

## CONFERENCE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

SENATE BILL NO. 881

## AN ACT

To repeal sections 21.795, 68.075, 70.370, 71.012, 71.015, 137.010, 137.016, 137.017, 226.770, 226.780, 227.240, 301.010, 301.020, 301.030, 301.055, 301.074, 301.075, 301.130, 301.140, 301.142, 301.145, 301.350, 302.170, 302.173, 304.005, 304.060, 304.180, 304.232, 307.175, and 307.350, RSMo, and to enact in lieu thereof thirty-one new sections relating to transportation, with penalty provisions.

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

1           Section A. Sections 21.795, 68.075, 70.370, 71.012, 71.015,  
2   137.010, 137.016, 137.017, 226.770, 226.780, 227.240, 301.010,  
3   301.020, 301.030, 301.055, 301.074, 301.075, 301.130, 301.140,  
4   301.142, 301.145, 301.350, 302.170, 302.173, 304.005, 304.060,  
5   304.180, 304.232, 307.175, and 307.350, RSMo, are repealed and  
6   thirty-one new sections enacted in lieu thereof, to be known as  
7   sections 21.795, 68.075, 70.370, 71.012, 71.015, 137.010,  
8   137.016, 137.017, 226.770, 226.780, 227.240, 227.601, 301.010,  
9   301.020, 301.030, 301.055, 301.074, 301.075, 301.130, 301.140,  
10   301.142, 301.145, 301.350, 302.170, 302.173, 304.005, 304.060,  
11   304.180, 304.232, 307.175, and 307.350, to read as follows:

21.795. 1. There is established a permanent joint committee of the general assembly to be known as the "Joint Committee on Transportation Oversight" to be composed of seven members of the standing transportation committees of both the senate and the house of representatives and three nonvoting ex officio members. Of the fourteen members to be appointed to the joint committee, the seven senate members of the joint committee shall be appointed by the president pro tem of the senate and minority leader of the senate and the seven house members shall be appointed by the speaker of the house of representatives and the minority floor leader of the house of representatives. The seven senate members shall be composed, as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the senate bears to the total membership of the senate. No major party shall be represented by more than four members from the house of representatives. The ex officio members shall be the state auditor, the director of the oversight division of the committee on legislative research, and the commissioner of the office of administration or the designee of such auditor, director or commissioner. The joint committee shall be chaired jointly by both chairs of the senate and house transportation committees. A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members, other than the ex officio members, shall be required for the determination of any matter within the committee's duties.

2. The department of transportation shall submit a written report prior to December thirty-first of each year to the

1 governor and the lieutenant governor. The report shall be posted  
2 to the department's internet website so that general assembly  
3 members may elect to access a copy of the report electronically.  
4 The written report shall contain the following:

5 (1) A comprehensive financial report of all funds for the  
6 preceding state fiscal year which shall include a report by  
7 independent certified public accountants, selected by the  
8 commissioner of the office of administration, attesting that the  
9 financial statements present fairly the financial position of the  
10 department in conformity with generally accepted government  
11 accounting principles[. This report shall include amounts of:

12 (a) State revenues by sources, including all new state  
13 revenue derived from highway users which results from action of  
14 the general assembly or voter-approved measures taken after  
15 August 28, 2003, and projects funded in whole or in part from  
16 such new state revenue, and amounts of federal revenues by  
17 source;

18 (b) Any other revenues available to the department by  
19 source;

20 (c) Funds appropriated, the amount the department has  
21 budgeted and expended for the following: contracts, right-of-way  
22 purchases, preliminary and construction engineering, maintenance  
23 operations and administration;

24 (d) Total state and federal revenue compared to the revenue  
25 estimate in the fifteen-year highway plan as adopted in 1992.  
26 All expenditures made by, or on behalf of, the department for  
27 personal services including fringe benefits, all categories of  
28 expense and equipment, real estate and capital improvements shall

1 be assigned to the categories listed in this subdivision in  
2 conformity with generally accepted government accounting  
3 principles;

4 (2) A detailed explanation of the methods or criteria  
5 employed to select construction projects, including a listing of  
6 any new or reprioritized projects not mentioned in a previous  
7 report, and an explanation as to how the new or reprioritized  
8 projects meet the selection methods or criteria;

9 (3) The proposed allocation and expenditure of moneys and  
10 the proposed work plan for the current fiscal year, at least the  
11 next four years, and for any period of time expressed in any  
12 public transportation plan approved by either the general  
13 assembly or by the voters of Missouri. This proposed allocation  
14 and expenditure of moneys shall include the amounts of proposed  
15 allocation and expenditure of moneys in each of the categories  
16 listed in subdivision (1) of this subsection;

17 (4) The amounts which were planned, estimated and expended  
18 for projects in the state highway and bridge construction program  
19 or any other projects relating to other modes of transportation  
20 in the preceding state fiscal year and amounts which have been  
21 planned, estimated or expended by project for construction work  
22 in progress;

23 (5) The current status as to completion, by project, of the  
24 fifteen-year road and bridge program adopted in 1992. The first  
25 written report submitted pursuant to this section shall include  
26 the original cost estimate, updated estimate and final completed  
27 cost by project. Each written report submitted thereafter shall  
28 include the cost estimate at the time the project was placed on

1 the most recent five-year highway and bridge construction plan  
2 and the final completed cost by project;

3 (6) The reasons for cost increases or decreases exceeding  
4 five million dollars or ten percent relative to cost estimates  
5 and final completed costs for projects in the state highway and  
6 bridge construction program or any other projects relating to  
7 other modes of transportation completed in the preceding state  
8 fiscal year. Cost increases or decreases shall be determined by  
9 comparing the cost estimate at the time the project was placed on  
10 the most recent five-year highway and bridge construction plan  
11 and the final completed cost by project. The reasons shall  
12 include the amounts resulting from inflation, department-wide  
13 design changes, changes in project scope, federal mandates, or  
14 other factors;

15 (7) Specific recommendations for any statutory or  
16 regulatory changes necessary for the efficient and effective  
17 operation of the department;

18 (8) An accounting of the total amount of state, federal and  
19 earmarked federal highway funds expended in each district of the  
20 department of transportation; and

21 (9) Any further information specifically requested by the  
22 joint committee on transportation oversight.];

23 (2) A copy of the department's most current and annual  
24 publication titled "Citizen's Guide to Transportation Funding in  
25 Missouri";

26 (3) A copy of the department's most current and annual  
27 publication titled "Financial Snapshot - An appendix to the  
28 Citizen's Guide to Transportation Funding in Missouri";

1       (4) A copy of the department's most current and annual  
2 publication titled "MoDOT Results: Accountability. Innovation.  
3 Efficiency.".

4       3. Prior to February fifteenth of each year, the committee  
5 shall hold an annual meeting and call before its members,  
6 officials or employees of the state highways and transportation  
7 commission or department of transportation, as determined by the  
8 committee, for the sole purpose of receiving and examining the  
9 report required pursuant to subsection 2 of this section. The  
10 committee shall not have the power to modify projects or  
11 priorities of the state highways and transportation commission or  
12 department of transportation. The committee may make  
13 recommendations to the state highways and transportation  
14 commission or the department of transportation. Disposition of  
15 those recommendations shall be reported by the commission or the  
16 department to the joint committee on transportation oversight.

17       4. In addition to the annual meeting required by subsection  
18 3 of this section, the committee shall meet two times each year.  
19 The co-chairs of the committee shall establish an agenda for each  
20 meeting that may include, but not be limited to, the following  
21 items to be discussed with the committee members throughout the  
22 year during the scheduled meeting:

23       (1) Presentation of a prioritized plan for all modes of  
24 transportation;

25       (2) Discussion of department efficiencies and expenditure  
26 of cost-savings within the department;

27       (3) Presentation of a status report on department of  
28 transportation revenues and expenditures, including a detailed

1 summary of projects funded by new state revenue as provided in  
2 paragraph (a) of subdivision (1) of subsection 2 of this section;  
3 and

4 (4) Implementation of any actions as may be deemed  
5 necessary by the committee as authorized by law. The co-chairs  
6 of the committee may call special meetings of the committee with  
7 ten days' notice to the members of the committee, the director of  
8 the department of transportation, and the department of  
9 transportation.

10 5. The committee shall also review all applications for the  
11 development of specialty plates submitted to it by the department  
12 of revenue. The committee shall approve such application by a  
13 majority vote. The committee shall approve any application  
14 unless the committee receives:

15 (1) A signed petition from five house members or two  
16 senators that they are opposed to the approval of the proposed  
17 license plate and the reason for such opposition;

18 (2) Notification that the organization seeking  
19 authorization to establish a new specialty license plate has not  
20 met all the requirements of section 301.3150;

21 (3) A proposed new specialty license plate containing  
22 objectionable language or design;

23 (4) A proposed license plate not meeting the requirements  
24 of any reason promulgated by rule.

25  
26 The committee shall notify the director of the department of  
27 revenue upon approval or denial of an application for the  
28 development of a specialty plate.

1           6. The committee shall submit records of its meetings to  
2 the secretary of the senate and the chief clerk of the house of  
3 representatives in accordance with sections 610.020 and 610.023.

4           68.075. 1. This section shall be known and may be cited as  
5 the "Advanced Industrial Manufacturing Zones Act".

6           2. As used in this section, the following terms shall mean:

7           (1) "AIM zone", an area identified through a resolution  
8 passed by the port authority board of commissioners appointed  
9 under section 68.045 that is being developed or redeveloped for  
10 any purpose so long as any infrastructure and building built or  
11 improved is in the development area. The port authority board of  
12 commissioners shall file an annual report indicating the  
13 established AIM zones with the department of revenue;

14           (2) "County average wage", the average wage in each county  
15 as determined by the Missouri department of economic development  
16 for the most recently completed full calendar year. However, if  
17 the computed county average wage is above the statewide average  
18 wage, the statewide average wage shall be deemed the county  
19 average wage for such county for the purpose of determining  
20 eligibility;

21           (3) "New job", the number of full-time employees located at  
22 the project facility that exceeds the project facility base  
23 employment less any decrease in the number of full-time employees  
24 at related facilities below the related facility base employment.  
25 No job that was created prior to the date of the notice of intent  
26 shall be deemed a new job. An employee that spends less than  
27 fifty percent of the employee's work time at the facility is  
28 still considered to be located at a facility if the employee



1 receives his or her directions and control from that facility, is  
2 on the facility's payroll, one hundred percent of the employee's  
3 income from such employment is Missouri income, and the employee  
4 is paid at or above the county average wage;

5 (4) "Related facility", a facility operated by a company or  
6 a related company prior to the establishment of the AIM zone in  
7 question located within any port district, as defined under  
8 section 68.015, which is directly related to the operations of  
9 the facility within the new AIM zone.

10 3. Any port authority located in this state may establish  
11 an AIM zone. Such zone may only include the area within the port  
12 authority's jurisdiction, ownership, or control, and may include  
13 any such area. The port authority shall determine the boundaries  
14 for each AIM zone, and more than one AIM zone may exist within  
15 the port authority's jurisdiction or under the port authority's  
16 ownership or control, and may be expanded or contracted by  
17 resolution of the port authority board of commissioners.

18 4. Fifty percent of the state tax withholdings imposed by  
19 sections 143.191 to 143.265 on new jobs within such zone after  
20 development or redevelopment has commenced shall not be remitted  
21 to the general revenue fund of the state of Missouri. Such  
22 moneys shall be deposited into the port authority AIM zone fund  
23 established under subsection 5 of this section for the purpose of  
24 continuing to expand, develop, and redevelop AIM zones identified  
25 by the port authority board of commissioners and may be used for  
26 managerial, engineering, legal, research, promotion, planning,  
27 satisfaction of bonds issued under section 68.040, and any other  
28 expenses.

1           5. There is hereby created in the state treasury the "Port  
2 Authority AIM Zone Fund", which shall consist of money collected  
3 under this section. The state treasurer shall be custodian of  
4 the fund and shall approve disbursements from the fund in  
5 accordance with sections 30.170 and 30.180 to the port  
6 authorities from which the funds were collected, less the pro-  
7 rata portion appropriated by the general assembly to be used  
8 solely for the administration of this section which shall not  
9 exceed ten percent of the total amount collected within the zones  
10 of a port authority. Notwithstanding the provisions of section  
11 33.080 to the contrary, any moneys remaining in the fund at the  
12 end of the biennium shall not revert to the credit of the general  
13 revenue fund. The state treasurer shall invest moneys in the  
14 fund in the same manner as other funds are invested. Any  
15 interest and moneys earned on such investments shall be credited  
16 to the fund.

17           6. The port authority shall approve any projects that begin  
18 construction and disperse any money collected under this section.  
19 The port authority shall submit an annual budget for the funds to  
20 the department of economic development explaining how and when  
21 such money will be spent.

22           7. The provision of section 23.253 notwithstanding, no AIM  
23 zone may be established after August 28, 2023. Any AIM zone  
24 created prior to that date shall continue to exist and be  
25 coterminous with the retirement of all debts incurred under  
26 subsection 4 of this section. No debts may be incurred or  
27 reauthorized using AIM zone revenue after August 28, 2023.

28           70.370. Within sixty days after this section becomes

1 effective, the governor by and with the advice and consent of the  
2 senate shall appoint three commissioners to enter into a compact  
3 on behalf of the state of Missouri with the state of Illinois.  
4 If the senate is not in session at the time for making any  
5 appointment, the governor shall make a temporary appointment as  
6 in case of a vacancy. Any two of the commissioners so appointed  
7 together with the attorney general of the state of Missouri may  
8 act to enter into the following compact:

9 COMPACT BETWEEN MISSOURI AND ILLINOIS  
10 CREATING THE BI-STATE DEVELOPMENT AGENCY  
11 AND THE BI-STATE METROPOLITAN DISTRICT

12 The states of Missouri and Illinois enter into the following  
13 agreement:

14 ARTICLE I

15 They agree to and pledge each to the other faithful  
16 cooperation in the future planning and development of the bi-  
17 state metropolitan district, holding in high trust for the  
18 benefit of its people and of the nation the special blessings and  
19 natural advantages thereof.

20 ARTICLE II

21 To that end the two states create a district to be known as  
22 the "Bi-State Metropolitan Development District" (herein referred  
23 to as "The District" ) which shall embrace the following  
24 territory: The City of St. Louis and the counties of St. Louis  
25 [and], St. Charles [and], Jefferson, and Franklin in Missouri[,]  
26 and the counties of Madison, St. Clair, and Monroe in Illinois.

27 ARTICLE III

28 There is created "The Bi-State Development Agency of the

1 Missouri-Illinois Metropolitan District" (herein referred to as  
2 "The Bi-State Agency" ) which shall be a body corporate and  
3 politic. The bi-state agency shall have the following powers:

4 (1) To plan, construct, maintain, own and operate bridges,  
5 tunnels, airports and terminal facilities and to plan and  
6 establish policies for sewage and drainage facilities;

7 (2) To make plans for submission to the communities  
8 involved for coordination of streets, highways, parkways, parking  
9 areas, terminals, water supply and sewage and disposal works,  
10 recreational and conservation facilities and projects, land use  
11 pattern and other matters in which joint or coordinated action of  
12 the communities within the areas will be generally beneficial;

13 (3) To charge and collect fees for use of the facilities  
14 owned and operated by it;

15 (4) To issue bonds upon the security of the revenues to be  
16 derived from such facilities; and, or upon any property held or  
17 to be held by it;

18 (5) To receive for its lawful activities any contributions  
19 or moneys appropriated by municipalities, counties, state or  
20 other political subdivisions or agencies; or by the federal  
21 government or any agency or officer thereof;

22 (6) To disburse funds for its lawful activities, and fix  
23 salaries and wages of its officers and employees;

24 (7) To perform all other necessary and incidental  
25 functions; and

26 (8) To exercise such additional powers as shall be  
27 conferred on it by the legislature of either state concurred in  
28 by the legislature of the other or by act of Congress.

1           No property now or hereafter vested in or held by either  
2     state, or by any county, city, borough, village, township or  
3     other political subdivision, shall be taken by the bi-state  
4     agency without the authority or consent of such state, county,  
5     city, borough, village, township or other political subdivision,  
6     nor shall anything herein impair or invalidate in any way any  
7     bonded indebtedness of such state, county, city, borough,  
8     village, township or other political subdivision, nor impair the  
9     provisions of law regulating the payment into sinking funds of  
10    revenues derived from municipal property, or dedicating the  
11    revenues derived from any municipal property to a specific  
12    purpose.

13           Unless and until otherwise provided, it shall make an annual  
14    report to the governor of each state, setting forth in detail the  
15    operations and transactions conducted by it pursuant to this  
16    agreement and any legislation thereunder.

17           Nothing contained in this compact shall impair the powers of  
18    any municipality to develop or improve terminal or other  
19    facilities.

20           The bi-state agency shall from time to time make plans for  
21    the development of the district; and when such plans are duly  
22    approved by the legislatures of the two states, they shall be  
23    binding upon both states with the same force and effect as if  
24    incorporated in this compact.

25           The bi-state agency may from time to time make  
26    recommendations to the legislatures of the two states or to the  
27    Congress of the United States, based upon study and analysis, for  
28    the improvement of transportation, terminal, and other facilities

1 in the district.

2 The bi-state agency may petition any interstate commerce  
3 commission (or like body), public service commission, public  
4 utilities commission (or like body), or any other federal,  
5 municipal, state or local authority, administrative, judicial or  
6 legislative, having jurisdiction in the premises, for the  
7 adoption and execution of any physical improvements, change in  
8 method, rate of transportation, system of handling freight,  
9 warehousing, docking, lightering, or transfer of freight, which,  
10 in the opinion of the bi-state agency, may be designed to improve  
11 or better the handling of commerce in and through the district,  
12 or improve terminal and transportation facilities therein. It  
13 may intervene in any proceeding affecting the commerce of the  
14 district.

#### 15 ARTICLE IV

16 The bi-state agency shall consist of ten commissioners, five  
17 of whom shall be resident voters of the state of Missouri and  
18 five of whom shall be resident voters of the state of Illinois.  
19 All commissioners shall reside within the bi-state district, the  
20 Missouri members to be chosen by the state of Missouri and the  
21 Illinois members by the state of Illinois in the manner and for  
22 the terms fixed by the legislature of each state except as herein  
23 provided.

#### 24 ARTICLE V

25 The bi-state agency shall elect from its number a chairman,  
26 a vice chairman, and may appoint such officers and employees as  
27 it may require for the performance of its duties, and shall fix  
28 and determine their qualifications and duties.

1           Until otherwise determined by the legislatures of the two  
2 states no action of the bi-state agency shall be binding unless  
3 taken at a meeting at which at least three members from each  
4 state are present, and unless a majority of the members from each  
5 state present at such meeting shall vote in favor thereof. Each  
6 state reserves the right hereafter to provide by law for the  
7 exercise of the veto power by the governor thereof over any  
8 action of any commissioner appointed therefrom.

9           Until otherwise determined by the action of the legislature  
10 of the two states, the bi-state agency shall not incur any  
11 obligations for salaries, office or other administrative  
12 expenses, prior to the making of appropriations adequate to meet  
13 the same.

14           The bi-state agency is hereby authorized to make suitable  
15 rules and regulations not inconsistent with the constitution or  
16 laws of the United States or of either state, or of any political  
17 subdivision thereof, and subject to the exercise of the power of  
18 Congress, for the improvement of the district, which when  
19 concurred in or authorized by the legislatures of both states,  
20 shall be binding and effective upon all persons and corporations  
21 affected thereby.

22           The two states shall provide penalties for violations of any  
23 order, rule or regulation of the bi-state agency, and for the  
24 manner of enforcing same.

## 25                           ARTICLE VI

26           The bi-state agency is authorized and directed to proceed  
27 with the development of the district in accordance with the  
28 articles of this compact as rapidly as may be economically

1 practicable and is vested with all necessary and appropriate  
2 powers not inconsistent with the constitution or the laws of the  
3 United States or of either state, to effectuate the same, except  
4 the power to levy taxes or assessments.

5 It shall render such advice, suggestion and assistance to  
6 all municipal officials as will permit all local and municipal  
7 improvements, so far as practicable, to fit in with the plan.

#### 8 ARTICLE VII

9 In witness thereof, we have hereunto set our hands and seals  
10 under authority vested in us by law.

11 (Signed)

12 In the presence of:

13 (Signed)

14 71.012. 1. Notwithstanding the provisions of sections  
15 71.015 and 71.860 to 71.920, the governing body of any city, town  
16 or village may annex unincorporated areas which are contiguous  
17 and compact to the existing corporate limits of the city, town or  
18 village pursuant to this section. The term "contiguous and  
19 compact" does not include a situation whereby the unincorporated  
20 area proposed to be annexed is contiguous to the annexing city,  
21 town or village only by a railroad line, trail, pipeline or other  
22 strip of real property less than one-quarter mile in width within  
23 the city, town or village so that the boundaries of the city,  
24 town or village after annexation would leave unincorporated areas  
25 between the annexed area and the prior boundaries of the city,  
26 town or village connected only by such railroad line, trail,  
27 pipeline or other such strip of real property. The term  
28 "contiguous and compact" shall include a situation whereby the



1 unincorporated area proposed to be annexed would be contiguous  
2 and compact to the existing corporate limits of the city, town,  
3 or village but for an intervening state highway or interstate  
4 highway as defined in section 304.001, or railroad right-of-way,  
5 regardless of whether any other city, town, or village has  
6 annexed such state or interstate highway or railroad right-of-way  
7 or otherwise has an easement in such state or interstate highway  
8 or railroad right-of-way. The term contiguous and compact does  
9 not prohibit voluntary annexations pursuant to this section  
10 merely because such voluntary annexation would create an island  
11 of unincorporated area within the city, town or village, so long  
12 as the owners of the unincorporated island were also given the  
13 opportunity to voluntarily annex into the city, town or village.  
14 Notwithstanding the provisions of this section, the governing  
15 body of any city, town or village in any county of the third  
16 classification which borders a county of the fourth  
17 classification, a county of the second classification and the  
18 Mississippi River may annex areas along a road or highway up to  
19 two miles from existing boundaries of the city, town or village  
20 or the governing body in any city, town or village in any county  
21 of the third classification without a township form of government  
22 with a population of at least twenty-four thousand inhabitants  
23 but not more than thirty thousand inhabitants and such county  
24 contains a state correctional center may voluntarily annex such  
25 correctional center pursuant to the provisions of this section if  
26 the correctional center is along a road or highway within two  
27 miles from the existing boundaries of the city, town or village.

28       2. (1) When a notarized petition, requesting annexation

1 and signed by the owners of all fee interests of record in all  
2 tracts of real property located within the area proposed to be  
3 annexed, or a request for annexation signed under the authority  
4 of the governing body of any common interest community and  
5 approved by a majority vote of unit owners located within the  
6 area proposed to be annexed is presented to the governing body of  
7 the city, town or village, the governing body shall hold a public  
8 hearing concerning the matter not less than fourteen nor more  
9 than sixty days after the petition is received, and the hearing  
10 shall be held not less than seven days after notice of the  
11 hearing is published in a newspaper of general circulation  
12 qualified to publish legal matters and located within the  
13 boundary of the petitioned city, town or village. If no such  
14 newspaper exists within the boundary of such city, town or  
15 village, then the notice shall be published in the qualified  
16 newspaper nearest the petitioned city, town or village. For the  
17 purposes of this subdivision, the term "common-interest  
18 community" shall mean a condominium as said term is used in  
19 chapter 448, or a common-interest community, a cooperative, or a  
20 planned community.

21 (a) A "common-interest community" shall be defined as real  
22 property with respect to which a person, by virtue of such  
23 person's ownership of a unit, is obliged to pay for real property  
24 taxes, insurance premiums, maintenance or improvement of other  
25 real property described in a declaration. "Ownership of a unit"  
26 does not include a leasehold interest of less than twenty years  
27 in a unit, including renewal options;

28 (b) A "cooperative" shall be defined as a common-interest

1 community in which the real property is owned by an association,  
2 each of whose members is entitled by virtue of such member's  
3 ownership interest in the association to exclusive possession of  
4 a unit;

5 (c) A "planned community" shall be defined as a  
6 common-interest community that is not a condominium or a  
7 cooperative. A condominium or cooperative may be part of a  
8 planned community.

9 (2) At the public hearing any interested person,  
10 corporation or political subdivision may present evidence  
11 regarding the proposed annexation. If, after holding the  
12 hearing, the governing body of the city, town or village  
13 determines that the annexation is reasonable and necessary to the  
14 proper development of the city, town or village, and the city,  
15 town or village has the ability to furnish normal municipal  
16 services to the area to be annexed within a reasonable time, it  
17 may, subject to the provisions of subdivision (3) of this  
18 subsection, annex the territory by ordinance without further  
19 action.

20 (3) If a written objection to the proposed annexation is  
21 filed with the governing body of the city, town or village not  
22 later than fourteen days after the public hearing by at least  
23 five percent of the qualified voters of the city, town or  
24 village, or two qualified voters of the area sought to be annexed  
25 if the same contains two qualified voters, the provisions of  
26 sections 71.015 and 71.860 to 71.920, shall be followed.

27 3. If no objection is filed, the city, town or village  
28 shall extend its limits by ordinance to include such territory,

1 specifying with accuracy the new boundary lines to which the  
2 city's, town's or village's limits are extended. Upon duly  
3 enacting such annexation ordinance, the city, town or village  
4 shall cause three certified copies of the same to be filed with  
5 the county assessor and the clerk of the county wherein the city,  
6 town or village is located, and one certified copy to be filed  
7 with the election authority, if different from the clerk of the  
8 county which has jurisdiction over the area being annexed,  
9 whereupon the annexation shall be complete and final and  
10 thereafter all courts of this state shall take judicial notice of  
11 the limits of that city, town or village as so extended.

12 4. That a petition requesting annexation is not or was not  
13 verified or notarized shall not affect the validity of an  
14 annexation heretofore or hereafter undertaken in accordance with  
15 this section.

16 5. Any action of any kind seeking to deannex from any city,  
17 town, or village any area annexed under this section, or seeking  
18 in any way to reverse, invalidate, set aside, or otherwise  
19 challenge such annexation or oust such city, town, or village  
20 from jurisdiction over such annexed area shall be brought within  
21 five years of the date of adoption of the annexation ordinance.

22 71.015. 1. Should any city, town, or village, not located  
23 in any county of the first classification which has adopted a  
24 constitutional charter for its own local government, seek to  
25 annex an area to which objection is made, the following shall be  
26 satisfied:

27 (1) Before the governing body of any city, town, or village  
28 has adopted a resolution to annex any unincorporated area of

1 land, such city, town, or village shall first as a condition  
2 precedent determine that:

3 (a) The land to be annexed is contiguous to the existing  
4 city, town, or village limits and that the length of the  
5 contiguous boundary common to the existing city, town, or village  
6 limit and the proposed area to be annexed is at least fifteen  
7 percent of the length of the perimeter of the area proposed for  
8 annexation; or

9 (b) The land to be annexed would be contiguous and compact  
10 to the existing city, town, or village limits but for an  
11 intervening state highway or interstate highway as defined in  
12 section 304.001, or railroad right-of-way, and the shared border  
13 of the land to be annexed and existing city, town, or village  
14 composes at least fifteen percent of the total perimeter of the  
15 land to be annexed. For purposes of calculating the length of  
16 such border under this paragraph, the border between the land to  
17 be annexed and the existing city, town, or village shall be  
18 deemed to be:

19 a. If an intervening state highway or interstate highway,  
20 the centerline; or

21 b. If a railroad right-of-way, the midpoint between the  
22 outermost rails if there are rails or the best estimate of the  
23 middle of the right-of-way if there are no rails.

24 (2) The governing body of any city, town, or village shall  
25 propose an ordinance setting forth the following:

26 (a) The area to be annexed and affirmatively stating that  
27 the boundaries comply with the condition precedent referred to in  
28 subdivision (1) above;

1           (b) That such annexation is reasonable and necessary to the  
2 proper development of the city, town, or village;

3           (c) That the city has developed a plan of intent to provide  
4 services to the area proposed for annexation;

5           (d) That a public hearing shall be held prior to the  
6 adoption of the ordinance;

7           (e) When the annexation is proposed to be effective, the  
8 effective date being up to thirty-six months from the date of any  
9 election held in conjunction thereto.

10          (3) The city, town, or village shall fix a date for a  
11 public hearing on the ordinance and make a good faith effort to  
12 notify all fee owners of record within the area proposed to be  
13 annexed by certified mail, not less than thirty nor more than  
14 sixty days before the hearing, and notify all residents of the  
15 area by publication of notice in a newspaper of general  
16 circulation qualified to publish legal matters in the county or  
17 counties where the proposed area is located, at least once a week  
18 for three consecutive weeks prior to the hearing, with at least  
19 one such notice being not more than twenty days and not less than  
20 ten days before the hearing.

21          (4) At the hearing referred to in subdivision (3), the  
22 city, town, or village shall present the plan of intent and  
23 evidence in support thereof to include:

24           (a) A list of major services presently provided by the  
25 city, town, or village including, but not limited to, police and  
26 fire protection, water and sewer systems, street maintenance,  
27 parks and recreation, and refuse collection;

28           (b) A proposed time schedule whereby the city, town, or

1 village plans to provide such services to the residents of the  
2 proposed area to be annexed within three years from the date the  
3 annexation is to become effective;

4 (c) The level at which the city, town, or village assesses  
5 property and the rate at which it taxes that property;

6 (d) How the city, town, or village proposes to zone the  
7 area to be annexed;

8 (e) When the proposed annexation shall become effective.

9 (5) Following the hearing, and either before or after the  
10 election held in subdivision (6) of this subsection, should the  
11 governing body of the city, town, or village vote favorably by  
12 ordinance to annex the area, the governing body of the city, town  
13 or village shall file an action in the circuit court of the  
14 county in which such unincorporated area is situated, under the  
15 provisions of chapter 527, praying for a declaratory judgment  
16 authorizing such annexation. The petition in such action shall  
17 state facts showing:

18 (a) The area to be annexed and its conformity with the  
19 condition precedent referred to in subdivision (1) of this  
20 subsection;

21 (b) That such annexation is reasonable and necessary to the  
22 proper development of the city, town, or village; and

23 (c) The ability of the city, town, or village to furnish  
24 normal municipal services of the city, town, or village to the  
25 unincorporated area within a reasonable time not to exceed three  
26 years after the annexation is to become effective. Such action  
27 shall be a class action against the inhabitants of such  
28 unincorporated area under the provisions of section 507.070.

1           (6) Except as provided in subsection 3 of this section, if  
2 the court authorizes the city, town, or village to make an  
3 annexation, the legislative body of such city, town, or village  
4 shall not have the power to extend the limits of the city, town,  
5 or village by such annexation until an election is held at which  
6 the proposition for annexation is approved by a majority of the  
7 total votes cast in the city, town, or village and by a separate  
8 majority of the total votes cast in the unincorporated territory  
9 sought to be annexed. However, should less than a majority of  
10 the total votes cast in the area proposed to be annexed vote in  
11 favor of the proposal, but at least a majority of the total votes  
12 cast in the city, town, or village vote in favor of the proposal,  
13 then the proposal shall again be voted upon in not more than one  
14 hundred twenty days by both the registered voters of the city,  
15 town, or village and the registered voters of the area proposed  
16 to be annexed. If at least two-thirds of the qualified electors  
17 voting thereon are in favor of the annexation, then the city,  
18 town, or village may proceed to annex the territory. If the  
19 proposal fails to receive the necessary majority, no part of the  
20 area sought to be annexed may be the subject of another proposal  
21 to annex for a period of two years from the date of the election,  
22 except that, during the two-year period, the owners of all fee  
23 interests of record in the area or any portion of the area may  
24 petition the city, town, or village for the annexation of the  
25 land owned by them pursuant to the procedures in section 71.012.  
26 The elections shall if authorized be held, except as herein  
27 otherwise provided, in accordance with the general state law  
28 governing special elections, and the entire cost of the election



1 or elections shall be paid by the city, town, or village  
2 proposing to annex the territory.

3 (7) Failure to comply in providing services to the said  
4 area or to zone in compliance with the plan of intent within  
5 three years after the effective date of the annexation, unless  
6 compliance is made unreasonable by an act of God, shall give rise  
7 to a cause of action for deannexation which may be filed in the  
8 circuit court by any resident of the area who was residing in the  
9 area at the time the annexation became effective.

10 (8) No city, town, or village which has filed an action  
11 under this section as this section read prior to May 13, 1980,  
12 which action is part of an annexation proceeding pending on May  
13 13, 1980, shall be required to comply with subdivision (5) of  
14 this subsection in regard to such annexation proceeding.

15 (9) If the area proposed for annexation includes a public  
16 road or highway but does not include all of the land adjoining  
17 such road or highway, then such fee owners of record, of the  
18 lands adjoining said highway shall be permitted to intervene in  
19 the declaratory judgment action described in subdivision (5) of  
20 this subsection.

21 2. Notwithstanding any provision of subsection 1 of this  
22 section, for any annexation by any city with a population of  
23 three hundred fifty thousand or more inhabitants which is located  
24 in more than one county that becomes effective after August 28,  
25 1994, if such city has not provided water and sewer service to  
26 such annexed area within three years of the effective date of the  
27 annexation, a cause of action shall lie for deannexation, unless  
28 the failure to provide such water and sewer service to the

1 annexed area is made unreasonable by an act of God. The cause of  
2 action for deannexation may be filed in the circuit court by any  
3 resident of the annexed area who is presently residing in the  
4 area at the time of the filing of the suit and was a resident of  
5 the annexed area at the time the annexation became effective. If  
6 the suit for deannexation is successful, the city shall be liable  
7 for all court costs and attorney fees.

8 3. Notwithstanding the provisions of subdivision (6) of  
9 subsection 1 of this section, all cities, towns, and villages  
10 located in any county of the first classification with a charter  
11 form of government with a population of two hundred thousand or  
12 more inhabitants which adjoins a county with a population of nine  
13 hundred thousand or more inhabitants shall comply with the  
14 provisions of this subsection. If the court authorizes any city,  
15 town, or village subject to this subsection to make an  
16 annexation, the legislative body of such city, town or village  
17 shall not have the power to extend the limits of such city, town,  
18 or village by such annexation until an election is held at which  
19 the proposition for annexation is approved by a majority of the  
20 total votes cast in such city, town, or village and by a separate  
21 majority of the total votes cast in the unincorporated territory  
22 sought to be annexed; except that:

23 (1) In the case of a proposed annexation in any area which  
24 is contiguous to the existing city, town or village and which is  
25 within an area designated as flood plain by the Federal Emergency  
26 Management Agency and which is inhabited by no more than thirty  
27 registered voters and for which a final declaratory judgment has  
28 been granted prior to January 1, 1993, approving such annexation

1 and where notarized affidavits expressing approval of the  
2 proposed annexation are obtained from a majority of the  
3 registered voters residing in the area to be annexed, the area  
4 may be annexed by an ordinance duly enacted by the governing body  
5 and no elections shall be required; and

6 (2) In the case of a proposed annexation of unincorporated  
7 territory in which no qualified electors reside, if at least a  
8 majority of the qualified electors voting on the proposition are  
9 in favor of the annexation, the city, town or village may proceed  
10 to annex the territory and no subsequent election shall be  
11 required.

12  
13 If the proposal fails to receive the necessary separate  
14 majorities, no part of the area sought to be annexed may be the  
15 subject of any other proposal to annex for a period of two years  
16 from the date of such election, except that, during the two-year  
17 period, the owners of all fee interests of record in the area or  
18 any portion of the area may petition the city, town, or village  
19 for the annexation of the land owned by them pursuant to the  
20 procedures in section 71.012 or 71.014. The election shall, if  
21 authorized, be held, except as otherwise provided in this  
22 section, in accordance with the general state laws governing  
23 special elections, and the entire cost of the election or  
24 elections shall be paid by the city, town, or village proposing  
25 to annex the territory. Failure of the city, town or village to  
26 comply in providing services to the area or to zone in compliance  
27 with the plan of intent within three years after the effective  
28 date of the annexation, unless compliance is made unreasonable by

1 an act of God, shall give rise to a cause of action for  
2 deannexation which may be filed in the circuit court not later  
3 than four years after the effective date of the annexation by any  
4 resident of the area who was residing in such area at the time  
5 the annexation became effective or by any nonresident owner of  
6 real property in such area.

7 4. Except for a cause of action for deannexation under  
8 subdivision (2) of subsection 3 of this section, any action of  
9 any kind seeking to deannex from any city, town, or village any  
10 area annexed under this section, or seeking in any way to  
11 reverse, invalidate, set aside, or otherwise challenge such  
12 annexation or oust such city, town, or village from jurisdiction  
13 over such annexed area shall be brought within five years of the  
14 date of the adoption of the annexation ordinance.

15 137.010. The following words, terms and phrases when used  
16 in laws governing taxation and revenue in the state of Missouri  
17 shall have the meanings ascribed to them in this section, except  
18 when the context clearly indicates a different meaning:

19 (1) "Grain and other agricultural crops in an  
20 unmanufactured condition" shall mean grains and feeds including,  
21 but not limited to, soybeans, cow peas, wheat, corn, oats,  
22 barley, kafir, rye, flax, grain sorghums, cotton, and such other  
23 products as are usually stored in grain and other elevators and  
24 on farms; but excluding such grains and other agricultural crops  
25 after being processed into products of such processing, when  
26 packaged or sacked. The term "processing" shall not include  
27 hulling, cleaning, drying, grating, or polishing;

28 (2) "Hydroelectric power generating equipment", very-low-

1 head turbine generators with a nameplate generating capacity of  
2 at least four hundred kilowatts but not more than six hundred  
3 kilowatts and machinery and equipment used directly in the  
4 production, generation, conversion, storage, or conveyance of  
5 hydroelectric power to land-based devices and appurtenances used  
6 in the transmission of electrical energy;

7 (3) "Intangible personal property", for the purpose of  
8 taxation, shall include all property other than real property and  
9 tangible personal property, as defined by this section;

10 (4) "Real property" includes land itself, whether laid out  
11 in town lots or otherwise, and all growing crops, buildings,  
12 structures, improvements and fixtures of whatever kind thereon,  
13 hydroelectric power generating equipment, the installed poles  
14 used in the transmission or reception of electrical energy, audio  
15 signals, video signals or similar purposes, provided the owner of  
16 such installed poles is also an owner of a fee simple interest,  
17 possessor of an easement, holder of a license or franchise, or is  
18 the beneficiary of a right-of-way dedicated for public utility  
19 purposes for the underlying land; attached wires, transformers,  
20 amplifiers, substations, and other such devices and appurtenances  
21 used in the transmission or reception of electrical energy, audio  
22 signals, video signals or similar purposes when owned by the  
23 owner of the installed poles, otherwise such items are considered  
24 personal property; and stationary property used for  
25 transportation or storage of liquid and gaseous products,  
26 including, but not limited to, petroleum products, natural gas,  
27 propane or LP gas equipment, water, and sewage;

28 (5) "Reliever airport", any land and improvements,

1 exclusive of structures, on privately owned airports that qualify  
2 as reliever airports under the National Plan of Integrated  
3 Airport Systems that may receive federal airport improvement  
4 project funds through the Federal Aviation Administration;

5 (6) "Tangible personal property" includes every tangible  
6 thing being the subject of ownership or part ownership whether  
7 animate or inanimate, other than money, and not forming part or  
8 parcel of real property as herein defined, but does not include  
9 household goods, furniture, wearing apparel and articles of  
10 personal use and adornment, as defined by the state tax  
11 commission, owned and used by a person in his home or dwelling  
12 place.

13 137.016. 1. As used in Section 4(b) of Article X of the  
14 Missouri Constitution, the following terms mean:

15 (1) "Residential property", all real property improved by a  
16 structure which is used or intended to be used for residential  
17 living by human occupants, vacant land in connection with an  
18 airport, land used as a golf course, manufactured home parks, bed  
19 and breakfast inns in which the owner resides and uses as a  
20 primary residence with six or fewer rooms for rent, and time-  
21 share units as defined in section 407.600, except to the extent  
22 such units are actually rented and subject to sales tax under  
23 subdivision (6) of subsection 1 of section 144.020, but  
24 residential property shall not include other similar facilities  
25 used primarily for transient housing. For the purposes of this  
26 section, "transient housing" means all rooms available for rent  
27 or lease for which the receipts from the rent or lease of such  
28 rooms are subject to state sales tax pursuant to subdivision (6)

1 of subsection 1 of section 144.020;

2 (2) "Agricultural and horticultural property", all real  
3 property used for agricultural purposes and devoted primarily to  
4 the raising and harvesting of crops; to the feeding, breeding and  
5 management of livestock which shall include breeding, showing,  
6 and boarding of horses; to dairying, or to any other combination  
7 thereof; and buildings and structures customarily associated with  
8 farming, agricultural, and horticultural uses. Agricultural and  
9 horticultural property shall also include land devoted to and  
10 qualifying for payments or other compensation under a soil  
11 conservation or agricultural assistance program under an  
12 agreement with an agency of the federal government. Agricultural  
13 and horticultural property shall further include [land and  
14 improvements, exclusive of structures, on privately owned  
15 airports that qualify as reliever airports under the National  
16 Plan of Integrated Airports System, to receive federal airport  
17 improvement project funds through the Federal Aviation  
18 Administration] any reliever airport. Real property classified  
19 as forest croplands shall not be agricultural or horticultural  
20 property so long as it is classified as forest croplands and  
21 shall be taxed in accordance with the laws enacted to implement  
22 Section 7 of Article X of the Missouri Constitution.  
23 Agricultural and horticultural property shall also include any  
24 sawmill or planing mill defined in the U.S. Department of Labor's  
25 Standard Industrial Classification (SIC) Manual under Industry  
26 Group 242 with the SIC number 2421;

27 (3) "Utility, industrial, commercial, railroad and other  
28 real property", all real property used directly or indirectly for

1 any commercial, mining, industrial, manufacturing, trade,  
2 professional, business, or similar purpose, including all  
3 property centrally assessed by the state tax commission but shall  
4 not include floating docks, portions of which are separately  
5 owned and the remainder of which is designated for common  
6 ownership and in which no one person or business entity owns more  
7 than five individual units. All other real property not included  
8 in the property listed in subclasses (1) and (2) of Section 4(b)  
9 of Article X of the Missouri Constitution, as such property is  
10 defined in this section, shall be deemed to be included in the  
11 term "utility, industrial, commercial, railroad and other real  
12 property".

13 2. Pursuant to Article X of the state constitution, any  
14 taxing district may adjust its operating levy to recoup any loss  
15 of property tax revenue, except revenues from the surtax imposed  
16 pursuant to Article X, Subsection 2 of Section 6 of the  
17 constitution, as the result of changing the classification of  
18 structures intended to be used for residential living by human  
19 occupants which contain five or more dwelling units if such  
20 adjustment of the levy does not exceed the highest tax rate in  
21 effect subsequent to the 1980 tax year. For purposes of this  
22 section, loss in revenue shall include the difference between the  
23 revenue that would have been collected on such property under its  
24 classification prior to enactment of this section and the amount  
25 to be collected under its classification under this section. The  
26 county assessor of each county or city not within a county shall  
27 provide information to each taxing district within its boundaries  
28 regarding the difference in assessed valuation of such property



1 as the result of such change in classification.

2 3. All reclassification of property as the result of  
3 changing the classification of structures intended to be used for  
4 residential living by human occupants which contain five or more  
5 dwelling units shall apply to assessments made after December 31,  
6 1994.

7 4. Where real property is used or held for use for more  
8 than one purpose and such uses result in different  
9 classifications, the county assessor shall allocate to each  
10 classification the percentage of the true value in money of the  
11 property devoted to each use; except that, where agricultural and  
12 horticultural property, as defined in this section, also contains  
13 a dwelling unit or units, the farm dwelling, appurtenant  
14 residential-related structures and up to five acres immediately  
15 surrounding such farm dwelling shall be residential property, as  
16 defined in this section. This subsection shall not apply to any  
17 reliever airport.

18 5. All real property which is vacant, unused, or held for  
19 future use; which is used for a private club, a not-for-profit or  
20 other nonexempt lodge, club, business, trade, service  
21 organization, or similar entity; or for which a determination as  
22 to its classification cannot be made under the definitions set  
23 out in subsection 1 of this section, shall be classified  
24 according to its immediate most suitable economic use, which use  
25 shall be determined after consideration of:

- 26 (1) Immediate prior use, if any, of such property;  
27 (2) Location of such property;  
28 (3) Zoning classification of such property; except that,

1 such zoning classification shall not be considered conclusive if,  
2 upon consideration of all factors, it is determined that such  
3 zoning classification does not reflect the immediate most  
4 suitable economic use of the property;

5 (4) Other legal restrictions on the use of such property;

6 (5) Availability of water, electricity, gas, sewers, street  
7 lighting, and other public services for such property;

8 (6) Size of such property;

9 (7) Access of such property to public thoroughfares; and

10 (8) Any other factors relevant to a determination of the  
11 immediate most suitable economic use of such property.

12 6. All lands classified as forest croplands shall not, for  
13 taxation purposes, be classified as subclass (1), subclass (2),  
14 or subclass (3) real property, as such classes are prescribed in  
15 Section 4(b) of Article X of the Missouri Constitution and  
16 defined in this section, but shall be taxed in accordance with  
17 the laws enacted to implement Section 7 of Article X of the  
18 Missouri Constitution.

19 137.017. 1. For general property assessment purposes, the  
20 true value in money of land which is in use as agricultural and  
21 horticultural property, as defined in section 137.016, shall be  
22 that value which such land has for agricultural or horticultural  
23 use. The true value of buildings or other structures customarily  
24 associated with farming, agricultural, and horticultural uses,  
25 excluding residential dwellings and related land, shall be added  
26 to the use value of the agricultural and horticultural land to  
27 determine the value of the agricultural and horticultural  
28 property under sections 137.017 to 137.021.

1           2. After it has been established that the land is actually  
2 agricultural and horticultural property, as defined in section  
3 137.016, and is being valued and assessed accordingly, the land  
4 shall remain in this category as long as the owner of the land  
5 complies with the provisions of sections 137.017 to 137.021.

6           3. Continuance of valuation and assessment for general  
7 property taxation under the provisions of sections 137.017 to  
8 137.021 shall depend upon continuance of the land being used as  
9 agricultural and horticultural property, as defined in section  
10 137.016, and compliance with the other requirements of sections  
11 137.017 to 137.021 and not upon continuance in the same owner of  
12 title to the land.

13           4. For general property assessment purposes, the true value  
14 in money of vacant and unused land which is classified as  
15 agricultural and horticultural property under subsection 3 of  
16 section 137.016 shall be its fair market value. This subsection  
17 shall not apply to any reliever airport.

18           5. For general property assessment purposes, the true value  
19 in money of a reliever airport shall be that value which such  
20 land has for agricultural or horticultural use.

21           226.770. The state highways and transportation commission  
22 is authorized to enter into any necessary agreements[, not  
23 involving any state funds,] with the Secretary of Commerce or  
24 other public agency necessary to obtaining of available funds for  
25 the purposes described in Title 23, Sections 136 and 319, of the  
26 United States Code, as revised in 1965.

27           226.780. For the purposes set out in [sections 226.750 to]  
28 section 226.790, no state funds shall be expended and all

expenditures under such sections shall be limited to funds granted to the state by the federal government for such purposes.

227.240. 1. The location and removal of all telephone, cable television, and electric light and power transmission lines, poles, wires, and conduits and all pipelines and tramways, erected or constructed, or hereafter to be erected or constructed by any corporation, municipality, public water supply district, sewer district, association or persons, within the right-of-way of any state highway, insofar as the public travel and traffic is concerned, and insofar as the same may interfere with the construction or maintenance of any such highway, shall be under the control and supervision of the state highways and transportation commission.

2. A cable television corporation or company shall be permitted to place its lines within the right-of-way of any state highway, consistent with the rules and regulations of the state highways and transportation commission. The state highways and transportation commission shall establish a system for receiving and resolving complaints with respect to cable television lines placed in, or removed from, the right-of-way of a state highway.

3. The department of transportation utility corridor established for the placement of utility facilities on the right-of-way of highways in the state highway system shall be up to twelve feet in width when space is reasonably available, with the location of the utility corridor to be determined by the state highways and transportation commission. The commission shall promulgate rules setting forth a standardized statewide system for requesting and issuing variances to requirements set forth in

1    this section.

2        4. The commission or some officer selected by the  
3    commission shall serve a written notice upon the entity, person  
4    or corporation owning or maintaining any such lines, poles,  
5    wires, conduits, pipelines, or tramways, which notice shall  
6    contain a plan or chart indicating the places on the right-of-way  
7    at which such lines, poles, wires, conduits, pipelines or  
8    tramways may be maintained. The notice shall also state the time  
9    when the work of hard surfacing said roads is proposed to  
10   commence, and shall further state that a hearing shall be had  
11   upon the proposed plan of location and matters incidental  
12   thereto, giving the place and date of such hearing. Immediately  
13   after such hearing the said owner shall be given a notice of the  
14   findings and orders of the commission and shall be given a  
15   reasonable time thereafter to comply therewith; provided,  
16   however, that the effect of any change ordered by the commission  
17   shall not be to remove all or any part of such lines, poles,  
18   wires, conduits, pipelines or tramways from the right-of-way of  
19   the highway. The removal of the same shall be made at the cost  
20   and expense of the owners thereof unless otherwise provided by  
21   said commission, and in the event of the failure of such owners  
22   to remove the same at the time so determined they may be removed  
23   by the state highways and transportation commission, or under its  
24   direction, and the cost thereof collected from such owners, and  
25   such owners shall not be liable in any way to any person for the  
26   placing and maintaining of such lines, poles, wires, conduits,  
27   pipelines and tramways at the places prescribed by the  
28   commission.

1           [4.] 5. The commission is authorized in the name of the  
2 state of Missouri to institute and maintain, through the attorney  
3 general, such suits and actions as may be necessary to enforce  
4 the provisions of this section. Any corporation, association or  
5 the officers or agents of such corporations or associations, or  
6 any other person who shall erect or maintain any such lines,  
7 poles, wires, conduits, pipelines or tramways, within the  
8 right-of-way of such roads which are hard-surfaced, which are not  
9 in accordance with such orders of the commission, shall be deemed  
10 guilty of a misdemeanor.

11           227.601. 1. Notwithstanding any provision of sections  
12 227.600 to 227.669 to the contrary, the process and approval for  
13 concession agreements to build, maintain, operate, or finance  
14 projects owned by a political subdivision shall be approved by  
15 the governing body of such political subdivision and shall not be  
16 subject to approval by the commission. Notwithstanding the  
17 provisions of subsection 5 of this section, the sale or  
18 conveyance of any project owned by a political subdivision shall  
19 be subject to voter approval if required by law.

20           2. As used in this section, the following terms shall mean:

21           (1) "Competitive bidding process", a request for proposal  
22 for the financing, development, or operation of the project,  
23 including any deadline for submission of such proposals, and  
24 notice of the request, which shall be published once a week for  
25 two consecutive weeks in:

26           (a) A newspaper of general circulation in the city where  
27 the proposed project is located;

28           (b) At least one construction industry trade publication

1 that is nationally distributed; and

2 (c) Such other publications or manner as the governing body  
3 of the political subdivision may determine;

4 (2) "Concession agreement", a license or lease between a  
5 private partner and a political subdivision for the development,  
6 finance, operation, or maintenance of a project, as such term is  
7 defined in section 227.600.

8 3. Notwithstanding any provision of law to the contrary,  
9 political subdivisions may enter into concession agreements,  
10 provided that:

11 (1) The term of the concession agreement shall be for a  
12 term not exceeding thirty years;

13 (2) The political subdivision shall retain oversight of  
14 operations of any such project;

15 (3) The political subdivision shall retain oversight of  
16 rate setting methodology;

17 (4) The political subdivision shall have the right to  
18 terminate the agreement if the private partner does not comply  
19 with the concession agreement; and

20 (5) The concession agreement is supported by a preliminary  
21 engineering and financial feasibility study, including an  
22 estimate of the costs of the project and the rate impact on  
23 customers during the life of the agreement.

24 4. The commission shall not be required to oversee, or  
25 issue an annual report under section 227.669 for, projects  
26 approved by political subdivisions, provided that any political  
27 subdivision entering into a concession agreement shall use a  
28 public-private partnership framework that shall include a

1 competitive bidding process.

2 5. Except as provided in subsection 1 of this section, the  
3 provisions of sections 71.530, 71.550, 78.190, 78.630, 81.190,  
4 88.251, 88.633, 88.770, 88.773, 91.550, and 91.600 shall not  
5 apply to concession agreements that are approved as provided in  
6 this section.

7 6. Nothing in this section or chapter shall be construed to  
8 authorize or implement the design or construction of toll roads  
9 or bridges.

10 301.010. As used in this chapter and sections 304.010 to  
11 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the  
12 following terms mean:

13 (1) "All-terrain vehicle", any motorized vehicle  
14 manufactured and used exclusively for off-highway use which is  
15 fifty inches or less in width, with an unladen dry weight of one  
16 thousand five hundred pounds or less, traveling on three, four or  
17 more nonhighway tires;

18 (2) "Autocycle", a three-wheeled motor vehicle which the  
19 drivers and passengers ride in a partially or completely enclosed  
20 nonstraddle seating area, that is designed to be controlled with  
21 a steering wheel and pedals, and that has met applicable  
22 Department of Transportation National Highway Traffic Safety  
23 Administration requirements or federal motorcycle safety  
24 standards;

25 (3) "Automobile transporter", any vehicle combination  
26 capable of carrying cargo on the power unit and designed and used  
27 for the transport of assembled motor vehicles, including truck  
28 camper units;



1            [(3)] (4) "Axle load", the total load transmitted to the  
2 road by all wheels whose centers are included between two  
3 parallel transverse vertical planes forty inches apart, extending  
4 across the full width of the vehicle;

5            [(4)] (5) "Backhaul", the return trip of a vehicle  
6 transporting cargo or general freight, especially when carrying  
7 goods back over all or part of the same route;

8            [(5)] (6) "Boat transporter", any vehicle combination  
9 capable of carrying cargo on the power unit and designed and used  
10 specifically to transport assembled boats and boat hulls. Boats  
11 may be partially disassembled to facilitate transporting;

12           [(6)] (7) "Body shop", a business that repairs physical  
13 damage on motor vehicles that are not owned by the shop or its  
14 officers or employees by mending, straightening, replacing body  
15 parts, or painting;

16           [(7)] (8) "Bus", a motor vehicle primarily for the  
17 transportation of a driver and eight or more passengers but not  
18 including shuttle buses;

19           [(8)] (9) "Commercial motor vehicle", a motor vehicle  
20 designed or regularly used for carrying freight and merchandise,  
21 or more than eight passengers but not including vanpools or  
22 shuttle buses;

23           [(9)] (10) "Cotton trailer", a trailer designed and used  
24 exclusively for transporting cotton at speeds less than forty  
25 miles per hour from field to field or from field to market and  
26 return;

27           [(10)] (11) "Dealer", any person, firm, corporation,  
28 association, agent or subagent engaged in the sale or exchange of

1 new, used or reconstructed motor vehicles or trailers;

2 [(11)] (12) "Director" or "director of revenue", the  
3 director of the department of revenue;

4 [(12)] (13) "Driveaway operation":

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

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

15 (c) The movement of a motor vehicle by any person who is  
16 lawfully engaged in the business of transporting or delivering  
17 vehicles that are not the person's own and vehicles of a type  
18 otherwise required to be registered, by the driveaway or towaway  
19 methods, from a point of manufacture, assembly or distribution or  
20 from the owner of the vehicles to a dealer or sales agent of a  
21 manufacturer or to any consignee designated by the shipper or  
22 consignor;

23 [(13)] (14) "Dromedary", a box, deck, or plate mounted  
24 behind the cab and forward of the fifth wheel on the frame of the  
25 power unit of a truck tractor-semitrailer combination. A truck  
26 tractor equipped with a dromedary may carry part of a load when  
27 operating independently or in a combination with a semitrailer;

28 [(14)] (15) "Farm tractor", a tractor used exclusively for

1 agricultural purposes;

2 [(15)] (16) "Fleet", any group of ten or more motor  
3 vehicles owned by the same owner;

4 [(16)] (17) "Fleet vehicle", a motor vehicle which is  
5 included as part of a fleet;

6 [(17)] (18) "Fullmount", a vehicle mounted completely on  
7 the frame of either the first or last vehicle in a saddlemount  
8 combination;

9 [(18)] (19) "Gross weight", the weight of vehicle and/or  
10 vehicle combination without load, plus the weight of any load  
11 thereon;

12 [(19)] (20) "Hail-damaged vehicle", any vehicle, the body  
13 of which has become dented as the result of the impact of hail;

14 [(20)] (21) "Highway", any public thoroughfare for  
15 vehicles, including state roads, county roads and public streets,  
16 avenues, boulevards, parkways or alleys in any municipality;

17 [(21)] (22) "Improved highway", a highway which has been  
18 paved with gravel, macadam, concrete, brick or asphalt, or  
19 surfaced in such a manner that it shall have a hard, smooth  
20 surface;

21 [(22)] (23) "Intersecting highway", any highway which joins  
22 another, whether or not it crosses the same;

23 [(23)] (24) "Junk vehicle", a vehicle which:

24 (a) Is incapable of operation or use upon the highways and  
25 has no resale value except as a source of parts or scrap; or

26 (b) Has been designated as junk or a substantially  
27 equivalent designation by this state or any other state;

28 [(24)] (25) "Kit vehicle", a motor vehicle assembled by a

1 person other than a generally recognized manufacturer of motor  
2 vehicles by the use of a glider kit or replica purchased from an  
3 authorized manufacturer and accompanied by a manufacturer's  
4 statement of origin;

5 [(25)] (26) "Land improvement contractors' commercial motor  
6 vehicle", any not-for-hire commercial motor vehicle the operation  
7 of which is confined to:

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

14 (b) An area that extends not more than a radius of fifty  
15 miles from its home base of operations when transporting its  
16 owner's machinery, equipment, or auxiliary supplies to or from  
17 projects not involving soil and water conservation.

18  
19 Nothing in this subdivision shall be construed to prevent any  
20 motor vehicle from being registered as a commercial motor vehicle  
21 or local commercial motor vehicle;

22 [(26)] (27) "Local commercial motor vehicle", a commercial  
23 motor vehicle whose operations are confined to a municipality and  
24 that area extending not more than fifty miles therefrom, or a  
25 commercial motor vehicle whose property-carrying operations are  
26 confined solely to the transportation of property owned by any  
27 person who is the owner or operator of such vehicle to or from a  
28 farm owned by such person or under the person's control by virtue

1 of a landlord and tenant lease; provided that any such property  
2 transported to any such farm is for use in the operation of such  
3 farm;

4        [(27)] (28) "Local log truck", a commercial motor vehicle  
5 which is registered pursuant to this chapter to operate as a  
6 motor vehicle on the public highways of this state, used  
7 exclusively in this state, used to transport harvested forest  
8 products, operated solely at a forested site and in an area  
9 extending not more than a one hundred mile radius from such site,  
10 carries a load with dimensions not in excess of twenty-five cubic  
11 yards per two axles with dual wheels, and when operated on the  
12 national system of interstate and defense highways described in  
13 23 U.S.C. Section 103, as amended, or outside the one hundred  
14 mile radius from such site with an extended distance local log  
15 truck permit, such vehicle shall not exceed the weight limits of  
16 section 304.180, does not have more than four axles, and does not  
17 pull a trailer which has more than [two] three axles. Harvesting  
18 equipment which is used specifically for cutting, felling,  
19 trimming, delimbing, debarking, chipping, skidding, loading,  
20 unloading, and stacking may be transported on a local log truck.  
21 A local log truck may not exceed the limits required by law,  
22 however, if the truck does exceed such limits as determined by  
23 the inspecting officer, then notwithstanding any other provisions  
24 of law to the contrary, such truck shall be subject to the weight  
25 limits required by such sections as licensed for eighty thousand  
26 pounds;

27        [(28)] (29) "Local log truck tractor", a commercial motor  
28 vehicle which is registered under this chapter to operate as a

1 motor vehicle on the public highways of this state, used  
2 exclusively in this state, used to transport harvested forest  
3 products, operated at a forested site and in an area extending  
4 not more than a one hundred mile radius from such site, operates  
5 with a weight not exceeding twenty-two thousand four hundred  
6 pounds on one axle or with a weight not exceeding forty-four  
7 thousand eight hundred pounds on any tandem axle, and when  
8 operated on the national system of interstate and defense  
9 highways described in 23 U.S.C. Section 103, as amended, or  
10 outside the one hundred mile radius from such site with an  
11 extended distance local log truck permit, such vehicle does not  
12 exceed the weight limits contained in section 304.180, and does  
13 not have more than three axles and does not pull a trailer which  
14 has more than ~~two~~ three axles. Violations of axle weight  
15 limitations shall be subject to the load limit penalty as  
16 described for in sections 304.180 to 304.220;

17 ~~[(29)]~~ (30) "Local transit bus", a bus whose operations are  
18 confined wholly within a municipal corporation, or wholly within  
19 a municipal corporation and a commercial zone, as defined in  
20 section 390.020, adjacent thereto, forming a part of a public  
21 transportation system within such municipal corporation and such  
22 municipal corporation and adjacent commercial zone;

23 ~~[(30)]~~ (31) "Log truck", a vehicle which is not a local log  
24 truck or local log truck tractor and is used exclusively to  
25 transport harvested forest products to and from forested sites  
26 which is registered pursuant to this chapter to operate as a  
27 motor vehicle on the public highways of this state for the  
28 transportation of harvested forest products;

1           [(31)] (32) "Major component parts", the rear clip, cowl,  
2 frame, body, cab, front-end assembly, and front clip, as those  
3 terms are defined by the director of revenue pursuant to rules  
4 and regulations or by illustrations;

5           [(32)] (33) "Manufacturer", any person, firm, corporation  
6 or association engaged in the business of manufacturing or  
7 assembling motor vehicles, trailers or vessels for sale;

8           [(33)] (34) "Motor change vehicle", a vehicle manufactured  
9 prior to August, 1957, which receives a new, rebuilt or used  
10 engine, and which used the number stamped on the original engine  
11 as the vehicle identification number;

12          [(34)] (35) "Motor vehicle", any self-propelled vehicle not  
13 operated exclusively upon tracks, except farm tractors;

14          [(35)] (36) "Motor vehicle primarily for business use", any  
15 vehicle other than a recreational motor vehicle, motorcycle,  
16 motortricycle, or any commercial motor vehicle licensed for over  
17 twelve thousand pounds:

18           (a) Offered for hire or lease; or

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

21          [(36)] (37) "Motorcycle", a motor vehicle operated on two  
22 wheels;

23          [(37)] (38) "Motorized bicycle", any two-wheeled or  
24 three-wheeled device having an automatic transmission and a motor  
25 with a cylinder capacity of not more than fifty cubic  
26 centimeters, which produces less than three gross brake  
27 horsepower, and is capable of propelling the device at a maximum  
28 speed of not more than thirty miles per hour on level ground;

1           [(38)] (39) "Motortricycle", a motor vehicle upon which the  
2 operator straddles or sits astride that is designed to be  
3 controlled by handle bars and is operated on three wheels,  
4 including a motorcycle while operated with any conveyance,  
5 temporary or otherwise, requiring the use of a third wheel. A  
6 motortricycle shall not be included in the definition of  
7 all-terrain vehicle;

8           [(39)] (40) "Municipality", any city, town or village,  
9 whether incorporated or not;

10          [(40)] (41) "Nonresident", a resident of a state or country  
11 other than the state of Missouri;

12          [(41)] (42) "Non-USA-std motor vehicle", a motor vehicle  
13 not originally manufactured in compliance with United States  
14 emissions or safety standards;

15          [(42)] (43) "Operator", any person who operates or drives a  
16 motor vehicle;

17          [(43)] (44) "Owner", any person, firm, corporation or  
18 association, who holds the legal title to a vehicle or in the  
19 event a vehicle is the subject of an agreement for the  
20 conditional sale or lease thereof with the right of purchase upon  
21 performance of the conditions stated in the agreement and with an  
22 immediate right of possession vested in the conditional vendee or  
23 lessee, or in the event a mortgagor of a vehicle is entitled to  
24 possession, then such conditional vendee or lessee or mortgagor  
25 shall be deemed the owner;

26          [(44)] (45) "Public garage", a place of business where  
27 motor vehicles are housed, stored, repaired, reconstructed or  
28 repainted for persons other than the owners or operators of such



1 place of business;

2 [(45)] (46) "Rebuilder", a business that repairs or  
3 rebuilds motor vehicles owned by the rebuilder, but does not  
4 include certificated common or contract carriers of persons or  
5 property;

6 [(46)] (47) "Reconstructed motor vehicle", a vehicle that  
7 is altered from its original construction by the addition or  
8 substitution of two or more new or used major component parts,  
9 excluding motor vehicles made from all new parts, and new  
10 multistage manufactured vehicles;

11 [(47)] (48) "Recreational motor vehicle", any motor vehicle  
12 designed, constructed or substantially modified so that it may be  
13 used and is used for the purposes of temporary housing quarters,  
14 including therein sleeping and eating facilities which are either  
15 permanently attached to the motor vehicle or attached to a unit  
16 which is securely attached to the motor vehicle. Nothing herein  
17 shall prevent any motor vehicle from being registered as a  
18 commercial motor vehicle if the motor vehicle could otherwise be  
19 so registered;

20 [(48)] (49) "Recreational off-highway vehicle", any  
21 motorized vehicle manufactured and used exclusively for  
22 off-highway use which is more than fifty inches but no more than  
23 sixty-seven inches in width, with an unladen dry weight of two  
24 thousand pounds or less, traveling on four or more nonhighway  
25 tires and which may have access to ATV trails;

26 [(49)] (50) "Rollback or car carrier", any vehicle  
27 specifically designed to transport wrecked, disabled or otherwise  
28 inoperable vehicles, when the transportation is directly

1 connected to a wrecker or towing service;

2 [(50)] (51) "Saddlemount combination", a combination of  
3 vehicles in which a truck or truck tractor tows one or more  
4 trucks or truck tractors, each connected by a saddle to the frame  
5 or fifth wheel of the vehicle in front of it. The "saddle" is a  
6 mechanism that connects the front axle of the towed vehicle to  
7 the frame or fifth wheel of the vehicle in front and functions  
8 like a fifth wheel kingpin connection. When two vehicles are  
9 towed in this manner the combination is called a "double  
10 saddlemount combination". When three vehicles are towed in this  
11 manner, the combination is called a "triple saddlemount  
12 combination";

13 [(51)] (52) "Salvage dealer and dismantler", a business  
14 that dismantles used motor vehicles for the sale of the parts  
15 thereof, and buys and sells used motor vehicle parts and  
16 accessories;

17 [(52)] (53) "Salvage vehicle", a motor vehicle,  
18 semitrailer, or house trailer which:

19 (a) Was damaged during a year that is no more than six  
20 years after the manufacturer's model year designation for such  
21 vehicle to the extent that the total cost of repairs to rebuild  
22 or reconstruct the vehicle to its condition immediately before it  
23 was damaged for legal operation on the roads or highways exceeds  
24 eighty percent of the fair market value of the vehicle  
25 immediately preceding the time it was damaged;

26 (b) By reason of condition or circumstance, has been  
27 declared salvage, either by its owner, or by a person, firm,  
28 corporation, or other legal entity exercising the right of

1 security interest in it;

2 (c) Has been declared salvage by an insurance company as a  
3 result of settlement of a claim;

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

5 (e) Is abandoned property which is titled pursuant to  
6 section 304.155 or section 304.157 and designated with the words  
7 "salvage/abandoned property". The total cost of repairs to  
8 rebuild or reconstruct the vehicle shall not include the cost of  
9 repairing, replacing, or reinstalling inflatable safety  
10 restraints, tires, sound systems, or damage as a result of hail,  
11 or any sales tax on parts or materials to rebuild or reconstruct  
12 the vehicle. For purposes of this definition, "fair market  
13 value" means the retail value of a motor vehicle as:

14 a. Set forth in a current edition of any nationally  
15 recognized compilation of retail values, including automated  
16 databases, or from publications commonly used by the automotive  
17 and insurance industries to establish the values of motor  
18 vehicles;

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

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

24 [(53)] (54) "School bus", any motor vehicle used solely to  
25 transport students to or from school or to transport students to  
26 or from any place for educational purposes;

27 [(54)] (55) "Scrap processor", a business that, through the  
28 use of fixed or mobile equipment, flattens, crushes, or otherwise

1 accepts motor vehicles and vehicle parts for processing or  
2 transportation to a shredder or scrap metal operator for  
3 recycling;

4 [(55)] (56) "Shuttle bus", a motor vehicle used or  
5 maintained by any person, firm, or corporation as an incidental  
6 service to transport patrons or customers of the regular business  
7 of such person, firm, or corporation to and from the place of  
8 business of the person, firm, or corporation providing the  
9 service at no fee or charge. Shuttle buses shall not be  
10 registered as buses or as commercial motor vehicles;

11 [(56)] (57) "Special mobile equipment", every self-  
12 propelled vehicle not designed or used primarily for the  
13 transportation of persons or property and incidentally operated  
14 or moved over the highways, including farm equipment, implements  
15 of husbandry, road construction or maintenance machinery, ditch-  
16 digging apparatus, stone crushers, air compressors, power  
17 shovels, cranes, graders, rollers, well-drillers and wood-sawing  
18 equipment used for hire, asphalt spreaders, bituminous mixers,  
19 bucket loaders, ditchers, leveling graders, finished machines,  
20 motor graders, road rollers, scarifiers, earth-moving carryalls,  
21 scrapers, drag lines, concrete pump trucks, rock-drilling and  
22 earth-moving equipment. This enumeration shall be deemed partial  
23 and shall not operate to exclude other such vehicles which are  
24 within the general terms of this section;

25 [(57)] (58) "Specially constructed motor vehicle", a motor  
26 vehicle which shall not have been originally constructed under a  
27 distinctive name, make, model or type by a manufacturer of motor  
28 vehicles. The term specially constructed motor vehicle includes

1 kit vehicles;

2 [(58)] (59) "Stinger-steered combination", a truck tractor-  
3 semitrailer wherein the fifth wheel is located on a drop frame  
4 located behind and below the rearmost axle of the power unit;

5 [(59)] (60) "Tandem axle", a group of two or more axles,  
6 arranged one behind another, the distance between the extremes of  
7 which is more than forty inches and not more than ninety-six  
8 inches apart;

9 [(60)] (61) "Towaway trailer transporter combination", a  
10 combination of vehicles consisting of a trailer transporter  
11 towing unit and two trailers or semitrailers, with a total weight  
12 that does not exceed twenty-six thousand pounds; and in which the  
13 trailers or semitrailers carry no property and constitute  
14 inventory property of a manufacturer, distributor, or dealer of  
15 such trailers or semitrailers;

16 [(61)] (62) "Tractor", "truck tractor" or "truck-tractor",  
17 a self-propelled motor vehicle designed for drawing other  
18 vehicles, but not for the carriage of any load when operating  
19 independently. When attached to a semitrailer, it supports a  
20 part of the weight thereof;

21 [(62)] (63) "Trailer", any vehicle without motive power  
22 designed for carrying property or passengers on its own structure  
23 and for being drawn by a self-propelled vehicle, except those  
24 running exclusively on tracks, including a semitrailer or vehicle  
25 of the trailer type so designed and used in conjunction with a  
26 self-propelled vehicle that a considerable part of its own weight  
27 rests upon and is carried by the towing vehicle. The term  
28 trailer shall not include cotton trailers as defined in this

1 section and shall not include manufactured homes as defined in  
2 section 700.010;

3 [(63)] (64) "Trailer transporter towing unit", a power unit  
4 that is not used to carry property when operating in a towaway  
5 trailer transporter combination;

6 [(64)] (65) "Truck", a motor vehicle designed, used, or  
7 maintained for the transportation of property;

8 [(65)] (66) "Truck-tractor semitrailer-semitrailer", a  
9 combination vehicle in which the two trailing units are connected  
10 with a B-train assembly which is a rigid frame extension attached  
11 to the rear frame of a first semitrailer which allows for a  
12 fifth-wheel connection point for the second semitrailer and has  
13 one less articulation point than the conventional A-dolly  
14 connected truck-tractor semitrailer-trailer combination;

15 [(66)] (67) "Truck-trailer boat transporter combination", a  
16 boat transporter combination consisting of a straight truck  
17 towing a trailer using typically a ball and socket connection  
18 with the trailer axle located substantially at the trailer center  
19 of gravity rather than the rear of the trailer but so as to  
20 maintain a downward force on the trailer tongue;

21 [(67)] (68) "Used parts dealer", a business that buys and  
22 sells used motor vehicle parts or accessories, but not including  
23 a business that sells only new, remanufactured or rebuilt parts.  
24 Business does not include isolated sales at a swap meet of less  
25 than three days;

26 [(68)] (69) "Utility vehicle", any motorized vehicle  
27 manufactured and used exclusively for off-highway use which is  
28 more than fifty inches but no more than sixty-seven inches in

1 width, with an unladen dry weight of two thousand pounds or less,  
2 traveling on four or six wheels, to be used primarily for  
3 landscaping, lawn care, or maintenance purposes;

4       [(69)] (70) "Vanpool", any van or other motor vehicle used  
5 or maintained by any person, group, firm, corporation,  
6 association, city, county or state agency, or any member thereof,  
7 for the transportation of not less than eight nor more than  
8 forty-eight employees, per motor vehicle, to and from their place  
9 of employment; however, a vanpool shall not be included in the  
10 definition of the term bus or commercial motor vehicle as defined  
11 in this section, nor shall a vanpool driver be deemed a chauffeur  
12 as that term is defined by section 303.020; nor shall use of a  
13 vanpool vehicle for ride-sharing arrangements, recreational,  
14 personal, or maintenance uses constitute an unlicensed use of the  
15 motor vehicle, unless used for monetary profit other than for use  
16 in a ride-sharing arrangement;

17       [(70)] (71) "Vehicle", any mechanical device on wheels,  
18 designed primarily for use, or used, on highways, except  
19 motorized bicycles, vehicles propelled or drawn by horses or  
20 human power, or vehicles used exclusively on fixed rails or  
21 tracks, or cotton trailers or motorized wheelchairs operated by  
22 handicapped persons;

23       [(71)] (72) "Wrecker" or "tow truck", any emergency  
24 commercial vehicle equipped, designed and used to assist or  
25 render aid and transport or tow disabled or wrecked vehicles from  
26 a highway, road, street or highway rights-of-way to a point of  
27 storage or repair, including towing a replacement vehicle to  
28 replace a disabled or wrecked vehicle;

1           [(72)] (73) "Wrecker or towing service", the act of  
2   transporting, towing or recovering with a wrecker, tow truck,  
3   rollback or car carrier any vehicle not owned by the operator of  
4   the wrecker, tow truck, rollback or car carrier for which the  
5   operator directly or indirectly receives compensation or other  
6   personal gain.

7           301.020. 1. Every owner of a motor vehicle or trailer,  
8   which shall be operated or driven upon the highways of this  
9   state, except as herein otherwise expressly provided, shall  
10  annually file, by mail or otherwise, in the office of the  
11  director of revenue, an application for registration on a blank  
12  to be furnished by the director of revenue for that purpose  
13  containing:

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

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

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

24           2. If the vehicle is a motor vehicle primarily for business  
25  use as defined in section 301.010 and if such vehicle is five  
26  years of age or less, the director of revenue shall retain the  
27  odometer information provided in the vehicle inspection report,  
28  and provide for prompt access to such information, together with



1 the vehicle identification number for the motor vehicle to which  
2 such information pertains, for a period of five years after the  
3 receipt of such information. This section shall not apply  
4 unless:

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

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

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

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

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

24 4. If the vehicle qualifies as a reconstructed motor  
25 vehicle, motor change vehicle, specially constructed motor  
26 vehicle, non-USA-std motor vehicle, as defined in section  
27 301.010, or prior salvage as referenced in section 301.573, the  
28 owner or lienholder shall surrender the certificate of ownership.

1 The owner shall make an application for a new certificate of  
2 ownership, pay the required title fee, and obtain the vehicle  
3 examination certificate required pursuant to subsection 9 of  
4 section 301.190. If an insurance company pays a claim on a  
5 salvage vehicle as defined in section 301.010 and the owner  
6 retains the vehicle, as prior salvage, the vehicle shall only be  
7 required to meet the examination requirements under subsection 10  
8 of section 301.190. Notarized bills of sale along with a copy of  
9 the front and back of the certificate of ownership for all major  
10 component parts installed on the vehicle and invoices for all  
11 essential parts which are not defined as major component parts  
12 shall accompany the application for a new certificate of  
13 ownership. If the vehicle is a specially constructed motor  
14 vehicle, as defined in section 301.010, two pictures of the  
15 vehicle shall be submitted with the application. If the vehicle  
16 is a kit vehicle, the applicant shall submit the invoice and the  
17 manufacturer's statement of origin on the kit. If the vehicle  
18 requires the issuance of a special number by the director of  
19 revenue or a replacement vehicle identification number, the  
20 applicant shall submit the required application and application  
21 fee. All applications required under this subsection shall be  
22 submitted with any applicable taxes which may be due on the  
23 purchase of the vehicle or parts. The director of revenue shall  
24 appropriately designate "Reconstructed Motor Vehicle", "Motor  
25 Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially  
26 Constructed Motor Vehicle" on the current and all subsequent  
27 issues of the certificate of ownership of such vehicle.

28 5. Every insurance company that pays a claim for repair of

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

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

19 7. An applicant for registration may make a donation of one  
20 dollar to promote a blindness education, screening and treatment  
21 program. The director of revenue shall collect the donations and  
22 deposit all such donations in the state treasury to the credit of  
23 the blindness education, screening and treatment program fund  
24 established in section 209.015. Moneys in the blindness  
25 education, screening and treatment program fund shall be used  
26 solely for the purposes established in section 209.015; except  
27 that the department of revenue shall retain no more than one  
28 percent for its administrative costs. The donation prescribed in

1 this subsection is voluntary and may be refused by the applicant  
2 for registration at the time of issuance or renewal. The  
3 director shall inquire of each applicant at the time the  
4 applicant presents the completed application to the director  
5 whether the applicant is interested in making the one dollar  
6 donation prescribed in this subsection.

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

22 301.030. 1. The director shall provide for the retention  
23 of license plates by the owners of motor vehicles, other than  
24 commercial motor vehicles, and shall establish a system of  
25 registration on a monthly series basis to distribute the work of  
26 registering motor vehicles as uniformly as practicable throughout  
27 the twelve months of the calendar year. For the purpose of  
28 assigning license plate numbers, each type of motor vehicle shall

1 be considered a separate class. Commencing July 1, 1949, motor  
2 vehicles, other than commercial motor vehicles, shall be  
3 registered for a period of twelve consecutive calendar months.  
4 There are established twelve registration periods, each of which  
5 shall start on the first day of each calendar month of the year  
6 and shall end on the last date of the twelfth month from the date  
7 of beginning.

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

18 3. All commercial motor vehicles and trailers, except those  
19 licensed under section 301.035 and those operated under  
20 agreements as provided for in sections 301.271 to 301.279, shall  
21 be registered either on a calendar year basis or on a prorated  
22 basis as provided in this section. The fees for commercial motor  
23 vehicles, trailers, semitrailers, and driveaway vehicles, other  
24 than those to be operated under agreements as provided for in  
25 sections 301.271 to 301.279 shall be payable not later than the  
26 last day of February of each year, except when such vehicle is  
27 licensed between April first and July first the fee shall be  
28 three-fourths the annual fee, when licensed between July first

1 and October first the fee shall be one-half the annual fee and  
2 when licensed on or after October first the fee shall be one-  
3 fourth the annual fee. Such license plates shall be made with  
4 fully reflective material with a common color scheme and design,  
5 shall be clearly visible at night, and shall be aesthetically  
6 attractive, as prescribed by section 301.130. Local commercial  
7 motor vehicle license plates may also be so stamped, marked or  
8 designed as to indicate they are to be used only on local  
9 commercial motor vehicles and, in addition to such stamp, mark or  
10 design, the letter "F" shall also be displayed on local  
11 commercial motor vehicle license plates issued to motor vehicles  
12 used for farm or farming transportation operations as defined in  
13 section 301.010 in the manner prescribed by the advisory  
14 committee established in section 301.129. In addition, all  
15 commercial motor vehicle license plates may be so stamped or  
16 marked with a letter, figure or other emblem as to indicate the  
17 gross weight for which issued.

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

23 5. Notwithstanding any other provision of law to the  
24 contrary, any motorcycle or motortricycle registration issued by  
25 the Missouri department of revenue shall expire on June  
26 thirtieth.

27 301.055. 1. The annual registration fee for motor vehicles  
28 other than commercial motor vehicles is:

1	Less than 12 horsepower	\$18.00
2	12 horsepower and less than 24 horsepower	21.00
3	24 horsepower and less than 36 horsepower	24.00
4	36 horsepower and less than 48 horsepower	33.00
5	48 horsepower and less than 60 horsepower	39.00
6	60 horsepower and less than 72 horsepower	45.00
7	72 horsepower and more	51.00
8	Motorcycles	8.50
9	Motortricycles	10.00
10	<u>Autocycles</u>	<u>10.00</u>

11        2. Notwithstanding any other provision of law, the  
12        registration of any autocycle registered as a motorcycle or  
13        motortricycle prior to August 28, 2018, shall remain in effect  
14        until the expiration of the registration period for such vehicle  
15        at which time the owner shall be required to renew the motor  
16        vehicle's registration under the autocycle classification and pay  
17        the appropriate registration fee.

18        301.074. License plates issued under sections 301.071 to  
19        301.075 shall be valid for the duration of the veteran's  
20        disability. Each such applicant issued license plates under  
21        these provisions shall annually furnish proof of vehicle  
22        inspection and proof of disability to the director, except that  
23        an applicant whose service connected disability qualifying him  
24        for special license plates consists in whole or in part of loss  
25        of an eye or a limb or an applicant with a one hundred percent  
26        permanent disability, as established by a physician's signed  
27        statement to that effect, need only furnish proof of disability  
28        to the director when initially applying for the special license

1 plates and not thereafter, but in such case proof that the  
2 veteran is alive shall be required annually. [Each person  
3 qualifying under sections 301.071 to 301.075 may license only one  
4 motor vehicle under these provisions.] No commercial motor  
5 vehicle in excess of twenty-four thousand pounds gross weight may  
6 be licensed under the provisions of sections 301.071 to 301.075.

7 301.075. There shall be no fee charged for one set of  
8 license plates issued to an eligible person under the provisions  
9 of [this] sections 301.071 to 301.075. A second or subsequent  
10 set of license plates issued to the eligible person under these  
11 sections shall be subject to regular registration fees and the  
12 fee required for personalized license plates under section  
13 301.144.

14 301.130. 1. The director of revenue, upon receipt of a  
15 proper application for registration, required fees and any other  
16 information which may be required by law, shall issue to the  
17 applicant a certificate of registration in such manner and form  
18 as the director of revenue may prescribe and a set of license  
19 plates, or other evidence of registration, as provided by this  
20 section. Each set of license plates shall bear the name or  
21 abbreviated name of this state, the words "SHOW-ME STATE", the  
22 month and year in which the registration shall expire, and an  
23 arrangement of numbers or letters, or both, as shall be assigned  
24 from year to year by the director of revenue. The plates shall  
25 also contain fully reflective material with a common color scheme  
26 and design for each type of license plate issued pursuant to this  
27 chapter. The plates shall be clearly visible at night, and shall  
28 be aesthetically attractive. Special plates for qualified



1 disabled veterans will have the "DISABLED VETERAN" wording on the  
2 license plates in preference to the words "SHOW-ME STATE" and  
3 special plates for members of the National Guard will have the  
4 "NATIONAL GUARD" wording in preference to the words "SHOW-ME  
5 STATE".

6 2. The arrangement of letters and numbers of license plates  
7 shall be uniform throughout each classification of registration.  
8 The director may provide for the arrangement of the numbers in  
9 groups or otherwise, and for other distinguishing marks on the  
10 plates.

11 3. All property-carrying commercial motor vehicles to be  
12 registered at a gross weight in excess of twelve thousand pounds,  
13 all passenger-carrying commercial motor vehicles, local transit  
14 buses, school buses, trailers, semitrailers, motorcycles,  
15 motortricycles, autocycles, motorscooters, and driveaway vehicles  
16 shall be registered with the director of revenue as provided for  
17 in subsection 3 of section 301.030, or with the state highways  
18 and transportation commission as otherwise provided in this  
19 chapter, but only one license plate shall be issued for each such  
20 vehicle, except as provided in this subsection. The applicant  
21 for registration of any property-carrying commercial vehicle  
22 registered at a gross weight in excess of twelve thousand pounds  
23 may request and be issued two license plates for such vehicle,  
24 and if such plates are issued, the director of revenue shall  
25 provide for distinguishing marks on the plates indicating one  
26 plate is for the front and the other is for the rear of such  
27 vehicle. The director may assess and collect an additional  
28 charge from the applicant in an amount not to exceed the fee

1 prescribed for personalized license plates in subsection 1 of  
2 section 301.144.

3 4. The plates issued to manufacturers and dealers shall  
4 bear the letters and numbers as prescribed by section 301.560,  
5 and the director may place upon the plates other letters or marks  
6 to distinguish commercial motor vehicles and trailers and other  
7 types of motor vehicles.

8 5. No motor vehicle or trailer shall be operated on any  
9 highway of this state unless it shall have displayed thereon the  
10 license plate or set of license plates issued by the director of  
11 revenue or the state highways and transportation commission and  
12 authorized by section 301.140. Each such plate shall be securely  
13 fastened to the motor vehicle or trailer in a manner so that all  
14 parts thereof shall be plainly visible and reasonably clean so  
15 that the reflective qualities thereof are not impaired. Each  
16 such plate may be encased in a transparent cover so long as the  
17 plate is plainly visible and its reflective qualities are not  
18 impaired. License plates shall be fastened to all motor vehicles  
19 except trucks, tractors, truck tractors or truck-tractors  
20 licensed in excess of twelve thousand pounds on the front and  
21 rear of such vehicles not less than eight nor more than forty-  
22 eight inches above the ground, with the letters and numbers  
23 thereon right side up. The license plates on trailers,  
24 motorcycles, motortricycles, autocycles, and motorscooters shall  
25 be displayed on the rear of such vehicles either horizontally or  
26 vertically, with the letters and numbers plainly visible. The  
27 license plate on buses, other than school buses, and on trucks,  
28 tractors, truck tractors or truck-tractors licensed in excess of

1 twelve thousand pounds shall be displayed on the front of such  
2 vehicles not less than eight nor more than forty-eight inches  
3 above the ground, with the letters and numbers thereon right side  
4 up or if two plates are issued for the vehicle pursuant to  
5 subsection 3 of this section, displayed in the same manner on the  
6 front and rear of such vehicles. The license plate or plates  
7 authorized by section 301.140, when properly attached, shall be  
8 prima facie evidence that the required fees have been paid.

9 6. (1) The director of revenue shall issue annually or  
10 biennially a tab or set of tabs as provided by law as evidence of  
11 the annual payment of registration fees and the current  
12 registration of a vehicle in lieu of the set of plates.  
13 Beginning January 1, 2010, the director may prescribe any  
14 additional information recorded on the tab or tabs to ensure that  
15 the tab or tabs positively correlate with the license plate or  
16 plates issued by the department of revenue for such vehicle.  
17 Such tabs shall be produced in each license bureau office.

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

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

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

28 (5) For those commercial motor vehicles and trailers

1 registered pursuant to section 301.041, the plate issued by the  
2 highways and transportation commission shall be a permanent  
3 nonexpiring license plate for which no tabs shall be issued.  
4 Nothing in this section shall relieve the owner of any vehicle  
5 permanently registered pursuant to this section from the  
6 obligation to pay the annual registration fee due for the  
7 vehicle. The permanent nonexpiring license plate shall be  
8 returned to the highways and transportation commission upon the  
9 sale or disposal of the vehicle by the owner to whom the  
10 permanent nonexpiring license plate is issued, or the plate may  
11 be transferred to a replacement commercial motor vehicle when the  
12 owner files a supplemental application with the Missouri highways  
13 and transportation commission for the registration of such  
14 replacement commercial motor vehicle. Upon payment of the annual  
15 registration fee, the highways and transportation commission  
16 shall issue a certificate of registration or other suitable  
17 evidence of payment of the annual fee, and such evidence of  
18 payment shall be carried at all times in the vehicle for which it  
19 is issued.

20 (6) Upon the sale or disposal of any vehicle permanently  
21 registered under this section, or upon the termination of a lease  
22 of any such vehicle, the permanent nonexpiring plate issued for  
23 such vehicle shall be returned to the highways and transportation  
24 commission and shall not be valid for operation of such vehicle,  
25 or the plate may be transferred to a replacement vehicle when the  
26 owner files a supplemental application with the Missouri highways  
27 and transportation commission for the registration of such  
28 replacement vehicle. If a vehicle which is permanently

1 registered under this section is sold, wrecked or otherwise  
2 disposed of, or the lease terminated, the registrant shall be  
3 given credit for any unused portion of the annual registration  
4 fee when the vehicle is replaced by the purchase or lease of  
5 another vehicle during the registration year.

6 7. The director of revenue and the highways and  
7 transportation commission may prescribe rules and regulations for  
8 the effective administration of this section. No rule or portion  
9 of a rule promulgated under the authority of this section shall  
10 become effective unless it has been promulgated pursuant to the  
11 provisions of section 536.024.

12 8. Notwithstanding the provisions of any other law to the  
13 contrary, owners of motor vehicles other than apportioned motor  
14 vehicles or commercial motor vehicles licensed in excess of  
15 twenty-four thousand pounds gross weight may apply for special  
16 personalized license plates. Vehicles licensed for twenty-four  
17 thousand pounds that display special personalized license plates  
18 shall be subject to the provisions of subsections 1 and 2 of  
19 section 301.030. On and after August 28, 2016, owners of motor  
20 vehicles, other than apportioned motor vehicles or commercial  
21 motor vehicles licensed in excess of twenty-four thousand pounds  
22 gross weight, may apply for any preexisting or hereafter  
23 statutorily created special personalized license plates.

24 9. No later than January 1, 2019, the director of revenue  
25 shall commence the reissuance of new license plates of such  
26 design as approved by the advisory committee under section  
27 301.125 consistent with the terms, conditions, and provisions of  
28 section 301.125 and this chapter. Except as otherwise provided

1 in this section, in addition to all other fees required by law,  
2 applicants for registration of vehicles with license plates that  
3 expire during the period of reissuance, applicants for  
4 registration of trailers or semitrailers with license plates that  
5 expire during the period of reissuance and applicants for  
6 registration of vehicles that are to be issued new license plates  
7 during the period of reissuance shall pay the cost of the plates  
8 required by this subsection. The additional cost prescribed in  
9 this subsection shall not be charged to persons receiving special  
10 license plates issued under section 301.073 or 301.443. Historic  
11 motor vehicle license plates registered pursuant to section  
12 301.131 and specialized license plates are exempt from the  
13 provisions of this subsection. Except for new, replacement, and  
14 transfer applications, permanent nonexpiring license plates  
15 issued to commercial motor vehicles and trailers registered under  
16 section 301.041 are exempt from the provisions of this  
17 subsection.

18 301.140. 1. Upon the transfer of ownership of any motor  
19 vehicle or trailer, the certificate of registration and the right  
20 to use the number plates shall expire and the number plates shall  
21 be removed by the owner at the time of the transfer of  
22 possession, and it shall be unlawful for any person other than  
23 the person to whom such number plates were originally issued to  
24 have the same in his or her possession whether in use or not,  
25 unless such possession is solely for charitable purposes; except  
26 that the buyer of a motor vehicle or trailer who trades in a  
27 motor vehicle or trailer may attach the license plates from the  
28 traded-in motor vehicle or trailer to the newly purchased motor

1 vehicle or trailer. The operation of a motor vehicle with such  
2 transferred plates shall be lawful for no more than thirty days,  
3 or no more than ninety days if the dealer is selling the motor  
4 vehicle under the provisions of section 301.213. As used in this  
5 subsection, the term "trade-in motor vehicle or trailer" shall  
6 include any single motor vehicle or trailer sold by the buyer of  
7 the newly purchased vehicle or trailer, as long as the license  
8 plates for the trade-in motor vehicle or trailer are still valid.

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

23 3. License plates may be transferred from a motor vehicle  
24 which will no longer be operated to a newly purchased motor  
25 vehicle by the owner of such vehicles. The owner shall pay a  
26 transfer fee of two dollars if the newly purchased vehicle is of  
27 horsepower, gross weight or (in the case of a passenger-carrying  
28 commercial motor vehicle) seating capacity, not in excess of that

1 of the vehicle which will no longer be operated. When the newly  
2 purchased motor vehicle is of greater horsepower, gross weight or  
3 (in the case of a passenger-carrying commercial motor vehicle)  
4 seating capacity, for which a greater fee is prescribed, the  
5 applicant shall pay a transfer fee of two dollars and a pro rata  
6 portion of the difference in fees. When the newly purchased  
7 vehicle is of less horsepower, gross weight or (in the case of a  
8 passenger-carrying commercial motor vehicle) seating capacity,  
9 for which a lesser fee is prescribed, the applicant shall not be  
10 entitled to a refund.

11 4. The director of the department of revenue shall have  
12 authority to produce or allow others to produce a weather  
13 resistant, nontearing temporary permit authorizing the operation  
14 of a motor vehicle or trailer by a buyer for not more than thirty  
15 days, or no more than ninety days if issued by a dealer selling  
16 the motor vehicle under the provisions of section 301.213, from  
17 the date of purchase. The temporary permit authorized under this  
18 section may be purchased by the purchaser of a motor vehicle or  
19 trailer from the central office of the department of revenue or  
20 from an authorized agent of the department of revenue upon proof  
21 of purchase of a motor vehicle or trailer for which the buyer has  
22 no registration plate available for transfer and upon proof of  
23 financial responsibility, or from a motor vehicle dealer upon  
24 purchase of a motor vehicle or trailer for which the buyer has no  
25 registration plate available for transfer, or from a motor  
26 vehicle dealer upon purchase of a motor vehicle or trailer for  
27 which the buyer has registered and is awaiting receipt of  
28 registration plates. The director of the department of revenue



1 or a producer authorized by the director of the department of  
2 revenue may make temporary permits available to registered  
3 dealers in this state, authorized agents of the department of  
4 revenue or the department of revenue. The price paid by a motor  
5 vehicle dealer, an authorized agent of the department of revenue  
6 or the department of revenue for a temporary permit shall not  
7 exceed five dollars for each permit. The director of the  
8 department of revenue shall direct motor vehicle dealers and  
9 authorized agents to obtain temporary permits from an authorized  
10 producer. Amounts received by the director of the department of  
11 revenue for temporary permits shall constitute state revenue;  
12 however, amounts received by an authorized producer other than  
13 the director of the department of revenue shall not constitute  
14 state revenue and any amounts received by motor vehicle dealers  
15 or authorized agents for temporary permits purchased from a  
16 producer other than the director of the department of revenue  
17 shall not constitute state revenue. In no event shall revenues  
18 from the general revenue fund or any other state fund be utilized  
19 to compensate motor vehicle dealers or other producers for their  
20 role in producing temporary permits as authorized under this  
21 section. Amounts that do not constitute state revenue under this  
22 section shall also not constitute fees for registration or  
23 certificates of title to be collected by the director of the  
24 department of revenue under section 301.190. No motor vehicle  
25 dealer, authorized agent or the department of revenue shall  
26 charge more than five dollars for each permit issued. The permit  
27 shall be valid for a period of thirty days, or no more than  
28 ninety days if issued by a dealer selling the motor vehicle under

1 the provisions of section 301.213, from the date of purchase of a  
2 motor vehicle or trailer, or from the date of sale of the motor  
3 vehicle or trailer by a motor vehicle dealer for which the  
4 purchaser obtains a permit as set out above. No permit shall be  
5 issued for a vehicle under this section unless the buyer shows  
6 proof of financial responsibility. Each temporary permit issued  
7 shall be securely fastened to the back or rear of the motor  
8 vehicle in a manner and place on the motor vehicle consistent  
9 with registration plates so that all parts and qualities of the  
10 temporary permit thereof shall be plainly and clearly visible,  
11 reasonably clean and are not impaired in any way.

12 5. The permit shall be issued on a form prescribed by the  
13 director of the department of revenue and issued only for the  
14 applicant's temporary operation of the motor vehicle or trailer  
15 purchased to enable the applicant to temporarily operate the  
16 motor vehicle while proper title and registration plates are  
17 being obtained, or while awaiting receipt of registration plates,  
18 and shall be displayed on no other motor vehicle. Temporary  
19 permits issued pursuant to this section shall not be transferable  
20 or renewable, [and] shall not be valid upon issuance of proper  
21 registration plates for the motor vehicle or trailer, and shall  
22 be returned to the department or to the department's agent upon  
23 the issuance of such proper registration plates. Any temporary  
24 permit returned to the department or to the department's agent  
25 shall be immediately destroyed. The provisions of this  
26 subsection shall not apply to temporary permits issued for  
27 commercial motor vehicles licensed in excess of twenty-four  
28 thousand pounds gross weight. The director of the department of

1 revenue shall determine the size, material, design, numbering  
2 configuration, construction, and color of the permit. The  
3 director of the department of revenue, at his or her discretion,  
4 shall have the authority to reissue, and thereby extend the use  
5 of, a temporary permit previously and legally issued for a motor  
6 vehicle or trailer while proper title and registration are being  
7 obtained.

8 6. Every motor vehicle dealer that issues temporary permits  
9 shall keep, for inspection by proper officers, an accurate record  
10 of each permit issued by recording the permit number, the motor  
11 vehicle dealer's number, buyer's name and address, the motor  
12 vehicle's year, make, and manufacturer's vehicle identification  
13 number, and the permit's date of issuance and expiration date.  
14 Upon the issuance of a temporary permit by either the central  
15 office of the department of revenue, a motor vehicle dealer or an  
16 authorized agent of the department of revenue, the director of  
17 the department of revenue shall make the information associated  
18 with the issued temporary permit immediately available to the law  
19 enforcement community of the state of Missouri.

20 7. Upon the transfer of ownership of any currently  
21 registered motor vehicle wherein the owner cannot transfer the  
22 license plates due to a change of motor vehicle category, the  
23 owner may surrender the license plates issued to the motor  
24 vehicle and receive credit for any unused portion of the original  
25 registration fee against the registration fee of another motor  
26 vehicle. Such credit shall be granted based upon the date the  
27 license plates are surrendered. No refunds shall be made on the  
28 unused portion of any license plates surrendered for such credit.

1           8. [The provisions of subsections 4, 5, and 6 of this  
2 section shall expire July 1, 2019.

3           9.] An additional temporary license plate produced in a  
4 manner and of materials determined by the director to be the most  
5 cost-effective means of production with a configuration that  
6 matches an existing or newly issued plate may be purchased by a  
7 motor vehicle owner to be placed in the interior of the vehicle's  
8 rear window such that the driver's view out of the rear window is  
9 not obstructed and the plate configuration is clearly visible  
10 from the outside of the vehicle to serve as the visible plate  
11 when a bicycle rack or other item obstructs the view of the  
12 actual plate. Such temporary plate is only authorized for use  
13 when the matching actual plate is affixed to the vehicle in the  
14 manner prescribed in subsection 5 of section 301.130. The fee  
15 charged for the temporary plate shall be equal to the fee charged  
16 for a temporary permit issued under subsection 4 of this section.  
17 Replacement temporary plates authorized in this subsection may be  
18 issued as needed upon the payment of a fee equal to the fee  
19 charged for a temporary permit under subsection 4 of this  
20 section. The newly produced third plate may only be used on the  
21 vehicle with the matching plate, and the additional plate shall  
22 be clearly recognizable as a third plate and only used for the  
23 purpose specified in this subsection.

24           [10.] 9. Notwithstanding the provisions of section 301.217,  
25 the director may issue a temporary permit to an individual who  
26 possesses a salvage motor vehicle which requires an inspection  
27 under subsection 9 of section 301.190. The operation of a  
28 salvage motor vehicle for which the permit has been issued shall

1 be limited to the most direct route from the residence,  
2 maintenance, or storage facility of the individual in possession  
3 of such motor vehicle to the nearest authorized inspection  
4 facility and return to the originating location. Notwithstanding  
5 any other requirements for the issuance of a temporary permit  
6 under this section, an individual obtaining a temporary permit  
7 for the purpose of operating a motor vehicle to and from an  
8 examination facility as prescribed in this subsection shall also  
9 purchase the required motor vehicle examination form which is  
10 required to be completed for an examination under subsection 9 of  
11 section 301.190 and provide satisfactory evidence that such  
12 vehicle has passed a motor vehicle safety inspection for such  
13 vehicle as required in section 307.350.

14 [11.] 10. The director of the department of revenue may  
15 promulgate all necessary rules and regulations for the  
16 administration of this section. Any rule or portion of a rule,  
17 as that term is defined in section 536.010, that is created under  
18 the authority delegated in this section shall become effective  
19 only if it complies with and is subject to all of the provisions  
20 of chapter 536 and, if applicable, section 536.028. This section  
21 and chapter 536 are nonseverable and if any of the powers vested  
22 with the general assembly pursuant to chapter 536 to review, to  
23 delay the effective date, or to disapprove and annul a rule are  
24 subsequently held unconstitutional, then the grant of rulemaking  
25 authority and any rule proposed or adopted after August 28, 2012,  
26 shall be invalid and void.

27 [12.] 11. The repeal and reenactment of this section shall  
28 become effective on the date the department of revenue or a

1 producer authorized by the director of the department of revenue  
2 begins producing temporary permits described in subsection 4 of  
3 such section, or on July 1, 2013, whichever occurs first. If the  
4 director of revenue or a producer authorized by the director of  
5 the department of revenue begins producing temporary permits  
6 prior to July 1, 2013, the director of the department of revenue  
7 shall notify the revisor of statutes of such fact.

8 301.142. 1. As used in sections 301.141 to 301.143, the  
9 following terms mean:

10 (1) "Department", the department of revenue;

11 (2) "Director", the director of the department of revenue;

12 (3) "Other authorized health care practitioner" includes  
13 advanced practice registered nurses licensed pursuant to chapter  
14 335, physician assistants licensed pursuant to chapter 334,  
15 chiropractors licensed pursuant to chapter 331, podiatrists  
16 licensed pursuant to chapter 330, assistant physicians, physical  
17 therapists licensed pursuant to chapter 334, and optometrists  
18 licensed pursuant to chapter 336;

19 (4) "Physically disabled", a natural person who is blind,  
20 as defined in section 8.700, or a natural person with medical  
21 disabilities which prohibits, limits, or severely impairs one's  
22 ability to ambulate or walk, as determined by a licensed  
23 physician or other authorized health care practitioner as  
24 follows:

25 (a) The person cannot ambulate or walk fifty or less feet  
26 without stopping to rest due to a severe and disabling arthritic,  
27 neurological, orthopedic condition, or other severe and disabling  
28 condition; or

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

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

9           (d) Uses portable oxygen; or

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

14          (f) A person's age, in and of itself, shall not be a factor  
15 in determining whether such person is physically disabled or is  
16 otherwise entitled to disabled license plates and/or disabled  
17 windshield hanging placards within the meaning of sections  
18 301.141 to 301.143;

19          (5) "Physician", a person licensed to practice medicine  
20 pursuant to chapter 334;

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

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

27          (8) "Temporary windshield placard", a placard to be issued  
28 to persons who are temporarily disabled persons as defined in

1 this section, certification of which shall be indicated on the  
2 physician's statement;

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

7 2. Other authorized health care practitioners may furnish  
8 to a disabled or temporarily disabled person a physician's  
9 statement for only those physical health care conditions for  
10 which such health care practitioner is legally authorized to  
11 diagnose and treat.

12 3. A physician's statement shall:

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

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

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

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

21 4. If it is the professional opinion of the physician or  
22 other authorized health care practitioner issuing the statement  
23 that the physical disability of the applicant, user, or member of  
24 the applicant's household is permanent, it shall be noted on the  
25 statement. Otherwise, the physician or other authorized health  
26 care practitioner shall note on the statement the anticipated  
27 length of the disability which period may not exceed one hundred  
28 eighty days. If the physician or health care practitioner fails



1 to record an expiration date on the physician's statement, the  
2 director shall issue a temporary windshield placard for a period  
3 of thirty days.

4 5. A physician or other authorized health care practitioner  
5 who issues or signs a physician's statement so that disabled  
6 plates or a disabled windshield placard may be obtained shall  
7 maintain in such disabled person's medical chart documentation  
8 that such a certificate has been issued, the date the statement  
9 was signed, the diagnosis or condition which existed that  
10 qualified the person as disabled pursuant to this section and  
11 shall contain sufficient documentation so as to objectively  
12 confirm that such condition exists.

13 6. The medical or other records of the physician or other  
14 authorized health care practitioner who issued a physician's  
15 statement shall be open to inspection and review by such  
16 practitioner's licensing board, in order to verify compliance  
17 with this section. Information contained within such records  
18 shall be confidential unless required for prosecution,  
19 disciplinary purposes, or otherwise required to be disclosed by  
20 law.

21 7. Owners of motor vehicles who are residents of the state  
22 of Missouri, and who are physically disabled, owners of motor  
23 vehicles operated at least fifty percent of the time by a  
24 physically disabled person, or owners of motor vehicles used to  
25 primarily transport physically disabled members of the owner's  
26 household may obtain disabled person license plates. Such  
27 owners, upon application, accompanied by the documents and fees  
28 provided for in this section, a current physician's statement

1 which has been issued within ninety days proceeding the date the  
2 application is made and proof of compliance with the state motor  
3 vehicle laws relating to registration and licensing of motor  
4 vehicles, shall be issued motor vehicle license plates for  
5 vehicles, other than commercial vehicles with a gross weight in  
6 excess of twenty-four thousand pounds, upon which shall be  
7 inscribed the international wheelchair accessibility symbol and  
8 the word "DISABLED" in addition to a combination of letters and  
9 numbers. Such license plates shall be made with fully reflective  
10 material with a common color scheme and design, shall be clearly  
11 visible at night, and shall be aesthetically attractive, as  
12 prescribed by section 301.130. If at any time an individual who  
13 obtained disabled license plates issued under this subsection no  
14 longer occupies a residence with a physically disabled person, or  
15 no longer owns a vehicle that is operated at least fifty percent  
16 of the time by a physically disabled person, such individual  
17 shall surrender the disabled license plates to the department  
18 within thirty days of becoming ineligible for their use.

19 8. The director shall further issue, upon request, to such  
20 applicant one, and for good cause shown, as the director may  
21 define by rule and regulations, not more than two, removable  
22 disabled windshield hanging placards for use when the disabled  
23 person is occupying a vehicle or when a vehicle not bearing the  
24 permanent handicap plate is being used to pick up, deliver, or  
25 collect the physically disabled person issued the disabled motor  
26 vehicle license plate or disabled windshield hanging placard.

27 9. No additional fee shall be paid to the director for the  
28 issuance of the special license plates provided in this section,

1 except for special personalized license plates and other license  
2 plates described in this subsection. Priority for any specific  
3 set of special license plates shall be given to the applicant who  
4 received the number in the immediately preceding license period  
5 subject to the applicant's compliance with the provisions of this  
6 section and any applicable rules or regulations issued by the  
7 director. If determined feasible by the advisory committee  
8 established in section 301.129, any special license plate issued  
9 pursuant to this section may be adapted to also include the  
10 international wheelchair accessibility symbol and the word  
11 "DISABLED" as prescribed in this section and such plate may be  
12 issued to any applicant who meets the requirements of this  
13 section and the other appropriate provision of this chapter,  
14 subject to the requirements and fees of the appropriate provision  
15 of this chapter.

16 10. Any physically disabled person, or the parent or  
17 guardian of any such person, or any not-for-profit group,  
18 organization, or other entity which transports more than one  
19 physically disabled person, may apply to the director of revenue  
20 for a removable windshield placard. The placard may be used in  
21 motor vehicles which do not bear the permanent handicap symbol on  
22 the license plate. Such placards must be hung from the front,  
23 middle rearview mirror of a parked motor vehicle and may not be  
24 hung from the mirror during operation. These placards may only  
25 be used during the period of time when the vehicle is being used  
26 by a disabled person, or when the vehicle is being used to pick  
27 up, deliver, or collect a disabled person, and shall be  
28 surrendered to the department, within thirty days, if a group,

1 organization, or entity that obtained the removable windshield  
2 placard due to the transportation of more than one physically  
3 disabled person no longer transports more than one disabled  
4 person. When there is no rearview mirror, the placard shall be  
5 displayed on the dashboard on the driver's side.

6 11. The removable windshield placard shall conform to the  
7 specifications, in respect to size, color, and content, as set  
8 forth in federal regulations published by the Department of  
9 Transportation. The removable windshield placard shall be  
10 renewed every four years. The director may stagger the  
11 expiration dates to equalize workload. Only one removable  
12 placard may be issued to an applicant who has been issued  
13 disabled person license plates. Upon request, one additional  
14 windshield placard may be issued to an applicant who has not been  
15 issued disabled person license plates.

16 12. A temporary windshield placard shall be issued to any  
17 physically disabled person, or the parent or guardian of any such  
18 person who otherwise qualifies except that the physical  
19 disability, in the opinion of the physician, is not expected to  
20 exceed a period of one hundred eighty days. The temporary  
21 windshield placard shall conform to the specifications, in  
22 respect to size, color, and content, as set forth in federal  
23 regulations published by the Department of Transportation. The  
24 fee for the temporary windshield placard shall be two dollars.  
25 Upon request, and for good cause shown, one additional temporary  
26 windshield placard may be issued to an applicant. Temporary  
27 windshield placards shall be issued upon presentation of the  
28 physician's statement provided by this section and shall be

1 displayed in the same manner as removable windshield placards. A  
2 person or entity shall be qualified to possess and display a  
3 temporary removable windshield placard for six months and the  
4 placard may be renewed once for an additional six months if a  
5 physician's statement pursuant to this section is supplied to the  
6 director of revenue at the time of renewal.

7 13. Application for license plates or windshield placards  
8 issued pursuant to this section shall be made to the director of  
9 revenue and shall be accompanied by a statement signed by a  
10 licensed physician or other authorized health care practitioner  
11 which certifies that the applicant, user, or member of the  
12 applicant's household is a physically disabled person as defined  
13 by this section.

14 14. The placard shall be renewable only by the person or  
15 entity to which the placard was originally issued. Any placard  
16 issued pursuant to this section shall only be used when the  
17 physically disabled occupant for whom the disabled plate or  
18 placard was issued is in the motor vehicle at the time of parking  
19 or when a physically disabled person is being delivered or  
20 collected. A disabled license plate and/or a removable  
21 windshield hanging placard are not transferable and may not be  
22 used by any other person whether disabled or not.

23 15. At the time the disabled plates or windshield hanging  
24 placards are issued, the director shall issue a registration  
25 certificate which shall include the applicant's name, address,  
26 and other identifying information as prescribed by the director,  
27 or if issued to an agency, such agency's name and address. This  
28 certificate shall further contain the disabled license plate

1 number or, for windshield hanging placards, the registration or  
2 identifying number stamped on the placard. The validated  
3 registration receipt given to the applicant shall serve as the  
4 registration certificate.

5 16. The director shall, upon issuing any disabled  
6 registration certificate for license plates and/or windshield  
7 hanging placards, provide information which explains that such  
8 plates or windshield hanging placards are nontransferable, and  
9 the restrictions explaining who and when a person or vehicle  
10 which bears or has the disabled plates or windshield hanging  
11 placards may be used or be parked in a disabled reserved parking  
12 space, and the penalties prescribed for violations of the  
13 provisions of this act.

14 17. Every new applicant for a disabled license plate or  
15 placard shall be required to present a new physician's statement  
16 dated no more than ninety days prior to such application.  
17 Renewal applicants will be required to submit a physician's  
18 statement dated no more than ninety days prior to such  
19 application upon their first renewal occurring on or after August  
20 1, 2005. Upon completing subsequent renewal applications, a  
21 physician's statement dated no more than ninety days prior to  
22 such application shall be required every ~~fourth~~ eighth year.  
23 Such physician's statement shall state the expiration date for  
24 the temporary windshield placard. If the physician fails to  
25 record an expiration date on the physician's statement, the  
26 director shall issue the temporary windshield placard for a  
27 period of thirty days. The director may stagger the requirement  
28 of a physician's statement on all renewals for the initial

1 implementation of a ~~four-year~~ eight-year period.

2 18. The director of revenue upon receiving a physician's  
3 statement pursuant to this subsection shall check with the state  
4 board of registration for the healing arts created in section  
5 334.120, or the Missouri state board of nursing established in  
6 section 335.021, with respect to physician's statements signed by  
7 advanced practice registered nurses, or the Missouri state board  
8 of chiropractic examiners established in section 331.090, with  
9 respect to physician's statements signed by licensed  
10 chiropractors, or with the board of optometry established in  
11 section 336.130, with respect to physician's statements signed by  
12 licensed optometrists, or the state board of podiatric medicine  
13 created in section 330.100, with respect to physician's  
14 statements signed by physicians of the foot or podiatrists to  
15 determine whether the physician is duly licensed and registered  
16 pursuant to law. If such applicant obtaining a disabled license  
17 plate or placard presents proof of disability in the form of a  
18 statement from the United States Veterans' Administration  
19 verifying that the person is permanently disabled, the applicant  
20 shall be exempt from the ~~four-year~~ eight-year certification  
21 requirement of this subsection for renewal of the plate or  
22 placard. Initial applications shall be accompanied by the  
23 physician's statement required by this section. Notwithstanding  
24 the provisions of paragraph (f) of subdivision (4) of subsection  
25 1 of this section, any person seventy-five years of age or older  
26 who provided the physician's statement with the original  
27 application shall not be required to provide a physician's  
28 statement for the purpose of renewal of disabled persons license

1 plates or windshield placards.

2 19. The boards shall cooperate with the director and shall  
3 supply information requested pursuant to this subsection. The  
4 director shall, in cooperation with the boards which shall assist  
5 the director, establish a list of all Missouri physicians and  
6 other authorized health care practitioners and of any other  
7 information necessary to administer this section.

8 20. Where the owner's application is based on the fact that  
9 the vehicle is used at least fifty percent of the time by a  
10 physically disabled person, the applicant shall submit a  
11 statement stating this fact, in addition to the physician's  
12 statement. The statement shall be signed by both the owner of  
13 the vehicle and the physically disabled person. The applicant  
14 shall be required to submit this statement with each application  
15 for license plates. No person shall willingly or knowingly  
16 submit a false statement and any such false statement shall be  
17 considered perjury and may be punishable pursuant to section  
18 301.420.

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

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

27 23. When a person to whom disabled person license plates or  
28 a removable or temporary windshield placard or both have been



1 issued dies, the personal representative of the decedent or such  
2 other person who may come into or otherwise take possession of  
3 the disabled license plates or disabled windshield placard shall  
4 return the same to the director of revenue under penalty of law.  
5 Failure to return such plates or placards shall constitute a  
6 class B misdemeanor.

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

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

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

23 27. Fraudulent application, renewal, issuance, procurement  
24 or use of disabled person license plates or windshield placards  
25 shall be a class A misdemeanor. It is a class B misdemeanor for  
26 a physician, chiropractor, podiatrist or optometrist to certify  
27 that an individual or family member is qualified for a license  
28 plate or windshield placard based on a disability, the diagnosis

1 of which is outside their scope of practice or if there is no  
2 basis for the diagnosis.

3 301.145. Any person who has been awarded the Congressional  
4 Medal of Honor may apply for special motor vehicle license plates  
5 for any vehicle he or she owns, either solely or jointly, other  
6 than commercial vehicles weighing over twenty-four thousand  
7 pounds, as provided in this section. Any such person shall make  
8 application for the special license plates on a form provided by  
9 the director of revenue and furnish such proof of receipt of the  
10 Congressional Medal of Honor as the director may require. The  
11 director shall then issue license plates bearing the words  
12 "CONGRESSIONAL MEDAL OF HONOR" in a [form] manner prescribed by  
13 the [advisory committee established in section 301.129, except  
14 that] director of revenue. Such license plates shall be made  
15 with fully reflective material with a common color scheme and  
16 design, shall be clearly visible at night, and shall be  
17 aesthetically attractive, as prescribed by section 301.130.  
18 There shall be no limit on the number of license plates any  
19 person qualified under this section may obtain so long as each  
20 set of license plates issued under this section is issued for  
21 vehicles owned solely or jointly by such person. License plates  
22 issued under this section shall not be transferable to any other  
23 person except that any registered co-owner of the motor vehicle  
24 may operate the motor vehicle for the duration of the year  
25 licensed in the event of the death of the qualified person.  
26 There shall be no fee charged in addition to regular registration  
27 fees for license plates issued under this section.

28 301.350. 1. Upon receipt of an application for

1 registration of a motor vehicle, trailer, manufacturer or dealer,  
2 as provided in this chapter, the director of revenue shall file  
3 such application and register such motor vehicle, trailer,  
4 manufacturer or dealer, together with the facts stated in the  
5 application, under a distinctive number assigned to such motor  
6 vehicle, trailer, manufacturer or dealer. Separate records shall  
7 be kept as follows:

8 (1) Motor vehicles registered by owners;

9 (2) Commercial motor vehicles;

10 (3) Trailers;

11 (4) Motorcycles and motor tricycles;

12 (5) Autocycles;

13 (6) Manufacturers and dealers.

14 2. The director of revenue may keep such other  
15 classifications and records as he may deem necessary and may  
16 enter contracts or agreements or otherwise make arrangements for  
17 computerized access to odometer and title information.

18 3. All of such books and records shall be kept open to  
19 public inspection during reasonable business hours.

20 4. The governor may cause the records of the department of  
21 revenue to be audited by the state auditor at any time.

22 302.170. 1. As used in this section, the following terms  
23 shall mean:

24 (1) "Biometric data", shall include, but not be limited to,  
25 the following:

26 (a) Facial feature pattern characteristics;

27 (b) Voice data used for comparing live speech with a  
28 previously created speech model of a person's voice;

1           (c) Iris recognition data containing color or texture  
2 patterns or codes;

3           (d) Retinal scans, reading through the pupil to measure  
4 blood vessels lining the retina;

5           (e) Fingerprint, palm prints, hand geometry, measure of any  
6 and all characteristics of biometric information, including shape  
7 and length of fingertips, or recording ridge pattern or fingertip  
8 characteristics;

9           (f) Eye spacing;

10          (g) Characteristic gait or walk;

11          (h) DNA;

12          (i) Keystroke dynamic, measuring pressure applied to key  
13 pads or other digital receiving devices;

14          (2) "Commercial purposes", shall not include data used or  
15 compiled solely to be used for, or obtained or compiled solely  
16 for purposes expressly allowed under Missouri law or the federal  
17 Drivers Privacy Protection Act;

18          (3) "Source documents", original or certified copies, where  
19 applicable, of documents presented by an applicant as required  
20 under 6 CFR Part 37 to the department of revenue to apply for a  
21 driver's license or nondriver's license. Source documents shall  
22 also include any documents required for the issuance of driver's  
23 licenses or nondriver's licenses by the department of revenue  
24 under the provisions of this chapter or accompanying regulations.

25          2. Except as provided in subsection 3 of this section and  
26 as required to carry out the provisions of subsection 4 of this  
27 section, the department of revenue shall not retain copies, in  
28 any format, of source documents presented by individuals applying

1 for or holding driver's licenses or nondriver's licenses or use  
2 technology to capture digital images of source documents so that  
3 the images are capable of being retained in electronic storage in  
4 a transferable format. Documents retained as provided or  
5 required by [subsections 3 and] subsection 4 of this section  
6 shall be stored solely on a system not connected to the internet  
7 nor to a wide area network that connects to the internet. Once  
8 stored on such system, the documents and data shall be purged  
9 from any systems on which they were previously stored so as to  
10 make them irretrievable.

11 3. The provisions of this section shall not apply to:

12 (1) Original application forms, which may be retained but  
13 not scanned except as provided in this section;

14 (2) Test score documents issued by state highway patrol  
15 driver examiners;

16 (3) Documents demonstrating lawful presence of any  
17 applicant who is not a citizen of the United States, including  
18 documents demonstrating duration of the person's lawful presence  
19 in the United States;

20 (4) Any document required to be retained under federal  
21 motor carrier regulations in Title 49, Code of Federal  
22 Regulations, including but not limited to documents required by  
23 federal law for the issuance of a commercial driver's license and  
24 a commercial driver instruction permit; [and]

25 (5) Documents submitted by a commercial driver's license  
26 applicant who is a Missouri resident and is active duty military  
27 or a veteran, as "veteran" is defined in 38 U.S.C. 101, which  
28 allows for waiver of the commercial driver's license knowledge

1 test, skills test, or both; and

2       (6) Any other document at the request of and for the  
3 convenience of the applicant where the applicant requests the  
4 department of revenue review alternative documents as proof  
5 required for issuance of a driver's license, nondriver's license,  
6 or instruction permit.

7       4. (1) To the extent not prohibited under subsection 13 of  
8 this section, the department of revenue shall amend procedures  
9 for applying for a driver's license or identification card in  
10 order to comply with the goals or standards of the federal REAL  
11 ID Act of 2005, any rules or regulations promulgated under the  
12 authority granted in such Act, or any requirements adopted by the  
13 American Association of Motor Vehicle Administrators for  
14 furtherance of the Act, unless such action conflicts with  
15 Missouri law.

16       (2) The department of revenue shall issue driver's licenses  
17 or identification cards that are compliant with the federal REAL  
18 ID Act of 2005, as amended, to all applicants for driver's  
19 licenses or identification cards unless an applicant requests a  
20 driver's license or identification card that is not REAL ID  
21 compliant. Except as provided in subsection 3 of this section  
22 and as required to carry out the provisions of this subsection,  
23 the department of revenue shall not retain the source documents  
24 of individuals applying for driver's licenses or identification  
25 cards not compliant with REAL ID. Upon initial application for a  
26 driver's license or identification card, the department shall  
27 inform applicants of the option of being issued a REAL ID  
28 compliant driver's license or identification card or a driver's

1 license or identification card that is not compliant with REAL  
2 ID. The department shall inform all applicants:

3 (a) With regard to the REAL ID compliant driver's license  
4 or identification card:

5 a. Such card is valid for official state purposes and for  
6 official federal purposes as outlined in the federal REAL ID Act  
7 of 2005, as amended, such as domestic air travel and seeking  
8 access to military bases and most federal facilities;

9 b. Electronic copies of source documents will be retained  
10 by the department and destroyed after the minimum time required  
11 for digital retention by the federal REAL ID Act of 2005, as  
12 amended;

13 c. The facial image capture will only be retained by the  
14 department if the application is finished and submitted to the  
15 department; and

16 d. Any other information the department deems necessary to  
17 inform the applicant about the REAL ID compliant driver's license  
18 or identification card under the federal REAL ID Act;

19 (b) With regard to a driver's license or identification  
20 card that is not compliant with the federal REAL ID Act:

21 a. Such card is valid for official state purposes, but it  
22 is not valid for official federal purposes as outlined in the  
23 federal REAL ID Act of 2005, as amended, such as domestic air  
24 travel and seeking access to military bases and most federal  
25 facilities;

26 b. Source documents will be verified but no copies of such  
27 documents will be retained by the department unless permitted  
28 under subsection 3 of this section, except as necessary to

1 process a request by a license or card holder or applicant;

2 c. Any other information the department deems necessary to  
3 inform the applicant about the driver's license or identification  
4 card.

5 5. The department of revenue shall not use, collect,  
6 obtain, share, or retain biometric data nor shall the department  
7 use biometric technology to produce a driver's license or  
8 nondriver's license or to uniquely identify licensees or license  
9 applicants. This subsection shall not apply to digital images  
10 nor licensee signatures required for the issuance of driver's  
11 licenses and nondriver's licenses or to biometric data collected  
12 from employees of the department of revenue, employees of the  
13 office of administration who provide information technology  
14 support to the department of revenue, contracted license offices,  
15 and contracted manufacturers engaged in the production,  
16 processing, or manufacture of driver's licenses or identification  
17 cards in positions which require a background check in order to  
18 be compliant with the federal REAL ID Act or any rules or  
19 regulations promulgated under the authority of such Act. Except  
20 as otherwise provided by law, applicants' source documents and  
21 Social Security numbers shall not be stored in any database  
22 accessible by any other state or the federal government. Such  
23 database shall contain only the data fields included on driver's  
24 licenses and nondriver identification cards compliant with the  
25 federal REAL ID Act, and the driving records of the individuals  
26 holding such driver's licenses and nondriver identification  
27 cards.

28 6. Notwithstanding any provision of this chapter that



1 requires an applicant to provide reasonable proof of lawful  
2 presence for issuance or renewal of a noncommercial driver's  
3 license, noncommercial instruction permit, or a nondriver's  
4 license, an applicant shall not have his or her privacy rights  
5 violated in order to obtain or renew a Missouri noncommercial  
6 driver's license, noncommercial instruction permit, or a  
7 nondriver's license.

8 7. No citizen of this state shall have his or her privacy  
9 compromised by the state or agents of the state. The state shall  
10 within reason protect the sovereignty of the citizens the state  
11 is entrusted to protect. Any data derived from a person's  
12 application shall not be sold for commercial purposes to any  
13 other organization or any other state without the express  
14 permission of the applicant without a court order; except such  
15 information may be shared with a law enforcement agency, judge,  
16 prosecuting attorney, or officer of the court, or with another  
17 state for the limited purposes set out in section 302.600, or for  
18 the purposes set forth in section 32.091, or for conducting  
19 driver history checks in compliance with the Motor Carrier Safety  
20 Improvement Act, 49 U.S.C. Section 31309. The state of Missouri  
21 shall protect the privacy of its citizens when handling any  
22 written, digital, or electronic data, and shall not participate  
23 in any standardized identification system using driver's and  
24 nondriver's license records except as provided in this section.

25 8. Other than to process a request by a license or card  
26 holder or applicant, no person shall access, distribute, or allow  
27 access to or distribution of any written, digital, or electronic  
28 data collected or retained under this section without the express

1 permission of the applicant or a court order, except that such  
2 information may be shared with a law enforcement agency, judge,  
3 prosecuting attorney, or officer of the court, or with another  
4 state for the limited purposes set out in section 302.600 or for  
5 conducting driver history checks in compliance with the Motor  
6 Carrier Safety Improvement Act, 49 U.S.C. Section 31309. A first  
7 violation of this subsection shall be a class A misdemeanor. A  
8 second violation of this subsection shall be a class E felony. A  
9 third or subsequent violation of this subsection shall be a class  
10 D felony.

11 9. Any person harmed or damaged by any violation of this  
12 section may bring a civil action for damages, including  
13 noneconomic and punitive damages, as well as injunctive relief,  
14 in the circuit court where that person resided at the time of the  
15 violation or in the circuit court of Cole County to recover such  
16 damages from the department of revenue and any persons  
17 participating in such violation. Sovereign immunity shall not be  
18 available as a defense for the department of revenue in such an  
19 action. In the event the plaintiff prevails on any count of his  
20 or her claim, the plaintiff shall be entitled to recover  
21 reasonable attorney fees from the defendants.

22 10. The department of revenue may promulgate rules  
23 necessary to implement the provisions of this section. Any rule  
24 or portion of a rule, as that term is defined in section 536.010,  
25 that is created under the authority delegated in this section  
26 shall become effective only if it complies with and is subject to  
27 all of the provisions of chapter 536 and, if applicable, section  
28 536.028. This section and chapter 536 are nonseverable and if

1 any of the powers vested with the general assembly pursuant to  
2 chapter 536 to review, to delay the effective date, or to  
3 disapprove and annul a rule are subsequently held  
4 unconstitutional, then the grant of rulemaking authority and any  
5 rule proposed or adopted after August 28, 2017, shall be invalid  
6 and void.

7 11. Biometric data, digital images, source documents, and  
8 licensee signatures, or any copies of the same, required to be  
9 collected or retained to comply with the requirements of the  
10 federal REAL ID Act of 2005 shall be digitally retained for no  
11 longer than the minimum duration required to maintain compliance,  
12 and immediately thereafter shall be securely destroyed so as to  
13 make them irretrievable.

14 12. No agency, department, or official of this state or of  
15 any political subdivision thereof shall use, collect, obtain,  
16 share, or retain radio frequency identification data from a REAL  
17 ID compliant driver's license or identification card issued by a  
18 state, nor use the same to uniquely identify any individual.

19 13. Notwithstanding any provision of law to the contrary,  
20 the department of revenue shall not amend procedures for applying  
21 for a driver's license or identification card, nor promulgate any  
22 rule or regulation, for purposes of complying with modifications  
23 made to the federal REAL ID Act of 2005 after August 28, 2017,  
24 imposing additional requirements on applications, document  
25 retention, or issuance of compliant licenses or cards, including  
26 any rules or regulations promulgated under the authority granted  
27 under the federal REAL ID Act of 2005, as amended, or any  
28 requirements adopted by the American Association of Motor Vehicle

1 Administrators for furtherance thereof.

2 14. If the federal REAL ID Act of 2005 is modified or  
3 repealed such that driver's licenses and identification cards  
4 issued by this state that are not compliant with the federal REAL  
5 ID Act of 2005 are once again sufficient for federal  
6 identification purposes, the department shall not issue a  
7 driver's license or identification card that complies with the  
8 federal REAL ID Act of 2005 and shall securely destroy, within  
9 thirty days, any source documents retained by the department for  
10 the purpose of compliance with such Act.

11 15. The provisions of this section shall expire five years  
12 after August 28, 2017.

13 302.173. 1. Any applicant for a license, who does not  
14 possess a valid license issued pursuant to the laws of this  
15 state, another state, or a country which has a reciprocal  
16 agreement with the state of Missouri regarding the exchange of  
17 licenses pursuant to section 302.172 shall be examined as herein  
18 provided. Any person who has failed to renew such person's  
19 license on or before the date of its expiration or within six  
20 months thereafter must take the complete examination. Any active  
21 member of the Armed Forces, their adult dependents or any active  
22 member of the Peace Corps may apply for a renewal license without  
23 examination of any kind, unless otherwise required by sections  
24 302.700 to 302.780, provided the renewal application shows that  
25 the previous license had not been suspended or revoked. Any  
26 person honorably discharged from the Armed Forces of the United  
27 States who held a valid license prior to being inducted may apply  
28 for a renewal license within sixty days after such person's

1     honorale discharge without submitting to any examination of such  
2     person's ability to safely operate a motor vehicle over the  
3     highways of this state unless otherwise required by sections  
4     302.700 to 302.780, other than the vision test provided in  
5     section 302.175, unless the facts set out in the renewal  
6     application or record of convictions on the expiring license, or  
7     the records of the director show that there is good cause to  
8     authorize the director to require the applicant to submit to the  
9     complete examination. No applicant for a renewal license shall  
10    be required to submit to any examination of his or her ability to  
11    safely operate a motor vehicle over the highways of this state  
12    unless otherwise required by sections 302.700 to 302.780 or  
13    regulations promulgated thereunder, other than a test of the  
14    applicant's ability to understand highway signs regulating,  
15    warning or directing traffic and the vision test provided in  
16    section 302.175, unless the facts set out in the renewal  
17    application or record of convictions on the expiring license, or  
18    the records of the director show that there is good cause to  
19    authorize the director to require the applicant to submit to the  
20    complete examination. The examination shall be made available in  
21    each county. Reasonable notice of the time and place of the  
22    examination shall be given the applicant by the person or officer  
23    designated to conduct it. The complete examination shall include  
24    a test of the applicant's natural or corrected vision as  
25    prescribed in section 302.175, the applicant's ability to  
26    understand highway signs regulating, warning or directing  
27    traffic, the applicant's practical knowledge of the traffic laws  
28    of this state, and an actual demonstration of ability to exercise

1 due care in the operation of a motor vehicle of the  
2 classification for which the license is sought. When an  
3 applicant for a license has a license from a state which has  
4 requirements for issuance of a license comparable to the Missouri  
5 requirements or a license from a country which has a reciprocal  
6 agreement with the state of Missouri regarding the exchange of  
7 licenses pursuant to section 302.172 and such license has not  
8 expired more than six months prior to the date of application for  
9 the Missouri license, the director may waive the test of the  
10 applicant's practical knowledge of the traffic laws of this  
11 state, and the requirement of actual demonstration of ability to  
12 exercise due care in the operation of a motor vehicle. If the  
13 director has reasonable grounds to believe that an applicant is  
14 suffering from some known physical or mental ailment which  
15 ordinarily would interfere with the applicant's fitness to  
16 operate a motor vehicle safely upon the highways, the director  
17 may require that the examination include a physical or mental  
18 examination by a licensed physician of the applicant's choice, at  
19 the applicant's expense, to determine the fact. The director  
20 shall prescribe regulations to ensure uniformity in the  
21 examinations and in the grading thereof and shall prescribe and  
22 furnish all forms to the members of the highway patrol and to  
23 other persons authorized to conduct examinations as may be  
24 necessary to enable the officer or person to properly conduct the  
25 examination. The records of the examination shall be forwarded  
26 to the director who shall not issue any license hereunder if in  
27 the director's opinion the applicant is not qualified to operate  
28 a motor vehicle safely upon the highways of this state.

1           2. Beginning July 1, 2005, when the examiner has reasonable  
2 grounds to believe that an individual has committed fraud or  
3 deception during the examination process, the license examiner  
4 shall immediately forward to the director all information  
5 relevant to any fraud or deception, including, but not limited  
6 to, a statement of the examiner's grounds for belief that the  
7 person committed or attempted to commit fraud or deception in the  
8 written, skills, or vision examination.

9           3. The director of revenue shall delegate the power to  
10 conduct the examinations required for a license or permit to any  
11 member of the highway patrol or any person employed by the  
12 highway patrol. The powers delegated to any examiner may be  
13 revoked at any time by the director of revenue upon notice.

14           4. Notwithstanding the requirements of subsections 1 and 3  
15 of this section, the successful completion of a motorcycle rider  
16 training course approved pursuant to sections 302.133 to 302.137  
17 shall constitute an actual demonstration of the person's ability  
18 to exercise due care in the operation of a motorcycle or  
19 motortricycle, and no further practical knowledge or driving test  
20 shall be required to obtain a motorcycle or motortricycle license  
21 or endorsement. The motorcycle rider training course completion  
22 shall be accepted for purposes of motorcycle license or  
23 endorsement issuance for one year from the date of course  
24 completion.

25           5. Notwithstanding the requirements of subsections 1 and 3  
26 of this section, the successful completion of a military  
27 motorcycle rider training course that meets or exceeds the  
28 Motorcycle Safety Foundation curriculum standards by an applicant

1 who is an active member of the [U.S.] United States Armed Forces,  
2 shall constitute an actual demonstration of the person's ability  
3 to exercise due care in the operation of a motorcycle or  
4 motortricycle, and no further practical knowledge or driving test  
5 shall be required to obtain a motorcycle or motortricycle license  
6 or endorsement. The military motorcycle rider training course  
7 completion shall be accepted for purposes of motorcycle license  
8 or endorsement issuance for one year from the date of course  
9 completion. The director of revenue is authorized to promulgate  
10 rules and regulations for the administration and implementation  
11 of this subsection including rules governing the presentment of  
12 motorcycle training course completion cards from a military  
13 motorcycle rider training course or other documentation showing  
14 that the applicant has successfully completed a course in basic  
15 motorcycle safety instruction that meets or exceeds curriculum  
16 standards established by the Motorcycle Safety Foundation or  
17 other national organization whose purpose is to improve the  
18 safety of motorcyclists on the nation's streets and highways.  
19 Any rule or portion of a rule, as that term is defined in section  
20 536.010, that is created under the authority delegated in this  
21 section shall become effective only if it complies with and is  
22 subject to all of the provisions of chapter 536 and, if  
23 applicable, section 536.028. This section and chapter 536 are  
24 nonseverable and if any of the powers vested with the general  
25 assembly pursuant to chapter 536 to review, to delay the  
26 effective date, or to disapprove and annul a rule are  
27 subsequently held unconstitutional, then the grant of rulemaking  
28 authority and any rule proposed or adopted after August 28, 2012,



1 shall be invalid and void.

2 304.005. 1. As used in this section, the term "autocycle"  
3 means a three-wheeled motor vehicle which the drivers and  
4 passengers ride in a partially or completely enclosed nonstraddle  
5 seating area, that is designed to be controlled with a steering  
6 wheel and pedals, and that has met applicable Department of  
7 Transportation National Highway Traffic Safety Administration  
8 requirements or Federal Motorcycle Safety Standards.

9 2. Notwithstanding subsection 2 of section 302.020, a  
10 person operating or riding in an autocycle [~~shall~~] may not be  
11 required to wear protective headgear [if the vehicle is equipped  
12 with a roof that meets or exceeds the standards established for  
13 protective headgear].

14 3. No person shall operate an autocycle on any highway or  
15 street in this state unless the person has a valid driver's  
16 license. The operator of an autocycle, however, shall not be  
17 required to obtain a motorcycle or motortricycle license or  
18 endorsement pursuant to sections 302.010 to 302.340.

19 304.060. 1. The state board of education shall adopt and  
20 enforce regulations not inconsistent with law to cover the design  
21 and operation of all school buses used for the transportation of  
22 school children when owned and operated by any school district or  
23 privately owned and operated under contract with any school  
24 district in this state, and such regulations shall by reference  
25 be made a part of any such contract with a school district. The  
26 state board of education may adopt rules and regulations  
27 governing the use of other vehicles owned by a district or  
28 operated under contract with any school district in this state

1 and used for the purpose of transporting school children. The  
2 operator of such vehicle shall be licensed in accordance with  
3 section 302.272, and such vehicle shall transport no more  
4 children than the manufacturer suggests as appropriate for such  
5 vehicle. The state board of education may also adopt rules and  
6 regulations governing the use of authorized common carriers for  
7 the transportation of students on field trips or other special  
8 trips for educational purposes. Every school district, its  
9 officers and employees, and every person employed under contract  
10 by a school district shall be subject to such regulations. The  
11 state board of education shall cooperate with the state  
12 transportation department and the state highway patrol in placing  
13 suitable warning signs at intervals on the highways of the state.

14 2. Notwithstanding the provisions of subsection 1 of this  
15 section, any school board in the state of Missouri in an urban  
16 district containing the greater part of the population of a city  
17 which has more than three hundred thousand inhabitants may  
18 contract with any municipality, bi-state agency, or other  
19 governmental entity for the purpose of transporting school  
20 children attending a grade or grades not lower than the ninth nor  
21 higher than the twelfth grade, provided that such contract shall  
22 be for additional transportation services, and shall not replace  
23 or fulfill any of the school district's obligations pursuant to  
24 section 167.231. The school district may notify students of the  
25 option to use district contracted transportation services.

26 3. Any officer or employee of any school district who  
27 violates any of the regulations or fails to include obligation to  
28 comply with such regulations in any contract executed by him on

1     behalf of a school district shall be guilty of misconduct and  
2     subject to removal from office or employment. Any person  
3     operating a school bus under contract with a school district who  
4     fails to comply with any such regulations shall be guilty of  
5     breach of contract and such contract shall be cancelled after  
6     notice and hearing by the responsible officers of such school  
7     district.

8           [3.] 4. Any other provision of the law to the contrary  
9     notwithstanding, in any county of the first class with a charter  
10    form of government adjoining a city not within a county, school  
11    buses may bear the word "special".

12           304.180. 1. No vehicle or combination of vehicles shall be  
13    moved or operated on any highway in this state having a greater  
14    weight than twenty thousand pounds on one axle, no combination of  
15    vehicles operated by transporters of general freight over regular  
16    routes as defined in section 390.020 shall be moved or operated  
17    on any highway of this state having a greater weight than the  
18    vehicle manufacturer's rating on a steering axle with the maximum  
19    weight not to exceed twelve thousand pounds on a steering axle,  
20    and no vehicle shall be moved or operated on any state highway of  
21    this state having a greater weight than thirty-four thousand  
22    pounds on any tandem axle; the term "tandem axle" shall mean a  
23    group of two or more axles, arranged one behind another, the  
24    distance between the extremes of which is more than forty inches  
25    and not more than ninety-six inches apart.

26           2. An "axle load" is defined as the total load transmitted  
27    to the road by all wheels whose centers are included between two  
28    parallel transverse vertical planes forty inches apart, extending

across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise

Maximum load in pounds

feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	

1	19	40,000	50,000	54,500	60,000	
2	20	40,000	51,000	55,500	60,500	66,000
3	21	40,000	51,500	56,000	61,000	66,500
4	22	40,000	52,500	56,500	61,500	67,000
5	23	40,000	53,000	57,500	62,500	68,000
6	24	40,000	54,000	58,000	63,000	68,500
7	25	40,000	54,500	58,500	63,500	69,000
8	26	40,000	55,500	59,500	64,000	69,500
9	27	40,000	56,000	60,000	65,000	70,000
10	28	40,000	57,000	60,500	65,500	71,000
11	29	40,000	57,500	61,500	66,000	71,500
12	30	40,000	58,500	62,000	66,500	72,000
13	31	40,000	59,000	62,500	67,500	72,500
14	32	40,000	60,000	63,500	68,000	73,000
15	33	40,000	60,000	64,000	68,500	74,000
16	34	40,000	60,000	64,500	69,000	74,500
17	35	40,000	60,000	65,500	70,000	75,000
18	36		60,000	66,000	70,500	75,500
19	37		60,000	66,500	71,000	76,000
20	38		60,000	67,500	72,000	77,000
21	39		60,000	68,000	72,500	77,500
22	40		60,000	68,500	73,000	78,000
23	41		60,000	69,500	73,500	78,500
24	42		60,000	70,000	74,000	79,000
25	43		60,000	70,500	75,000	80,000
26	44		60,000	71,500	75,500	80,000
27	45		60,000	72,000	76,000	80,000
28	46		60,000	72,500	76,500	80,000

1	47	60,000	73,500	77,500	80,000
2	48	60,000	74,000	78,000	80,000
3	49	60,000	74,500	78,500	80,000
4	50	60,000	75,500	79,000	80,000
5	51	60,000	76,000	80,000	80,000
6	52	60,000	76,500	80,000	80,000
7	53	60,000	77,500	80,000	80,000
8	54	60,000	78,000	80,000	80,000
9	55	60,000	78,500	80,000	80,000
10	56	60,000	79,500	80,000	80,000
11	57	60,000	80,000	80,000	80,000

12

13 Notwithstanding the above table, two consecutive sets of tandem  
14 axles may carry a gross load of thirty-four thousand pounds each  
15 if the overall distance between the first and last axles of such  
16 consecutive sets of tandem axles is thirty-six feet or more.

17 4. Whenever the state highways and transportation  
18 commission finds that any state highway bridge in the state is in  
19 such a condition that use of such bridge by vehicles of the  
20 weights specified in subsection 3 of this section will endanger  
21 the bridge, or the users of the bridge, the commission may  
22 establish maximum weight limits and speed limits for vehicles  
23 using such bridge. The governing body of any city or county may  
24 grant authority by act or ordinance to the commission to enact  
25 the limitations established in this section on those roadways  
26 within the purview of such city or county. Notice of the weight  
27 limits and speed limits established by the commission shall be  
28 given by posting signs at a conspicuous place at each end of any

1     such bridge.

2             5. Nothing in this section shall be construed as permitting  
3     lawful axle loads, tandem axle loads or gross loads in excess of  
4     those permitted under the provisions of P.L. 97-424 codified in  
5     Title 23 of the United States Code (23 U.S.C. Section 101, et  
6     al.), as amended.

7             6. Notwithstanding the weight limitations contained in this  
8     section, any vehicle or combination of vehicles operating on  
9     highways other than the interstate highway system may exceed  
10    single axle, tandem axle and gross weight limitations in an  
11    amount not to exceed two thousand pounds. However, total gross  
12    weight shall not exceed eighty thousand pounds, except as  
13    provided in subsections 9, 10, 12, and 13 of this section.

14            7. Notwithstanding any provision of this section to the  
15    contrary, the commission shall issue a single-use special permit,  
16    or upon request of the owner of the truck or equipment, shall  
17    issue an annual permit, for the transporting of any crane or  
18    concrete pump truck or well-drillers' equipment. The commission  
19    shall set fees for the issuance of permits and parameters for the  
20    transport of cranes pursuant to this subsection. Notwithstanding  
21    the provisions of section 301.133, cranes, concrete pump trucks  
22    or well-drillers' equipment may be operated on state-maintained  
23    roads and highways at any time on any day.

24            8. Notwithstanding the provision of this section to the  
25    contrary, the maximum gross vehicle limit and axle weight limit  
26    for any vehicle or combination of vehicles equipped with an idle  
27    reduction technology may be increased by a quantity necessary to  
28    compensate for the additional weight of the idle reduction system

1 as provided for in 23 U.S.C. Section 127, as amended. In no case  
2 shall the additional weight increase allowed by this subsection  
3 be greater than five hundred fifty pounds. Upon request by an  
4 appropriate law enforcement officer, the vehicle operator shall  
5 provide proof that the idle reduction technology is fully  
6 functional at all times and that the gross weight increase is not  
7 used for any purpose other than for the use of idle reduction  
8 technology.

9 9. Notwithstanding any provision of this section or any  
10 other law to the contrary, the total gross weight of any vehicle  
11 or combination of vehicles hauling milk, from a farm to a  
12 processing facility or livestock may be as much as, but shall not  
13 exceed, eighty-five thousand five hundred pounds while operating  
14 on highways other than the interstate highway system. The  
15 provisions of this subsection shall not apply to vehicles  
16 operated and operating on the Dwight D. Eisenhower System of  
17 Interstate and Defense Highways.

18 10. Notwithstanding any provision of this section or any  
19 other law to the contrary, any vehicle or combination of vehicles  
20 hauling grain or grain coproducts during times of harvest may be  
21 as much as, but not exceeding, ten percent over the maximum  
22 weight limitation allowable under subsection 3 of this section  
23 while operating on highways other than the interstate highway  
24 system. The provisions of this subsection shall not apply to  
25 vehicles operated and operating on the Dwight D. Eisenhower  
26 System of Interstate and Defense Highways.

27 11. Notwithstanding any provision of this section or any  
28 other law to the contrary, the commission shall issue emergency



1 utility response permits for the transporting of utility wires or  
2 cables, poles, and equipment needed for repair work immediately  
3 following a disaster where utility service has been disrupted.  
4 Under exigent circumstances, verbal approval of such operation  
5 may be made either by the department of transportation motor  
6 carrier compliance supervisor or other designated motor carrier  
7 services representative. Utility vehicles and equipment used to  
8 assist utility companies granted special permits under this  
9 subsection may be operated and transported on state-maintained  
10 roads and highways at any time on any day. The commission shall  
11 promulgate all necessary rules and regulations for the  
12 administration of this section. Any rule or portion of a rule,  
13 as that term is defined in section 536.010, that is created under  
14 the authority delegated in this section shall become effective  
15 only if it complies with and is subject to all of the provisions  
16 of chapter 536 and, if applicable, section 536.028. This section  
17 and chapter 536 are nonseverable and if any of the powers vested  
18 with the general assembly pursuant to chapter 536 to review, to  
19 delay the effective date, or to disapprove and annul a rule are  
20 subsequently held unconstitutional, then the grant of rulemaking  
21 authority and any rule proposed or adopted after August 28, 2014,  
22 shall be invalid and void.

23 12. Notwithstanding any provision of this section to the  
24 contrary, emergency vehicles designed to be used under emergency  
25 conditions to transport personnel and equipment and to mitigate  
26 hazardous situations may have a maximum gross vehicle weight of  
27 eighty-six thousand pounds inclusive of twenty-four thousand  
28 pounds on a single steering axle; thirty-three thousand five

1 hundred pounds on a single drive axle; sixty-two thousand pounds  
2 on a tandem axle; or fifty-two thousand pounds on a tandem rear-  
3 drive steer axle.

4 13. Notwithstanding any provision of this section to the  
5 contrary, a vehicle operated by an engine fueled primarily by  
6 natural gas may operate upon the public highways of this state in  
7 excess of the vehicle weight limits set forth in this section by  
8 an amount that is equal to the difference between the weight of  
9 the vehicle attributable to the natural gas tank and fueling  
10 system carried by that vehicle and the weight of a comparable  
11 diesel tank and fueling system. In no event shall the maximum  
12 gross vehicle weight of the vehicle operating with a natural gas  
13 engine exceed eighty-two thousand pounds.

14 304.232. 1. The Missouri state highway patrol shall  
15 approve procedures for the certification of municipal police  
16 officers, sheriffs, deputy sheriffs, and other law enforcement  
17 officials that enforce sections 304.170 to 304.230.

18 2. The certification procedures shall meet the requirements  
19 of the memorandum of understanding between the state of Missouri  
20 and the commercial vehicle safety alliance or any successor  
21 organization, as periodically adopted or amended.

22 3. Commercial motor vehicle safety data collection,  
23 management, and distribution by law enforcement officials shall  
24 be compatible with the information systems of the Missouri state  
25 highway patrol.

26 4. The Missouri state highway patrol shall establish  
27 reasonable fees sufficient to recover the cost of training,  
28 recurring training, data collection and management, certifying,

1 and additional administrative functions for law enforcement  
2 officials approved under this section.

3 5. The agencies for which law enforcement officials  
4 approved under this section shall adhere to the Motor Carrier  
5 Safety Assistance Program requirements under 49 Code of Federal  
6 Regulations Part 350 of the Federal Motor Carrier Safety  
7 Regulations.

8 6. The agencies for which law enforcement officials  
9 approved under this section shall be subject to periodic program  
10 reviews and be required to submit a commercial vehicle safety  
11 plan that is consistent with and incorporated into the statewide  
12 enforcement plan.

13 7. Beginning January 1, 2009, no local law enforcement  
14 officer may conduct a random commercial motor vehicle roadside  
15 inspection to determine compliance with the provisions of  
16 sections 304.170 to 304.230 unless the law enforcement officer  
17 has satisfactorily completed, as a part of his or her training,  
18 the basic course of instruction developed by the commercial  
19 vehicle safety alliance and has been approved by the Missouri  
20 state highway patrol under this section. Law enforcement  
21 officers authorized to enforce the provisions of sections 304.170  
22 to 304.230 shall annually receive in-service training related to  
23 commercial motor vehicle operations, including but not limited to  
24 training in current federal motor carrier safety regulations,  
25 safety inspection procedures, and out-of-service criteria. The  
26 annual training requirements shall be approved by the  
27 superintendent of the state highway patrol.

28 8. Law enforcement officers who have received commercial

1 vehicle safety alliance certification prior to January 1, 2009,  
2 shall be exempt from the provisions of this section and such  
3 officers shall be qualified to conduct random roadside  
4 inspections described under this section and section 304.230.

5 9. No safety inspection shall be performed on the shoulder  
6 of any highway with a posted speed limit in excess of forty miles  
7 per hour, except that safety inspections may be permitted on the  
8 shoulder at any entrance or exit of such highway where there is  
9 adequate space on the shoulder to safely perform such inspection.

10 10. The superintendent of the state highway patrol shall  
11 promulgate rules and regulations necessary to administer the  
12 certification procedures and any other provisions of this  
13 section. Any rule or portion of a rule, as that term is defined  
14 in section 536.010, that is created under the authority delegated  
15 in this section shall become effective only if it complies with  
16 and is subject to all of the provisions of chapter 536 and, if  
17 applicable, section 536.028. This section and chapter 536 are  
18 nonseverable and if any of the powers vested with the general  
19 assembly pursuant to chapter 536 to review, to delay the  
20 effective date, or to disapprove and annul a rule are  
21 subsequently held unconstitutional, then the grant of rulemaking  
22 authority and any rule proposed or adopted after August 28, 2008,  
23 shall be invalid and void.

24 307.175. 1. Motor vehicles and equipment which are  
25 operated by any member of an organized fire department, ambulance  
26 association, or rescue squad, whether paid or volunteer, may be  
27 operated on streets and highways in this state as an emergency  
28 vehicle under the provisions of section 304.022 while responding

1 to a fire call or ambulance call or at the scene of a fire call  
2 or ambulance call and while using or sounding a warning siren and  
3 using or displaying thereon fixed, flashing or rotating blue  
4 lights, but sirens and blue lights shall be used only in bona  
5 fide emergencies.

6 2. (1) Notwithstanding subsection 1 of this section, the  
7 following vehicles may use or display fixed, flashing, or  
8 rotating red or red and blue lights:

9 (a) Emergency vehicles, as defined in section 304.022, when  
10 responding to an emergency;

11 (b) Vehicles operated as described in subsection 1 of this  
12 section;

13 (c) Vehicles and equipment owned or leased by a contractor  
14 or subcontractor performing work for the department of  
15 transportation, except that the red or red and blue lights shall  
16 be displayed on vehicles or equipment described in this paragraph  
17 only between dusk and dawn, when such vehicles or equipment are  
18 stationary, such vehicles or equipment are located in a work zone  
19 as defined in section 304.580, highway workers as defined in  
20 section 304.580 are present, and such work zone is designated by  
21 a sign or signs. No more than two vehicles or pieces of  
22 equipment in a work zone may display fixed, flashing, or rotating  
23 lights under this subdivision.

24 (2) The following vehicles and equipment may use or display  
25 fixed, flashing, or rotating amber or amber and white lights:

26 (a) Vehicles and equipment owned or leased by the state  
27 highways and transportation commission and operated by an  
28 authorized employee of the department of transportation;

1           (b) Vehicles and equipment owned or leased by a contractor  
2 or subcontractor performing work for the department of  
3 transportation, except that the amber or amber and white lights  
4 shall be displayed on vehicles described in this paragraph only  
5 when such vehicles or equipment are **[stationary]** located in a  
6 work zone as defined in section 304.580, highway workers as  
7 defined in section 304.580 are present, and such work zone is  
8 designated by a sign or signs;

9           (c) Vehicles and equipment operated by a utility worker  
10 performing work for the utility, except that the amber or amber  
11 and white lights shall be displayed on vehicles described in this  
12 paragraph only when such vehicles are stationary, such vehicles  
13 or equipment are located in a work zone as defined in section  
14 304.580, a utility worker is present, and such work zone is  
15 designated by a sign or signs. As used in this paragraph, the  
16 term "utility worker" means any employee while in performance of  
17 his or her job duties, including any person employed under  
18 contract of a utility that provides gas, heat, electricity,  
19 water, steam, telecommunications or cable services, or sewer  
20 services, whether privately, municipally, or cooperatively owned.

21           3. Permits for the operation of such vehicles equipped with  
22 sirens or blue lights shall be in writing and shall be issued and  
23 may be revoked by the chief of an organized fire department,  
24 organized ambulance association, rescue squad, or the state  
25 highways and transportation commission and no person shall use or  
26 display a siren or blue lights on a motor vehicle, fire,  
27 ambulance, or rescue equipment without a valid permit authorizing  
28 the use. A permit to use a siren or lights as heretofore set out

1 does not relieve the operator of the vehicle so equipped with  
2 complying with all other traffic laws and regulations. Violation  
3 of this section constitutes a class A misdemeanor.

4 307.350. 1. The owner of every motor vehicle as defined in  
5 section 301.010 which is required to be registered in this state,  
6 except:

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

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

19 (3) Historic motor vehicles registered pursuant to section  
20 301.131;

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

23  
24 shall submit such vehicles to a biennial inspection of their  
25 mechanism and equipment in accordance with the provisions of  
26 sections 307.350 to 307.390 and obtain a certificate of  
27 inspection and approval and a sticker, seal, or other device from  
28 a duly authorized official inspection station. The inspection,

1 except the inspection of school buses which shall be made at the  
2 time provided in section 307.375, shall be made at the time  
3 prescribed in the rules and regulations issued by the  
4 superintendent of the Missouri state highway patrol; but the  
5 inspection of a vehicle shall not be made more than sixty days  
6 prior to the date of application for registration or within sixty  
7 days of when a vehicle's registration is transferred; however, if  
8 a vehicle was purchased from a motor vehicle dealer and a valid  
9 inspection had been made within sixty days of the purchase date,  
10 the new owner shall be able to utilize an inspection performed  
11 within ninety days prior to the application for registration or  
12 transfer. Any vehicle manufactured as an even-numbered model  
13 year vehicle shall be inspected and approved pursuant to the  
14 safety inspection program established pursuant to sections  
15 307.350 to 307.390 in each even-numbered calendar year and any  
16 such vehicle manufactured as an odd-numbered model year vehicle  
17 shall be inspected and approved pursuant to sections 307.350 to  
18 307.390 in each odd-numbered year. The certificate of inspection  
19 and approval shall be a sticker, seal, or other device or  
20 combination thereof, as the superintendent of the Missouri state  
21 highway patrol prescribes by regulation and shall be displayed  
22 upon the motor vehicle or trailer as prescribed by the  
23 regulations established by him. The replacement of certificates  
24 of inspection and approval which are lost or destroyed shall be  
25 made by the superintendent of the Missouri state highway patrol  
26 under regulations prescribed by him.

27 2. For the purpose of obtaining an inspection only, it  
28 shall be lawful to operate a vehicle over the most direct route



1 between the owner's usual place of residence and an inspection  
2 station of such owner's choice, notwithstanding the fact that the  
3 vehicle does not have a current state registration license. It  
4 shall also be lawful to operate such a vehicle from an inspection  
5 station to another place where repairs may be made and to return  
6 the vehicle to the inspection station notwithstanding the absence  
7 of a current state registration license.

8 3. No person whose motor vehicle was duly inspected and  
9 approved as provided in this section shall be required to have  
10 the same motor vehicle again inspected and approved for the sole  
11 reason that such person wishes to obtain a set of any special  
12 personalized license plates available pursuant to section 301.144  
13 or a set of any license plates available pursuant to section  
14 301.142, prior to the expiration date of such motor vehicle's  
15 current registration.

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

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24 Bill Eigel

Charlie Davis