

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-EIGHTH DAY—MONDAY, APRIL 26, 2010

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“God is closest to those with broken hearts.” (Jewish Proverb)

Merciful Father, we pray for Your closeness, especially for those who suffered from the storm and twister damage this weekend. We are thankful that the damage in the St. Louis area was light and pray for those in Mississippi who have seen death and terrible destruction there. Bless all with Your caring grace and give us strength to recover and do yet more good. And we pray that You be with us this week that our decisions are beneficial and helpful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 22, 2010 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Keaveny
Lager	Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway
Rupp	Schaefer	Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel
Wilson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Rupp offered Senate Resolution No. 2276, regarding Miranda Jones, Troy, which was adopted.

Senator Rupp offered Senate Resolution No. 2277, regarding Charley Thrash, which was adopted.

Senator Crowell offered Senate Resolution No. 2278, regarding Crystal Cerny, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 2279, regarding Dr. James Stapleton, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 2280, regarding Virginia Sander, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 2281, regarding Tracy Haggerty, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 2282, regarding Mark Cook, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 2283, regarding Edna J. Estes, which was adopted.

Senator Pearce offered Senate Resolution No. 2284, regarding Ryan Jacks, Archie, which was adopted.

Senator Days offered Senate Resolution No. 2285, regarding Nathaniel James Turner, University City, which was adopted.

Senator Days offered Senate Resolution No. 2286, regarding Douglas Edgar Holmes, University City, which was adopted.

Senator Goodman offered Senate Resolution No. 2287, regarding Dr. John Jungmann, Monett, which was adopted.

Senator Goodman offered Senate Resolution No. 2288, regarding Karen Remington, which was adopted.

Senator Goodman offered Senate Resolution No. 2289, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Kenneth L. Russell, Springfield, which was adopted.

Senator Goodman offered Senate Resolution No. 2290, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Junior Schlessman, Anderson, which was adopted.

Senator Goodman offered Senate Resolution No. 2291, regarding Peggy Robb Duncan, Mt. Vernon, which was adopted.

Senator Pearce offered Senate Resolution No. 2292, regarding Dr. Aaron Podolefsky, Warrensburg, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2293, regarding Madalyn Josephine Enzmann, Wildwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2294, regarding Sammie Jayne Hill, O'Fallon, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2295, regarding Margaret Marian Mack, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2296, regarding Julie Kay Wolfskill, Marceline, which was adopted.

Senator Lager offered Senate Resolution No. 2297, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gary Hagg, Maryville, which was adopted.

Senator Lager offered Senate Resolution No. 2298, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Marion Tritten, Helena, which was adopted.

Senator Keaveny offered Senate Resolution No. 2299, regarding Kennard Classical Junior Academy, Saint Louis, which was adopted.

Senator Mayer offered Senate Resolution No. 2300, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Tommy Ott, Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 2301, regarding Three Rivers Community College, which was adopted.

Senator Lembke offered Senate Resolution No. 2302, regarding the death of Edgar J. "Toots" Schulte, Jefferson City, which was adopted.

Senator Vogel offered the following resolution:

SENATE RESOLUTION NO. 2303

WHEREAS, the General Assembly deems it worthy to support and encourage any of those programs which exist to provide Missouri's senior citizens with an opportunity to utilize their experience and knowledge in a positive and meaningful way; and

WHEREAS, the General Assembly also deems it worthy to support those programs which are designed to provide participants with opportunities to develop better citizenship and leadership qualities; and

WHEREAS, the Silver Haired Legislature is a program which helps to ensure that senior citizens have a voice in state government while giving its participants a unique insight into the legislative process; and

WHEREAS, the General Assembly has a long tradition of granting the use of its Chambers to such programs:

NOW, THEREFORE, BE IT RESOLVED that the Missouri Senate hereby grant the participants of the Silver Haired Legislature permission to use the Senate Chamber for the purpose of their regular session from 7:30 a.m. to 6:00 p.m. on Thursday, October 7, 2010.

Senator Vogel requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 2303** up for adoption, which request was granted.

On motion of Senator Vogel, **SR 2303** was adopted.

Senator Schaefer offered Senate Resolution No. 2304, regarding Dennis J. Cupp, which was adopted.

Senator Schaefer offered Senate Resolution No. 2305, regarding the 2010 University of Missouri Women's Gymnastics team, which was adopted.

Senator Justus offered Senate Resolution No. 2306, regarding Bruce C. Houdek, which was adopted.

Senator Shoemyer offered Senate Resolution No. 2307, regarding Bill Stephenson, Kirksville, which was adopted.

SENATE BILLS FOR PERFECTION

SB 1060, with **SCS**, was placed on the Informal Calendar.

Senator Keaveny moved that **SB 969**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 969**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 969**

An Act to repeal section 167.031, RSMo, and to enact in lieu thereof two new sections relating to school attendance.

Was taken up.

Senator Keaveny moved that **SCS** for **SB 969** be adopted.

Senator Rupp assumed the Chair.

At the request of Senator Keaveny, **SB 969**, with **SCS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Engler, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 3** for **SCS** for **SJR 45**, begs leave to report that it has examined the same and finds that the joint resolution has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Schmitt assumed the Chair.

HOUSE BILLS ON THIRD READING

HB 2111, with **SCS**, introduced by Representative Faith, et al, entitled:

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the Missouri State Transit Assistance Program.

Was taken up by Senator Stouffer.

SCS for **HB 2111**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2111**

An Act to repeal sections 226.095 and 230.220, section 301.064 as enacted by house committee substitute for senate substitute for senate bill no. 3, eighty-eighth general assembly, first regular session, and section 301.064 as enacted by house bill no. 769, eighty-ninth general assembly, first regular session, and sections 301.010, 301.032, 301.069, 301.120, 301.130, 301.142, 301.144, 301.196, 301.200, 301.218, 301.280, 301.290, 301.560, 301.561, 301.562, 301.567, 301.570, 302.220, 302.230, 302.341, 303.025, 303.080, 304.705, and 304.820, RSMo, and to enact in lieu thereof thirty-three new sections relating to transportation, with penalty provisions for certain sections and an effective date for certain sections.

Was taken up.

Senator Stouffer moved that **SCS** for **HB 2111** be adopted.

Senator Stouffer offered **SS** for **SCS** for **HB 2111**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2111

An Act to repeal sections 226.095 and 230.220, section 301.064 as enacted by house committee substitute for senate substitute for senate bill no. 3, eighty-eighth general assembly, first regular session, and section 301.064 as enacted by house bill no. 769, eighty-ninth general assembly, first regular session, and sections 227.313, 301.002, 301.003, 301.010, 301.032, 301.069, 301.120, 301.130, 301.142, 301.144, 301.196, 301.218, 301.280, 301.290, 301.560, 301.561, 301.562, 301.567, 301.570, 301.2998, 301.3150, 302.183, 302.220, 302.230, 302.341, 303.025, 303.080, 304.705, and 304.820, RSMo, and to enact in lieu thereof thirty-nine new sections relating to transportation, with penalty provisions for certain sections and an effective date for certain sections.

Senator Stouffer moved that **SS** for **SCS** for **HB 2111** be adopted.

Senator Rupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2111, Page 3, Section 227.313, Line 23 of said page, by inserting after all of said line the following:

“227.700. The director of the department of public safety shall provide to the general assembly and the Missouri highways and transportation commission on February 1, 2011, and each year thereafter a report identifying all ten-mile segments of two-lane rural lettered highways without shoulders in Missouri where vehicle accidents have resulted in a total of four or more fatal accidents over the previous seven years. Within forty-five days of issuing the report, the department of public safety shall cause to be erected a warning sign at each end of each ten-mile segment alerting motorists as follows: Danger – Proceed With Caution – High Risk of Fatal Accidents. Call MoDOT 573.751.2551 for Road Safety Improvements.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted.

Senator Rupp offered **SSA 1** for **SA 1**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2111, Page 3, Section 227.313, Line 23 of said page, by inserting after all of said line the following:

“227.700. The director of the department of public safety shall provide to the general assembly and the Missouri highways and transportation commission on February 1, 2011, and each year thereafter a report identifying all ten-mile segments of two-lane rural lettered highways without shoulders in Missouri where vehicle accidents have resulted in a total of four or more fatal accidents over the previous seven years.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above substitute amendment be adopted, which motion prevailed.

Senator Green offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2111, Page 101, Section 303.080, Line 27 of said page, by inserting after all of said line the following:

“304.125. 1. Notwithstanding section 304.120 or any other provision of the law to the contrary, no county, city, town, village, municipality, or other political subdivision of this state may use photo radar speed detection to determine compliance with any speed limit imposed by this chapter or by any local ordinance on any state highway.

2. As used in this section, the term “photo radar speed detection” means the detection of a motor vehicle's speed by the use of a radar device combined with a camera or other optical device to establish photographic evidence that the motor vehicle or its operator is traveling in excess of the legal speed limit established by statute, ordinance, order, or other provision of law.

3. A speeding violation obtained through the use of an automated traffic enforcement photo radar system in violation of this section shall be void and unenforceable.”; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Shoemyer offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2111, Page 2, Section A, Line 6, by inserting immediately after said line the following:

“226.006. Notwithstanding any other law to the contrary, the Missouri department of transportation shall continue to provide such personnel support and premises for operations to any state transportation employees credit union which the department of transportation provided on January 1, 2010. The credit union shall reimburse the agency for personnel costs of the persons directly assigned to the credit union, including salaries, employer contributions to the retirement system and state health insurance program, other compensation and employee benefits as provided by law, and reimbursement of travel expenses associated with duties on behalf of the credit union. For purposes of this section, a state transportation employees credit union is a credit union with a field of membership consisting of past and present Missouri department of transportation employees and Missouri highway patrol employees, and members of the immediate family or household of such persons to the extent permitted by the credit union statutes and regulations.”; and

Further amend the title and enacting clause accordingly.

Senator Shoemyer moved that the above amendment be adopted, which motion failed.

President Kinder assumed the Chair.

Senator Engler offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2111, Page 3, Section 227.313, Line 23, by inserting after all of said line the following:

“227.324. The pedestrian and bicycle lane on the southernmost, down stream U.S. Highway 54

bridge, crossing the Missouri River at Jefferson City, Missouri, in Cole County, shall, upon completion of its construction, be designated as the “Pat Jones Pedestrian/Bicycle Lane”. The department of transportation shall erect and maintain appropriate signs designating such pedestrian and bicycle lane, with the costs to be paid for by private donations.”; and

Further amend the title and enacting clause accordingly.

Senator Engler moved that the above amendment be adopted, which motion prevailed.

Senator Shields offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2111, Page 21, Section 301.010, Line 7 of said page, by inserting immediately after said line the following:

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

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

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

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

2. If the vehicle is a motor vehicle primarily for business use as defined in section 301.010 and if such vehicle is five years of age or less, the director of revenue shall [retain] **obtain** the odometer information [provided in the vehicle inspection report] **in a manner prescribed by rule**, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of five years after the receipt of such information. This section shall not apply unless:

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

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

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

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

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

4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as defined in section 301.010, or prior salvage as referenced in section 301.573, the owner or lienholder shall surrender the certificate of ownership. The owner shall make an application for a new certificate of ownership, pay the required title fee, and obtain the vehicle examination certificate required pursuant to subsection 9 of section 301.190. If an insurance company pays a claim on a salvage vehicle as defined in section 301.010 and the owner retains the vehicle, as prior salvage, the vehicle shall only be required to meet the examination requirements under and pursuant to subsection 10 of section 301.190. Notarized bills of sale along with a copy of the front and back of the certificate of ownership for all major component parts installed on the vehicle and invoices for all essential parts which are not defined as major component parts shall accompany the application for a new certificate of ownership. If the vehicle is a specially constructed motor vehicle, as defined in section 301.010, two pictures of the vehicle shall be submitted with the application. If the vehicle is a kit vehicle, the applicant shall submit the invoice and the manufacturer's statement of origin on the kit. If the vehicle requires the issuance of a special number by the director of revenue or a replacement vehicle identification number, the applicant shall submit the required application and application fee. All applications required under this subsection shall be submitted with any applicable taxes which may be due on the purchase of the vehicle or parts. The director of revenue shall appropriately designate "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially Constructed Motor Vehicle" on the current and all subsequent issues of the certificate of ownership of such vehicle.

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

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

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

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

Further amend said bill, page 33, section 301.130, line 19 of said page, by inserting after all of said line the following:

“301.132. 1. For purposes of this section, “street rod” is a vehicle older than 1949 or a vehicle manufactured after 1948 to resemble a vehicle manufactured before 1949; and has been altered from the manufacturer's original design or has a body constructed from nonoriginal materials.

2. The model year and the year of manufacture that are listed on the certificate of title of a street rod vehicle shall be the model year and year of manufacture that the body of such vehicle resembles. The current and all subsequent certificates of ownership shall be designated with the word “REPLICA”.

3. For each street rod, there shall be an annual fee equal to the fee charged for personalized license plates in section 301.144 in addition to the regular annual registration fees.

4. In applying for registration of a street rod pursuant to this section, the owner of the street rod shall submit with the application a certification that the vehicle for which the application is made:

(1) Will be maintained for occasional transportation, exhibitions, club activities, parades, tours, and similar uses;

(2) Will not be used for general daily transportation.

5. [In addition to the certification required pursuant to subsection 4 of this section, when applying for registration of a street rod, the new owner of the street rod shall provide proof that the street rod passed a safety inspection in accordance with section 307.350, RSMo, that shall be approved by the department of public safety in consultation with the street rod community in this state.

6.] On registration of a vehicle pursuant to this section, the director of the department of revenue shall issue to the owner two license plates containing the number assigned to the registration certificate issued by the director of revenue, and the following words: “STREET ROD”, “STATE OF MISSOURI”. Such license plates shall be kept securely attached to the motor vehicle registered pursuant to this section. The director of revenue shall determine the characteristic features of such license plates for vehicles registered pursuant to the provisions of this section so that they may be recognized as such, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

[7.] 6. Unless the presence of the equipment was specifically required by a statute of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment is not required for the operation of a vehicle registered pursuant to this section.

[8. Except as provided in subsection 5 of this section,]

7. A vehicle registered pursuant to this section is exempt from any statute of this state that requires periodic vehicle inspections and from any statute of this state that requires the use and inspection of emission controls.

[9.] **8.** A “custom vehicle” means any motor vehicle that:

(1) Is at least twenty-five years old and of a model year after 1948, or was manufactured to resemble a vehicle twenty-five years old or older and of a model year after 1948; and

(2) Has been altered from the manufacturer's original design, or has an entire body constructed from nonoriginal materials.

[10.] **9.** The model year and the year of manufacture that are listed on the certificate of title of a custom vehicle shall be the model year and year of manufacture that the body of such vehicle resembles. The current and all subsequent certificates of ownership shall be designated with the word “REPLICA”.

[11.] **10.** For each custom vehicle, there shall be an annual fee equal to the fee charged for personalized license plates in section 301.144 in addition to the regular annual registration fees.

[12.] **11.** In applying for registration of a custom vehicle pursuant to this section, the owner of the custom vehicle shall submit with the application a certification that the vehicle for which the application is made:

(1) Will be maintained for occasional transportation, exhibits, club activities, parades, tours, and similar uses; and

(2) Will not be used for general daily transportation.

[13. In addition to the certification required pursuant to subsection 12 of this section, when applying for registration of a custom vehicle, the new owner of the custom vehicle shall provide proof that the custom vehicle passed a safety inspection in accordance with section 307.350, RSMo, that shall be approved by the department of public safety in consultation with the street rod community in this state.

[14.] **12.** On registration of a vehicle pursuant to this section, the director of the department of revenue shall issue to the owner two license plates containing the number assigned to the registration certificate issued by the director of revenue, and the following words: “CUSTOM VEHICLE”, “STATE OF MISSOURI”. Such license plates shall be kept securely attached to the motor vehicle registered hereunder. The director of revenue shall determine the characteristic features of such license plates for vehicles registered pursuant to the provisions of this section so that they may be recognized as such, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

[15.] **13.** Unless the presence of the equipment was specifically required by a statute of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment is not required for the operation of a vehicle registered pursuant to this section.

[16. Except as provided in subsection 13 of this section,]

14. A vehicle registered pursuant to this section is exempt from any statute of this state that requires periodic vehicle inspections and from any statute of this state that requires the use and inspection of emission controls.

[17.] **15.** For purposes of this section, “blue dot tail light” is a red lamp installed in the rear of a motor

vehicle containing a blue or purple insert that is not more than one inch in diameter.

[18.] **16.** A street rod or custom vehicle may use blue dot tail lights for stop lamps, rear turning indicator lamps, rear hazard lamps, and rear reflectors.”; and

Further amend said bill, page 49, section 301.144, line 17 of said page, by inserting after all of said line the following:

“301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight, the option of biennially registering motor vehicles. Any vehicle manufactured as an even-numbered model year vehicle shall be renewed each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to the following requirements:

(1) The fee collected at the time of biennial registration shall include the annual registration fee plus a pro rata amount for the additional twelve months of the biennial registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding year that no such taxes were due as set forth in section 301.025, **and** proof of [a motor vehicle safety inspection and] any applicable emission inspection conducted within sixty days prior to the date of application and proof of insurance as required by section 303.026, RSMo.

2. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated pursuant to the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be invalid and void.

3. The director of revenue shall have the authority to stagger the registration period of motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial registration, such registration must be maintained for the full twenty-four month period.

301.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate therefor, shall be issued by the director of revenue unless the applicant therefor shall make application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall present satisfactory evidence that such certificate has been previously issued to the applicant for such motor vehicle or trailer. Application shall be made within thirty days after the applicant acquires the motor vehicle or trailer upon a blank form furnished by the director of revenue and shall contain the applicant's identification number, a full description of the motor vehicle or trailer, the vehicle identification number, and the mileage registered on the odometer at the time of transfer of ownership, as required by section 407.536, RSMo, together with a statement of the applicant's source of title and of any liens or encumbrances on the motor vehicle or trailer, provided that for good cause shown the director of revenue may extend the period of time for making such application.

When an owner wants to add or delete a name or names on an application for certificate of ownership of a motor vehicle or trailer that would cause it to be inconsistent with the name or names listed on the notice of lien, the owner shall provide the director with documentation evidencing the lienholder's authorization to add or delete a name or names on an application for certificate of ownership.

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

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

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

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

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

5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in addition to the fee for registration of such motor vehicle or trailer. If application for the certificate is not made within thirty days after the vehicle is acquired by the applicant, a delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of two hundred dollars, but such penalty may be waived by the director for a good cause shown. If the director of revenue learns that any person has failed to obtain a certificate within thirty days after acquiring a motor vehicle or trailer or has sold a vehicle without obtaining a certificate, he shall cancel the registration of all vehicles registered in the name of the person, either as sole owner or as a co-owner,

and shall notify the person that the cancellation will remain in force until the person pays the delinquency penalty fee provided in this section, together with all fees, charges and payments which the person should have paid in connection with the certificate of ownership and registration of the vehicle. The certificate shall be good for the life of the motor vehicle or trailer so long as the same is owned or held by the original holder of the certificate and shall not have to be renewed annually.

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

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

8. Before an original Missouri certificate of ownership is issued, an inspection of the vehicle and a verification of vehicle identification numbers shall be made by the Missouri state highway patrol on vehicles for which there is a current title issued by another state if a Missouri salvage certificate of title has been issued for the same vehicle but no prior inspection and verification has been made in this state, except that if such vehicle has been inspected in another state by a law enforcement officer in a manner comparable to the inspection process in this state and the vehicle identification numbers have been so verified, the applicant shall not be liable for the twenty-five dollar inspection fee if such applicant submits proof of inspection and vehicle identification number verification to the director of revenue at the time of the application. The applicant, who has such a title for a vehicle on which no prior inspection and verification have been made, shall pay a fee of twenty-five dollars for such verification and inspection, payable to the director of revenue at the time of the request for the application, which shall be deposited in the state treasury to the credit of the state highways and transportation department fund.

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

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

same manner as provided in section 307.365, RSMo. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307, RSMo, and the emissions inspection required under chapter 643, RSMo, shall be completed and only the fees required by section 307.365, RSMo, and section 643.315, RSMo, shall be charged to the owner. This section shall not apply to vehicles being transferred on a manufacturer's statement of origin.

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

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

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

[14.] **13.** The director of revenue and the superintendent of the Missouri state highway patrol shall make and enforce rules for the administration of the inspections required by this section.

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

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

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

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

(4) An inspection certificate, other than a motor vehicle examination certificate required under

subsection 9 of this section, completed and issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The inspection performed by the highway patrol or other authorized local law enforcement agency shall include a check for stolen vehicles. The department of revenue shall issue the owner a certificate of ownership designated with the words “Reconstructed Motor Vehicle” and deliver such certificate of ownership in accordance with the provisions of this chapter. Notwithstanding subsection 9 of this section, no owner of a reconstructed motor vehicle described in this subsection shall be required to obtain a vehicle examination certificate issued by the Missouri state highway patrol.”; and

Further amend said bill, page 81, section 301.580, line 19 of said page, by inserting after all of said line the following:

“301.800. 1. Any motor vehicle assembled by a two- or four-year institution of higher education exclusively utilizing solar power and built to compete in a national competition organized to foster interest in solar energy shall be registered and titled by the director of revenue, other laws regulating licensing of motor vehicles to the contrary notwithstanding.

2. Such institution shall file an application in a form prescribed by the director, verified by affidavit, that such vehicle meets the requirements of subsection 1 of this section.

3. The plate issued by the director shall be the collegiate plate of the institution and shall display the term “solar” in a manner prescribed by the director.

4. The institution shall pay the applicable fees as determined by the director.

5. Such motor vehicle shall be exempt from the inspections required by [section 307.350, RSMo, and] section 643.315, RSMo, and shall only be operated on the streets and highways with the approval of the institution of higher education.”; and

Further amend said bill, page 106, section 304.820, line 3 of said page, by inserting after all of said line the following:

“307.375. 1. The owner of every bus used to transport children to or from school in addition to any other inspection required by law shall submit the vehicle to an [official] inspection [station] **conducted by the state highway patrol or by any entity approved by the state highway patrol**, and obtain a certificate of inspection, sticker, seal or other device annually, but the inspection of the vehicle shall not be made more than sixty days prior to operating the vehicle during the school year. The inspection shall[, in addition to the inspection of the mechanism and equipment required for all motor vehicles under the provisions of sections 307.350 to 307.390,] include an inspection to ascertain that the following items are correctly fitted, adjusted, and in good working condition:

(1) All mirrors, including crossview, inside, and outside;

(2) The front and rear warning flashers;

(3) The stop signal arm;

(4) The crossing control arm on public school buses required to have them pursuant to section 304.050, RSMo;

(5) The rear bumper to determine that it is flush with the bus so that hitching of rides cannot occur;

(6) The exhaust tailpipe shall be flush with or may extend not more than two inches beyond the

perimeter of the body or bumper;

- (7) The emergency doors and exits to determine them to be unlocked and easily opened as required;
- (8) The lettering and signing on the front, side and rear of the bus;
- (9) The service door;
- (10) The step treads;
- (11) The aisle mats or aisle runners;
- (12) The emergency equipment which shall include as a minimum a first aid kit, flares or fuses, and a fire extinguisher;
- (13) The seats, including a determination that they are securely fastened to the floor;
- (14) The emergency door buzzer;
- (15) All hand hold grips;
- (16) The interior glazing of the bus;
- (17) The brakes;**
- (18) The lighting equipment;**
- (19) The signaling devices;**
- (20) The steering mechanism;**
- (21) The horns;**
- (22) The windshield wipers;**
- (23) The tires;**
- (24) The wheels;**
- (25) The exhaust system;**
- (26) The glazing;**
- (27) Any air pollution control devices;**
- (28) The fuel system;**
- (29) Any other safety equipment required by the superintendent as provided by rule and regulation.**

2. In addition to the inspection required by subsection 1 of this section, the Missouri state highway patrol shall conduct an inspection after February first of each school year of all vehicles required to be marked as school buses under section 304.050, RSMo. This inspection shall be conducted by the Missouri highway patrol in cooperation with the department of elementary and secondary education and shall include, as a minimum, items in subsection 1 of this section and the following:

- (1) The driver seat belts;
- (2) The heating and defrosting systems;
- (3) The reflectors;

- (4) The bus steps;
- (5) The aisles;
- (6) The frame.

3. If, upon inspection, conditions which violate the standards in subsection 2 of this section are found, the owner or operator shall have them corrected in ten days and notify the superintendent of the Missouri state highway patrol or those persons authorized by the superintendent. If the defects or unsafe conditions found constitute an immediate danger, the bus shall not be used until corrections are made and the superintendent of the Missouri state highway patrol or those persons authorized by the superintendent are notified.

4. The Missouri highway patrol may inspect any school bus at any time and if such inspection reveals a deficiency affecting the safe operation of the bus, the provisions of subsection 3 of this section shall be applicable.

5. The superintendent shall promulgate rules and regulations to implement and administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

6. Notwithstanding the provisions of section 307.390 to the contrary, a violation of this section shall be a class C misdemeanor.

307.390. 1. Any person who violates any provision of [sections 307.350 to 307.390] **section 307.375** is guilty of an infraction and upon plea or finding of guilt shall be punished as provided by law.

2. The superintendent of the Missouri state highway patrol may assign qualified persons who are not highway patrol officers to investigate and enforce motor vehicle safety inspection laws and regulations pursuant to [sections 307.350 to 307.390] **section 307.375** and sections 643.300 to 643.355, RSMo. A person assigned by the superintendent pursuant to the authority granted by this subsection shall be designated a motor vehicle inspector and shall have limited powers to issue a uniform complaint and summons for a violation of the motor vehicle inspection laws and regulations. A motor vehicle inspector shall not have authority to exercise the power granted in this subsection until such inspector successfully completes training provided by, and to the satisfaction of, the superintendent.

643.303. 1. Beginning September 1, 2007, emissions inspections required by sections 643.300 to 643.355 shall be conducted through a decentralized emissions program that meets the requirements of this section. Prior to September 1, 2007, the air conservation commission shall develop a decentralized emissions inspection program that allows official inspection stations to conduct on-board diagnostic emission inspections of 1996 model year and newer motor vehicles equipped with on-board diagnostic systems meeting the federal Environmental Protection Agency On-Board Diagnostics II (OBDII) standards. The decentralized emissions inspection program shall, at a minimum, provide for the following:

- (1) The periodic inspection of certain motor vehicles as required under section 643.315;

(2) The certification and operation of official emissions inspection stations and the licensing of emission inspectors;

(3) The testing of motor vehicles through on-board diagnostic testing technologies;

(4) The training, certification, and supervision of emission inspectors and other personnel; and

(5) Procedures for certifying test results and for reporting and maintaining relevant data records.

2. In addition to any other criteria established by the commission under section 643.320 or by rule, the decentralized emissions inspection program shall allow any [official inspection station] **individual, corporation, or entity that is certified under sections 643.200 to 643.355** located in an area described in subsection 1 of section 643.305 [otherwise qualified by the Missouri state highway patrol to conduct motor vehicle safety inspections under section 307.360, RSMo,] to conduct on-board diagnostic emission inspections. Any [motor vehicle safety inspection station] **individual, corporation, or entity** that desires to conduct emissions inspections shall submit an application for a certificate of authorization to the commission as provided for under section 643.320. [Other] **Such** individuals, corporations, or entities [that do not conduct motor vehicle safety inspections] may conduct emission inspections provided they meet the qualifications set forth in sections 643.300 to 643.355 and the rules promulgated by the commission. Applications shall be made upon a form designated by the commission and shall contain such information as may be required by the commission. A certificate of authorization issued under section 643.320 to conduct emission inspections shall be issued only after the commission has made a determination that the applicant's proposed inspection station will be properly equipped, has the necessary licensed emission inspectors to conduct inspections, and meets all other requirements of sections 643.300 to 643.355 or rules promulgated to carry out the provisions of those sections.

3. The decentralized emissions inspection program shall allow any official inspection station that is certified to conduct an on-board diagnostic emission inspection under sections 643.300 to 643.355 to repair motor vehicles in order to bring such vehicles into compliance with sections 643.300 to 643.355, if such station and personnel meet the qualifications to conduct emission repairs as set forth in sections 643.300 to 643.355. An official emission inspection station may elect to be an emissions test-only station or may elect to conduct both emission inspections and repairs.

4. The commission is authorized to begin certification of official inspection stations prior to September 1, 2007, in order to implement the decentralized emissions inspection program. Prior to January 1, 2007, the department of natural resources shall issue a report to the general assembly and the governor regarding the progress of implementing the decentralized emissions inspection program. The report shall include, but not be limited to, a summary describing how many inspection stations or individuals the department expects to participate in the program and how many inspection stations or individuals will be qualified by September 1, 2007, to conduct such emissions inspections.

5. The commission may, as a part of implementing the decentralized emissions inspection program, use remote sensing devices to collect information regarding the vehicle fleet emissions characteristics and registration compliance within the area described in subsection 1 of section 643.305. The decentralized emissions inspection program established by the commission may also include a clean screen program that utilizes remote sensing devices. Owners of eligible vehicles who comply with clean screen/remote sensing procedures shall be deemed to have complied with the mandatory inspection requirements for the next inspection cycle. As used in this subsection, the term "clean screen program" shall mean a procedure or system that utilizes remote sensing technologies to determine whether a motor vehicle has acceptable

emission levels and then allows the motor vehicle owner to bypass the emissions inspection test required under section 643.315.

6. [The decentralized emissions inspection program may include a gas cap pressure test and a visual inspection component, and such tests may be included as part of the motor vehicle safety inspection test under section 307.350, RSMo.

7.] As used in sections 643.300 to 643.355, “decentralized emissions inspection program” means an emissions inspection program under which a certified emissions inspector conducts emissions inspection testing at an official inspection station.

[8.] **7.** The decentralized emission inspection program shall satisfy the requirements established by regulation of the United States Environmental Protection Agency.

[9.] **8.** The decentralized emissions inspection program established by the commission and sections 643.300 to 643.355 shall not be construed to be a new program as described in section 23.253, RSMo, and the decentralized emissions inspection program shall not be subject to the sunset mandate prescribed by sections 23.250 to 23.298, RSMo.

[10.] **9.** No later than July 1, 2007, the department of natural resources and the Missouri highway patrol shall enter into an interagency agreement covering all aspects of the administration and enforcement of sections 643.300 to 643.355.

[11.] **10.** No later than July 1, 2007, the air conservation commission shall promulgate rules for the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void.

[12.] **11.** Prior to September 1, 2007, the department of natural resources shall actively promote participation in the decentralized emissions inspection program among qualified motor vehicle dealers, service stations, and other individuals. After the implementation of the decentralized emission inspection program, the department shall monitor participation in such program. In determining whether there are a sufficient number of individuals conducting motor vehicle emission inspections under the decentralized program, the department shall attempt to ensure, through promotional efforts, that no more than twenty percent of all persons residing in the affected nonattainment area reside farther than five miles from the nearest inspection station.

643.315. 1. Except as provided in sections 643.300 to 643.355, all motor vehicles which are domiciled, registered or primarily operated in an area for which the commission has established a motor vehicle emissions inspection program pursuant to sections 643.300 to 643.355 shall be inspected and approved prior to sale or transfer; provided that, if such vehicle is inspected and approved prior to sale or transfer, such vehicle shall not be subject to another emissions inspection for ninety days after the date of sale or transfer of such vehicle. In addition, any such vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved under the emissions inspection program established

pursuant to sections 643.300 to 643.355 in each odd-numbered calendar year. All motor vehicles subject to the inspection requirements of sections 643.300 to 643.355 shall display a valid emissions inspection sticker, and when applicable, a valid emissions inspection certificate shall be presented at the time of registration or registration renewal of such motor vehicle. The department of revenue shall require evidence of the safety and emission inspection and approval required by this section in issuing the motor vehicle annual registration in conformity with the procedure required by [sections 307.350 to 307.390, RSMo, and] sections 643.300 to 643.355. The director of revenue may verify that a successful [safety and] emissions inspection was completed via electronic means.

2. The inspection requirement of subsection 1 of this section shall apply to all motor vehicles except:

(1) Motor vehicles with a manufacturer's gross vehicle weight rating in excess of eight thousand five hundred pounds;

(2) Motorcycles and motortricycles if such vehicles are exempted from the motor vehicle emissions inspection under federal regulation and approved by the commission by rule;

(3) Model year vehicles manufactured prior to 1996;

(4) Vehicles which are powered exclusively by electric or hydrogen power or by fuels other than gasoline which are exempted from the motor vehicle emissions inspection under federal regulation and approved by the commission by rule;

(5) Motor vehicles registered in an area subject to the inspection requirements of sections 643.300 to 643.355 which are domiciled and operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355, but only if the owner of such vehicle presents to the department an affidavit that the vehicle will be operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355 for the next twenty-four months, and the owner applies for and receives a waiver which shall be presented at the time of registration or registration renewal;

(6) New and unused motor vehicles, of model years of the current calendar year and of any calendar year within two years of such calendar year, which have an odometer reading of less than six thousand miles at the time of original sale by a motor vehicle manufacturer or licensed motor vehicle dealer to the first user;

(7) Historic motor vehicles registered pursuant to section 301.131, RSMo;

(8) School buses;

(9) Heavy-duty diesel-powered vehicles with a gross vehicle weight rating in excess of eight thousand five hundred pounds;

(10) New motor vehicles that have not been previously titled and registered, for the four-year period following their model year of manufacture[, provided the odometer reading for such motor vehicles are under forty thousand miles at their first required biennial safety inspection conducted under sections 307.350 to 307.390, RSMo; otherwise such motor vehicles shall be subject to the emissions inspection requirements of subsection 1 of this section during the same period that the biennial safety inspection is conducted]; and

(11) Motor vehicles that are driven fewer than twelve thousand miles [between biennial safety inspections] **on a biennial basis.**

3. The commission may, by rule, allow inspection reciprocity with other states having equivalent or more stringent testing and waiver requirements than those established pursuant to sections 643.300 to

643.355.

4. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.550, RSMo, may choose to sell a motor vehicle subject to the inspection requirements of sections 643.300 to 643.355 either:

- (a) With prior inspection and approval as provided in subdivision (2) of this subsection; or
- (b) Without prior inspection and approval as provided in subdivision (3) of this subsection.

(2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the emissions standards established pursuant to sections 643.300 to 643.355 or by obtaining a waiver pursuant to section 643.335. A vehicle sold pursuant to this subdivision by a licensed motor vehicle dealer shall be inspected and approved within the one hundred twenty days immediately preceding the date of sale, and, for the purpose of registration of such vehicle, such inspection shall be considered timely.

(3) If the dealer chooses to sell the vehicle without prior inspection and approval, the purchaser may return the vehicle within ten days of the date of purchase, provided that the vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails, upon inspection, to meet the emissions standards specified by the commission and the dealer shall have the vehicle inspected and approved without the option for a waiver of the emissions standard and return the vehicle to the purchaser with a valid emissions certificate and sticker within five working days or the purchaser and dealer may enter into any other mutually acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the purchaser has the option to return the vehicle within ten days, provided that the vehicle has no more than one thousand additional miles since the time of sale, to have the dealer repair the vehicle and provide an emissions certificate and sticker within five working days if the vehicle fails, upon inspection, to meet the emissions standards established by the commission, or enter into any mutually acceptable agreement with the dealer. A violation of this subdivision shall be an unlawful practice as defined in section 407.020, RSMo. No emissions inspection shall be required pursuant to sections 643.300 to 643.360 for the sale of any motor vehicle which may be sold without a certificate of inspection and approval, as provided pursuant to subsection 2 of section 307.380, RSMo.”; and

Further amend said bill, page 106, section 301.003, line 24 of said page, by inserting after all of said line the following:

“[307.350. 1. The owner of every motor vehicle as defined in section 301.010, RSMo, which is required to be registered in this state, except:

(1) Motor vehicles, for the five-year period following their model year of manufacture, excluding prior salvage vehicles immediately following a rebuilding process and vehicles subject to the provisions of section 307.380;

(2) Those motor vehicles which are engaged in interstate commerce and are proportionately registered in this state with the Missouri highway reciprocity commission, although the owner may request that such vehicle be inspected by an official inspection station, and a peace officer may stop and inspect such vehicles to determine whether the mechanical condition is in compliance with the safety regulations established by the United States Department of Transportation; and

(3) Historic motor vehicles registered pursuant to section 301.131, RSMo;

(4) Vehicles registered in excess of twenty-four thousand pounds for a period of less than twelve

months; shall submit such vehicles to a biennial inspection of their mechanism and equipment in accordance with the provisions of sections 307.350 to 307.390 and obtain a certificate of inspection and approval and a sticker, seal, or other device from a duly authorized official inspection station. The inspection, except the inspection of school buses which shall be made at the time provided in section 307.375, shall be made at the time prescribed in the rules and regulations issued by the superintendent of the Missouri state highway patrol; but the inspection of a vehicle shall not be made more than sixty days prior to the date of application for registration or within sixty days of when a vehicle's registration is transferred. Any vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved pursuant to the safety inspection program established pursuant to sections 307.350 to 307.390 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved pursuant to sections 307.350 to 307.390 in each odd-numbered year. The certificate of inspection and approval shall be a sticker, seal, or other device or combination thereof, as the superintendent of the Missouri state highway patrol prescribes by regulation and shall be displayed upon the motor vehicle or trailer as prescribed by the regulations established by him. The replacement of certificates of inspection and approval which are lost or destroyed shall be made by the superintendent of the Missouri state highway patrol under regulations prescribed by him.

2. For the purpose of obtaining an inspection only, it shall be lawful to operate a vehicle over the most direct route between the owner's usual place of residence and an inspection station of such owner's choice, notwithstanding the fact that the vehicle does not have a current state registration license. It shall also be lawful to operate such a vehicle from an inspection station to another place where repairs may be made and to return the vehicle to the inspection station notwithstanding the absence of a current state registration license.

3. No person whose motor vehicle was duly inspected and approved as provided in this section shall be required to have the same motor vehicle again inspected and approved for the sole reason that such person wishes to obtain a set of any special personalized license plates available pursuant to section 301.144, RSMo, or a set of any license plates available pursuant to section 301.142, RSMo, prior to the expiration date of such motor vehicle's current registration.

4. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed an infraction.]

[307.353. Other provisions of law notwithstanding, no person shall be required to have a biennial vehicle inspection during a registration period which exceeds two years. The inspection required at the beginning of the registration period shall be valid for the entire registration period.]

[307.355. 1. No state registration license to operate the type of vehicle required to be inspected by section 307.350 may be transferred or issued during a biennial registration year in which the vehicle is required to be inspected unless the application is accompanied by a certificate of inspection and approval issued no more than sixty days prior to the date of application, or in the case of school buses, which will be required to be inspected annually as provided in section 307.375, except:

(1) The director of revenue may transfer or issue a state registration license to the type of vehicle required to be inspected by section 307.350 without a certificate of inspection and approval accompanying the application if the director has satisfactory evidence that the vehicle was not in the state of Missouri at any time during the sixty days prior to the date of application; however, the

owner of every such vehicle must submit the vehicle for inspection and obtain a certificate of inspection and approval within ten days after the vehicle is first returned to the state of Missouri;

(2) The director of revenue shall renew a vehicle's registration license without a certificate of inspection and approval accompanying the application if satisfactory documentary evidence is presented at the time of application that the license being renewed was properly transferred within a six-month period prior to the expiration of the license being renewed or that the vehicle for which the registration is being issued was issued a registration for a period of less than one year for the registration period just expiring.

2. If due to interstate operation a commercial motor vehicle as defined in section 301.010, RSMo, or a trailer of the type required to be inspected is required to obtain full fee registration in this and any other state during the same calendar year, no Missouri certificate of inspection and approval is required if the vehicle bears evidence that a current valid inspection sticker or decal was issued by such other state in which the vehicle is registered; provided that the sticker or decal issued by such other state is valid for the registration period in this state.

3. After a commercial motor vehicle as defined in section 301.010, RSMo, has been registered for the current year, no certificate of inspection and approval is required when a local commercial motor vehicle license is changed to a beyond-local commercial motor vehicle license or when the licensed gross weight is changed during the licensed period.]

[307.360. 1. The superintendent of the Missouri state highway patrol shall issue permits and written instructions to official inspection stations and shall furnish forms and certificates for the inspection of brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust system, glazing, air pollution control devices, fuel system, and any other safety equipment required by the state. In no instance will road testing of a vehicle be considered a part of the inspection procedure.

2. The superintendent of the Missouri state highway patrol shall prescribe the standards and equipment necessary for an official inspection station and the qualifications for persons who conduct the inspections, and no applicant may be approved to operate an official inspection station until the applicant meets the standards and has the required equipment and qualified inspectors as prescribed. The superintendent of the Missouri state highway patrol shall establish standards and procedures to be followed in the making of inspections required by sections 307.350 to 307.390 and shall prescribe rules and regulations for the operation of the stations.

3. (1) The application for permit as an official inspection station shall be made to the superintendent of the Missouri state highway patrol on a form furnished by the superintendent. The fee for a permit to operate an official inspection station shall be ten dollars per year and each permit shall be renewed annually on the date of issue. All fees shall be payable to the director of revenue and shall be deposited by him in the state treasury to the credit of the state highway fund.

(2) The application shall set forth the name under which applicant transacts or intends to transact business, the location of the applicant's place of business and such other information as the superintendent of the Missouri state highway patrol may require. If the applicant has or intends to have more than one place of business within the state, a separate application shall be made for each place of business. If the applicant is a partnership, the application shall set forth the names of the partners; if a corporation, the names of the officers shall be shown. The application shall be signed and verified by oath or affirmation of the owner or an authorized officer or partner.

(3) Each location which fulfills the superintendent of the Missouri state highway patrol's requirements and whose owners, proprietors and employees comply with the superintendent's regulations and qualifications shall be designated as an official inspection station and the applicant issued a certificate. The superintendent of the Missouri state highway patrol shall investigate all applicants for inspection station permits to determine whether or not the premises, equipment and personnel meet the requirements prescribed by him.

(4) Any automobile mechanic who has had at least one year of practical experience as an automotive mechanic or any person who has successfully completed a course of vocational instruction in automotive mechanics from a generally recognized educational institution, either public or private, and who has demonstrated the knowledge and ability to conduct an inspection in compliance with the regulations established by the superintendent of the Missouri state highway patrol may be issued a permit to conduct inspections at any official inspection station. No person without a valid permit shall conduct any part of an inspection, except a person without a valid permit may assist in the inspection of a vehicle by operating the vehicle's lighting equipment and signaling devices. The superintendent of the Missouri state highway patrol may require a mechanic to be reexamined at any time to determine the mechanic's knowledge and ability to conduct an inspection. If the mechanic fails the reexamination or refuses to be reexamined, the permit issued to the mechanic shall be suspended until the mechanic passes the examination but under no circumstances can the mechanic again be tested until a period of thirty days has elapsed. No fee shall be charged for the permit and the permit shall remain valid for a period of three years from the date of issue or until suspended or revoked by the superintendent of the Missouri state highway patrol.

(5) The superintendent of the Missouri state highway patrol may issue a private official inspection station permit to any association, person, partnership, corporation and/or subsidiary corporation, and governmental entity having registered or titled in his, her or its name in this state one or more vehicles of the type required to be inspected by section 307.350, or who maintains such vehicles under a written maintenance agreement of at least one year's duration and who maintains approved inspection facilities and has qualified personnel; but separate permits must be obtained for separate facilities of the same association, person, partnership, corporation and/or subsidiary corporation, or governmental entity. Such private stations shall inspect only vehicles registered or to be registered, titled or to be titled or maintained in the name of the person or organization described on the application for permit. No fee shall be charged for a permit issued to a governmental entity.

4. (1) The superintendent of the Missouri state highway patrol shall supervise and cause inspections to be made of the official inspection stations and inspecting personnel and if the superintendent finds that the provisions of sections 307.350 to 307.390 or the regulations issued pursuant to sections 307.350 to 307.390 are not being complied with, or that the business of an official inspection station, in connection with corrections, adjustments, repairs or inspection of vehicles is being improperly conducted, the superintendent shall suspend or revoke the permit of the station for a period of not less than thirty days or more than one year and require the immediate surrender and return of the permit, together with all official forms and certificates of inspection and approval. If the superintendent finds that an inspector has violated any of the provisions of sections 307.350 to 307.390 or the regulations issued pursuant to sections 307.350 to 307.390, the superintendent shall suspend or revoke the inspector's permit for a period of not less than thirty days nor more than one year. If a station operator or if an inspector violates any of the provisions of

sections 307.350 to 307.390, he or she is subject to prosecution as provided in section 307.390.

(2) The suspension or revocation of a station permit or of an inspector's permit shall be in writing to the operator, inspector, or the person in charge of the station. Before suspending or revoking either of the permits, the superintendent shall serve notice in writing by certified mail or by personal service to the permittee at the permittee's address of record giving the permittee the opportunity to appear in the office of the superintendent on a stated date, not less than ten nor more than thirty days after the mailing or service of the notice, for a hearing to show cause why the permittee's permit should not be suspended or revoked. An inspection station owner or an inspector may appear in person or by counsel in the office of the superintendent to show cause why the proposed suspension or revocation is in error, or to present any other facts or testimony that would bear on the final decision of the superintendent. If the permittee or the permittee's agent does not appear on the stated day after receipt of notice, it shall be presumed that the permittee admits the allegations of fact contained in the hearing notification letter. The decision of the superintendent may in such case be based upon the written reports submitted by the superintendent's officers. The order of the superintendent, specifying his findings of fact and conclusions of law, shall be considered final immediately after receipt of notice thereof by the permittee.

(3) Any person whose permit is suspended or revoked or whose application for a permit is denied may within ten days appeal the action as provided in chapter 536, RSMo.]

[307.365. 1. No permit for an official inspection station shall be assigned or transferred or used at any location other than therein designated and every permit shall be posted in a conspicuous place at the location designated. The superintendent of the Missouri state highway patrol shall design and furnish each official inspection station, at no cost, one official sign made of metal or other durable material to be displayed in a conspicuous location to designate the station as an official inspection station. Additional signs may be obtained by an official inspection station for a fee equal to the cost to the state. Each inspection station shall also be supplied with one or more posters which must be displayed in a conspicuous location at the place of inspection and which informs the public that required repairs or corrections need not be made at the inspection station.

2. No person operating an official inspection station pursuant to the provisions of sections 307.350 to 307.390 may issue a certificate of inspection and approval for any vehicle except upon an official form furnished by the superintendent of the Missouri state highway patrol for that purpose and only after inspecting the vehicle and determining that its brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust system, glazing, air pollution control devices, fuel system and any other safety equipment as required by the state are in proper condition and adjustment to be operated upon the public highways of this state with safety to the driver or operator, other occupants therein, as well as other persons and property upon the highways, as provided by sections 307.350 to 307.390 and the regulations prescribed by the superintendent of the Missouri state highway patrol. Brakes may be inspected for safety by means of visual inspection or computerized brake testing. No person operating an official inspection station shall furnish, loan, give or sell a certificate of inspection and approval to any other person except those entitled to receive it under provisions of sections 307.350 to 307.390. No person shall have in such person's possession any certificate of inspection and approval and/or inspection sticker with knowledge that the certificate and/or inspection sticker has been illegally purchased, stolen or counterfeited.

3. The superintendent of the Missouri state highway patrol may require officially designated stations to furnish reports upon forms furnished by the superintendent for that purpose as the superintendent considers reasonably necessary for the proper and efficient administration of sections 307.350 to 307.390.

4. If, upon inspection, defects or unsafe conditions are found, the owner may correct them or shall have them corrected at any place the owner chooses within twenty days after the defect or unsafe condition is found, and shall have the right to remove the vehicle to such place for correction, but before the vehicle is operated thereafter upon the public highways of this state, a certificate of inspection and approval must be obtained. The inspecting personnel of the official inspection station must inform the owner that the corrections need not be made at the inspection station.

5. A fee, not to exceed twelve dollars, as determined by each official inspection station, may be charged by an official inspection station for each official inspection including the issuance of the certificate of inspection and approval, sticker, seal or other device and a total fee, not to exceed ten dollars, as determined by each official inspection station, may be charged for an official inspection of a trailer or motorcycle, which shall include the issuance of the certificate of inspection and approval, sticker, seal or other device. Such fee shall be conspicuously posted on the premises of each such official inspection station. No owner shall be charged an additional inspection fee upon having corrected defects or unsafe conditions found in an inspection completed within the previous twenty consecutive days, excluding Saturdays, Sundays and holidays, if such follow-up inspection is made by the station making the initial inspection. Every inspection for which a fee is charged shall be a complete inspection, and upon completion of the inspection, if any defects are found the owner of the vehicle shall be furnished a list of the defects and a receipt for the fee paid for the inspection. If the owner of a vehicle decides to have any necessary repairs or corrections made at the official inspection station, the owner shall be furnished a written estimate of the cost of such repairs before such repairs or corrections are made by the official inspection station. The written estimate shall have plainly written upon it that the owner understands that the corrections need not be made by the official inspection station and shall have a signature line for the owner. The owner must sign below the statement on the signature line before any repairs are made.

6. Certificates of inspection and approval, sticker, seal or other device shall be purchased by the official inspection stations from the superintendent of the Missouri state highway patrol. The superintendent of the Missouri state highway patrol shall collect a fee of one dollar and fifty cents for each certificate of inspection, sticker, seal or other device issued to the official inspection stations, except that no charge shall be made for certificates of inspection, sticker, seal or other device issued to official inspection stations operated by governmental entities. All fees collected shall be deposited in the state treasury with one dollar of each fee collected credited to the state highway fund and, for the purpose of administering and enforcing the state motor vehicle laws and traffic regulations, fifty cents credited to the "Highway Patrol Inspection Fund" which is hereby created. The moneys collected and deposited in the highway patrol inspection fund shall be expended subject to appropriations by the general assembly for the administration and enforcement of sections 307.350 to 307.390 by the Missouri state highway patrol. The unexpended balance in the fund at the end of each biennium exceeding the amount of the appropriations from the fund for the first two fiscal years shall be transferred to the state road fund, and the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue fund at the end of the

biennium, shall not apply to the fund.

7. The owner or operator of any inspection station who discontinues operation during the period that a station permit is valid or whose station permit is suspended or revoked shall return all official signs and posters and any current unused inspection stickers, seals or other devices to the superintendent of the Missouri state highway patrol and shall receive a full refund on request except for official signs and posters, provided the request is made during the calendar year or within sixty days thereafter in the manner prescribed by the superintendent of the Missouri state highway patrol. Stations which have a valid permit shall exchange unused previous year issue inspection stickers and/or decals for an identical number of current year issue, provided the unused stickers and/or decals are submitted for exchange not later than April thirtieth of the current calendar year, in the manner prescribed by the superintendent of the Missouri state highway patrol.]

[307.370. 1. No person shall represent in any manner any place as an official inspection station unless the station is operated under a valid permit issued by the superintendent of the Missouri state highway patrol.

2. No person unless then holding a valid permit shall issue a certificate of inspection and approval, sticker, seal or other device.

3. No person shall make, issue or knowingly use any imitation or counterfeit of an official certificate of inspection, sticker, seal or other device.

4. No person shall display or cause or permit to be displayed upon any vehicle any certificate of inspection and approval, sticker, seal or other device knowing the same to be fictitious or issued for another vehicle or issued without an inspection having been made.]

[307.380. 1. Every vehicle of the type required to be inspected upon having been involved in an accident and when so directed by a police officer must be inspected and an official certificate of inspection and approval, sticker, seal or other device be obtained for such vehicle before it is again operated on the highways of this state. At the seller's expense every vehicle of the type required to be inspected by section 307.350, whether new or used, shall immediately prior to sale be fully inspected regardless of any current certificate of inspection and approval, and an appropriate new certificate of inspection and approval, sticker, seal or other device shall be obtained.

2. Nothing contained in the provisions of this section shall be construed to prohibit a dealer or any other person from selling a vehicle without a certificate of inspection and approval if the vehicle is sold for junk, salvage, or for rebuilding, or for vehicles sold at public auction or from dealer to dealer. The purchaser of any vehicle which is purchased for junk, salvage, or for rebuilding, shall give to the seller an affidavit, on a form prescribed by the superintendent of the Missouri state highway patrol, stating that the vehicle is being purchased for one of the reasons stated herein. No vehicle of the type required to be inspected by section 307.350 which is purchased as junk, salvage, or for rebuilding shall again be registered in this state until the owner has submitted the vehicle for inspection and obtained an official certificate of inspection and approval, sticker, seal or other device for such vehicle.

3. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed an infraction.]

[307.385. The superintendent of the Missouri state highway patrol may notify the director of

revenue and the director of revenue shall suspend the registration of any vehicle which the superintendent of the Missouri state highway patrol determines, after a written notice, is not equipped as required by law or for which a certificate required by sections 307.350 to 307.390 has not been obtained.]; and

Further amend said bill, page 106, section B, line 28 of said page, by inserting after all of said line the following:

“Section C. The repeal of sections 307.350, 307.353, 307.355, 307.360, 307.365, 307.370, 307.380, and 307.385, and the repeal and reenactment of sections 301.020, 301.132, 301.147, 301.190, 301.800, 307.375, 307.390, 643.303, and 643.315 shall become effective January 1, 2011.”; and

Further amend the title and enacting clause accordingly.

Senator Shields moved that the above amendment be adopted, which motion prevailed.

Senator Engler assumed the Chair.

Senator Lembke offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2111, Page 102, Section 304.161, Line 11 of said page, by inserting after all said line the following:

“304.286. No county, city, town, village, municipality, state agency, or other political subdivision of this state that is authorized to issue a notice of violation for a violation of a state or local traffic law or regulation, shall use or employ an automated photo red light enforcement system at any intersection within its jurisdiction. As used in this section, the term “automated photo red light enforcement system” shall mean a device, consisting of a camera or cameras and a vehicle sensor or sensors, installed to work in conjunction with a traffic control signal, which is used to produce recorded images of motor vehicles entering an intersection against a red signal indication.”; and

Further amend the title and enacting clause accordingly.

Senator Lembke moved that the above amendment be adopted, and requested a roll call vote be taken. He was joined in his request by Senators Crowell, Cunningham, Ridgeway and Scott.

Senator Griesheimer assumed the Chair.

SA 6 was adopted by the following vote:

YEAS—Senators

Barnitz	Bartle	Callahan	Champion	Clemens	Crowell	Cunningham	Dempsey
Engler	Goodman	Green	Griesheimer	Lager	Lembke	Mayer	Pearce
Purgason	Ridgeway	Rupp	Schmitt	Scott	Shoemyer	Stouffer—23	

NAYS—Senators

Bray	Days	Keaveny	McKenna	Shields	Vogel	Wilson	Wright-Jones—8
------	------	---------	---------	---------	-------	--------	----------------

Absent—Senators

Justus	Nodler	Schaefer—3
--------	--------	------------

Absent with leave—Senators—None

Vacancies—None

Senator Dempsey offered **SA 7**, which was read:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2111, Pages 101-102, Section 304.161, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer moved that **SS** for **SCS** for **HB 2111**, as amended, be adopted, which motion prevailed.

Senator Stouffer moved that **SS** for **SCS** for **HB 2111**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Shields referred **SS** for **SCS** for **HB 2111**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

REFERRALS

President Pro Tem Shields referred **HCS** for **HB 2048**, with **SCS**; **HCS** for **HBs 1408** and **1514**; **HCS No. 2** for **HBs 1692, 1209, 1405, 1499, 1535** and **1811**, with **SCS**; and **SS No. 3** for **SCS** for **SJR 45** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

HB 1941, with **SCS**, introduced by Representative Parson, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

Was taken up by Senator Scott.

SCS for **HB 1941**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1941**

An Act to repeal sections 227.303 and 227.409, RSMo, and to enact in lieu thereof eleven new sections relating to memorial highway designations.

Was taken up.

Senator Scott moved that **SCS** for **HB 1941** be adopted.

Senator Engler offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1941, Page 1, Section 227.303, Line 3, by inserting after all of said line the following:

“227.324. The pedestrian and bicycle lane on the southernmost, down stream U.S. Highway 54

bridge, crossing the Missouri River at Jefferson City, Missouri, in Cole County, shall, upon completion of its construction, be designated as the “Pat Jones Pedestrian/Bicycle Lane”. The department of transportation shall erect and maintain appropriate signs designating such pedestrian and bicycle lane, with the costs to be paid for by private donations.”; and

Further amend the title and enacting clause accordingly.

Senator Engler moved that the above amendment be adopted, which motion prevailed.

Senator Champion offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 1941, Page 1, Section 227.303, Line 3, by inserting after all of said line the following:

“227.313. The portion of Missouri Highway 266 located in Greene County from [North Missouri Road AB] **Airport Boulevard** to one mile east shall be designated as the “Dr. Martin Luther King Jr. Memorial Mile”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs for such designation to be paid for by private donations.”; and

Further amend the title and enacting clause accordingly.

Senator Champion moved that the above amendment be adopted, which motion prevailed.

Senator Scott moved that **SCS** for **HB 1941**, as amended, be adopted, which motion prevailed.

On motion of Senator Scott, **SCS** for **HB 1941**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Griesheimer	Justus	Keaveny	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Scott, title to the bill was agreed to.

Senator Scott moved that the vote by which the bill passed be reconsidered.

Senator Engler moved that motion lay on the table, which motion prevailed.

HB 1424, with **SCS**, introduced by Representative Franz, entitled:

An Act to repeal sections 52.290, 52.312, 52.361, 52.370, 54.010, 55.140, 55.190, 139.031, 139.140, 139.150, 139.210, 139.220, 140.050, 140.070, 140.080, 140.160, and 165.071, RSMo, and to enact in lieu thereof seventeen new sections relating to collection of taxes.

Was taken up by Senator McKenna.

SCS for **HB 1424**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1424

An Act to repeal sections 52.290, 52.312, 52.361, 52.370, 54.010, 55.140, 55.190, 139.031, 139.140, 139.150, 139.210, 139.220, 140.050, 140.070, 140.080, 140.160, and 165.071, RSMo, and to enact in lieu thereof seventeen new sections relating to collection of taxes.

Was taken up.

Senator McKenna moved that **SCS for HB 1424** be adopted.

Senator Rupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1424, Page 4, Section 55.190, Line 15, by inserting immediately after said line the following:

“138.431. 1. To hear and decide appeals pursuant to section 138.430, the commission shall appoint one or more hearing officers. The hearing officers shall be subject to supervision by the commission. No person shall participate on behalf of the commission in any case in which such person is an interested party.

2. The commission may assign such appeals as it deems fit to a hearing officer for disposition.

(1) The assignment shall be deemed made when the scheduling order is first issued by the commission and signed by the hearing officer assigned, unless another hearing officer is assigned to the case for disposition by other language in said order.

(2) A change of hearing officer, or a reservation of the appeal for disposition as described in subsection 3 of this section, shall be ordered by the commission in any appeal upon the timely filing of a written application by a party to disqualify the hearing officer assigned. The application shall be filed within thirty days from the assignment of any appeal to a hearing officer and need not allege or prove any cause for such change and need not be verified. No more than one change of hearing officer shall be allowed for each party in any appeal.

3. The commission may, in its discretion, reserve such appeals as it deems fit to be heard and decided by the full commission, a quorum thereof, or any commissioner, subject to the provisions of section 138.240, and, in such case, the decision shall be final, subject to judicial review in the manner provided in subsection 4 of section 138.470.

[3.] 4. The manner in which appeals shall be presented and the conduct of hearings shall be made in accordance with rules prescribed by the commission for determining the rights of the parties; provided that, the commission, with the consent of all the parties, may refer an appeal to mediation. The commission shall promulgate regulations for mediation pursuant to this section. No regulation or portion of a regulation promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo. There shall be no presumption that the assessor's valuation

is correct. A full and complete record shall be kept of all proceedings. All testimony at any hearing shall be recorded but need not be transcribed unless the matter is further appealed.

[4.] **5.** Unless an appeal is voluntarily dismissed, a hearing officer, after affording the parties reasonable opportunity for fair hearing, shall issue a decision and order affirming, modifying, or reversing the determination of the board of equalization, and correcting any assessment which is unlawful, unfair, improper, arbitrary, or capricious. The commission may, prior to the decision being rendered, transfer to another hearing officer the proceedings on an appeal determination before a hearing officer. The complainant, respondent-assessor, or other party shall be duly notified of a hearing officer's decision and order, together with findings of fact and conclusions of law. Appeals from decisions of hearing officers shall be made pursuant to section 138.432.

[5.] **6.** All decisions issued pursuant to this section or section 138.432 by the commission or any of its duly assigned hearing officers shall be issued no later than sixty days after the hearing on the matter to be decided is held or the date on which the last party involved in such matter files his or her brief, whichever event later occurs.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Barnitz offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 1424, Page 4, Section 55.190, Line 15, by inserting after all of said line the following:

“67.1360. The governing body of:

- (1) A city with a population of more than seven thousand and less than seven thousand five hundred;
- (2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003;
- (3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;
- (4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants;
- (5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;

(8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;

(9) Any county of the second classification without a township form of government and a population of less than thirty thousand;

(10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;

(11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;

(14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;

(15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(16) Any third class city with a population of more than three thousand eight hundred but less than four thousand inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(18) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;

(19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;

(20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;

(22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants;

(24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants;

(26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

(27) Any city of the fourth classification with more than five thousand four hundred but fewer than five thousand five hundred inhabitants and located in more than one county;

(28) Any city of the fourth classification with more than six thousand three hundred but fewer than six thousand five hundred inhabitants and located in more than one county through the creation of a tourism district which may include, in addition to the geographic area of such city, the area encompassed by the portion of the school district, located within a county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, having an average daily attendance for school year 2005-06 between one thousand eight hundred and one thousand nine hundred ;

(29) Any city of the fourth classification with more than seven thousand seven hundred but less than seven thousand eight hundred inhabitants located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants;

(30) Any city of the fourth classification with more than two thousand nine hundred but less than three thousand inhabitants located in a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants;

(31) Any city of the third classification with more than nine thousand three hundred but less than nine thousand four hundred inhabitants; [or]

(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants; **or**

(33) Any county of the third classification without a township form of government and with more than twelve thousand one hundred but fewer than twelve thousand two hundred inhabitants;

may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns and campgrounds and any docking facility which rents slips to recreational boats which are used by transients for sleeping, which shall be at least two percent, but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

94.1011. 1. The governing body of any city of the third classification with more than three thousand five hundred but fewer than three thousand six hundred inhabitants may impose, by order or ordinance, a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof. The tax shall be not more than three percent per occupied room per night, and shall be imposed solely for the purpose of funding the construction, maintenance, and repair of a multipurpose conference and convention center. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such order or ordinance shall become effective unless the governing body of the city submits to the voters of the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue generated by the tax shall be collected by the city collector of revenue, shall be deposited in a special trust fund, and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund that are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any city that has adopted the tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city, and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any city that has adopted the tax authorized in this section

receives a petition, signed by a number of registered voters of the city equal to at least two percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters of the city and the repeal is approved by a majority of the qualified voters voting on the question.

6. As used in this section, “transient guests” means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.” and

Further amend the title and enacting clause accordingly.

Senator Barnitz moved that the above amendment be adopted, which motion prevailed.

Senator Nodler offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Bill No. 1424, Page 4, Section 55.190, Line 15, by inserting after all of said line the following:

“137.180. 1. Whenever any assessor shall increase the valuation of any real property he shall forthwith notify the record owner of such increase, either in person, or by mail directed to the last known address; every such increase in assessed valuation made by the assessor shall be subject to review by the county board of equalization whereat the landowner shall be entitled to be heard, and the notice to the landowner shall so state.

2. Effective January 1, 2009, for all counties with a charter form of government, **other than any county adopting a charter form of government after January 1, 2008**, whenever any assessor shall increase the valuation of any real property, he or she shall forthwith notify the record owner on or before June fifteenth of such increase and, in a year of general reassessment, the county shall notify the record owner of the projected tax liability likely to result from such an increase, either in person, or by mail directed to the last known address; every such increase in assessed valuation made by the assessor shall be subject to review by the county board of equalization whereat the landowner shall be entitled to be heard, and the notice to the landowner shall so state. Notice of the projected tax liability from the county shall accompany the notice of increased valuation from the assessor.

3. **For all calendar years prior to the first day of January of the year following receipt of software necessary for the implementation of the requirements provided under subsections 4 and 5 of this section from the state tax commission, for any county not subject to the provisions of subsection 2 of this section or subsection 2 of section 137.355, whenever any assessor shall increase the valuation of any real property, he or she shall forthwith notify the record owner on or before June fifteenth of the previous assessed value and such increase either in person, or by mail directed to the last known address and include in such notice a statement indicating that the change in assessed value may impact the record owner's tax liability and provide all processes and deadlines for appealing determinations of the assessed value of such property. Such notice shall be provided in a font and format sufficient to alert a record owner of the potential impact upon tax liability and the appellate**

processes available.

4. Effective January [1, 2011,] **first of the year following receipt of software necessary for the implementation of the requirements provided under this subsection and subsection 5 of this section from the state tax commission**, for all counties not subject to the provisions of subsection 2 of this section or subsection 2 of section 137.355, whenever any assessor shall increase the valuation of any real property, he or she shall forthwith notify the record owner on or before June fifteenth of such increase and, in a year of general reassessment, the county shall notify the record owner of the projected tax liability likely to result from such an increase, either in person, or by mail directed to the last known address; every such increase in assessed valuation made by the assessor shall be subject to review by the county board of equalization whereat the landowner shall be entitled to be heard, and the notice to the landowner shall so state. Notice of the projected tax liability from the county shall accompany the notice of increased valuation from the assessor.

[4.] **5.** The notice of projected tax liability, required under subsections 2 and [3] **4** of this section, from the county shall include:

- (1) **The** record owner's name, address, and the parcel number of the property;
- (2) A list of all political subdivisions levying a tax upon the property of the record owner;
- (3) The projected tax rate for each political subdivision levying a tax upon the property of the record owner, and the purpose for each levy of such political subdivisions;
- (4) The previous year's tax rates for each individual tax levy imposed by each political subdivision levying a tax upon the property of the record owner;
- (5) The tax rate ceiling for each levy imposed by each political subdivision levying a tax upon the property of the record owner;
- (6) The contact information for each political subdivision levying a tax upon the property of the record owner;
- (7) A statement identifying any projected tax rates for political subdivisions levying a tax upon the property of the record owner, which were not calculated and provided by the political subdivision levying the tax; and
- (8) The total projected property tax liability of the taxpayer.

6. In addition to the requirements provided under subsections 1, 2, and 5 of this section, effective January 1, 2011, in any county with a charter form of government and with more than one million inhabitants, whenever any assessor shall notify a record owner of any change in assessed value, such assessor shall provide notice that information regarding the assessment method and computation of value for such property is available on the assessor's website and provide the exact website address at which such information may be accessed. Such notification shall provide the assessor's contact information to enable taxpayers without internet access to request and receive information regarding the assessment method and computation of value for such property.

137.355. 1. If an assessor increases the valuation of any tangible personal property as estimated in the itemized list furnished to the assessor, and if an assessor increases the valuation of any real property, he shall forthwith notify the record owner of the increase either in person or by mail directed to the last known address, and if the address of the owner is unknown notice shall be given by publication in two newspapers

published in the county.

2. For all calendar years prior to the first day of January of the year following receipt of software necessary for the implementation of the requirements provided under subsections 3 and 4 of this section from the state tax commission, whenever any assessor shall increase the valuation of any real property, he or she shall forthwith notify the record owner on or before June fifteenth of the previous assessed value and such increase either in person, or by mail directed to the last known address and include on the face of such notice, in no less than twelve point font, the following statement: NOTICE TO TAXPAYER: IF YOUR ASSESSED VALUE HAS INCREASED, IT MAY INCREASE YOUR REAL PROPERTY TAXES WHICH ARE DUE DECEMBER THIRTY-FIRST. IF YOU DO NOT AGREE THAT THE VALUE OF YOUR PROPERTY HAS INCREASED, YOU MUST CHALLENGE THE VALUE ON OR BEFORE (INSERT DATE BY WHICH APPEAL MUST BE FILED) BY CONTACTING YOUR COUNTY ASSESSOR.

3. Effective January [1, 2011,] first of the year following receipt of software necessary for the implementation of the requirements provided under this subsection and subsection 4 of this section from the state tax commission, if an assessor increases the valuation of any real property, the assessor, on or before June fifteenth, shall notify the record owner of the increase and, in a year of general reassessment, the county shall notify the record owner of the projected tax liability likely to result from such an increase either in person or by mail directed to the last known address, and, if the address of the owner is unknown, notice shall be given by publication in two newspapers published in the county. Notice of the projected tax liability from the county shall accompany the notice of increased valuation from the assessor.

[3.] **4.** The notice of projected tax liability, required under subsection [2] **3** of this section, from the county shall include:

- (1) Record owner's name, address, and the parcel number of the property;
- (2) A list of all political subdivisions levying a tax upon the property of the record owner;
- (3) The projected tax rate for each political subdivision levying a tax upon the property of the record owner, and the purpose for each levy of such political subdivisions;
- (4) The previous year's tax rates for each individual tax levy imposed by each political subdivision levying a tax upon the property of the record owner;
- (5) The tax rate ceiling for each levy imposed by each political subdivision levying a tax upon the property of the record owner;
- (6) The contact information for each political subdivision levying a tax upon the property of the record owner;
- (7) A statement identifying any projected tax rates for political subdivisions levying a tax upon the property of the record owner, which were not calculated and provided by the political subdivision levying the tax; and
- (8) The total projected property tax liability of the taxpayer.”; and

Further amend the title and enacting clause accordingly.

Senator Nodler moved that the above amendment be adopted, which motion prevailed.

At the request of Senator McKenna, **HB 1424**, with **SCS**, as amended (pending), was placed on the

Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HB 2198** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 2198**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2252**, entitled:

An Act to repeal section 135.630, RSMo, and to enact in lieu thereof one new section relating to a tax credit for contributions to pregnancy resource centers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2058**, entitled:

An Act to amend chapter 429, RSMo, by adding thereto one new section relating to mechanic's liens, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 984**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 62**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 5 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right to pray.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 70**, entitled:

HOUSE CONCURRENT RESOLUTION NO. 70

Relating to credit unions housed in Department of Transportation facilities.

 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Whereas, credit unions have operated in Missouri Department of Transportation offices since the 1950s; and

Whereas, credit unions serve as a valuable employee benefit; and

Whereas, credit unions help employees meet their personal financial obligations which enhances employee productivity; and

Whereas, credit unions are owned by their member owners; and

Whereas, credit unions fully reimburse the Department of Transportation for salaries, benefits, and other expenses:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-fifth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the Missouri Department of Transportation to allow the ten credit unions currently housed in Department of Transportation facilities to remain in those facilities until such time as the credit union board of directors, after consulting with their financial regulator, decides it is in the best interest of the credit union and its member owners to move the credit union to a location outside of Department of Transportation facilities; and

Be it further resolved that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 1316—Jobs, Economic Development and Local Government.

HB 1444—Jobs, Economic Development and Local Government.

HCS for HB 1786—Jobs, Economic Development and Local Government.

HCS for HB 1473—Education.

HCS for HB 1584—Ways and Means.

HB 1636—Transportation.

INTRODUCTIONS OF GUESTS

Senator Shields introduced to the Senate, his parents, Charles and Rosalie Shields, St. Joseph.

Senator Bartle introduced to the Senate, his daughter, Betsy, Lee's Summit.

On behalf of Senator Pearce, the President introduced to the Senate, Ryan Jacks, his parents, Jim and Lisa, his brothers, Austin and Zane, and his great uncle, Larry Boucher, Archie.

On motion of Senator Engler, the Senate adjourned until 9:30 a.m., Tuesday, April 27, 2010.

SENATE CALENDAR

 FIFTY-NINTH DAY—TUESDAY, APRIL 27, 2010

FORMAL CALENDAR**HOUSE BILLS ON SECOND READING**

HB 2252-Faith
HCS for HB 2058

HJR 62-McGhee, et al

THIRD READING OF SENATE BILLS

- | | |
|--|--|
| 1. SB 627-Justus (In Fiscal Oversight) | 7. SCS for SB 622-Shoemyer
(In Fiscal Oversight) |
| 2. SJR 20-Bartle (In Fiscal Oversight) | 8. SS for SB 1057-Shields (In Fiscal Oversight) |
| 3. SB 779-Bartle (In Fiscal Oversight) | 9. SS for SB 1007-Dempsey
(In Fiscal Oversight) |
| 4. SCS for SB 944-Shields (In Fiscal Oversight) | 10. SS#3 for SCS for SJR 45-Shields
(In Fiscal Oversight) |
| 5. SB 1026-Rupp (In Fiscal Oversight) | |
| 6. SS for SCS for SB 884-Schaefer
(In Fiscal Oversight) | |

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| 1. HCS for HB 1675, with SCS (Ridgeway)
(In Fiscal Oversight) | 17. HB 2270-Cooper (Shields) |
| 2. HJR 76-Dethrow, et al, with SCS
(Purgason) (In Fiscal Oversight) | 18. HB 1609-Diehl, with SCS (Bartle) |
| 3. HCS for HB 2048, with SCS (Lager)
(In Fiscal Oversight) | 19. HCS#2 for HBs 1692, 1209, 1405,
1499, 1535 & 1811, with SCS (Bartle)
(In Fiscal Oversight) |
| 4. HCS for HBs 1408 & 1514 (Lembke)
(In Fiscal Oversight) | 20. HCS for HB 1840 (Mayer) |
| 5. HB 1942-Parson (Scott) | 21. HCS for HB 1848 (Justus) |
| 6. HCS for HB 1806 (Goodman) | 22. HCS for HB 1903, with SCS (Mayer) |
| 7. HB 1643-Brown (50), et al (Wilson) | 23. HB 2317-Tracy, with SCS |
| 8. HB 1612-Molendorp and Scavuzzo, with SCS
(Pearce) | 24. HCS for HB 2231 (Goodman) |
| 9. HB 1595-Dugger, et al (Purgason) | 25. HCS for HB 1893, with SCA 1
(Schaefer) |
| 10. HB 1340-Dugger (Clemens) | 26. HCS for HB 2081 (Goodman) |
| 11. HCS for HB 1290, with SCS (Griesheimer) | 27. HCS for HB 2161 (Goodman) |
| 12. HCS for HB 2297, with SCS (Wilson) | 28. HCS for HB 1965, with SCS
(Cunningham) |
| 13. HB 1270-Meiners (Justus) | 29. HCS for HB 1764, with SCS (Rupp) |
| 14. HB 1894-Bringer (Bray) | 30. HB 1713-Sander, et al (Schaefer) |
| 15. HCS for HB 1898 (Dempsey) | 31. HCS for HB 1831, with SCS (Stouffer) |
| 16. HCS for HB 1977 (Griesheimer) | 32. HCS for HBs 2147 & 2261 (Pearce) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 631-Cunningham
(In Fiscal Oversight)

SCS for SB 826-Griesheimer
SB 1001-Griesheimer

SENATE BILLS FOR PERFECTION

SB 579-Shields, with SCS
 SB 587-Nodler and Cunningham, with SCS & SA 1 (pending)
 SB 596-Callahan, with SCS (pending)
 SB 606-Stouffer
 SBs 607, 602, 615 & 725-Stouffer, with SCS & SA 1 (pending)
 SB 639-Schmitt, with SCS & SS for SCS (pending)
 SB 643-Keaveny, with SCS, SS for SCS, SA 1 & SA 1 to SA 1 (pending)
 SB 698-Griesheimer, with SCS, SS for SCS & SA 1 (pending)
 SB 705-Griesheimer
 SB 738-Crowell, with SCS
 SB 747-Rupp, et al, with SA 1 (pending)
 SB 784-Schaefer and Pearce
 SB 792-Dempsey and Rupp, with SS (pending)
 SB 797-Green
 SB 810-Lager, with SCS
 SB 818-Lembke, with SCS (pending)
 SB 839-Wright-Jones, with SCS
 SB 852-Lager, et al, with SS, SA 1 & SSA 1 for SA 1 (pending)
 SB 868-Shields
 SB 878-Lembke, with SCS & SS for SCS (pending)

SBs 880, 780 & 836-Schaefer, with SCS, SS for SCS & SA 1 (pending)
 SBs 895, 813, 911, 924, 922 & 802-Dempsey, et al, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
 SB 896-Shields and Crowell, with SA 1 (pending)
 SB 905-Bray, et al, with SCS & SS for SCS (pending)
 SB 969-Keaveny, with SCS (pending)
 SB 999-Schaefer
 SB 1016-Mayer, with SCS
 SB 1017-Mayer, with SCS (pending)
 SB 1060-Bartle, with SCS
 SJR 22-Callahan
 SJR 25-Cunningham, et al, with SCS, SS#2 for SCS & SA 5 (pending)
 SJR 29-Purgason and Cunningham, with SCS & SS#2 for SCS (pending)
 SJR 31-Scott
 SJR 33-Bartle, with SA 1 (pending)
 SJR 34-Goodman, et al, with SA 1 (pending)
 SJR 38-Ridgeway
 SJR 40-Goodman, with SA 1 (pending)

HOUSE BILLS ON THIRD READING

SS#2 for HB 1268-Meiners (Justus)
 (In Fiscal Oversight)
 HB 1424-Franz, with SCS (pending)
 (McKenna)
 SS for SCS for HB 1442-Jones (89), et al
 (Nodler) (In Fiscal Oversight)

HCS#2 for HB 1472 (Schaefer)
 HB 2109-Ruzicka, with SCS (Lager)
 SS for SCS for HB 2111-Faith, et al (Stouffer)
 (In Fiscal Oversight)
 HCS for HJR 86, with SCS & SS for SCS
 (pending) (Stouffer)

CONSENT CALENDAR

House Bills

Reported 4/15

HB 1392-Kirkton, et al, with SCS (Bray)
HB 2056-Diehl (Bartle)
HB 1654-Zimmerman, et al (Goodman)

HB 2182-Munzlinger and Smith (150) (Clemens)
HB 1892-Nasheed, et al, with SCS (Cunningham)
HCS for HB 1858, with SCS (Shoemyer)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 2001, with SCS (Mayer)
HCS for HB 2002, with SS for SCS (Mayer)
HCS for HB 2003, with SS for SCS (Mayer)
HCS for HB 2004, with SCS (Mayer)
HCS for HB 2005, with SCS (Mayer)
HCS for HB 2006, with SCS (Mayer)
HCS for HB 2007, with SCS (Mayer)

HCS for HB 2008, with SCS (Mayer)
HCS for HB 2009, with SCS (Mayer)
HCS for HB 2010, with SCS (Mayer)
HCS for HB 2011, with SCS (Mayer)
HCS for HB 2012, with SCS (Mayer)
HCS for HB 2013, with SCS (Mayer)

RESOLUTIONS

Reported from Committee

SCR 42-Bray, with SCA 1
HCS for HCR 18, with SA 1 (pending) (Rupp)
SCR 46-Stouffer
HCR 38-Icet, et al, with SCA 1 (Lembke)
SCR 52-Lager

HCS for HCRs 34 & 35 (Schmitt)
SCR 56-Schmitt, et al
SCR 55-Nodler
SR 1744-Shields

To be Referred

HCR 70-Cunningham (145), et al

✓