

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1963

AN ACT

To repeal sections 32.300, 137.115, 143.441, 144.070, 144.805, 227.600, 300.010, 301.010, 301.030, 301.032, 301.140, 301.190, 301.193, 301.210, 301.213, 301.280, 301.560, 301.564, 301.3174, 302.170, 302.181, 302.720, 303.026, 304.172, 304.180, 306.127, 307.015, 407.815, 407.1025, 407.1329, and 577.001 RSMo, and to enact in lieu thereof forty-three new sections relating to transportation, with existing penalty provisions and a delayed effective date for a certain section.

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

1 Section A. Sections 32.300, 137.115, 143.441, 144.070,
2 144.805, 227.600, 300.010, 301.010, 301.030, 301.032, 301.140,
3 301.190, 301.193, 301.210, 301.213, 301.280, 301.560, 301.564,
4 301.3174, 302.170, 302.181, 302.720, 303.026, 304.172, 304.180,
5 306.127, 307.015, 407.815, 407.1025, 407.1329, and 577.001 RSMo,
6 is repealed and forty-three new sections enacted in lieu thereof,
7 to be known as sections 32.300, 137.115, 143.441, 144.070,
8 144.805, 227.476, 227.600, 300.010, 301.010, 301.030, 301.032,
9 301.140, 301.190, 301.193, 301.210, 301.213, 301.280, 301.560,
10 301.564, 301.576, 301.3069, 301.3159, 301.3174, 302.170, 302.181,
11 302.205, 302.720, 302.723, 303.026, 304.172, 304.180, 305.800,
12 305.802, 305.804, 305.806, 305.808, 305.810, 306.127, 307.015,
13 407.815, 407.1025, 407.1329, and 577.001, to read as follows:

1 32.300. 1. In a county where personal property tax records
2 are accessible via computer, and when proof of motor vehicle
3 liability insurance, safety inspections and emission inspections
4 where required are verifiable by computer, the department of
5 revenue shall design and implement a motor vehicle license
6 renewal system which may be used through the department's
7 internet website connection. [The online license renewal system
8 shall be available no later than January 1, 2002.] The
9 department of revenue shall also design and implement an online
10 system allowing the filing and payment of Missouri state taxes
11 through the department's internet website connection. The online
12 tax filing and payment system shall be available for the payment
13 of Missouri state taxes for tax years beginning on or after
14 January 1, 2002.

15 2. The department of revenue is hereby authorized to design
16 and implement a remote driver's license renewal system which may
17 be used through the department's internet website connection or
18 through self-service terminals available at one or more locations
19 within the state. Any remote driver's license renewal system
20 implemented by the department shall be compliant with the
21 provisions of the federal REAL ID Act of 2005 (Public Law
22 108-13), as amended, the Commercial Motor Vehicle Safety Act of
23 1986 (Title XII of Public Law 99-570), as amended, the USA
24 PATRIOT Act of 2001 (Title X of Public Law 107-56), as amended,
25 and any regulations related thereto.

26 3. Notwithstanding any provision of law to the contrary,
27 applicants who have applied in person and received a driver's or
28 nondriver's license in accordance with chapter 302 may apply for

1 no more than one consecutive three-year or six-year license
2 renewal remotely in accordance with this section. Remote
3 application for renewal shall be made within six months before or
4 after the expiration date of the license in accordance with
5 section 302.173.

6 4. Applicants for remote driver's license renewal in
7 accordance with this section shall not be required to complete
8 the highway sign recognition test required under section 302.173
9 unless the department has technology that may be used remotely
10 for such purpose. Applicants for remote driver's license renewal
11 in accordance with this section shall not be required to complete
12 the vision test established under section 302.175, provided the
13 applicant shall certify under penalty of law that the applicant's
14 vision satisfies the requirements of section 302.175 and that the
15 applicant has undergone an examination of eyesight by a licensed
16 ophthalmologist or a licensed optometrist within the last twelve
17 months. As a condition for renewal in accordance with this
18 section, the applicant shall authorize the exchange of vision and
19 medical information between the department and the applicant's
20 ophthalmologist or optometrist, and shall be at least twenty-one
21 years of age but less than fifty years of age. The
22 ophthalmologist or optometrist shall have four business days to
23 confirm or deny the vision and medical information of the
24 applicant. If no response is received by the department, the
25 department shall accept the vision and medical information
26 provided for processing the renewal application.

27 137.115. 1. All other laws to the contrary
28 notwithstanding, the assessor or the assessor's deputies in all

1 counties of this state including the City of St. Louis shall
2 annually make a list of all real and tangible personal property
3 taxable in the assessor's city, county, town or district. Except
4 as otherwise provided in subsection 3 of this section and section
5 137.078, the assessor shall annually assess all personal property
6 at thirty-three and one-third percent of its true value in money
7 as of January first of each calendar year. The assessor shall
8 annually assess all real property, including any new construction
9 and improvements to real property, and possessory interests in
10 real property at the percent of its true value in money set in
11 subsection 5 of this section. The true value in money of any
12 possessory interest in real property in subclass (3), where such
13 real property is on or lies within the ultimate airport boundary
14 as shown by a federal airport layout plan, as defined by 14 CFR
15 151.5, of a commercial airport having a FAR Part 139
16 certification and owned by a political subdivision, shall be the
17 otherwise applicable true value in money of any such possessory
18 interest in real property, less the total dollar amount of costs
19 paid by a party, other than the political subdivision, towards
20 any new construction or improvements on such real property
21 completed after January 1, 2008, and which are included in the
22 above-mentioned possessory interest, regardless of the year in
23 which such costs were incurred or whether such costs were
24 considered in any prior year. The assessor shall annually assess
25 all real property in the following manner: new assessed values
26 shall be determined as of January first of each odd-numbered year
27 and shall be entered in the assessor's books; those same assessed
28 values shall apply in the following even-numbered year, except

1 for new construction and property improvements which shall be
2 valued as though they had been completed as of January first of
3 the preceding odd-numbered year. The assessor may call at the
4 office, place of doing business, or residence of each person
5 required by this chapter to list property, and require the person
6 to make a correct statement of all taxable tangible personal
7 property owned by the person or under his or her care, charge or
8 management, taxable in the county. On or before January first of
9 each even-numbered year, the assessor shall prepare and submit a
10 two-year assessment maintenance plan to the county governing body
11 and the state tax commission for their respective approval or
12 modification. The county governing body shall approve and
13 forward such plan or its alternative to the plan to the state tax
14 commission by February first. If the county governing body fails
15 to forward the plan or its alternative to the plan to the state
16 tax commission by February first, the assessor's plan shall be
17 considered approved by the county governing body. If the state
18 tax commission fails to approve a plan and if the state tax
19 commission and the assessor and the governing body of the county
20 involved are unable to resolve the differences, in order to
21 receive state cost-share funds outlined in section 137.750, the
22 county or the assessor shall petition the administrative hearing
23 commission, by May first, to decide all matters in dispute
24 regarding the assessment maintenance plan. Upon agreement of the
25 parties, the matter may be stayed while the parties proceed with
26 mediation or arbitration upon terms agreed to by the parties.
27 The final decision of the administrative hearing commission shall
28 be subject to judicial review in the circuit court of the county

1 involved. In the event a valuation of subclass (1) real property
2 within any county with a charter form of government, or within a
3 city not within a county, is made by a computer, computer-
4 assisted method or a computer program, the burden of proof,
5 supported by clear, convincing and cogent evidence to sustain
6 such valuation, shall be on the assessor at any hearing or
7 appeal. In any such county, unless the assessor proves
8 otherwise, there shall be a presumption that the assessment was
9 made by a computer, computer-assisted method or a computer
10 program. Such evidence shall include, but shall not be limited
11 to, the following:

12 (1) The findings of the assessor based on an appraisal of
13 the property by generally accepted appraisal techniques; and

14 (2) The purchase prices from sales of at least three
15 comparable properties and the address or location thereof. As
16 used in this subdivision, the word "comparable" means that:

17 (a) Such sale was closed at a date relevant to the property
18 valuation; and

19 (b) Such properties are not more than one mile from the
20 site of the disputed property, except where no similar properties
21 exist within one mile of the disputed property, the nearest
22 comparable property shall be used. Such property shall be within
23 five hundred square feet in size of the disputed property, and
24 resemble the disputed property in age, floor plan, number of
25 rooms, and other relevant characteristics.

26 2. Assessors in each county of this state and the City of
27 St. Louis may send personal property assessment forms through the
28 mail.

1 3. The following items of personal property shall each
2 constitute separate subclasses of tangible personal property and
3 shall be assessed and valued for the purposes of taxation at the
4 following percentages of their true value in money:

5 (1) Grain and other agricultural crops in an unmanufactured
6 condition, one-half of one percent;

7 (2) Livestock, twelve percent;

8 (3) Farm machinery, twelve percent;

9 (4) Motor vehicles which are eligible for registration as
10 and are registered as historic motor vehicles [pursuant to] under
11 section 301.131 and aircraft which are at least twenty-five years
12 old and which are used solely for noncommercial purposes and are
13 operated less than [fifty] two hundred hours per year or aircraft
14 that are home built from a kit, five percent;

15 (5) Poultry, twelve percent; and

16 (6) Tools and equipment used for pollution control and
17 tools and equipment used in retooling for the purpose of
18 introducing new product lines or used for making improvements to
19 existing products by any company which is located in a state
20 enterprise zone and which is identified by any standard
21 industrial classification number cited in subdivision (5) of
22 section 135.200, twenty-five percent.

23 4. The person listing the property shall enter a true and
24 correct statement of the property, in a printed blank prepared
25 for that purpose. The statement, after being filled out, shall
26 be signed and either affirmed or sworn to as provided in section
27 137.155. The list shall then be delivered to the assessor.

28 5. (1) All subclasses of real property, as such subclasses

1 are established in Section 4(b) of Article X of the Missouri
2 Constitution and defined in section 137.016, shall be assessed at
3 the following percentages of true value:

4 (a) For real property in subclass (1), nineteen percent;

5 (b) For real property in subclass (2), twelve percent; and

6 (c) For real property in subclass (3), thirty-two percent.

7 (2) A taxpayer may apply to the county assessor, or, if not
8 located within a county, then the assessor of such city, for the
9 reclassification of such taxpayer's real property if the use or
10 purpose of such real property is changed after such property is
11 assessed under the provisions of this chapter. If the assessor
12 determines that such property shall be reclassified, he or she
13 shall determine the assessment under this subsection based on the
14 percentage of the tax year that such property was classified in
15 each subclassification.

16 6. Manufactured homes, as defined in section 700.010, which
17 are actually used as dwelling units shall be assessed at the same
18 percentage of true value as residential real property for the
19 purpose of taxation. The percentage of assessment of true value
20 for such manufactured homes shall be the same as for residential
21 real property. If the county collector cannot identify or find
22 the manufactured home when attempting to attach the manufactured
23 home for payment of taxes owed by the manufactured home owner,
24 the county collector may request the county commission to have
25 the manufactured home removed from the tax books, and such
26 request shall be granted within thirty days after the request is
27 made; however, the removal from the tax books does not remove the
28 tax lien on the manufactured home if it is later identified or

1 found. For purposes of this section, a manufactured home located
2 in a manufactured home rental park, rental community or on real
3 estate not owned by the manufactured home owner shall be
4 considered personal property. For purposes of this section, a
5 manufactured home located on real estate owned by the
6 manufactured home owner may be considered real property.

7 7. Each manufactured home assessed shall be considered a
8 parcel for the purpose of reimbursement [pursuant to] under
9 section 137.750, unless the manufactured home is deemed to be
10 real estate [as defined in] under subsection 7 of section 442.015
11 and assessed as a realty improvement to the existing real estate
12 parcel.

13 8. Any amount of tax due and owing based on the assessment
14 of a manufactured home shall be included on the personal property
15 tax statement of the manufactured home owner unless the
16 manufactured home is deemed to be real estate [as defined in]
17 under subsection 7 of section 442.015, in which case the amount
18 of tax due and owing on the assessment of the manufactured home
19 as a realty improvement to the existing real estate parcel shall
20 be included on the real property tax statement of the real estate
21 owner.

22 9. The assessor of each county and each city not within a
23 county shall use the trade-in value published in the October
24 issue of the National Automobile Dealers' Association Official
25 Used Car Guide, or its successor publication, as the recommended
26 guide of information for determining the true value of motor
27 vehicles described in such publication. The assessor shall not
28 use a value that is greater than the average trade-in value in

1 determining the true value of the motor vehicle without
2 performing a physical inspection of the motor vehicle. For
3 vehicles two years old or newer from a vehicle's model year, the
4 assessor may use a value other than average without performing a
5 physical inspection of the motor vehicle. In the absence of a
6 listing for a particular motor vehicle in such publication, the
7 assessor shall use such information or publications which in the
8 assessor's judgment will fairly estimate the true value in money
9 of the motor vehicle.

10 10. Before the assessor may increase the assessed valuation
11 of any parcel of subclass (1) real property by more than fifteen
12 percent since the last assessment, excluding increases due to new
13 construction or improvements, the assessor shall conduct a
14 physical inspection of such property.

15 11. If a physical inspection is required, [pursuant to]
16 under subsection 10 of this section, the assessor shall notify
17 the property owner of that fact in writing and shall provide the
18 owner clear written notice of the owner's rights relating to the
19 physical inspection. If a physical inspection is required, the
20 property owner may request that an interior inspection be
21 performed during the physical inspection. The owner shall have
22 no less than thirty days to notify the assessor of a request for
23 an interior physical inspection.

24 12. A physical inspection, as required by subsection 10 of
25 this section, shall include, but not be limited to, an on-site
26 personal observation and review of all exterior portions of the
27 land and any buildings and improvements to which the inspector
28 has or may reasonably and lawfully gain external access, and

1 shall include an observation and review of the interior of any
2 buildings or improvements on the property upon the timely request
3 of the owner [pursuant to] under subsection 11 of this section.
4 Mere observation of the property via a drive-by inspection or the
5 like shall not be considered sufficient to constitute a physical
6 inspection as required by this section.

7 13. The provisions of subsections 11 and 12 of this section
8 shall only apply in any county with a charter form of government
9 with more than one million inhabitants.

10 14. A county or city collector may accept credit cards as
11 proper form of payment of outstanding property tax or license
12 due. No county or city collector may charge surcharge for
13 payment by credit card which exceeds the fee or surcharge charged
14 by the credit card bank, processor, or issuer for its service. A
15 county or city collector may accept payment by electronic
16 transfers of funds in payment of any tax or license and charge
17 the person making such payment a fee equal to the fee charged the
18 county by the bank, processor, or issuer of such electronic
19 payment.

20 15. Any county or city not within a county in this state
21 may, by an affirmative vote of the governing body of such county,
22 opt out of the provisions of this section and sections 137.073,
23 138.060, and 138.100 as enacted by house bill no. 1150 of the
24 ninety-first general assembly, second regular session and section
25 137.073 as modified by house committee substitute for senate
26 substitute for senate committee substitute for senate bill no.
27 960, ninety-second general assembly, second regular session, for
28 the next year of the general reassessment, prior to January first

1 of any year. No county or city not within a county shall
2 exercise this opt-out provision after implementing the provisions
3 of this section and sections 137.073, 138.060, and 138.100 as
4 enacted by house bill no. 1150 of the ninety-first general
5 assembly, second regular session and section 137.073 as modified
6 by house committee substitute for senate substitute for senate
7 committee substitute for senate bill no. 960, ninety-second
8 general assembly, second regular session, in a year of general
9 reassessment. For the purposes of applying the provisions of
10 this subsection, a political subdivision contained within two or
11 more counties where at least one of such counties has opted out
12 and at least one of such counties has not opted out shall
13 calculate a single tax rate as in effect prior to the enactment
14 of house bill no. 1150 of the ninety-first general assembly,
15 second regular session. A governing body of a city not within a
16 county or a county that has opted out under the provisions of
17 this subsection may choose to implement the provisions of this
18 section and sections 137.073, 138.060, and 138.100 as enacted by
19 house bill no. 1150 of the ninety-first general assembly, second
20 regular session, and section 137.073 as modified by house
21 committee substitute for senate substitute for senate committee
22 substitute for senate bill no. 960, ninety-second general
23 assembly, second regular session, for the next year of general
24 reassessment, by an affirmative vote of the governing body prior
25 to December thirty-first of any year.

26 16. The governing body of any city of the third
27 classification with more than twenty-six thousand three hundred
28 but fewer than twenty-six thousand seven hundred inhabitants

1 located in any county that has exercised its authority to opt out
2 under subsection 15 of this section may levy separate and
3 differing tax rates for real and personal property only if such
4 city bills and collects its own property taxes or satisfies the
5 entire cost of the billing and collection of such separate and
6 differing tax rates. Such separate and differing rates shall not
7 exceed such city's tax rate ceiling.

8 17. Any portion of real property that is available as
9 reserve for strip, surface, or coal mining for minerals for
10 purposes of excavation for future use or sale to others that has
11 not been bonded and permitted under chapter 444 shall be assessed
12 based upon how the real property is currently being used. Any
13 information provided to a county assessor, state tax commission,
14 state agency, or political subdivision responsible for the
15 administration of tax policies shall, in the performance of its
16 duties, make available all books, records, and information
17 requested, except such books, records, and information as are by
18 law declared confidential in nature, including individually
19 identifiable information regarding a specific taxpayer or
20 taxpayer's mine property. For purposes of this subsection, "mine
21 property" shall mean all real property that is in use or readily
22 available as a reserve for strip, surface, or coal mining for
23 minerals for purposes of excavation for current or future use or
24 sale to others that has been bonded and permitted under chapter
25 444.

26 143.441. 1. The term "corporation" means every
27 corporation, association, joint stock company and joint stock
28 association organized, authorized or existing under the laws of

1 this state and includes:

2 (1) Every corporation, association, joint stock company,
3 and joint stock association organized, authorized, or existing
4 under the laws of this state, and every corporation, association,
5 joint stock company, and joint stock association, licensed to do
6 business in this state, or doing business in this state, and not
7 organized, authorized, or existing under the laws of this state,
8 or by any receiver in charge of the property of any such
9 corporation, association, joint stock company or joint stock
10 association;

11 (2) Every railroad corporation or receiver in charge of the
12 property thereof which operates over rails owned or leased by it
13 and every corporation operating any buslines, trucklines,
14 airlines, or other forms of transportation, including qualified
15 air freight forwarders, operating over fixed routes owned,
16 leased, or used by it extending from this state to another state
17 or states. For purposes of this subdivision, "qualified air
18 freight forwarder" means a taxpayer who meets all of the
19 following requirements:

20 (a) The taxpayer is primarily engaged in the facilitation
21 of the transportation of property by air;

22 (b) The taxpayer does not itself operate the aircraft; and

23 (c) The taxpayer is in the same affiliated group as an
24 airline;

25 (3) Every corporation, or receiver in charge of the
26 property thereof, which owns or operates a bridge between this
27 and any other state; and

28 (4) Every corporation, or receiver in charge of the

1 property thereof, which operates a telephone line or lines
2 extending from this state to another state or states or a
3 telegraph line or lines extending from this state to another
4 state or states.

5 2. The tax on corporations provided in subsection 1 of
6 section 143.431 and section 143.071 shall not apply to:

7 (1) A corporation which by reason of its purposes and
8 activities is exempt from federal income tax. The preceding
9 sentence shall not apply to unrelated business taxable income and
10 other income on which chapter 1 of the Internal Revenue Code
11 imposes the federal income tax or any other tax measured by
12 income;

13 (2) An express company which pays an annual tax on its
14 gross receipts in this state;

15 (3) An insurance company which is subject to an annual tax
16 on its gross premium receipts in this state;

17 (4) A Missouri mutual or an extended Missouri mutual
18 insurance company organized under chapter 380; and

19 (5) Any other corporation that is exempt from Missouri
20 income taxation under the laws of Missouri or the laws of the
21 United States.

22 144.070. 1. At the time the owner of any new or used motor
23 vehicle, trailer, boat, or outboard motor which was acquired in a
24 transaction subject to sales tax under the Missouri sales tax law
25 makes application to the director of revenue for an official
26 certificate of title and the registration of the motor vehicle,
27 trailer, boat, or outboard motor as otherwise provided by law,
28 the owner shall present to the director of revenue evidence

1 satisfactory to the director of revenue showing the purchase
2 price exclusive of any charge incident to the extension of credit
3 paid by or charged to the applicant in the acquisition of the
4 motor vehicle, trailer, boat, or outboard motor, or that no sales
5 tax was incurred in its acquisition, and if sales tax was
6 incurred in its acquisition, the applicant shall pay or cause to
7 be paid to the director of revenue the sales tax provided by the
8 Missouri sales tax law in addition to the registration fees now
9 or hereafter required according to law, and the director of
10 revenue shall not issue a certificate of title for any new or
11 used motor vehicle, trailer, boat, or outboard motor subject to
12 sales tax as provided in the Missouri sales tax law until the tax
13 levied for the sale of the same under sections 144.010 to 144.510
14 has been paid as provided in this section or is registered under
15 the provisions of subsection 5 of this section.

16 2. As used in subsection 1 of this section, the term
17 "purchase price" shall mean the total amount of the contract
18 price agreed upon between the seller and the applicant in the
19 acquisition of the motor vehicle, trailer, boat, or outboard
20 motor, regardless of the medium of payment therefor.

21 3. In the event that the purchase price is unknown or
22 undisclosed, or that the evidence thereof is not satisfactory to
23 the director of revenue, the same shall be fixed by appraisement
24 by the director.

25 4. The director of the department of revenue shall endorse
26 upon the official certificate of title issued by the director
27 upon such application an entry showing that such sales tax has
28 been paid or that the motor vehicle, trailer, boat, or outboard

1 motor represented by such certificate is exempt from sales tax
2 and state the ground for such exemption.

3 5. Any person, company, or corporation engaged in the
4 business of renting or leasing motor vehicles, trailers, boats,
5 or outboard motors, which are to be used exclusively for rental
6 or lease purposes, and not for resale, may apply to the director
7 of revenue for authority to operate as a leasing or rental
8 company and pay an annual fee of two hundred fifty dollars for
9 such authority. Any company approved by the director of revenue
10 may pay the tax due on any motor vehicle, trailer, boat, or
11 outboard motor as required in section 144.020 at the time of
12 registration thereof or in lieu thereof may pay a sales tax as
13 provided in sections 144.010, 144.020, 144.070 and 144.440. A
14 sales tax shall be charged to and paid by a leasing company which
15 does not exercise the option of paying in accordance with section
16 144.020, on the amount charged for each rental or lease agreement
17 while the motor vehicle, trailer, boat, or outboard motor is
18 domiciled in this state. Any motor vehicle, trailer, boat, or
19 outboard motor which is leased as the result of a contract
20 executed in this state shall be presumed to be domiciled in this
21 state.

22 6. Every applicant to be a [lease or rental company]
23 registered fleet owner as described in subsections 6 to 10 of
24 section 301.032 shall furnish with the application to operate as
25 a registered fleet owner a corporate surety bond or irrevocable
26 letter of credit, as defined in section 400.5-102, issued by any
27 state or federal financial institution in the penal sum of one
28 hundred thousand dollars, on a form approved by the department.

1 The bond or irrevocable letter of credit shall be conditioned
2 upon the [lease or rental company] registered fleet owner
3 complying with the provisions of any statutes applicable to
4 [lease or rental companies] registered fleet owners, and the bond
5 shall be an indemnity for any loss sustained by reason of the
6 acts of the person bonded when such acts constitute grounds for
7 the suspension or revocation of the [lease or rental] registered
8 fleet owner license. The bond shall be executed in the name of
9 the state of Missouri for the benefit of all aggrieved parties or
10 the irrevocable letter of credit shall name the state of Missouri
11 as the beneficiary; except that, the aggregate liability of the
12 surety or financial institution to the aggrieved parties shall,
13 in no event, exceed the amount of the bond or irrevocable letter
14 of credit. The proceeds of the bond or irrevocable letter of
15 credit shall be paid upon receipt by the department of a final
16 judgment from a Missouri court of competent jurisdiction against
17 the principal and in favor of an aggrieved party.

18 7. Any corporation may have one or more of its divisions
19 separately apply to the director of revenue for authorization to
20 operate as a leasing company, provided that the corporation:

21 (1) Has filed a written consent with the director
22 authorizing any of its divisions to apply for such authority;

23 (2) Is authorized to do business in Missouri;

24 (3) Has agreed to treat any sale of a motor vehicle,
25 trailer, boat, or outboard motor from one of its divisions to
26 another of its divisions as a sale at retail;

27 (4) Has registered under the fictitious name provisions of
28 sections 417.200 to 417.230 each of its divisions doing business

1 in Missouri as a leasing company; and

2 (5) Operates each of its divisions on a basis separate from
3 each of its other divisions. However, when the transfer of a
4 motor vehicle, trailer, boat or outboard motor occurs within a
5 corporation which holds a license to operate as a motor vehicle
6 or boat dealer pursuant to sections 301.550 to 301.573 the
7 provisions in subdivision (3) of this subsection shall not apply.

8 8. If the owner of any motor vehicle, trailer, boat, or
9 outboard motor desires to charge and collect sales tax as
10 provided in this section, the owner shall make application to the
11 director of revenue for a permit to operate as a motor vehicle,
12 trailer, boat, or outboard motor leasing company. The director
13 of revenue shall promulgate rules and regulations determining the
14 qualifications of such a company, and the method of collection
15 and reporting of sales tax charged and collected. Such
16 regulations shall apply only to owners of motor vehicles,
17 trailers, boats, or outboard motors, electing to qualify as motor
18 vehicle, trailer, boat, or outboard motor leasing companies under
19 the provisions of subsection 5 of this section, and no motor
20 vehicle renting or leasing, trailer renting or leasing, or boat
21 or outboard motor renting or leasing company can come under
22 sections 144.010, 144.020, 144.070 and 144.440 unless all motor
23 vehicles, trailers, boats, and outboard motors held for renting
24 and leasing are included.

25 9. Any person, company, or corporation engaged in the
26 business of renting or leasing three thousand five hundred or
27 more motor vehicles which are to be used exclusively for rental
28 or leasing purposes and not for resale, and that has applied to

1 the director of revenue for authority to operate as a leasing
2 company may also operate as a registered fleet owner as
3 prescribed in section 301.032.

4 10. Beginning July 1, 2010, any motor vehicle dealer
5 licensed under section 301.560 engaged in the business of selling
6 motor vehicles or trailers may apply to the director of revenue
7 for authority to collect and remit the sales tax required under
8 this section on all motor vehicles sold by the motor vehicle
9 dealer. A motor vehicle dealer receiving authority to collect and
10 remit the tax is subject to all provisions under sections 144.010
11 to 144.525. Any motor vehicle dealer authorized to collect and
12 remit sales taxes on motor vehicles under this subsection shall
13 be entitled to deduct and retain an amount equal to two percent
14 of the motor vehicle sales tax pursuant to section 144.140. Any
15 amount of the tax collected under this subsection that is
16 retained by a motor vehicle dealer pursuant to section 144.140
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 for their role in collecting
20 and remitting sales taxes on motor vehicles. In the event this
21 subsection or any portion thereof is held to violate Article IV,
22 Section 30(b) of the Missouri Constitution, no motor vehicle
23 dealer shall be authorized to collect and remit sales taxes on
24 motor vehicles under this section. No motor vehicle dealer shall
25 seek compensation from the state of Missouri or its agencies if a
26 court of competent jurisdiction declares that the retention of
27 two percent of the motor vehicle sales tax is unconstitutional
28 and orders the return of such revenues.

1 144.805. 1. In addition to the exemptions granted pursuant
2 to the provisions of section 144.030, there shall also be
3 specifically exempted from the provisions of sections 144.010 to
4 144.525, sections 144.600 to 144.746, and section 238.235, and
5 the provisions of any local sales tax law, as defined in section
6 32.085, and from the computation of the tax levied, assessed or
7 payable pursuant to sections 144.010 to 144.525, sections 144.600
8 to 144.746, and section 238.235, and the provisions of any local
9 sales tax law, as defined in section 32.085, all sales of
10 aviation jet fuel in a given calendar year to common carriers
11 engaged in the interstate air transportation of passengers and
12 cargo, and the storage, use and consumption of such aviation jet
13 fuel by such common carriers, if such common carrier has first
14 paid to the state of Missouri, in accordance with the provisions
15 of this chapter, state sales and use taxes pursuant to the
16 foregoing provisions and applicable to the purchase, storage, use
17 or consumption of such aviation jet fuel in a maximum and
18 aggregate amount of one million five hundred thousand dollars of
19 state sales and use taxes in such calendar year.

20 2. To qualify for the exemption prescribed in subsection 1
21 of this section, the common carrier shall furnish to the seller a
22 certificate in writing to the effect that an exemption pursuant
23 to this section is applicable to the aviation jet fuel so
24 purchased, stored, used and consumed. The director of revenue
25 shall permit any such common carrier to enter into a direct-pay
26 agreement with the department of revenue, pursuant to which such
27 common carrier may pay directly to the department of revenue any
28 applicable sales and use taxes on such aviation jet fuel up to

1 the maximum aggregate amount of one million five hundred thousand
2 dollars in each calendar year. The director of revenue shall
3 adopt appropriate rules and regulations to implement the
4 provisions of this section, and to permit appropriate claims for
5 refunds of any excess sales and use taxes collected in calendar
6 year 1993 or any subsequent year with respect to any such common
7 carrier and aviation jet fuel.

8 3. The provisions of this section shall apply to all
9 purchases and deliveries of aviation jet fuel from and after May
10 10, 1993.

11 4. All sales and use tax revenues upon aviation jet fuel
12 received pursuant to this chapter, less the amounts specifically
13 designated pursuant to the constitution or pursuant to section
14 144.701 for other purposes, shall be deposited to the credit of
15 the aviation trust fund established pursuant to section 155.090;
16 provided however, the amount of such state sales and use tax
17 revenues deposited to the credit of such aviation trust fund
18 shall not exceed ten million dollars in each calendar year.

19 5. The provisions of this section and section 144.807 shall
20 expire on December 31, ~~2023~~ 2033.

21 227.476. The portion of State Highway 9 from Nodaway Street
22 to Park College Entrance Drive in Platte County shall be
23 designated as "Bill Grigsby Memorial Highway". The department of
24 transportation shall erect and maintain appropriate signs
25 designating such highway, with the costs to be paid by private
26 donations.

27 227.600. 1. Sections 227.600 to 227.669 shall be known and
28 may be cited as the "Missouri Public-Private Partnerships

1 Transportation Act".

2 2. As used in sections 227.600 to 227.669, unless the
3 context clearly requires otherwise, the following terms mean:

4 (1) "Commission", the Missouri highways and transportation
5 commission;

6 (2) "Comprehensive agreement", the final binding written
7 comprehensive project agreement between a private partner and the
8 commission required in section 227.621 to finance, develop,
9 and/or operate the project;

10 (3) "Department", the Missouri department of
11 transportation;

12 (4) "Develop" or "development", to plan, locate, relocate,
13 establish, acquire, lease, design, or construct;

14 (5) "Finance", to fund the costs, expenses, liabilities,
15 fees, profits, and all other charges incurred to finance,
16 develop, and/or operate the project;

17 (6) "Interim agreement", a preliminary binding written
18 agreement between a private partner and the commission that
19 provides for completion of studies and any other activities to
20 advance the financing, development, and/or operation of the
21 project required by section 227.618;

22 (7) "Material default", any uncured default by a private
23 partner in the performance of its duties that jeopardizes
24 adequate service to the public from the project as determined by
25 the commission;

26 (8) "Operate" or "operation", to improve, maintain, equip,
27 modify, repair, administer, or collect user fees;

28 (9) "Private partner", any natural person, corporation,

1 partnership, limited liability company, joint venture, business
2 trust, nonprofit entity, other business entity, or any
3 combination thereof;

4 (10) "Project", exclusively includes any pipeline, ferry,
5 port facility, water facility, water way, water supply facility
6 or pipeline, stormwater facility or system, wastewater system or
7 treatment facility, public building, airport, railroad, light
8 rail, vehicle parking facility, mass transit facility, tube
9 transport system, or other similar facility currently available
10 or to be made available to a government entity for public use,
11 including any structure, parking area, appurtenance and other
12 property required to operate the structure or facility to be
13 financed, developed, and/or operated under agreement between the
14 commission and a private partner. The commission or private
15 partner shall not have the authority to collect user fees in
16 connection with the project from motor carriers as defined in
17 section 227.630. Project shall not include any highway,
18 interstate or bridge construction, or any rest area, rest stop,
19 or truck parking facility connected to an interstate or other
20 highway under the authority of the commission. Any project not
21 specifically included in this subdivision shall not be financed,
22 developed, or operated by a private partner until such project is
23 approved by a vote of the people;

24 (11) "Public use", a finding by the commission that the
25 project to be financed, developed, and/or operated by a private
26 partner under sections 227.600 to 227.669 will improve or is
27 needed as a necessary addition to the state transportation
28 system;

1 (12) "Revenues", include but are not limited to the
2 following which arise out of or in connection with the financing,
3 development, and/or operation of the project:

4 (a) Income;

5 (b) Earnings;

6 (c) Proceeds;

7 (d) User fees;

8 (e) Lease payments;

9 (f) Allocations;

10 (g) Federal, state, and local moneys; or

11 (h) Private sector moneys, grants, bond proceeds, and/or
12 equity investments;

13 (13) "State", the state of Missouri;

14 (14) "State highway system", the state system of highways
15 and bridges planned, located, relocated, established, acquired,
16 constructed, and maintained by the commission under Section
17 30(b), Article IV, Constitution of Missouri;

18 (15) "State transportation system", the state system of
19 nonhighway transportation programs, including but not limited to
20 aviation, transit and mass transportation, railroads, ports,
21 waterborne commerce, freight and intermodal connections;

22 (16) "Tube transport system", a high-speed transportation
23 system, including infrastructure and facilities, in which
24 pressurized pods containing passengers or freight ride or coast
25 upon a cushion of air through magnetic levitation within a
26 reduced-pressure or vacuum tube, propelled by electric power;

27 (17) "User fees", tolls, fees, or other charges authorized
28 to be imposed by the commission and collected by the private

1 partner for the use of all or a portion of a project under a
2 comprehensive agreement.

3 3. Notwithstanding any provision of law to the contrary,
4 the power of eminent domain shall not apply to the tube transport
5 system.

6 4. Under section 23.253 of the Missouri sunset act:

7 (1) The provisions authorizing the financing, development,
8 or operation of a tube transport system under this section shall
9 automatically sunset on August 28, 2025, unless reauthorized by
10 an act of the general assembly; and

11 (2) If the tube transport system is reauthorized, the
12 authority under this section to finance, develop, or operate the
13 tube transport system shall automatically sunset five years after
14 the effective date of the reauthorization of this section; and

15 (3) The provisions of this section authorizing the
16 financing, development, or operation of a tube transport system
17 shall terminate on September first of the calendar year
18 immediately following the calendar year in which the program
19 authorized under this section is sunset.

20 300.010. The following words and phrases when used in this
21 ordinance mean:

22 (1) "Alley" or "alleyway", any street with a roadway of
23 less than twenty feet in width;

24 (2) "All-terrain vehicle", any motorized vehicle
25 manufactured and used exclusively for off-highway use [which is
26 fifty inches or less in width], with an unladen dry weight of
27 [six] one thousand five hundred pounds or less, traveling on
28 three, four or more [low pressure] nonhighway tires, with either:

1 (a) A seat designed to be straddled by the operator, and
2 handlebars for steering control; or

3 (b) A width of fifty inches or less, measured from outside
4 of tire rim to outside of tire rim, regardless of seating or
5 steering arrangement;

6 (3) "Authorized emergency vehicle", a vehicle publicly
7 owned and operated as an ambulance, or a vehicle publicly owned
8 and operated by the state highway patrol, police or fire
9 department, sheriff or constable or deputy sheriff, traffic
10 officer or any privately owned vehicle operated as an ambulance
11 when responding to emergency calls;

12 (4) "Business district", the territory contiguous to and
13 including a highway when within any six hundred feet along the
14 highway there are buildings in use for business or industrial
15 purposes, including but not limited to hotels, banks, or office
16 buildings, railroad stations and public buildings which occupy at
17 least three hundred feet of frontage on one side or three hundred
18 feet collectively on both sides of the highway;

19 (5) "Central business (or traffic) district", all streets
20 and portions of streets within the area described by city
21 ordinance as such;

22 (6) "Commercial vehicle", every vehicle designed,
23 maintained, or used primarily for the transportation of property;

24 (7) "Controlled access highway", every highway, street or
25 roadway in respect to which owners or occupants of abutting lands
26 and other persons have no legal right of access to or from the
27 same except at such points only and in such manner as may be
28 determined by the public authority having jurisdiction over the

1 highway, street or roadway;

2 (8) "Crosswalk",

3 (a) That part of a roadway at an intersection included
4 within the connections of the lateral lines of the sidewalks on
5 opposite sides of the highway measured from the curbs, or in the
6 absence of curbs from the edges of the traversable roadway;

7 (b) Any portion of a roadway at an intersection or
8 elsewhere distinctly indicated for pedestrian crossing by lines
9 or other markings on the surface;

10 (9) "Curb loading zone", a space adjacent to a curb
11 reserved for the exclusive use of vehicles during the loading or
12 unloading of passengers or materials;

13 (10) "Driver", every person who drives or is in actual
14 physical control of a vehicle;

15 (11) "Freight curb loading zone", a space adjacent to a
16 curb for the exclusive use of vehicles during the loading or
17 unloading of freight (or passengers);

18 (12) "Highway", the entire width between the boundary lines
19 of every way publicly maintained when any part thereof is open to
20 the use of the public for purposes of vehicular travel;

21 (13) "Intersection",

22 (a) The area embraced within the prolongation or connection
23 of the lateral curb lines, or, if none, then the lateral boundary
24 lines of the roadways of two highways which join one another at,
25 or approximately at, right angles, or the area within which
26 vehicles traveling upon different highways joining at any other
27 angle may come in conflict;

28 (b) Where a highway includes two roadways thirty feet or

1 more apart, then every crossing of each roadway of such divided
2 highway by an intersecting highway shall be regarded as a
3 separate intersection. In the event such intersecting highway
4 also includes two roadways thirty feet or more apart, then every
5 crossing of two roadways of such highways shall be regarded as a
6 separate intersection;

7 (14) "Laned roadway", a roadway which is divided into two
8 or more clearly marked lanes for vehicular traffic;

9 (15) "Motor vehicle", any self-propelled vehicle not
10 operated exclusively upon tracks, except farm tractors and
11 motorized bicycles;

12 (16) "Motorcycle", every motor vehicle having a seat or
13 saddle for the use of the rider and designed to travel on not
14 more than three wheels in contact with the ground, but excluding
15 a tractor;

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

22 (18) "Official time standard", whenever certain hours are
23 named herein they shall mean standard time or daylight-saving
24 time as may be in current use in the city;

25 (19) "Official traffic control devices", all signs,
26 signals, markings and devices not inconsistent with this
27 ordinance placed or erected by authority of a public body or
28 official having jurisdiction, for the purpose of regulating,

1 warning or guiding traffic;

2 (20) "Park" or "parking", the standing of a vehicle,
3 whether occupied or not, otherwise than temporarily for the
4 purpose of and while actually engaged in loading or unloading
5 merchandise or passengers;

6 (21) "Passenger curb loading zone", a place adjacent to a
7 curb reserved for the exclusive use of vehicles during the
8 loading or unloading of passengers;

9 (22) "Pedestrian", any person afoot;

10 (23) "Person", every natural person, firm, copartnership,
11 association or corporation;

12 (24) "Police officer", every officer of the municipal
13 police department or any officer authorized to direct or regulate
14 traffic or to make arrests for violations of traffic regulations;

15 (25) "Private road" or "driveway", every way or place in
16 private ownership and used for vehicular travel by the owner and
17 those having express or implied permission from the owner, but
18 not by other persons;

19 (26) "Railroad", a carrier of persons or property upon
20 cars, other than streetcars, operated upon stationary rails;

21 (27) "Railroad train", a steam engine, electric or other
22 motor, with or without cars coupled thereto, operated upon rails,
23 except streetcars;

24 (28) "Residence district", the territory contiguous to and
25 including a highway not comprising a business district when the
26 property on such highway for a distance of three hundred feet or
27 more is in the main improved with residences or residences and
28 buildings in use for business;

1 (29) "Right-of-way", the right of one vehicle or pedestrian
2 to proceed in a lawful manner in preference to another vehicle or
3 pedestrian approaching under such circumstances of direction,
4 speed and proximity as to give rise to danger of collision unless
5 one grants precedence to the other;

6 (30) "Roadway", that portion of a highway improved,
7 designed or ordinarily used for vehicular travel, exclusive of
8 the berm or shoulder. In the event a highway includes two or
9 more separate roadways the term "roadway" as used herein shall
10 refer to any such roadway separately but not to all such roadways
11 collectively;

12 (31) "Safety zone", the area or space officially set apart
13 within a roadway for the exclusive use of pedestrians and which
14 is protected or is so marked or indicated by adequate signs as to
15 be plainly visible at all times while set apart as a safety zone;

16 (32) "Sidewalk", that portion of a street between the curb
17 lines, or the lateral lines of a roadway, and the adjacent
18 property lines, intended for use of pedestrians;

19 (33) "Stand" or "standing", the halting of a vehicle,
20 whether occupied or not, otherwise than for the purpose of and
21 while actually engaged in receiving or discharging passengers;

22 (34) "Stop", when required, complete cessation from
23 movement;

24 (35) "Stop" or "stopping", when prohibited, any halting
25 even momentarily of a vehicle, whether occupied or not, except
26 when necessary to avoid conflict with other traffic or in
27 compliance with the directions of a police officer or traffic
28 control sign or signal;

1 (36) "Street" or "highway", the entire width between the
2 lines of every way publicly maintained when any part thereof is
3 open to the uses of the public for purposes of vehicular travel.
4 "State highway", a highway maintained by the state of Missouri as
5 a part of the state highway system;

6 (37) "Through highway", every highway or portion thereof on
7 which vehicular traffic is given preferential rights-of-way, and
8 at the entrances to which vehicular traffic from intersecting
9 highways is required by law to yield rights-of-way to vehicles on
10 such through highway in obedience to either a stop sign or a
11 yield sign, when such signs are erected as provided in this
12 ordinance;

13 (38) "Traffic", pedestrians, ridden or herded animals,
14 vehicles, streetcars and other conveyances either singly or
15 together while using any highway for purposes of travel;

16 (39) "Traffic control signal", any device, whether
17 manually, electrically or mechanically operated, by which traffic
18 is alternately directed to stop and to proceed;

19 (40) "Traffic division", the traffic division of the police
20 department of the city, or in the event a traffic division is not
21 established, then said term whenever used herein shall be deemed
22 to refer to the police department of the city;

23 (41) "Vehicle", any mechanical device on wheels, designed
24 primarily for use, or used, on highways, except motorized
25 bicycles, vehicles propelled or drawn by horses or human power,
26 or vehicles used exclusively on fixed rails or tracks, cotton
27 trailers or motorized wheelchairs operated by handicapped
28 persons.

1 301.010. As used in this chapter and sections 304.010 to
2 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the
3 following terms mean:

4 (1) "All-terrain vehicle", any motorized vehicle
5 manufactured and used exclusively for off-highway use [which is
6 fifty inches or less in width], with an unladen dry weight of one
7 thousand five hundred pounds or less, traveling on three, four or
8 more nonhighway tires, with either:

9 (a) A seat designed to be straddled by the operator, and
10 handlebars for steering control; or

11 (b) A width of fifty inches or less, measured from outside
12 of tire rim to outside of tire rim, regardless of seating or
13 steering arrangement;

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

21 (3) "Automobile transporter", any vehicle combination
22 capable of carrying cargo on the power unit and designed and used
23 for the transport of assembled motor vehicles, including truck
24 camper units;

25 (4) "Axle load", the total load transmitted to the road by
26 all wheels whose centers are included between two parallel
27 transverse vertical planes forty inches apart, extending across
28 the full width of the vehicle;

1 (5) "Backhaul", the return trip of a vehicle transporting
2 cargo or general freight, especially when carrying goods back
3 over all or part of the same route;

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

8 (7) "Body shop", a business that repairs physical damage on
9 motor vehicles that are not owned by the shop or its officers or
10 employees by mending, straightening, replacing body parts, or
11 painting;

12 (8) "Bus", a motor vehicle primarily for the transportation
13 of a driver and eight or more passengers but not including
14 shuttle buses;

15 (9) "Commercial motor vehicle", a motor vehicle designed or
16 regularly used for carrying freight and merchandise, or more than
17 eight passengers but not including vanpools or shuttle buses;

18 (10) "Cotton trailer", a trailer designed and used
19 exclusively for transporting cotton at speeds less than forty
20 miles per hour from field to field or from field to market and
21 return;

22 (11) "Dealer", any person, firm, corporation, association,
23 agent or subagent engaged in the sale or exchange of new, used or
24 reconstructed motor vehicles or trailers;

25 (12) "Director" or "director of revenue", the director of
26 the department of revenue;

27 (13) "Driveaway operation":

28 (a) The movement of a motor vehicle or trailer by any

1 person or motor carrier other than a dealer over any public
2 highway, under its own power singly, or in a fixed combination of
3 two or more vehicles, for the purpose of delivery for sale or for
4 delivery either before or after sale;

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

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

18 (14) "Dromedary", a box, deck, or plate mounted behind the
19 cab and forward of the fifth wheel on the frame of the power unit
20 of a truck tractor-semitrailer combination. A truck tractor
21 equipped with a dromedary may carry part of a load when operating
22 independently or in a combination with a semitrailer;

23 (15) "Farm tractor", a tractor used exclusively for
24 agricultural purposes;

25 (16) "Fleet", any group of ten or more motor vehicles owned
26 by the same owner;

27 (17) "Fleet vehicle", a motor vehicle which is included as
28 part of a fleet;

1 (18) "Fullmount", a vehicle mounted completely on the frame
2 of either the first or last vehicle in a saddlemount combination;

3 (19) "Gross weight", the weight of vehicle and/or vehicle
4 combination without load, plus the weight of any load thereon;

5 (20) "Hail-damaged vehicle", any vehicle, the body of which
6 has become dented as the result of the impact of hail;

7 (21) "Highway", any public thoroughfare for vehicles,
8 including state roads, county roads and public streets, avenues,
9 boulevards, parkways or alleys in any municipality;

10 (22) "Improved highway", a highway which has been paved
11 with gravel, macadam, concrete, brick or asphalt, or surfaced in
12 such a manner that it shall have a hard, smooth surface;

13 (23) "Intersecting highway", any highway which joins
14 another, whether or not it crosses the same;

15 (24) "Junk vehicle", a vehicle which:

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

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

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

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

28 (a) An area that extends not more than a radius of one

1 hundred miles from its home base of operations when transporting
2 its owner's machinery, equipment, or auxiliary supplies to or
3 from projects involving soil and water conservation, or to and
4 from equipment dealers' maintenance facilities for maintenance
5 purposes; or

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

10
11 Nothing in this subdivision shall be construed to prevent any
12 motor vehicle from being registered as a commercial motor vehicle
13 or local commercial motor vehicle;

14 (27) "Local commercial motor vehicle", a commercial motor
15 vehicle whose operations are confined to a municipality and that
16 area extending not more than fifty miles therefrom, or a
17 commercial motor vehicle whose property-carrying operations are
18 confined solely to the transportation of property owned by any
19 person who is the owner or operator of such vehicle to or from a
20 farm owned by such person or under the person's control by virtue
21 of a landlord and tenant lease; provided that any such property
22 transported to any such farm is for use in the operation of such
23 farm;

24 (28) "Local log truck", a commercial motor vehicle which is
25 registered pursuant to this chapter to operate as a motor vehicle
26 on the public highways of this state, used exclusively in this
27 state, used to transport harvested forest products, operated
28 solely at a forested site and in an area extending not more than

1 a one hundred mile radius from such site, carries a load with
2 dimensions not in excess of twenty-five cubic yards per two axles
3 with dual wheels, and when operated on the national system of
4 interstate and defense highways described in 23 U.S.C. Section
5 103, as amended, or outside the one hundred mile radius from such
6 site with an extended distance local log truck permit, such
7 vehicle shall not exceed the weight limits of section 304.180,
8 does not have more than four axles, and does not pull a trailer
9 which has more than three axles. Harvesting equipment which is
10 used specifically for cutting, felling, trimming, delimiting,
11 debarking, chipping, skidding, loading, unloading, and stacking
12 may be transported on a local log truck. A local log truck may
13 not exceed the limits required by law, however, if the truck does
14 exceed such limits as determined by the inspecting officer, then
15 notwithstanding any other provisions of law to the contrary, such
16 truck shall be subject to the weight limits required by such
17 sections as licensed for eighty thousand pounds;

18 (29) "Local log truck tractor", a commercial motor vehicle
19 which is registered under this chapter to operate as a motor
20 vehicle on the public highways of this state, used exclusively in
21 this state, used to transport harvested forest products, operated
22 at a forested site and in an area extending not more than a one
23 hundred mile radius from such site, operates with a weight not
24 exceeding twenty-two thousand four hundred pounds on one axle or
25 with a weight not exceeding forty-four thousand eight hundred
26 pounds on any tandem axle, and when operated on the national
27 system of interstate and defense highways described in 23 U.S.C.
28 Section 103, as amended, or outside the one hundred mile radius

1 from such site with an extended distance local log truck permit,
2 such vehicle does not exceed the weight limits contained in
3 section 304.180, and does not have more than three axles and does
4 not pull a trailer which has more than three axles. Violations
5 of axle weight limitations shall be subject to the load limit
6 penalty as described for in sections 304.180 to 304.220;

7 (30) "Local transit bus", a bus whose operations are
8 confined wholly within a municipal corporation, or wholly within
9 a municipal corporation and a commercial zone, as defined in
10 section 390.020, adjacent thereto, forming a part of a public
11 transportation system within such municipal corporation and such
12 municipal corporation and adjacent commercial zone;

13 (31) "Log truck", a vehicle which is not a local log truck
14 or local log truck tractor and is used exclusively to transport
15 harvested forest products to and from forested sites which is
16 registered pursuant to this chapter to operate as a motor vehicle
17 on the public highways of this state for the transportation of
18 harvested forest products;

19 (32) "Major component parts", the rear clip, cowl, frame,
20 body, cab, front-end assembly, and front clip, as those terms are
21 defined by the director of revenue pursuant to rules and
22 regulations or by illustrations;

23 (33) "Manufacturer", any person, firm, corporation or
24 association engaged in the business of manufacturing or
25 assembling motor vehicles, trailers or vessels for sale;

26 (34) "Motor change vehicle", a vehicle manufactured prior
27 to August, 1957, which receives a new, rebuilt or used engine,
28 and which used the number stamped on the original engine as the

1 vehicle identification number;

2 (35) "Motor vehicle", any self-propelled vehicle not
3 operated exclusively upon tracks, except farm tractors;

4 (36) "Motor vehicle primarily for business use", any
5 vehicle other than a recreational motor vehicle, motorcycle,
6 motortricycle, or any commercial motor vehicle licensed for over
7 twelve thousand pounds:

8 (a) Offered for hire or lease; or

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

11 (37) "Motorcycle", a motor vehicle operated on two wheels;

12 (38) "Motorized bicycle", any two-wheeled or three-wheeled
13 device having an automatic transmission and a motor with a
14 cylinder capacity of not more than fifty cubic centimeters, which
15 produces less than three gross brake horsepower, and is capable
16 of propelling the device at a maximum speed of not more than
17 thirty miles per hour on level ground;

18 (39) "Motortricycle", a motor vehicle upon which the
19 operator straddles or sits astride that is designed to be
20 controlled by handle bars and is operated on three wheels,
21 including a motorcycle while operated with any conveyance,
22 temporary or otherwise, requiring the use of a third wheel. A
23 motortricycle shall not be included in the definition of
24 all-terrain vehicle;

25 (40) "Municipality", any city, town or village, whether
26 incorporated or not;

27 (41) "Nonresident", a resident of a state or country other
28 than the state of Missouri;

1 (42) "Non-USA-std motor vehicle", a motor vehicle not
2 originally manufactured in compliance with United States
3 emissions or safety standards;

4 (43) "Operator", any person who operates or drives a motor
5 vehicle;

6 (44) "Owner", any person, firm, corporation or association,
7 who holds the legal title to a vehicle or who has executed a
8 buyer's order or retail installment sales contract with a motor
9 vehicle dealer licensed under sections 301.550 to 301.580 for the
10 purchase of a vehicle with an immediate right of possession
11 vested in the transferee, or in the event a vehicle is the
12 subject of an agreement for the conditional sale or lease thereof
13 with the right of purchase upon performance of the conditions
14 stated in the agreement and with an immediate right of possession
15 vested in the conditional vendee or lessee, or in the event a
16 mortgagor of a vehicle is entitled to possession, then such
17 conditional vendee or lessee or mortgagor shall be deemed the
18 owner;

19 (45) "Public garage", a place of business where motor
20 vehicles are housed, stored, repaired, reconstructed or repainted
21 for persons other than the owners or operators of such place of
22 business;

23 (46) "Rebuilder", a business that repairs or rebuilds motor
24 vehicles owned by the rebuilder, but does not include
25 certificated common or contract carriers of persons or property;

26 (47) "Reconstructed motor vehicle", a vehicle that is
27 altered from its original construction by the addition or
28 substitution of two or more new or used major component parts,

1 excluding motor vehicles made from all new parts, and new
2 multistage manufactured vehicles;

3 (48) "Recreational motor vehicle", any motor vehicle
4 designed, constructed or substantially modified so that it may be
5 used and is used for the purposes of temporary housing quarters,
6 including therein sleeping and eating facilities which are either
7 permanently attached to the motor vehicle or attached to a unit
8 which is securely attached to the motor vehicle. Nothing herein
9 shall prevent any motor vehicle from being registered as a
10 commercial motor vehicle if the motor vehicle could otherwise be
11 so registered;

12 (49) "Recreational off-highway vehicle", any motorized
13 vehicle manufactured and used exclusively for off-highway use
14 which is more than fifty inches but no more than [sixty-seven]
15 eighty inches in width, measured from outside of tire rim to
16 outside of tire rim, with an unladen dry weight of [two] three
17 thousand five hundred pounds or less, traveling on four or more
18 nonhighway tires and which may have access to ATV trails;

19 (50) "Recreational trailer", any trailer designed,
20 constructed, or substantially modified so that it may be used and
21 is used for the purpose of temporary housing quarters, including
22 therein sleeping or eating facilities, which can be temporarily
23 attached to a motor vehicle or attached to a unit which is
24 securely attached to a motor vehicle;

25 (51) "Rollback or car carrier", any vehicle specifically
26 designed to transport wrecked, disabled or otherwise inoperable
27 vehicles, when the transportation is directly connected to a
28 wrecker or towing service;

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

11 (53) "Salvage dealer and dismantler", a business that
12 dismantles used motor vehicles for the sale of the parts thereof,
13 and buys and sells used motor vehicle parts and accessories;

14 (54) "Salvage vehicle", a motor vehicle, semitrailer, or
15 house trailer which:

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

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

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

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

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

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

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

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

21 (55) "School bus", any motor vehicle used solely to
22 transport students to or from school or to transport students to
23 or from any place for educational purposes;

24 (56) "Scrap processor", a business that, through the use of
25 fixed or mobile equipment, flattens, crushes, or otherwise
26 accepts motor vehicles and vehicle parts for processing or
27 transportation to a shredder or scrap metal operator for
28 recycling;

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

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

22 (59) "Specially constructed motor vehicle", a motor vehicle
23 which shall not have been originally constructed under a
24 distinctive name, make, model or type by a manufacturer of motor
25 vehicles. The term specially constructed motor vehicle includes
26 kit vehicles;

27 (60) "Stinger-steered combination", a truck
28 tractor-semitrailer wherein the fifth wheel is located on a drop

1 frame located behind and below the rearmost axle of the power
2 unit;

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

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

13 (63) "Tractor", "truck tractor" or "truck-tractor", a
14 self-propelled motor vehicle designed for drawing other vehicles,
15 but not for the carriage of any load when operating
16 independently. When attached to a semitrailer, it supports a
17 part of the weight thereof;

18 (64) "Trailer", any vehicle without motive power designed
19 for carrying property or passengers on its own structure and for
20 being drawn by a self-propelled vehicle, except those running
21 exclusively on tracks, including a semitrailer or vehicle of the
22 trailer type so designed and used in conjunction with a
23 self-propelled vehicle that a considerable part of its own weight
24 rests upon and is carried by the towing vehicle. The term
25 trailer shall not include cotton trailers as defined in this
26 section and shall not include manufactured homes as defined in
27 section 700.010;

28 (65) "Trailer transporter towing unit", a power unit that

1 is not used to carry property when operating in a towaway trailer
2 transporter combination;

3 (66) "Truck", a motor vehicle designed, used, or maintained
4 for the transportation of property;

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

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

18 (69) "Used parts dealer", a business that buys and sells
19 used motor vehicle parts or accessories, but not including a
20 business that sells only new, remanufactured or rebuilt parts.
21 Business does not include isolated sales at a swap meet of less
22 than three days;

23 (70) "Utility vehicle", any motorized vehicle manufactured
24 and used exclusively for off-highway use which is more than fifty
25 inches but no more than [sixty-seven] eighty inches in width,
26 measured from outside of tire rim to outside of tire rim, with an
27 unladen dry weight of [two] three thousand five hundred pounds or
28 less, traveling on four or six wheels, to be used primarily for

1 landscaping, lawn care, or maintenance purposes;

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

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

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

27 (74) "Wrecker or towing service", the act of transporting,
28 towing or recovering with a wrecker, tow truck, rollback or car

1 carrier any vehicle not owned by the operator of the wrecker, tow
2 truck, rollback or car carrier for which the operator directly or
3 indirectly receives compensation or other personal gain.

4 301.030. 1. The director shall provide for the retention
5 of license plates by the owners of motor vehicles, other than
6 commercial motor vehicles, and shall establish a system of
7 registration on a monthly series basis to distribute the work of
8 registering motor vehicles as uniformly as practicable throughout
9 the twelve months of the calendar year. For the purpose of
10 assigning license plate numbers, each type of motor vehicle shall
11 be considered a separate class. Commencing July 1, 1949, motor
12 vehicles, other than commercial motor vehicles, shall be
13 registered for a period of twelve consecutive calendar months.
14 There are established twelve registration periods, each of which
15 shall start on the first day of each calendar month of the year
16 and shall end on the last date of the twelfth month from the date
17 of beginning. Fees for the renewal of noncommercial motor
18 vehicle registrations shall be payable no later than the last day
19 of the month that follows the twelfth month of the expired
20 registration period. No delinquent renewal penalty shall be
21 assessed under section 301.050, and no violation shall be issued
22 under section 301.020 for an expired registration, prior to the
23 second month that follows the twelfth month of the expired
24 registration period.

25 2. Motor vehicles, other than commercial motor vehicles,
26 operated for the first time upon the public highways of this
27 state, to and including the fifteenth day of any given month,
28 shall be subject to registration and payment of a fee for the

1 twelve-month period commencing the first day of the month of such
2 operation; motor vehicles, other than commercial motor vehicles,
3 operated for the first time on the public highways of this state
4 after the fifteenth day of any given month shall be subject to
5 registration and payment of a fee for the twelve-month period
6 commencing the first day of the next following calendar month.

7 3. All commercial motor vehicles and trailers, except those
8 licensed under section 301.035 and those operated under
9 agreements as provided for in sections 301.271 to 301.279, shall
10 be registered either on a calendar year basis or on a prorated
11 basis as provided in this section. The fees for commercial motor
12 vehicles, trailers, semitrailers, and driveaway vehicles, other
13 than those to be operated under agreements as provided for in
14 sections 301.271 to 301.279 shall be payable not later than the
15 last day of February of each year, except when such vehicle is
16 licensed between April first and July first the fee shall be
17 three-fourths the annual fee, when licensed between July first
18 and October first the fee shall be one-half the annual fee and
19 when licensed on or after October first the fee shall be
20 one-fourth the annual fee. Such license plates shall be made
21 with fully reflective material with a common color scheme and
22 design, shall be clearly visible at night, and shall be
23 aesthetically attractive, as prescribed by section 301.130.

24 Local commercial motor vehicle license plates may also be so
25 stamped, marked or designed as to indicate they are to be used
26 only on local commercial motor vehicles and, in addition to such
27 stamp, mark or design, the letter "F" shall also be displayed on
28 local commercial motor vehicle license plates issued to motor

1 vehicles used for farm or farming transportation operations as
2 defined in section 301.010 in the manner prescribed by the
3 advisory committee established in section 301.129. In addition,
4 all commercial motor vehicle license plates may be so stamped or
5 marked with a letter, figure or other emblem as to indicate the
6 gross weight for which issued.

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

12 5. Notwithstanding any other provision of law to the
13 contrary, any motorcycle or motortricycle registration issued by
14 the Missouri department of revenue shall expire on June
15 thirtieth.

16 301.032. 1. Notwithstanding the provisions of sections
17 301.030 and 301.035 to the contrary, the director of revenue
18 shall establish a system of registration of all fleet vehicles
19 owned or purchased by a fleet owner registered pursuant to this
20 section. The director of revenue shall prescribe the forms for
21 such fleet registration and the forms and procedures for the
22 registration updates prescribed in this section. Any owner of
23 ten or more motor vehicles which must be registered in accordance
24 with this chapter may register as a fleet owner. All registered
25 fleet owners may, at their option, register all motor vehicles
26 included in the fleet on a calendar year or biennial basis
27 pursuant to this section in lieu of the registration periods
28 provided in sections 301.030, 301.035, and 301.147. The director

1 shall issue an identification number to each registered owner of
2 fleet vehicles.

3 2. All fleet vehicles included in the fleet of a registered
4 fleet owner shall be registered during April of the corresponding
5 year or on a prorated basis as provided in subsection 3 of this
6 section. Fees of all vehicles in the fleet to be registered on a
7 calendar year basis or on a biennial basis shall be payable not
8 later than the last day of April of the corresponding year, with
9 two years' fees due for biennially-registered vehicles.

10 Notwithstanding the provisions of section 307.355, an application
11 for registration of a fleet vehicle must be accompanied by a
12 certificate of inspection and approval issued no more than one
13 hundred twenty days prior to the date of application. The fees
14 for vehicles added to the fleet which must be licensed at the
15 time of registration shall be payable at the time of
16 registration, except that when such vehicle is licensed between
17 July first and September thirtieth the fee shall be three-fourths
18 the annual fee, when licensed between October first and December
19 thirty-first the fee shall be one-half the annual fee and when
20 licensed on or after January first the fee shall be one-fourth
21 the annual fee. When biennial registration is sought for
22 vehicles added to a fleet, an additional year's annual fee will
23 be added to the partial year's prorated fee.

24 3. At any time during the calendar year in which an owner
25 of a fleet purchases or otherwise acquires a vehicle which is to
26 be added to the fleet or transfers plates to a fleet vehicle, the
27 owner shall present to the director of revenue the identification
28 number as a fleet number and may register the vehicle for the

1 partial year as provided in subsection 2 of this section. The
2 fleet owner shall also be charged a transfer fee of two dollars
3 for each vehicle so transferred pursuant to this subsection.

4 4. Except as specifically provided in this subsection, all
5 fleet vehicles registered pursuant to this section shall be
6 issued a special license plate which shall have the words "Fleet
7 Vehicle" in place of the words "Show-Me State" in the manner
8 prescribed by the advisory committee established in section
9 301.129. Alternatively, for a one-time additional five dollar
10 per-vehicle fee beyond the regular registration fee, a fleet
11 owner of at least fifty fleet vehicles may apply for fleet
12 license plates bearing a company name or logo, the size and
13 design thereof subject to approval by the director. All fleet
14 license plates shall be made with fully reflective material with
15 a common color scheme and design, shall be clearly visible at
16 night, and shall be aesthetically attractive, as prescribed by
17 section 301.130. Fleet vehicles shall be issued multiyear
18 license plates as provided in this section which shall not
19 require issuance of a renewal tab. Upon payment of appropriate
20 registration fees, the director of revenue shall issue a
21 registration certificate or other suitable evidence of payment of
22 the annual or biennial fee, and such evidence of payment shall be
23 carried at all times in the vehicle for which it is issued.

24 5. Notwithstanding the provisions of sections 307.350 to
25 307.390 to the contrary, a fleet vehicle registered in Missouri
26 is exempt from the requirements of sections 307.350 to 307.390 if
27 at the time of the annual fleet registration, such fleet vehicle
28 is situated outside the state of Missouri.

1 6. (1) Notwithstanding any other provisions of law to the
2 contrary, any person, company, or corporation engaged in the
3 business of renting or leasing three thousand five hundred or
4 more motor vehicles which are to be used exclusively for rental
5 or leasing purposes and not for resale that has applied to the
6 director of revenue for authority to operate as a lease or rental
7 company as prescribed in section 144.070 may operate as a
8 registered fleet owner as prescribed in the provisions of this
9 subsection to subsection 10 of this section.

10 (2) The director of revenue may issue license plates after
11 presentment of an application, as designed by the director, and
12 payment of an annual fee of three hundred sixty dollars for the
13 first ten plates and thirty-six dollars for each additional
14 plate. The payment and issuance of such plates shall be in lieu
15 of registering each motor vehicle with the director as otherwise
16 provided by law.

17 (3) The registration fees for vehicles in the registered
18 fleet owner's fleet shall be fully payable at the time such
19 plates are ordered, except that when such plate is ordered after
20 the first month of registration, the fees payable shall be
21 prorated by the month the plates were ordered. When biennial
22 registration is sought, an additional year's annual fee shall be
23 added to the partial year's prorated fee.

24 (4) Such motor vehicles within the fleet shall not be
25 exempted from the safety inspection and emissions inspection
26 provisions as prescribed in chapters 307 and 643, but
27 notwithstanding the provisions of section 307.355, such
28 inspections shall not be required to be presented to the director

1 of revenue.

2 7. A recipient of a lease or rental company license issued
3 by the director of revenue as prescribed in section 144.070
4 operating as a registered fleet owner under this section shall
5 register such fleet with the director of revenue on an annual or
6 biennial basis in lieu of the individual motor vehicle
7 registration periods as prescribed in sections 301.030, 301.035,
8 and 301.147. If an applicant elects a biennial fleet
9 registration, the annual fleet license plate fees prescribed in
10 subdivision (1) of subsection 6 of this section shall be doubled.
11 An agent fee as prescribed in subdivision (1) of subsection 1 of
12 section 136.055 shall apply to the issuance of fleet
13 registrations issued under subsections 6 to 10 of this section,
14 and if a biennial fleet registration is elected, the agent fee
15 shall be collected in an amount equal to the fee for two years.

16 8. Prior to the issuance of fleet license plates under
17 subsections 6 to 10 of this section, the applicant shall provide
18 proof of insurance as required under section 303.024 or 303.026.

19 9. The authority of a recipient of a lease or rental
20 company license issued by the director of revenue as prescribed
21 in section 144.070 to operate as a fleet owner as provided in
22 this section shall expire on January first of the licensure
23 period.

24 10. A lease or rental company operating fleet license
25 plates issued under subsections 6 to 10 of this section shall
26 make available, upon request, to the director of revenue and all
27 Missouri law enforcement agencies any corresponding vehicle and
28 registration information that may be requested as prescribed by

1 rule.

2 11. The director shall make all necessary rules and
3 regulations for the administration of this section and shall
4 design all necessary forms required by this section. Any rule or
5 portion of a rule, as that term is defined in section 536.010,
6 that is created under the authority delegated in this section
7 shall become effective only if it complies with and is subject to
8 all the provisions of chapter 536 and, if applicable, section
9 536.028. This section and chapter 536 are nonseverable and if
10 any of the powers vested with the general assembly under chapter
11 536 to review, to delay the effective date, or to disapprove and
12 annul a rule are subsequently held unconstitutional, then the
13 grant of rulemaking authority and any rule proposed or adopted
14 after August 28, 2019, shall be invalid and void.

15 301.140. 1. Upon the transfer of ownership of any motor
16 vehicle or trailer, the certificate of registration and the right
17 to use the number plates shall expire and the number plates shall
18 be removed by the owner at the time of the transfer of
19 possession, and it shall be unlawful for any person other than
20 the person to whom such number plates were originally issued to
21 have the same in his or her possession whether in use or not,
22 unless such possession is solely for charitable purposes; except
23 that the buyer of a motor vehicle or trailer who trades in a
24 motor vehicle or trailer may attach the license plates from the
25 traded-in motor vehicle or trailer to the newly purchased motor
26 vehicle or trailer. The operation of a motor vehicle with such
27 transferred plates shall be lawful for no more than thirty days,
28 or no more than ninety days if the dealer is selling the motor

1 vehicle under the provisions of section 301.213, or no more than
2 sixty days if the dealer is selling the motor vehicle under the
3 provisions of subsection 5 of section 301.210. As used in this
4 subsection, the term "trade-in motor vehicle or trailer" shall
5 include any single motor vehicle or trailer sold by the buyer of
6 the newly purchased vehicle or trailer, as long as the license
7 plates for the trade-in motor vehicle or trailer are still valid.

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

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

1 purchased motor vehicle is of greater horsepower, gross weight or
2 (in the case of a passenger-carrying commercial motor vehicle)
3 seating capacity, for which a greater fee is prescribed, the
4 applicant shall pay a transfer fee of two dollars and a pro rata
5 portion of the difference in fees. When the newly purchased
6 vehicle is of less horsepower, gross weight or (in the case of a
7 passenger-carrying commercial motor vehicle) seating capacity,
8 for which a lesser fee is prescribed, the applicant shall not be
9 entitled to a refund.

10 4. The director of the department of revenue shall have
11 authority to produce or allow others to produce a weather
12 resistant, nontearing temporary permit authorizing the operation
13 of a motor vehicle or trailer by a buyer for not more than thirty
14 days, or no more than ninety days if issued by a dealer selling
15 the motor vehicle under the provisions of section 301.213, or no
16 more than sixty days if issued by a dealer selling the motor
17 vehicle under the provisions of subsection 5 of section 301.210,
18 from the date of purchase. The temporary permit authorized under
19 this section may be purchased by the purchaser of a motor vehicle
20 or trailer from the central office of the department of revenue
21 or from an authorized agent of the department of revenue upon
22 proof of purchase of a motor vehicle or trailer for which the
23 buyer has no registration plate available for transfer and upon
24 proof of financial responsibility, or from a motor vehicle dealer
25 upon purchase of a motor vehicle or trailer for which the buyer
26 has no registration plate available for transfer, or from a motor
27 vehicle dealer upon purchase of a motor vehicle or trailer for
28 which the buyer has registered and is awaiting receipt of

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

1 ninety days if issued by a dealer selling the motor vehicle under
2 the provisions of section 301.213, or no more than sixty days if
3 issued by a dealer selling the motor vehicle under the provisions
4 of subsection 5 of section 301.210, from the date of purchase of
5 a motor vehicle or trailer, or from the date of sale of the motor
6 vehicle or trailer by a motor vehicle dealer for which the
7 purchaser obtains a permit as set out above. No permit shall be
8 issued for a vehicle under this section unless the buyer shows
9 proof of financial responsibility. Each temporary permit issued
10 shall be securely fastened to the back or rear of the motor
11 vehicle in a manner and place on the motor vehicle consistent
12 with registration plates so that all parts and qualities of the
13 temporary permit thereof shall be plainly and clearly visible,
14 reasonably clean and are not impaired in any way.

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

1 subsection shall not apply to temporary permits issued for
2 commercial motor vehicles licensed in excess of twenty-four
3 thousand pounds gross weight. The director of the department of
4 revenue shall determine the size, material, design, numbering
5 configuration, construction, and color of the permit. The
6 director of the department of revenue, at his or her discretion,
7 shall have the authority to reissue, and thereby extend the use
8 of, a temporary permit previously and legally issued for a motor
9 vehicle or trailer while proper title and registration are being
10 obtained.

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

23 7. Upon the transfer of ownership of any currently
24 registered motor vehicle wherein the owner cannot transfer the
25 license plates due to a change of motor vehicle category, the
26 owner may surrender the license plates issued to the motor
27 vehicle and receive credit for any unused portion of the original
28 registration fee against the registration fee of another motor

1 vehicle. Such credit shall be granted based upon the date the
2 license plates are surrendered. No refunds shall be made on the
3 unused portion of any license plates surrendered for such credit.

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

25 9. Notwithstanding the provisions of section 301.217, the
26 director may issue a temporary permit to an individual who
27 possesses a salvage motor vehicle which requires an inspection
28 under subsection 9 of section 301.190. The operation of a

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

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

28 11. The repeal and reenactment of this section shall become

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

9 301.190. 1. No certificate of registration of any motor
10 vehicle or trailer, or number plate therefor, shall be issued by
11 the director of revenue unless the applicant therefor shall make
12 application for and be granted a certificate of ownership of such
13 motor vehicle or trailer, or shall present satisfactory evidence
14 that such certificate has been previously issued to the applicant
15 for such motor vehicle or trailer. Application shall be made
16 within thirty days after the applicant acquires the motor vehicle
17 or trailer, unless the motor vehicle was acquired under section
18 301.213 or subsection 5 of section 301.210 in which case the
19 applicant shall make application within thirty days after
20 receiving title from the dealer, upon a blank form furnished by
21 the director of revenue and shall contain the applicant's
22 identification number, a full description of the motor vehicle or
23 trailer, the vehicle identification number, and the mileage
24 registered on the odometer at the time of transfer of ownership,
25 as required by section 407.536, together with a statement of the
26 applicant's source of title and of any liens or encumbrances on
27 the motor vehicle or trailer, provided that for good cause shown
28 the director of revenue may extend the period of time for making

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

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

1 different from the number of miles shown on the odometer, or is
2 unknown.

3 3. The director of revenue shall appropriately designate on
4 the current and all subsequent issues of the certificate the
5 words "Reconstructed Motor Vehicle", "Motor Change Vehicle",
6 "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor
7 Vehicle", as defined in section 301.010. Effective July 1, 1990,
8 on all original and all subsequent issues of the certificate for
9 motor vehicles as referenced in subsections 2 and 3 of section
10 301.020, the director shall print on the face thereof the
11 following designation: "Annual odometer updates may be available
12 from the department of revenue.". On any duplicate certificate,
13 the director of revenue shall reprint on the face thereof the
14 most recent of either:

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

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

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

1 certificates of ownership nonalterable or noncounterfeitable.

2 5. The fee for each original certificate so issued shall be
3 eight dollars and fifty cents, in addition to the fee for
4 registration of such motor vehicle or trailer. If application
5 for the certificate is not made within thirty days after the
6 vehicle is acquired by the applicant, or where the motor vehicle
7 was acquired under section 301.213 or subsection 5 of section
8 301.210 and the applicant fails to make application within thirty
9 days after receiving title from the dealer, a delinquency penalty
10 fee of twenty-five dollars for the first thirty days of
11 delinquency and twenty-five dollars for each thirty days of
12 delinquency thereafter, not to exceed a total of two hundred
13 dollars, but such penalty may be waived by the director for a
14 good cause shown. If the director of revenue learns that any
15 person has failed to obtain a certificate within thirty days
16 after acquiring a motor vehicle or trailer, or where the motor
17 vehicle was acquired under section 301.213 or subsection 5 of
18 section 301.210 and the applicant fails to make application
19 within thirty days after receiving title from the dealer, or has
20 sold a vehicle without obtaining a certificate, he shall cancel
21 the registration of all vehicles registered in the name of the
22 person, either as sole owner or as a co-owner, and shall notify
23 the person that the cancellation will remain in force until the
24 person pays the delinquency penalty fee provided in this section,
25 together with all fees, charges and payments which the person
26 should have paid in connection with the certificate of ownership
27 and registration of the vehicle. The certificate shall be good
28 for the life of the motor vehicle or trailer so long as the same

1 is owned or held by the original holder of the certificate and
2 shall not have to be renewed annually.

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

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

12 8. Before an original Missouri certificate of ownership is
13 issued, an inspection of the vehicle and a verification of
14 vehicle identification numbers shall be made by the Missouri
15 state highway patrol on vehicles for which there is a current
16 title issued by another state if a Missouri salvage certificate
17 of title has been issued for the same vehicle but no prior
18 inspection and verification has been made in this state, except
19 that if such vehicle has been inspected in another state by a law
20 enforcement officer in a manner comparable to the inspection
21 process in this state and the vehicle identification numbers have
22 been so verified, the applicant shall not be liable for the
23 twenty-five dollar inspection fee if such applicant submits proof
24 of inspection and vehicle identification number verification to
25 the director of revenue at the time of the application. The
26 applicant, who has such a title for a vehicle on which no prior
27 inspection and verification have been made, shall pay a fee of
28 twenty-five dollars for such verification and inspection, payable

1 to the director of revenue at the time of the request for the
2 application, which shall be deposited in the state treasury to
3 the credit of the state highways and transportation department
4 fund.

5 9. Each application for an original Missouri certificate of
6 ownership for a vehicle which is classified as a reconstructed
7 motor vehicle, specially constructed motor vehicle, kit vehicle,
8 motor change vehicle, non-USA-std motor vehicle, or other vehicle
9 as required by the director of revenue shall be accompanied by a
10 vehicle examination certificate issued by the Missouri state
11 highway patrol, or other law enforcement agency as authorized by
12 the director of revenue. The vehicle examination shall include a
13 verification of vehicle identification numbers and a
14 determination of the classification of the vehicle. The owner of
15 a vehicle which requires a vehicle examination certificate shall
16 present the vehicle for examination and obtain a completed
17 vehicle examination certificate prior to submitting an
18 application for a certificate of ownership to the director of
19 revenue. Notwithstanding any provision of the law to the
20 contrary, an owner presenting a motor vehicle which has been
21 issued a salvage title and which is ten years of age or older to
22 a vehicle examination described in this subsection in order to
23 obtain a certificate of ownership with the designation prior
24 salvage motor vehicle shall not be required to repair or restore
25 the vehicle to its original appearance in order to pass or
26 complete the vehicle examination. The fee for the vehicle
27 examination application shall be twenty-five dollars and shall be
28 collected by the director of revenue at the time of the request

1 for the application and shall be deposited in the state treasury
2 to the credit of the state highways and transportation department
3 fund. If the vehicle is also to be registered in Missouri, the
4 safety inspection required in chapter 307 and the emissions
5 inspection required under chapter 643 shall be completed and the
6 fees required by section 307.365 and section 643.315 shall be
7 charged to the owner.

8 10. When an application is made for an original Missouri
9 certificate of ownership for a motor vehicle previously
10 registered or titled in a state other than Missouri or as
11 required by section 301.020, it shall be accompanied by a current
12 inspection form certified by a duly authorized official
13 inspection station as described in chapter 307. The completed
14 form shall certify that the manufacturer's identification number
15 for the vehicle has been inspected, that it is correctly
16 displayed on the vehicle and shall certify the reading shown on
17 the odometer at the time of inspection. The inspection station
18 shall collect the same fee as authorized in section 307.365 for
19 making the inspection, and the fee shall be deposited in the same
20 manner as provided in section 307.365. If the vehicle is also to
21 be registered in Missouri, the safety inspection required in
22 chapter 307 and the emissions inspection required under chapter
23 643 shall be completed and only the fees required by section
24 307.365 and section 643.315 shall be charged to the owner. This
25 section shall not apply to vehicles being transferred on a
26 manufacturer's statement of origin.

27 11. Motor vehicles brought into this state in a wrecked or
28 damaged condition or after being towed as an abandoned vehicle

1 pursuant to another state's abandoned motor vehicle procedures
2 shall, in lieu of the inspection required by subsection 10 of
3 this section, be inspected by the Missouri state highway patrol
4 in accordance with subsection 9 of this section. If the
5 inspection reveals the vehicle to be in a salvage or junk
6 condition, the director shall so indicate on any Missouri
7 certificate of ownership issued for such vehicle. Any salvage
8 designation shall be carried forward on all subsequently issued
9 certificates of title for the motor vehicle.

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

28 13. When an application is made for an original Missouri

1 certificate of ownership for a motor vehicle previously
2 registered or titled in a state other than Missouri, and the
3 certificate of ownership has been appropriately designated by the
4 issuing state as non-USA-std motor vehicle, the director of
5 revenue shall appropriately designate on the current Missouri and
6 all subsequent issues of the certificate of ownership the words
7 "Non-USA-Std Motor Vehicle".

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

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

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

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

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

26 (4) An inspection certificate, other than a motor vehicle
27 examination certificate required under subsection 9 of this
28 section, completed and issued by the Missouri state highway

1 patrol, or other law enforcement agency as authorized by the
2 director of revenue. The inspection performed by the highway
3 patrol or other authorized local law enforcement agency shall
4 include a check for stolen vehicles.

5
6 The department of revenue shall issue the owner a certificate of
7 ownership designated with the words "Reconstructed Motor Vehicle"
8 and deliver such certificate of ownership in accordance with the
9 provisions of this chapter. Notwithstanding subsection 9 of this
10 section, no owner of a reconstructed motor vehicle described in
11 this subsection shall be required to obtain a vehicle examination
12 certificate issued by the Missouri state highway patrol.

13 301.193. 1. Any person who purchases or is the owner of
14 real property on which vehicles, as defined in section 301.010,
15 vessels or watercraft, as defined in section 306.010, or outboard
16 motors, as that term is used in section 306.530, have been
17 abandoned, without the consent of said purchaser or owner of the
18 real property, may apply to the department of revenue for a
19 certificate of title. Any insurer which purchases a vehicle
20 through the claims adjustment process for which the insurer is
21 unable to obtain a negotiable title may make an application to
22 the department of revenue for a salvage certificate of title
23 pursuant to this section. Prior to making application for a
24 certificate of title on a vehicle under this section, the insurer
25 or owner of the real estate shall have the vehicle inspected by
26 law enforcement pursuant to subsection 9 of section 301.190, and
27 shall have law enforcement perform a check in the national crime
28 information center and any appropriate statewide law enforcement

1 computer to determine if the vehicle has been reported stolen and
2 the name and address of the person to whom the vehicle was last
3 titled and any lienholders of record. The insurer or owner or
4 purchaser of the real estate shall, thirty days prior to making
5 application for title, notify any owners or lienholders of record
6 for the vehicle by certified mail that the owner intends to apply
7 for a certificate of title from the director for the abandoned
8 vehicle. The application for title shall be accompanied by:

9 (1) A statement explaining the circumstances by which the
10 property came into the insurer, owner, or purchaser's possession;
11 a description of the property including the year, make, model,
12 vehicle identification number, and any decal or license plate
13 that may be affixed to the vehicle; the current location of the
14 property; and the retail value of the property;

15 (2) An inspection report of the property, if it is a
16 vehicle, by a law enforcement agency pursuant to subsection 9 of
17 section 301.190; and

18 (3) A copy of the thirty-day notice and certified mail
19 receipt mailed to any owner and any person holding a valid
20 security interest of record.

21 2. Upon receipt of the application and supporting
22 documents, the director shall search the records of the
23 department of revenue, or initiate an inquiry with another state,
24 if the evidence presented indicated the property described in the
25 application was registered or titled in another state, to verify
26 the name and address of any owners and any lienholders. If the
27 latest owner or lienholder was not notified the director shall
28 inform the insurer, owner, or purchaser of the real estate of the

1 latest owner and lienholder information so that notice may be
2 given as required by subsection 1 of this section. Any owner or
3 lienholder receiving notification may protest the issuance of
4 title by, within the thirty-day or forty-five-day notice period,
5 as applicable, and may file a petition to recover the vehicle,
6 naming the insurer described in subsection 1, 3, or 6 of this
7 section, as applicable; a salvage pool described in subsection 4
8 of this section; a used motor vehicle dealer described in
9 subsection 5 of this section; or the owner of the real estate and
10 serving a copy of the petition on the director of revenue. The
11 director shall not be a party to such petition but shall, upon
12 receipt of the petition, suspend the processing of any further
13 certificate of title until the rights of all parties to the
14 vehicle are determined by the court. Once all requirements are
15 satisfied the director shall issue one of the following:

16 (1) An original certificate of title if the vehicle
17 examination certificate, as provided in section 301.190,
18 indicates that the vehicle was not previously in a salvaged
19 condition or rebuilt;

20 (2) An original certificate of title designated as prior
21 salvage if the vehicle examination certificate as provided in
22 section 301.190 indicates the vehicle was previously in a
23 salvaged condition or rebuilt;

24 (3) A salvage certificate of title designated with the
25 words "salvage/abandoned property" or junking certificate based
26 on the condition of the property as stated in the inspection
27 report. An insurer purchasing a vehicle through the claims
28 adjustment process under this section shall only be eligible to

1 obtain a salvage certificate of title or junking certificate. A
2 salvage pool described in subsection 4 of this section or a used
3 motor vehicle dealer described in subsection 5 of this section
4 shall only be eligible to obtain a salvage certificate of title
5 or junking certificate.

6 3. Any insurer which purchases a vehicle that is currently
7 titled in Missouri through the claims adjustment process for
8 which the insurer is unable to obtain a negotiable title may make
9 application to the department of revenue for a salvage
10 certificate of title or junking certificate. Such application
11 may be made by the insurer or its designated salvage pool on a
12 form provided by the department and signed under penalty of
13 perjury. The application shall include a declaration that the
14 insurer has made at least two written attempts to obtain the
15 certificate of title, transfer documents, or other acceptable
16 evidence of title, and be accompanied by proof of claims payment
17 from the insurer, evidence that letters were sent to the vehicle
18 owner, a statement explaining the circumstances by which the
19 property came into the insurer's possession, a description of the
20 property including the year, make, model, vehicle identification
21 number, and current location of the property, and the fee
22 prescribed in subsection 5 of section 301.190. The insurer
23 shall, thirty days prior to making application for title, notify
24 any owners or lienholders of record for the vehicle that the
25 insurer intends to apply for a certificate of title from the
26 director for the vehicle. Upon receipt of the application and
27 supporting documents, the director shall search the records of
28 the department of revenue to verify the name and address of any

1 owners and any lienholders. If the director identifies any
2 additional owner or lienholder who has not been notified by the
3 insurer, the director shall inform the insurer of such additional
4 owner or lienholder and the insurer shall notify the additional
5 owner or lienholder of the insurer's intent to obtain title as
6 prescribed in this section. If no valid lienholders have
7 notified the department of the existence of a lien, the
8 department shall issue a salvage certificate of title or junking
9 certificate for the vehicle in the name of the insurer.

10 4. Any salvage pool that takes possession of a vehicle at
11 the request of an insurer when the insurer does not purchase the
12 vehicle through the claims adjustment process may apply to the
13 department for a salvage certificate of title or junking
14 certificate in the name of the salvage pool if the vehicle has
15 remained unclaimed on the salvage pool's premises for more than
16 forty-five days. The salvage pool shall, forty-five days prior
17 to making application for title, notify any owners or lienholders
18 of record for the vehicle that the salvage pool intends to apply
19 to the director for a certificate of title for the vehicle unless
20 the owner or lienholder removes the vehicle from the salvage
21 pool's premises within the forty-five days. The application for
22 title shall be on a form provided by the department, signed under
23 penalty of perjury, and shall be accompanied by:

24 (1) A statement explaining the circumstances by which the
25 vehicle came into the salvage pool's possession; a description of
26 the vehicle including the year, make, model, and vehicle
27 identification number; the current location of the property; and
28 the fee prescribed in subsection 5 of section 301.190;

1 (2) A copy of the forty-five-day notice and certified mail
2 receipt mailed, or proof that the request was delivered by a
3 nationally recognized courier service, to any owner and any
4 person holding a valid security interest of record; and

5 (3) If the vehicle is not currently titled in Missouri, an
6 inspection report of the vehicle by a law enforcement agency
7 pursuant to subsection 9 of section 301.190.

8
9 Upon receipt of the application and supporting documents, the
10 director shall search the records of the department, or initiate
11 an inquiry with another state if the evidence presented indicated
12 the property described in the application was registered or
13 titled in another state, to verify the name and address of any
14 owners and any lienholders. If the director identifies any
15 additional owner or lienholder who has not been notified by the
16 salvage pool, the director shall inform the salvage pool of such
17 additional owner or lienholder and the salvage pool shall notify
18 the additional owner or lienholder of the salvage pool's intent
19 to obtain title as prescribed in this section. If no valid
20 lienholders have notified the department of the existence of a
21 lien, the department shall issue a salvage certificate of title
22 or junking certificate for the vehicle in the name of the salvage
23 pool.

24 5. Any used motor vehicle dealer that takes possession of a
25 vehicle at the request of an organization exempt from federal
26 income taxation under Section 501(c)(3) of the Internal Revenue
27 Code when such organization does not provide the used motor
28 vehicle dealer with a negotiable title may apply to the

1 department of revenue for a salvage certificate of title or
2 junking certificate in the name of the used motor vehicle dealer
3 if the vehicle has remained unclaimed on the used motor vehicle
4 dealer's premises for more than forty-five days. The used motor
5 vehicle dealer shall, forty-five days prior to making application
6 for title, notify any owners or lienholders of record for the
7 vehicle that the used motor vehicle dealer intends to apply for a
8 certificate of title from the director for the vehicle unless the
9 owner or lienholder removes the vehicle from the used motor
10 vehicle dealer's premises within the forty-five days. The
11 application for title shall be on a form provided by the
12 department, signed under penalty of perjury, and shall be
13 accompanied by:

14 (1) A statement explaining the circumstances by which the
15 vehicle came into the used motor vehicle dealer's possession; a
16 description of the vehicle including the year, make, model, and
17 vehicle identification number; the current location of the
18 property; and the fee prescribed in subsection 5 of section
19 301.190;

20 (2) A copy of the forty-five-day notice and certified mail
21 receipt mailed, or proof that the request was delivered by a
22 nationally recognized courier service, to any owner and any
23 person holding a valid security interest of record; and

24 (3) If the vehicle is not currently titled in Missouri, an
25 inspection report of the vehicle by a law enforcement agency
26 pursuant to subsection 9 of section 301.190.

27
28 Upon receipt of the application and supporting documents, the

1 director shall search the records of the department, or initiate
2 an inquiry with another state if the evidence presented indicated
3 the property described in the application was registered or
4 titled in another state, to verify the name and address of any
5 owners and any lienholders. If the director identifies any
6 additional owner or lienholder who has not been notified by the
7 used motor vehicle dealer, the director shall inform the used
8 motor vehicle dealer of such additional owner or lienholder and
9 the used motor vehicle dealer shall notify the additional owner
10 or lienholder of the used motor vehicle dealer's intent to obtain
11 title as prescribed in this section. If no valid lienholders
12 have notified the department of the existence of a lien, the
13 department shall issue a salvage certificate of title or junking
14 certificate for the vehicle in the name of the used motor vehicle
15 dealer.

16 6. Any insurer that purchases a vessel or watercraft that
17 is currently titled in Missouri through the claims adjustment
18 process and for which the insurer is unable to obtain a
19 negotiable title may make application to the department for a
20 certificate of title. Such application may be made by the
21 insurer or its designated salvage pool on a form provided by the
22 department and signed under penalty of perjury. The application
23 shall include a declaration that the insurer has made at least
24 two written attempts to obtain the certificate of title, transfer
25 documents, or other acceptable evidence of title and be
26 accompanied by proof of claims payment from the insurer; evidence
27 that letters were sent to the vessel or watercraft owner; a
28 statement explaining the circumstances by which the property came

1 into the insurer's possession; a description of the property
2 including the year, make, and hull identification number; the
3 current location of the property; and the fee prescribed in
4 subsection 3 of section 306.015. The insurer shall, thirty days
5 prior to making application for title, notify any owners or
6 lienholders of record for the vessel or watercraft that the
7 insurer intends to apply to the director for a certificate of
8 title for the vessel or watercraft. Upon receipt of the
9 application and supporting documents, the director shall search
10 the records of the department of revenue to verify the name and
11 address of any owners and any lienholders. If the director
12 identifies any additional owner or lienholder who has not been
13 notified by the insurer, the director shall inform the insurer of
14 such additional owner or lienholder and the insurer shall notify
15 the additional owner or lienholder of the insurer's intent to
16 obtain title as prescribed in this section. If no valid
17 lienholders have notified the department of the existence of a
18 lien, the department shall issue a certificate of title for the
19 vessel or watercraft in the name of the insurer.

20 301.210. 1. In the event of a sale or transfer of
21 ownership of a motor vehicle or trailer for which a certificate
22 of ownership has been issued, the holder of such certificate
23 shall endorse on the same an assignment thereof, with warranty of
24 title in form printed thereon, and prescribed by the director of
25 revenue, with a statement of all liens or encumbrances on such
26 motor vehicle or trailer, and deliver the same to the buyer at
27 the time of the delivery to him of such motor vehicle or trailer;
28 provided that, when the transfer of a motor vehicle, trailer,

1 boat or outboard motor occurs within a corporation which holds a
2 license to operate as a motor vehicle or boat dealer pursuant to
3 sections 301.550 to 301.575, the provisions of subdivision (3) of
4 subsection 7 of section 144.070 shall not apply.

5 2. The buyer shall then present such certificate, assigned
6 as aforesaid, to the director of revenue, at the time of making
7 application for the registration of such motor vehicle or
8 trailer, whereupon a new certificate of ownership shall be issued
9 to the buyer, the fee therefor being that prescribed in
10 subsection 5 of section 301.190.

11 3. If such motor vehicle or trailer is sold to a resident
12 of another state or country, or if such motor vehicle or trailer
13 is destroyed or dismantled, the owner thereof shall immediately
14 notify the director of revenue. Certificates when so signed and
15 returned to the director of revenue shall be retained by the
16 director of revenue and all certificates shall be appropriately
17 indexed so that at all times it will be possible for him to
18 expeditiously trace the ownership of the motor vehicle or trailer
19 designated therein.

20 4. It shall be unlawful for any person to buy or sell in
21 this state any motor vehicle or trailer registered under the laws
22 of this state, unless, at the time of the delivery thereof, there
23 shall pass between the parties such certificates of ownership
24 with an assignment thereof, as provided in this section, and the
25 sale of any motor vehicle or trailer registered under the laws of
26 this state, without the assignment of such certificate of
27 ownership, shall be presumed fraudulent and void unless the
28 parties have executed a written agreement for delayed delivery of

1 certificate of ownership as provided in subsection 5 of this
2 section.

3 5. A motor vehicle dealer licensed under sections 301.550
4 to 301.580 may deliver a motor vehicle or trailer to a purchaser
5 with a written agreement to pass the certificate of ownership
6 with an assignment to the purchaser within thirty days after
7 delivery, inclusive of weekends and holidays.

8 (1) The form of the agreement shall be prescribed by the
9 director of revenue. The agreement shall provide that if the
10 motor vehicle dealer does not pass the certificate of ownership
11 with an assignment to the purchaser within thirty days that the
12 sale shall be voidable at purchaser's option and, in such case,
13 dealer shall re-purchase the vehicle by paying and satisfying in
14 full any purchase money lien against the vehicle, including
15 accrued penalties and fees, with the remainder of one hundred
16 percent of the sale price refunded and paid by the dealer to the
17 buyer. As used in this subdivision, the term "sale price" shall
18 include the negotiated price of the vehicle, the down payment,
19 the trade-in allowance even if the allowance reflected negative
20 equity, and the price of all optional services and products sold
21 to the buyer under the sales and finance transaction.

22 (2) In the event a motor vehicle subject to this subsection
23 has suffered physical damage covered by the purchaser's vehicle
24 insurance policy and the vehicle is determined by the insurance
25 company to be a total loss, the insurance company may satisfy the
26 claim in full, with respect to the damage to the vehicle, by
27 transferring all proceeds to such purchaser and any secured
28 lienholder of record. The purchaser shall not assign the

1 purchaser's corresponding insurance benefits to any party without
2 the express written permission of the insurer. In conjunction
3 with such satisfaction of the claim, if as part of such claim
4 settlement the insurance company is to receive the vehicle under
5 subdivision (3) of this subsection, but clear title never vests
6 with the purchaser within the thirty-day period after the date of
7 sale prescribed by subdivision (1) of this subsection or within
8 ten days of the claim settlement date, whichever is
9 later, the insurance company shall notify the dealer that clear
10 title never vested with the purchaser and the dealer shall
11 reimburse the insurance company for the salvage value of such
12 vehicle as determined in the claims settlement with the
13 purchaser, and in exchange the insurance company shall assign its
14 rights to the vehicle back to the dealer. If the dealer fails to
15 make payment to the insurance company within fifteen days of
16 receiving notice, the dealer shall be liable to the insurance
17 company for the value of the salvage as determined in the claims
18 settlement with the purchaser, plus any actual damages and any
19 applicable court costs, in return for the right to acquire the
20 title and apply for a salvage title under this chapter.

21 (3) Notwithstanding any provision of law to the contrary,
22 completion of the requirements of this subsection shall
23 constitute prima facie evidence of an ownership interest vested
24 in the purchaser of the vehicle for all purposes other than for a
25 subsequent transfer of ownership of the vehicle by the purchaser,
26 subject to the rights of any secured lienholder of record;
27 however, the purchaser may use a dealer-supplied copy of the
28 agreement to transfer his or her ownership of the vehicle to an

1 insurance company in situations where the vehicle has been
2 declared salvage or a total loss by the insurance company as a
3 result of a settlement of a claim. Such insurance company may
4 apply for a salvage certificate of title or junking certificate
5 under subsection 3 of section 301.193 in order to transfer its
6 interest in such vehicle. The purchaser may also use a
7 dealer-supplied copy of the agreement on the form prescribed by
8 the director of revenue as proof of ownership interest. Any
9 lender or insurance company may rely upon a copy of the signed
10 written agreement on the form prescribed by the director of
11 revenue as proof of ownership interest. Any lien placed upon a
12 vehicle based upon such signed written agreement shall be valid
13 and enforceable, notwithstanding the absence of a certificate of
14 ownership.

15 (4) No motor vehicle dealer shall be authorized under this
16 subsection to enter and have outstanding any such written
17 agreements until such dealer has provided to the director of
18 revenue a surety bond or irrevocable letter of credit in an
19 amount not less than one hundred thousand dollars in a form which
20 complies with the requirements of section 301.560 and in lieu of
21 the fifty thousand dollar bond otherwise required for licensure
22 as a motor vehicle dealer.

23 301.213. 1. Notwithstanding the provisions of sections
24 301.200 and 301.210, any person licensed as a motor vehicle
25 dealer under sections 301.550 to 301.580 that has provided to the
26 director of revenue a surety bond or irrevocable letter of credit
27 in an amount not less than one hundred thousand dollars in a form
28 which complies with the requirements of section 301.560 and in

1 lieu of the fifty thousand dollar bond otherwise required for
2 licensure as a motor vehicle dealer shall be authorized to
3 purchase or accept in trade any motor vehicle for which there has
4 been issued a certificate of ownership, and to receive such
5 vehicle subject to any existing liens thereon created and
6 perfected under sections 301.600 to 301.660 provided the licensed
7 dealer receives the following:

8 (1) A signed written contract between the licensed dealer
9 and the owner of the vehicle outlining the terms of the sale or
10 acceptance in trade of such motor vehicle without transfer of the
11 certificate of ownership; and

12 (2) Physical delivery of the vehicle to the licensed
13 dealer; and

14 (3) A power of attorney from the owner to the licensed
15 dealer, in accordance with subsection 4 of section 301.300,
16 authorizing the licensed dealer to obtain a duplicate or
17 replacement title in the owner's name and sign any title
18 assignments on the owner's behalf.

19 2. If the dealer complies with the requirements of
20 subsection 1 of this section, the sale or trade of the vehicle to
21 the dealer shall be considered final, subject to any existing
22 liens created and perfected under sections 301.600 to 301.660.
23 Once the prior owner of the motor vehicle has physically
24 delivered the motor vehicle to the licensed dealer, the prior
25 owners' insurable interest in such vehicle shall cease to exist.

26 3. If a licensed dealer complies with the requirements of
27 subsection 1 of this section, and such dealer has provided to the
28 director of revenue a surety bond or irrevocable letter of credit

1 in amount not less than one hundred thousand dollars in a form
2 which complies with the requirements of section 301.560 and in
3 lieu of the fifty thousand dollar bond otherwise required for
4 licensure as a motor vehicle dealer, such dealer may sell such
5 vehicle prior to receiving and assigning to the purchaser the
6 certificate of ownership, provided such dealer complies with the
7 following:

8 (1) All outstanding liens created on the vehicle pursuant
9 to sections 301.600 to 301.660 have been paid in full, and the
10 dealer provides a copy of proof or other evidence to the
11 purchaser; and

12 (2) The dealer has obtained proof or other evidence from
13 the department of revenue confirming that no outstanding child
14 support liens exist upon the vehicle at the time of sale and
15 provides a copy of said proof or other evidence to the purchaser;
16 and

17 (3) The dealer has obtained proof or other evidence from
18 the department of revenue confirming that all applicable state
19 sales tax has been satisfied on the sale of the vehicle to the
20 previous owner and provides a copy of said proof or other
21 evidence to the purchaser; and

22 (4) The dealer has signed an application for duplicate or
23 replacement title for the vehicle under subsection 4 of section
24 301.300 and provides a copy of the application to the purchaser,
25 along with a copy of the power of attorney required by subsection
26 1 of this section, and the dealer has prepared and delivered to
27 the purchaser an application for title for the vehicle in the
28 purchaser's name; and

1 (5) The dealer and the purchaser have entered into a
2 written agreement for the subsequent assignment and delivery of
3 such certificate of ownership, on a form prescribed by the
4 director of revenue, to take place at a time, not to exceed sixty
5 calendar days, after the time of delivery of the motor vehicle to
6 the purchaser. Such agreement shall require the purchaser to
7 provide to the dealer proof of financial responsibility in
8 accordance with chapter 303 and proof of comprehensive and
9 collision coverage on the motor vehicle. Such dealer shall
10 maintain the original or an electronic copy of the signed
11 agreement and deliver a copy of the signed agreement to the
12 purchaser. Such dealer shall also complete and deliver to the
13 director of revenue such form as the director shall prescribe
14 demonstrating that the purchaser has purchased the vehicle
15 without contemporaneous delivery of the title.

16
17 Notwithstanding any provision of law to the contrary, completion
18 of the requirements of this subsection shall constitute prima
19 facie evidence of an ownership interest vested in the purchaser
20 of the vehicle for all purposes other than for a subsequent
21 transfer of ownership of the vehicle by the purchaser, subject to
22 the rights of any secured lienholder of record; however, the
23 purchaser may use the dealer-supplied copy of the agreement to
24 transfer his or her ownership of the vehicle to an insurance
25 company in situations where the vehicle has been declared salvage
26 or a total loss by the insurance company as a result of a
27 settlement of a claim. Such insurance company may apply for a
28 salvage certificate of title or junking certificate pursuant to

1 the provisions of subsection 3 of section 301.193 in order to
2 transfer its interest in such vehicle. The purchaser may also
3 use the dealer-supplied copy of the agreement on the form
4 prescribed by the director of revenue as proof of ownership
5 interest. Any lender or insurance company may rely upon a copy
6 of the signed written agreement on the form prescribed by the
7 director of revenue as proof of ownership interest. Any lien
8 placed upon a vehicle based upon such signed written agreement
9 shall be valid and enforceable, notwithstanding the absence of a
10 certificate of ownership.

11 4. Following a sale or other transaction in which a
12 certificate of ownership has not been assigned from the owner to
13 the licensed dealer, the dealer shall, within ten business days,
14 apply for a duplicate or replacement certificate of ownership.
15 Upon receipt of a duplicate or replacement certificate of
16 ownership applied for under subsection 4 of section 301.300, the
17 dealer shall assign and deliver said certificate of ownership to
18 the purchaser of the vehicle within five business days. The
19 dealer shall maintain proof of the assignment and delivery of the
20 certificate of ownership to the purchaser. For purposes of this
21 subsection, a dealer shall be deemed to have delivered the
22 certificate of ownership to the purchaser upon either:

23 (1) Physical delivery of the certificate of ownership to
24 any of the purchasers identified in the contract with such
25 dealer; or

26 (2) Mailing of the certificate, postage prepaid, return
27 receipt requested, to any of the purchasers at any of their
28 addresses identified in the contract with such dealer.

1 5. If a licensed dealer fails to comply with subsection 3
2 of this section, and the purchaser of the vehicle is thereby
3 damaged, then the dealer shall be liable to the purchaser of the
4 vehicle for actual damages, plus court costs and reasonable
5 attorney fees.

6 6. If a licensed dealer fails or is unable to comply with
7 subsection 4 of this section, and the purchaser of the vehicle is
8 thereby damaged, then the dealer shall be liable to the purchaser
9 of the vehicle for actual damages, plus court costs and
10 reasonable attorney fees. If the dealer cannot be found by the
11 purchaser after making reasonable attempts, or if the dealer
12 fails to assign and deliver the duplicate or replacement
13 certificate of ownership to the purchaser by the date agreed upon
14 by the dealer and the purchaser, as required by subsection 4 of
15 this section, then the purchaser may deliver to the director a
16 copy of the contract for sale of the vehicle, a copy of the
17 application for duplicate title provided by the dealer to the
18 purchaser, a copy of the secure power of attorney allowing the
19 dealer to assign the duplicate title, and the proof or other
20 evidence obtained by the purchaser from the dealer under
21 subsection 3 of this section. Thereafter, the director shall
22 mail by certified mail, return receipt requested, a notice to the
23 dealer at the last address given to the department by that
24 dealer. That notice shall inform the dealer that the director
25 intends to cancel any prior certificate of title which may have
26 been issued to the dealer on the vehicle and issue to the
27 purchaser a certificate of title in the name of the purchaser,
28 subject to any liens incurred by the purchaser in connection with

1 the purchase of the vehicle, unless the dealer, within ten
2 business days from the date of the director's notice, files with
3 the director a written objection to the director taking such
4 action. If the dealer does file a timely, written objection with
5 the director, then the director shall not take any further action
6 without an order from a court of competent jurisdiction.

7 However, if the dealer does not file a timely, written objection
8 with the director, then the director shall cancel the prior
9 certificate of title issued to the dealer on the vehicle and
10 issue a certificate of title to the purchaser of the vehicle,
11 subject to any liens incurred by the purchaser in connection with
12 the purchase of the vehicle and subject to the purchaser
13 satisfying all applicable taxes and fees associated with
14 registering the vehicle.

15 7. If a seller misrepresents to a dealer that the seller is
16 the owner of a vehicle and the dealer, the owner, any subsequent
17 purchaser, or any prior or subsequent lienholder is thereby
18 damaged, then the seller shall be liable to each such party for
19 actual and punitive damages, plus court costs and reasonable
20 attorney fees.

21 8. When a lienholder is damaged as a result of a licensed
22 dealer's acts, errors, omissions, or violations of this section,
23 then the dealer shall be liable to the lienholder for actual
24 damages, plus court costs and reasonable attorney fees.

25 9. No court costs or attorney fees shall be awarded under
26 this section unless, prior to filing any such action, the
27 following conditions have been met:

28 (1) The aggrieved party seeking damages has delivered an

1 itemized written demand of the party's actual damages to the
2 party from whom damages are sought; and

3 (2) The party from whom damages are sought has not
4 satisfied the written demand within thirty days after receipt of
5 the written demand.

6 10. The department of revenue may use a dealer's repeated
7 or intentional violation of this section as a cause to suspend,
8 revoke, or refuse to issue or renew any license required pursuant
9 to sections 301.550 to 301.580, in addition to the causes set
10 forth in section 301.562. The hearing process shall be the same
11 as that established in subsection 6 of section 301.562.

12 11. No dealer shall enter into a contract under this
13 section after December 31, 2020. Any contract entered into prior
14 to December 31, 2020, shall be enforceable as provided in this
15 section. This section shall be repealed effective December 31,
16 2020.

17 301.280. 1. Every motor vehicle dealer and boat dealer
18 shall make a monthly report to the department of revenue, on
19 blanks to be prescribed by the department of revenue, giving the
20 following information: date of the sale of each motor vehicle,
21 boat, trailer and all-terrain vehicle sold; the name and address
22 of the buyer; the name of the manufacturer; year of manufacture;
23 model of vehicle; vehicle identification number; style of
24 vehicle; odometer setting; and it shall also state whether the
25 motor vehicle, boat, trailer or all-terrain vehicle is new or
26 secondhand. Each monthly sales report filed by a motor vehicle
27 dealer who collects sales tax under subsection 10 of section
28 144.070 shall also include the amount of state and local sales

1 tax collected for each motor vehicle sold if sales tax was due.
2 The odometer reading is not required when reporting the sale of
3 any motor vehicle that is ten years old or older, any motor
4 vehicle having a gross vehicle weight rating of more than sixteen
5 thousand pounds, new vehicles that are transferred on a
6 manufacturer's statement of origin between one franchised motor
7 vehicle dealer and another, or boats, all-terrain vehicles or
8 trailers. The sale of all temporary permits shall be recorded in
9 the appropriate space on the dealer's monthly sales report,
10 unless the sale of the temporary permit is already recorded by
11 electronic means as determined by the department. The monthly
12 sales report shall include a statement of motor vehicles or
13 trailers sold during the month under subsection 5 of section
14 301.210. The monthly sales report shall be completed in full and
15 signed by an officer, partner, or owner of the dealership, and
16 actually received by the department of revenue on or before the
17 fifteenth day of the month succeeding the month for which the
18 sales are being reported. If no sales occur in any given month,
19 a report shall be submitted for that month indicating no sales.
20 Any vehicle dealer who fails to file a monthly report or who
21 fails to file a timely report shall be subject to disciplinary
22 action as prescribed in section 301.562 or a penalty assessed by
23 the director not to exceed three hundred dollars per violation.
24 Every motor vehicle and boat dealer shall retain copies of the
25 monthly sales report as part of the records to be maintained at
26 the dealership location and shall hold them available for
27 inspection by appropriate law enforcement officials and officials
28 of the department of revenue. Every vehicle dealer selling

1 twenty or more vehicles a month shall file the monthly sales
2 report with the department in an electronic format. Any dealer
3 filing a monthly sales report in an electronic format shall be
4 exempt from filing the notice of transfer required by section
5 301.196. For any dealer not filing electronically, the notice of
6 transfer required by section 301.196 shall be submitted with the
7 monthly sales report as prescribed by the director.

8 2. Every dealer and every person operating a public garage
9 shall keep a correct record of the vehicle identification number,
10 odometer setting, manufacturer's name of all motor vehicles or
11 trailers accepted by him for the purpose of sale, rental,
12 storage, repair or repainting, together with the name and address
13 of the person delivering such motor vehicle or trailer to the
14 dealer or public garage keeper, and the person delivering such
15 motor vehicle or trailer shall record such information in a file
16 kept by the dealer or garage keeper. The record shall be kept
17 for five years and be open for inspection by law enforcement
18 officials, members or authorized or designated employees of the
19 Missouri highway patrol, and persons, agencies and officials
20 designated by the director of revenue.

21 3. Every dealer and every person operating a public garage
22 in which a motor vehicle remains unclaimed for a period of
23 fifteen days shall, within five days after the expiration of that
24 period, report the motor vehicle as unclaimed to the director of
25 revenue. Such report shall be on a form prescribed by the
26 director of revenue. A motor vehicle left by its owner whose
27 name and address are known to the dealer or his employee or
28 person operating a public garage or his employee is not

1 considered unclaimed. Any dealer or person operating a public
2 garage who fails to report a motor vehicle as unclaimed as herein
3 required forfeits all claims and liens for its garaging, parking
4 or storing.

5 4. The director of revenue shall maintain appropriately
6 indexed cumulative records of unclaimed vehicles reported to the
7 director. Such records shall be kept open to public inspection
8 during reasonable business hours.

9 5. The alteration or obliteration of the vehicle
10 identification number on any such motor vehicle shall be prima
11 facie evidence of larceny, and the dealer or person operating
12 such public garage shall upon the discovery of such obliteration
13 or alteration immediately notify the highway patrol, sheriff,
14 marshal, constable or chief of police of the municipality where
15 the dealer or garage keeper has his place of business, and shall
16 hold such motor vehicle or trailer for a period of forty-eight
17 hours for the purpose of an investigation by the officer so
18 notified.

19 6. Any person who knowingly makes a false statement or
20 omission of a material fact in a monthly sales report to the
21 department of revenue, as described in subsection 1 of this
22 section, shall be deemed guilty of a class A misdemeanor.

23 301.560. 1. In addition to the application forms
24 prescribed by the department, each applicant shall submit the
25 following to the department:

26 (1) Every application other than a renewal application for
27 a motor vehicle franchise dealer shall include a certification
28 that the applicant has a bona fide established place of business.

1 Such application shall include an annual certification that the
2 applicant has a bona fide established place of business for the
3 first three years and only for every other year thereafter. The
4 certification shall be performed by a uniformed member of the
5 Missouri state highway patrol or authorized or designated
6 employee stationed in the troop area in which the applicant's
7 place of business is located; except that in counties of the
8 first classification, certification may be performed by an
9 officer of a metropolitan police department when the applicant's
10 established place of business of distributing or selling motor
11 vehicles or trailers is in the metropolitan area where the
12 certifying metropolitan police officer is employed. When the
13 application is being made for licensure as a boat manufacturer or
14 boat dealer, certification shall be performed by a [uniformed
15 member of the Missouri state water patrol stationed in the
16 district area in which the applicant's place of business is
17 located or by a] uniformed member of the Missouri state highway
18 patrol or authorized or designated employee stationed in the
19 troop area in which the applicant's place of business is located
20 or, if the applicant's place of business is located within the
21 jurisdiction of a metropolitan police department in a first class
22 county, by an officer of such metropolitan police department. A
23 bona fide established place of business for any new motor vehicle
24 franchise dealer, used motor vehicle dealer, boat dealer,
25 powersport dealer, wholesale motor vehicle dealer, trailer
26 dealer, or wholesale or public auction shall be a permanent
27 enclosed building or structure, either owned in fee or leased and
28 actually occupied as a place of business by the applicant for the

1 selling, bartering, trading, servicing, or exchanging of motor
2 vehicles, boats, personal watercraft, or trailers and wherein the
3 public may contact the owner or operator at any reasonable time,
4 and wherein shall be kept and maintained the books, records,
5 files and other matters required and necessary to conduct the
6 business. The applicant shall maintain a working telephone
7 number during the entire registration year which will allow the
8 public, the department, and law enforcement to contact the
9 applicant during regular business hours. The applicant shall
10 also maintain an email address during the entire registration
11 year which may be used for official correspondence with the
12 department. In order to qualify as a bona fide established place
13 of business for all applicants licensed pursuant to this section
14 there shall be an exterior sign displayed carrying the name of
15 the business set forth in letters at least six inches in height
16 and clearly visible to the public and there shall be an area or
17 lot which shall not be a public street on which multiple
18 vehicles, boats, personal watercraft, or trailers may be
19 displayed. The sign shall contain the name of the dealership by
20 which it is known to the public through advertising or otherwise,
21 which need not be identical to the name appearing on the
22 dealership's license so long as such name is registered as a
23 fictitious name with the secretary of state, has been approved by
24 its line-make manufacturer in writing in the case of a new motor
25 vehicle franchise dealer and a copy of such fictitious name
26 registration has been provided to the department. Dealers who
27 sell only emergency vehicles as defined in section 301.550 are
28 exempt from maintaining a bona fide place of business, including

1 the related law enforcement certification requirements, and from
2 meeting the minimum yearly sales;

3 (2) The initial application for licensure shall include a
4 photograph, not to exceed eight inches by ten inches but no less
5 than five inches by seven inches, showing the business building,
6 lot, and sign. A new motor vehicle franchise dealer applicant
7 who has purchased a currently licensed new motor vehicle
8 franchised dealership shall be allowed to submit a photograph of
9 the existing dealership building, lot and sign but shall be
10 required to submit a new photograph upon the installation of the
11 new dealership sign as required by sections 301.550 to 301.580.
12 Applicants shall not be required to submit a photograph annually
13 unless the business has moved from its previously licensed
14 location, or unless the name of the business or address has
15 changed, or unless the class of business has changed;

16 (3) Every applicant as a new motor vehicle franchise
17 dealer, a used motor vehicle dealer, a powersport dealer, a
18 wholesale motor vehicle dealer, trailer dealer, or boat dealer
19 shall furnish with the application a corporate surety bond or an
20 irrevocable letter of credit as defined in section 400.5-102,
21 issued by any state or federal financial institution in the penal
22 sum of fifty thousand dollars on a form approved by the
23 department. The bond or irrevocable letter of credit shall be
24 conditioned upon the dealer complying with the provisions of the
25 statutes applicable to new motor vehicle franchise dealers, used
26 motor vehicle dealers, powersport dealers, wholesale motor
27 vehicle dealers, trailer dealers, and boat dealers, and the bond
28 shall be an indemnity for any loss sustained by reason of the

1 acts of the person bonded when such acts constitute grounds for
2 the suspension or revocation of the dealer's license. The bond
3 shall be executed in the name of the state of Missouri for the
4 benefit of all aggrieved parties or the irrevocable letter of
5 credit shall name the state of Missouri as the beneficiary;
6 except, that the aggregate liability of the surety or financial
7 institution to the aggrieved parties shall, in no event, exceed
8 the amount of the bond or irrevocable letter of credit. [The
9 proceeds of the bond or irrevocable letter of credit shall be
10 paid upon receipt by the department of a final judgment from a
11 Missouri court of competent jurisdiction against the principal
12 and in favor of an aggrieved party.] Additionally, every
13 applicant as a new motor vehicle franchise dealer, a used motor
14 vehicle dealer, a powersport dealer, a wholesale motor vehicle
15 dealer, or boat dealer shall furnish with the application a copy
16 of a current dealer garage policy bearing the policy number and
17 name of the insurer and the insured. The proceeds of the bond or
18 irrevocable letter of credit furnished by an applicant shall be
19 paid upon receipt by the department of a final judgment from a
20 Missouri court of competent jurisdiction against the principal
21 and in favor of an aggrieved party. The proceeds of the bond or
22 irrevocable letter of credit furnished by an applicant shall be
23 paid at the order of the department and in the amount determined
24 by the department to any buyer or interested lienholder up to the
25 greater of the amount required for the release of the purchase
26 money lien or the sales price paid by the buyer where a dealer
27 has failed to fulfill the dealer's obligations under an agreement
28 to assign and deliver title to the buyer within thirty days under

1 a contract entered into pursuant to subsection 5 of section
2 301.210. The department shall direct release of the bond or
3 irrevocable letter of credit proceeds upon presentation of a
4 written agreement entered into pursuant to subsection 5 of
5 section 301.210, copies of the associated sales and finance
6 documents, and the affidavit or affidavits of the buyer or
7 lienholder stating that the certificate of title with assignment
8 thereof has not been passed to the buyer within thirty days of
9 the date of the contract entered into under subsection 5 of
10 section 301.210, that the dealer has not fulfilled the agreement
11 under the contract to re-purchase the vehicle, that the buyer or
12 the lienholder has notified the dealer of the claim on the bond
13 or letter of credit, and the amount claimed by the purchaser or
14 lienholder. In addition, prior to directing release and payment
15 of the proceeds of a bond or irrevocable letter of credit, the
16 department shall ensure that there is satisfactory evidence to
17 establish that the vehicle which is subject to the written
18 agreement has been returned by the buyer to the dealer or that
19 the buyer has represented to the department that the buyer will
20 surrender possession of the vehicle to the dealer upon payment of
21 the proceeds of the bond or letter of credit directed by the
22 department. Excepting ordinary wear and tear or mechanical
23 failures not caused by the buyer, the amount of proceeds to be
24 paid to the buyer under the bond or irrevocable letter of credit
25 shall be reduced by an amount equivalent to any damage, abuse, or
26 destruction incurred by the vehicle while the vehicle was in the
27 buyer's possession as agreed between the buyer and the dealer.
28 The dealer may apply to a court of competent jurisdiction to

1 contest the claim on the bond or letter of credit, including the
2 amount of the claim and the amount of any adjustment for any
3 damage, abuse, or destruction, by filing a petition with the
4 court within thirty days of the notification by the buyer or
5 lienholder. If the dealer does not fulfill the agreement or file
6 a petition to request judicial relief from the terms of the
7 agreement or contest the amount of the claim, the bond or letter
8 of credit shall be released by the department and directed paid
9 in the amount or amounts presented by the lienholder or buyer;

10 (4) Payment of all necessary license fees as established by
11 the department. In establishing the amount of the annual license
12 fees, the department shall, as near as possible, produce
13 sufficient total income to offset operational expenses of the
14 department relating to the administration of sections 301.550 to
15 301.580. All fees payable pursuant to the provisions of sections
16 301.550 to 301.580, other than those fees collected for the
17 issuance of dealer plates or certificates of number collected
18 pursuant to subsection 6 of this section, shall be collected by
19 the department for deposit in the state treasury to the credit of
20 the "Motor Vehicle Commission Fund", which is hereby created.
21 The motor vehicle commission fund shall be administered by the
22 Missouri department of revenue. The provisions of section 33.080
23 to the contrary notwithstanding, money in such fund shall not be
24 transferred and placed to the credit of the general revenue fund
25 until the amount in the motor vehicle commission fund at the end
26 of the biennium exceeds two times the amount of the appropriation
27 from such fund for the preceding fiscal year or, if the
28 department requires permit renewal less frequently than yearly,

1 then three times the appropriation from such fund for the
2 preceding fiscal year. The amount, if any, in the fund which
3 shall lapse is that amount in the fund which exceeds the multiple
4 of the appropriation from such fund for the preceding fiscal
5 year.

6 2. In the event a new vehicle manufacturer, boat
7 manufacturer, motor vehicle dealer, wholesale motor vehicle
8 dealer, boat dealer, powersport dealer, wholesale motor vehicle
9 auction, trailer dealer, or a public motor vehicle auction
10 submits an application for a license for a new business and the
11 applicant has complied with all the provisions of this section,
12 the department shall make a decision to grant or deny the license
13 to the applicant within eight working hours after receipt of the
14 dealer's application, notwithstanding any rule of the department.

15 3. Except as otherwise provided in subsection 6 of this
16 section, upon the initial issuance of a license by the
17 department, the department shall assign a distinctive dealer
18 license number or certificate of number to the applicant and the
19 department shall issue one number plate or certificate bearing
20 the distinctive dealer license number or certificate of number
21 and two additional number plates or certificates of number within
22 eight working hours after presentment of the application and
23 payment by the applicant of a fee of fifty dollars for the first
24 plate or certificate and ten dollars and fifty cents for each
25 additional plate or certificate. Upon renewal, the department
26 shall issue the distinctive dealer license number or certificate
27 of number as quickly as possible. The issuance of such
28 distinctive dealer license number or certificate of number shall

1 be in lieu of registering each motor vehicle, trailer, vessel or
2 vessel trailer dealt with by a boat dealer, boat manufacturer,
3 manufacturer, public motor vehicle auction, wholesale motor
4 vehicle dealer, wholesale motor vehicle auction or new or used
5 motor vehicle dealer. The license plates described in this
6 section shall be made with fully reflective material with a
7 common color scheme and design, shall be clearly visible at
8 night, and shall be aesthetically attractive, as prescribed by
9 section 301.130.

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

13		
14	New motor vehicle franchise dealers	D-0 through D-999
15	New powersport dealers	D-1000 through D-1999
16	Used motor vehicle and	
17	used powersport dealers	D-2000 through D-9999
18	Wholesale motor vehicle dealers	W-0 through W-1999
19	Wholesale motor vehicle auctions	WA-0 through WA-999
20	New and used trailer dealers	T-0 through T-9999
21	Motor vehicle, trailer, and boat	
22	manufacturers	DM-0 through DM-999
23	Public motor vehicle auctions	A-0 through A-1999
24	Boat dealers	M-0 through M-9999
25	New and used recreational	
26	motor vehicle dealers	RV-0 through RV-999

27
28 For purposes of this subsection, qualified transactions shall

1 include the purchase of salvage titled vehicles by a licensed
2 salvage dealer. A used motor vehicle dealer who also holds a
3 salvage dealer's license shall be allowed one additional plate or
4 certificate number per fifty-unit qualified transactions
5 annually. In order for salvage dealers to obtain number plates
6 or certificates under this section, dealers shall submit to the
7 department of revenue on August first of each year a statement
8 certifying, under penalty of perjury, the dealer's number of
9 purchases during the reporting period of July first of the
10 immediately preceding year to June thirtieth of the present year.
11 The provisions of this subsection shall become effective on the
12 date the director of the department of revenue begins to reissue
13 new license plates under section 301.130, or on December 1, 2008,
14 whichever occurs first. If the director of revenue begins
15 reissuing new license plates under the authority granted under
16 section 301.130 prior to December 1, 2008, the director of the
17 department of revenue shall notify the revisor of statutes of
18 such fact.

19 5. Upon the sale of a currently licensed motor vehicle
20 dealership the department shall, upon request, authorize the new
21 approved dealer applicant to retain the selling dealer's license
22 number and shall cause the new dealer's records to indicate such
23 transfer. If the new approved dealer applicant elects not to
24 retain the selling dealer's license number, the department shall
25 issue the new dealer applicant a new dealer's license number and
26 an equal number of plates or certificates as the department had
27 issued to the selling dealer.

28 6. In the case of motor vehicle dealers, the department

1 shall issue one number plate bearing the distinctive dealer
2 license number and may issue one additional number plate to the
3 applicant upon payment by the dealer of a fifty dollar fee for
4 the number plate bearing the distinctive dealer license number
5 and ten dollars and fifty cents for the additional number plate.
6 The department may issue a third plate to the motor vehicle
7 dealer upon completion of the dealer's fifteenth qualified
8 transaction and payment of a fee of ten dollars and fifty cents.
9 In the case of new motor vehicle manufacturers, powersport
10 dealers, recreational motor vehicle dealers, and trailer dealers,
11 the department shall issue one number plate bearing the
12 distinctive dealer license number and may issue two additional
13 number plates to the applicant upon payment by the manufacturer
14 or dealer of a fifty dollar fee for the number plate bearing the
15 distinctive dealer license number and ten dollars and fifty cents
16 for each additional number plate. Boat dealers and boat
17 manufacturers shall be entitled to one certificate of number
18 bearing such number upon the payment of a fifty dollar fee.
19 Additional number plates and as many additional certificates of
20 number may be obtained upon payment of a fee of ten dollars and
21 fifty cents for each additional plate or certificate. New motor
22 vehicle manufacturers shall not be issued or possess more than
23 three hundred forty-seven additional number plates or
24 certificates of number annually. New and used motor vehicle
25 dealers, powersport dealers, wholesale motor vehicle dealers,
26 boat dealers, and trailer dealers are limited to one additional
27 plate or certificate of number per ten-unit qualified
28 transactions annually. New and used recreational motor vehicle

1 dealers are limited to two additional plates or certificate of
2 number per ten-unit qualified transactions annually for their
3 first fifty transactions and one additional plate or certificate
4 of number per ten-unit qualified transactions thereafter. An
5 applicant seeking the issuance of an initial license shall
6 indicate on his or her initial application the applicant's
7 proposed annual number of sales in order for the director to
8 issue the appropriate number of additional plates or certificates
9 of number. A motor vehicle dealer, trailer dealer, boat dealer,
10 powersport dealer, recreational motor vehicle dealer, motor
11 vehicle manufacturer, boat manufacturer, or wholesale motor
12 vehicle dealer obtaining a distinctive dealer license plate or
13 certificate of number or additional license plate or additional
14 certificate of number, throughout the calendar year, shall be
15 required to pay a fee for such license plates or certificates of
16 number computed on the basis of one-twelfth of the full fee
17 prescribed for the original and duplicate number plates or
18 certificates of number for such dealers' licenses, multiplied by
19 the number of months remaining in the licensing period for which
20 the dealer or manufacturers shall be required to be licensed. In
21 the event of a renewing dealer, the fee due at the time of
22 renewal shall not be prorated. Wholesale and public auctions
23 shall be issued a certificate of dealer registration in lieu of a
24 dealer number plate. In order for dealers to obtain number
25 plates or certificates under this section, dealers shall submit
26 to the department of revenue on August first of each year a
27 statement certifying, under penalty of perjury, the dealer's
28 number of sales during the reporting period of July first of the

1 immediately preceding year to June thirtieth of the present year.

2 7. The plates issued pursuant to subsection 3 or 6 of this
3 section may be displayed on any motor vehicle owned by a new
4 motor vehicle manufacturer. The plates issued pursuant to
5 subsection 3 or 6 of this section may be displayed on any motor
6 vehicle or trailer owned and held for resale by a motor vehicle
7 dealer for use by a customer who is test driving the motor
8 vehicle, for use by any customer while the customer's vehicle is
9 being serviced or repaired by the motor vehicle dealer, for use
10 and display purposes during, but not limited to, parades, private
11 events, charitable events, or for use by an employee or officer,
12 but shall not be displayed on any motor vehicle or trailer hired
13 or loaned to others or upon any regularly used service or wrecker
14 vehicle. Motor vehicle dealers may display their dealer plates
15 on a tractor, truck or trailer to demonstrate a vehicle under a
16 loaded condition. Trailer dealers may display their dealer
17 license plates in like manner, except such plates may only be
18 displayed on trailers owned and held for resale by the trailer
19 dealer.

20 8. The certificates of number issued pursuant to subsection
21 3 or 6 of this section may be displayed on any vessel or vessel
22 trailer owned and held for resale by a boat manufacturer or a
23 boat dealer, and used by a customer who is test driving the
24 vessel or vessel trailer, or is used by an employee or officer on
25 a vessel or vessel trailer only, but shall not be displayed on
26 any motor vehicle owned by a boat manufacturer, boat dealer, or
27 trailer dealer, or vessel or vessel trailer hired or loaned to
28 others or upon any regularly used service vessel or vessel

1 trailer. Boat dealers and boat manufacturers may display their
2 certificate of number on a vessel or vessel trailer when
3 transporting a vessel or vessels to an exhibit or show.

4 9. If any law enforcement officer has probable cause to
5 believe that any license plate or certificate of number issued
6 under subsection 3 or 6 of this section is being misused in
7 violation of subsection 7 or 8 of this section, the license plate
8 or certificate of number may be seized and surrendered to the
9 department.

10 10. (1) Every application for the issuance of a used motor
11 vehicle dealer's license shall be accompanied by proof that the
12 applicant, within the last twelve months, has completed an
13 educational seminar course approved by the department as
14 prescribed by subdivision (2) of this subsection. Wholesale and
15 public auto auctions and applicants currently holding a new or
16 used license for a separate dealership shall be exempt from the
17 requirements of this subsection. The provisions of this
18 subsection shall not apply to current new motor vehicle franchise
19 dealers or motor vehicle leasing agencies or applicants for a new
20 motor vehicle franchise or a motor vehicle leasing agency. The
21 provisions of this subsection shall not apply to used motor
22 vehicle dealers who were licensed prior to August 28, 2006.

23 (2) The educational seminar shall include, but is not
24 limited to, the dealer requirements of sections 301.550 to
25 301.580, the rules promulgated to implement, enforce, and
26 administer sections 301.550 to 301.580, and any other rules and
27 regulations promulgated by the department.

28 301.564. 1. Any person or his agent licensed or registered

1 as a manufacturer, motor vehicle dealer, wholesale motor vehicle
2 dealer, boat dealer, wholesale motor vehicle auction or a public
3 motor vehicle auction pursuant to the provisions of sections
4 301.550 to 301.580 shall permit an employee of the department of
5 revenue or any law enforcement official to inspect, during normal
6 business hours, any of the following documents which are in his
7 possession or under his custody or control:

8 (1) Any title to any motor vehicle or vessel;

9 (2) Any application for title to any motor vehicle or
10 vessel;

11 (3) Any affidavit provided pursuant to sections 301.550 to
12 301.580 or chapter 407;

13 (4) Any assignment of title to any motor vehicle or vessel;

14 (5) Any disclosure statement or other document relating to
15 mileage or odometer readings required by the laws of the United
16 States or any other state;

17 (6) Any inventory and related documentation.

18 2. For purposes of this section, the term "law enforcement
19 official" shall mean any of the following:

20 (1) Attorney general, or any person designated by him to
21 make such an inspection;

22 (2) Any prosecuting attorney or any person designated by a
23 prosecuting attorney to make such an inspection;

24 (3) Any member or authorized or designated employee of the
25 Missouri state highway patrol [or water patrol];

26 (4) Any sheriff or deputy sheriff;

27 (5) Any peace officer certified pursuant to chapter 590
28 acting in his official capacity.

1 301.576. A motor vehicle dealer, as defined in section
2 301.550, and the dealer's owners, shareholders, officers,
3 employees, and agents who, in conjunction with the actual or
4 potential sale or lease of a motor vehicle, arrange to provide,
5 actually provide, or otherwise make available to a vehicle
6 purchaser, lessee, or other person any third-party motor vehicle
7 history report shall not be liable to the vehicle purchaser,
8 lessee, or other person for any errors, omissions, or other
9 inaccuracies contained in the third-party motor vehicle history
10 report that are not based on information provided directly to the
11 preparer of the third-party motor vehicle history report by that
12 dealer. For purposes of this section, a "third-party motor
13 vehicle report" means any information prepared by a party other
14 than the dealer relating to any one or more of the following:
15 vehicle ownership or titling history; liens on the vehicle;
16 vehicle service, maintenance, or repair history; vehicle
17 condition; or vehicle accident or collision history. This
18 section shall not apply in the case of any dealer having actual
19 knowledge about a vehicle's accident, salvage, or service history
20 which is different from, or not disclosed on, any third-party
21 motor vehicle report.

22 301.3069. 1. Any Missouri resident may receive special
23 license plates as prescribed in this section after an annual
24 payment of an emblem-use authorization fee to Central Missouri
25 Honor Flight. Central Missouri Honor Flight hereby authorizes
26 the use of its official emblem to be affixed on multiyear
27 personalized license plates as provided in this section for any
28 vehicle the person owns, either solely or jointly, other than an

1 apportioned motor vehicle or commercial motor vehicle licensed in
2 excess of twenty-four thousand pounds gross weight. Any
3 contribution to Central Missouri Honor Flight derived from this
4 section, except reasonable administrative costs, shall be used
5 solely for financial assistance to transport veterans to
6 Washington D.C. to view various veteran memorials. Any Missouri
7 resident may annually apply to Central Missouri Honor Flight for
8 the use of the emblem.

9 2. Upon annual application and payment of a twenty-five
10 dollar emblem-use contribution to Central Missouri Honor Flight,
11 the organization shall issue to the vehicle owner, without
12 further charge, an emblem-use authorization statement, which
13 shall be presented by the vehicle owner to the department of
14 revenue at the time of registration of a motor vehicle. Upon
15 presentation of the annual statement and payment of the fee
16 required for personalized license plates in section 301.144, and
17 other fees and documents which may be required by law, the
18 department of revenue shall issue personalized license plates,
19 which shall bear the emblem of Central Missouri Honor Flight, to
20 the vehicle owner.

21 3. The license plate or plates authorized by this section
22 shall be of a design submitted by Central Missouri Honor Flight
23 and approved by the department, shall be made with fully
24 reflective material with a common color scheme and design, shall
25 be clearly visible at night, and shall be aesthetically
26 attractive, as prescribed by section 301.130. The bidding
27 process used to select a vendor for the material to manufacture
28 the license plates authorized by this section shall consider the

1 aesthetic appearance of the plates.

2 4. A vehicle owner who was previously issued plates with
3 the Central Missouri Honor Flight emblem authorized by this
4 section but who does not provide an emblem-use authorization
5 statement at a subsequent time of registration shall be issued
6 new plates which do not bear the Central Missouri Honor Flight
7 emblem, as otherwise provided by law. The director of revenue
8 shall make necessary rules and regulations for the enforcement of
9 this section and shall design all necessary forms required by
10 this section.

11 301.3159. Any person who has been awarded the military
12 service award known as the meritorious service medal may apply
13 for special motor vehicle license plates for any motor vehicle
14 such person owns, either solely or jointly, other than an
15 apportioned motor vehicle or a commercial motor vehicle licensed
16 in excess of twenty-four thousand pounds gross weight. Any such
17 person shall make application for the special license plates on a
18 form provided by the director of revenue and furnish such proof
19 as a recipient of the meritorious service medal as the director
20 may require. The director shall then issue license plates
21 bearing letters or numbers or a combination thereof as determined
22 by the advisory committee established in section 301.129, with
23 the words "MERITORIOUS SERVICE" in place of the words "SHOW-ME
24 STATE". Such license plates shall be made with fully reflective
25 material with a common color scheme and design, shall be clearly
26 visible at night, and shall be aesthetically attractive, as
27 prescribed by section 301.130. Such plates shall also bear an
28 image of the meritorious service medal. There shall be an

1 additional fee charged for each set of meritorious service
2 license plates issued under this section equal to the fee charged
3 for personalized license plates. There shall be no limit on the
4 number of license plates any person qualified under this section
5 may obtain so long as each set of license plates issued under
6 this section is issued for vehicles owned solely or jointly by
7 such person. License plates issued under the provisions of this
8 section shall not be transferable to any other person except that
9 any registered co-owner of the motor vehicle shall be entitled to
10 operate the motor vehicle with such plates for the duration of
11 the year licensed in the event of the death of the qualified
12 person.

13 301.3174. 1. Any Missouri resident may receive special
14 license plates as prescribed in this section after an annual
15 payment of an emblem-use authorization fee to the Association of
16 Missouri Electric Cooperatives. The Association of Missouri
17 Electric Cooperatives hereby authorizes the use of its official
18 lineman emblem to be affixed on multiyear personalized license
19 plates as provided in this section for any vehicle the person
20 owns, either solely or jointly[, other than an apportioned motor
21 vehicle or commercial motor vehicle licensed in excess of
22 twenty-four thousand pounds gross weight]. Any contribution to
23 such association derived from this section, except reasonable
24 administrative costs, shall be used solely for financial
25 assistance for lineman training programs. Any Missouri resident
26 may annually apply to the association for the use of the emblem.

27 2. Upon annual application and payment of a twenty-five
28 dollar emblem-use contribution to the Association of Missouri

1 Electric Cooperatives, the association shall issue to the vehicle
2 owner, without further charge, an emblem-use authorization
3 statement, which shall be presented by the vehicle owner to the
4 department of revenue at the time of registration of a motor
5 vehicle. Upon presentation of the annual statement and payment
6 of the fee required for personalized license plates in section
7 301.144, and other fees and documents which may be required by
8 law, the department of revenue shall issue a personalized license
9 plate or plates, which shall bear the emblem of the Association
10 of Missouri Electric Cooperatives' lineman, to the vehicle owner.
11 Notwithstanding any provision of law to the contrary, the
12 department of revenue shall issue the license plate or plates, as
13 authorized in this section, for non-apportioned vehicles of any
14 classification for which it issues a license plate or plates.

15 3. The license plate or plates authorized by this section
16 shall be of a design submitted by the Association of Missouri
17 Electric Cooperatives and approved by the department, shall be
18 made with fully reflective material with a common color scheme
19 and design, shall be clearly visible at night, and shall be
20 aesthetically attractive, as prescribed by section 301.130. The
21 bidding process used to select a vendor for the material to
22 manufacture the license plates authorized by this section shall
23 consider the aesthetic appearance of the plate or plates.

24 4. A vehicle owner, who was previously issued a plate or
25 plates with the Association of Missouri Electric Cooperatives'
26 lineman emblem authorized by this section but who does not
27 provide an emblem-use authorization statement at a subsequent
28 time of registration, shall be issued a new plate or plates which

1 do not bear the Association of Missouri Electric Cooperatives'
2 lineman emblem, as otherwise provided by law. The director of
3 revenue shall make necessary rules and regulations for the
4 enforcement of this section, and shall design all necessary forms
5 required by this section.

6 302.170. 1. As used in this section, the following terms
7 shall mean:

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

10 (a) [Facial feature pattern characteristics;

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

13 [(c)] (b) Iris recognition data containing color or texture
14 patterns or codes;

15 [(d)] (c) Retinal scans, reading through the pupil to
16 measure blood vessels lining the retina;

17 [(e)] (d) Fingerprint, palm prints, hand geometry, measure
18 of any and all characteristics of biometric information,
19 including shape and length of fingertips, or recording ridge
20 pattern or fingertip characteristics;

21 [(f) Eye spacing;

22 (g)] (e) Characteristic gait or walk;

23 [(h)] (f) DNA;

24 [(i)] (g) Keystroke dynamic, measuring pressure applied to
25 key pads or other digital receiving devices;

26 (2) "Commercial purposes", shall not include data used or
27 compiled solely to be used for, or obtained or compiled solely
28 for purposes expressly allowed under Missouri law or the federal

1 Drivers Privacy Protection Act;

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

9 2. Except as provided in subsection 3 of this section and
10 as required to carry out the provisions of subsection 4 of this
11 section, the department of revenue shall not retain copies, in
12 any format, of source documents presented by individuals applying
13 for or holding driver's licenses or nondriver's licenses or use
14 technology to capture digital images of source documents so that
15 the images are capable of being retained in electronic storage in
16 a transferable format. [Documents retained as provided or
17 required by subsection 4 of this section shall be stored solely
18 on a system not connected to the internet nor to a wide area
19 network that connects to the internet. Once stored on such
20 system, the documents and data shall be purged from any systems
21 on which they were previously stored so as to make them
22 irretrievable.]

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

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

26 (2) Test score documents issued by state highway patrol
27 driver examiners and Missouri commercial third-party tester
28 examiners;

1 (3) Documents demonstrating lawful presence of any
2 applicant who is not a citizen of the United States, including
3 documents demonstrating duration of the person's lawful presence
4 in the United States;

5 (4) Any document required to be retained under federal
6 motor carrier regulations in Title 49, Code of Federal
7 Regulations, including but not limited to documents required by
8 federal law for the issuance of a commercial driver's license and
9 a commercial driver instruction permit;

10 (5) Documents submitted by a commercial driver's license or
11 commercial driver's instruction permit applicant who is a
12 Missouri resident and is a qualified current or former military
13 service member which allow for waiver of the commercial driver's
14 license knowledge test, skills test, or both; and

15 (6) Any other document at the request of and for the
16 convenience of the applicant [where the applicant requests the
17 department of revenue review alternative documents as proof
18 required for issuance of a driver's license, nondriver's license,
19 or instruction permit].

20 4. (1) To the extent not prohibited under subsection 13 of
21 this section, the department of revenue shall amend procedures
22 for applying for a driver's license or identification card in
23 order to comply with the goals or standards of the federal REAL
24 ID Act of 2005, any rules or regulations promulgated under the
25 authority granted in such Act, or any requirements adopted by the
26 American Association of Motor Vehicle Administrators for
27 furtherance of the Act, unless such action conflicts with
28 Missouri law.

1 (2) The department of revenue shall issue driver's licenses
2 or identification cards that are compliant with the federal REAL
3 ID Act of 2005, as amended, to all applicants for driver's
4 licenses or identification cards unless an applicant requests a
5 driver's license or identification card that is not REAL ID
6 compliant. Except as provided in subsection 3 of this section
7 and as required to carry out the provisions of this subsection,
8 the department of revenue shall not retain the source documents
9 of individuals applying for driver's licenses or identification
10 cards not compliant with REAL ID. Upon initial application for a
11 driver's license or identification card, the department shall
12 inform applicants of the option of being issued a REAL ID
13 compliant driver's license or identification card or a driver's
14 license or identification card that is not compliant with REAL
15 ID. The department shall inform all applicants:

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

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

22 b. Electronic copies of source documents will be retained
23 by the department and destroyed after the minimum time required
24 for digital retention by the federal REAL ID Act of 2005, as
25 amended;

26 c. The facial image capture will only be retained by the
27 department if the application is finished and submitted to the
28 department; and

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

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

6 a. Such card is valid for official state purposes, but it
7 is not valid for official federal purposes as outlined in the
8 federal REAL ID Act of 2005, as amended, such as domestic air
9 travel and seeking access to military bases and most federal
10 facilities;

11 b. Source documents will be verified but no copies of such
12 documents will be retained by the department unless permitted
13 under subsection 3 of this section, except as necessary to
14 process a request by a license or card holder or applicant;

15 c. Any other information the department deems necessary to
16 inform the applicant about the driver's license or identification
17 card.

18 5. The department of revenue shall not use, collect,
19 obtain, share, or retain biometric data nor shall the department
20 use biometric technology to produce a driver's license or
21 nondriver's license or to uniquely identify licensees or license
22 applicants. This subsection shall not apply to digital images
23 nor licensee signatures required for the issuance of driver's
24 licenses and nondriver's licenses or for the use of software for
25 purposes of combating fraud, or to biometric data collected from
26 employees of the department of revenue, employees of the office
27 of administration who provide information technology support to
28 the department of revenue, contracted license offices, and

1 contracted manufacturers engaged in the production, processing,
2 or manufacture of driver's licenses or identification cards in
3 positions which require a background check in order to be
4 compliant with the federal REAL ID Act or any rules or
5 regulations promulgated under the authority of such Act. Except
6 as otherwise provided by law, applicants' source documents and
7 Social Security numbers shall not be stored in any database
8 accessible by any other state or the federal government. Such
9 database shall contain only the data fields included on driver's
10 licenses and nondriver identification cards compliant with the
11 federal REAL ID Act, and the driving records of the individuals
12 holding such driver's licenses and nondriver identification
13 cards.

14 6. Notwithstanding any provision of this chapter that
15 requires an applicant to provide reasonable proof of lawful
16 presence for issuance or renewal of a noncommercial driver's
17 license, noncommercial instruction permit, or a nondriver's
18 license, an applicant shall not have his or her privacy rights
19 violated in order to obtain or renew a Missouri noncommercial
20 driver's license, noncommercial instruction permit, or a
21 nondriver's license.

22 7. No citizen of this state shall have his or her privacy
23 compromised by the state or agents of the state. The state shall
24 within reason protect the sovereignty of the citizens the state
25 is entrusted to protect. Any data derived from a person's
26 application shall not be sold for commercial purposes to any
27 other organization or any other state without the express
28 permission of the applicant without a court order; except such

1 information may be shared with a law enforcement agency, judge,
2 prosecuting attorney, or officer of the court, or with another
3 state for the limited purposes set out in section 302.600, or for
4 the purposes set forth in section 32.091, or for conducting
5 driver history checks in compliance with the Motor Carrier Safety
6 Improvement Act, 49 U.S.C. Section 31309. The state of Missouri
7 shall protect the privacy of its citizens when handling any
8 written, digital, or electronic data, and shall not participate
9 in any standardized identification system using driver's and
10 nondriver's license records except as provided in this section.

11 8. Other than to process a request by a license or card
12 holder or applicant, no person shall knowingly access,
13 distribute, or allow access to or distribution of any written,
14 digital, or electronic data collected or retained under this
15 section without the express permission of the applicant or a
16 court order, except that such information may be shared with a
17 law enforcement agency, judge, prosecuting attorney, or officer
18 of the court, or with another state for the limited purposes set
19 out in section 302.600 or for conducting driver history checks in
20 compliance with the Motor Carrier Safety Improvement Act, 49
21 U.S.C. Section 31309. A first violation of this subsection shall
22 be a class A misdemeanor. A second violation of this subsection
23 shall be a class E felony. A third or subsequent violation of
24 this subsection shall be a class D felony.

25 9. Any person harmed or damaged by any violation of this
26 section may bring a civil action for damages, including
27 noneconomic and punitive damages, as well as injunctive relief,
28 in the circuit court where that person resided at the time of the

1 violation or in the circuit court of Cole County to recover such
2 damages from the department of revenue and any persons
3 participating in such violation. Sovereign immunity shall not be
4 available as a defense for the department of revenue in such an
5 action. In the event the plaintiff prevails on any count of his
6 or her claim, the plaintiff shall be entitled to recover
7 reasonable attorney fees from the defendants.

8 10. The department of revenue may promulgate rules
9 necessary to implement the provisions of this section. Any rule
10 or portion of a rule, as that term is defined in section 536.010,
11 that is created under the authority delegated in this section
12 shall become effective only if it complies with and is subject to
13 all of the provisions of chapter 536 and, if applicable, section
14 536.028. This section and chapter 536 are nonseverable and if
15 any of the powers vested with the general assembly pursuant to
16 chapter 536 to review, to delay the effective date, or to
17 disapprove and annul a rule are subsequently held
18 unconstitutional, then the grant of rulemaking authority and any
19 rule proposed or adopted after August 28, 2017, shall be invalid
20 and void.

21 11. Biometric data, digital images, source documents, and
22 licensee signatures, or any copies of the same, required to be
23 collected or retained to comply with the requirements of the
24 federal REAL ID Act of 2005 shall be digitally retained for no
25 longer than the minimum duration required to maintain compliance,
26 and immediately thereafter shall be securely destroyed so as to
27 make them irretrievable.

28 12. No agency, department, or official of this state or of

1 any political subdivision thereof shall use, collect, obtain,
2 share, or retain radio frequency identification data from a REAL
3 ID compliant driver's license or identification card issued by a
4 state, nor use the same to uniquely identify any individual.

5 13. Notwithstanding any provision of law to the contrary,
6 the department of revenue shall not amend procedures for applying
7 for a driver's license or identification card, nor promulgate any
8 rule or regulation, for purposes of complying with modifications
9 made to the federal REAL ID Act of 2005 after August 28, 2017,
10 imposing additional requirements on applications, document
11 retention, or issuance of compliant licenses or cards, including
12 any rules or regulations promulgated under the authority granted
13 under the federal REAL ID Act of 2005, as amended, or any
14 requirements adopted by the American Association of Motor Vehicle
15 Administrators for furtherance thereof.

16 14. If the federal REAL ID Act of 2005 is modified or
17 repealed such that driver's licenses and identification cards
18 issued by this state that are not compliant with the federal REAL
19 ID Act of 2005 are once again sufficient for federal
20 identification purposes, the department shall not issue a
21 driver's license or identification card that complies with the
22 federal REAL ID Act of 2005 and shall securely destroy, within
23 thirty days, any source documents retained by the department for
24 the purpose of compliance with such Act.

25 [15. The provisions of this section shall expire five years
26 after August 28, 2017.]

27 302.181. 1. The license issued pursuant to the provisions
28 of sections 302.010 to 302.340 shall be in such form as the

1 director shall prescribe, but the license shall be a card made of
2 plastic or other comparable material. All licenses shall be
3 manufactured of materials and processes that will prohibit, as
4 nearly as possible, the ability to reproduce, alter, counterfeit,
5 forge, or duplicate any license without ready detection. [All
6 licenses shall bear the licensee's Social Security number, if the
7 licensee has one, and if not, a notarized affidavit must be
8 signed by the licensee stating that the licensee does not possess
9 a Social Security number, or, if applicable, a certified
10 statement must be submitted as provided in subsection 4 of this
11 section.] The license shall also bear the expiration date of the
12 license, the classification of the license, the name, date of
13 birth, residence address including the county of residence or a
14 code number corresponding to such county established by the
15 department, and brief description and colored [photograph or]
16 digitized image of the licensee, and a facsimile of the signature
17 of the licensee. The director shall provide by administrative
18 rule the procedure and format for a licensee to indicate on the
19 back of the license together with the designation for an
20 anatomical gift as provided in section 194.240 the name and
21 address of the person designated pursuant to sections 404.800 to
22 404.865 as the licensee's attorney in fact for the purposes of a
23 durable power of attorney for health care decisions. No license
24 shall be valid until it has been so signed by the licensee. If
25 any portion of the license is prepared by a private firm, any
26 contract with such firm shall be made in accordance with the
27 competitive purchasing procedures as established by the state
28 director of the division of purchasing. [For all licenses issued

1 or renewed after March 1, 1992, the applicant's Social Security
2 number shall serve as the applicant's license number. Where the
3 licensee has no Social Security number, or where the licensee is
4 issued a license without a Social Security number in accordance
5 with subsection 4 of this section, the director shall issue a
6 license number for the licensee and such number shall also
7 include an indicator showing that the number is not a Social
8 Security number.]

9 2. All [film involved in the production of photographs]
10 digital images produced for licenses shall become the property of
11 the department of revenue.

12 3. The license issued shall be carried at all times by the
13 holder thereof while driving a motor vehicle, and shall be
14 displayed upon demand of any officer of the highway patrol, or
15 any police officer or peace officer, or any other duly authorized
16 person, for inspection when demand is made therefor. Failure of
17 any operator of a motor vehicle to exhibit his or her license to
18 any duly authorized officer shall be presumptive evidence that
19 such person is not a duly licensed operator.

20 4. [The director of revenue shall issue a commercial or
21 noncommercial driver's license without a Social Security number
22 to an applicant therefor, who is otherwise qualified to be
23 licensed, upon presentation to the director of a certified
24 statement that the applicant objects to the display of the Social
25 Security number on the license. The director shall assign an
26 identification number, that is not based on a Social Security
27 number, to the applicant which shall be displayed on the license
28 in lieu of the Social Security number.

1 5.] The director of revenue shall not issue a license
2 without a facial [photograph or] digital image of the license
3 applicant, except as provided pursuant to subsection 8 of this
4 section. A [photograph or] digital image of the applicant's full
5 facial features shall be taken in a manner prescribed by the
6 director. No [photograph or] digital image [will] shall be taken
7 wearing anything which cloaks the facial features of the
8 individual.

9 [6.] 5. The department of revenue may issue a temporary
10 license or a full license without the photograph or with the last
11 photograph or digital image in the department's records to
12 members of the Armed Forces, except that where such temporary
13 license is issued it shall be valid only until the applicant
14 shall have had time to appear and have his or her picture taken
15 and a license with his or her photograph issued.

16 [7.] 6. The department of revenue shall issue upon request
17 a nondriver's license card containing essentially the same
18 information and photograph or digital image, except as provided
19 pursuant to subsection 8 of this section, as the driver's license
20 upon payment of six dollars. All nondriver's licenses shall
21 expire on the applicant's birthday in the sixth year after
22 issuance. A person who has passed his or her seventieth birthday
23 shall upon application be issued a nonexpiring nondriver's
24 license card. Notwithstanding any other provision of this
25 chapter, a nondriver's license containing a concealed carry
26 endorsement shall expire three years from the date the
27 certificate of qualification was issued pursuant to section
28 571.101, as section 571.101 existed prior to August 28, 2013.

1 The fee for nondriver's licenses issued for a period exceeding
2 three years is six dollars or three dollars for nondriver's
3 licenses issued for a period of three years or less. The
4 nondriver's license card shall be used for identification
5 purposes only and shall not be valid as a license.

6 [8.] 7. If otherwise eligible, an applicant may receive a
7 driver's license or nondriver's license without a photograph or
8 digital image of the applicant's full facial features except that
9 such applicant's photograph or digital image shall be taken and
10 maintained by the director and not printed on such license. In
11 order to qualify for a license without a photograph or digital
12 image pursuant to this section the applicant must:

13 (1) Present a form provided by the department of revenue
14 requesting the applicant's photograph be omitted from the license
15 or nondriver's license due to religious affiliations. The form
16 shall be signed by the applicant and another member of the
17 religious tenant verifying the photograph or digital image
18 exemption on the license or nondriver's license is required as
19 part of their religious affiliation. The required signatures on
20 the prescribed form shall be properly notarized;

21 (2) Provide satisfactory proof to the director that the
22 applicant has been a United States citizen for at least five
23 years and a resident of this state for at least one year, except
24 that an applicant moving to this state possessing a valid
25 driver's license from another state without a photograph shall be
26 exempt from the one-year state residency requirement. The
27 director may establish rules necessary to determine satisfactory
28 proof of citizenship and residency pursuant to this section;

1 (3) Applications for a driver's license or nondriver's
2 license without a photograph or digital image must be made in
3 person at a license office determined by the director. The
4 director is authorized to limit the number of offices that may
5 issue a driver's or nondriver's license without a photograph or
6 digital image pursuant to this section.

7 [9.] 8. The department of revenue shall make available, at
8 one or more locations within the state, an opportunity for
9 individuals to have their full facial photograph taken by an
10 employee of the department of revenue, or their designee, who is
11 of the same sex as the individual being photographed, in a
12 segregated location.

13 [10.] 9. Beginning July 1, 2005, the director shall not
14 issue a driver's license or a nondriver's license for a period
15 that exceeds an applicant's lawful presence in the United States.
16 The director may, by rule or regulation, establish procedures to
17 verify the lawful presence of the applicant and establish the
18 duration of any driver's license or nondriver's license issued
19 under this section.

20 [11. No rule or portion of a rule promulgated pursuant to
21 the authority of this chapter shall become effective unless it is
22 promulgated pursuant to the provisions of chapter 536.]

23 10. (1) Notwithstanding any biometric data restrictions
24 contained in section 302.170, the department of revenue is hereby
25 authorized to design and implement a secure digital driver's
26 license program that allows applicants applying for a driver's
27 license in accordance with this chapter to obtain a secure
28 digital driver's license in addition to the physical card-based

1 license specified in this section.

2 (2) A digital driver's license as described in this
3 subsection shall be accepted for all purposes for which a
4 license, as defined in section 302.010, is used.

5 (3) The department may contract with one or more entities
6 to develop the secure digital driver's license system. The
7 department or entity may develop a mobile software application
8 capable of being utilized through a person's electronic device to
9 access the person's secure digital driver's license.

10 (4) The department shall suspend, disable, or terminate a
11 person's participation in the secure digital driver's license
12 program if:

13 (a) The person's driving privilege is suspended, revoked,
14 denied, withdrawn, or cancelled as provided in this chapter; or

15 (b) The person reports that the person's electronic device
16 has been lost, stolen, or compromised.

17 11. The director of the department of revenue may
18 promulgate rules as necessary for the implementation of this
19 section. Any rule or portion of a rule, as that term is defined
20 in section 536.010 that is created under the authority delegated
21 in this section shall become effective only if it complies with
22 and is 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 the effective

1 date of this act shall be invalid and void.

2 302.205. 1. Any resident of this state may elect to have a
3 medical alert notation placed on the person's driver's license or
4 nondriver's identification card. The following conditions,
5 illnesses, and disorders may be recorded on a driver's license or
6 nondriver's identification card as medical alert information at
7 the request of the applicant:

8 (1) Posttraumatic stress disorder;

9 (2) Diabetes;

10 (3) Heart conditions;

11 (4) Epilepsy;

12 (5) Drug allergies;

13 (6) Alzheimer's or dementia;

14 (7) Schizophrenia;

15 (8) Autism; or

16 (9) Other conditions as approved by the director of the
17 department of revenue or his or her designee.

18 2. Any person requesting the inclusion of a medical alert
19 notation on his or her driver's license or nondriver's
20 identification card shall submit an application form to include a
21 waiver of liability for the release of any medical information to
22 the department, any person who is eligible for access to such
23 medical information as recorded on the person's driving record
24 under this chapter, and any other person who may view or receive
25 notice of such medical information by virtue of having seen such
26 person's driver's license or nondriver's identification card.
27 Such application shall advise the person that he or she will be
28 consenting to the release of such medical information to anyone

1 who sees or copies his or her driver's license or nondriver's
2 identification card, even if such person is otherwise ineligible
3 to access such medical information under state or federal law.

4 3. Such application shall include space for a person
5 requesting the inclusion of a medical alert notation on his or
6 her driver's license or nondriver's identification card to obtain
7 a sworn statement from a person licensed to practice medicine or
8 psychology in this state verifying such diagnosis.

9 4. Any person who has been issued a driver's license or
10 nondriver's identification card bearing medical alert information
11 may be issued a replacement driver's license or nondriver's
12 identification card excluding such medical alert information at
13 his or her request and upon payment of the fee provided in this
14 chapter for replacement of lost licenses or identification cards.

15 5. No medical alert information shall be printed on or
16 removed from a driver's license or nondriver's identification
17 card without the express consent of the licensee. If the
18 licensee is a child under the age of eighteen, consent for the
19 printing of medical alert information shall be provided by the
20 parent or guardian of the child when he or she signs the
21 application for the driver's license or nondriver's
22 identification card. If the licensee is an incapacitated adult,
23 consent for the printing of medical alert information shall be
24 given by the guardian of such adult as appointed by a court of
25 competent jurisdiction.

26 6. The director of the department of revenue may promulgate
27 all necessary rules and regulations for the administration of
28 this section. Any rule or portion of a rule, as that term is

1 defined in section 536.010, that is created under the authority
2 delegated in this section shall become effective only if it
3 complies with and is subject to all of the provisions of chapter
4 536 and, if applicable, section 536.028. This section and
5 chapter 536 are nonseverable, and if any of the powers vested
6 with the general assembly pursuant to chapter 536 to review, to
7 delay the effective date, or to disapprove and annul a rule are
8 subsequently held unconstitutional, then the grant of rulemaking
9 authority and any rule proposed or adopted after August 28, 2020,
10 shall be invalid and void.

11 302.720. 1. Except when operating under an instruction
12 permit as described in this section, no person may drive a
13 commercial motor vehicle unless the person has been issued a
14 commercial driver's license with applicable endorsements valid
15 for the type of vehicle being operated as specified in sections
16 302.700 to 302.780. A commercial driver's instruction permit
17 shall allow the holder of a valid license to operate a commercial
18 motor vehicle when accompanied by the holder of a commercial
19 driver's license valid for the vehicle being operated and who
20 occupies a seat beside the individual, or reasonably near the
21 individual in the case of buses, for the purpose of giving
22 instruction in driving the commercial motor vehicle. No person
23 may be issued a commercial driver's instruction permit until he
24 or she has passed written tests which comply with the minimum
25 federal standards. A commercial driver's instruction permit
26 shall be nonrenewable and shall be valid for the vehicle being
27 operated for a period of not more than one year, and shall not be
28 issued until the permit holder has met all other requirements of

1 sections 302.700 to 302.780, except for the driving test. The
2 fee for such permit shall be ten dollars. The fee for a
3 duplicate of such commercial driver's instruction permit shall be
4 five dollars.

5 2. No person may be issued a commercial driver's license
6 until he has passed written and driving tests for the operation
7 of a commercial motor vehicle which complies with the minimum
8 federal standards established by the Secretary and has satisfied
9 all other requirements of the Commercial Motor Vehicle Safety Act
10 of 1986 (Title XII of Pub. Law 99-570), as well as any other
11 requirements imposed by state law. Beginning January 1, 2020,
12 all applicants for a commercial driver's license shall complete
13 any entry-level driver training program as established and
14 required under 49 CFR 380.609. All applicants for a commercial
15 driver's license shall have maintained the appropriate class of
16 commercial driver's instruction permit issued by this state or
17 any other state for a minimum of fourteen calendar days prior to
18 the date of taking the skills test. Applicants for a hazardous
19 materials endorsement must also meet the requirements of the U.S.
20 Patriot Act of 2001 (Title X of Public Law 107-56) as specified
21 and required by regulations promulgated by the Secretary.
22 Nothing contained in this subsection shall be construed as
23 prohibiting the director from establishing alternate testing
24 formats for those who are functionally illiterate; provided,
25 however, that any such alternate test must comply with the
26 minimum requirements of the Commercial Motor Vehicle Safety Act
27 of 1986 (Title XII of Pub. Law 99-570) as established by the
28 Secretary.

1 (1) The written and driving tests shall be held at such
2 times and in such places as the superintendent may designate. A
3 twenty-five dollar examination fee shall be paid by the applicant
4 upon completion of any written or driving test, except the
5 examination fee shall be waived for applicants seventy years of
6 age or older renewing a license with a school bus endorsement.
7 The director shall delegate the power to conduct the examinations
8 required under sections 302.700 to 302.780 to any member of the
9 highway patrol or any person employed by the highway patrol
10 qualified to give driving examinations. The written test shall
11 only be administered in the English language. No translators
12 shall be allowed for applicants taking the test.

13 (2) The director shall adopt and promulgate rules and
14 regulations governing the certification of third-party testers by
15 the department of revenue. Such rules and regulations shall
16 substantially comply with the requirements of 49 CFR 383, Section
17 383.75. A certification to conduct third-party testing shall be
18 valid for one year, and the department shall charge a fee of one
19 hundred dollars to issue or renew the certification of any
20 third-party tester.

21 (3) Beginning August 28, 2006, the director shall issue or
22 renew third-party tester certification to community colleges
23 established under chapter 178 or to private companies who own,
24 lease, or maintain their own fleet and administer in-house
25 testing to their employees, or to school districts and their
26 agents that administer in-house testing to the school district's
27 or agent's employees. Any third-party tester who violates any of
28 the rules and regulations adopted and promulgated pursuant to

1 this section shall be subject to having his certification revoked
2 by the department. The department shall provide written notice
3 and an opportunity for the third-party tester to be heard in
4 substantially the same manner as provided in chapter 536. If any
5 applicant submits evidence that he has successfully completed a
6 test administered by a third-party tester, the actual driving
7 test for a commercial driver's license may then be waived.

8 (4) Every applicant for renewal of a commercial driver's
9 license shall provide such certifications and information as
10 required by the Secretary and if such person transports a
11 hazardous material must also meet the requirements of the U.S.
12 Patriot Act of 2001 (Title X of Public Law 107-56) as specified
13 and required by regulations promulgated by the Secretary. Such
14 person shall be required to take the written test for such
15 endorsement. A twenty-five dollar examination fee shall be paid
16 upon completion of such tests.

17 (5) The director shall have the authority to waive the
18 driving skills and written tests for any qualified current or
19 former military service member applicant for a commercial
20 driver's instruction permit or a commercial driver's license who
21 is currently licensed at the time of application for a commercial
22 driver's instruction permit or commercial driver's license. The
23 director shall impose conditions and limitations and require
24 certification and evidence to restrict the applicants from whom
25 the department may accept the alternative requirements for the
26 skills and written tests described in federal regulations 49 CFR
27 383.71 and 49 CFR 383.77. Applicant's shall meet all federal and
28 state qualifications to operate a commercial vehicle. Applicants

1 shall be required to complete all applicable tests, except when
2 the applicant provides proof of approved military training
3 sufficient for [wiaver] waiver of the written knowledge and
4 skills tests as specified in this subdivision and subdivision (5)
5 of subsection 3 of section 302.170.

6 3. A commercial driver's license or commercial driver's
7 instruction permit may not be issued to a person while the person
8 is disqualified from driving a commercial motor vehicle, when a
9 disqualification is pending in any state or while the person's
10 driver's license is suspended, revoked, or cancelled in any
11 state; nor may a commercial driver's license be issued unless the
12 person first surrenders in a manner prescribed by the director
13 any commercial driver's license issued by another state, which
14 license shall be returned to the issuing state for cancellation.

15 4. Beginning July 1, 2005, the director shall not issue an
16 instruction permit under this section unless the director
17 verifies that the applicant is lawfully present in the United
18 States before accepting the application. The director may, by
19 rule or regulation, establish procedures to verify the lawful
20 presence of the applicant under this section. No rule or portion
21 of a rule promulgated pursuant to the authority of this section
22 shall become effective unless it has been promulgated pursuant to
23 chapter 536.

24 5. Notwithstanding the provisions of this section or any
25 other law to the contrary, beginning August 28, 2008, the
26 director of the department of revenue shall certify as a
27 third-party tester any municipality that owns, leases, or
28 maintains its own fleet that requires certain employees as a

1 condition of employment to hold a valid commercial driver's
2 license; and that administered in-house testing to such employees
3 prior to August 28, 2006.

4 6. Notwithstanding the provisions of this section or any
5 other law to the contrary, beginning December 1, 2019, the
6 director of the department of revenue shall certify as a
7 third-party tester any private education institution or other
8 private entity, provided the institution or entity meets the
9 necessary qualifications required by the state.

10 7. The director shall adopt and promulgate rules and
11 regulations establishing a process for applicants with
12 disabilities to request testing accommodations with respect to
13 both the written and driving tests required under this section
14 and to establish criteria for awarding such accommodations. The
15 rules shall specify that a hearing test shall not be a component
16 of the written test or driving test for any applicant who is deaf
17 or hard of hearing. Any rule or portion of a rule, as that term
18 is defined in section 536.010, that is created under the
19 authority delegated in this section shall become effective only
20 if it complies with and is subject to all of the provisions of
21 chapter 536 and, if applicable, section 536.028. This section
22 and chapter 536 are nonseverable and if any of the powers vested
23 with the general assembly pursuant to chapter 536 to review, to
24 delay the effective date, or to disapprove and annul a rule are
25 subsequently held unconstitutional, then the grant of rulemaking
26 authority and any rule proposed or adopted after August 28, 2020,
27 shall be invalid and void.

28 8. If the United States Secretary of Transportation

1 determines that subsection 7 of this section has the effect of
2 placing the state of Missouri in noncompliance with any federal
3 constitutional, statutory, or regulatory provision that would
4 result in the loss of any federal aid funds to the Missouri
5 highways and transportation commission, then subsection 7 of this
6 section shall be null and void.

7 302.723. 1. Notwithstanding any other provision of law,
8 any entity providing commercial driver's license training to
9 persons preparing to apply for commercial driver's licenses under
10 the provisions of sections 302.700 to 302.780 shall provide
11 reasonable accommodations for persons who are deaf or hard of
12 hearing.

13 2. If the United States Secretary of Transportation
14 determines that this section or subsection 7 of section 302.720
15 has the effect of placing the state of Missouri in noncompliance
16 with any federal constitutional, statutory, or regulatory
17 provision that would result in the loss of any federal aid funds
18 to the Missouri highways and transportation commission, then this
19 section shall be null and void.

20 303.026. 1. The director shall inform each owner who
21 registers a motor vehicle of the following:

22 (1) The existence of the requirement that every motor
23 vehicle owner in the state must maintain his financial
24 responsibility;

25 (2) The requirement that every motor vehicle owner show an
26 insurance identification card, or a copy thereof, or other proof
27 of financial responsibility at the time of vehicle registration;
28 this notice shall be given at least thirty days prior to the

1 month for renewal and shall be shown in bold, colored print;

2 (3) The penalties which apply to violations of the
3 requirement to maintain financial responsibility;

4 (4) The benefits of maintaining coverages in excess of
5 those which are required;

6 (5) The director's authority to conduct samples of Missouri
7 motor vehicle owners to ensure compliance.

8 2. No motor vehicle owner shall be issued registration for
9 a vehicle unless the owner, or his authorized agent, signs an
10 affidavit provided by the director of revenue at the time of
11 registration of the vehicle certifying that such owner has and
12 will maintain, during the period of registration, financial
13 responsibility with respect to each motor vehicle that is owned,
14 licensed or operated on the streets or highways. The affidavit
15 need not be notarized, but it shall be acknowledged by the person
16 processing the form. The affidavit shall state clearly and in
17 bold print the following: "Any false affidavit is a crime under
18 section 575.050 of Missouri law.". In addition, every motor
19 vehicle owner shall show proof of such financial responsibility
20 by presenting his or her insurance identification card, as
21 described in section 303.024, or a copy thereof, or some other
22 proof of financial responsibility in the form prescribed by the
23 director of revenue at the time of registration unless such owner
24 registers his vehicle in conjunction with a reciprocity agreement
25 entered into by the Missouri highway reciprocity commission
26 pursuant to sections 301.271 to 301.279 or unless the owner
27 insures the vehicle according to the requirements of the division
28 of motor carrier and railroad safety pursuant to section 390.126.

1 3. To ensure compliance with this chapter, the director may
2 utilize a variety of sampling techniques including but not
3 limited to random samples of registrations subject to this
4 section, uniform traffic tickets, insurance information provided
5 to the director at the time of motor vehicle registration, and
6 persons who during the preceding year have received a disposition
7 of court-ordered supervision or suspension. The director may
8 verify the financial responsibility of any person sampled or
9 reported.

10 (1) Beginning January 1, 2001, the director may require
11 such information, as in his or her discretion is necessary to
12 enforce the requirements of subdivision (1) of subsection 1 of
13 this section, to be submitted from the person's insurer or
14 insurance company. When requested by the director of revenue,
15 all licensed insurance companies in this state which sell private
16 passenger (noncommercial) motor vehicle insurance policies shall
17 report information regarding the issuance, nonrenewal and
18 cancellation of such policies to the director, excluding policies
19 issued to owners of fleet or rental vehicles or issued on
20 vehicles that are insured pursuant to a commercial line policy.
21 Such information shall be reported electronically in a format as
22 prescribed by the director of the department of revenue by rule
23 [except that such rule shall provide for an exemption from
24 electronic reporting for insurers with a statistically
25 insignificant number of policies in force].

26 (2) When required by the director of revenue, each
27 insurance company shall provide to the department a record of
28 each policy issued, cancelled, terminated or revoked during the

1 period since the previous report. [Nothing in this section shall
2 prohibit insurance companies from reporting more frequently than
3 once per month] The director of revenue may require insurance
4 companies to provide such records as frequently as he or she
5 deems necessary.

6 (3) The director may use reports described in subdivision
7 (1) of this subsection for sampling purposes as provided in this
8 section.

9 4. Information provided to the department by an insurance
10 company for use in accordance with this section is the property
11 of the insurer and is not subject to disclosure pursuant to
12 chapter 610. Such information may be utilized by the department
13 for enforcement of this chapter but may not be disclosed except
14 that the department shall disclose whether an individual is
15 maintaining the required insurance coverage upon request of the
16 following individuals and agencies only:

17 (1) The individual;

18 (2) The parent or legal guardian of an individual if the
19 individual is an unemancipated minor;

20 (3) The legal guardian of the individual if the individual
21 is legally incapacitated;

22 (4) Any person who has power of attorney from the
23 individual;

24 (5) Any person who submits a notarized release from the
25 individual that is dated no more than ninety days before the
26 request is made;

27 (6) Any person claiming loss or injury in a motor vehicle
28 accident in which the individual is involved;

1 (7) The office of the state auditor, for the purpose of
2 conducting any audit authorized by law.

3 5. The director may adopt any rules and regulations
4 necessary to carry out the provisions of subdivisions (1) through
5 (3) of subsection 3 of this section. Any rule or portion of a
6 rule, as that term is defined in section 536.010, that is created
7 under the authority delegated in this section shall become
8 effective only if it complies with and is subject to all of the
9 provisions of chapter 536 and, if applicable, section 536.028.
10 This section and chapter 536 are nonseverable and if any of the
11 powers vested with the general assembly pursuant to chapter 536
12 to review, to delay the effective date or to disapprove and annul
13 a rule are subsequently held unconstitutional, then the grant of
14 rulemaking authority and any rule proposed or adopted after
15 August 28, 2000, shall be invalid and void.

16 6. Any person or agency who knowingly discloses information
17 received from insurance companies pursuant to this section for
18 any purpose, or to a person, other than those authorized in this
19 section is guilty of a class A misdemeanor. No insurer shall be
20 liable to any person for performing its duties pursuant to this
21 section unless and to the extent the insurer commits a willful
22 and wanton act of omission.

23 7. The department of revenue shall notify the department of
24 commerce and insurance of any insurer who violates any provisions
25 of this section. The department of commerce and insurance may,
26 against any insurer who knowingly fails to comply with this
27 section, assess an administrative penalty up to five hundred
28 dollars per day of noncompliance. The department of commerce and

1 insurance may excuse the administrative penalty if an assessed
2 insurer provides acceptable proof that such insurer's
3 noncompliance was inadvertent, accidental or the result of
4 excusable neglect. The penalty provisions of this section shall
5 become effective six months after the rule issued pursuant to
6 subsections 3 and 5 of this section is published in the code of
7 state regulations.

8 8. To verify that financial responsibility is being
9 maintained, the director shall notify the owner or operator of
10 the need to provide, within fifteen days, proof of the existence
11 of the required financial responsibility. The request shall
12 require the owner or the operator to state whether or not the
13 motor vehicle was insured on the verification date stated in the
14 director's request. The request may include but not be limited
15 to a statement of the names and addresses of insurers, policy
16 numbers and expiration date of insurance coverage. Failure to
17 provide such information shall result in the suspension of the
18 registration of the owner's motor vehicle, and where applicable,
19 the owner's or the operator's driving privilege, for failing to
20 meet such requirements, as is provided in this chapter.

21 304.172. The provisions of sections 304.170 to 304.240
22 relating to height, width, [weight,] and length [and load]
23 restrictions for motor vehicles shall not apply to any motor
24 vehicle and its attached apparatus which is designed for use and
25 used by a fire department, fire protection district or volunteer
26 fire protection association or when being operated by a fire
27 apparatus manufacturer or sales organization for the purpose of
28 sale, demonstration, exhibit, or delivery to a fire department,

1 fire protection district or volunteer fire protection
2 association.

3 304.180. 1. No vehicle or combination of vehicles shall be
4 moved or operated on any highway in this state having a greater
5 weight than twenty thousand pounds on one axle, no combination of
6 vehicles operated by transporters of general freight over regular
7 routes as defined in section 390.020 shall be moved or operated
8 on any highway of this state having a greater weight than the
9 vehicle manufacturer's rating on a steering axle with the maximum
10 weight not to exceed twelve thousand pounds on a steering axle,
11 and no vehicle shall be moved or operated on any state highway of
12 this state having a greater weight than thirty-four thousand
13 pounds on any tandem axle; the term "tandem axle" shall mean a
14 group of two or more axles, arranged one behind another, the
15 distance between the extremes of which is more than forty inches
16 and not more than ninety-six inches apart.

17 2. An "axle load" is defined as the total load transmitted
18 to the road by all wheels whose centers are included between two
19 parallel transverse vertical planes forty inches apart, extending
20 across the full width of the vehicle.

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

27
28 Distance in feet between the extremes of any group of two or more

1 consecutive axles, measured to the nearest foot, except where
 2 indicated otherwise

3 Maximum load in pounds

4	feet	2 axles	3 axles	4 axles	5 axles	6 axles
5	4	34,000				
6	5	34,000				
7	6	34,000				
8	7	34,000				
9	8	34,000	34,000			
10	More than 8		38,000	42,000		
11	9	39,000	42,500			
12	10	40,000	43,500			
13	11	40,000	44,000			
14	12	40,000	45,000	50,000		
15	13	40,000	45,500	50,500		
16	14	40,000	46,500	51,500		
17	15	40,000	47,000	52,000		
18	16	40,000	48,000	52,500	58,000	
19	17	40,000	48,500	53,500	58,500	
20	18	40,000	49,500	54,000	59,000	
21	19	40,000	50,000	54,500	60,000	
22	20	40,000	51,000	55,500	60,500	66,000
23	21	40,000	51,500	56,000	61,000	66,500
24	22	40,000	52,500	56,500	61,500	67,000
25	23	40,000	53,000	57,500	62,500	68,000
26	24	40,000	54,000	58,000	63,000	68,500
27	25	40,000	54,500	58,500	63,500	69,000
28	26	40,000	55,500	59,500	64,000	69,500

1	27	40,000	56,000	60,000	65,000	70,000
2	28	40,000	57,000	60,500	65,500	71,000
3	29	40,000	57,500	61,500	66,000	71,500
4	30	40,000	58,500	62,000	66,500	72,000
5	31	40,000	59,000	62,500	67,500	72,500
6	32	40,000	60,000	63,500	68,000	73,000
7	33	40,000	60,000	64,000	68,500	74,000
8	34	40,000	60,000	64,500	69,000	74,500
9	35	40,000	60,000	65,500	70,000	75,000
10	36		60,000	66,000	70,500	75,500
11	37		60,000	66,500	71,000	76,000
12	38		60,000	67,500	72,000	77,000
13	39		60,000	68,000	72,500	77,500
14	40		60,000	68,500	73,000	78,000
15	41		60,000	69,500	73,500	78,500
16	42		60,000	70,000	74,000	79,000
17	43		60,000	70,500	75,000	80,000
18	44		60,000	71,500	75,500	80,000
19	45		60,000	72,000	76,000	80,000
20	46		60,000	72,500	76,500	80,000
21	47		60,000	73,500	77,500	80,000
22	48		60,000	74,000	78,000	80,000
23	49		60,000	74,500	78,500	80,000
24	50		60,000	75,500	79,000	80,000
25	51		60,000	76,000	80,000	80,000
26	52		60,000	76,500	80,000	80,000
27	53		60,000	77,500	80,000	80,000
28	54		60,000	78,000	80,000	80,000

1	55	60,000	78,500	80,000	80,000
2	56	60,000	79,500	80,000	80,000
3	57	60,000	80,000	80,000	80,000

4

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

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

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

27 6. Notwithstanding the weight limitations contained in this
28 section, any vehicle or combination of vehicles operating on

1 highways other than the interstate highway system may exceed
2 single axle, tandem axle and gross weight limitations in an
3 amount not to exceed two thousand pounds. However, total gross
4 weight shall not exceed eighty thousand pounds, except as
5 provided in subsections 9, 10, 12, and 13 of this section.

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

16 8. Notwithstanding the provision of this section to the
17 contrary, the maximum gross vehicle limit and axle weight limit
18 for any vehicle or combination of vehicles equipped with an idle
19 reduction technology may be increased by a quantity necessary to
20 compensate for the additional weight of the idle reduction system
21 as provided for in 23 U.S.C. Section 127, as amended. In no case
22 shall the additional weight increase allowed by this subsection
23 be greater than five hundred fifty pounds. Upon request by an
24 appropriate law enforcement officer, the vehicle operator shall
25 provide proof that the idle reduction technology is fully
26 functional at all times and that the gross weight increase is not
27 used for any purpose other than for the use of idle reduction
28 technology.

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

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

19 11. Notwithstanding any provision of this section or any
20 other law to the contrary, the commission shall issue emergency
21 utility response permits for the transporting of utility wires or
22 cables, poles, and equipment needed for repair work immediately
23 following a disaster where utility service has been disrupted.
24 Under exigent circumstances, verbal approval of such operation
25 may be made either by the department of transportation motor
26 carrier compliance supervisor or other designated motor carrier
27 services representative. Utility vehicles and equipment used to
28 assist utility companies granted special permits under this

1 subsection may be operated and transported on state-maintained
2 roads and highways at any time on any day. The commission shall
3 promulgate all necessary rules and regulations for the
4 administration of this section. Any rule or portion of a rule,
5 as that term is defined in section 536.010, that is created under
6 the authority delegated in this section shall become effective
7 only if it complies with and is subject to all of the provisions
8 of chapter 536 and, if applicable, section 536.028. This section
9 and chapter 536 are nonseverable and if any of the powers vested
10 with the general assembly pursuant to chapter 536 to review, to
11 delay the effective date, or to disapprove and annul a rule are
12 subsequently held unconstitutional, then the grant of rulemaking
13 authority and any rule proposed or adopted after August 28, 2014,
14 shall be invalid and void.

15 12. Notwithstanding any provision of this section to the
16 contrary, emergency vehicles designed to be used under emergency
17 conditions to transport personnel and equipment and to support
18 the suppression of fires and mitigate hazardous situations may
19 have a maximum gross vehicle weight of eighty-six thousand pounds
20 inclusive of twenty-four thousand pounds on a single steering
21 axle; thirty-three thousand five hundred pounds on a single drive
22 axle; sixty-two thousand pounds on a tandem axle; or fifty-two
23 thousand pounds on a tandem rear-drive steer axle; except that,
24 such emergency vehicles shall only operate on the Dwight D.
25 Eisenhower National System of Interstate and Defense Highways.

26 13. Notwithstanding any provision of this section to the
27 contrary, a vehicle operated by an engine fueled primarily by
28 natural gas may operate upon the public highways of this state in

1 excess of the vehicle weight limits set forth in this section by
2 an amount that is equal to the difference between the weight of
3 the vehicle attributable to the natural gas tank and fueling
4 system carried by that vehicle and the weight of a comparable
5 diesel tank and fueling system. In no event shall the maximum
6 gross vehicle weight of the vehicle operating with a natural gas
7 engine exceed eighty-two thousand pounds.

8 305.800. As used in sections 305.800 to 305.810, the
9 following terms mean:

10 (1) "Abandoned aircraft", an aircraft left in a wrecked,
11 inoperative, or partially dismantled condition at an airport; or
12 an aircraft that has remained in an idle state at an airport for
13 forty-five consecutive calendar days without a contractual
14 agreement between the owner or operator of the aircraft and the
15 airport for use of the airport premises;

16 (2) "Airport superintendent", the person or group of people
17 authorized to make decisions on behalf of an airport;

18 (3) "Derelict aircraft", any aircraft that is not in a
19 flyable condition, does not have a current certificate of
20 airworthiness issued by the Federal Aviation Administration, and
21 is not in the process of actively being repaired.

22 305.802. 1. If a derelict aircraft or abandoned aircraft
23 is discovered on airport property, the airport superintendent
24 shall:

25 (1) Make a record of the date the aircraft was discovered
26 on the airport property; and

27 (2) Inquire as to the name and address of any person having
28 an equitable or legal interest in the aircraft, including the

1 owner and any lienholders, by:

2 (a) Contacting the Federal Aviation Administration,
3 aircraft registration branch, and making a diligent search of the
4 appropriate records; or

5 (b) Contacting an aircraft title search company.

6 2. Within ten business days of receiving the information
7 requested under subsection 1 of this section, the airport
8 superintendent shall notify the owner and all other interested
9 parties by certified mail, return receipt requested:

10 (1) Of the location of the derelict or abandoned aircraft
11 on the airport property;

12 (2) That fees and charges for the use of the airport by the
13 aircraft have accrued and the amount of those fees and charges;

14 (3) That the aircraft is subject to a lien under section
15 305.806 for any unpaid and accrued fees and charges for the use
16 of the airport and for the transportation, storage, and removal
17 of the aircraft;

18 (4) That the lien is subject to enforcement under this
19 section;

20 (5) That the airport may use, trade, sell, or remove the
21 aircraft as described in section 305.804 if, within thirty
22 calendar days after the date of receipt of the notice, the owner
23 or other interested party has not removed the aircraft from the
24 airport and paid in full all accrued fees and charges for the use
25 of the airport and for the transportation, storage, and removal
26 of the aircraft; and

27 (6) That the airport superintendent may remove the aircraft
28 in less than thirty calendar days if the aircraft poses a danger

1 to the health or safety of users of the airport, as determined by
2 the airport superintendent.

3 3. (1) If the owner of the aircraft is unknown or cannot be
4 found after the inquiry required under subdivision (2) of
5 subsection 1 of this section, the airport superintendent shall
6 place a notice upon the aircraft in a conspicuous place
7 containing the information required under subdivisions (2), (3),
8 (4), (5), and (6) of subsection 2 of this section.

9 (2) The notice required under subdivision (1) of this
10 subsection shall be not less than eight inches by ten inches and
11 shall be laminated or otherwise sufficiently weatherproof to
12 withstand normal exposure to rain, snow, and other conditions.

13 305.804. 1. If the owner or other interested party has not
14 removed the aircraft from the airport and paid in full all
15 accrued fees and charges for the use of the airport and for the
16 transportation, storage, and removal of the aircraft, or shown
17 reasonable cause for the failure to do so within thirty calendar
18 days of the airport superintendent posting notice under section
19 305.802, the airport superintendent may:

20 (1) Retain the aircraft for use by the airport, the state,
21 or the unit of local government owning or operating the airport;

22 (2) Trade the aircraft to another unit of local government
23 or a state agency;

24 (3) Sell the aircraft; or

25 (4) Dispose of the aircraft through an appropriate refuse
26 removal company or a company that provides salvage services for
27 aircraft.

28 2. If the airport superintendent elects to sell the aircraft

1 in accordance with subdivision (3) of subsection 1 of this
2 section, the aircraft shall be sold at public auction after
3 giving notice of the time and place of sale, at least ten
4 calendar days prior to the date of sale, in a newspaper of
5 general circulation within the county where the airport is
6 located and after providing written notice of the intended sale
7 to all parties known to have an interest in the aircraft.

8 3. If the airport superintendent elects to dispose of the
9 aircraft in accordance with subdivision (4) of subsection 1 of
10 this section, the airport superintendent shall be entitled to
11 negotiate with the company for a price to be received from the
12 company in payment for the aircraft, or, if circumstances so
13 warrant, a price to be paid to the company by the airport
14 superintendent for the costs of disposing of the aircraft. All
15 information and records pertaining to the establishment of the
16 price and the justification for the amount of the price shall be
17 prepared and maintained by the airport superintendent.

18 4. If the sale price or the negotiated price is less than
19 the airport superintendent's current fees and charges against the
20 aircraft, the owner of the aircraft shall remain liable to the
21 airport superintendent for the fees and charges that are not
22 offset by the sale price or negotiated price.

23 5. All costs incurred by the airport superintendent in the
24 removal, storage, and sale of any aircraft shall be recoverable
25 against the owner of the aircraft.

26 305.806. 1. The airport superintendent shall have a lien on
27 a derelict or abandoned aircraft for all unpaid fees and charges
28 for the use of the airport by the aircraft and for all unpaid

1 costs incurred by the airport superintendent for the
2 transportation, storage, and removal of the aircraft. As a
3 prerequisite to perfecting a lien under this section, the airport
4 superintendent shall serve a notice on the last registered owner
5 and all persons having an equitable or legal interest in the
6 aircraft.

7 2. (1) For the purpose of perfecting a lien under this
8 section, the airport superintendent shall file a claim of lien
9 that states:

10 (a) The name and address of the airport;

11 (b) The name of the last registered owner of the aircraft
12 and all persons having a legal or equitable interest in the
13 aircraft;

14 (c) The fees and charges incurred by the aircraft for the
15 use of the airport and the costs for the transportation, storage,
16 and removal of the aircraft; and

17 (d) A description of the aircraft sufficient for
18 identification.

19 (2) The claim of lien shall be signed and sworn to or
20 affirmed by the airport superintendent's director or the
21 director's designee.

22 (3) The claim of lien shall be served on the last
23 registered owner of the aircraft and all persons having an
24 equitable or legal interest in the aircraft. The claim of lien
25 shall be served before filing.

26 (4) The claim of lien shall be filed with the proper office
27 according to section 400-9.501. The filing of the claim of lien
28 shall be constructive notice to all persons of the contents and

1 effect of such claim. The lien shall attach at the time of
2 filing and shall take priority as of that time.

3 305.808. 1. If the aircraft is sold, the airport
4 superintendent shall satisfy the airport superintendent's lien,
5 plus the reasonable expenses of notice, advertisement, and sale
6 from the proceeds of the sale.

7 2. The balance of the proceeds of the sale, if any, shall
8 be held by the airport superintendent and delivered on demand to
9 the owner of the aircraft.

10 3. If no person claims the balance within twelve months of
11 the date of sale, the airport shall retain the funds and use the
12 funds for airport operations.

13 305.810. 1. Any person acquiring a legal interest in an
14 aircraft under sections 305.800 to 305.810 shall be the lawful
15 owner of the aircraft and all other legal or equitable interests
16 in that aircraft shall be divested; provided that, the holder of
17 any legal or equitable interest was notified of the intended
18 disposal of the aircraft as required under sections 305.800 to
19 305.810.

20 2. The airport superintendent may issue documents of
21 disposition to the purchaser or recipient of an aircraft disposed
22 of under sections 305.800 to 305.810.

23 306.127. 1. Beginning January 1, 2005, every person born
24 after January 1, 1984, or as required pursuant to section
25 306.128, who operates a vessel on the lakes of this state shall
26 possess, on the vessel, a boating safety identification card
27 issued by the water patrol division or its agent which shows that
28 he or she has:

1 (1) Successfully completed a boating safety course approved
2 by the National Association of State Boating Law Administrators
3 and certified by the water patrol division. The boating safety
4 course may include a course sponsored by the United States Coast
5 Guard Auxiliary or the United States Power Squadron. The water
6 patrol division may appoint agents to administer a boater
7 education course or course equivalency examination and issue
8 boater identification cards under guidelines established by the
9 water patrol. The water patrol division shall maintain a list of
10 approved courses; or

11 (2) Successfully passed an equivalency examination prepared
12 by the water patrol division and administered by the water patrol
13 division or its agent. The equivalency examination shall have a
14 degree of difficulty equal to, or greater than, that of the
15 examinations given at the conclusion of an approved boating
16 safety course; or

17 (3) A valid master's, mate's, or operator's license issued
18 by the United States Coast Guard.

19 2. The water patrol division or its agent shall issue a
20 permanent boating safety identification card to each person who
21 complies with the requirements of this section which is valid for
22 life unless invalidated pursuant to law.

23 3. The water patrol division may charge a fee for such card
24 or any replacement card that does not substantially exceed the
25 costs of administering this section. The water patrol division
26 or its designated agent shall collect such fees. These funds
27 shall be forwarded to general revenue.

28 4. The provisions of this section shall not apply to any

1 person who:

2 (1) Is licensed by the United States Coast Guard to serve
3 as master of a vessel;

4 (2) Operates a vessel only on a private lake or pond that
5 is not classified as waters of the state;

6 (3) Until January 1, 2006, is a nonresident who is visiting
7 the state for sixty days or less;

8 (4) Is participating in an event or regatta approved by the
9 water patrol;

10 (5) Is a nonresident who has proof of a valid boating
11 certificate or license issued by another state if the boating
12 course is approved by the National Association of State Boating
13 Law Administrators (NASBLA);

14 (6) Is exempted by rule of the water patrol;

15 (7) Is currently serving in any branch of the United States
16 Armed Forces, reserves, or Missouri National Guard, or any spouse
17 of a person currently in such service; or

18 (8) Has previously successfully completed a boating safety
19 education course approved by the National Association of State
20 Boating Law Administrators (NASBLA).

21 5. The water patrol division shall inform other states of
22 the requirements of this section.

23 6. No individual shall be detained or stopped strictly for
24 the purpose of checking whether the individual possesses a
25 boating safety identification card or a temporary boater
26 education permit.

27 7. Any person or company that rents or sells vessels may
28 issue a temporary boating safety identification card to an

1 individual to operate a rented vessel or a vessel being
2 considered for sale, for a period of up to seven days, provided
3 that the individual meets the minimum age requirements for
4 operating a vessel in this state. In order to qualify for the
5 temporary boating safety identification card, the applicant shall
6 provide a valid driver's license and shall sign an affidavit that
7 he or she has reviewed the Missouri state highway patrol handbook
8 of Missouri boating laws and responsibilities. Any individual
9 holding a valid temporary boating safety identification card
10 shall be deemed in compliance with the requirements of this
11 section. The Missouri state highway patrol shall charge a fee of
12 nine dollars for such temporary boating safety identification
13 card. Individuals shall not be eligible for more than one
14 temporary boating safety identification card. No person or
15 company may issue a temporary boating safety identification card
16 to an individual under the provisions of this subsection unless
17 such person or company is capable of submitting the applicant's
18 temporary boating safety identification card information and
19 payment in an electronic format as prescribed by the Missouri
20 state highway patrol. The business entity issuing a temporary
21 boating safety identification card to an individual under the
22 provisions of this subsection shall transmit the applicant's
23 temporary boating safety identification card information
24 electronically to the Missouri state highway patrol, in a manner
25 and format prescribed by the superintendent, using an electronic
26 online registration process developed and provided by the
27 Missouri state highway patrol. The electronic online process
28 developed and provided by the Missouri state highway patrol shall

1 allow the applicant to pay the temporary boating safety
2 identification card fee by credit card or debit card.
3 Notwithstanding any provision in section 306.185 to the contrary,
4 all fees collected under the authority of this subsection shall
5 be deposited in the water patrol division fund. The Missouri
6 state highway patrol shall promulgate rules for developing the
7 temporary boating safety identification card and any requirements
8 necessary to the issuance, processing, and payment of the
9 temporary boating safety identification card. The Missouri state
10 highway patrol shall, by rule, develop a boating safety checklist
11 for each applicant seeking a temporary boating safety
12 identification card. Nothing in this subsection shall allow a
13 holder of a temporary boating safety identification card to
14 receive a notation on the person's driver's license or nondriver
15 identification under section 302.184. The provisions of this
16 subsection shall expire on December 31, [2022] 2032.

17 307.015. 1. Trucks, semitrailers, and trailers, except
18 utility trailers, without rear fenders, attached to a commercial
19 motor vehicle registered for over twenty-four thousand pounds
20 shall be equipped with mud flaps for the rear wheels when
21 operated on the public highways of this state. If mud flaps are
22 used, they shall be wide enough to cover the full tread width of
23 the tire or tires being protected; shall be so installed that
24 they extend from the underside of the vehicle body in a vertical
25 plane behind the rear wheels to within twelve inches of the
26 ground for dump trucks and within eight inches of the ground for
27 all other vehicles required to be equipped with mud flaps under
28 this section; and shall be constructed of a rigid material or a

1 flexible material which is of a sufficiently rigid character to
2 provide adequate protection when the vehicle is in motion. No
3 provisions of this section shall apply to a motor vehicle in
4 transit and in process of delivery equipped with temporary mud
5 flaps, to farm implements, or to any vehicle which is not
6 required to be registered.

7 2. For purposes of this section, "dump truck" means a truck
8 whose contents can be emptied without handling, where the front
9 end of the platform can be hydraulically raised so that the load
10 is discharged by gravity.

11 3. Any person who violates this section is guilty of an
12 infraction and, upon plea or finding of guilt, shall be punished
13 as provided by law.

14 407.815. As used in sections 407.810 to 407.835, unless the
15 context otherwise requires, the following terms mean:

16 (1) "Administrative hearing commission", the body
17 established in chapter 621 to conduct administrative hearings;

18 (2) "All-terrain vehicle", any motorized vehicle
19 manufactured and used exclusively for off-highway use [which is
20 fifty inches or less in width], with an unladen dry weight of
21 [six] one thousand five hundred pounds or less, traveling on
22 three, four or more [low pressure] nonhighway tires, with either:

23 (a) A seat designed to be straddled by the operator, and
24 handlebars for steering control; or

25 (b) A width of fifty inches or less, measured from outside
26 of tire rim to outside of tire rim, regardless of seating or
27 steering arrangement;

28 (3) "Coerce", to compel or attempt to compel a person to

1 act in a given manner by pressure, intimidation, or threat of
2 harm, damage, or breach of contract, but shall not include the
3 following:

4 (a) Good faith recommendations, exposition, argument,
5 persuasion or attempts at persuasion without unreasonable
6 conditions;

7 (b) Notice given in good faith to any franchisee of such
8 franchisee's violation of terms or provisions of such franchise
9 or contractual agreement; or

10 (c) Any conduct set forth in sections 407.810 to 407.835
11 that is permitted of the franchisor;

12 (4) "Common entity", a person:

13 (a) Who is either controlled or owned, beneficially or of
14 record, by one or more persons who also control or own more than
15 forty percent of the voting equity interest of a franchisor; or

16 (b) Who shares directors or officers or partners with a
17 franchisor;

18 (5) "Control", to possess, directly or indirectly, the
19 power to direct or cause the direction of the management or
20 policies of a person, whether through the ownership of voting
21 securities, by contract, or otherwise; except that "control" does
22 not include the relationship between a franchisor and a
23 franchisee under a franchise agreement;

24 (6) "Dealer-operator", the individual who works at the
25 established place of business of a dealer and who is responsible
26 for and in charge of day-to-day operations of that place of
27 business;

28 (7) "Distributor", a person, resident or nonresident, who,

1 in whole or in part, sells or distributes new motor vehicles to
2 motor vehicle dealers in this state;

3 (8) "Franchise" or "franchise agreement", a written
4 arrangement or contract for a definite or indefinite period, in
5 which a person grants to another person a license to use, or the
6 right to grant to others a license to use, a trade name,
7 trademark, service mark, or related characteristics, in which
8 there is a community of interest in the marketing of goods or
9 services, or both, at wholesale or retail, by agreement, lease or
10 otherwise, and in which the operation of the franchisee's
11 business with respect to such franchise is substantially reliant
12 on the franchisor for the continued supply of franchised new
13 motor vehicles, parts and accessories for sale at wholesale or
14 retail. The franchise includes all portions of all agreements
15 between a franchisor and a franchisee, including but not limited
16 to a contract, new motor vehicle franchise, sales and service
17 agreement, or dealer agreement, regardless of the terminology
18 used to describe the agreement or relationship between the
19 franchisor and franchisee, and also includes all provisions,
20 schedules, attachments, exhibits and agreements incorporated by
21 reference therein;

22 (9) "Franchisee", a person to whom a franchise is granted;

23 (10) "Franchisor", a person who grants a franchise to
24 another person;

25 (11) "Good faith", the duty of each party to any franchise
26 and all officers, employees, or agents thereof, to act in a fair
27 and equitable manner toward each other so as to guarantee the one
28 party freedom from coercion, intimidation, or threat of coercion

1 or intimidation from the other party;

2 (12) "Importer", a person who has written authorization
3 from a foreign manufacturer of a line-make of motor vehicles to
4 grant a franchise to a motor vehicle dealer in this state with
5 respect to that line-make;

6 (13) "Line-make", a collection of models, series, or groups
7 of motor vehicles manufactured by or for a particular
8 manufacturer, distributor or importer offered for sale, lease or
9 distribution pursuant to a common brand name or mark; provided,
10 however:

11 (a) Multiple brand names or marks may constitute a single
12 line-make, but only when included in a common dealer agreement
13 and the manufacturer, distributor or importer offers such
14 vehicles bearing the multiple names or marks together only, and
15 not separately, to its authorized dealers; and

16 (b) Motor vehicles bearing a common brand name or mark may
17 constitute separate line-makes when pertaining to motor vehicles
18 subject to separate dealer agreements or when such vehicles are
19 intended for different types of use;

20 (14) "Manufacturer", any person, whether a resident or
21 nonresident of this state, who manufactures or assembles motor
22 vehicles or who manufactures or installs on previously assembled
23 truck chassis special bodies or equipment which, when installed,
24 form an integral part of the motor vehicle and which constitute a
25 major manufacturing alteration. The term "manufacturer" includes
26 a central or principal sales corporation or other entity, other
27 than a franchisee, through which, by contractual agreement or
28 otherwise, it distributes its products;

1 (15) "Motor vehicle", for the purposes of sections 407.810
2 to 407.835, any motor-driven vehicle required to be registered
3 pursuant to the provisions of chapter 301, except that,
4 motorcycles and all-terrain vehicles as defined in section
5 301.010 shall not be included. The term "motor vehicle" shall
6 also include any engine, transmission, or rear axle, regardless
7 of whether attached to a vehicle chassis, that is manufactured
8 for the installation in any motor-driven vehicle with a gross
9 vehicle weight rating of more than sixteen thousand pounds that
10 is registered for the operations on the highways of this state
11 under chapter 301;

12 (16) "New", when referring to motor vehicles or parts,
13 means those motor vehicles or parts which have not been held
14 except as inventory, as that term is defined in subdivision (4)
15 of section 400.9-109;

16 (17) "Person", a natural person, sole proprietor,
17 partnership, corporation, or any other form of business entity or
18 organization;

19 (18) "Principal investor", the owner of the majority
20 interest of any franchisee;

21 (19) "Reasonable", shall be based on the circumstances of a
22 franchisee in the market served by the franchisee;

23 (20) "Require", to impose upon a franchisee a provision not
24 required by law or previously agreed to by a franchisee in a
25 franchise agreement;

26 (21) "Successor manufacturer", any manufacturer that
27 succeeds, or assumes any part of the business of, another
28 manufacturer, referred to as the "predecessor manufacturer", as

1 the result of:

2 (a) A change in ownership, operation, or control of the
3 predecessor manufacturer by sale or transfer of assets, corporate
4 stock, or other equity interest, assignment, merger,
5 consolidation, combination, joint venture, redemption,
6 court-approved sale, operation of law, or otherwise;

7 (b) The termination, suspension or cessation of a part or
8 all of the business operations of the predecessor manufacturer;

9 (c) The noncontinuation of the sale of the product line; or

10 (d) A change in distribution system by the predecessor
11 manufacturer, whether through a change in distributor or the
12 predecessor manufacturer's decision to cease conducting business
13 through a distributor altogether.

14 407.1025. As used in sections 407.1025 to 407.1049, unless
15 the context otherwise requires, the following terms mean:

16 (1) "Administrative hearing commission", the body
17 established in chapter 621 to conduct administrative hearings;

18 (2) "All-terrain vehicle", any motorized vehicle
19 manufactured and used exclusively for off-highway use [which is
20 fifty inches or less in width], with an unladen dry weight of
21 [six] one thousand five hundred pounds or less, traveling on
22 three, four or more [low pressure] nonhighway tires, with either:

23 (a) A seat designed to be straddled by the operator, and
24 handlebars for steering control; or

25 (b) A width of fifty inches or less, measured from outside
26 of tire rim to outside of tire rim, regardless of seating or
27 steering arrangement;

28 (3) "Coerce", to force a person to act in a given manner or

1 to compel by pressure or threat but shall not be construed to
2 include the following:

3 (a) Good faith recommendations, exposition, argument,
4 persuasion or attempts at persuasion;

5 (b) Notice given in good faith to any franchisee of such
6 franchisee's violation of terms or provisions of such franchise
7 or contractual agreement;

8 (c) Any other conduct set forth in section 407.1043 as a
9 defense to an action brought pursuant to sections 407.1025 to
10 407.1049; or

11 (d) Any other conduct set forth in sections 407.1025 to
12 407.1049 that is permitted of the franchisor or is expressly
13 excluded from coercion or a violation of sections 407.1025 to
14 407.1049;

15 (4) "Franchise", a written arrangement or contract for a
16 definite or indefinite period, in which a person grants to
17 another person a license to use, or the right to grant to others
18 a license to use, a trade name, trademark, service mark, or
19 related characteristics, in which there is a community of
20 interest in the marketing of goods or services, or both, at
21 wholesale or retail, by agreement, lease or otherwise, and in
22 which the operation of the franchisee's business with respect to
23 such franchise is substantially reliant on the franchisor for the
24 continued supply of franchised new motorcycles or all-terrain
25 vehicles, parts and accessories for sale at wholesale or retail;

26 (5) "Franchisee", a person to whom a franchise is granted;

27 (6) "Franchisor", a person who grants a franchise to
28 another person;

1 (7) "Motorcycle", a motor vehicle operated on two wheels;

2 (8) "New", when referring to motorcycles or all-terrain
3 vehicles or parts, means those motorcycles or all-terrain
4 vehicles or parts which have not been held except as inventory,
5 as that term is defined in subdivision (4) of section 400.9-109;

6 (9) "Person", a sole proprietor, partnership, corporation,
7 or any other form of business organization.

8 407.1329. If the RV dealer agreement is terminated,
9 cancelled, or not renewed by the manufacturer for cause, or if
10 the dealer voluntarily terminates an RV dealer agreement in a
11 manner permitted by such agreement, or if the manufacturer
12 terminates or discontinues a franchise by discontinuing a line-
13 make or by ceasing to do business in this state, or if the
14 manufacturer changes the distributor or method of distribution of
15 its products in this state or alters its sales regions or
16 marketing areas within this state in a manner that eliminates or
17 diminishes the dealer's market area, the manufacturer shall, at
18 the election of the RV dealer, within thirty days of termination,
19 repurchase:

20 (1) [(a) All new, untitled current model year recreation
21 vehicle inventory, acquired from the manufacturer, which has not
22 been used (except for demonstration purposes), altered or damaged
23 to the extent that such damage must be disclosed to the consumer
24 pursuant to section 407.1343, at one hundred percent of the net
25 invoice cost, including transportation, less applicable rebates
26 and discounts to the dealer; and

27 (b) All new, untitled recreation vehicle inventory of the
28 prior model year, acquired from the manufacturer, provided the

1 prior model year vehicles have not been altered, used (except for
2 demonstration purposes) or damaged to the extent that such damage
3 must be disclosed to the consumer pursuant to section 407.1343,
4 and were drafted on the dealer's financing source or paid within
5 one hundred twenty days prior to the effective date of the
6 termination, cancellation, or nonrenewal.

7
8 In the event any of the vehicles repurchased pursuant to this
9 subdivision are damaged, but do not trigger the consumer
10 disclosure requirement, the amount due the dealer shall be
11 reduced by the cost to repair the vehicle. Damage prior to
12 delivery to dealer that is disclosed at the time of delivery will
13 not disqualify repurchase under this provision] All new,
14 untitled recreation vehicle inventory, acquired from the
15 manufacturer in the previous eighteen months, which has not been
16 altered or damaged to the extent that such damage must be
17 disclosed to the consumer pursuant to section 407.1343, at one
18 hundred percent of the net invoice cost, including
19 transportation, less applicable rebates and discounts to the
20 dealer;

21 (2) All current and undamaged manufacturer's accessories
22 and proprietary parts sold to the dealer for resale, if
23 accompanied by the original invoice, at one hundred five percent
24 of the original net price paid to the manufacturer to compensate
25 the dealer for handling, packing, and shipping the parts; and

26 (3) Any fully and correctly functioning diagnostic
27 equipment, special tools, current signage and other equipment and
28 machinery, at one hundred percent of the dealer's net cost plus

1 freight, destination, delivery and distribution charges and sales
2 taxes, if any, provided it was purchased by the dealer within
3 five years before termination and upon the manufacturer's request
4 and can no longer be used in the normal course of the dealer's
5 ongoing business.

6
7 The manufacturer shall pay the dealer within thirty days of
8 receipt of [the returned] all items returned for repurchase under
9 this section.

10 577.001. As used in this chapter, the following terms mean:

11 (1) "Aggravated offender", a person who has been found
12 guilty of:

13 (a) Three or more intoxication-related traffic offenses
14 committed on separate occasions; or

15 (b) Two or more intoxication-related traffic offenses
16 committed on separate occasions where at least one of the
17 intoxication-related traffic offenses is an offense committed in
18 violation of any state law, county or municipal ordinance, any
19 federal offense, or any military offense in which the defendant
20 was operating a vehicle while intoxicated and another person was
21 injured or killed;

22 (2) "Aggravated boating offender", a person who has been
23 found guilty of:

24 (a) Three or more intoxication-related boating offenses; or

25 (b) Two or more intoxication-related boating offenses
26 committed on separate occasions where at least one of the
27 intoxication-related boating offenses is an offense committed in
28 violation of any state law, county or municipal ordinance, any

1 federal offense, or any military offense in which the defendant
2 was operating a vessel while intoxicated and another person was
3 injured or killed;

4 (3) "All-terrain vehicle", any motorized vehicle
5 manufactured and used exclusively for off-highway use [which is
6 fifty inches or less in width], with an unladen dry weight of one
7 thousand five hundred pounds or less, traveling on three, four or
8 more [low pressure] nonhighway tires, with either:

9 (a) A seat designed to be straddled by the operator, or
10 with a seat designed to carry more than one person, and
11 handlebars for steering control; or

12 (b) A width of fifty inches or less, measured from outside
13 of tire rim to outside of tire rim, regardless of seating or
14 steering arrangement;

15 (4) "Court", any circuit, associate circuit, or municipal
16 court, including traffic court, but not any juvenile court or
17 treatment court;

18 (5) "Chronic offender", a person who has been found guilty
19 of:

20 (a) Four or more intoxication-related traffic offenses
21 committed on separate occasions; or

22 (b) Three or more intoxication-related traffic offenses
23 committed on separate occasions where at least one of the
24 intoxication-related traffic offenses is an offense committed in
25 violation of any state law, county or municipal ordinance, any
26 federal offense, or any military offense in which the defendant
27 was operating a vehicle while intoxicated and another person was
28 injured or killed; or

1 (c) Two or more intoxication-related traffic offenses
2 committed on separate occasions where both intoxication-related
3 traffic offenses were offenses committed in violation of any
4 state law, county or municipal ordinance, any federal offense, or
5 any military offense in which the defendant was operating a
6 vehicle while intoxicated and another person was injured or
7 killed;

8 (6) "Chronic boating offender", a person who has been found
9 guilty of:

10 (a) Four or more intoxication-related boating offenses; or

11 (b) Three or more intoxication-related boating offenses
12 committed on separate occasions where at least one of the
13 intoxication-related boating offenses is an offense committed in
14 violation of any state law, county or municipal ordinance, any
15 federal offense, or any military offense in which the defendant
16 was operating a vessel while intoxicated and another person was
17 injured or killed; or

18 (c) Two or more intoxication-related boating offenses
19 committed on separate occasions where both intoxication-related
20 boating offenses were offenses committed in violation of any
21 state law, county or municipal ordinance, any federal offense, or
22 any military offense in which the defendant was operating a
23 vessel while intoxicated and another person was injured or
24 killed;

25 (7) "Continuous alcohol monitoring", automatically testing
26 breath, blood, or transdermal alcohol concentration levels and
27 tampering attempts at least once every hour, regardless of the
28 location of the person who is being monitored, and regularly

1 transmitting the data. Continuous alcohol monitoring shall be
2 considered an electronic monitoring service under subsection 3 of
3 section 217.690;

4 (8) "Controlled substance", a drug, substance, or immediate
5 precursor in schedules I to V listed in section 195.017;

6 (9) "Drive", "driving", "operates" or "operating",
7 physically driving or operating a vehicle or vessel;

8 (10) "Flight crew member", the pilot in command, copilots,
9 flight engineers, and flight navigators;

10 (11) "Habitual offender", a person who has been found
11 guilty of:

12 (a) Five or more intoxication-related traffic offenses
13 committed on separate occasions; or

14 (b) Four or more intoxication-related traffic offenses
15 committed on separate occasions where at least one of the
16 intoxication-related traffic offenses is an offense committed in
17 violation of any state law, county or municipal ordinance, any
18 federal offense, or any military offense in which the defendant
19 was operating a vehicle while intoxicated and another person was
20 injured or killed; or

21 (c) Three or more intoxication-related traffic offenses
22 committed on separate occasions where at least two of the
23 intoxication-related traffic offenses were offenses committed in
24 violation of any state law, county or municipal ordinance, any
25 federal offense, or any military offense in which the defendant
26 was operating a vehicle while intoxicated and another person was
27 injured or killed;

28 (12) "Habitual boating offender", a person who has been

1 found guilty of:

2 (a) Five or more intoxication-related boating offenses; or

3 (b) Four or more intoxication-related boating offenses
4 committed on separate occasions where at least one of the
5 intoxication-related boating offenses is an offense committed in
6 violation of any state law, county or municipal ordinance, any
7 federal offense, or any military offense in which the defendant
8 was operating a vessel while intoxicated and another person was
9 injured or killed; or

10 (c) Three or more intoxication-related boating offenses
11 committed on separate occasions where at least two of the
12 intoxication-related boating offenses were offenses committed in
13 violation of any state law, county or municipal ordinance, any
14 federal offense, or any military offense in which the defendant
15 was operating a vessel while intoxicated and another person was
16 injured or killed; or

17 (d) While boating while intoxicated, the defendant acted
18 with criminal negligence to:

19 a. Cause the death of any person not a passenger in the
20 vessel operated by the defendant, including the death of an
21 individual that results from the defendant's vessel leaving the
22 water; or

23 b. Cause the death of two or more persons; or

24 c. Cause the death of any person while he or she has a
25 blood alcohol content of at least eighteen-hundredths of one
26 percent by weight of alcohol in such person's blood;

27 (13) "Intoxicated" or "intoxicated condition", when a
28 person is under the influence of alcohol, a controlled substance,

1 or drug, or any combination thereof;

2 (14) "Intoxication-related boating offense", operating a
3 vessel while intoxicated; boating while intoxicated; operating a
4 vessel with excessive blood alcohol content or an offense in
5 which the defendant was operating a vessel while intoxicated and
6 another person was injured or killed in violation of any state
7 law, county or municipal ordinance, any federal offense, or any
8 military offense;

9 (15) "Intoxication-related traffic offense", driving while
10 intoxicated, driving with excessive blood alcohol content,
11 driving under the influence of alcohol or drugs in violation of a
12 state law, county or municipal ordinance, any federal offense, or
13 any military offense, or an offense in which the defendant was
14 operating a vehicle while intoxicated and another person was
15 injured or killed in violation of any state law, county or
16 municipal ordinance, any federal offense, or any military
17 offense;

18 (16) "Law enforcement officer" or "arresting officer",
19 includes the definition of law enforcement officer in section
20 556.061 and military policemen conducting traffic enforcement
21 operations on a federal military installation under military
22 jurisdiction in the state of Missouri;

23 (17) "Operate a vessel", to physically control the movement
24 of a vessel in motion under mechanical or sail power in water;

25 (18) "Persistent offender", a person who has been found
26 guilty of:

27 (a) Two or more intoxication-related traffic offenses
28 committed on separate occasions; or

1 (b) One intoxication-related traffic offense committed in
2 violation of any state law, county or municipal ordinance,
3 federal offense, or military offense in which the defendant was
4 operating a vehicle while intoxicated and another person was
5 injured or killed;

6 (19) "Persistent boating offender", a person who has been
7 found guilty of:

8 (a) Two or more intoxication-related boating offenses
9 committed on separate occasions; or

10 (b) One intoxication-related boating offense committed in
11 violation of any state law, county or municipal ordinance,
12 federal offense, or military offense in which the defendant was
13 operating a vessel while intoxicated and another person was
14 injured or killed;

15 (20) "Prior offender", a person who has been found guilty
16 of one intoxication-related traffic offense, where such prior
17 offense occurred within five years of the occurrence of the
18 intoxication-related traffic offense for which the person is
19 charged;

20 (21) "Prior boating offender", a person who has been found
21 guilty of one intoxication-related boating offense, where such
22 prior offense occurred within five years of the occurrence of the
23 intoxication-related boating offense for which the person is
24 charged.

25 Section B. The enactment of section 302.205 of this act
26 shall become effective on July 31, 2021.