means of contradicting or changing the meaning  
15 of an advertised statement;

16          (4) The expiration date, if any, of an advertised sale or vehicle price shall  
17 be clearly and conspicuously disclosed. In the absence of such disclosure, the  
18 advertised sale or vehicle price shall be deemed effective so long as such vehicles  
19 remain in the advertising dealership's inventory;

20          (5) The terms "list price", "sticker price", or "suggested retail price" shall  
21 be used only in reference to the manufacturer's suggested retail price for new  
22 motor vehicles, and, if used, shall be accompanied by a clear and conspicuous  
23 disclosure that such terms represent the "manufacturer's suggested retail price"  
24 of the advertised vehicle;

25          (6) Terms such as "at cost", "\$..... above cost", **"invoice price"**, and  
26 **"\$..... below/over invoice"** shall not be used in advertisements because of the  
27 difficulty in determining a dealer's actual net cost at the time of the sale[. Terms  
28 such as "invoice price", "\$..... over invoice" may be used, provided that the  
29 invoice referred to is the manufacturer's factory invoice for a new motor vehicle  
30 and the invoice is available for customer inspection. For purposes of this section,  
31 "manufacturer's factory invoice" means that document supplied by the  
32 manufacturer to the dealer listing the manufacturer's charge to the dealer before  
33 any deduction for holdback, group advertising, factory incentives or rebates, or  
34 any governmental charges];

35 (7) When the price or financing terms of a motor vehicle are advertised,  
36 the vehicle shall be fully identified as to year, make, and model. In addition, in  
37 advertisements placed by individual dealers and not line-make marketing groups,  
38 the advertised price or credit terms shall include all charges which the buyer  
39 must pay to the dealer, except buyer-selected options and state and local taxes.  
40 If a processing fee or freight or destination charges are not included in the  
41 advertised price, the amount of any such processing fee and freight or destination  
42 charge must be clearly and conspicuously disclosed within the advertisement;

43 (8) [Advertisements which offer to match or better any competitors' prices  
44 shall not be used;

45 (9) Advertisements of "dealer rebates" shall not be used, however, this  
46 shall not be deemed to prohibit the advertising of manufacturer rebates, so long  
47 as all material terms of such rebates are clearly and conspicuously disclosed;

48 [(10)] (9) "Free", "at no cost" shall not be used if any purchase is required  
49 to qualify for the "free" item, merchandise, or service;

50 [(11)] (10) "Bait advertising", in which an advertiser may have no  
51 intention to sell at the prices or terms advertised, shall not be used. Bait  
52 advertising shall include, but not be limited to, the following examples:

53 (a) Not having available for sale the advertised motor vehicles at the  
54 advertised prices. If a specific vehicle is advertised, the dealer shall be in  
55 possession of a reasonable supply of such vehicles, and they shall be available at  
56 the advertised price. If the advertised vehicle is available only in limited  
57 numbers or only by order, such limitations shall be stated in the advertisement;

58 (b) Advertising a motor vehicle at a specified price, including such terms  
59 as "as low as \$.....", but having available for sale only vehicles equipped with  
60 dealer-added cost options which increase the selling price above the advertised  
61 price;

62 [(12)] (11) Any reference to monthly payments, down payments, or other  
63 reference to financing or leasing information shall be accompanied by a clear and  
64 conspicuous disclosure of the following:

65 (a) Whether the payment or other information relates to a financing or a  
66 lease transaction;

67 (b) If the payment or other information relates to a financing transaction,  
68 the minimum down payment, annual percentage interest rate, and number of  
69 payments necessary to obtain the advertised payment amount must be disclosed,  
70 in addition to any special qualifications required for obtaining the advertised

71 terms including, but not limited to, "first-time buyer" discounts, "college  
72 graduate" discounts, and a statement concerning whether the advertised terms  
73 are subject to credit approval;

74 (c) If the payment or other information relates to a lease transaction, the  
75 total amount due from the purchaser at signing with such costs broken down and  
76 identified by category, lease term expressed in number of months, whether the  
77 lease is closed-end or open-end, and total cost to the lessee over the lease term  
78 in dollars;

79 [(13)] (12) Any advertisement which states or implies that the  
80 advertising dealer has a special arrangement or relationship with the distributor  
81 or manufacturer, as compared to similarly situated dealers, shall not be used;

82 [(14)] (13) Any advertisement which, in the circumstances under which  
83 it is made or applied, is false, deceptive, or misleading shall not be used;

84 [(15)] (14) No abbreviations for industry words or phrases shall be used  
85 in any advertisement unless such abbreviations are accompanied by the fully  
86 spelled or spoken words or phrases.

87 2. The requirements of this section shall apply regardless of whether a  
88 dealer advertises by means of print, broadcast, or electronic media, or direct mail.  
89 If the advertisement is by means of a broadcast or print media, a dealer may  
90 provide the disclaimers and disclosures required under subdivision (3) of  
91 subsection 1 of this section by reference to an Internet web page or toll-free  
92 telephone number containing the information required to be disclosed.

93 3. Dealers shall clearly and conspicuously identify themselves in each  
94 advertisement by use of a dealership name which complies with subsection 6 of  
95 section 301.560.

**301.569. 1. An out-of-state show promoter of recreational  
2 vehicles, as that term is defined in section 700.010, RSMo, may hold  
3 recreational vehicle shows or exhibits with recreational vehicles within  
4 this state if the following conditions exist:**

5 (1) The show or exhibition has a minimum of ten recreational  
6 vehicle dealers licensed as motor vehicle dealers in this state; and

7 (2) More than fifty percent of the participating recreational  
8 vehicle dealers are licensed motor vehicle dealers in this state.

9 2. A violation of subsection 1 of this section shall result in a five  
10 thousand dollar fine.

301.570. 1. It shall be unlawful for any person, partnership, corporation,

2 company or association, unless the seller is a financial institution, or is selling  
3 repossessed motor vehicles or is disposing of vehicles used and titled solely in its  
4 ordinary course of business or is a collector of antique motor vehicles, to sell or  
5 display with an intent to sell [seven] **six** or more motor vehicles in a calendar  
6 year, except when such motor vehicles are registered in the name of the seller,  
7 unless such person, partnership, corporation, company or association is:

8 (1) Licensed as a motor vehicle dealer by the department under the  
9 provisions of sections 301.550 to 301.573;

10 (2) Exempt from licensure as a motor vehicle dealer pursuant to  
11 subsection 4 of section 301.559;

12 (3) Selling commercial motor vehicles with a gross weight of at least  
13 nineteen thousand five hundred pounds, but only with respect to such commercial  
14 motor vehicles;

15 (4) An auctioneer, acting at the request of the owner at an auction, when  
16 such auction is not a public motor vehicle auction.

17 2. Any person, partnership, corporation, company or association that has  
18 reason to believe that the provisions of this section are being violated shall file  
19 a complaint with the prosecuting attorney in the county in which the violation  
20 occurred. The prosecuting attorney shall investigate the complaint and take  
21 appropriate action.

22 3. For the purposes of sections 301.550 to 301.573, the sale, barter,  
23 exchange, lease or rental with option to purchase of [seven] **six** or more motor  
24 vehicles in a calendar year by any person, partnership, corporation, company or  
25 association, whether or not the motor vehicles are owned by them, shall be prima  
26 facie evidence of intent to make a profit or gain of money and such person,  
27 partnership, corporation, company or association shall be deemed to be acting as  
28 a motor vehicle dealer **without a license**.

29 4. Any person, partnership, corporation, company or association who  
30 violates subsection 1 of this section is guilty of a class A misdemeanor.

31 5. The provisions of this section shall not apply to liquidation of an estate.

301.640. 1. [Upon] **Within five business days after** the satisfaction  
2 of any lien or encumbrance of a motor vehicle or trailer, the lienholder shall[,  
3 within ten business days] release the lien or encumbrance on the certificate or a  
4 separate document, and mail or deliver the certificate or a separate document to  
5 the owner or any person who delivers to the lienholder an authorization from the  
6 owner to receive the certificate or such documentation. The release on the

7 certificate or separate document shall be notarized. Each perfected subordinate  
8 lienholder, if any, shall release such lien or encumbrance as provided in this  
9 section for the first lienholder. The owner may cause the certificate to be mailed  
10 or delivered to the director of revenue, who shall issue a new certificate of  
11 ownership upon application and payment of the required fee. A lien or  
12 encumbrance shall be satisfied for the purposes of this section when a lienholder  
13 receives payment in full in the form of certified funds, as defined in section  
14 381.410, RSMo, **or when the lienholder receives payment in full**  
15 **electronically or by way of electronic funds transfer, whichever first**  
16 **occurs.**

17 2. If the electronic certificate of ownership is in the possession of the  
18 director of revenue, the lienholder shall notify the director within [ten] five  
19 business days [of] **after** any release of a lien and provide the director with the  
20 most current address of the owner **or any person who delivers to the**  
21 **lienholder an authorization from the owner to receive the certificate**  
22 **or such documentation.** The director shall note such release on the electronic  
23 certificate and if no other lien exists the director shall mail or deliver the  
24 certificate free of any lien to the owner **or any person who has delivered to**  
25 **the lienholder an authorization from the owner to receive the**  
26 **certificate or such documentation from the director.**

27 3. If the purchase price of a motor vehicle or trailer did not exceed six  
28 thousand dollars at the time of purchase, a lien or encumbrance which was not  
29 perfected by a motor vehicle financing corporation whose net worth exceeds one  
30 hundred million dollars, or a depository institution, shall be considered satisfied  
31 within six years from the date the lien or encumbrance was originally perfected  
32 unless a new lien or encumbrance has been perfected as provided in section  
33 301.600. This subsection does not apply to motor vehicles or trailers for which  
34 the certificate of ownership has recorded in the second lienholder portion the  
35 words "subject to future advances".

36 4. Any lienholder who fails to **timely** comply with subsection 1 or 2 of this  
37 section shall pay to the person or persons satisfying the lien or encumbrance  
38 [twenty-five dollars for the first ten business days after expiration of the time  
39 period prescribed in subsection 1 or 2 of this section, and such payment shall  
40 double for each ten days thereafter in which there is continued noncompliance,  
41 up to a maximum of five hundred dollars for each lien] **liquidated damages up**  
42 **to a maximum of two thousand five hundred dollars for each**

43 **lien. Liquidated damages shall be five hundred dollars if the lienholder**  
44 **does not comply within five business days after satisfaction of the lien**  
45 **or encumbrance. Liquidated damages shall be one thousand dollars if**  
46 **the lienholder does not comply within ten business days after**  
47 **satisfaction of the lien or encumbrance. Liquidated damages shall be**  
48 **two thousand dollars if the lienholder does not comply within fifteen**  
49 **business days after satisfaction of the lien or encumbrance. Liquidated**  
50 **damages shall be two thousand five hundred dollars if the lienholder**  
51 **does not comply within twenty business days after satisfaction of the**  
52 **lien or encumbrance. If delivery of the certificate or other lien release is made**  
53 **by mail, the delivery date is the date of the postmark for purposes of this**  
54 **subsection. In computing any period of time prescribed or allowed by**  
55 **this section, the day of the act or event after which the designated**  
56 **period of time begins to run is not to be counted. However, the last day**  
57 **of the period so computed is to be included, unless it is a Saturday,**  
58 **Sunday, or a legal holiday, in which event the period runs until the end**  
59 **of the next day that is not a Saturday, Sunday, or legal holiday.**

60 5. Any person who knowingly and intentionally sends in a separate  
61 document releasing a lien of another without authority to do so shall be guilty of  
62 a class C felony.

**301.2998. Notwithstanding any other provisions of this chapter,**  
2 **which establishes the issuance of a specialty plate, if no applications**  
3 **for such plate have been received within five years from the effective**  
4 **date of the section authorizing the plate, then the department of**  
5 **revenue no longer will be required to accept applications and issue**  
6 **such plate.**

302.171. 1. Beginning July 1, 2005, the director shall verify that an  
2 applicant for a driver's license is lawfully present in the United States before  
3 accepting the application. The director shall not issue a driver's license for a  
4 period that exceeds an applicant's lawful presence in the United States. The  
5 director may establish procedures to verify the lawful presence of the applicant  
6 and establish the duration of any driver's license issued under this section. An  
7 application for a license shall be made upon an approved form furnished by the  
8 director. Every application shall state the full name, Social Security number, age,  
9 height, weight, color of eyes, sex, residence, mailing address of the applicant, and  
10 the classification for which the applicant has been licensed, and, if so, when and

11 by what state, and whether or not such license has ever been suspended, revoked,  
12 or disqualified, and, if revoked, suspended or disqualified, the date and reason for  
13 such suspension, revocation or disqualification and whether the applicant is  
14 making a one dollar donation to promote an organ donation program as  
15 prescribed in subsection 2 of this section. A driver's license, nondriver's license,  
16 or instruction permit issued under this chapter shall contain the applicant's legal  
17 name as it appears on a birth certificate or as legally changed through marriage  
18 or court order. No name change by common usage based on common law shall be  
19 permitted. The application shall also contain such information as the director  
20 may require to enable the director to determine the applicant's qualification for  
21 driving a motor vehicle; and shall state whether or not the applicant has been  
22 convicted in this or any other state for violating the laws of this or any other  
23 state or any ordinance of any municipality, relating to driving without a license,  
24 careless driving, or driving while intoxicated, or failing to stop after an accident  
25 and disclosing the applicant's identity, or driving a motor vehicle without the  
26 owner's consent. The application shall contain a certification by the applicant as  
27 to the truth of the facts stated therein. Every person who applies for a license to  
28 operate a motor vehicle who is less than twenty-one years of age shall be provided  
29 with educational materials relating to the hazards of driving while intoxicated,  
30 including information on penalties imposed by law for violation of the  
31 intoxication-related offenses of the state. Beginning January 1, 2001, if the  
32 applicant is less than eighteen years of age, the applicant must comply with all  
33 requirements for the issuance of an intermediate driver's license pursuant to  
34 section 302.178. **For persons mobilized and deployed with the United**  
35 **States Armed Forces, an application under this subsection shall be**  
36 **considered satisfactory by the department of revenue if it is signed by**  
37 **a person who holds general power of attorney executed by the person**  
38 **deployed, provided the applicant meets all other requirements set by**  
39 **the director.**

40         2. An applicant for a license may make a donation of one dollar to promote  
41 an organ donor program. The director of revenue shall collect the donations and  
42 deposit all such donations in the state treasury to the credit of the organ donor  
43 program fund established in sections 194.297 to 194.304, RSMo. Moneys in the  
44 organ donor program fund shall be used solely for the purposes established in  
45 sections 194.297 to 194.304, RSMo, except that the department of revenue shall  
46 retain no more than one percent for its administrative costs. The donation

47 prescribed in this subsection is voluntary and may be refused by the applicant for  
48 the license at the time of issuance or renewal of the license. The director shall  
49 make available an informational booklet or other informational sources on the  
50 importance of organ donations to applicants for licensure as designed by the  
51 organ donation advisory committee established in sections 194.297 to 194.304,  
52 RSMo. The director shall inquire of each applicant at the time the licensee  
53 presents the completed application to the director whether the applicant is  
54 interested in making the one dollar donation prescribed in this subsection and  
55 whether the applicant is interested in inclusion in the organ donor registry and  
56 shall also specifically inform the licensee of the ability to consent to organ  
57 donation by completing the form on the reverse of the license that the applicant  
58 will receive in the manner prescribed by subsection 6 of section 194.240,  
59 RSMo. The director shall notify the department of health and senior services of  
60 information obtained from applicants who indicate to the director that they are  
61 interested in registry participation, and the department of health and senior  
62 services shall enter the complete name, address, date of birth, race, gender and  
63 a unique personal identifier in the registry established in subsection 1 of section  
64 194.304, RSMo.

65         3. An applicant for a license may make a donation of one dollar to promote  
66 a blindness education, screening and treatment program. The director of revenue  
67 shall collect the donations and deposit all such donations in the state treasury to  
68 the credit of the blindness education, screening and treatment program fund  
69 established in section 192.935, RSMo. Moneys in the blindness education,  
70 screening and treatment program fund shall be used solely for the purposes  
71 established in section 192.935, RSMo, except that the department of revenue shall  
72 retain no more than one percent for its administrative costs. The donation  
73 prescribed in this subsection is voluntary and may be refused by the applicant for  
74 the license at the time of issuance or renewal of the license. The director shall  
75 inquire of each applicant at the time the licensee presents the completed  
76 application to the director whether the applicant is interested in making the one  
77 dollar donation prescribed in this subsection.

78         4. Beginning July 1, 2005, the director shall deny the driving privilege of  
79 any person who commits fraud or deception during the examination process or  
80 who makes application for an instruction permit, driver's license, or nondriver's  
81 license which contains or is substantiated with false or fraudulent information  
82 or documentation, or who knowingly conceals a material fact or otherwise

83 commits a fraud in any such application. The period of denial shall be one year  
84 from the effective date of the denial notice sent by the director. The denial shall  
85 become effective ten days after the date the denial notice is mailed to the  
86 person. The notice shall be mailed to the person at the last known address shown  
87 on the person's driving record. The notice shall be deemed received three days  
88 after mailing unless returned by the postal authorities. No such individual shall  
89 reapply for a driver's examination, instruction permit, driver's license, or  
90 nondriver's license until the period of denial is completed. No individual who is  
91 denied the driving privilege under this section shall be eligible for a limited  
92 driving privilege issued under section 302.309.

93 5. All appeals of denials under this section shall be made as required by  
94 section 302.311.

95 6. The period of limitation for criminal prosecution under this section  
96 shall be extended under subdivision (1) of subsection 3 of section 556.036, RSMo.

97 7. The director may promulgate rules and regulations necessary to  
98 administer and enforce this section. No rule or portion of a rule promulgated  
99 pursuant to the authority of this section shall become effective unless it has been  
100 promulgated pursuant to chapter 536, RSMo.

101 8. Notwithstanding any provisions of this chapter that requires an  
102 applicant to provide proof of lawful presence for renewal of a noncommercial  
103 driver's license, noncommercial instruction permit, or nondriver's license, an  
104 applicant who is sixty-five years and older and who was previously issued a  
105 Missouri noncommercial driver's license, noncommercial instruction permit, or  
106 Missouri nondriver's license is exempt from showing proof of lawful presence.

107 9. Notwithstanding any other provision of this chapter, if an applicant  
108 does not meet the requirements of subsection 8 of this section and does not have  
109 the required documents to prove lawful presence, the department may issue a  
110 one-year driver's license renewal. This one-time renewal shall only be issued to  
111 an applicant who previously has held a Missouri noncommercial driver's license,  
112 noncommercial instruction permit, or nondriver's license for a period of fifteen  
113 years or more and who does not have the required documents to prove lawful  
114 presence. After the expiration of the one-year period, no further renewal shall be  
115 provided without the applicant producing proof of lawful presence.

302.302. 1. The director of revenue shall put into effect a point system  
2 for the suspension and revocation of licenses. Points shall be assessed only after  
3 a conviction or forfeiture of collateral. The initial point value is as follows:

4 (1) Any moving violation of a state law or  
 5 county or municipal or federal traffic ordinance or  
 6 regulation not listed in this section, other than a  
 7 violation of vehicle equipment provisions or a  
 8 court-ordered supervision as provided in  
 9 section 302.303 ..... 2 points  
 10 (except any violation of municipal stop sign  
 11 ordinance where no accident is involved ..... 1 point)  
 12 (2) Speeding  
 13 In violation of a state law ..... 3 points  
 14 In violation of a county or municipal ordinance ..... 2 points  
 15 (3) Leaving the scene of an accident in  
 16 violation of section 577.060, RSMo. .... 12 points  
 17 In violation of any county or municipal ordinance ..... 6 points  
 18 (4) Careless and imprudent driving in  
 19 violation of subsection 4 of section 304.016, RSMo. .... 4 points  
 20 In violation of a county or municipal ordinance ..... 2 points  
 21 (5) Operating without a valid license in  
 22 violation of subdivision (1) or (2) of subsection 1  
 23 of section 302.020:  
 24 (a) For the first conviction ..... 2 points  
 25 (b) For the second conviction ..... 4 points  
 26 (c) For the third conviction ..... 6 points  
 27 (6) Operating with a suspended or revoked  
 28 license prior to restoration of operating  
 29 privileges ..... 12 points  
 30 (7) Obtaining a license by misrepresentation ..... 12 points  
 31 (8) For the first conviction of driving while  
 32 in an intoxicated condition or under the influence  
 33 of controlled substances or drugs ..... 8 points  
 34 (9) For the second or subsequent conviction  
 35 of any of the following offenses however  
 36 combined: driving while in an intoxicated condition,  
 37 driving under the influence of controlled substances  
 38 or drugs or driving with a blood alcohol content of  
 39 eight-hundredths of one percent or more by weight ..... 12 points

- 40 (10) For the first conviction for driving
- 41 with blood alcohol content eight-hundredths of
- 42 one percent or more by weight
- 43 In violation of state law ..... 8 points
- 44 In violation of a county or municipal ordinance
- 45 or federal law or regulation ..... 8 points
- 46 (11) Any felony involving the use of a
- 47 motor vehicle .....12 points
- 48 (12) Knowingly permitting unlicensed
- 49 operator to operate a motor vehicle ..... 4 points
- 50 (13) For a conviction for failure to maintain
- 51 financial responsibility pursuant to county or
- 52 municipal ordinance or pursuant to section 303.025,
- 53 RSMo. .... 4 points
- 54 (14) Endangerment of a highway worker
- 55 in violation of section 304.585, RSMo ..... 4 points
- 56 (15) Aggravated endangerment of a highway
- 57 worker in violation of section 304.585, RSMo.....12 points
- 58 **(16) For a conviction of violating a municipal**
- 59 **ordinance that prohibits tow truck operators from**
- 60 **stopping at or proceeding to the scene of an accident**
- 61 **unless they have been requested to stop or proceed**
- 62 **to such scene by a party involved in such accident**
- 63 **or by an officer of a public safety agency ..... 4 points**

64 2. The director shall, as provided in subdivision (5) of subsection 1 of this  
 65 section, assess an operator points for a conviction pursuant to subdivision (1) or  
 66 (2) of subsection 1 of section 302.020, when the director issues such operator a  
 67 license or permit pursuant to the provisions of sections 302.010 to 302.340.

68 3. An additional two points shall be assessed when personal injury or  
 69 property damage results from any violation listed in subdivisions (1) to (13) of  
 70 subsection 1 of this section and if found to be warranted and certified by the  
 71 reporting court.

72 4. When any of the acts listed in subdivision (2), (3), (4) or (8) of  
 73 subsection 1 of this section constitutes both a violation of a state law and a  
 74 violation of a county or municipal ordinance, points may be assessed for either  
 75 violation but not for both. Notwithstanding that an offense arising out of the

76 same occurrence could be construed to be a violation of subdivisions (8), (9) and  
77 (10) of subsection 1 of this section, no person shall be tried or convicted for more  
78 than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this  
79 section for offenses arising out of the same occurrence.

80         5. The director of revenue shall put into effect a system for staying the  
81 assessment of points against an operator. The system shall provide that the  
82 satisfactory completion of a driver-improvement program or, in the case of  
83 violations committed while operating a motorcycle, a motorcycle-rider training  
84 course approved by the state highways and transportation commission, by an  
85 operator, when so ordered and verified by any court having jurisdiction over any  
86 law of this state or county or municipal ordinance, regulating motor vehicles,  
87 other than a violation committed in a commercial motor vehicle as defined in  
88 section 302.700 or a violation committed by an individual who has been issued a  
89 commercial driver's license or is required to obtain a commercial driver's license  
90 in this state or any other state, shall be accepted by the director in lieu of the  
91 assessment of points for a violation pursuant to subdivision (1), (2) or (4) of  
92 subsection 1 of this section or pursuant to subsection 3 of this section. For the  
93 purposes of this subsection, the driver-improvement program shall meet or exceed  
94 the standards of the National Safety Council's eight-hour "Defensive Driving  
95 Course" or, in the case of a violation which occurred during the operation of a  
96 motorcycle, the program shall meet the standards established by the state  
97 highways and transportation commission pursuant to sections 302.133 to  
98 302.137. The completion of a driver-improvement program or a motorcycle-rider  
99 training course shall not be accepted in lieu of points more than one time in any  
100 thirty-six-month period and shall be completed within sixty days of the date of  
101 conviction in order to be accepted in lieu of the assessment of points. Every court  
102 having jurisdiction pursuant to the provisions of this subsection shall, within  
103 fifteen days after completion of the driver-improvement program or  
104 motorcycle-rider training course by an operator, forward a record of the  
105 completion to the director, all other provisions of the law to the contrary  
106 notwithstanding. The director shall establish procedures for record keeping and  
107 the administration of this subsection.

302.720. 1. Except when operating under an instruction permit as  
2 described in this section, no person may drive a commercial motor vehicle unless  
3 the person has been issued a commercial driver's license with applicable  
4 endorsements valid for the type of vehicle being operated as specified in sections

5 302.700 to 302.780. A commercial driver's instruction permit shall allow the  
6 holder of a valid license to operate a commercial motor vehicle when accompanied  
7 by the holder of a commercial driver's license valid for the vehicle being operated  
8 and who occupies a seat beside the individual, or reasonably near the individual  
9 in the case of buses, for the purpose of giving instruction in driving the  
10 commercial motor vehicle. A commercial driver's instruction permit shall be valid  
11 for the vehicle being operated for a period of not more than six months, and shall  
12 not be issued until the permit holder has met all other requirements of sections  
13 302.700 to 302.780, except for the driving test. A permit holder, unless otherwise  
14 disqualified, may be granted one six-month renewal within a one-year period. The  
15 fee for such permit or renewal shall be five dollars. In the alternative, a  
16 commercial driver's instruction permit shall be issued for a thirty-day period to  
17 allow the holder of a valid driver's license to operate a commercial motor vehicle  
18 if the applicant has completed all other requirements except the driving test. The  
19 permit may be renewed for one additional thirty-day period and the fee for the  
20 permit and for renewal shall be five dollars.

21 2. No person may be issued a commercial driver's license until he has  
22 passed written and driving tests for the operation of a commercial motor vehicle  
23 which complies with the minimum federal standards established by the Secretary  
24 and has satisfied all other requirements of the Commercial Motor Vehicle Safety  
25 Act of 1986 (Title XII of Pub. Law 99-570), as well as any other requirements  
26 imposed by state law. Applicants for a hazardous materials endorsement must  
27 also meet the requirements of the U.S. Patriot Act of 2001 (Title X of Public Law  
28 107-56) as specified and required by regulations promulgated by the  
29 Secretary. Nothing contained in this subsection shall be construed as prohibiting  
30 the director from establishing alternate testing formats for those who are  
31 functionally illiterate; provided, however, that any such alternate test must  
32 comply with the minimum requirements of the Commercial Motor Vehicle Safety  
33 Act of 1986 (Title XII of Pub. Law 99-570) as established by the Secretary.

34 (1) The written and driving tests shall be held at such times and in such  
35 places as the superintendent may designate. A twenty-five dollar examination  
36 fee shall be paid by the applicant upon completion of any written or driving  
37 test. The director shall delegate the power to conduct the examinations required  
38 under sections 302.700 to 302.780 to any member of the highway patrol or any  
39 person employed by the highway patrol qualified to give driving examinations.

40 (2) The director shall adopt and promulgate rules and regulations

41 governing the certification of third-party testers by the department of  
42 revenue. Such rules and regulations shall substantially comply with the  
43 requirements of 49 CFR Part 383, Section 383.75. A certification to conduct  
44 third-party testing shall be valid for one year, and the department shall charge  
45 a fee of one hundred dollars to issue or renew the certification of any third-party  
46 tester.

47 (3) Beginning August 28, 2006, the director shall only issue or renew  
48 third-party tester certification to junior colleges or community colleges  
49 established under chapter 178, RSMo, or to private companies who own, lease, or  
50 maintain their own fleet and administer in-house testing to their employees, or  
51 to school districts and their agents that administer in-house testing to the school  
52 district's or agent's employees. Any third-party tester who violates any of the  
53 rules and regulations adopted and promulgated pursuant to this section shall be  
54 subject to having his certification revoked by the department. The department  
55 shall provide written notice and an opportunity for the third-party tester to be  
56 heard in substantially the same manner as provided in chapter 536, RSMo. If  
57 any applicant submits evidence that he has successfully completed a test  
58 administered by a third-party tester, the actual driving test for a commercial  
59 driver's license may then be waived.

60 (4) Every applicant for renewal of a commercial driver's license shall  
61 provide such certifications and information as required by the secretary and if  
62 such person transports a hazardous material must also meet the requirements of  
63 the U.S. Patriot Act of 2001 (Title X of Public Law 107-56) as specified and  
64 required by regulations promulgated by the secretary. Such person shall be  
65 required to take the written test for such endorsement. A twenty-five dollar  
66 examination fee shall be paid upon completion of such tests.

67 **(5) The director shall have the authority to waive the driving**  
68 **skills test for any qualified military applicant for a commercial driver**  
69 **license who is currently licensed at the time of application for a**  
70 **commercial driver license. The director shall impose conditions and**  
71 **limitations to restrict the applicants from whom the department may**  
72 **accept alternative requirements for the skills test described in federal**  
73 **regulation 49 C.F.R. 383.77. An applicant must certify that, during the**  
74 **two-year period immediately preceding application for a commercial**  
75 **driver license, all of the following apply:**

76 (a) **The applicant has not had more than one license;**

77           **(b) The applicant has not had any license suspended, revoked, or**  
78 **cancelled;**

79           **(c) The applicant has not had any convictions for any type of**  
80 **motor vehicle for the disqualifying offenses contained in this chapter**  
81 **or federal rule 49 C.F.R. 383.51(b);**

82           **(d) The applicant has not had more than one conviction for any**  
83 **type of motor vehicle for serious traffic violations;**

84           **(e) The applicant has not had any conviction for a violation of**  
85 **state or local law relating to motor vehicle traffic control, but not**  
86 **including any parking violation, arising in connection with any traffic**  
87 **accident, and has no record of an accident in which he or she was at**  
88 **fault;**

89           **(f) The applicant is regularly employed in a job requiring**  
90 **operation of a commercial motor vehicle and has operated the vehicle**  
91 **for at least sixty days during the two years immediately preceding**  
92 **application for a commercial driver license. The vehicle must be**  
93 **representative of the commercial motor vehicle the driver applicant**  
94 **operates or expects to operate;**

95           **(g) The applicant, if on active duty, must provide a notarized**  
96 **affidavit signed by a commanding officer as proof of driving experience**  
97 **as indicated in paragraph (f) of this subdivision;**

98           **(h) The applicant, if honorably discharged from military service,**  
99 **must provide a form-DD214 or other proof of military occupational**  
100 **specialty;**

101           **(i) The applicant must meet all federal and state qualifications**  
102 **to operate a commercial vehicle; and**

103           **(j) The applicant will be required to complete all applicable**  
104 **knowledge tests.**

105           3. A commercial driver's license may not be issued to a person while the  
106 person is disqualified from driving a commercial motor vehicle, when a  
107 disqualification is pending in any state or while the person's driver's license is  
108 suspended, revoked, or canceled in any state; nor may a commercial driver's  
109 license be issued unless the person first surrenders in a manner prescribed by the  
110 director any commercial driver's license issued by another state, which license  
111 shall be returned to the issuing state for cancellation.

112           4. Beginning July 1, 2005, the director shall not issue an instruction  
113 permit under this section unless the director verifies that the applicant is

114 lawfully present in the United States before accepting the application. The  
115 director may, by rule or regulation, establish procedures to verify the lawful  
116 presence of the applicant under this section. No rule or portion of a rule  
117 promulgated pursuant to the authority of this section shall become effective  
118 unless it has been promulgated pursuant to chapter 536, RSMo.

304.022. 1. Upon the immediate approach of an emergency vehicle giving  
2 audible signal by siren or while having at least one lighted lamp exhibiting red  
3 light visible under normal atmospheric conditions from a distance of five hundred  
4 feet to the front of such vehicle or a flashing blue light authorized by section  
5 307.175, RSMo, the driver of every other vehicle shall yield the right-of-way and  
6 shall immediately drive to a position parallel to, and as far as possible to the  
7 right of, the traveled portion of the highway and thereupon stop and remain in  
8 such position until such emergency vehicle has passed, except when otherwise  
9 directed by a police or traffic officer.

10 2. Upon approaching a stationary emergency vehicle displaying lighted  
11 red or red and blue lights, the driver of every motor vehicle shall:

12 (1) Proceed with caution and yield the right-of-way, if possible with due  
13 regard to safety and traffic conditions, by making a lane change into a lane not  
14 adjacent to that of the stationary vehicle, if on a roadway having at least four  
15 lanes with not less than two lanes proceeding in the same direction as the  
16 approaching vehicle; or

17 (2) Proceed with due caution and reduce the speed of the vehicle,  
18 maintaining a safe speed for road conditions, if changing lanes would be unsafe  
19 or impossible.

20 3. The motorman of every streetcar shall immediately stop such car clear  
21 of any intersection and keep it in such position until the emergency vehicle has  
22 passed, except as otherwise directed by a police or traffic officer.

23 4. An "emergency vehicle" is a vehicle of any of the following types:

24 (1) A vehicle operated by the state highway patrol, the state water patrol,  
25 the Missouri capitol police, a **conservation agent**, or a state park ranger, those  
26 vehicles operated by enforcement personnel of the state highways and  
27 transportation commission, police or fire department, sheriff, constable or deputy  
28 sheriff, federal law enforcement officer authorized to carry firearms and to make  
29 arrests for violations of the laws of the United States, traffic officer or coroner or  
30 by a privately owned emergency vehicle company;

31 (2) A vehicle operated as an ambulance or operated commercially for the

32 purpose of transporting emergency medical supplies or organs;

33 (3) Any vehicle qualifying as an emergency vehicle pursuant to section  
34 307.175, RSMo;

35 (4) Any wrecker, or tow truck or a vehicle owned and operated by a public  
36 utility or public service corporation while performing emergency service;

37 (5) Any vehicle transporting equipment designed to extricate human  
38 beings from the wreckage of a motor vehicle;

39 (6) Any vehicle designated to perform emergency functions for a civil  
40 defense or emergency management agency established pursuant to the provisions  
41 of chapter 44, RSMo;

42 (7) Any vehicle operated by an authorized employee of the department of  
43 corrections who, as part of the employee's official duties, is responding to a riot,  
44 disturbance, hostage incident, escape or other critical situation where there is the  
45 threat of serious physical injury or death, responding to mutual aid call from  
46 another criminal justice agency, or in accompanying an ambulance which is  
47 transporting an offender to a medical facility;

48 (8) Any vehicle designated to perform hazardous substance emergency  
49 functions established pursuant to the provisions of sections 260.500 to 260.550,  
50 RSMo.

51 5. (1) The driver of any vehicle referred to in subsection 4 of this section  
52 shall not sound the siren thereon or have the front red lights or blue lights on  
53 except when such vehicle is responding to an emergency call or when in pursuit  
54 of an actual or suspected law violator, or when responding to, but not upon  
55 returning from, a fire.

56 (2) The driver of an emergency vehicle may:

57 (a) Park or stand irrespective of the provisions of sections 304.014 to  
58 304.025;

59 (b) Proceed past a red or stop signal or stop sign, but only after slowing  
60 down as may be necessary for safe operation;

61 (c) Exceed the prima facie speed limit so long as the driver does not  
62 endanger life or property;

63 (d) Disregard regulations governing direction of movement or turning in  
64 specified directions.

65 (3) The exemptions granted to an emergency vehicle pursuant to  
66 subdivision (2) of this subsection shall apply only when the driver of any such  
67 vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle

68 as may be reasonably necessary, and when the vehicle is equipped with at least  
69 one lighted lamp displaying a red light or blue light visible under normal  
70 atmospheric conditions from a distance of five hundred feet to the front of such  
71 vehicle.

72 6. No person shall purchase an emergency light as described in this  
73 section without furnishing the seller of such light an affidavit stating that the  
74 light will be used exclusively for emergency vehicle purposes.

75 7. Violation of this section shall be deemed a class A misdemeanor.

304.170. 1. No vehicle operated upon the highways of this state shall  
2 have a width, including load, in excess of [ninety-six] **one hundred two** inches,  
3 except clearance lights, rearview mirrors or other accessories required by federal,  
4 state or city law or regulation[; except that, vehicles having a width, including  
5 load, not in excess of one hundred two inches, exclusive of clearance lights,  
6 rearview mirrors or other accessories required by law or regulations, may be  
7 operated on the interstate highways and such other highways as may be  
8 designated by the highways and transportation commission for the operation of  
9 such vehicles plus a distance not to exceed ten miles from such interstate or  
10 designated highway]. Provided however, a recreational vehicle as defined in  
11 section 700.010, RSMo, may exceed the foregoing width limits if the  
12 appurtenances on such recreational vehicle extend no further than the rearview  
13 mirrors. Such mirrors may only extend the distance necessary to provide the  
14 required field of view before the appurtenances were attached.

15 2. No vehicle operated upon the interstate highway system or upon any  
16 route designated by the chief engineer of the state transportation department  
17 shall have a height, including load, in excess of fourteen feet. On all other  
18 highways, no vehicle shall have a height, including load, in excess of thirteen and  
19 one-half feet, except that any vehicle or combination of vehicles transporting  
20 automobiles or other motor vehicles may have a height, including load, of not  
21 more than fourteen feet.

22 3. No single motor vehicle operated upon the highways of this state shall  
23 have a length, including load, in excess of forty-five feet, except as otherwise  
24 provided in this section.

25 4. No bus, recreational motor vehicle or trackless trolley coach operated  
26 upon the highways of this state shall have a length in excess of forty-five feet,  
27 except that such vehicles may exceed the forty-five feet length when such excess  
28 length is caused by the projection of a front safety bumper or a rear safety

29 bumper or both. Such safety bumper shall not cause the length of the bus or  
30 recreational motor vehicle to exceed the forty-five feet length limit by more than  
31 one foot in the front and one foot in the rear. The term "safety bumper" means  
32 any device which may be fitted on an existing bumper or which replaces the  
33 bumper and is so constructed, treated, or manufactured that it absorbs energy  
34 upon impact.

35           5. No combination of truck-tractor and semitrailer or truck-tractor  
36 equipped with dromedary and semitrailer operated upon the highways of this  
37 state shall have a length, including load, in excess of sixty feet; except that in  
38 order to comply with the provisions of Title 23 of the United States Code (Public  
39 Law 97-424), no combination of truck-tractor and semitrailer or truck-tractor  
40 equipped with dromedary and semitrailer operated upon the interstate highway  
41 system of this state shall have an overall length, including load, in excess of the  
42 length of the truck-tractor plus the semitrailer or truck-tractor equipped with  
43 dromedary and semitrailer. The length of such semitrailer shall not exceed  
44 fifty-three feet.

45           6. In order to comply with the provisions of Title 23 of the United States  
46 Code (Public Law 97-424), no combination of truck-tractor, semitrailer and trailer  
47 operated upon the interstate highway system of this state shall have an overall  
48 length, including load, in excess of the length of the truck-tractor plus the  
49 semitrailer and trailer, neither of which semitrailer or trailer shall exceed  
50 twenty-eight feet in length, except that any existing semitrailer or trailer up to  
51 twenty-eight and one-half feet in length actually and lawfully operated on  
52 December 1, 1982, within a sixty-five foot overall length limit in any state, may  
53 continue to be operated upon the interstate highways of this state. On those  
54 primary highways not designated by the state highways and transportation  
55 commission as provided in subsection 10 of this section, no combination of  
56 truck-tractor, semitrailer and trailer shall have an overall length, including load,  
57 in excess of sixty-five feet; provided, however, the state highways and  
58 transportation commission may designate additional routes for such sixty-five foot  
59 combinations.

60           7. Automobile transporters, boat transporters, truck-trailer boat  
61 transporter combinations, stinger-steered combination automobile transporters  
62 and stinger-steered combination boat transporters having a length not in excess  
63 of seventy-five feet may be operated on the interstate highways of this state and  
64 such other highways as may be designated by the highways and transportation

65 commission for the operation of such vehicles plus a distance not to exceed ten  
66 miles from such interstate or designated highway. All length provisions  
67 regarding automobile or boat transporters, truck-trailer boat transporter  
68 combinations and stinger-steered combinations shall include a semitrailer length  
69 not to exceed fifty-three feet and are exclusive of front and rear overhang, which  
70 shall be no greater than a three-foot front overhang and no greater than a  
71 four-foot rear overhang.

72         8. Driveaway saddlemount combinations having a length not in excess of  
73 [seventy-five] **ninety-seven** feet may be operated on the interstate highways of  
74 this state and such other highways as may be designated by the highways and  
75 transportation commission for the operation of such vehicles plus a distance not  
76 to exceed ten miles from such interstate or designated highway. Saddlemount  
77 combinations must comply with the safety requirements of Section 393.71 of Title  
78 49 of the Code of Federal Regulations and may contain no more than three  
79 saddlemounted vehicles and one fullmount.

80         9. No truck-tractor semitrailer-semitrailer combination vehicles operated  
81 upon the interstate and designated primary highway system of this state shall  
82 have a semitrailer length in excess of twenty-eight feet or twenty-eight and  
83 one-half feet if the semitrailer was in actual and lawful operation in any state on  
84 December 1, 1982, operating in a truck-tractor semitrailer-semitrailer  
85 combination. The B-train assembly is excluded from the measurement of  
86 semitrailer length when used between the first and second semitrailer of a  
87 truck-tractor semitrailer-semitrailer combination, except that when there is no  
88 semitrailer mounted to the B-train assembly, it shall be included in the length  
89 measurement of the semitrailer.

90         10. The highways and transportation commission is authorized to  
91 designate routes on the state highway system other than the interstate system  
92 over which those combinations of vehicles of the lengths specified in subsections  
93 5, 6, 7, 8 and 9 of this section may be operated. Combinations of vehicles  
94 operated under the provisions of subsections 5, 6, 7, 8 and 9 of this section may  
95 be operated at a distance not to exceed ten miles from the interstate system and  
96 such routes as designated under the provisions of this subsection.

97         11. Except as provided in subsections 5, 6, 7, 8, 9 and 10 of this section,  
98 no other combination of vehicles operated upon the primary or interstate  
99 highways of this state plus a distance of ten miles from a primary or interstate  
100 highway shall have an overall length, unladen or with load, in excess of sixty-five

101 feet or in excess of fifty-five feet on any other highway, except the state highways  
102 and transportation commission may designate additional routes for use by  
103 sixty-five foot combinations, seventy-five foot stinger-steered combinations or  
104 seventy-five foot saddlemount combinations. Any vehicle or combination of  
105 vehicles transporting automobiles, boats or other motor vehicles may carry a load  
106 which extends no more than three feet beyond the front and four feet beyond the  
107 rear of the transporting vehicle or combination of vehicles.

108         12. (1) Except as hereinafter provided, these restrictions shall not apply  
109 to agricultural implements operating occasionally on the highways for short  
110 distances, or to self-propelled hay-hauling equipment or to implements of  
111 husbandry, or to the movement of farm products as defined in section 400.9-109,  
112 RSMo, or to vehicles temporarily transporting agricultural implements or  
113 implements of husbandry or roadmaking machinery, or road materials or towing  
114 for repair purposes vehicles that have become disabled upon the highways; or to  
115 implement dealers delivering or moving farm machinery for repairs on any state  
116 highway other than the interstate system.

117         (2) Implements of husbandry and vehicles transporting such machinery  
118 or equipment and the movement of farm products as defined in section 400.9.109,  
119 RSMo, may be operated occasionally for short distances on state highways when  
120 operated between the hours of sunrise and sunset by a driver licensed as an  
121 operator or chauffeur.

122         13. As used in this chapter the term "implements of husbandry" means  
123 all self-propelled machinery operated at speeds of less than thirty miles per hour,  
124 specifically designed for, or especially adapted to be capable of, incidental  
125 over-the-road and primary offroad usage and used exclusively for the application  
126 of commercial plant food materials or agricultural chemicals, and not specifically  
127 designed or intended for transportation of such chemicals and materials.

128         14. [The purpose of this section is to permit a single trip per day by the  
129 implement of husbandry from the source of supply to a given farm.

130         15.] Sludge disposal units may be operated on all state highways other  
131 than the interstate system. Such units shall not exceed one hundred thirty-eight  
132 inches in width and may be equipped with over-width tires. Such units shall  
133 observe all axle weight limits. The chief engineer of the state transportation  
134 department shall issue special permits for the movement of such disposal units  
135 and may by such permits restrict the movements to specified routes, days and  
136 hours.

407.730. As used in sections 407.730 to 407.748, the following terms  
2 mean:

3 (1) "Advertisement", oral, written, graphic or pictorial statements made  
4 in the course of solicitation of business including, without limitation, any  
5 statement or representation made in a newspaper, magazine, the car rental  
6 company's proprietary web site, or other publication, or contained in any notice,  
7 sign, poster, display, circular, pamphlet, or letter which may collectively be called  
8 "print advertisements", or on radio or television, which may be referred to as  
9 "broadcast commercials";

10 (2) "Authorized driver":

11 (a) The renter;

12 (b) The renter's spouse if the spouse is a licensed driver and satisfies the  
13 car rental company's minimum age requirement;

14 (c) The renter's employee or co-worker if they are engaged in business  
15 activity with the person to whom the vehicle is rented, are licensed drivers, and  
16 satisfy the rental company's minimum age requirements;

17 (d) Any person who operates the vehicle during an emergency situation;

18 and

19 (e) Any person expressly listed by the car rental company on the renter's  
20 contract as an authorized driver;

21 (3) "Blackout date", any date on which an advertised price is totally  
22 unavailable to the public;

23 (4) "Car rental company", any person or entity in the business of renting  
24 private passenger vehicles to the public;

25 (5) "Car rental insurance", products and services that are offered in  
26 connection with and incidental to the rental of a motor vehicle under subdivision  
27 (10) of subsection 1 of section 375.786, RSMo. This definition of optional car  
28 rental insurance or any other definition of insurance shall not include collision  
29 damage waiver;

30 (6) "Clear and conspicuous", that the statement, representation or term  
31 being disclosed is of such size, color contrast, and audibility and is so presented  
32 as to be readily noticed and understood by the person to whom it is being  
33 disclosed. All language and terms should be used in accordance with their  
34 common or ordinary usage and meaning;

35 (7) "Collision damage waiver", any product a consumer purchases from a  
36 car rental company in order to waive all or part of his responsibility for damages,

37 or loss of, a rental vehicle;

38 (8) "Limited time availability", that the advertised rental price is only  
39 available for a specific period of time or that the price is not available during  
40 certain blackout periods;

41 (9) "Mandatory charge", any charge, fee, or surcharge consumers must  
42 generally pay in order to obtain or operate a rental vehicle;

43 (10) "Master rental agreement", those documents used by a car rental  
44 company for expedited service to members in a program sponsored by the car  
45 rental company in which renters establish a profile and select preferences for  
46 rental needs which establish the terms and conditions governing the use of a  
47 rental car rented by a car rental company by a participant in a master rental  
48 agreement;

49 (11) "Material restriction", a restriction, limitation or other requirement  
50 which significantly affects the price of, use of, or a consumer's financial  
51 responsibility for a rental car;

52 (12) "Rental agreement", any document or combination of documents,  
53 which, when read together and incorporated by reference to each other, relate to  
54 and establish the terms and conditions of the rental of a motor vehicle by an  
55 individual; or when such a combination of documents is entered into as part of  
56 any written master, corporate, group or individual agreement setting forth the  
57 terms and conditions governing the use of a rental car rented by a car rental  
58 company;

59 **(13) "Vehicle license fees", charges that may be imposed upon any**  
60 **transaction originating in the State of Missouri to recoup costs**  
61 **incurred by a car rental company to license, title, inspect, register,**  
62 **plate, and pay personal property taxes on rental vehicles.**

407.732. 1. Any advertisement shall be nondeceptive and in plain  
2 language. Deception may result not only from a direct statement in the  
3 advertisement and from reasonable inferences therefrom, but also from omitting  
4 or obscuring a material restriction or fact.

5 2. Print advertisements that include prices for car rentals shall make  
6 clear and conspicuous disclosure of the following applicable restrictions:

7 (1) The expiration date of the price offered if it is available for less than  
8 thirty days after the last date of publication of the advertisement;

9 (2) The existence of any geographical limitations on use;

10 (3) The extent of any advance reservation or advance payment

11 requirements;

12 (4) Airport access fee disclosure;

13 (5) The existence of any penalties or higher rates that may apply for early  
14 or late returns for weekly or weekend rentals;

15 (6) Existence of additional driver fee;

16 (7) The existence of blackout dates or specific blackout dates for location  
17 specific advertisements;

18 (8) Nonavailability of offer at all locations;

19 (9) Disclosure of mileage caps and charges;

20 (10) Disclosure of collision damage waiver costs.

21 Print advertisements that include prices for car rentals, where mileage fees apply  
22 to the advertised price, shall prominently disclose this extraordinary material  
23 restriction. Print advertisements that include prices for car rentals, where a  
24 company sells collision damage waiver to the public and does not include this cost  
25 in the advertised rate, shall prominently disclose the price for collision damage  
26 waiver.

27 3. Broadcast commercials that include prices shall indicate whether  
28 substantial restrictions apply and shall include:

29 (1) The expiration date of the price offered if the advertised price is  
30 available for less than thirty days;

31 (2) Nonavailability of the advertised price in certain locations if that is  
32 the case;

33 (3) Mileage limitations and charges, if any;

34 (4) Price or price range for collision damage waiver.

35 4. Any advertised price shall be available in sufficient quantity to meet  
36 reasonably expected public demand for the rental cars advertised for the entire  
37 advertised period, beginning on the day on which the advertisement appears and  
38 continuing at least thirty days thereafter, unless the advertisement clearly and  
39 conspicuously discloses a shorter or longer expiration date for the offer, and in  
40 that event, through the expiration date. Prices may be advertised although less  
41 cars are available than would be required to meet the expected demand, as long  
42 as this limitation is clearly and conspicuously set forth in the advertisement and  
43 a reasonable number of cars are made available at the advertised price.

44 5. [Any surcharge or fee, including, but not limited to, fuel surcharges,  
45 airport access fees, and surcharges in lieu of sales tax that consumers must  
46 generally pay at any location in order to obtain or operate a rental vehicle shall

47 be clearly and conspicuously disclosed when a price is advertised] **The existence**  
48 **of each additional fee, charge, or surcharge that a consumer must pay**  
49 **and which may be imposed as a separately stated charge on a rental**  
50 **transaction including, but in no way to be construed as limited to,**  
51 **airport fees and vehicle license fees shall be disclosed any time a price**  
52 **is advertised and each fee, charge, or surcharge shall be clearly and**  
53 **conspicuously disclosed on the rental agreement.**

54           6. A photograph of a rental car shall not be used in a price advertisement  
55 unless the advertisement clearly and conspicuously discloses, in immediate  
56 proximity to the photograph, the cost to rent the car depicted. A photograph of  
57 a rental car shall not be used in an advertisement if the advertisement states  
58 directly or by implication that the automobile depicted may be rented under  
59 certain conditions and that is not the case.

60           7. Any price advertised as a "daily price" or "price per day" shall be  
61 available for rentals of a single day or more, and any price advertised as a  
62 "weekly" rate shall be available for the first week and for subsequent weeks of the  
63 same rental. A rental company shall not charge more than a weekly price which  
64 was advertised if a customer on a weekly rental returns the car earlier than  
65 seven days. A price advertised as a "weekend rate" shall be available on both  
66 Saturday and Sunday.

67           8. Any car rental advertising promotion which extends a free offer or  
68 promises a gift or other incentive shall clearly and conspicuously disclose all the  
69 terms and conditions for receiving the offer, gift or incentive. A gift, incentive,  
70 or other merchandise or service shall not be advertised as free, if the cost of the  
71 item, in whole or in part, is included in the advertised rental rate. If the gift or  
72 offer is provided by a third party, the car rental company shall be fully  
73 responsible for providing the gift or offer under the terms and conditions  
74 disclosed.

75           9. A rental car shall not be advertised using the words "unlimited  
76 mileage" or other terms that suggest there are absolutely no mileage restrictions  
77 on the use of the rental vehicle only unless there are no geographical restrictions  
78 on the use of the vehicle.

79           10. At the time of the car rental transaction, the car rental company shall  
80 disclose the following:

- 81           (1) The total cost, including any airport access fees;  
82           (2) Geographical limitations;

- 83 (3) Advance reservation or payment requirements;
- 84 (4) Penalties or higher rates that may apply for early or late returns for  
85 weekly or weekend rentals;
- 86 (5) Cost of additional driver fee;
- 87 (6) Blackout dates.

407.815. As used in sections 407.810 to 407.835, unless the context  
2 otherwise requires, the following terms mean:

- 3 (1) "Administrative hearing commission", the body established in chapter  
4 621, RSMo, to conduct administrative hearings;
- 5 (2) "All-terrain vehicle", any motorized vehicle manufactured and used  
6 exclusively for off-highway use which is fifty inches or less in width, with an  
7 unladen dry weight of six hundred pounds or less, traveling on three, four or  
8 more low pressure tires, with a seat designed to be straddled by the operator, and  
9 handlebars for steering control;
- 10 (3) "Coerce", to force a person to act in a given manner or to compel by  
11 pressure or threat but shall not be construed to include the following:
- 12 (a) Good faith recommendations, exposition, argument, persuasion or  
13 attempts at persuasion;
- 14 (b) Notice given in good faith to any franchisee of such franchisee's  
15 violation of terms or provisions of such franchise or contractual agreement;
- 16 (c) Any other conduct set forth in section 407.830 as a defense to an action  
17 brought pursuant to sections 407.810 to 407.835; or
- 18 (d) Any other conduct set forth in sections 407.810 to 407.835 that is  
19 permitted of the franchisor or is expressly excluded from coercion or a violation  
20 of sections 407.810 to 407.835;
- 21 (4) "Franchise" or "franchise agreement", a written arrangement or  
22 contract for a definite or indefinite period, in which a person grants to another  
23 person a license to use, or the right to grant to others a license to use, a trade  
24 name, trademark, service mark, or related characteristics, in which there is a  
25 community of interest in the marketing of goods or services, or both, at wholesale  
26 or retail, by agreement, lease or otherwise, and in which the operation of the  
27 franchisee's business with respect to such franchise is substantially reliant on the  
28 franchisor for the continued supply of franchised new motor vehicles, parts and  
29 accessories for sale at wholesale or retail;
- 30 (5) "Franchisee", a person to whom a franchise is granted;
- 31 (6) "Franchisor", a person who grants a franchise to another person;

32 (7) "Motor vehicle", for the purposes of sections 407.810 to 407.835, any  
33 motor-driven vehicle required to be registered pursuant to the provisions of  
34 chapter 301, RSMo, except that, motorcycles and all-terrain vehicles as defined  
35 in section 301.010, RSMo, shall not be included. **The term "motor vehicle"**  
36 **shall also include any engine, transmission, or rear axle, regardless of**  
37 **whether attached to a vehicle chassis, that is manufactured for the**  
38 **installation in any motor-driven vehicle with a gross vehicle weight**  
39 **rating of more than sixteen thousand pounds that is registered for the**  
40 **operations on the highways of this state under chapter 301, RSMo;**

41 (8) "New", when referring to motor vehicles or parts, means those motor  
42 vehicles or parts which have not been held except as inventory, as that term is  
43 defined in subdivision (4) of section 400.9-109, RSMo;

44 (9) "Person", a natural person, sole proprietor, partnership, corporation,  
45 or any other form of business entity or organization.

[301.170. 1. Motor vehicles and trailers in the course of  
2 delivery from a manufacturer to a dealer, or from one dealer to  
3 another, may be operated on the highways without number plates  
4 being attached thereto, provided they bear on the front and on the  
5 rear, substantially as provided for number plates, a placard  
6 displaying the words "In Transit" and the number of the certificate  
7 issued as herein provided in letters and figures not less than three  
8 inches high with a stroke not less than three-eighths of an inch  
9 wide; and provided further, that the operator of each motor vehicle  
10 shall carry, and exhibit on request, a certificate bearing the seal of  
11 the director of revenue and his facsimile signature, countersigned  
12 with the genuine signature of the manufacturer or dealer selling  
13 such motor vehicle, or his authorized agent. Such certificate shall  
14 bear a number and shall show the date and place of issue and the  
15 destination of the motor vehicle, and shall be of such form as the  
16 director of revenue shall determine.

17 2. The manufacturer, dealer or authorized agent shall  
18 insert the correct date, place of issue and destination, and mail a  
19 duplicate copy of such certificate to the director of revenue at the  
20 time the original is issued; original and duplicate forms of  
21 certificates shall be furnished to manufacturers and dealers, and  
22 to no others, in books of ten sets of certificates each for a fee of five

23 dollars, and in books of fifty sets of certificates each for a fee of  
24 twenty-five dollars. It shall be unlawful for any person to display  
25 such placard or to use such certificate except as herein provided.]

[301.177. 1. The director shall issue a temporary permit  
2 authorizing the operation of a motor vehicle or trailer by a  
3 nonresident buyer for not more than fifteen days from the date of  
4 purchase. Proof of ownership must be presented to the director  
5 and application for such permit shall be made upon a blank form  
6 furnished by the director of revenue and shall contain a full  
7 description of the motor vehicle, including manufacturer's or other  
8 identifying number.

9 2. The director of revenue shall use reasonable diligence in  
10 ascertaining whether the facts stated in such application are true,  
11 and, if satisfied that the applicant is the lawful owner of such  
12 motor vehicle, issuance of such permit shall be granted and the  
13 director shall furnish an appropriate placard evidencing the  
14 issuance thereof to be displayed on the vehicle. A fee of ten dollars  
15 shall be collected upon the issuance of each such permit.]

Section B. The repeal and reenactment of sections 301.142 and 301.560  
2 of section A of this act shall become effective January 1, 2008.

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