

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

AN ACT

To repeal sections 32.300, 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, 303.200, 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-seven 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, 143.441, 144.070, 144.805,
2 227.600, 300.010, 301.010, 301.030, 301.032, 301.140, 301.190,
3 301.193, 301.210, 301.213, 301.280, 301.560, 301.564, 301.3174,
4 302.170, 302.181, 302.720, 303.026, 303.200, 304.172, 304.180,
5 306.127, 307.015, 407.815, 407.1025, 407.1329, and 577.001 RSMo,
6 is repealed and forty-seven new sections enacted in lieu thereof,
7 to be known as sections 32.300, 143.441, 144.070, 144.805,
8 163.164, 227.476, 227.600, 227.803, 227.804, 300.010, 301.010,
9 301.030, 301.032, 301.140, 301.190, 301.193, 301.210, 301.213,
10 301.280, 301.560, 301.564, 301.576, 301.3069, 301.3159, 301.3174,
11 301.3176, 302.170, 302.181, 302.205, 302.720, 302.723, 303.026,
12 303.200, 304.172, 304.180, 305.800, 305.802, 305.804, 305.806,
13 305.808, 305.810, 306.127, 307.015, 407.815, 407.1025, 407.1329,

1 and 577.001, to read as follows:

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

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

27 3. Notwithstanding any provision of law to the contrary,
28 applicants who have applied in person and received a driver's or

1 nondriver's license in accordance with chapter 302 may apply for
2 no more than one consecutive three-year or six-year license
3 renewal remotely in accordance with this section. Remote
4 application for renewal shall be made within six months before or
5 after the expiration date of the license in accordance with
6 section 302.173.

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

28 143.441. 1. The term "corporation" means every

1 corporation, association, joint stock company and joint stock
2 association organized, authorized or existing under the laws of
3 this state and includes:

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

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

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

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

25 (c) The taxpayer is in the same affiliated group as an
26 airline;

27 (3) Every corporation, or receiver in charge of the
28 property thereof, which owns or operates a bridge between this

1 and any other state; and

2 (4) Every corporation, or receiver in charge of the
3 property thereof, which operates a telephone line or lines
4 extending from this state to another state or states or a
5 telegraph line or lines extending from this state to another
6 state or states.

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

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

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

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

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

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

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

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

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

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

27 4. The director of the department of revenue shall endorse
28 upon the official certificate of title issued by the director

1 upon such application an entry showing that such sales tax has
2 been paid or that the motor vehicle, trailer, boat, or outboard
3 motor represented by such certificate is exempt from sales tax
4 and state the ground for such exemption.

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

24 6. Every applicant to be a [lease or rental company]
25 registered fleet owner as described in subsections 6 to 10 of
26 section 301.032 shall furnish with the application to operate as
27 a registered fleet owner a corporate surety bond or irrevocable
28 letter of credit, as defined in section 400.5-102, issued by any

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

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

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

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

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

1 (4) Has registered under the fictitious name provisions of
2 sections 417.200 to 417.230 each of its divisions doing business
3 in Missouri as a leasing company; and

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

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

27 9. Any person, company, or corporation engaged in the
28 business of renting or leasing three thousand five hundred or

1 more motor vehicles which are to be used exclusively for rental
2 or leasing purposes and not for resale, and that has applied to
3 the director of revenue for authority to operate as a leasing
4 company may also operate as a registered fleet owner as
5 prescribed in section 301.032.

6 10. Beginning July 1, 2010, any motor vehicle dealer
7 licensed under section 301.560 engaged in the business of selling
8 motor vehicles or trailers may apply to the director of revenue
9 for authority to collect and remit the sales tax required under
10 this section on all motor vehicles sold by the motor vehicle
11 dealer. A motor vehicle dealer receiving authority to collect and
12 remit the tax is subject to all provisions under sections 144.010
13 to 144.525. Any motor vehicle dealer authorized to collect and
14 remit sales taxes on motor vehicles under this subsection shall
15 be entitled to deduct and retain an amount equal to two percent
16 of the motor vehicle sales tax pursuant to section 144.140. Any
17 amount of the tax collected under this subsection that is
18 retained by a motor vehicle dealer pursuant to section 144.140
19 shall not constitute state revenue. In no event shall revenues
20 from the general revenue fund or any other state fund be utilized
21 to compensate motor vehicle dealers for their role in collecting
22 and remitting sales taxes on motor vehicles. In the event this
23 subsection or any portion thereof is held to violate Article IV,
24 Section 30(b) of the Missouri Constitution, no motor vehicle
25 dealer shall be authorized to collect and remit sales taxes on
26 motor vehicles under this section. No motor vehicle dealer shall
27 seek compensation from the state of Missouri or its agencies if a
28 court of competent jurisdiction declares that the retention of

1 two percent of the motor vehicle sales tax is unconstitutional
2 and orders the return of such revenues.

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

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

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

10 3. The provisions of this section shall apply to all
11 purchases and deliveries of aviation jet fuel from and after May
12 10, 1993.

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

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

23 163.164. 1. Notwithstanding any provision of law to the
24 contrary, in any fiscal year in which the total appropriation for
25 the formula pursuant to section 163.031 is in excess of the
26 amount reimbursed to public schools, the department of elementary
27 and secondary education shall transfer such excess cash balances
28 by the fifteenth day of the succeeding fiscal year to the school

1 transportation fund established in this section.

2 2. (1) There is hereby created in the state treasury the
3 "School Transportation Fund", which shall consist of money
4 collected under this section. The state treasurer shall be
5 custodian of the fund. In accordance with sections 30.170 and
6 30.180, the state treasurer may approve disbursements. The fund
7 shall be administered by the commissioner of the department of
8 elementary and secondary education. The school transportation
9 fund shall consist of moneys transferred by the department
10 pursuant to subsection 1 of this section, to be used by public
11 school districts to provide transportation to students. Such
12 funds shall be paid to public school districts in addition to the
13 state aid provided for transportation pursuant to section
14 163.161, based on the cost of pupil transportation in accordance
15 with section 163.161.

16 (2) Notwithstanding the provisions of section 33.080 to the
17 contrary, any moneys remaining in the fund at the end of the
18 biennium shall not revert to the credit of the general revenue
19 fund.

20 (3) The state treasurer shall invest moneys in the fund in
21 the same manner as other funds are invested. Any interest and
22 moneys earned on such investments shall be credited to the fund.

23 3. The provisions of this section shall not apply in any
24 year in which state transportation aid reaches seventy-five
25 percent of the total allowable cost of transporting all pupils
26 eligible to be transported.

27 227.476. The portion of State Highway 9 from Nodaway Street
28 to Park College Entrance Drive in Platte County shall be

1 designated as "Bill Grigsby Memorial Highway". The department of
2 transportation shall erect and maintain appropriate signs
3 designating such highway, with the costs to be paid by private
4 donations.

5 227.600. 1. Sections 227.600 to 227.669 shall be known and
6 may be cited as the "Missouri Public-Private Partnerships
7 Transportation Act".

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

10 (1) "Commission", the Missouri highways and transportation
11 commission;

12 (2) "Comprehensive agreement", the final binding written
13 comprehensive project agreement between a private partner and the
14 commission required in section 227.621 to finance, develop,
15 and/or operate the project;

16 (3) "Department", the Missouri department of
17 transportation;

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

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

23 (6) "Interim agreement", a preliminary binding written
24 agreement between a private partner and the commission that
25 provides for completion of studies and any other activities to
26 advance the financing, development, and/or operation of the
27 project required by section 227.618;

28 (7) "Material default", any uncured default by a private

1 partner in the performance of its duties that jeopardizes
2 adequate service to the public from the project as determined by
3 the commission;

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

6 (9) "Private partner", any natural person, corporation,
7 partnership, limited liability company, joint venture, business
8 trust, nonprofit entity, other business entity, or any
9 combination thereof;

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

1 approved by a vote of the people;

2 (11) "Public use", a finding by the commission that the
3 project to be financed, developed, and/or operated by a private
4 partner under sections 227.600 to 227.669 will improve or is
5 needed as a necessary addition to the state transportation
6 system;

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

10 (a) Income;

11 (b) Earnings;

12 (c) Proceeds;

13 (d) User fees;

14 (e) Lease payments;

15 (f) Allocations;

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

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

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

20 (14) "State highway system", the state system of highways
21 and bridges planned, located, relocated, established, acquired,
22 constructed, and maintained by the commission under Section
23 30(b), Article IV, Constitution of Missouri;

24 (15) "State transportation system", the state system of
25 nonhighway transportation programs, including but not limited to
26 aviation, transit and mass transportation, railroads, ports,
27 waterborne commerce, freight and intermodal connections;

28 (16) "Tube transport system", a high-speed transportation

1 system, including infrastructure and facilities, in which
2 pressurized pods containing passengers or freight ride or coast
3 upon a cushion of air through magnetic levitation within a
4 reduced-pressure or vacuum tube, propelled by electric power;

5 (17) "User fees", tolls, fees, or other charges authorized
6 to be imposed by the commission and collected by the private
7 partner for the use of all or a portion of a project under a
8 comprehensive agreement.

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

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

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

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

21 (3) The provisions of this section authorizing the
22 financing, development, or operation of a tube transport system
23 shall terminate on September first of the calendar year
24 immediately following the calendar year in which the program
25 authorized under this section is sunset.

26 227.803. The portion of State Highway 7 from County Road
27 221 West continuing to Calvird Drive in the city of Clinton in
28 Henry County shall be designated as "Police Officer Christopher

1 Ryan Morton Memorial Highway". The department shall erect and
2 maintain appropriate signs designating such highway with the
3 costs to be paid for by private donations.

4 227.804. The portion of State Highway 13 from State Highway
5 52 West continuing to Calvird Drive in the city of Clinton in
6 Henry County shall be designated as "Police Officer Gary Lee
7 Michael, Jr. Memorial Highway". The department shall erect and
8 maintain appropriate signs designating such highway with the
9 costs to be paid for by private donations.

10 300.010. The following words and phrases when used in this
11 ordinance mean:

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

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

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

21 (b) A width of fifty inches or less, measured from outside
22 of tire rim to outside of tire rim, regardless of seating or
23 steering arrangement;

24 (3) "Authorized emergency vehicle", a vehicle publicly
25 owned and operated as an ambulance, or a vehicle publicly owned
26 and operated by the state highway patrol, police or fire
27 department, sheriff or constable or deputy sheriff, traffic
28 officer or any privately owned vehicle operated as an ambulance

1 when responding to emergency calls;

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

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

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

14 (7) "Controlled access highway", every highway, street or
15 roadway in respect to which owners or occupants of abutting lands
16 and other persons have no legal right of access to or from the
17 same except at such points only and in such manner as may be
18 determined by the public authority having jurisdiction over the
19 highway, street or roadway;

20 (8) "Crosswalk",

21 (a) That part of a roadway at an intersection included
22 within the connections of the lateral lines of the sidewalks on
23 opposite sides of the highway measured from the curbs, or in the
24 absence of curbs from the edges of the traversable roadway;

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

28 (9) "Curb loading zone", a space adjacent to a curb

1 reserved for the exclusive use of vehicles during the loading or
2 unloading of passengers or materials;

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

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

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

11 (13) "Intersection",

12 (a) The area embraced within the prolongation or connection
13 of the lateral curb lines, or, if none, then the lateral boundary
14 lines of the roadways of two highways which join one another at,
15 or approximately at, right angles, or the area within which
16 vehicles traveling upon different highways joining at any other
17 angle may come in conflict;

18 (b) Where a highway includes two roadways thirty feet or
19 more apart, then every crossing of each roadway of such divided
20 highway by an intersecting highway shall be regarded as a
21 separate intersection. In the event such intersecting highway
22 also includes two roadways thirty feet or more apart, then every
23 crossing of two roadways of such highways shall be regarded as a
24 separate intersection;

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

27 (15) "Motor vehicle", any self-propelled vehicle not
28 operated exclusively upon tracks, except farm tractors and

1 motorized bicycles;

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

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

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

15 (19) "Official traffic control devices", all signs,
16 signals, markings and devices not inconsistent with this
17 ordinance placed or erected by authority of a public body or
18 official having jurisdiction, for the purpose of regulating,
19 warning or guiding traffic;

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

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

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

28 (23) "Person", every natural person, firm, copartnership,

1 association or corporation;

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

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

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

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

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

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

24 (30) "Roadway", that portion of a highway improved,
25 designed or ordinarily used for vehicular travel, exclusive of
26 the berm or shoulder. In the event a highway includes two or
27 more separate roadways the term "roadway" as used herein shall
28 refer to any such roadway separately but not to all such roadways

1 collectively;

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

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

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

12 (34) "Stop", when required, complete cessation from
13 movement;

14 (35) "Stop" or "stopping", when prohibited, any halting
15 even momentarily of a vehicle, whether occupied or not, except
16 when necessary to avoid conflict with other traffic or in
17 compliance with the directions of a police officer or traffic
18 control sign or signal;

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

24 (37) "Through highway", every highway or portion thereof on
25 which vehicular traffic is given preferential rights-of-way, and
26 at the entrances to which vehicular traffic from intersecting
27 highways is required by law to yield rights-of-way to vehicles on
28 such through highway in obedience to either a stop sign or a

1 yield sign, when such signs are erected as provided in this
2 ordinance;

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

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

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

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

19 301.010. As used in this chapter and sections 304.010 to
20 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the
21 following terms mean:

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

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

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

4 (2) "Autocycle", a three-wheeled motor vehicle which the
5 drivers and passengers ride in a partially or completely enclosed
6 nonstraddle seating area, that is designed to be controlled with
7 a steering wheel and pedals, and that has met applicable
8 Department of Transportation National Highway Traffic Safety
9 Administration requirements or federal motorcycle safety
10 standards;

11 (3) "Automobile transporter", any vehicle combination
12 capable of carrying cargo on the power unit and designed and used
13 for the transport of assembled motor vehicles, including truck
14 camper units;

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

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

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

26 (7) "Body shop", a business that repairs physical damage on
27 motor vehicles that are not owned by the shop or its officers or
28 employees by mending, straightening, replacing body parts, or

1 painting;

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

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

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

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

15 (12) "Director" or "director of revenue", the director of
16 the department of revenue;

17 (13) "Driveaway operation":

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

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

28 (c) The movement of a motor vehicle by any person who is

1 lawfully engaged in the business of transporting or delivering
2 vehicles that are not the person's own and vehicles of a type
3 otherwise required to be registered, by the driveaway or towaway
4 methods, from a point of manufacture, assembly or distribution or
5 from the owner of the vehicles to a dealer or sales agent of a
6 manufacturer or to any consignee designated by the shipper or
7 consignor;

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

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

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

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

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

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

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

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

28 (22) "Improved highway", a highway which has been paved

1 with gravel, macadam, concrete, brick or asphalt, or surfaced in
2 such a manner that it shall have a hard, smooth surface;

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

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

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

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

10 (25) "Kit vehicle", a motor vehicle assembled by a person
11 other than a generally recognized manufacturer of motor vehicles
12 by the use of a glider kit or replica purchased from an
13 authorized manufacturer and accompanied by a manufacturer's
14 statement of origin;

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

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

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

1 Nothing in this subdivision shall be construed to prevent any
2 motor vehicle from being registered as a commercial motor vehicle
3 or local commercial motor vehicle;

4 (27) "Local commercial motor vehicle", a commercial motor
5 vehicle whose operations are confined to a municipality and that
6 area extending not more than fifty miles therefrom, or a
7 commercial motor vehicle whose property-carrying operations are
8 confined solely to the transportation of property owned by any
9 person who is the owner or operator of such vehicle to or from a
10 farm owned by such person or under the person's control by virtue
11 of a landlord and tenant lease; provided that any such property
12 transported to any such farm is for use in the operation of such
13 farm;

14 (28) "Local log truck", a commercial motor vehicle which is
15 registered pursuant to this chapter to operate as a motor vehicle
16 on the public highways of this state, used exclusively in this
17 state, used to transport harvested forest products, operated
18 solely at a forested site and in an area extending not more than
19 a one hundred mile radius from such site, carries a load with
20 dimensions not in excess of twenty-five cubic yards per two axles
21 with dual wheels, and when operated on the national system of
22 interstate and defense highways described in 23 U.S.C. Section
23 103, as amended, or outside the one hundred mile radius from such
24 site with an extended distance local log truck permit, such
25 vehicle shall not exceed the weight limits of section 304.180,
26 does not have more than four axles, and does not pull a trailer
27 which has more than three axles. Harvesting equipment which is
28 used specifically for cutting, felling, trimming, delimiting,

1 debarking, chipping, skidding, loading, unloading, and stacking
2 may be transported on a local log truck. A local log truck may
3 not exceed the limits required by law, however, if the truck does
4 exceed such limits as determined by the inspecting officer, then
5 notwithstanding any other provisions of law to the contrary, such
6 truck shall be subject to the weight limits required by such
7 sections as licensed for eighty thousand pounds;

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

25 (30) "Local transit bus", a bus whose operations are
26 confined wholly within a municipal corporation, or wholly within
27 a municipal corporation and a commercial zone, as defined in
28 section 390.020, adjacent thereto, forming a part of a public

1 transportation system within such municipal corporation and such
2 municipal corporation and adjacent commercial zone;

3 (31) "Log truck", a vehicle which is not a local log truck
4 or local log truck tractor and is used exclusively to transport
5 harvested forest products to and from forested sites which is
6 registered pursuant to this chapter to operate as a motor vehicle
7 on the public highways of this state for the transportation of
8 harvested forest products;

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

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

16 (34) "Motor change vehicle", a vehicle manufactured prior
17 to August, 1957, which receives a new, rebuilt or used engine,
18 and which used the number stamped on the original engine as the
19 vehicle identification number;

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

22 (36) "Motor vehicle primarily for business use", any
23 vehicle other than a recreational motor vehicle, motorcycle,
24 motortricycle, or any commercial motor vehicle licensed for over
25 twelve thousand pounds:

26 (a) Offered for hire or lease; or

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

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

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

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

15 (40) "Municipality", any city, town or village, whether
16 incorporated or not;

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

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

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

24 (44) "Owner", any person, firm, corporation or association,
25 who holds the legal title to a vehicle or who has executed a
26 buyer's order or retail installment sales contract with a motor
27 vehicle dealer licensed under sections 301.550 to 301.580 for the
28 purchase of a vehicle with an immediate right of possession

1 vested in the transferee, or in the event a vehicle is the
2 subject of an agreement for the conditional sale or lease thereof
3 with the right of purchase upon performance of the conditions
4 stated in the agreement and with an immediate right of possession
5 vested in the conditional vendee or lessee, or in the event a
6 mortgagor of a vehicle is entitled to possession, then such
7 conditional vendee or lessee or mortgagor shall be deemed the
8 owner;

9 (45) "Public garage", a place of business where motor
10 vehicles are housed, stored, repaired, reconstructed or repainted
11 for persons other than the owners or operators of such place of
12 business;

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

16 (47) "Reconstructed motor vehicle", a vehicle that is
17 altered from its original construction by the addition or
18 substitution of two or more new or used major component parts,
19 excluding motor vehicles made from all new parts, and new
20 multistage manufactured vehicles;

21 (48) "Recreational motor vehicle", any motor vehicle
22 designed, constructed or substantially modified so that it may be
23 used and is used for the purposes of temporary housing quarters,
24 including therein sleeping and eating facilities which are either
25 permanently attached to the motor vehicle or attached to a unit
26 which is securely attached to the motor vehicle. Nothing herein
27 shall prevent any motor vehicle from being registered as a
28 commercial motor vehicle if the motor vehicle could otherwise be

1 so registered;

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

9 (50) "Recreational trailer", any trailer designed,
10 constructed, or substantially modified so that it may be used and
11 is used for the purpose of temporary housing quarters, including
12 therein sleeping or eating facilities, which can be temporarily
13 attached to a motor vehicle or attached to a unit which is
14 securely attached to a motor vehicle;

15 (51) "Rollback or car carrier", any vehicle specifically
16 designed to transport wrecked, disabled or otherwise inoperable
17 vehicles, when the transportation is directly connected to a
18 wrecker or towing service;

19 (52) "Saddlemount combination", a combination of vehicles
20 in which a truck or truck tractor tows one or more trucks or
21 truck tractors, each connected by a saddle to the frame or fifth
22 wheel of the vehicle in front of it. The "saddle" is a mechanism
23 that connects the front axle of the towed vehicle to the frame or
24 fifth wheel of the vehicle in front and functions like a fifth
25 wheel kingpin connection. When two vehicles are towed in this
26 manner the combination is called a "double saddlemount
27 combination". When three vehicles are towed in this manner, the
28 combination is called a "triple saddlemount combination";

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

4 (54) "Salvage vehicle", a motor vehicle, semitrailer, or
5 house trailer which:

6 (a) Was damaged during a year that is no more than six
7 years after the manufacturer's model year designation for such
8 vehicle to the extent that the total cost of repairs to rebuild
9 or reconstruct the vehicle to its condition immediately before it
10 was damaged for legal operation on the roads or highways exceeds
11 eighty percent of the fair market value of the vehicle
12 immediately preceding the time it was damaged;

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

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

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

20 (e) Is abandoned property which is titled pursuant to
21 section 304.155 or section 304.157 and designated with the words
22 "salvage/abandoned property". The total cost of repairs to
23 rebuild or reconstruct the vehicle shall not include the cost of
24 repairing, replacing, or reinstalling inflatable safety
25 restraints, tires, sound systems, or damage as a result of hail,
26 or any sales tax on parts or materials to rebuild or reconstruct
27 the vehicle. For purposes of this definition, "fair market
28 value" means the retail value of a motor vehicle as:

1 a. Set forth in a current edition of any nationally
2 recognized compilation of retail values, including automated
3 databases, or from publications commonly used by the automotive
4 and insurance industries to establish the values of motor
5 vehicles;

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

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

11 (55) "School bus", any motor vehicle used solely to
12 transport students to or from school or to transport students to
13 or from any place for educational purposes;

14 (56) "Scrap processor", a business that, through the use of
15 fixed or mobile equipment, flattens, crushes, or otherwise
16 accepts motor vehicles and vehicle parts for processing or
17 transportation to a shredder or scrap metal operator for
18 recycling;

19 (57) "Shuttle bus", a motor vehicle used or maintained by
20 any person, firm, or corporation as an incidental service to
21 transport patrons or customers of the regular business of such
22 person, firm, or corporation to and from the place of business of
23 the person, firm, or corporation providing the service at no fee
24 or charge. Shuttle buses shall not be registered as buses or as
25 commercial motor vehicles;

26 (58) "Special mobile equipment", every self-propelled
27 vehicle not designed or used primarily for the transportation of
28 persons or property and incidentally operated or moved over the

1 highways, including farm equipment, implements of husbandry, road
2 construction or maintenance machinery, ditch-digging apparatus,
3 stone crushers, air compressors, power shovels, cranes, graders,
4 rollers, well-drillers and wood-sawing equipment used for hire,
5 asphalt spreaders, bituminous mixers, bucket loaders, ditchers,
6 leveling graders, finished machines, motor graders, road rollers,
7 scarifiers, earth-moving carryalls, scrapers, drag lines,
8 concrete pump trucks, rock-drilling and earth-moving equipment.
9 This enumeration shall be deemed partial and shall not operate to
10 exclude other such vehicles which are within the general terms of
11 this section;

12 (59) "Specially constructed motor vehicle", a motor vehicle
13 which shall not have been originally constructed under a
14 distinctive name, make, model or type by a manufacturer of motor
15 vehicles. The term specially constructed motor vehicle includes
16 kit vehicles;

17 (60) "Stinger-steered combination", a truck
18 tractor-semitrailer wherein the fifth wheel is located on a drop
19 frame located behind and below the rearmost axle of the power
20 unit;

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

24 (62) "Towaway trailer transporter combination", a
25 combination of vehicles consisting of a trailer transporter
26 towing unit and two trailers or semitrailers, with a total weight
27 that does not exceed twenty-six thousand pounds; and in which the
28 trailers or semitrailers carry no property and constitute

1 inventory property of a manufacturer, distributor, or dealer of
2 such trailers or semitrailers;

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

8 (64) "Trailer", any vehicle without motive power designed
9 for carrying property or passengers on its own structure and for
10 being drawn by a self-propelled vehicle, except those running
11 exclusively on tracks, including a semitrailer or vehicle of the
12 trailer type so designed and used in conjunction with a
13 self-propelled vehicle that a considerable part of its own weight
14 rests upon and is carried by the towing vehicle. The term
15 trailer shall not include cotton trailers as defined in this
16 section and shall not include manufactured homes as defined in
17 section 700.010;

18 (65) "Trailer transporter towing unit", a power unit that
19 is not used to carry property when operating in a towaway trailer
20 transporter combination;

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

23 (67) "Truck-tractor semitrailer-semitrailer", a combination
24 vehicle in which the two trailing units are connected with a
25 B-train assembly which is a rigid frame extension attached to the
26 rear frame of a first semitrailer which allows for a fifth-wheel
27 connection point for the second semitrailer and has one less
28 articulation point than the conventional A-dolly connected

1 truck-tractor semitrailer-trailer combination;

2 (68) "Truck-trailer boat transporter combination", a boat
3 transporter combination consisting of a straight truck towing a
4 trailer using typically a ball and socket connection with the
5 trailer axle located substantially at the trailer center of
6 gravity rather than the rear of the trailer but so as to maintain
7 a downward force on the trailer tongue;

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

13 (70) "Utility vehicle", any motorized vehicle manufactured
14 and used exclusively for off-highway use which is more than fifty
15 inches but no more than [sixty-seven] eighty inches in width,
16 measured from outside of tire rim to outside of tire rim, with an
17 unladen dry weight of [two] three thousand five hundred pounds or
18 less, traveling on four or six wheels, to be used primarily for
19 landscaping, lawn care, or maintenance purposes;

20 (71) "Vanpool", any van or other motor vehicle used or
21 maintained by any person, group, firm, corporation, association,
22 city, county or state agency, or any member thereof, for the
23 transportation of not less than eight nor more than forty-eight
24 employees, per motor vehicle, to and from their place of
25 employment; however, a vanpool shall not be included in the
26 definition of the term bus or commercial motor vehicle as defined
27 in this section, nor shall a vanpool driver be deemed a chauffeur
28 as that term is defined by section 303.020; nor shall use of a

1 vanpool vehicle for ride-sharing arrangements, recreational,
2 personal, or maintenance uses constitute an unlicensed use of the
3 motor vehicle, unless used for monetary profit other than for use
4 in a ride-sharing arrangement;

5 (72) "Vehicle", any mechanical device on wheels, designed
6 primarily for use, or used, on highways, except motorized
7 bicycles, vehicles propelled or drawn by horses or human power,
8 or vehicles used exclusively on fixed rails or tracks, or cotton
9 trailers or motorized wheelchairs operated by handicapped
10 persons;

11 (73) "Wrecker" or "tow truck", any emergency commercial
12 vehicle equipped, designed and used to assist or render aid and
13 transport or tow disabled or wrecked vehicles from a highway,
14 road, street or highway rights-of-way to a point of storage or
15 repair, including towing a replacement vehicle to replace a
16 disabled or wrecked vehicle;

17 (74) "Wrecker or towing service", the act of transporting,
18 towing or recovering with a wrecker, tow truck, rollback or car
19 carrier any vehicle not owned by the operator of the wrecker, tow
20 truck, rollback or car carrier for which the operator directly or
21 indirectly receives compensation or other personal gain.

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

1 be considered a separate class. Commencing July 1, 1949, motor
2 vehicles, other than commercial motor vehicles, shall be
3 registered for a period of twelve consecutive calendar months.
4 There are established twelve registration periods, each of which
5 shall start on the first day of each calendar month of the year
6 and shall end on the last date of the twelfth month from the date
7 of beginning. Fees for the renewal of noncommercial motor
8 vehicle registrations shall be payable no later than the last day
9 of the month that follows the twelfth month of the expired
10 registration period. No delinquent renewal penalty shall be
11 assessed under section 301.050, and no violation shall be issued
12 under section 301.020 for an expired registration, prior to the
13 second month that follows the twelfth month of the expired
14 registration period.

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

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

1 basis as provided in this section. The fees for commercial motor
2 vehicles, trailers, semitrailers, and driveaway vehicles, other
3 than those to be operated under agreements as provided for in
4 sections 301.271 to 301.279 shall be payable not later than the
5 last day of February of each year, except when such vehicle is
6 licensed between April first and July first the fee shall be
7 three-fourths the annual fee, when licensed between July first
8 and October first the fee shall be one-half the annual fee and
9 when licensed on or after October first the fee shall be
10 one-fourth the annual fee. Such license plates shall be made
11 with fully reflective material with a common color scheme and
12 design, shall be clearly visible at night, and shall be
13 aesthetically attractive, as prescribed by section 301.130.
14 Local commercial motor vehicle license plates may also be so
15 stamped, marked or designed as to indicate they are to be used
16 only on local commercial motor vehicles and, in addition to such
17 stamp, mark or design, the letter "F" shall also be displayed on
18 local commercial motor vehicle license plates issued to motor
19 vehicles used for farm or farming transportation operations as
20 defined in section 301.010 in the manner prescribed by the
21 advisory committee established in section 301.129. In addition,
22 all commercial motor vehicle license plates may be so stamped or
23 marked with a letter, figure or other emblem as to indicate the
24 gross weight for which issued.

25 4. The director shall, upon application, issue registration
26 and license plates for nine thousand pounds gross weight for
27 property-carrying commercial motor vehicles referred to herein,
28 upon payment of the fees prescribed for twelve thousand pounds

1 gross weight as provided in section 301.057.

2 5. Notwithstanding any other provision of law to the
3 contrary, any motorcycle or motortricycle registration issued by
4 the Missouri department of revenue shall expire on June
5 thirtieth.

6 301.032. 1. Notwithstanding the provisions of sections
7 301.030 and 301.035 to the contrary, the director of revenue
8 shall establish a system of registration of all fleet vehicles
9 owned or purchased by a fleet owner registered pursuant to this
10 section. The director of revenue shall prescribe the forms for
11 such fleet registration and the forms and procedures for the
12 registration updates prescribed in this section. Any owner of
13 ten or more motor vehicles which must be registered in accordance
14 with this chapter may register as a fleet owner. All registered
15 fleet owners may, at their option, register all motor vehicles
16 included in the fleet on a calendar year or biennial basis
17 pursuant to this section in lieu of the registration periods
18 provided in sections 301.030, 301.035, and 301.147. The director
19 shall issue an identification number to each registered owner of
20 fleet vehicles.

21 2. All fleet vehicles included in the fleet of a registered
22 fleet owner shall be registered during April of the corresponding
23 year or on a prorated basis as provided in subsection 3 of this
24 section. Fees of all vehicles in the fleet to be registered on a
25 calendar year basis or on a biennial basis shall be payable not
26 later than the last day of April of the corresponding year, with
27 two years' fees due for biennially-registered vehicles.

28 Notwithstanding the provisions of section 307.355, an application

1 for registration of a fleet vehicle must be accompanied by a
2 certificate of inspection and approval issued no more than one
3 hundred twenty days prior to the date of application. The fees
4 for vehicles added to the fleet which must be licensed at the
5 time of registration shall be payable at the time of
6 registration, except that when such vehicle is licensed between
7 July first and September thirtieth the fee shall be three-fourths
8 the annual fee, when licensed between October first and December
9 thirty-first the fee shall be one-half the annual fee and when
10 licensed on or after January first the fee shall be one-fourth
11 the annual fee. When biennial registration is sought for
12 vehicles added to a fleet, an additional year's annual fee will
13 be added to the partial year's prorated fee.

14 3. At any time during the calendar year in which an owner
15 of a fleet purchases or otherwise acquires a vehicle which is to
16 be added to the fleet or transfers plates to a fleet vehicle, the
17 owner shall present to the director of revenue the identification
18 number as a fleet number and may register the vehicle for the
19 partial year as provided in subsection 2 of this section. The
20 fleet owner shall also be charged a transfer fee of two dollars
21 for each vehicle so transferred pursuant to this subsection.

22 4. Except as specifically provided in this subsection, all
23 fleet vehicles registered pursuant to this section shall be
24 issued a special license plate which shall have the words "Fleet
25 Vehicle" in place of the words "Show-Me State" in the manner
26 prescribed by the advisory committee established in section
27 301.129. Alternatively, for a one-time additional five dollar
28 per-vehicle fee beyond the regular registration fee, a fleet

1 owner of at least fifty fleet vehicles may apply for fleet
2 license plates bearing a company name or logo, the size and
3 design thereof subject to approval by the director. All fleet
4 license plates shall be made with fully reflective material with
5 a common color scheme and design, shall be clearly visible at
6 night, and shall be aesthetically attractive, as prescribed by
7 section 301.130. Fleet vehicles shall be issued multiyear
8 license plates as provided in this section which shall not
9 require issuance of a renewal tab. Upon payment of appropriate
10 registration fees, the director of revenue shall issue a
11 registration certificate or other suitable evidence of payment of
12 the annual or biennial fee, and such evidence of payment shall be
13 carried at all times in the vehicle for which it is issued.

14 5. Notwithstanding the provisions of sections 307.350 to
15 307.390 to the contrary, a fleet vehicle registered in Missouri
16 is exempt from the requirements of sections 307.350 to 307.390 if
17 at the time of the annual fleet registration, such fleet vehicle
18 is situated outside the state of Missouri.

19 6. (1) Notwithstanding any other provisions of law to the
20 contrary, any person, company, or corporation engaged in the
21 business of renting or leasing three thousand five hundred or
22 more motor vehicles which are to be used exclusively for rental
23 or leasing purposes and not for resale that has applied to the
24 director of revenue for authority to operate as a lease or rental
25 company as prescribed in section 144.070 may operate as a
26 registered fleet owner as prescribed in the provisions of this
27 subsection to subsection 10 of this section.

28 (2) The director of revenue may issue license plates after

1 presentment of an application, as designed by the director, and
2 payment of an annual fee of three hundred sixty dollars for the
3 first ten plates and thirty-six dollars for each additional
4 plate. The payment and issuance of such plates shall be in lieu
5 of registering each motor vehicle with the director as otherwise
6 provided by law.

7 (3) The registration fees for vehicles in the registered
8 fleet owner's fleet shall be fully payable at the time such
9 plates are ordered, except that when such plate is ordered after
10 the first month of registration, the fees payable shall be
11 prorated by the month the plates were ordered. When biennial
12 registration is sought, an additional year's annual fee shall be
13 added to the partial year's prorated fee.

14 (4) Such motor vehicles within the fleet shall not be
15 exempted from the safety inspection and emissions inspection
16 provisions as prescribed in chapters 307 and 643, but
17 notwithstanding the provisions of section 307.355, such
18 inspections shall not be required to be presented to the director
19 of revenue.

20 7. A recipient of a lease or rental company license issued
21 by the director of revenue as prescribed in section 144.070
22 operating as a registered fleet owner under this section shall
23 register such fleet with the director of revenue on an annual or
24 biennial basis in lieu of the individual motor vehicle
25 registration periods as prescribed in sections 301.030, 301.035,
26 and 301.147. If an applicant elects a biennial fleet
27 registration, the annual fleet license plate fees prescribed in
28 subdivision (1) of subsection 6 of this section shall be doubled.

1 An agent fee as prescribed in subdivision (1) of subsection 1 of
2 section 136.055 shall apply to the issuance of fleet
3 registrations issued under subsections 6 to 10 of this section,
4 and if a biennial fleet registration is elected, the agent fee
5 shall be collected in an amount equal to the fee for two years.

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

9 9. The authority of a recipient of a lease or rental
10 company license issued by the director of revenue as prescribed
11 in section 144.070 to operate as a fleet owner as provided in
12 this section shall expire on January first of the licensure
13 period.

14 10. A lease or rental company operating fleet license
15 plates issued under subsections 6 to 10 of this section shall
16 make available, upon request, to the director of revenue and all
17 Missouri law enforcement agencies any corresponding vehicle and
18 registration information that may be requested as prescribed by
19 rule.

20 11. The director shall make all necessary rules and
21 regulations for the administration of this section and shall
22 design all necessary forms required by this section. Any rule or
23 portion of a rule, as that term is defined in section 536.010,
24 that is created under the authority delegated in this section
25 shall become effective only if it complies with and is subject to
26 all the provisions of chapter 536 and, if applicable, section
27 536.028. This section and chapter 536 are nonseverable and if
28 any of the powers vested with the general assembly under chapter

1 536 to review, to delay the effective date, or to disapprove and
2 annul a rule are subsequently held unconstitutional, then the
3 grant of rulemaking authority and any rule proposed or adopted
4 after August 28, 2019, shall be invalid and void.

5 301.140. 1. Upon the transfer of ownership of any motor
6 vehicle or trailer, the certificate of registration and the right
7 to use the number plates shall expire and the number plates shall
8 be removed by the owner at the time of the transfer of
9 possession, and it shall be unlawful for any person other than
10 the person to whom such number plates were originally issued to
11 have the same in his or her possession whether in use or not,
12 unless such possession is solely for charitable purposes; except
13 that the buyer of a motor vehicle or trailer who trades in a
14 motor vehicle or trailer may attach the license plates from the
15 traded-in motor vehicle or trailer to the newly purchased motor
16 vehicle or trailer. The operation of a motor vehicle with such
17 transferred plates shall be lawful for no more than thirty days,
18 or no more than ninety days if the dealer is selling the motor
19 vehicle under the provisions of section 301.213, or no more than
20 sixty days if the dealer is selling the motor vehicle under the
21 provisions of subsection 5 of section 301.210. As used in this
22 subsection, the term "trade-in motor vehicle or trailer" shall
23 include any single motor vehicle or trailer sold by the buyer of
24 the newly purchased vehicle or trailer, as long as the license
25 plates for the trade-in motor vehicle or trailer are still valid.

26 2. In the case of a transfer of ownership the original
27 owner may register another motor vehicle under the same number,
28 upon the payment of a fee of two dollars, if the motor vehicle is

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

12 3. License plates may be transferred from a motor vehicle
13 which will no longer be operated to a newly purchased motor
14 vehicle by the owner of such vehicles. The owner shall pay a
15 transfer fee of two dollars if the newly purchased vehicle is of
16 horsepower, gross weight or (in the case of a passenger-carrying
17 commercial motor vehicle) seating capacity, not in excess of that
18 of the vehicle which will no longer be operated. When the newly
19 purchased motor vehicle is of greater horsepower, gross weight or
20 (in the case of a passenger-carrying commercial motor vehicle)
21 seating capacity, for which a greater fee is prescribed, the
22 applicant shall pay a transfer fee of two dollars and a pro rata
23 portion of the difference in fees. When the newly purchased
24 vehicle is of less horsepower, gross weight or (in the case of a
25 passenger-carrying commercial motor vehicle) seating capacity,
26 for which a lesser fee is prescribed, the applicant shall not be
27 entitled to a refund.

28 4. The director of the department of revenue shall have

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

1 producer. Amounts received by the director of the department of
2 revenue for temporary permits shall constitute state revenue;
3 however, amounts received by an authorized producer other than
4 the director of the department of revenue shall not constitute
5 state revenue and any amounts received by motor vehicle dealers
6 or authorized agents for temporary permits purchased from a
7 producer other than the director of the department of revenue
8 shall not constitute state revenue. In no event shall revenues
9 from the general revenue fund or any other state fund be utilized
10 to compensate motor vehicle dealers or other producers for their
11 role in producing temporary permits as authorized under this
12 section. Amounts that do not constitute state revenue under this
13 section shall also not constitute fees for registration or
14 certificates of title to be collected by the director of the
15 department of revenue under section 301.190. No motor vehicle
16 dealer, authorized agent or the department of revenue shall
17 charge more than five dollars for each permit issued. The permit
18 shall be valid for a period of thirty days, or no more than
19 ninety days if issued by a dealer selling the motor vehicle under
20 the provisions of section 301.213, or no more than sixty days if
21 issued by a dealer selling the motor vehicle under the provisions
22 of subsection 5 of section 301.210, from the date of purchase of
23 a motor vehicle or trailer, or from the date of sale of the motor
24 vehicle or trailer by a motor vehicle dealer for which the
25 purchaser obtains a permit as set out above. No permit shall be
26 issued for a vehicle under this section unless the buyer shows
27 proof of financial responsibility. Each temporary permit issued
28 shall be securely fastened to the back or rear of the motor

1 vehicle in a manner and place on the motor vehicle consistent
2 with registration plates so that all parts and qualities of the
3 temporary permit thereof shall be plainly and clearly visible,
4 reasonably clean and are not impaired in any way.

5 5. The permit shall be issued on a form prescribed by the
6 director of the department of revenue and issued only for the
7 applicant's temporary operation of the motor vehicle or trailer
8 purchased to enable the applicant to temporarily operate the
9 motor vehicle while proper title and registration plates are
10 being obtained, or while awaiting receipt of registration plates,
11 and shall be displayed on no other motor vehicle. Temporary
12 permits issued pursuant to this section shall not be transferable
13 or renewable, shall not be valid upon issuance of proper
14 registration plates for the motor vehicle or trailer, and shall
15 be returned to the department or to the department's agent upon
16 the issuance of such proper registration plates. Any temporary
17 permit returned to the department or to the department's agent
18 shall be immediately destroyed. The provisions of this
19 subsection shall not apply to temporary permits issued for
20 commercial motor vehicles licensed in excess of twenty-four
21 thousand pounds gross weight. The director of the department of
22 revenue shall determine the size, material, design, numbering
23 configuration, construction, and color of the permit. The
24 director of the department of revenue, at his or her discretion,
25 shall have the authority to reissue, and thereby extend the use
26 of, a temporary permit previously and legally issued for a motor
27 vehicle or trailer while proper title and registration are being
28 obtained.

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

13 7. Upon the transfer of ownership of any currently
14 registered motor vehicle wherein the owner cannot transfer the
15 license plates due to a change of motor vehicle category, the
16 owner may surrender the license plates issued to the motor
17 vehicle and receive credit for any unused portion of the original
18 registration fee against the registration fee of another motor
19 vehicle. Such credit shall be granted based upon the date the
20 license plates are surrendered. No refunds shall be made on the
21 unused portion of any license plates surrendered for such credit.

22 8. An additional temporary license plate produced in a
23 manner and of materials determined by the director to be the most
24 cost-effective means of production with a configuration that
25 matches an existing or newly issued plate may be purchased by a
26 motor vehicle owner to be placed in the interior of the vehicle's
27 rear window such that the driver's view out of the rear window is
28 not obstructed and the plate configuration is clearly visible

1 from the outside of the vehicle to serve as the visible plate
2 when a bicycle rack or other item obstructs the view of the
3 actual plate. Such temporary plate is only authorized for use
4 when the matching actual plate is affixed to the vehicle in the
5 manner prescribed in subsection 5 of section 301.130. The fee
6 charged for the temporary plate shall be equal to the fee charged
7 for a temporary permit issued under subsection 4 of this section.
8 Replacement temporary plates authorized in this subsection may be
9 issued as needed upon the payment of a fee equal to the fee
10 charged for a temporary permit under subsection 4 of this
11 section. The newly produced third plate may only be used on the
12 vehicle with the matching plate, and the additional plate shall
13 be clearly recognizable as a third plate and only used for the
14 purpose specified in this subsection.

15 9. Notwithstanding the provisions of section 301.217, the
16 director may issue a temporary permit to an individual who
17 possesses a salvage motor vehicle which requires an inspection
18 under subsection 9 of section 301.190. The operation of a
19 salvage motor vehicle for which the permit has been issued shall
20 be limited to the most direct route from the residence,
21 maintenance, or storage facility of the individual in possession
22 of such motor vehicle to the nearest authorized inspection
23 facility and return to the originating location. Notwithstanding
24 any other requirements for the issuance of a temporary permit
25 under this section, an individual obtaining a temporary permit
26 for the purpose of operating a motor vehicle to and from an
27 examination facility as prescribed in this subsection shall also
28 purchase the required motor vehicle examination form which is

1 required to be completed for an examination under subsection 9 of
2 section 301.190 and provide satisfactory evidence that such
3 vehicle has passed a motor vehicle safety inspection for such
4 vehicle as required in section 307.350.

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

18 11. The repeal and reenactment of this section shall become
19 effective on the date the department of revenue or a producer
20 authorized by the director of the department of revenue begins
21 producing temporary permits described in subsection 4 of such
22 section, or on July 1, 2013, whichever occurs first. If the
23 director of revenue or a producer authorized by the director of
24 the department of revenue begins producing temporary permits
25 prior to July 1, 2013, the director of the department of revenue
26 shall notify the revisor of statutes of such fact.

27 301.190. 1. No certificate of registration of any motor
28 vehicle or trailer, or number plate therefor, shall be issued by

1 the director of revenue unless the applicant therefor shall make
2 application for and be granted a certificate of ownership of such
3 motor vehicle or trailer, or shall present satisfactory evidence
4 that such certificate has been previously issued to the applicant
5 for such motor vehicle or trailer. Application shall be made
6 within thirty days after the applicant acquires the motor vehicle
7 or trailer, unless the motor vehicle was acquired under section
8 301.213 or subsection 5 of section 301.210 in which case the
9 applicant shall make application within thirty days after
10 receiving title from the dealer, upon a blank form furnished by
11 the director of revenue and shall contain the applicant's
12 identification number, a full description of the motor vehicle or
13 trailer, the vehicle identification number, and the mileage
14 registered on the odometer at the time of transfer of ownership,
15 as required by section 407.536, together with a statement of the
16 applicant's source of title and of any liens or encumbrances on
17 the motor vehicle or trailer, provided that for good cause shown
18 the director of revenue may extend the period of time for making
19 such application. When an owner wants to add or delete a name or
20 names on an application for certificate of ownership of a motor
21 vehicle or trailer that would cause it to be inconsistent with
22 the name or names listed on the notice of lien, the owner shall
23 provide the director with documentation evidencing the
24 lienholder's authorization to add or delete a name or names on an
25 application for certificate of ownership.

26 2. The director of revenue shall use reasonable diligence
27 in ascertaining whether the facts stated in such application are
28 true and shall, to the extent possible without substantially

1 delaying processing of the application, review any odometer
2 information pertaining to such motor vehicle that is accessible
3 to the director of revenue. If satisfied that the applicant is
4 the lawful owner of such motor vehicle or trailer, or otherwise
5 entitled to have the same registered in his name, the director
6 shall thereupon issue an appropriate certificate over his
7 signature and sealed with the seal of his office, procured and
8 used for such purpose. The certificate shall contain on its face
9 a complete description, vehicle identification number, and other
10 evidence of identification of the motor vehicle or trailer, as
11 the director of revenue may deem necessary, together with the
12 odometer information required to be put on the face of the
13 certificate pursuant to section 407.536, a statement of any liens
14 or encumbrances which the application may show to be thereon,
15 and, if ownership of the vehicle has been transferred, the name
16 of the state issuing the transferor's title and whether the
17 transferor's odometer mileage statement executed pursuant to
18 section 407.536 indicated that the true mileage is materially
19 different from the number of miles shown on the odometer, or is
20 unknown.

21 3. The director of revenue shall appropriately designate on
22 the current and all subsequent issues of the certificate the
23 words "Reconstructed Motor Vehicle", "Motor Change Vehicle",
24 "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor
25 Vehicle", as defined in section 301.010. Effective July 1, 1990,
26 on all original and all subsequent issues of the certificate for
27 motor vehicles as referenced in subsections 2 and 3 of section
28 301.020, the director shall print on the face thereof the

1 following designation: "Annual odometer updates may be available
2 from the department of revenue.". On any duplicate certificate,
3 the director of revenue shall reprint on the face thereof the
4 most recent of either:

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

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

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

20 5. The fee for each original certificate so issued shall be
21 eight dollars and fifty cents, in addition to the fee for
22 registration of such motor vehicle or trailer. If application
23 for the certificate is not made within thirty days after the
24 vehicle is acquired by the applicant, or where the motor vehicle
25 was acquired under section 301.213 or subsection 5 of section
26 301.210 and the applicant fails to make application within thirty
27 days after receiving title from the dealer, a delinquency penalty
28 fee of twenty-five dollars for the first thirty days of

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

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

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

1 applied for as provided in this section.

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

23 9. Each application for an original Missouri certificate of
24 ownership for a vehicle which is classified as a reconstructed
25 motor vehicle, specially constructed motor vehicle, kit vehicle,
26 motor change vehicle, non-USA-std motor vehicle, or other vehicle
27 as required by the director of revenue shall be accompanied by a
28 vehicle examination certificate issued by the Missouri state

1 highway patrol, or other law enforcement agency as authorized by
2 the director of revenue. The vehicle examination shall include a
3 verification of vehicle identification numbers and a
4 determination of the classification of the vehicle. The owner of
5 a vehicle which requires a vehicle examination certificate shall
6 present the vehicle for examination and obtain a completed
7 vehicle examination certificate prior to submitting an
8 application for a certificate of ownership to the director of
9 revenue. Notwithstanding any provision of the law to the
10 contrary, an owner presenting a motor vehicle which has been
11 issued a salvage title and which is ten years of age or older to
12 a vehicle examination described in this subsection in order to
13 obtain a certificate of ownership with the designation prior
14 salvage motor vehicle shall not be required to repair or restore
15 the vehicle to its original appearance in order to pass or
16 complete the vehicle examination. The fee for the vehicle
17 examination application shall be twenty-five dollars and shall be
18 collected by the director of revenue at the time of the request
19 for the application and shall be deposited in the state treasury
20 to the credit of the state highways and transportation department
21 fund. If the vehicle is also to be registered in Missouri, the
22 safety inspection required in chapter 307 and the emissions
23 inspection required under chapter 643 shall be completed and the
24 fees required by section 307.365 and section 643.315 shall be
25 charged to the owner.

26 10. When an application is made for an original Missouri
27 certificate of ownership for a motor vehicle previously
28 registered or titled in a state other than Missouri or as

1 required by section 301.020, it shall be accompanied by a current
2 inspection form certified by a duly authorized official
3 inspection station as described in chapter 307. The completed
4 form shall certify that the manufacturer's identification number
5 for the vehicle has been inspected, that it is correctly
6 displayed on the vehicle and shall certify the reading shown on
7 the odometer at the time of inspection. The inspection station
8 shall collect the same fee as authorized in section 307.365 for
9 making the inspection, and the fee shall be deposited in the same
10 manner as provided in section 307.365. If the vehicle is also to
11 be registered in Missouri, the safety inspection required in
12 chapter 307 and the emissions inspection required under chapter
13 643 shall be completed and only the fees required by section
14 307.365 and section 643.315 shall be charged to the owner. This
15 section shall not apply to vehicles being transferred on a
16 manufacturer's statement of origin.

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

28 12. 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 a reconstructed motor vehicle, motor change
5 vehicle, specially constructed motor vehicle, or prior salvage
6 vehicle, the director of revenue shall appropriately designate on
7 the current Missouri and all subsequent issues of the certificate
8 of ownership the name of the issuing state and such prior
9 designation. The absence of any prior designation shall not
10 relieve a transferor of the duty to exercise due diligence with
11 regard to such certificate of ownership prior to the transfer of
12 a certificate. If a transferor exercises any due diligence with
13 regard to a certificate of ownership, the legal transfer of a
14 certificate of ownership without any designation that is
15 subsequently discovered to have or should have had a designation
16 shall be a transfer free and clear of any liabilities of the
17 transferor associated with the missing designation.

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

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

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

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

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

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

16 (4) An inspection certificate, other than a motor vehicle
17 examination certificate required under subsection 9 of this
18 section, completed and issued by the Missouri state highway
19 patrol, or other law enforcement agency as authorized by the
20 director of revenue. The inspection performed by the highway
21 patrol or other authorized local law enforcement agency shall
22 include a check for stolen vehicles.

23
24 The department of revenue shall issue the owner a certificate of
25 ownership designated with the words "Reconstructed Motor Vehicle"
26 and deliver such certificate of ownership in accordance with the
27 provisions of this chapter. Notwithstanding subsection 9 of this
28 section, no owner of a reconstructed motor vehicle described in

1 this subsection shall be required to obtain a vehicle examination
2 certificate issued by the Missouri state highway patrol.

3 301.193. 1. Any person who purchases or is the owner of
4 real property on which vehicles, as defined in section 301.010,
5 vessels or watercraft, as defined in section 306.010, or outboard
6 motors, as that term is used in section 306.530, have been
7 abandoned, without the consent of said purchaser or owner of the
8 real property, may apply to the department of revenue for a
9 certificate of title. Any insurer which purchases a vehicle
10 through the claims adjustment process for which the insurer is
11 unable to obtain a negotiable title may make an application to
12 the department of revenue for a salvage certificate of title
13 pursuant to this section. Prior to making application for a
14 certificate of title on a vehicle under this section, the insurer
15 or owner of the real estate shall have the vehicle inspected by
16 law enforcement pursuant to subsection 9 of section 301.190, and
17 shall have law enforcement perform a check in the national crime
18 information center and any appropriate statewide law enforcement
19 computer to determine if the vehicle has been reported stolen and
20 the name and address of the person to whom the vehicle was last
21 titled and any lienholders of record. The insurer or owner or
22 purchaser of the real estate shall, thirty days prior to making
23 application for title, notify any owners or lienholders of record
24 for the vehicle by certified mail that the owner intends to apply
25 for a certificate of title from the director for the abandoned
26 vehicle. The application for title shall be accompanied by:

27 (1) A statement explaining the circumstances by which the
28 property came into the insurer, owner, or purchaser's possession;

1 a description of the property including the year, make, model,
2 vehicle identification number, and any decal or license plate
3 that may be affixed to the vehicle; the current location of the
4 property; and the retail value of the property;

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

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

11 2. Upon receipt of the application and supporting
12 documents, the director shall search the records of the
13 department of revenue, or initiate an inquiry with another state,
14 if the evidence presented indicated the property described in the
15 application was registered or titled in another state, to verify
16 the name and address of any owners and any lienholders. If the
17 latest owner or lienholder was not notified the director shall
18 inform the insurer, owner, or purchaser of the real estate of the
19 latest owner and lienholder information so that notice may be
20 given as required by subsection 1 of this section. Any owner or
21 lienholder receiving notification may protest the issuance of
22 title by, within the thirty-day or forty-five-day notice period,
23 as applicable, and may file a petition to recover the vehicle,
24 naming the insurer described in subsection 1, 3, or 6 of this
25 section, as applicable; a salvage pool or salvage dealer and
26 dismantler described in subsection 4 of this section; a used
27 motor vehicle dealer described in subsection 5 of this section;
28 or the owner of the real estate and serving a copy of the

1 petition on the director of revenue. The director shall not be a
2 party to such petition but shall, upon receipt of the petition,
3 suspend the processing of any further certificate of title until
4 the rights of all parties to the vehicle are determined by the
5 court. Once all requirements are satisfied the director shall
6 issue one of the following:

7 (1) An original certificate of title if the vehicle
8 examination certificate, as provided in section 301.190,
9 indicates that the vehicle was not previously in a salvaged
10 condition or rebuilt;

11 (2) An original certificate of title designated as prior
12 salvage if the vehicle examination certificate as provided in
13 section 301.190 indicates the vehicle was previously in a
14 salvaged condition or rebuilt;

15 (3) A salvage certificate of title designated with the
16 words "salvage/abandoned property" or junking certificate based
17 on the condition of the property as stated in the inspection
18 report. An insurer purchasing a vehicle through the claims
19 adjustment process under this section shall only be eligible to
20 obtain a salvage certificate of title or junking certificate. A
21 salvage pool or salvage dealer and dismantler described in
22 subsection 4 of this section or a used motor vehicle dealer
23 described in subsection 5 of this section shall only be eligible
24 to obtain a salvage certificate of title or junking certificate.

25 3. Any insurer which purchases a vehicle that is currently
26 titled in Missouri through the claims adjustment process for
27 which the insurer is unable to obtain a negotiable title may make
28 application to the department of revenue for a salvage

1 certificate of title or junking certificate. Such application
2 may be made by the insurer or its designated salvage pool on a
3 form provided by the department and signed under penalty of
4 perjury. The application shall include a declaration that the
5 insurer has made at least two written attempts to obtain the
6 certificate of title, transfer documents, or other acceptable
7 evidence of title, and be accompanied by proof of claims payment
8 from the insurer, evidence that letters were sent to the vehicle
9 owner, a statement explaining the circumstances by which the
10 property came into the insurer's possession, a description of the
11 property including the year, make, model, vehicle identification
12 number, and current location of the property, and the fee
13 prescribed in subsection 5 of section 301.190. The insurer
14 shall, thirty days prior to making application for title, notify
15 any owners or lienholders of record for the vehicle that the
16 insurer intends to apply for a certificate of title from the
17 director for the vehicle. Upon receipt of the application and
18 supporting documents, the director shall search the records of
19 the department of revenue to verify the name and address of any
20 owners and any lienholders. If the director identifies any
21 additional owner or lienholder who has not been notified by the
22 insurer, the director shall inform the insurer of such additional
23 owner or lienholder and the insurer shall notify the additional
24 owner or lienholder of the insurer's intent to obtain title as
25 prescribed in this section. If no valid lienholders have
26 notified the department of the existence of a lien, the
27 department shall issue a salvage certificate of title or junking
28 certificate for the vehicle in the name of the insurer.

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

19 (1) A statement explaining the circumstances by which the
20 vehicle came into the salvage pool's or salvage dealer and
21 dismantler's possession; a description of the vehicle including
22 the year, make, model, and vehicle identification number; the
23 current location of the property; and the fee prescribed in
24 subsection 5 of section 301.190;

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

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

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

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

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

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

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

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

25
26 Upon receipt of the application and supporting documents, the
27 director shall search the records of the department, or initiate
28 an inquiry with another state if the evidence presented indicated

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

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

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

18 301.210. 1. In the event of a sale or transfer of
19 ownership of a motor vehicle or trailer for which a certificate
20 of ownership has been issued, the holder of such certificate
21 shall endorse on the same an assignment thereof, with warranty of
22 title in form printed thereon, and prescribed by the director of
23 revenue, with a statement of all liens or encumbrances on such
24 motor vehicle or trailer, and deliver the same to the buyer at
25 the time of the delivery to him of such motor vehicle or trailer;
26 provided that, when the transfer of a motor vehicle, trailer,
27 boat or outboard motor occurs within a corporation which holds a
28 license to operate as a motor vehicle or boat dealer pursuant to

1 sections 301.550 to 301.575, the provisions of subdivision (3) of
2 subsection 7 of section 144.070 shall not apply.

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

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

18 4. It shall be unlawful for any person to buy or sell in
19 this state any motor vehicle or trailer registered under the laws
20 of this state, unless, at the time of the delivery thereof, there
21 shall pass between the parties such certificates of ownership
22 with an assignment thereof, as provided in this section, and the
23 sale of any motor vehicle or trailer registered under the laws of
24 this state, without the assignment of such certificate of
25 ownership, shall be presumed fraudulent and void unless the
26 parties have executed a written agreement for delayed delivery of
27 certificate of ownership as provided in subsection 5 of this
28 section.

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

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

20 (2) In the event a motor vehicle subject to this subsection
21 has suffered physical damage covered by the purchaser's vehicle
22 insurance policy and the vehicle is determined by the insurance
23 company to be a total loss, the insurance company may satisfy the
24 claim in full, with respect to the damage to the vehicle, by
25 transferring all proceeds to such purchaser and any secured
26 lienholder of record. The purchaser shall not assign the
27 purchaser's corresponding insurance benefits to any party without
28 the express written permission of the insurer. In conjunction

1 with such satisfaction of the claim, if as part of such claim
2 settlement the insurance company is to receive the vehicle under
3 subdivision (3) of this subsection, but clear title never vests
4 with the purchaser within the thirty-day period after the date of
5 sale prescribed by subdivision (1) of this subsection or within
6 ten days of the claim settlement date, whichever is later, the
7 insurance company shall notify the dealer that clear title never
8 vested with the purchaser and the dealer shall reimburse the
9 insurance company for the salvage value of such vehicle as
10 determined in the claims settlement with the purchaser, and in
11 exchange the insurance company shall assign its rights to the
12 vehicle back to the dealer. If the dealer fails to make payment
13 to the insurance company within fifteen days of receiving notice,
14 the dealer shall be liable to the insurance company for the value
15 of the salvage as determined in the claims settlement with the
16 purchaser, plus any actual damages and any applicable court
17 costs, in return for the right to acquire the title and apply for
18 a salvage title under this chapter.

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

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

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

21 301.213. 1. Notwithstanding the provisions of sections
22 301.200 and 301.210, any person licensed as a motor vehicle
23 dealer under sections 301.550 to 301.580 that has provided to the
24 director of revenue a surety bond or irrevocable letter of credit
25 in an amount not less than one hundred thousand dollars in a form
26 which complies with the requirements of section 301.560 and in
27 lieu of the fifty thousand dollar bond otherwise required for
28 licensure as a motor vehicle dealer shall be authorized to

1 purchase or accept in trade any motor vehicle for which there has
2 been issued a certificate of ownership, and to receive such
3 vehicle subject to any existing liens thereon created and
4 perfected under sections 301.600 to 301.660 provided the licensed
5 dealer receives the following:

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

10 (2) Physical delivery of the vehicle to the licensed
11 dealer; and

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

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

24 3. If a licensed dealer complies with the requirements of
25 subsection 1 of this section, and such dealer has provided to the
26 director of revenue a surety bond or irrevocable letter of credit
27 in 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, such dealer may sell such
3 vehicle prior to receiving and assigning to the purchaser the
4 certificate of ownership, provided such dealer complies with the
5 following:

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

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

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

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

27 (5) The dealer and the purchaser have entered into a
28 written agreement for the subsequent assignment and delivery of

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

14
15 Notwithstanding any provision of law to the contrary, completion
16 of the requirements of this subsection shall constitute prima
17 facie evidence of an ownership interest vested in the purchaser
18 of the vehicle for all purposes other than for a subsequent
19 transfer of ownership of the vehicle by the purchaser, subject to
20 the rights of any secured lienholder of record; however, the
21 purchaser may use the dealer-supplied copy of the agreement to
22 transfer his or her ownership of the vehicle to an insurance
23 company in situations where the vehicle has been declared salvage
24 or a total loss by the insurance company as a result of a
25 settlement of a claim. Such insurance company may apply for a
26 salvage certificate of title or junking certificate pursuant to
27 the provisions of subsection 3 of section 301.193 in order to
28 transfer its interest in such vehicle. The purchaser may also

1 use the dealer-supplied copy of the agreement on the form
2 prescribed by the director of revenue as proof of ownership
3 interest. Any lender or insurance company may rely upon a copy
4 of the signed written agreement on the form prescribed by the
5 director of revenue as proof of ownership interest. Any lien
6 placed upon a vehicle based upon such signed written agreement
7 shall be valid and enforceable, notwithstanding the absence of a
8 certificate of ownership.

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

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

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

27 5. If a licensed dealer fails to comply with subsection 3
28 of this section, and the purchaser of the vehicle is thereby

1 damaged, then the dealer shall be liable to the purchaser of the
2 vehicle for actual damages, plus court costs and reasonable
3 attorney fees.

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

1 the director a written objection to the director taking such
2 action. If the dealer does file a timely, written objection with
3 the director, then the director shall not take any further action
4 without an order from a court of competent jurisdiction.

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

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

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

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

26 (1) The aggrieved party seeking damages has delivered an
27 itemized written demand of the party's actual damages to the
28 party from whom damages are sought; and

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

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

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

15 301.280. 1. Every motor vehicle dealer and boat dealer
16 shall make a monthly report to the department of revenue, on
17 blanks to be prescribed by the department of revenue, giving the
18 following information: date of the sale of each motor vehicle,
19 boat, trailer and all-terrain vehicle sold; the name and address
20 of the buyer; the name of the manufacturer; year of manufacture;
21 model of vehicle; vehicle identification number; style of
22 vehicle; odometer setting; and it shall also state whether the
23 motor vehicle, boat, trailer or all-terrain vehicle is new or
24 secondhand. Each monthly sales report filed by a motor vehicle
25 dealer who collects sales tax under subsection 10 of section
26 144.070 shall also include the amount of state and local sales
27 tax collected for each motor vehicle sold if sales tax was due.
28 The odometer reading is not required when reporting the sale of

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

1 filing a monthly sales report in an electronic format shall be
2 exempt from filing the notice of transfer required by section
3 301.196. For any dealer not filing electronically, the notice of
4 transfer required by section 301.196 shall be submitted with the
5 monthly sales report as prescribed by the director.

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

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

1 required forfeits all claims and liens for its garaging, parking
2 or storing.

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

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

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

21 301.560. 1. In addition to the application forms
22 prescribed by the department, each applicant shall submit the
23 following to the department:

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

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

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

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

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

1 shall be executed in the name of the state of Missouri for the
2 benefit of all aggrieved parties or the irrevocable letter of
3 credit shall name the state of Missouri as the beneficiary;
4 except, that the aggregate liability of the surety or financial
5 institution to the aggrieved parties shall, in no event, exceed
6 the amount of the bond or irrevocable letter of credit. [The
7 proceeds of the bond or irrevocable letter of credit shall be
8 paid upon receipt by the department of a final judgment from a
9 Missouri court of competent jurisdiction against the principal
10 and in favor of an aggrieved party.] Additionally, every
11 applicant as a new motor vehicle franchise dealer, a used motor
12 vehicle dealer, a powersport dealer, a wholesale motor vehicle
13 dealer, or boat dealer shall furnish with the application a copy
14 of a current dealer garage policy bearing the policy number and
15 name of the insurer and the insured. The proceeds of the bond or
16 irrevocable letter of credit furnished by an applicant shall be
17 paid upon receipt by the department of a final judgment from a
18 Missouri court of competent jurisdiction against the principal
19 and in favor of an aggrieved party. The proceeds of the bond or
20 irrevocable letter of credit furnished by an applicant shall be
21 paid at the order of the department and in the amount determined
22 by the department to any buyer or interested lienholder up to the
23 greater of the amount required for the release of the purchase
24 money lien or the sales price paid by the buyer where a dealer
25 has failed to fulfill the dealer's obligations under an agreement
26 to assign and deliver title to the buyer within thirty days under
27 a contract entered into pursuant to subsection 5 of section
28 301.210. The department shall direct release of the bond or

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

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

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

1 shall lapse is that amount in the fund which exceeds the multiple
2 of the appropriation from such fund for the preceding fiscal
3 year.

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

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

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

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

11		
12	New motor vehicle franchise dealers	D-0 through D-999
13	New powersport dealers	D-1000 through D-1999
14	Used motor vehicle and	
15	used powersport dealers	D-2000 through D-9999
16	Wholesale motor vehicle dealers	W-0 through W-1999
17	Wholesale motor vehicle auctions	WA-0 through WA-999
18	New and used trailer dealers	T-0 through T-9999
19	Motor vehicle, trailer, and boat	
20	manufacturers	DM-0 through DM-999
21	Public motor vehicle auctions	A-0 through A-1999
22	Boat dealers	M-0 through M-9999
23	New and used recreational	
24	motor vehicle dealers	RV-0 through RV-999

25
26 For purposes of this subsection, qualified transactions shall
27 include the purchase of salvage titled vehicles by a licensed
28 salvage dealer. A used motor vehicle dealer who also holds a

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

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

26 6. In the case of motor vehicle dealers, the department
27 shall issue one number plate bearing the distinctive dealer
28 license number and may issue one additional number plate to the

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

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

28 7. The plates issued pursuant to subsection 3 or 6 of this

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

18 8. The certificates of number issued pursuant to subsection
19 3 or 6 of this section may be displayed on any vessel or vessel
20 trailer owned and held for resale by a boat manufacturer or a
21 boat dealer, and used by a customer who is test driving the
22 vessel or vessel trailer, or is used by an employee or officer on
23 a vessel or vessel trailer only, but shall not be displayed on
24 any motor vehicle owned by a boat manufacturer, boat dealer, or
25 trailer dealer, or vessel or vessel trailer hired or loaned to
26 others or upon any regularly used service vessel or vessel
27 trailer. Boat dealers and boat manufacturers may display their
28 certificate of number on a vessel or vessel trailer when

1 transporting a vessel or vessels to an exhibit or show.

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

8 10. (1) Every application for the issuance of a used motor
9 vehicle dealer's license shall be accompanied by proof that the
10 applicant, within the last twelve months, has completed an
11 educational seminar course approved by the department as
12 prescribed by subdivision (2) of this subsection. Wholesale and
13 public auto auctions and applicants currently holding a new or
14 used license for a separate dealership shall be exempt from the
15 requirements of this subsection. The provisions of this
16 subsection shall not apply to current new motor vehicle franchise
17 dealers or motor vehicle leasing agencies or applicants for a new
18 motor vehicle franchise or a motor vehicle leasing agency. The
19 provisions of this subsection shall not apply to used motor
20 vehicle dealers who were licensed prior to August 28, 2006.

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

26 301.564. 1. Any person or his agent licensed or registered
27 as a manufacturer, motor vehicle dealer, wholesale motor vehicle
28 dealer, boat dealer, wholesale motor vehicle auction or a public

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

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

7 (2) Any application for title to any motor vehicle or
8 vessel;

9 (3) Any affidavit provided pursuant to sections 301.550 to
10 301.580 or chapter 407;

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

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

15 (6) Any inventory and related documentation.

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

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

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

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

24 (4) Any sheriff or deputy sheriff;

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

27 301.576. A motor vehicle dealer, as defined in section
28 301.550, and the dealer's owners, shareholders, officers,

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

20 301.3069. 1. Any Missouri resident may receive special
21 license plates as prescribed in this section after an annual
22 payment of an emblem-use authorization fee to Central Missouri
23 Honor Flight. Central Missouri Honor Flight hereby authorizes
24 the use of its official emblem to be affixed on multiyear
25 personalized license plates as provided in this section for any
26 vehicle the person owns, either solely or jointly, other than an
27 apportioned motor vehicle or commercial motor vehicle licensed in
28 excess of twenty-four thousand pounds gross weight. Any

1 contribution to Central Missouri Honor Flight derived from this
2 section, except reasonable administrative costs, shall be used
3 solely for financial assistance to transport veterans to
4 Washington D.C. to view various veteran memorials. Any Missouri
5 resident may annually apply to Central Missouri Honor Flight for
6 the use of the emblem.

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

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

28 4. A vehicle owner who was previously issued plates with

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

9 301.3159. Any person who has been awarded the military
10 service award known as the meritorious service medal may apply
11 for special motor vehicle license plates for any motor vehicle
12 such person owns, either solely or jointly, other than an
13 apportioned motor vehicle or a commercial motor vehicle licensed
14 in excess of twenty-four thousand pounds gross weight. Any such
15 person shall make application for the special license plates on a
16 form provided by the director of revenue and furnish such proof
17 as a recipient of the meritorious service medal as the director
18 may require. The director shall then issue license plates
19 bearing letters or numbers or a combination thereof as determined
20 by the advisory committee established in section 301.129, with
21 the words "MERITORIOUS SERVICE" in place of the words "SHOW-ME
22 STATE". Such license plates shall be made with fully reflective
23 material with a common color scheme and design, shall be clearly
24 visible at night, and shall be aesthetically attractive, as
25 prescribed by section 301.130. Such plates shall also bear an
26 image of the meritorious service medal. There shall be an
27 additional fee charged for each set of meritorious service
28 license plates issued under this section equal to the fee charged

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

11 301.3174. 1. Any Missouri resident may receive special
12 license plates as prescribed in this section after an annual
13 payment of an emblem-use authorization fee to the Association of
14 Missouri Electric Cooperatives. The Association of Missouri
15 Electric Cooperatives hereby authorizes the use of its official
16 lineman emblem to be affixed on multiyear personalized license
17 plates as provided in this section for any vehicle the person
18 owns, either solely or jointly[, other than an apportioned motor
19 vehicle or commercial motor vehicle licensed in excess of
20 twenty-four thousand pounds gross weight]. Any contribution to
21 such association derived from this section, except reasonable
22 administrative costs, shall be used solely for financial
23 assistance for lineman training programs. Any Missouri resident
24 may annually apply to the association for the use of the emblem.

25 2. Upon annual application and payment of a twenty-five
26 dollar emblem-use contribution to the Association of Missouri
27 Electric Cooperatives, the association shall issue to the vehicle
28 owner, without further charge, an emblem-use authorization

1 statement, which shall be presented by the vehicle owner to the
2 department of revenue at the time of registration of a motor
3 vehicle. Upon presentation of the annual statement and payment
4 of the fee required for personalized license plates in section
5 301.144, and other fees and documents which may be required by
6 law, the department of revenue shall issue a personalized license
7 plate or plates, which shall bear the emblem of the Association
8 of Missouri Electric Cooperatives' lineman, to the vehicle owner.
9 Notwithstanding any provision of law to the contrary, the
10 department of revenue shall issue the license plate or plates, as
11 authorized in this section, for non-apportioned vehicles of any
12 classification for which it issues a license plate or plates.

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

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

1 revenue shall make necessary rules and regulations for the
2 enforcement of this section, and shall design all necessary forms
3 required by this section.

4 301.3176. 1. Any vehicle owner may apply for
5 "BackStoppers" license plates for any motor vehicle the person
6 owns, either solely or jointly, other than an apportioned motor
7 vehicle or a commercial motor vehicle licensed in excess of
8 twenty-four thousand pounds gross weight. Upon making a ten
9 dollar contribution to the BackStoppers General Operating Fund or
10 to the BackStoppers Education Fund, the vehicle owner may apply
11 for the "BackStoppers" plate. If the contribution is made
12 directly to the BackStoppers General Operating Fund or to the
13 BackStoppers Education Fund, the organization shall issue the
14 individual making the contribution a receipt, verifying the
15 contribution, that may be used to apply for the "BackStoppers"
16 license plate. If the contribution is made directly to the
17 director of revenue pursuant to section 301.3031, the director
18 shall note the contribution and the owner may then apply for the
19 "BackStoppers" plate. The applicant for such plate shall pay a
20 fifteen dollar fee in addition to the regular registration fees
21 and present any other documentation required by law for each set
22 of "BackStoppers" plates issued pursuant to this section.
23 Notwithstanding the provisions of section 301.144, no additional
24 fee shall be charged for the personalization of license plates
25 issued pursuant to this section. The "BackStoppers" plate shall
26 bear the emblem of a thin blue line encompassed in black as
27 prescribed by the director of revenue and shall have the word
28 "BACKSTOPPERS". Such license plates shall be made with fully

1 reflective material with a common color scheme and design, shall
2 be clearly visible at night, and shall be aesthetically
3 attractive, as prescribed by section 301.130.

4 2. The director of revenue may promulgate rules and
5 regulations for the administration of this section. Any rule or
6 portion of a rule, as that term is defined in section 536.010,
7 that is created under the authority delegated in this section
8 shall become effective only if it complies with and is subject to
9 all of the provisions of chapter 536 and, if applicable, section
10 536.028. This section and chapter 536 are nonseverable and if
11 any of the powers vested with the general assembly pursuant to
12 chapter 536 to review, to delay the effective date, or to
13 disapprove and annul a rule are subsequently held
14 unconstitutional, then the grant of rulemaking authority and any
15 rule proposed or adopted after August 28, 2020, shall be invalid
16 and void.

17 302.170. 1. As used in this section, the following terms
18 shall mean:

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

21 (a) [Facial feature pattern characteristics;

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

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

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

28 [(e)] (d) Fingerprint, palm prints, hand geometry, measure

1 of any and all characteristics of biometric information,
2 including shape and length of fingertips, or recording ridge
3 pattern or fingertip characteristics;

4 [(f) Eye spacing;

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

6 [(h)] (f) DNA;

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

9 (2) "Commercial purposes", shall not include data used or
10 compiled solely to be used for, or obtained or compiled solely
11 for purposes expressly allowed under Missouri law or the federal
12 Drivers Privacy Protection Act;

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

20 2. Except as provided in subsection 3 of this section and
21 as required to carry out the provisions of subsection 4 of this
22 section, the department of revenue shall not retain copies, in
23 any format, of source documents presented by individuals applying
24 for or holding driver's licenses or nondriver's licenses or use
25 technology to capture digital images of source documents so that
26 the images are capable of being retained in electronic storage in
27 a transferable format. [Documents retained as provided or
28 required by subsection 4 of this section shall be stored solely

1 on a system not connected to the internet nor to a wide area
2 network that connects to the internet. Once stored on such
3 system, the documents and data shall be purged from any systems
4 on which they were previously stored so as to make them
5 irretrievable.]

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

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

9 (2) Test score documents issued by state highway patrol
10 driver examiners and Missouri commercial third-party tester
11 examiners;

12 (3) Documents demonstrating lawful presence of any
13 applicant who is not a citizen of the United States, including
14 documents demonstrating duration of the person's lawful presence
15 in the United States;

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

21 (5) Documents submitted by a commercial driver's license or
22 commercial driver's instruction permit applicant who is a
23 Missouri resident and is a qualified current or former military
24 service member which allow for waiver of the commercial driver's
25 license knowledge test, skills test, or both; and

26 (6) Any other document at the request of and for the
27 convenience of the applicant [where the applicant requests the
28 department of revenue review alternative documents as proof

1 required for issuance of a driver's license, nondriver's license,
2 or instruction permit].

3 4. (1) To the extent not prohibited under subsection 13 of
4 this section, the department of revenue shall amend procedures
5 for applying for a driver's license or identification card in
6 order to comply with the goals or standards of the federal REAL
7 ID Act of 2005, any rules or regulations promulgated under the
8 authority granted in such Act, or any requirements adopted by the
9 American Association of Motor Vehicle Administrators for
10 furtherance of the Act, unless such action conflicts with
11 Missouri law.

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

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

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

5 b. Electronic copies of source documents will be retained
6 by the department and destroyed after the minimum time required
7 for digital retention by the federal REAL ID Act of 2005, as
8 amended;

9 c. The facial image capture will only be retained by the
10 department if the application is finished and submitted to the
11 department; and

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

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

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

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

26 c. Any other information the department deems necessary to
27 inform the applicant about the driver's license or identification
28 card.

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

25 6. Notwithstanding any provision of this chapter that
26 requires an applicant to provide reasonable proof of lawful
27 presence for issuance or renewal of a noncommercial driver's
28 license, noncommercial instruction permit, or a nondriver's

1 license, an applicant shall not have his or her privacy rights
2 violated in order to obtain or renew a Missouri noncommercial
3 driver's license, noncommercial instruction permit, or a
4 nondriver's license.

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

22 8. Other than to process a request by a license or card
23 holder or applicant, no person shall knowingly access,
24 distribute, or allow access to or distribution of any written,
25 digital, or electronic data collected or retained under this
26 section without the express permission of the applicant or a
27 court order, except that such information may be shared with a
28 law enforcement agency, judge, prosecuting attorney, or officer

1 of the court, or with another state for the limited purposes set
2 out in section 302.600 or for conducting driver history checks in
3 compliance with the Motor Carrier Safety Improvement Act, 49
4 U.S.C. Section 31309. A first violation of this subsection shall
5 be a class A misdemeanor. A second violation of this subsection
6 shall be a class E felony. A third or subsequent violation of
7 this subsection shall be a class D felony.

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

19 10. The department of revenue may promulgate rules
20 necessary to implement the provisions of this section. Any rule
21 or portion of a rule, as that term is defined in section 536.010,
22 that is created under the authority delegated in this section
23 shall become effective only if it complies with and is subject to
24 all of the provisions of chapter 536 and, if applicable, section
25 536.028. This section and chapter 536 are nonseverable and if
26 any of the powers vested with the general assembly pursuant to
27 chapter 536 to review, to delay the effective date, or to
28 disapprove and annul a rule are subsequently held

1 unconstitutional, then the grant of rulemaking authority and any
2 rule proposed or adopted after August 28, 2017, shall be invalid
3 and void.

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

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

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

27 14. If the federal REAL ID Act of 2005 is modified or
28 repealed such that driver's licenses and identification cards

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

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

10 302.181. 1. The license issued pursuant to the provisions
11 of sections 302.010 to 302.340 shall be in such form as the
12 director shall prescribe, but the license shall be a card made of
13 plastic or other comparable material. All licenses shall be
14 manufactured of materials and processes that will prohibit, as
15 nearly as possible, the ability to reproduce, alter, counterfeit,
16 forge, or duplicate any license without ready detection. [All
17 licenses shall bear the licensee's Social Security number, if the
18 licensee has one, and if not, a notarized affidavit must be
19 signed by the licensee stating that the licensee does not possess
20 a Social Security number, or, if applicable, a certified
21 statement must be submitted as provided in subsection 4 of this
22 section.] The license shall also bear the expiration date of the
23 license, the classification of the license, the name, date of
24 birth, residence address including the county of residence or a
25 code number corresponding to such county established by the
26 department, and brief description and colored [photograph or]
27 digitized image of the licensee, and a facsimile of the signature
28 of the licensee. The director shall provide by administrative

1 rule the procedure and format for a licensee to indicate on the
2 back of the license together with the designation for an
3 anatomical gift as provided in section 194.240 the name and
4 address of the person designated pursuant to sections 404.800 to
5 404.865 as the licensee's attorney in fact for the purposes of a
6 durable power of attorney for health care decisions. No license
7 shall be valid until it has been so signed by the licensee. If
8 any portion of the license is prepared by a private firm, any
9 contract with such firm shall be made in accordance with the
10 competitive purchasing procedures as established by the state
11 director of the division of purchasing. [For all licenses issued
12 or renewed after March 1, 1992, the applicant's Social Security
13 number shall serve as the applicant's license number. Where the
14 licensee has no Social Security number, or where the licensee is
15 issued a license without a Social Security number in accordance
16 with subsection 4 of this section, the director shall issue a
17 license number for the licensee and such number shall also
18 include an indicator showing that the number is not a Social
19 Security number.]

20 2. All [film involved in the production of photographs]
21 digital images produced for licenses shall become the property of
22 the department of revenue.

23 3. The license issued shall be carried at all times by the
24 holder thereof while driving a motor vehicle, and shall be
25 displayed upon demand of any officer of the highway patrol, or
26 any police officer or peace officer, or any other duly authorized
27 person, for inspection when demand is made therefor. Failure of
28 any operator of a motor vehicle to exhibit his or her license to

1 any duly authorized officer shall be presumptive evidence that
2 such person is not a duly licensed operator.

3 4. [The director of revenue shall issue a commercial or
4 noncommercial driver's license without a Social Security number
5 to an applicant therefor, who is otherwise qualified to be
6 licensed, upon presentation to the director of a certified
7 statement that the applicant objects to the display of the Social
8 Security number on the license. The director shall assign an
9 identification number, that is not based on a Social Security
10 number, to the applicant which shall be displayed on the license
11 in lieu of the Social Security number.

12 5.] The director of revenue shall not issue a license
13 without a facial [photograph or] digital image of the license
14 applicant, except as provided pursuant to subsection 8 of this
15 section. A [photograph or] digital image of the applicant's full
16 facial features shall be taken in a manner prescribed by the
17 director. No [photograph or] digital image [will] shall be taken
18 wearing anything which cloaks the facial features of the
19 individual.

20 [6.] 5. The department of revenue may issue a temporary
21 license or a full license without the photograph or with the last
22 photograph or digital image in the department's records to
23 members of the Armed Forces, except that where such temporary
24 license is issued it shall be valid only until the applicant
25 shall have had time to appear and have his or her picture taken
26 and a license with his or her photograph issued.

27 [7.] 6. The department of revenue shall issue upon request
28 a nondriver's license card containing essentially the same

1 information and photograph or digital image, except as provided
2 pursuant to subsection 8 of this section, as the driver's license
3 upon payment of six dollars. All nondriver's licenses shall
4 expire on the applicant's birthday in the sixth year after
5 issuance. A person who has passed his or her seventieth birthday
6 shall upon application be issued a nonexpiring nondriver's
7 license card. Notwithstanding any other provision of this
8 chapter, a nondriver's license containing a concealed carry
9 endorsement shall expire three years from the date the
10 certificate of qualification was issued pursuant to section
11 571.101, as section 571.101 existed prior to August 28, 2013.
12 The fee for nondriver's licenses issued for a period exceeding
13 three years is six dollars or three dollars for nondriver's
14 licenses issued for a period of three years or less. The
15 nondriver's license card shall be used for identification
16 purposes only and shall not be valid as a license.

17 [8.] 7. If otherwise eligible, an applicant may receive a
18 driver's license or nondriver's license without a photograph or
19 digital image of the applicant's full facial features except that
20 such applicant's photograph or digital image shall be taken and
21 maintained by the director and not printed on such license. In
22 order to qualify for a license without a photograph or digital
23 image pursuant to this section the applicant must:

24 (1) Present a form provided by the department of revenue
25 requesting the applicant's photograph be omitted from the license
26 or nondriver's license due to religious affiliations. The form
27 shall be signed by the applicant and another member of the
28 religious tenant verifying the photograph or digital image

1 exemption on the license or nondriver's license is required as
2 part of their religious affiliation. The required signatures on
3 the prescribed form shall be properly notarized;

4 (2) Provide satisfactory proof to the director that the
5 applicant has been a United States citizen for at least five
6 years and a resident of this state for at least one year, except
7 that an applicant moving to this state possessing a valid
8 driver's license from another state without a photograph shall be
9 exempt from the one-year state residency requirement. The
10 director may establish rules necessary to determine satisfactory
11 proof of citizenship and residency pursuant to this section;

12 (3) Applications for a driver's license or nondriver's
13 license without a photograph or digital image must be made in
14 person at a license office determined by the director. The
15 director is authorized to limit the number of offices that may
16 issue a driver's or nondriver's license without a photograph or
17 digital image pursuant to this section.

18 [9.] 8. The department of revenue shall make available, at
19 one or more locations within the state, an opportunity for
20 individuals to have their full facial photograph taken by an
21 employee of the department of revenue, or their designee, who is
22 of the same sex as the individual being photographed, in a
23 segregated location.

24 [10.] 9. Beginning July 1, 2005, the director shall not
25 issue a driver's license or a nondriver's license for a period
26 that exceeds an applicant's lawful presence in the United States.
27 The director may, by rule or regulation, establish procedures to
28 verify the lawful presence of the applicant and establish the

1 duration of any driver's license or nondriver's license issued
2 under this section.

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

6 10. (1) Notwithstanding any biometric data restrictions
7 contained in section 302.170, the department of revenue is hereby
8 authorized to design and implement a secure digital driver's
9 license program that allows applicants applying for a driver's
10 license in accordance with this chapter to obtain a secure
11 digital driver's license in addition to the physical card-based
12 license specified in this section.

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

16 (3) The department may contract with one or more entities
17 to develop the secure digital driver's license system. The
18 department or entity may develop a mobile software application
19 capable of being utilized through a person's electronic device to
20 access the person's secure digital driver's license.

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

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

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

28 11. The director of the department of revenue may

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

13 302.205. 1. Any resident of this state may elect to have a
14 medical alert notation placed on the person's driver's license or
15 nondriver's identification card. The following conditions,
16 illnesses, and disorders may be recorded on a driver's license or
17 nondriver's identification card as medical alert information at
18 the request of the applicant:

19 (1) Posttraumatic stress disorder;

20 (2) Diabetes;

21 (3) Heart conditions;

22 (4) Epilepsy;

23 (5) Drug allergies;

24 (6) Alzheimer's or dementia;

25 (7) Schizophrenia;

26 (8) Autism; or

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

1 2. Any person requesting the inclusion of a medical alert
2 notation on his or her driver's license or nondriver's
3 identification card shall submit an application form to include a
4 waiver of liability for the release of any medical information to
5 the department, any person who is eligible for access to such
6 medical information as recorded on the person's driving record
7 under this chapter, and any other person who may view or receive
8 notice of such medical information by virtue of having seen such
9 person's driver's license or nondriver's identification card.
10 Such application shall advise the person that he or she will be
11 consenting to the release of such medical information to anyone
12 who sees or copies his or her driver's license or nondriver's
13 identification card, even if such person is otherwise ineligible
14 to access such medical information under state or federal law.

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

20 4. Any person who has been issued a driver's license or
21 nondriver's identification card bearing medical alert information
22 may be issued a replacement driver's license or nondriver's
23 identification card excluding such medical alert information at
24 his or her request and upon payment of the fee provided in this
25 chapter for replacement of lost licenses or identification cards.

26 5. No medical alert information shall be printed on or
27 removed from a driver's license or nondriver's identification
28 card without the express consent of the licensee. If the

1 licensee is a child under the age of eighteen, consent for the
2 printing of medical alert information shall be provided by the
3 parent or guardian of the child when he or she signs the
4 application for the driver's license or nondriver's
5 identification card. If the licensee is an incapacitated adult,
6 consent for the printing of medical alert information shall be
7 given by the guardian of such adult as appointed by a court of
8 competent jurisdiction.

9 6. The director of the department of revenue may promulgate
10 all necessary rules and regulations for the administration of
11 this section. Any rule or portion of a rule, as that term is
12 defined in section 536.010, that is created under the authority
13 delegated in this section shall become effective only if it
14 complies with and is subject to all of the provisions of chapter
15 536 and, if applicable, section 536.028. This section and
16 chapter 536 are nonseverable, and if any of the powers vested
17 with the general assembly pursuant to chapter 536 to review, to
18 delay the effective date, or to disapprove and annul a rule are
19 subsequently held unconstitutional, then the grant of rulemaking
20 authority and any rule proposed or adopted after August 28, 2020,
21 shall be invalid and void.

22 302.720. 1. Except when operating under an instruction
23 permit as described in this section, no person may drive a
24 commercial motor vehicle unless the person has been issued a
25 commercial driver's license with applicable endorsements valid
26 for the type of vehicle being operated as specified in sections
27 302.700 to 302.780. A commercial driver's instruction permit
28 shall allow the holder of a valid license to operate a commercial

1 motor vehicle when accompanied by the holder of a commercial
2 driver's license valid for the vehicle being operated and who
3 occupies a seat beside the individual, or reasonably near the
4 individual in the case of buses, for the purpose of giving
5 instruction in driving the commercial motor vehicle. No person
6 may be issued a commercial driver's instruction permit until he
7 or she has passed written tests which comply with the minimum
8 federal standards. A commercial driver's instruction permit
9 shall be nonrenewable and shall be valid for the vehicle being
10 operated for a period of not more than one year, and shall not be
11 issued until the permit holder has met all other requirements of
12 sections 302.700 to 302.780, except for the driving test. The
13 fee for such permit shall be ten dollars. The fee for a
14 duplicate of such commercial driver's instruction permit shall be
15 five dollars.

16 2. No person may be issued a commercial driver's license
17 until he has passed written and driving tests for the operation
18 of a commercial motor vehicle which complies with the minimum
19 federal standards established by the Secretary and has satisfied
20 all other requirements of the Commercial Motor Vehicle Safety Act
21 of 1986 (Title XII of Pub. Law 99-570), as well as any other
22 requirements imposed by state law. Beginning January 1, 2020,
23 all applicants for a commercial driver's license shall complete
24 any entry-level driver training program as established and
25 required under 49 CFR 380.609. All applicants for a commercial
26 driver's license shall have maintained the appropriate class of
27 commercial driver's instruction permit issued by this state or
28 any other state for a minimum of fourteen calendar days prior to

1 the date of taking the skills test. Applicants for a hazardous
2 materials endorsement must also meet the requirements of the U.S.
3 Patriot Act of 2001 (Title X of Public Law 107-56) as specified
4 and required by regulations promulgated by the Secretary.
5 Nothing contained in this subsection shall be construed as
6 prohibiting the director from establishing alternate testing
7 formats for those who are functionally illiterate; provided,
8 however, that any such alternate test must comply with the
9 minimum requirements of the Commercial Motor Vehicle Safety Act
10 of 1986 (Title XII of Pub. Law 99-570) as established by the
11 Secretary.

12 (1) The written and driving tests shall be held at such
13 times and in such places as the superintendent may designate. A
14 twenty-five dollar examination fee shall be paid by the applicant
15 upon completion of any written or driving test, except the
16 examination fee shall be waived for applicants seventy years of
17 age or older renewing a license with a school bus endorsement.
18 The director shall delegate the power to conduct the examinations
19 required under sections 302.700 to 302.780 to any member of the
20 highway patrol or any person employed by the highway patrol
21 qualified to give driving examinations. The written test shall
22 only be administered in the English language. No translators
23 shall be allowed for applicants taking the test.

24 (2) The director shall adopt and promulgate rules and
25 regulations governing the certification of third-party testers by
26 the department of revenue. Such rules and regulations shall
27 substantially comply with the requirements of 49 CFR 383, Section
28 383.75. A certification to conduct third-party testing shall be

1 valid for one year, and the department shall charge a fee of one
2 hundred dollars to issue or renew the certification of any
3 third-party tester.

4 (3) Beginning August 28, 2006, the director shall issue or
5 renew third-party tester certification to community colleges
6 established under chapter 178 or to private companies who own,
7 lease, or maintain their own fleet and administer in-house
8 testing to their employees, or to school districts and their
9 agents that administer in-house testing to the school district's
10 or agent's employees. Any third-party tester who violates any of
11 the rules and regulations adopted and promulgated pursuant to
12 this section shall be subject to having his certification revoked
13 by the department. The department shall provide written notice
14 and an opportunity for the third-party tester to be heard in
15 substantially the same manner as provided in chapter 536. If any
16 applicant submits evidence that he has successfully completed a
17 test administered by a third-party tester, the actual driving
18 test for a commercial driver's license may then be waived.

19 (4) Every applicant for renewal of a commercial driver's
20 license shall provide such certifications and information as
21 required by the Secretary and if such person transports a
22 hazardous material must also meet the requirements of the U.S.
23 Patriot Act of 2001 (Title X of Public Law 107-56) as specified
24 and required by regulations promulgated by the Secretary. Such
25 person shall be required to take the written test for such
26 endorsement. A twenty-five dollar examination fee shall be paid
27 upon completion of such tests.

28 (5) The director shall have the authority to waive the

1 driving skills and written tests for any qualified current or
2 former military service member applicant for a commercial
3 driver's instruction permit or a commercial driver's license who
4 is currently licensed at the time of application for a commercial
5 driver's instruction permit or commercial driver's license. The
6 director shall impose conditions and limitations and require
7 certification and evidence to restrict the applicants from whom
8 the department may accept the alternative requirements for the
9 skills and written tests described in federal regulations 49 CFR
10 383.71 and 49 CFR 383.77. Applicant's shall meet all federal and
11 state qualifications to operate a commercial vehicle. Applicants
12 shall be required to complete all applicable tests, except when
13 the applicant provides proof of approved military training
14 sufficient for [wiaver] waiver of the written knowledge and
15 skills tests as specified in this subdivision and subdivision (5)
16 of subsection 3 of section 302.170.

17 3. A commercial driver's license or commercial driver's
18 instruction permit may not be issued to a person while the person
19 is disqualified from driving a commercial motor vehicle, when a
20 disqualification is pending in any state or while the person's
21 driver's license is suspended, revoked, or cancelled in any
22 state; nor may a commercial driver's license be issued unless the
23 person first surrenders in a manner prescribed by the director
24 any commercial driver's license issued by another state, which
25 license shall be returned to the issuing state for cancellation.

26 4. Beginning July 1, 2005, the director shall not issue an
27 instruction permit under this section unless the director
28 verifies that the applicant is lawfully present in the United

1 States before accepting the application. The director may, by
2 rule or regulation, establish procedures to verify the lawful
3 presence of the applicant under this section. No rule or portion
4 of a rule promulgated pursuant to the authority of this section
5 shall become effective unless it has been promulgated pursuant to
6 chapter 536.

7 5. Notwithstanding the provisions of this section or any
8 other law to the contrary, beginning August 28, 2008, the
9 director of the department of revenue shall certify as a
10 third-party tester any municipality that owns, leases, or
11 maintains its own fleet that requires certain employees as a
12 condition of employment to hold a valid commercial driver's
13 license; and that administered in-house testing to such employees
14 prior to August 28, 2006.

15 6. Notwithstanding the provisions of this section or any
16 other law to the contrary, beginning December 1, 2019, the
17 director of the department of revenue shall certify as a
18 third-party tester any private education institution or other
19 private entity, provided the institution or entity meets the
20 necessary qualifications required by the state.

21 7. The director shall adopt and promulgate rules and
22 regulations establishing a process for applicants with
23 disabilities to request testing accommodations with respect to
24 both the written and driving tests required under this section
25 and to establish criteria for awarding such accommodations. The
26 rules shall specify that a hearing test shall not be a component
27 of the written test or driving test for any applicant who is deaf
28 or hard of hearing. Any rule or portion of a rule, as that term

1 is defined in section 536.010, that is created under the
2 authority delegated in this section shall become effective only
3 if it complies with and is subject to all of the provisions of
4 chapter 536 and, if applicable, section 536.028. This section
5 and 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 8. If the United States Secretary of Transportation
12 determines that subsection 7 of this section has the effect of
13 placing the state of Missouri in noncompliance with any federal
14 constitutional, statutory, or regulatory provision that would
15 result in the loss of any federal aid funds to the Missouri
16 highways and transportation commission, then subsection 7 of this
17 section shall be null and void.

18 302.723. 1. Notwithstanding any other provision of law,
19 any entity providing commercial driver's license training to
20 persons preparing to apply for commercial driver's licenses under
21 the provisions of sections 302.700 to 302.780 shall provide
22 reasonable accommodations for persons who are deaf or hard of
23 hearing.

24 2. If the United States Secretary of Transportation
25 determines that this section or subsection 7 of section 302.720
26 has the effect of placing the state of Missouri in noncompliance
27 with any federal constitutional, statutory, or regulatory
28 provision that would result in the loss of any federal aid funds

1 to the Missouri highways and transportation commission, then this
2 section shall be null and void.

3 303.026. 1. The director shall inform each owner who
4 registers a motor vehicle of the following:

5 (1) The existence of the requirement that every motor
6 vehicle owner in the state must maintain his financial
7 responsibility;

8 (2) The requirement that every motor vehicle owner show an
9 insurance identification card, or a copy thereof, or other proof
10 of financial responsibility at the time of vehicle registration;
11 this notice shall be given at least thirty days prior to the
12 month for renewal and shall be shown in bold, colored print;

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

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

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

19 2. No motor vehicle owner shall be issued registration for
20 a vehicle unless the owner, or his authorized agent, signs an
21 affidavit provided by the director of revenue at the time of
22 registration of the vehicle certifying that such owner has and
23 will maintain, during the period of registration, financial
24 responsibility with respect to each motor vehicle that is owned,
25 licensed or operated on the streets or highways. The affidavit
26 need not be notarized, but it shall be acknowledged by the person
27 processing the form. The affidavit shall state clearly and in
28 bold print the following: "Any false affidavit is a crime under

1 section 575.050 of Missouri law.". In addition, every motor
2 vehicle owner shall show proof of such financial responsibility
3 by presenting his or her insurance identification card, as
4 described in section 303.024, or a copy thereof, or some other
5 proof of financial responsibility in the form prescribed by the
6 director of revenue at the time of registration unless such owner
7 registers his vehicle in conjunction with a reciprocity agreement
8 entered into by the Missouri highway reciprocity commission
9 pursuant to sections 301.271 to 301.279 or unless the owner
10 insures the vehicle according to the requirements of the division
11 of motor carrier and railroad safety pursuant to section 390.126.

12 3. To ensure compliance with this chapter, the director may
13 utilize a variety of sampling techniques including but not
14 limited to random samples of registrations subject to this
15 section, uniform traffic tickets, insurance information provided
16 to the director at the time of motor vehicle registration, and
17 persons who during the preceding year have received a disposition
18 of court-ordered supervision or suspension. The director may
19 verify the financial responsibility of any person sampled or
20 reported.

21 (1) Beginning January 1, 2001, the director may require
22 such information, as in his or her discretion is necessary to
23 enforce the requirements of subdivision (1) of subsection 1 of
24 this section, to be submitted from the person's insurer or
25 insurance company. When requested by the director of revenue,
26 all licensed insurance companies in this state which sell private
27 passenger (noncommercial) motor vehicle insurance policies shall
28 report information regarding the issuance, nonrenewal and

1 cancellation of such policies to the director, excluding policies
2 issued to owners of fleet or rental vehicles or issued on
3 vehicles that are insured pursuant to a commercial line policy.
4 Such information shall be reported electronically in a format as
5 prescribed by the director of the department of revenue by rule
6 [except that such rule shall provide for an exemption from
7 electronic reporting for insurers with a statistically
8 insignificant number of policies in force].

9 (2) When required by the director of revenue, each
10 insurance company shall provide to the department a record of
11 each policy issued, cancelled, terminated or revoked during the
12 period since the previous report. [Nothing in this section shall
13 prohibit insurance companies from reporting more frequently than
14 once per month] The director of revenue may require insurance
15 companies to provide such records as frequently as he or she
16 deems necessary.

17 (3) The director may use reports described in subdivision
18 (1) of this subsection for sampling purposes as provided in this
19 section.

20 4. Information provided to the department by an insurance
21 company for use in accordance with this section is the property
22 of the insurer and is not subject to disclosure pursuant to
23 chapter 610. Such information may be utilized by the department
24 for enforcement of this chapter but may not be disclosed except
25 that the department shall disclose whether an individual is
26 maintaining the required insurance coverage upon request of the
27 following individuals and agencies only:

28 (1) The individual;

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

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

5 (4) Any person who has power of attorney from the
6 individual;

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

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

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

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

27 6. Any person or agency who knowingly discloses information
28 received from insurance companies pursuant to this section for

1 any purpose, or to a person, other than those authorized in this
2 section is guilty of a class A misdemeanor. No insurer shall be
3 liable to any person for performing its duties pursuant to this
4 section unless and to the extent the insurer commits a willful
5 and wanton act of omission.

6 7. The department of revenue shall notify the department of
7 commerce and insurance of any insurer who violates any provisions
8 of this section. The department of commerce and insurance may,
9 against any insurer who knowingly fails to comply with this
10 section, assess an administrative penalty up to five hundred
11 dollars per day of noncompliance. The department of commerce and
12 insurance may excuse the administrative penalty if an assessed
13 insurer provides acceptable proof that such insurer's
14 noncompliance was inadvertent, accidental or the result of
15 excusable neglect. The penalty provisions of this section shall
16 become effective six months after the rule issued pursuant to
17 subsections 3 and 5 of this section is published in the code of
18 state regulations.

19 8. To verify that financial responsibility is being
20 maintained, the director shall notify the owner or operator of
21 the need to provide, within fifteen days, proof of the existence
22 of the required financial responsibility. The request shall
23 require the owner or the operator to state whether or not the
24 motor vehicle was insured on the verification date stated in the
25 director's request. The request may include but not be limited
26 to a statement of the names and addresses of insurers, policy
27 numbers and expiration date of insurance coverage. Failure to
28 provide such information shall result in the suspension of the

1 registration of the owner's motor vehicle, and where applicable,
2 the owner's or the operator's driving privilege, for failing to
3 meet such requirements, as is provided in this chapter.

4 303.200. 1. After consultation with insurance companies
5 [authorized to issue automobile liability policies] having a
6 certificate of authority to do business in this state and
7 actively writing motor vehicle liability policies, the director
8 of the department of commerce and insurance, hereinafter referred
9 to as the "director", shall approve a reasonable plan [or plans
10 for the equitable apportionment among such companies of
11 applicants for such policies and for personal automobile and
12 commercial motor vehicle liability] to provide motor vehicle
13 insurance policies to applicants who are in good faith entitled
14 to but are unable to procure such policies through ordinary
15 methods. The plan shall be known as the Missouri Automobile
16 Insurance Plan, hereinafter referred to as the "plan". When any
17 such plan has been approved, all such insurance companies shall
18 subscribe thereto and participate therein. [The plan manager, on
19 the plan's behalf, shall contract with an entity or entities to
20 accept and service applicants and policies for any company that
21 does not elect to accept and service applicants and policies. By
22 October first of each year any company that elects to accept and
23 service applicants and policies for the next calendar year for
24 any such plan shall so notify the plan. Except as provided in
25 subsection 2 of this section, any company that does not so notify
26 a plan established for handling coverage for personal automobile
27 risks shall be excused from accepting and servicing applicants
28 and policies for the next calendar year for such plan and shall

1 pay a fee to the plan or servicing entity for providing such
2 services. The fee shall be based on the company's market share
3 as determined by the company's writings of personal automobile
4 risks in the voluntary market.] Any applicant for [any such] a
5 policy under the plan, any person insured under [any such] the
6 plan, and any insurance company affected may appeal to the
7 director from any ruling or decision of the [manager or committee
8 designated to operate such] plan. Any person aggrieved hereunder
9 by any order or act of the director may, within ten days after
10 notice thereof, file a petition in the circuit court of the
11 county of Cole for a review thereof. The court shall summarily
12 hear the petition and may make any appropriate order or decree.
13 [As used in this section, the term "personal automobile" means a
14 private passenger nonfleet vehicle, motorcycle, camper and travel
15 trailer, antique auto, amphibious auto, motor home, named
16 nonowner applicant, or a low-speed vehicle subject to chapter 304
17 which is not primarily used for business or nonprofit interests
18 and which is generally used for personal, family, or household
19 purposes.

20 2. If the total premium volume for any one plan established
21 for handling coverage for personal automobile risks exceeds ten
22 million dollars in a calendar year, a company with more than five
23 percent market share of such risks in Missouri shall not be
24 excused from accepting and servicing applicants and policies of
25 such plan under subsection 1 of this section for the next
26 calendar year, unless the governing body of the plan votes to
27 allow any company with such market share the option to be
28 excused.]

1 2. The plan shall perform its functions under a plan of
2 operation and through a governing committee as prescribed in the
3 plan of operation. Any plan of operation, prior to being placed
4 in effect, shall be filed with and approved by the director. Any
5 amendments to the plan of operation so adopted shall also be
6 filed with and approved by the director prior to being placed in
7 effect.

8 3. The plan of operation shall prescribe the issuance of
9 motor vehicle insurance policies by the plan, which may include
10 the administration of such policies by:

11 (1) A third-party administrator that has a certificate of
12 authority to do business in this state;

13 (2) A nationally recognized management organization and
14 service provider that specializes in the administration of motor
15 vehicle insurance residual market mechanisms, subject to the
16 approval of the director; or

17 (3) An insurance company that has a certificate of
18 authority to do business in this state.

19 4. No form of a policy, endorsement, rider, manual of
20 classifications, rules, or rates, no rating plan, nor any
21 modification of any of them proposed to be used by the plan shall
22 be used prior to approval by the director.

23 5. Any policy of insurance issued by the plan shall conform
24 to the provisions of this chapter and any insurance law of this
25 state applicable to motor vehicle insurance policies, except any
26 law that specifically exempts the plan from the purview of the
27 law.

28 6. The plan shall:

1 (1) File with the director, no later than June thirtieth of
2 each year, annual audited financial reports for the preceding
3 year;

4 (2) Be subject to examination by the director under
5 sections 374.205 to 374.207;

6 (3) Have the authority to make assessments on member
7 insurance companies if the funds from policyholder premiums and
8 other revenues are not sufficient for the sound operation of the
9 plan. An assessment upon a member insurance company shall be in
10 the same proportion to its share of the voluntary market premium
11 for the type of policies written under the plan. The procedures
12 for levying assessment shall be prescribed in the plan of
13 operation.

14 7. There shall be no liability imposed on the part of, and
15 no cause of action of any nature shall arise against, any member
16 insurer or any member of the governing committee for any omission
17 or action taken by them in the performance of their powers and
18 duties under this section.

19 304.172. The provisions of sections 304.170 to 304.240
20 relating to height, width, [weight,] and length [and load]
21 restrictions for motor vehicles shall not apply to any motor
22 vehicle and its attached apparatus which is designed for use and
23 used by a fire department, fire protection district or volunteer
24 fire protection association or when being operated by a fire
25 apparatus manufacturer or sales organization for the purpose of
26 sale, demonstration, exhibit, or delivery to a fire department,
27 fire protection district or volunteer fire protection
28 association.

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

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

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

25
26 Distance in feet between the extremes of any group of two or more
27 consecutive axles, measured to the nearest foot, except where
28 indicated otherwise

1	Maximum load in pounds					
2	feet	2 axles	3 axles	4 axles	5 axles	6 axles
3	4	34,000				
4	5	34,000				
5	6	34,000				
6	7	34,000				
7	8	34,000	34,000			
8	More than 8		38,000	42,000		
9	9	39,000	42,500			
10	10	40,000	43,500			
11	11	40,000	44,000			
12	12	40,000	45,000	50,000		
13	13	40,000	45,500	50,500		
14	14	40,000	46,500	51,500		
15	15	40,000	47,000	52,000		
16	16	40,000	48,000	52,500	58,000	
17	17	40,000	48,500	53,500	58,500	
18	18	40,000	49,500	54,000	59,000	
19	19	40,000	50,000	54,500	60,000	
20	20	40,000	51,000	55,500	60,500	66,000
21	21	40,000	51,500	56,000	61,000	66,500
22	22	40,000	52,500	56,500	61,500	67,000
23	23	40,000	53,000	57,500	62,500	68,000
24	24	40,000	54,000	58,000	63,000	68,500
25	25	40,000	54,500	58,500	63,500	69,000
26	26	40,000	55,500	59,500	64,000	69,500
27	27	40,000	56,000	60,000	65,000	70,000
28	28	40,000	57,000	60,500	65,500	71,000

1	29	40,000	57,500	61,500	66,000	71,500
2	30	40,000	58,500	62,000	66,500	72,000
3	31	40,000	59,000	62,500	67,500	72,500
4	32	40,000	60,000	63,500	68,000	73,000
5	33	40,000	60,000	64,000	68,500	74,000
6	34	40,000	60,000	64,500	69,000	74,500
7	35	40,000	60,000	65,500	70,000	75,000
8	36		60,000	66,000	70,500	75,500
9	37		60,000	66,500	71,000	76,000
10	38		60,000	67,500	72,000	77,000
11	39		60,000	68,000	72,500	77,500
12	40		60,000	68,500	73,000	78,000
13	41		60,000	69,500	73,500	78,500
14	42		60,000	70,000	74,000	79,000
15	43		60,000	70,500	75,000	80,000
16	44		60,000	71,500	75,500	80,000
17	45		60,000	72,000	76,000	80,000
18	46		60,000	72,500	76,500	80,000
19	47		60,000	73,500	77,500	80,000
20	48		60,000	74,000	78,000	80,000
21	49		60,000	74,500	78,500	80,000
22	50		60,000	75,500	79,000	80,000
23	51		60,000	76,000	80,000	80,000
24	52		60,000	76,500	80,000	80,000
25	53		60,000	77,500	80,000	80,000
26	54		60,000	78,000	80,000	80,000
27	55		60,000	78,500	80,000	80,000
28	56		60,000	79,500	80,000	80,000

1 57 60,000 80,000 80,000 80,000

2

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

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

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

25 6. Notwithstanding the weight limitations contained in this
26 section, any vehicle or combination of vehicles operating on
27 highways other than the interstate highway system may exceed
28 single axle, tandem axle and gross weight limitations in an

1 amount not to exceed two thousand pounds. However, total gross
2 weight shall not exceed eighty thousand pounds, except as
3 provided in subsections 9, 10, 12, and 13 of this section.

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

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

27 9. Notwithstanding any provision of this section or any
28 other law to the contrary, the total gross weight of any vehicle

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

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

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

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

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

24 13. Notwithstanding any provision of this section to the
25 contrary, a vehicle operated by an engine fueled primarily by
26 natural gas may operate upon the public highways of this state in
27 excess of the vehicle weight limits set forth in this section by
28 an amount that is equal to the difference between the weight of

1 the vehicle attributable to the natural gas tank and fueling
2 system carried by that vehicle and the weight of a comparable
3 diesel tank and fueling system. In no event shall the maximum
4 gross vehicle weight of the vehicle operating with a natural gas
5 engine exceed eighty-two thousand pounds.

6 305.800. As used in sections 305.800 to 305.810, the
7 following terms mean:

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

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

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

20 305.802. 1. If a derelict aircraft or abandoned aircraft
21 is discovered on airport property, the airport superintendent
22 shall:

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

25 (2) Inquire as to the name and address of any person having
26 an equitable or legal interest in the aircraft, including the
27 owner and any lienholders, by:

28 (a) Contacting the Federal Aviation Administration,

1 aircraft registration branch, and making a diligent search of the
2 appropriate records; or

3 (b) Contacting an aircraft title search company.

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

8 (1) Of the location of the derelict or abandoned aircraft
9 on the airport property;

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

12 (3) That the aircraft is subject to a lien under section
13 305.806 for any unpaid and accrued fees and charges for the use
14 of the airport and for the transportation, storage, and removal
15 of the aircraft;

16 (4) That the lien is subject to enforcement under this
17 section;

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

25 (6) That the airport superintendent may remove the aircraft
26 in less than thirty calendar days if the aircraft poses a danger
27 to the health or safety of users of the airport, as determined by
28 the airport superintendent.

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

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

11 305.804. 1. If the owner or other interested party has not
12 removed the aircraft from the airport and paid in full all
13 accrued fees and charges for the use of the airport and for the
14 transportation, storage, and removal of the aircraft, or shown
15 reasonable cause for the failure to do so within thirty calendar
16 days of the airport superintendent posting notice under section
17 305.802, the airport superintendent may:

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

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

22 (3) Sell the aircraft; or

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

26 2. If the airport superintendent elects to sell the aircraft
27 in accordance with subdivision (3) of subsection 1 of this
28 section, the aircraft shall be sold at public auction after

1 giving notice of the time and place of sale, at least ten
2 calendar days prior to the date of sale, in a newspaper of
3 general circulation within the county where the airport is
4 located and after providing written notice of the intended sale
5 to all parties known to have an interest in the aircraft.

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

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

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

24 305.806. 1. The airport superintendent shall have a lien on
25 a derelict or abandoned aircraft for all unpaid fees and charges
26 for the use of the airport by the aircraft and for all unpaid
27 costs incurred by the airport superintendent for the
28 transportation, storage, and removal of the aircraft. As a

1 prerequisite to perfecting a lien under this section, the airport
2 superintendent shall serve a notice on the last registered owner
3 and all persons having an equitable or legal interest in the
4 aircraft.

5 2. (1) For the purpose of perfecting a lien under this
6 section, the airport superintendent shall file a claim of lien
7 that states:

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

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

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

15 (d) A description of the aircraft sufficient for
16 identification.

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

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

24 (4) The claim of lien shall be filed with the proper office
25 according to section 400-9.501. The filing of the claim of lien
26 shall be constructive notice to all persons of the contents and
27 effect of such claim. The lien shall attach at the time of
28 filing and shall take priority as of that time.

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

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

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

11 305.810. 1. Any person acquiring a legal interest in an
12 aircraft under sections 305.800 to 305.810 shall be the lawful
13 owner of the aircraft and all other legal or equitable interests
14 in that aircraft shall be divested; provided that, the holder of
15 any legal or equitable interest was notified of the intended
16 disposal of the aircraft as required under sections 305.800 to
17 305.810.

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

21 306.127. 1. Beginning January 1, 2005, every person born
22 after January 1, 1984, or as required pursuant to section
23 306.128, who operates a vessel on the lakes of this state shall
24 possess, on the vessel, a boating safety identification card
25 issued by the water patrol division or its agent which shows that
26 he or she has:

27 (1) Successfully completed a boating safety course approved
28 by the National Association of State Boating Law Administrators

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

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

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

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

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

26 4. The provisions of this section shall not apply to any
27 person who:

28 (1) Is licensed by the United States Coast Guard to serve

1 as master of a vessel;

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

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

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

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

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

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

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

19 5. The water patrol division shall inform other states of
20 the requirements of this section.

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

25 7. Any person or company that rents or sells vessels may
26 issue a temporary boating safety identification card to an
27 individual to operate a rented vessel or a vessel being
28 considered for sale, for a period of up to seven days, provided

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

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

15 307.015. 1. Trucks, semitrailers, and trailers, except
16 utility trailers, without rear fenders, attached to a commercial
17 motor vehicle registered for over twenty-four thousand pounds
18 shall be equipped with mud flaps for the rear wheels when
19 operated on the public highways of this state. If mud flaps are
20 used, they shall be wide enough to cover the full tread width of
21 the tire or tires being protected; shall be so installed that
22 they extend from the underside of the vehicle body in a vertical
23 plane behind the rear wheels to within twelve inches of the
24 ground for dump trucks and within eight inches of the ground for
25 all other vehicles required to be equipped with mud flaps under
26 this section; and shall be constructed of a rigid material or a
27 flexible material which is of a sufficiently rigid character to
28 provide adequate protection when the vehicle is in motion. No

1 provisions of this section shall apply to a motor vehicle in
2 transit and in process of delivery equipped with temporary mud
3 flaps, to farm implements, or to any vehicle which is not
4 required to be registered.

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

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

12 407.815. As used in sections 407.810 to 407.835, unless the
13 context otherwise requires, the following terms mean:

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

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

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

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

26 (3) "Coerce", to compel or attempt to compel a person to
27 act in a given manner by pressure, intimidation, or threat of
28 harm, damage, or breach of contract, but shall not include the

1 following:

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

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; or

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

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

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

14 (b) Who shares directors or officers or partners with a
15 franchisor;

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

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

26 (7) "Distributor", a person, resident or nonresident, who,
27 in whole or in part, sells or distributes new motor vehicles to
28 motor vehicle dealers in this state;

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

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

21 (10) "Franchisor", a person who grants a franchise to
22 another person;

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

28 (12) "Importer", a person who has written authorization

1 from a foreign manufacturer of a line-make of motor vehicles to
2 grant a franchise to a motor vehicle dealer in this state with
3 respect to that line-make;

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

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

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

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

27 (15) "Motor vehicle", for the purposes of sections 407.810
28 to 407.835, any motor-driven vehicle required to be registered

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

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

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

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

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

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

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

28 (a) A change in ownership, operation, or control of the

1 predecessor manufacturer by sale or transfer of assets, corporate
2 stock, or other equity interest, assignment, merger,
3 consolidation, combination, joint venture, redemption,
4 court-approved sale, operation of law, or otherwise;

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

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

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

12 407.1025. As used in sections 407.1025 to 407.1049, unless
13 the context otherwise requires, the following terms mean:

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

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

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

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

26 (3) "Coerce", to force a person to act in a given manner or
27 to compel by pressure or threat but shall not be construed to
28 include the following:

1 (a) Good faith recommendations, exposition, argument,
2 persuasion or attempts at persuasion;

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

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

9 (d) Any other conduct set forth in sections 407.1025 to
10 407.1049 that is permitted of the franchisor or is expressly
11 excluded from coercion or a violation of sections 407.1025 to
12 407.1049;

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

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

25 (6) "Franchisor", a person who grants a franchise to
26 another person;

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

28 (8) "New", when referring to motorcycles or all-terrain

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

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

6 407.1329. If the RV dealer agreement is terminated,
7 cancelled, or not renewed by the manufacturer for cause, or if
8 the dealer voluntarily terminates an RV dealer agreement in a
9 manner permitted by such agreement, or if the manufacturer
10 terminates or discontinues a franchise by discontinuing a line-
11 make or by ceasing to do business in this state, or if the
12 manufacturer changes the distributor or method of distribution of
13 its products in this state or alters its sales regions or
14 marketing areas within this state in a manner that eliminates or
15 diminishes the dealer's market area, the manufacturer shall, at
16 the election of the RV dealer, within thirty days of termination,
17 repurchase:

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

25 (b) All new, untitled recreation vehicle inventory of the
26 prior model year, acquired from the manufacturer, provided the
27 prior model year vehicles have not been altered, used (except for
28 demonstration purposes) or damaged to the extent that such damage

1 must be disclosed to the consumer pursuant to section 407.1343,
2 and were drafted on the dealer's financing source or paid within
3 one hundred twenty days prior to the effective date of the
4 termination, cancellation, or nonrenewal.

5
6 In the event any of the vehicles repurchased pursuant to this
7 subdivision are damaged, but do not trigger the consumer
8 disclosure requirement, the amount due the dealer shall be
9 reduced by the cost to repair the vehicle. Damage prior to
10 delivery to dealer that is disclosed at the time of delivery will
11 not disqualify repurchase under this provision] All new,
12 untitled recreation vehicle inventory, acquired from the
13 manufacturer in the previous eighteen months, which has not been
14 altered or damaged to the extent that such damage must be
15 disclosed to the consumer pursuant to section 407.1343, at one
16 hundred percent of the net invoice cost, including
17 transportation, less applicable rebates and discounts to the
18 dealer;

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

24 (3) Any fully and correctly functioning diagnostic
25 equipment, special tools, current signage and other equipment and
26 machinery, at one hundred percent of the dealer's net cost plus
27 freight, destination, delivery and distribution charges and sales
28 taxes, if any, provided it was purchased by the dealer within

1 five years before termination and upon the manufacturer's request
2 and can no longer be used in the normal course of the dealer's
3 ongoing business.

4
5 The manufacturer shall pay the dealer within thirty days of
6 receipt of [the returned] all items returned for repurchase under
7 this section.

8 577.001. As used in this chapter, the following terms mean:

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

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

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

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

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

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

1 injured or killed;

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

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

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

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

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

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

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

27 (c) Two or more intoxication-related traffic offenses
28 committed on separate occasions where both intoxication-related

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

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

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

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

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

23 (7) "Continuous alcohol monitoring", automatically testing
24 breath, blood, or transdermal alcohol concentration levels and
25 tampering attempts at least once every hour, regardless of the
26 location of the person who is being monitored, and regularly
27 transmitting the data. Continuous alcohol monitoring shall be
28 considered an electronic monitoring service under subsection 3 of

1 section 217.690;

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

4 (9) "Drive", "driving", "operates" or "operating",
5 physically driving or operating a vehicle or vessel;

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

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

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

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

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

26 (12) "Habitual boating offender", a person who has been
27 found guilty of:

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

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

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

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

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

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

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

25 (13) "Intoxicated" or "intoxicated condition", when a
26 person is under the influence of alcohol, a controlled substance,
27 or drug, or any combination thereof;

28 (14) "Intoxication-related boating offense", operating a

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

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

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

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

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

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

27 (b) One intoxication-related traffic offense committed in
28 violation of any state law, county or municipal ordinance,

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

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

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

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

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

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

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