

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, 302.020, 302.170, 302.181, 302.720, 303.026, 303.200, 304.170, 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-nine new sections relating to transportation, with existing penalty provisions and a delayed effective date for a certain section.

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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,  
4 302.020, 302.170, 302.181, 302.720, 303.026, 303.200, 304.170,  
5 304.172, 304.180, 306.127, 307.015, 407.815, 407.1025, 407.1329,  
6 and 577.001 RSMo, is repealed and forty-nine new sections enacted  
7 in lieu thereof, to be known as sections 32.300, 143.441,  
8 144.070, 144.805, 227.476, 227.600, 227.803, 227.804, 300.010,  
9 301.010, 301.030, 301.032, 301.140, 301.190, 301.193, 301.210,  
10 301.213, 301.280, 301.560, 301.564, 301.576, 301.3069, 301.3159,  
11 301.3174, 301.3176, 302.020, 302.026, 302.170, 302.181, 302.205,  
12 302.720, 302.723, 303.026, 303.200, 304.170, 304.172, 304.180,

1 305.800, 305.802, 305.804, 305.806, 305.808, 305.810, 306.127,  
2 307.015, 407.815, 407.1025, 407.1329, and 577.001, to read as  
3 follows:

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

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

1       3. Notwithstanding any provision of law to the contrary,  
2 applicants who have applied in person and received a driver's or  
3 nondriver's license in accordance with chapter 302 may apply for  
4 no more than one consecutive three-year or six-year license  
5 renewal remotely in accordance with this section. Remote  
6 application for renewal shall be made within six months before or  
7 after the expiration date of the license in accordance with  
8 section 302.173.

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

1 provided for processing the renewal application.

2 143.441. 1. The term "corporation" means every  
3 corporation, association, joint stock company and joint stock  
4 association organized, authorized or existing under the laws of  
5 this state and includes:

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

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

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

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

27 (c) The taxpayer is in the same affiliated group as an  
28 airline;

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

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

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

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

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

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

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

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

26           144.070. 1. At the time the owner of any new or used motor  
27 vehicle, trailer, boat, or outboard motor which was acquired in a  
28 transaction subject to sales tax under the Missouri sales tax law

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

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

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

1           4. The director of the department of revenue shall endorse  
2 upon the official certificate of title issued by the director  
3 upon such application an entry showing that such sales tax has  
4 been paid or that the motor vehicle, trailer, boat, or outboard  
5 motor represented by such certificate is exempt from sales tax  
6 and state the ground for such exemption.

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

26           6. Every applicant to be a [lease or rental company]  
27 registered fleet owner as described in subsections 6 to 10 of  
28 section 301.032 shall furnish with the application to operate as

1 a registered fleet owner a corporate surety bond or irrevocable  
2 letter of credit, as defined in section 400.5-102, issued by any  
3 state or federal financial institution in the penal sum of one  
4 hundred thousand dollars, on a form approved by the department.  
5 The bond or irrevocable letter of credit shall be conditioned  
6 upon the [lease or rental company] registered fleet owner  
7 complying with the provisions of any statutes applicable to  
8 [lease or rental companies] registered fleet owners, and the bond  
9 shall be an indemnity for any loss sustained by reason of the  
10 acts of the person bonded when such acts constitute grounds for  
11 the suspension or revocation of the [lease or rental] registered  
12 fleet owner license. The bond shall be executed in the name of  
13 the state of Missouri for the benefit of all aggrieved parties or  
14 the irrevocable letter of credit shall name the state of Missouri  
15 as the beneficiary; except that, the aggregate liability of the  
16 surety or financial institution to the aggrieved parties shall,  
17 in no event, exceed the amount of the bond or irrevocable letter  
18 of credit. The proceeds of the bond or irrevocable letter of  
19 credit shall be paid upon receipt by the department of a final  
20 judgment from a Missouri court of competent jurisdiction against  
21 the principal and in favor of an aggrieved party.

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

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

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

28 (3) Has agreed to treat any sale of a motor vehicle,

1 trailer, boat, or outboard motor from one of its divisions to  
2 another of its divisions as a sale at retail;

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

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

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

1           9. Any person, company, or corporation engaged in the  
2 business of renting or leasing three thousand five hundred or  
3 more motor vehicles which are to be used exclusively for rental  
4 or leasing purposes and not for resale, and that has applied to  
5 the director of revenue for authority to operate as a leasing  
6 company may also operate as a registered fleet owner as  
7 prescribed in section 301.032.

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

1 seek compensation from the state of Missouri or its agencies if a  
2 court of competent jurisdiction declares that the retention of  
3 two percent of the motor vehicle sales tax is unconstitutional  
4 and orders the return of such revenues.

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

24 2. To qualify for the exemption prescribed in subsection 1  
25 of this section, the common carrier shall furnish to the seller a  
26 certificate in writing to the effect that an exemption pursuant  
27 to this section is applicable to the aviation jet fuel so  
28 purchased, stored, used and consumed. The director of revenue

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

12 3. The provisions of this section shall apply to all  
13 purchases and deliveries of aviation jet fuel from and after May  
14 10, 1993.

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

23 5. The provisions of this section and section 144.807 shall  
24 expire on December 31, ~~[2023]~~ 2033.

25 227.476. The portion of State Highway 9 from Nodaway Street  
26 to Park College Entrance Drive in Platte County shall be  
27 designated as "Bill Grigsby Memorial Highway". The department of  
28 transportation shall erect and maintain appropriate signs

1 designating such highway, with the costs to be paid by private  
2 donations.

3 227.600. 1. Sections 227.600 to 227.669 shall be known and  
4 may be cited as the "Missouri Public-Private Partnerships  
5 Transportation Act".

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

8 (1) "Commission", the Missouri highways and transportation  
9 commission;

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

14 (3) "Department", the Missouri department of  
15 transportation;

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

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

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

26 (7) "Material default", any uncured default by a private  
27 partner in the performance of its duties that jeopardizes  
28 adequate service to the public from the project as determined by

1 the commission;

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

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

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

28 (11) "Public use", a finding by the commission that the

1 project to be financed, developed, and/or operated by a private  
2 partner under sections 227.600 to 227.669 will improve or is  
3 needed as a necessary addition to the state transportation  
4 system;

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

8 (a) Income;

9 (b) Earnings;

10 (c) Proceeds;

11 (d) User fees;

12 (e) Lease payments;

13 (f) Allocations;

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

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

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

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

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

26 (16) "Tube transport system", a high-speed transportation  
27 system, including infrastructure and facilities, in which  
28 pressurized pods containing passengers or freight ride or coast

1 upon a cushion of air through magnetic levitation within a  
2 reduced-pressure or vacuum tube, propelled by electric power;

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

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

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

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

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

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

24 227.803. The portion of State Highway 7 from County Road  
25 221 West continuing to Calvird Drive in the city of Clinton in  
26 Henry County shall be designated as "Police Officer Christopher  
27 Ryan Morton Memorial Highway". The department shall erect and  
28 maintain appropriate signs designating such highway with the

1 costs to be paid for by private donations.

2 227.804. The portion of State Highway 13 from State Highway  
3 52 West continuing to Calvird Drive in the city of Clinton in  
4 Henry County shall be designated as "Police Officer Gary Lee  
5 Michael, Jr. Memorial Highway". The department shall erect and  
6 maintain appropriate signs designating such highway with the  
7 costs to be paid for by private donations.

8 300.010. The following words and phrases when used in this  
9 ordinance mean:

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

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

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

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

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

28 (4) "Business district", the territory contiguous to and

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

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

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

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

18 (8) "Crosswalk",

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

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

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

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

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

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

9           (13) "Intersection",

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

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

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

25          (15) "Motor vehicle", any self-propelled vehicle not  
26 operated exclusively upon tracks, except farm tractors and  
27 motorized bicycles;

28          (16) "Motorcycle", every motor vehicle having a seat or

1 saddle for the use of the rider and designed to travel on not  
2 more than three wheels in contact with the ground, but excluding  
3 a tractor;

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

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

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

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

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

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

26 (23) "Person", every natural person, firm, copartnership,  
27 association or corporation;

28 (24) "Police officer", every officer of the municipal

1 police department or any officer authorized to direct or regulate  
2 traffic or to make arrests for violations of traffic regulations;

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

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

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

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

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

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

28 (31) "Safety zone", the area or space officially set apart

1 within a roadway for the exclusive use of pedestrians and which  
2 is protected or is so marked or indicated by adequate signs as to  
3 be plainly visible at all times while set apart as a safety zone;

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

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

10 (34) "Stop", when required, complete cessation from  
11 movement;

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

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

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

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

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

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

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

17 301.010. As used in this chapter and sections 304.010 to  
18 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the  
19 following terms mean:

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

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

27 (b) A width of fifty inches or less, measured from outside  
28 of tire rim to outside of tire rim, regardless of seating or

1 steering arrangement;

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

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

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

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

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

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

28 (8) "Bus", a motor vehicle primarily for the transportation

1 of a driver and eight or more passengers but not including  
2 shuttle buses;

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

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

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

13 (12) "Director" or "director of revenue", the director of  
14 the department of revenue;

15 (13) "Driveaway operation":

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

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

26 (c) The movement of a motor vehicle by any person who is  
27 lawfully engaged in the business of transporting or delivering  
28 vehicles that are not the person's own and vehicles of a type

1 otherwise required to be registered, by the driveaway or towaway  
2 methods, from a point of manufacture, assembly or distribution or  
3 from the owner of the vehicles to a dealer or sales agent of a  
4 manufacturer or to any consignee designated by the shipper or  
5 consignor;

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

11 (15) "Farm tractor", a tractor used exclusively for  
12 agricultural purposes;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26  
27 Nothing in this subdivision shall be construed to prevent any  
28 motor vehicle from being registered as a commercial motor vehicle

1 or local commercial motor vehicle;

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

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

1 not exceed the limits required by law, however, if the truck does  
2 exceed such limits as determined by the inspecting officer, then  
3 notwithstanding any other provisions of law to the contrary, such  
4 truck shall be subject to the weight limits required by such  
5 sections as licensed for eighty thousand pounds;

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

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

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

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

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

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

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

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

24           (a) Offered for hire or lease; or

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

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

28           (38) "Motorized bicycle", any two-wheeled or three-wheeled

1 device having an automatic transmission and a motor with a  
2 cylinder capacity of not more than fifty cubic centimeters, which  
3 produces less than three gross brake horsepower, and is capable  
4 of propelling the device at a maximum speed of not more than  
5 thirty miles per hour on level ground;

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

13 (40) "Municipality", any city, town or village, whether  
14 incorporated or not;

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

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

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

22 (44) "Owner", any person, firm, corporation or association,  
23 who holds the legal title to a vehicle or who has executed a  
24 buyer's order or retail installment sales contract with a motor  
25 vehicle dealer licensed under sections 301.550 to 301.580 for the  
26 purchase of a vehicle with an immediate right of possession  
27 vested in the transferee, or in the event a vehicle is the  
28 subject of an agreement for the conditional sale or lease thereof

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

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

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

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

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

28 (49) "Recreational off-highway vehicle", any motorized

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

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

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

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

27 (53) "Salvage dealer and dismantler", a business that  
28 dismantles used motor vehicles for the sale of the parts thereof,

1 and buys and sells used motor vehicle parts and accessories;

2 (54) "Salvage vehicle", a motor vehicle, semitrailer, or  
3 house trailer which:

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

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

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

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

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

27 a. Set forth in a current edition of any nationally  
28 recognized compilation of retail values, including automated

1 databases, or from publications commonly used by the automotive  
2 and insurance industries to establish the values of motor  
3 vehicles;

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

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

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

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

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

24 (58) "Special mobile equipment", every self-propelled  
25 vehicle not designed or used primarily for the transportation of  
26 persons or property and incidentally operated or moved over the  
27 highways, including farm equipment, implements of husbandry, road  
28 construction or maintenance machinery, ditch-digging apparatus,

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

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

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

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

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

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

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

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

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

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

28           (68) "Truck-trailer boat transporter combination", a boat

1 transporter combination consisting of a straight truck towing a  
2 trailer using typically a ball and socket connection with the  
3 trailer axle located substantially at the trailer center of  
4 gravity rather than the rear of the trailer but so as to maintain  
5 a downward force on the trailer tongue;

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

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

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

1 motor vehicle, unless used for monetary profit other than for use  
2 in a ride-sharing arrangement;

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

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

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

20 301.030. 1. The director shall provide for the retention  
21 of license plates by the owners of motor vehicles, other than  
22 commercial motor vehicles, and shall establish a system of  
23 registration on a monthly series basis to distribute the work of  
24 registering motor vehicles as uniformly as practicable throughout  
25 the twelve months of the calendar year. For the purpose of  
26 assigning license plate numbers, each type of motor vehicle shall  
27 be considered a separate class. Commencing July 1, 1949, motor  
28 vehicles, other than commercial motor vehicles, shall be

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

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

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

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

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

28 5. Notwithstanding any other provision of law to the

1 contrary, any motorcycle or motortricycle registration issued by  
2 the Missouri department of revenue shall expire on June  
3 thirtieth.

4 301.032. 1. Notwithstanding the provisions of sections  
5 301.030 and 301.035 to the contrary, the director of revenue  
6 shall establish a system of registration of all fleet vehicles  
7 owned or purchased by a fleet owner registered pursuant to this  
8 section. The director of revenue shall prescribe the forms for  
9 such fleet registration and the forms and procedures for the  
10 registration updates prescribed in this section. Any owner of  
11 ten or more motor vehicles which must be registered in accordance  
12 with this chapter may register as a fleet owner. All registered  
13 fleet owners may, at their option, register all motor vehicles  
14 included in the fleet on a calendar year or biennial basis  
15 pursuant to this section in lieu of the registration periods  
16 provided in sections 301.030, 301.035, and 301.147. The director  
17 shall issue an identification number to each registered owner of  
18 fleet vehicles.

19 2. All fleet vehicles included in the fleet of a registered  
20 fleet owner shall be registered during April of the corresponding  
21 year or on a prorated basis as provided in subsection 3 of this  
22 section. Fees of all vehicles in the fleet to be registered on a  
23 calendar year basis or on a biennial basis shall be payable not  
24 later than the last day of April of the corresponding year, with  
25 two years' fees due for biennially-registered vehicles.  
26 Notwithstanding the provisions of section 307.355, an application  
27 for registration of a fleet vehicle must be accompanied by a  
28 certificate of inspection and approval issued no more than one

1 hundred twenty days prior to the date of application. The fees  
2 for vehicles added to the fleet which must be licensed at the  
3 time of registration shall be payable at the time of  
4 registration, except that when such vehicle is licensed between  
5 July first and September thirtieth the fee shall be three-fourths  
6 the annual fee, when licensed between October first and December  
7 thirty-first the fee shall be one-half the annual fee and when  
8 licensed on or after January first the fee shall be one-fourth  
9 the annual fee. When biennial registration is sought for  
10 vehicles added to a fleet, an additional year's annual fee will  
11 be added to the partial year's prorated fee.

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

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

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

12 5. Notwithstanding the provisions of sections 307.350 to  
13 307.390 to the contrary, a fleet vehicle registered in Missouri  
14 is exempt from the requirements of sections 307.350 to 307.390 if  
15 at the time of the annual fleet registration, such fleet vehicle  
16 is situated outside the state of Missouri.

17 6. (1) Notwithstanding any other provisions of law to the  
18 contrary, any person, company, or corporation engaged in the  
19 business of renting or leasing three thousand five hundred or  
20 more motor vehicles which are to be used exclusively for rental  
21 or leasing purposes and not for resale that has applied to the  
22 director of revenue for authority to operate as a lease or rental  
23 company as prescribed in section 144.070 may operate as a  
24 registered fleet owner as prescribed in the provisions of this  
25 subsection to subsection 10 of this section.

26 (2) The director of revenue may issue license plates after  
27 presentment of an application, as designed by the director, and  
28 payment of an annual fee of three hundred sixty dollars for the

1 first ten plates and thirty-six dollars for each additional  
2 plate. The payment and issuance of such plates shall be in lieu  
3 of registering each motor vehicle with the director as otherwise  
4 provided by law.

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

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

18 7. A recipient of a lease or rental company license issued  
19 by the director of revenue as prescribed in section 144.070  
20 operating as a registered fleet owner under this section shall  
21 register such fleet with the director of revenue on an annual or  
22 biennial basis in lieu of the individual motor vehicle  
23 registration periods as prescribed in sections 301.030, 301.035,  
24 and 301.147. If an applicant elects a biennial fleet  
25 registration, the annual fleet license plate fees prescribed in  
26 subdivision (1) of subsection 6 of this section shall be doubled.  
27 An agent fee as prescribed in subdivision (1) of subsection 1 of  
28 section 136.055 shall apply to the issuance of fleet

1 registrations issued under subsections 6 to 10 of this section,  
2 and if a biennial fleet registration is elected, the agent fee  
3 shall be collected in an amount equal to the fee for two years.

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

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

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

18 11. The director shall make all necessary rules and  
19 regulations for the administration of this section and shall  
20 design all necessary forms required by this section. Any rule or  
21 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 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 under chapter  
27 536 to review, to delay the effective date, or to disapprove and  
28 annul a rule are subsequently held unconstitutional, then the

1 grant of rulemaking authority and any rule proposed or adopted  
2 after August 28, 2019, shall be invalid and void.

3 301.140. 1. Upon the transfer of ownership of any motor  
4 vehicle or trailer, the certificate of registration and the right  
5 to use the number plates shall expire and the number plates shall  
6 be removed by the owner at the time of the transfer of  
7 possession, and it shall be unlawful for any person other than  
8 the person to whom such number plates were originally issued to  
9 have the same in his or her possession whether in use or not,  
10 unless such possession is solely for charitable purposes; except  
11 that the buyer of a motor vehicle or trailer who trades in a  
12 motor vehicle or trailer may attach the license plates from the  
13 traded-in motor vehicle or trailer to the newly purchased motor  
14 vehicle or trailer. The operation of a motor vehicle with such  
15 transferred plates shall be lawful for no more than thirty days,  
16 or no more than ninety days if the dealer is selling the motor  
17 vehicle under the provisions of section 301.213, or no more than  
18 sixty days if the dealer is selling the motor vehicle under the  
19 provisions of subsection 5 of section 301.210. As used in this  
20 subsection, the term "trade-in motor vehicle or trailer" shall  
21 include any single motor vehicle or trailer sold by the buyer of  
22 the newly purchased vehicle or trailer, as long as the license  
23 plates for the trade-in motor vehicle or trailer are still valid.

24 2. In the case of a transfer of ownership the original  
25 owner may register another motor vehicle under the same number,  
26 upon the payment of a fee of two dollars, if the motor vehicle is  
27 of horsepower, gross weight or (in the case of a  
28 passenger-carrying commercial motor vehicle) seating capacity,

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

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

26 4. The director of the department of revenue shall have  
27 authority to produce or allow others to produce a weather  
28 resistant, nontearing temporary permit authorizing the operation

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

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

1 temporary permit thereof shall be plainly and clearly visible,  
2 reasonably clean and are not impaired in any way.

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

27 6. Every motor vehicle dealer that issues temporary permits  
28 shall keep, for inspection by proper officers, an accurate record

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

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

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

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

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

1 vehicle has passed a motor vehicle safety inspection for such  
2 vehicle as required in section 307.350.

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

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

25 301.190. 1. No certificate of registration of any motor  
26 vehicle or trailer, or number plate therefor, shall be issued by  
27 the director of revenue unless the applicant therefor shall make  
28 application for and be granted a certificate of ownership of such

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

24 2. The director of revenue shall use reasonable diligence  
25 in ascertaining whether the facts stated in such application are  
26 true and shall, to the extent possible without substantially  
27 delaying processing of the application, review any odometer  
28 information pertaining to such motor vehicle that is accessible

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

19 3. The director of revenue shall appropriately designate on  
20 the current and all subsequent issues of the certificate the  
21 words "Reconstructed Motor Vehicle", "Motor Change Vehicle",  
22 "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor  
23 Vehicle", as defined in section 301.010. Effective July 1, 1990,  
24 on all original and all subsequent issues of the certificate for  
25 motor vehicles as referenced in subsections 2 and 3 of section  
26 301.020, the director shall print on the face thereof the  
27 following designation: "Annual odometer updates may be available  
28 from the department of revenue.". On any duplicate certificate,

1 the director of revenue shall reprint on the face thereof the  
2 most recent of either:

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

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

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

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

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

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

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

28 8. Before an original Missouri certificate of ownership is

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

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

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

24 10. When an application is made for an original Missouri  
25 certificate of ownership for a motor vehicle previously  
26 registered or titled in a state other than Missouri or as  
27 required by section 301.020, it shall be accompanied by a current  
28 inspection form certified by a duly authorized official

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

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

26 12. 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, and the

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

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

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

27 15. Each application for an original Missouri certificate  
28 of ownership for a vehicle which is classified as a reconstructed

1 motor vehicle, manufactured forty or more years prior to the  
2 current model year, and which has a value of three thousand  
3 dollars or less shall be accompanied by:

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

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

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

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

21  
22 The department of revenue shall issue the owner a certificate of  
23 ownership designated with the words "Reconstructed Motor Vehicle"  
24 and deliver such certificate of ownership in accordance with the  
25 provisions of this chapter. Notwithstanding subsection 9 of this  
26 section, no owner of a reconstructed motor vehicle described in  
27 this subsection shall be required to obtain a vehicle examination  
28 certificate issued by the Missouri state highway patrol.

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

25           (1) A statement explaining the circumstances by which the  
26 property came into the insurer, owner, or purchaser's possession;  
27 a description of the property including the year, make, model,  
28 vehicle identification number, and any decal or license plate

1 that may be affixed to the vehicle; the current location of the  
2 property; and the retail value of the property;

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

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

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

1 suspend the processing of any further certificate of title until  
2 the rights of all parties to the vehicle are determined by the  
3 court. Once all requirements are satisfied the director shall  
4 issue one of the following:

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

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

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

23 3. Any insurer which purchases a vehicle that is currently  
24 titled in Missouri through the claims adjustment process for  
25 which the insurer is unable to obtain a negotiable title may make  
26 application to the department of revenue for a salvage  
27 certificate of title or junking certificate. Such application  
28 may be made by the insurer or its designated salvage pool on a

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

27 4. Any salvage pool or salvage dealer and dismantler that  
28 takes possession of a vehicle at the request of an insurer when

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

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

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

27 (3) If the vehicle is not currently titled in Missouri, an  
28 inspection report of the vehicle by a law enforcement agency

1 pursuant to subsection 9 of section 301.190.

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

20 5. Any used motor vehicle dealer that takes possession of a  
21 vehicle at the request of an organization exempt from federal  
22 income taxation under Section 501(c)(3) of the Internal Revenue  
23 Code when such organization does not provide the used motor  
24 vehicle dealer with a negotiable title may apply to the  
25 department of revenue for a salvage certificate of title or  
26 junking certificate in the name of the used motor vehicle dealer  
27 if the vehicle has remained unclaimed on the used motor vehicle  
28 dealer's premises for more than forty-five days. The used motor

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

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

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

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

23  
24 Upon receipt of the application and supporting documents, the  
25 director shall search the records of the department, or initiate  
26 an inquiry with another state if the evidence presented indicated  
27 the property described in the application was registered or  
28 titled in another state, to verify the name and address of any

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

12 6. Any insurer that purchases a vessel or watercraft that  
13 is currently titled in Missouri through the claims adjustment  
14 process and for which the insurer is unable to obtain a  
15 negotiable title may make application to the department for a  
16 certificate of title. Such application may be made by the  
17 insurer or its designated salvage pool or salvage dealer and  
18 dismantler on a form provided by the department and signed under  
19 penalty of perjury. The application shall include a declaration  
20 that the insurer has made at least two written attempts to obtain  
21 the certificate of title, transfer documents, or other acceptable  
22 evidence of title and be accompanied by proof of claims payment  
23 from the insurer; evidence that letters were sent to the vessel  
24 or watercraft owner; a statement explaining the circumstances by  
25 which the property came into the insurer's possession; a  
26 description of the property including the year, make, and hull  
27 identification number; the current location of the property; and  
28 the fee prescribed in subsection 3 of section 306.015. The

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

16 301.210. 1. In the event of a sale or transfer of  
17 ownership of a motor vehicle or trailer for which a certificate  
18 of ownership has been issued, the holder of such certificate  
19 shall endorse on the same an assignment thereof, with warranty of  
20 title in form printed thereon, and prescribed by the director of  
21 revenue, with a statement of all liens or encumbrances on such  
22 motor vehicle or trailer, and deliver the same to the buyer at  
23 the time of the delivery to him of such motor vehicle or trailer;  
24 provided that, when the transfer of a motor vehicle, trailer,  
25 boat or outboard motor occurs within a corporation which holds a  
26 license to operate as a motor vehicle or boat dealer pursuant to  
27 sections 301.550 to 301.575, the provisions of subdivision (3) of  
28 subsection 7 of section 144.070 shall not apply.

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

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

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

27           5. A motor vehicle dealer licensed under sections 301.550  
28 to 301.580 may deliver a motor vehicle or trailer to a purchaser

1 with a written agreement to pass the certificate of ownership  
2 with an assignment to the purchaser within thirty days after  
3 delivery, inclusive of weekends and holidays.

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

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

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

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

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

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

19 301.213. 1. Notwithstanding the provisions of sections  
20 301.200 and 301.210, any person licensed as a motor vehicle  
21 dealer under sections 301.550 to 301.580 that has provided to the  
22 director of revenue a surety bond or irrevocable letter of credit  
23 in an amount not less than one hundred thousand dollars in a form  
24 which complies with the requirements of section 301.560 and in  
25 lieu of the fifty thousand dollar bond otherwise required for  
26 licensure as a motor vehicle dealer shall be authorized to  
27 purchase or accept in trade any motor vehicle for which there has  
28 been issued a certificate of ownership, and to receive such

1 vehicle subject to any existing liens thereon created and  
2 perfected under sections 301.600 to 301.660 provided the licensed  
3 dealer receives the following:

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

8 (2) Physical delivery of the vehicle to the licensed  
9 dealer; and

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

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

22 3. If a licensed dealer complies with the requirements of  
23 subsection 1 of this section, and such dealer has provided to the  
24 director of revenue a surety bond or irrevocable letter of credit  
25 in 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, such dealer may sell such

1 vehicle prior to receiving and assigning to the purchaser the  
2 certificate of ownership, provided such dealer complies with the  
3 following:

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

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

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

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

25 (5) The dealer and the purchaser have entered into a  
26 written agreement for the subsequent assignment and delivery of  
27 such certificate of ownership, on a form prescribed by the  
28 director of revenue, to take place at a time, not to exceed sixty

1 calendar days, after the time of delivery of the motor vehicle to  
2 the purchaser. Such agreement shall require the purchaser to  
3 provide to the dealer proof of financial responsibility in  
4 accordance with chapter 303 and proof of comprehensive and  
5 collision coverage on the motor vehicle. Such dealer shall  
6 maintain the original or an electronic copy of the signed  
7 agreement and deliver a copy of the signed agreement to the  
8 purchaser. Such dealer shall also complete and deliver to the  
9 director of revenue such form as the director shall prescribe  
10 demonstrating that the purchaser has purchased the vehicle  
11 without contemporaneous delivery of the title.

12  
13 Notwithstanding any provision of law to the contrary, completion  
14 of the requirements of this subsection shall constitute prima  
15 facie evidence of an ownership interest vested in the purchaser  
16 of the vehicle for all purposes other than for a subsequent  
17 transfer of ownership of the vehicle by the purchaser, subject to  
18 the rights of any secured lienholder of record; however, the  
19 purchaser may use the dealer-supplied copy of the agreement to  
20 transfer his or her ownership of the vehicle to an insurance  
21 company in situations where the vehicle has been declared salvage  
22 or a total loss by the insurance company as a result of a  
23 settlement of a claim. Such insurance company may apply for a  
24 salvage certificate of title or junking certificate pursuant to  
25 the provisions of subsection 3 of section 301.193 in order to  
26 transfer its interest in such vehicle. The purchaser may also  
27 use the dealer-supplied copy of the agreement on the form  
28 prescribed by the director of revenue as proof of ownership

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

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

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

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

25 5. If a licensed dealer fails to comply with subsection 3  
26 of this section, and the purchaser of the vehicle is thereby  
27 damaged, then the dealer shall be liable to the purchaser of the  
28 vehicle for actual damages, plus court costs and reasonable

1 attorney fees.

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

1 the director, then the director shall not take any further action  
2 without an order from a court of competent jurisdiction.

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

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

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

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

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

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

1 the written demand.

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

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

13 301.280. 1. Every motor vehicle dealer and boat dealer  
14 shall make a monthly report to the department of revenue, on  
15 blanks to be prescribed by the department of revenue, giving the  
16 following information: date of the sale of each motor vehicle,  
17 boat, trailer and all-terrain vehicle sold; the name and address  
18 of the buyer; the name of the manufacturer; year of manufacture;  
19 model of vehicle; vehicle identification number; style of  
20 vehicle; odometer setting; and it shall also state whether the  
21 motor vehicle, boat, trailer or all-terrain vehicle is new or  
22 secondhand. Each monthly sales report filed by a motor vehicle  
23 dealer who collects sales tax under subsection 10 of section  
24 144.070 shall also include the amount of state and local sales  
25 tax collected for each motor vehicle sold if sales tax was due.  
26 The odometer reading is not required when reporting the sale of  
27 any motor vehicle that is ten years old or older, any motor  
28 vehicle having a gross vehicle weight rating of more than sixteen

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

1 301.196. For any dealer not filing electronically, the notice of  
2 transfer required by section 301.196 shall be submitted with the  
3 monthly sales report as prescribed by the director.

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

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

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

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

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

19           301.560. 1. In addition to the application forms  
20 prescribed by the department, each applicant shall submit the  
21 following to the department:

22           (1) Every application other than a renewal application for  
23 a motor vehicle franchise dealer shall include a certification  
24 that the applicant has a bona fide established place of business.  
25 Such application shall include an annual certification that the  
26 applicant has a bona fide established place of business for the  
27 first three years and only for every other year thereafter. The  
28 certification shall be performed by a uniformed member of the

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

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

27 (2) The initial application for licensure shall include a  
28 photograph, not to exceed eight inches by ten inches but no less

1 than five inches by seven inches, showing the business building,  
2 lot, and sign. A new motor vehicle franchise dealer applicant  
3 who has purchased a currently licensed new motor vehicle  
4 franchised dealership shall be allowed to submit a photograph of  
5 the existing dealership building, lot and sign but shall be  
6 required to submit a new photograph upon the installation of the  
7 new dealership sign as required by sections 301.550 to 301.580.  
8 Applicants shall not be required to submit a photograph annually  
9 unless the business has moved from its previously licensed  
10 location, or unless the name of the business or address has  
11 changed, or unless the class of business has changed;

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

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

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

1 lienholder. If the dealer does not fulfill the agreement or file  
2 a petition to request judicial relief from the terms of the  
3 agreement or contest the amount of the claim, the bond or letter  
4 of credit shall be released by the department and directed paid  
5 in the amount or amounts presented by the lienholder or buyer;

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

1 year.

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

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

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

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

9		
10	New motor vehicle franchise dealers	D-0 through D-999
11	New powersport dealers	D-1000 through D-1999
12	Used motor vehicle and	
13	used powersport dealers	D-2000 through D-9999
14	Wholesale motor vehicle dealers	W-0 through W-1999
15	Wholesale motor vehicle auctions	WA-0 through WA-999
16	New and used trailer dealers	T-0 through T-9999
17	Motor vehicle, trailer, and boat	
18	manufacturers	DM-0 through DM-999
19	Public motor vehicle auctions	A-0 through A-1999
20	Boat dealers	M-0 through M-9999
21	New and used recreational	
22	motor vehicle dealers	RV-0 through RV-999

23  
24 For purposes of this subsection, qualified transactions shall  
25 include the purchase of salvage titled vehicles by a licensed  
26 salvage dealer. A used motor vehicle dealer who also holds a  
27 salvage dealer's license shall be allowed one additional plate or  
28 certificate number per fifty-unit qualified transactions

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

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

24 6. In the case of motor vehicle dealers, the department  
25 shall issue one number plate bearing the distinctive dealer  
26 license number and may issue one additional number plate to the  
27 applicant upon payment by the dealer of a fifty dollar fee for  
28 the number plate bearing the distinctive dealer license number

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

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

26 7. The plates issued pursuant to subsection 3 or 6 of this  
27 section may be displayed on any motor vehicle owned by a new  
28 motor vehicle manufacturer. The plates issued pursuant to

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

16 8. The certificates of number issued pursuant to subsection  
17 3 or 6 of this section may be displayed on any vessel or vessel  
18 trailer owned and held for resale by a boat manufacturer or a  
19 boat dealer, and used by a customer who is test driving the  
20 vessel or vessel trailer, or is used by an employee or officer on  
21 a vessel or vessel trailer only, but shall not be displayed on  
22 any motor vehicle owned by a boat manufacturer, boat dealer, or  
23 trailer dealer, or vessel or vessel trailer hired or loaned to  
24 others or upon any regularly used service vessel or vessel  
25 trailer. Boat dealers and boat manufacturers may display their  
26 certificate of number on a vessel or vessel trailer when  
27 transporting a vessel or vessels to an exhibit or show.

28 9. If any law enforcement officer has probable cause to

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

6 10. (1) Every application for the issuance of a used motor  
7 vehicle dealer's license shall be accompanied by proof that the  
8 applicant, within the last twelve months, has completed an  
9 educational seminar course approved by the department as  
10 prescribed by subdivision (2) of this subsection. Wholesale and  
11 public auto auctions and applicants currently holding a new or  
12 used license for a separate dealership shall be exempt from the  
13 requirements of this subsection. The provisions of this  
14 subsection shall not apply to current new motor vehicle franchise  
15 dealers or motor vehicle leasing agencies or applicants for a new  
16 motor vehicle franchise or a motor vehicle leasing agency. The  
17 provisions of this subsection shall not apply to used motor  
18 vehicle dealers who were licensed prior to August 28, 2006.

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

24 301.564. 1. Any person or his agent licensed or registered  
25 as a manufacturer, motor vehicle dealer, wholesale motor vehicle  
26 dealer, boat dealer, wholesale motor vehicle auction or a public  
27 motor vehicle auction pursuant to the provisions of sections  
28 301.550 to 301.580 shall permit an employee of the department of

1 revenue or any law enforcement official to inspect, during normal  
2 business hours, any of the following documents which are in his  
3 possession or under his custody or control:

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

5 (2) Any application for title to any motor vehicle or  
6 vessel;

7 (3) Any affidavit provided pursuant to sections 301.550 to  
8 301.580 or chapter 407;

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

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

13 (6) Any inventory and related documentation.

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

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

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

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

22 (4) Any sheriff or deputy sheriff;

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

25 301.576. A motor vehicle dealer, as defined in section  
26 301.550, and the dealer's owners, shareholders, officers,  
27 employees, and agents who, in conjunction with the actual or  
28 potential sale or lease of a motor vehicle, arrange to provide,

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

18 301.3069. 1. Any Missouri resident may receive special  
19 license plates as prescribed in this section after an annual  
20 payment of an emblem-use authorization fee to Central Missouri  
21 Honor Flight. Central Missouri Honor Flight hereby authorizes  
22 the use of its official emblem to be affixed on multiyear  
23 personalized license plates as provided in this section for any  
24 vehicle the person owns, either solely or jointly, other than an  
25 apportioned motor vehicle or commercial motor vehicle licensed in  
26 excess of twenty-four thousand pounds gross weight. Any  
27 contribution to Central Missouri Honor Flight derived from this  
28 section, except reasonable administrative costs, shall be used

1 solely for financial assistance to transport veterans to  
2 Washington D.C. to view various veteran memorials. Any Missouri  
3 resident may annually apply to Central Missouri Honor Flight for  
4 the use of the emblem.

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

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

26 4. A vehicle owner who was previously issued plates with  
27 the Central Missouri Honor Flight emblem authorized by this  
28 section but who does not provide an emblem-use authorization

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

7 301.3159. Any person who has been awarded the military  
8 service award known as the meritorious service medal may apply  
9 for special motor vehicle license plates for any motor vehicle  
10 such person owns, either solely or jointly, other than an  
11 apportioned motor vehicle or a commercial motor vehicle licensed  
12 in excess of twenty-four thousand pounds gross weight. Any such  
13 person shall make application for the special license plates on a  
14 form provided by the director of revenue and furnish such proof  
15 as a recipient of the meritorious service medal as the director  
16 may require. The director shall then issue license plates  
17 bearing letters or numbers or a combination thereof as determined  
18 by the advisory committee established in section 301.129, with  
19 the words "MERITORIOUS SERVICE" in place of the words "SHOW-ME  
20 STATE". Such license plates shall be made with fully reflective  
21 material with a common color scheme and design, shall be clearly  
22 visible at night, and shall be aesthetically attractive, as  
23 prescribed by section 301.130. Such plates shall also bear an  
24 image of the meritorious service medal. There shall be an  
25 additional fee charged for each set of meritorious service  
26 license plates issued under this section equal to the fee charged  
27 for personalized license plates. There shall be no limit on the  
28 number of license plates any person qualified under this section

1 may obtain so long as each set of license plates issued under  
2 this section is issued for vehicles owned solely or jointly by  
3 such person. License plates issued under the provisions of this  
4 section shall not be transferable to any other person except that  
5 any registered co-owner of the motor vehicle shall be entitled to  
6 operate the motor vehicle with such plates for the duration of  
7 the year licensed in the event of the death of the qualified  
8 person.

9       301.3174. 1. Any Missouri resident may receive special  
10 license plates as prescribed in this section after an annual  
11 payment of an emblem-use authorization fee to the Association of  
12 Missouri Electric Cooperatives. The Association of Missouri  
13 Electric Cooperatives hereby authorizes the use of its official  
14 lineman emblem to be affixed on multiyear personalized license  
15 plates as provided in this section for any vehicle the person  
16 owns, either solely or jointly[, other than an apportioned motor  
17 vehicle or commercial motor vehicle licensed in excess of  
18 twenty-four thousand pounds gross weight]. Any contribution to  
19 such association derived from this section, except reasonable  
20 administrative costs, shall be used solely for financial  
21 assistance for lineman training programs. Any Missouri resident  
22 may annually apply to the association for the use of the emblem.

23       2. Upon annual application and payment of a twenty-five  
24 dollar emblem-use contribution to the Association of Missouri  
25 Electric Cooperatives, the association shall issue to the vehicle  
26 owner, without further charge, an emblem-use authorization  
27 statement, which shall be presented by the vehicle owner to the  
28 department of revenue at the time of registration of a motor

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

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

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

1 required by this section.

2 301.3176. 1. Any vehicle owner may apply for  
3 "BackStoppers" license plates for any motor vehicle the person  
4 owns, either solely or jointly, other than an apportioned motor  
5 vehicle or a commercial motor vehicle licensed in excess of  
6 twenty-four thousand pounds gross weight. Upon making a ten  
7 dollar contribution to the BackStoppers General Operating Fund or  
8 to the BackStoppers Education Fund, the vehicle owner may apply  
9 for the "BackStoppers" plate. If the contribution is made  
10 directly to the BackStoppers General Operating Fund or to the  
11 BackStoppers Education Fund, the organization shall issue the  
12 individual making the contribution a receipt, verifying the  
13 contribution, that may be used to apply for the "BackStoppers"  
14 license plate. If the contribution is made directly to the  
15 director of revenue pursuant to section 301.3031, the director  
16 shall note the contribution and the owner may then apply for the  
17 "BackStoppers" plate. The applicant for such plate shall pay a  
18 fifteen dollar fee in addition to the regular registration fees  
19 and present any other documentation required by law for each set  
20 of "BackStoppers" plates issued pursuant to this section.  
21 Notwithstanding the provisions of section 301.144, no additional  
22 fee shall be charged for the personalization of license plates  
23 issued pursuant to this section. The "BackStoppers" plate shall  
24 bear the emblem of a thin blue line encompassed in black as  
25 prescribed by the director of revenue and shall have the word  
26 "BACKSTOPPERS". Such license plates shall be made with fully  
27 reflective material with a common color scheme and design, shall  
28 be clearly visible at night, and shall be aesthetically

1 attractive, as prescribed by section 301.130.

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

15 302.020. 1. Unless otherwise provided for by law, it shall  
16 be unlawful for any person, except those expressly exempted by  
17 section 302.080, to:

18 (1) Operate any vehicle upon any highway in this state  
19 unless the person has a valid license;

20 (2) Operate a motorcycle or motortricycle upon any highway  
21 of this state unless such person has a valid license that shows  
22 the person has successfully passed an examination for the  
23 operation of a motorcycle or motortricycle as prescribed by the  
24 director. The director may indicate such upon a valid license  
25 issued to such person, or shall issue a license restricting the  
26 applicant to the operation of a motorcycle or motortricycle if  
27 the actual demonstration, required by section 302.173, is  
28 conducted on such vehicle;

1           (3) Authorize or knowingly permit a motorcycle or  
2     motortricycle owned by such person or under such person's control  
3     to be driven upon any highway by any person whose license does  
4     not indicate that the person has passed the examination for the  
5     operation of a motorcycle or motortricycle or has been issued an  
6     instruction permit therefor;

7           (4) Operate a motor vehicle with an instruction permit or  
8     license issued to another person.

9           2. Every person under twenty-six years of age who is  
10    operating or riding as a passenger on any motorcycle or  
11    motortricycle, as defined in section 301.010, upon any highway of  
12    this state shall wear protective headgear at all times the  
13    vehicle is in motion; except that, any person twenty-six years of  
14    age or older operating any motorcycle or motortricycle who has  
15    been issued an instruction permit shall wear protective headgear  
16    at all times the vehicle is in motion. The protective headgear  
17    shall meet reasonable standards and specifications established by  
18    the director. No political subdivision of this state shall  
19    impose a protective headgear requirement on the operator or  
20    passenger of a motorcycle or motortricycle. No person shall be  
21    stopped, inspected, or detained solely to determine compliance  
22    with this subsection.

23           3. Notwithstanding the provisions of section 302.340 any  
24    person convicted of violating subdivision (1) or (2) of  
25    subsection 1 of this section is guilty of a misdemeanor. A first  
26    violation of subdivision (1) or (2) of subsection 1 of this  
27    section shall be punishable as a class D misdemeanor. A second  
28    violation of subdivision (1) or (2) of subsection 1 of this

1 section shall be punishable as a class A misdemeanor. Any person  
2 convicted a third or subsequent time of violating subdivision (1)  
3 or (2) of subsection 1 of this section is guilty of a class E  
4 felony. Notwithstanding the provisions of section 302.340,  
5 violation of subdivisions (3) and (4) of subsection 1 of this  
6 section is a misdemeanor, the first violation punishable as a  
7 class D misdemeanor, a second or subsequent violation of this  
8 section punishable as a class C misdemeanor, and the penalty for  
9 failure to wear protective headgear as required by subsection 2  
10 of this section is an infraction for which a fine not to exceed  
11 twenty-five dollars may be imposed. Notwithstanding all other  
12 provisions of law and court rules to the contrary, no court costs  
13 shall be imposed upon any person due to such violation. No  
14 points shall be assessed pursuant to section 302.302 for a  
15 failure to wear such protective headgear. Prior pleas of guilty  
16 and prior findings of guilty shall be pleaded and proven in the  
17 same manner as required by section 558.021.

18 302.026. 1. Any qualified motorcycle operator who is  
19 twenty-six years of age or older may operate a motorcycle or  
20 motortricycle upon any highway of this state without wearing  
21 protective headgear if he or she in addition to maintaining proof  
22 of financial responsibility in accordance with chapter 303, is  
23 covered by a health insurance policy or other form of insurance  
24 which will provide the person with medical benefits for injuries  
25 incurred as a result of an accident while operating or riding on  
26 a motorcycle or motortricycle.

27 2. Proof of coverage required by subsection 1 of this  
28 section shall be provided, upon request by authorized law

1 enforcement, by showing a copy of the qualified operator's  
2 insurance card.

3 3. No person shall be stopped, inspected, or detained  
4 solely to determine compliance with this section.

5 302.170. 1. As used in this section, the following terms  
6 shall mean:

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

9 (a) [Facial feature pattern characteristics;

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

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

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

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

20 [(f) Eye spacing;

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

22 [(h)] (f) DNA;

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

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

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

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

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

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

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

28           (3) Documents demonstrating lawful presence of any

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

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

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

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

19 4. (1) To the extent not prohibited under subsection 13 of  
20 this section, the department of revenue shall amend procedures  
21 for applying for a driver's license or identification card in  
22 order to comply with the goals or standards of the federal REAL  
23 ID Act of 2005, any rules or regulations promulgated under the  
24 authority granted in such Act, or any requirements adopted by the  
25 American Association of Motor Vehicle Administrators for  
26 furtherance of the Act, unless such action conflicts with  
27 Missouri law.

28 (2) The department of revenue shall issue driver's licenses

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

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

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

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

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

28 d. Any other information the department deems necessary to

1 inform the applicant about the REAL ID compliant driver's license  
2 or identification card under the federal REAL ID Act;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 12. No agency, department, or official of this state or of  
28 any political subdivision thereof shall use, collect, obtain,

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

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

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

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

26 302.181. 1. The license issued pursuant to the provisions  
27 of sections 302.010 to 302.340 shall be in such form as the  
28 director shall prescribe, but the license shall be a card made of

1 plastic or other comparable material. All licenses shall be  
2 manufactured of materials and processes that will prohibit, as  
3 nearly as possible, the ability to reproduce, alter, counterfeit,  
4 forge, or duplicate any license without ready detection. [All  
5 licenses shall bear the licensee's Social Security number, if the  
6 licensee has one, and if not, a notarized affidavit must be  
7 signed by the licensee stating that the licensee does not possess  
8 a Social Security number, or, if applicable, a certified  
9 statement must be submitted as provided in subsection 4 of this  
10 section.] The license shall also bear the expiration date of the  
11 license, the classification of the license, the name, date of  
12 birth, residence address including the county of residence or a  
13 code number corresponding to such county established by the  
14 department, and brief description and colored [photograph or]  
15 digitized image of the licensee, and a facsimile of the signature  
16 of the licensee. The director shall provide by administrative  
17 rule the procedure and format for a licensee to indicate on the  
18 back of the license together with the designation for an  
19 anatomical gift as provided in section 194.240 the name and  
20 address of the person designated pursuant to sections 404.800 to  
21 404.865 as the licensee's attorney in fact for the purposes of a  
22 durable power of attorney for health care decisions. No license  
23 shall be valid until it has been so signed by the licensee. If  
24 any portion of the license is prepared by a private firm, any  
25 contract with such firm shall be made in accordance with the  
26 competitive purchasing procedures as established by the state  
27 director of the division of purchasing. [For all licenses issued  
28 or renewed after March 1, 1992, the applicant's Social Security

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

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

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

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

28 5.] The director of revenue shall not issue a license

1 without a facial [photograph or] digital image of the license  
2 applicant, except as provided pursuant to subsection 8 of this  
3 section. A [photograph or] digital image of the applicant's full  
4 facial features shall be taken in a manner prescribed by the  
5 director. No [photograph or] digital image [will] shall be taken  
6 wearing anything which cloaks the facial features of the  
7 individual.

8 [6.] 5. The department of revenue may issue a temporary  
9 license or a full license without the photograph or with the last  
10 photograph or digital image in the department's records to  
11 members of the Armed Forces, except that where such temporary  
12 license is issued it shall be valid only until the applicant  
13 shall have had time to appear and have his or her picture taken  
14 and a license with his or her photograph issued.

15 [7.] 6. The department of revenue shall issue upon request  
16 a nondriver's license card containing essentially the same  
17 information and photograph or digital image, except as provided  
18 pursuant to subsection 8 of this section, as the driver's license  
19 upon payment of six dollars. All nondriver's licenses shall  
20 expire on the applicant's birthday in the sixth year after  
21 issuance. A person who has passed his or her seventieth birthday  
22 shall upon application be issued a nonexpiring nondriver's  
23 license card. Notwithstanding any other provision of this  
24 chapter, a nondriver's license containing a concealed carry  
25 endorsement shall expire three years from the date the  
26 certificate of qualification was issued pursuant to section  
27 571.101, as section 571.101 existed prior to August 28, 2013.  
28 The fee for nondriver's licenses issued for a period exceeding

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

5 [8.] 7. If otherwise eligible, an applicant may receive a  
6 driver's license or nondriver's license without a photograph or  
7 digital image of the applicant's full facial features except that  
8 such applicant's photograph or digital image shall be taken and  
9 maintained by the director and not printed on such license. In  
10 order to qualify for a license without a photograph or digital  
11 image pursuant to this section the applicant must:

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

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

28 (3) Applications for a driver's license or nondriver's

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

6 [9.] 8. The department of revenue shall make available, at  
7 one or more locations within the state, an opportunity for  
8 individuals to have their full facial photograph taken by an  
9 employee of the department of revenue, or their designee, who is  
10 of the same sex as the individual being photographed, in a  
11 segregated location.

12 [10.] 9. Beginning July 1, 2005, the director shall not  
13 issue a driver's license or a nondriver's license for a period  
14 that exceeds an applicant's lawful presence in the United States.  
15 The director may, by rule or regulation, establish procedures to  
16 verify the lawful presence of the applicant and establish the  
17 duration of any driver's license or nondriver's license issued  
18 under this section.

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

22 10. (1) Notwithstanding any biometric data restrictions  
23 contained in section 302.170, the department of revenue is hereby  
24 authorized to design and implement a secure digital driver's  
25 license program that allows applicants applying for a driver's  
26 license in accordance with this chapter to obtain a secure  
27 digital driver's license in addition to the physical card-based  
28 license specified in this section.

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

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

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

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

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

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

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

7           (1) Posttraumatic stress disorder;

8           (2) Diabetes;

9           (3) Heart conditions;

10          (4) Epilepsy;

11          (5) Drug allergies;

12          (6) Alzheimer's or dementia;

13          (7) Schizophrenia;

14          (8) Autism; or

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

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

1 identification card, even if such person is otherwise ineligible  
2 to access such medical information under state or federal law.

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

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

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

25 6. The director of the department of revenue may promulgate  
26 all necessary rules and regulations for the administration of  
27 this section. Any rule or portion of a rule, as that term is  
28 defined in section 536.010, that is created under the authority

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

10       302.720. 1. Except when operating under an instruction  
11 permit as described in this section, no person may drive a  
12 commercial motor vehicle unless the person has been issued a  
13 commercial driver's license with applicable endorsements valid  
14 for the type of vehicle being operated as specified in sections  
15 302.700 to 302.780. A commercial driver's instruction permit  
16 shall allow the holder of a valid license to operate a commercial  
17 motor vehicle when accompanied by the holder of a commercial  
18 driver's license valid for the vehicle being operated and who  
19 occupies a seat beside the individual, or reasonably near the  
20 individual in the case of buses, for the purpose of giving  
21 instruction in driving the commercial motor vehicle. No person  
22 may be issued a commercial driver's instruction permit until he  
23 or she has passed written tests which comply with the minimum  
24 federal standards. A commercial driver's instruction permit  
25 shall be nonrenewable and shall be valid for the vehicle being  
26 operated for a period of not more than one year, and shall not be  
27 issued until the permit holder has met all other requirements of  
28 sections 302.700 to 302.780, except for the driving test. The

1 fee for such permit shall be ten dollars. The fee for a  
2 duplicate of such commercial driver's instruction permit shall be  
3 five dollars.

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

28 (1) The written and driving tests shall be held at such

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

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

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

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

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

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

1 the applicant provides proof of approved military training  
2 sufficient for [wiaver] waiver of the written knowledge and  
3 skills tests as specified in this subdivision and subdivision (5)  
4 of subsection 3 of section 302.170.

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

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

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

1 license; and that administered in-house testing to such employees  
2 prior to August 28, 2006.

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

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

27 8. If the United States Secretary of Transportation  
28 determines that subsection 7 of this section has the effect of

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

6 302.723. 1. Notwithstanding any other provision of law,  
7 any entity providing commercial driver's license training to  
8 persons preparing to apply for commercial driver's licenses under  
9 the provisions of sections 302.700 to 302.780 shall provide  
10 reasonable accommodations for persons who are deaf or hard of  
11 hearing.

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

19 303.026. 1. The director shall inform each owner who  
20 registers a motor vehicle of the following:

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

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

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

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

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

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

28           3. To ensure compliance with this chapter, the director may

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

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

25 (2) When required by the director of revenue, each  
26 insurance company shall provide to the department a record of  
27 each policy issued, cancelled, terminated or revoked during the  
28 period since the previous report. [Nothing in this section shall

1 prohibit insurance companies from reporting more frequently than  
2 once per month] The director of revenue may require insurance  
3 companies to provide such records as frequently as he or she  
4 deems necessary.

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

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

16 (1) The individual;

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

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

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

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

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

28 (7) The office of the state auditor, for the purpose of

1 conducting any audit authorized by law.

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

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

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

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

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

20 303.200. 1. After consultation with insurance companies  
21 [authorized to issue automobile liability policies] having a  
22 certificate of authority to do business in this state and  
23 actively writing motor vehicle liability policies, the director  
24 of the department of commerce and insurance, hereinafter referred  
25 to as the "director", shall approve a reasonable plan [or plans  
26 for the equitable apportionment among such companies of  
27 applicants for such policies and for personal automobile and  
28 commercial motor vehicle liability] to provide motor vehicle

1 insurance policies to applicants who are in good faith entitled  
2 to but are unable to procure such policies through ordinary  
3 methods. The plan shall be known as the Missouri Automobile  
4 Insurance Plan, hereinafter referred to as the "plan". When any  
5 such plan has been approved, all such insurance companies shall  
6 subscribe thereto and participate therein. [The plan manager, on  
7 the plan's behalf, shall contract with an entity or entities to  
8 accept and service applicants and policies for any company that  
9 does not elect to accept and service applicants and policies. By  
10 October first of each year any company that elects to accept and  
11 service applicants and policies for the next calendar year for  
12 any such plan shall so notify the plan. Except as provided in  
13 subsection 2 of this section, any company that does not so notify  
14 a plan established for handling coverage for personal automobile  
15 risks shall be excused from accepting and servicing applicants  
16 and policies for the next calendar year for such plan and shall  
17 pay a fee to the plan or servicing entity for providing such  
18 services. The fee shall be based on the company's market share  
19 as determined by the company's writings of personal automobile  
20 risks in the voluntary market.] Any applicant for [any such] a  
21 policy under the plan, any person insured under [any such] the  
22 plan, and any insurance company affected may appeal to the  
23 director from any ruling or decision of the [manager or committee  
24 designated to operate such] plan. Any person aggrieved hereunder  
25 by any order or act of the director may, within ten days after  
26 notice thereof, file a petition in the circuit court of the  
27 county of Cole for a review thereof. The court shall summarily  
28 hear the petition and may make any appropriate order or decree.

1 [As used in this section, the term "personal automobile" means a  
2 private passenger nonfleet vehicle, motorcycle, camper and travel  
3 trailer, antique auto, amphibious auto, motor home, named  
4 nonowner applicant, or a low-speed vehicle subject to chapter 304  
5 which is not primarily used for business or nonprofit interests  
6 and which is generally used for personal, family, or household  
7 purposes.

8 2. If the total premium volume for any one plan established  
9 for handling coverage for personal automobile risks exceeds ten  
10 million dollars in a calendar year, a company with more than five  
11 percent market share of such risks in Missouri shall not be  
12 excused from accepting and servicing applicants and policies of  
13 such plan under subsection 1 of this section for the next  
14 calendar year, unless the governing body of the plan votes to  
15 allow any company with such market share the option to be  
16 excused.]

17 2. The plan shall perform its functions under a plan of  
18 operation and through a governing committee as prescribed in the  
19 plan of operation. Any plan of operation, prior to being placed  
20 in effect, shall be filed with and approved by the director. Any  
21 amendments to the plan of operation so adopted shall also be  
22 filed with and approved by the director prior to being placed in  
23 effect.

24 3. The plan of operation shall prescribe the issuance of  
25 motor vehicle insurance policies by the plan, which may include  
26 the administration of such policies by:

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

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

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

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

11       5. Any policy of insurance issued by the plan shall conform  
12 to the provisions of this chapter and any insurance law of this  
13 state applicable to motor vehicle insurance policies, except any  
14 law that specifically exempts the plan from the purview of the  
15 law.

16       6. The plan shall:

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

20       (2) Be subject to examination by the director under  
21 sections 374.205 to 374.207;

22       (3) Have the authority to make assessments on member  
23 insurance companies if the funds from policyholder premiums and  
24 other revenues are not sufficient for the sound operation of the  
25 plan. An assessment upon a member insurance company shall be in  
26 the same proportion to its share of the voluntary market premium  
27 for the type of policies written under the plan. The procedures  
28 for levying assessment shall be prescribed in the plan of

1 operation.

2 7. There shall be no liability imposed on the part of, and  
3 no cause of action of any nature shall arise against, any member  
4 insurer or any member of the governing committee for any omission  
5 or action taken by them in the performance of their powers and  
6 duties under this section.

7 304.170. 1. No vehicle operated upon the highways of this  
8 state shall have a width, including load, in excess of one  
9 hundred two inches, except clearance lights, rearview mirrors or  
10 other accessories required by federal, state or city law or  
11 regulation. Provided however, a recreational vehicle as defined  
12 in section 700.010 may exceed the foregoing width limits if the  
13 appurtenances on such recreational vehicle extend no further than  
14 the rearview mirrors. Such mirrors may only extend the distance  
15 necessary to provide the required field of view before the  
16 appurtenances were attached.

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

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

28 4. No bus, recreational motor vehicle or trackless trolley

1 coach operated upon the highways of this state shall have a  
2 length in excess of forty-five feet, except that such vehicles  
3 may exceed the forty-five feet length when such excess length is  
4 caused by the projection of a front safety bumper or a rear  
5 safety bumper or both. Such safety bumper shall not cause the  
6 length of the bus or recreational motor vehicle to exceed the  
7 forty-five feet length limit by more than one foot in the front  
8 and one foot in the rear. Notwithstanding any provision of this  
9 section to the contrary, an articulated bus, comprised of two or  
10 more sections connected by a flexible joint or other mechanism,  
11 may be up to sixty feet in length, not including safety bumpers  
12 which may extend one foot in front and one foot in the rear, and  
13 not including bicycle storage racks which may extend over the  
14 safety bumper by up to five feet when in the down position  
15 transporting a bicycle. The term "safety bumper" means any  
16 device which may be fitted on an existing bumper or which  
17 replaces the bumper and is so constructed, treated, or  
18 manufactured that it absorbs energy upon impact.

19 5. No combination of truck-tractor and semitrailer or  
20 truck-tractor equipped with dromedary and semitrailer operated  
21 upon the highways of this state shall have a length, including  
22 load, in excess of sixty feet; except that in order to comply  
23 with the provisions of P.L. 97-424 codified in Title 23 of the  
24 United States Code, 23 U.S.C. Section 101, et al., as amended, no  
25 combination of truck-tractor and semitrailer or truck-tractor  
26 equipped with dromedary and semitrailer operated upon the  
27 interstate highway system of this state shall have an overall  
28 length, including load, in excess of the length of the

1 truck-tractor plus the semitrailer or truck-tractor equipped with  
2 dromedary and semitrailer. The length of such semitrailer shall  
3 not exceed fifty-three feet.

4 6. In order to comply with the provisions of P.L. 97-424  
5 codified in Title 23 of the United States Code, 23 U.S.C. Section  
6 101, et al., as amended, no combination of truck-tractor,  
7 semitrailer and trailer operated upon the interstate highway  
8 system of this state shall have an overall length, including  
9 load, in excess of the length of the truck-tractor plus the  
10 semitrailer and trailer, neither of which semitrailer or trailer  
11 shall exceed twenty-eight feet in length, except that any  
12 existing semitrailer or trailer up to twenty-eight and one-half  
13 feet in length actually and lawfully operated on December 1,  
14 1982, within a sixty-five foot overall length limit in any state,  
15 may continue to be operated upon the interstate highways of this  
16 state. On those primary highways not designated by the state  
17 highways and transportation commission as provided in subsection  
18 11 of this section, no combination of truck-tractor, semitrailer  
19 and trailer shall have an overall length, including load, in  
20 excess of sixty-five feet; provided, however, the commission may  
21 designate additional routes for such sixty-five foot  
22 combinations.

23 7. (1) Automobile transporters, boat transporters,  
24 truck-trailer boat transporter combinations, and stinger-steered  
25 combination boat transporters having a length not in excess of  
26 seventy-five feet may be operated on the interstate highways of  
27 this state and such other highways as may be designated by the  
28 commission for the operation of such vehicles plus a distance not

1 to exceed ten miles from such interstate or designated highway.  
2 All length provisions regarding automobile or boat transporters,  
3 truck-trailer boat transporter combinations and stinger-steered  
4 combination boat transporters shall include a semitrailer length  
5 not to exceed fifty-three feet and are exclusive of front and  
6 rear overhang, which shall be no greater than a three-foot front  
7 overhang and no greater than a four-foot rear overhang.

8 (2) Stinger-steered combination automobile transporters  
9 having a length not in excess of eighty feet may be operated on  
10 the interstate highways of this state and such other highways as  
11 may be designated by the commission for the operation of such  
12 vehicles plus a distance not to exceed ten miles from such  
13 interstate or designated highway. All length provisions  
14 regarding stinger-steered automobile combination transporters are  
15 exclusive of front and rear overhang, which shall be no greater  
16 than a four-foot front overhang and no greater than a six-foot  
17 rear overhang.

18 (3) Automobile transporters may transport cargo or general  
19 freight on a backhaul, as long as in compliance with weight  
20 limitations for a truck-tractor and semitrailer combination as  
21 outlined in section 304.180.

22 8. Driveaway saddlemount combinations having a length not  
23 in excess of ninety-seven feet may be operated on the interstate  
24 highways of this state and such other highways as may be  
25 designated by the commission for the operation of such vehicles  
26 plus a distance not to exceed ten miles from such interstate or  
27 designated highway. Saddlemount combinations must comply with  
28 the safety requirements of Section 393.71 of Title 49 of the Code

1 of Federal Regulations and may contain no more than three  
2 saddlemounted vehicles and one fullmount.

3 9. No truck-tractor semitrailer-semitrailer combination  
4 vehicles operated upon the interstate and designated primary  
5 highway system of this state shall have a semitrailer length in  
6 excess of twenty-eight feet or twenty-eight and one-half feet if  
7 the semitrailer was in actual and lawful operation in any state  
8 on December 1, 1982, operating in a truck-tractor  
9 semitrailer-semitrailer combination. The B-train assembly is  
10 excluded from the measurement of semitrailer length when used  
11 between the first and second semitrailer of a truck-tractor  
12 semitrailer-semitrailer combination, except that when there is no  
13 semitrailer mounted to the B-train assembly, it shall be included  
14 in the length measurement of the semitrailer.

15 10. No towaway trailer transporter combination vehicles  
16 operated upon the interstate and designated primary highway  
17 system of this state shall have an overall length of more than  
18 eighty-two feet.

19 11. The commission is authorized to designate routes on the  
20 state highway system other than the interstate system over which  
21 those combinations of vehicles of the lengths specified in  
22 subsections 5, 6, 7, 8, 9, and 10 of this section may be  
23 operated. Combinations of vehicles operated under the provisions  
24 of subsections 5, 6, 7, 8, 9, and 10 of this section may be  
25 operated at a distance not to exceed ten miles from the  
26 interstate system and such routes as designated under the  
27 provisions of this subsection.

28 12. Except as provided in subsections 5, 6, 7, 8, 9, 10,

1 and 11 of this section, no other combination of vehicles operated  
2 upon the primary or interstate highways of this state plus a  
3 distance of ten miles from a primary or interstate highway shall  
4 have an overall length, unladen or with load, in excess of  
5 sixty-five feet or in excess of fifty-five feet on any other  
6 highway.

7 13. (1) Except as hereinafter provided, these restrictions  
8 shall not apply to:

9 (a) Agricultural implements operating occasionally on the  
10 highways for short distances including tractor parades for  
11 fund-raising activities or special events, provided the tractors  
12 are driven by licensed drivers during daylight hours only and  
13 with the approval of the superintendent of the Missouri state  
14 highway patrol; [or to]

15 (b) Self-propelled hay-hauling equipment or to implements  
16 of husbandry, or to the movement of farm products as defined in  
17 section 400.9-102 or to vehicles temporarily transporting  
18 agricultural implements or implements of husbandry or road-making  
19 machinery, or road materials or towing for repair purposes  
20 vehicles that have become disabled upon the highways; [or to]

21 (c) Vehicles towing trailers specifically designed to carry  
22 harvested cotton, either as a single trailer or in tandem, with a  
23 total length, including the trailer or trailers, of not more than  
24 ninety-three feet; such vehicles shall only be used to haul  
25 harvested cotton, except when hauling hay within the state to  
26 areas affected by drought as determined by the National Drought  
27 Mitigation Center; or

28 (d) Implement dealers delivering or moving farm machinery

1 for repairs on any state highway other than the interstate  
2 system.

3 (2) Implements of husbandry and vehicles transporting such  
4 machinery or equipment and the movement of farm products as  
5 defined in section 400.9-102 may be operated occasionally for  
6 short distances on state highways when operated between the hours  
7 of sunrise and sunset by a driver licensed as an operator or  
8 chauffeur.

9 (3) Notwithstanding any other provision of law to the  
10 contrary, agricultural machinery and implements may be operated  
11 on state highways between the hours of sunset and sunrise for  
12 agricultural purposes provided such vehicles are equipped with  
13 lighting meeting the requirements of section 307.115.

14 14. As used in this chapter the term "implements of  
15 husbandry" means all self-propelled machinery operated at speeds  
16 of less than thirty miles per hour, specifically designed for, or  
17 especially adapted to be capable of, incidental over-the-road and  
18 primary offroad usage and used exclusively for the application of  
19 commercial plant food materials or agricultural chemicals, and  
20 not specifically designed or intended for transportation of such  
21 chemicals and materials.

22 15. Sludge disposal units may be operated on all state  
23 highways other than the interstate system. Such units shall not  
24 exceed one hundred thirty-eight inches in width and may be  
25 equipped with over-width tires. Such units shall observe all  
26 axle weight limits. The commission shall issue special permits  
27 for the movement of such disposal units and may by such permits  
28 restrict the movements to specified routes, days and hours.

1           304.172. The provisions of sections 304.170 to 304.240  
2 relating to height, width, [weight,] and length [and load]  
3 restrictions for motor vehicles shall not apply to any motor  
4 vehicle and its attached apparatus which is designed for use and  
5 used by a fire department, fire protection district or volunteer  
6 fire protection association or when being operated by a fire  
7 apparatus manufacturer or sales organization for the purpose of  
8 sale, demonstration, exhibit, or delivery to a fire department,  
9 fire protection district or volunteer fire protection  
10 association.

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

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

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

7  
 8 Distance in feet between the extremes of any group of two or more  
 9 consecutive axles, measured to the nearest foot, except where  
 10 indicated otherwise

11	Maximum load in pounds					
12	feet	2 axles	3 axles	4 axles	5 axles	6 axles
13	4	34,000				
14	5	34,000				
15	6	34,000				
16	7	34,000				
17	8	34,000	34,000			
18	More than 8		38,000	42,000		
19	9	39,000	42,500			
20	10	40,000	43,500			
21	11	40,000	44,000			
22	12	40,000	45,000	50,000		
23	13	40,000	45,500	50,500		
24	14	40,000	46,500	51,500		
25	15	40,000	47,000	52,000		
26	16	40,000	48,000	52,500	58,000	
27	17	40,000	48,500	53,500	58,500	
28	18	40,000	49,500	54,000	59,000	

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

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

12

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

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

1 such bridge.

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

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

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

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

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

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

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

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

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

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

1 axle; thirty-three thousand five hundred pounds on a single drive  
2 axle; sixty-two thousand pounds on a tandem axle; or fifty-two  
3 thousand pounds on a tandem rear-drive steer axle; except that,  
4 such emergency vehicles shall only operate on the Dwight D.  
5 Eisenhower National System of Interstate and Defense Highways.

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

16 305.800. As used in sections 305.800 to 305.810, the  
17 following terms mean:

18 (1) "Abandoned aircraft", an aircraft left in a wrecked,  
19 inoperative, or partially dismantled condition at an airport; or  
20 an aircraft that has remained in an idle state at an airport for  
21 forty-five consecutive calendar days without a contractual  
22 agreement between the owner or operator of the aircraft and the  
23 airport for use of the airport premises;

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

26 (3) "Derelict aircraft", any aircraft that is not in a  
27 flyable condition, does not have a current certificate of  
28 airworthiness issued by the Federal Aviation Administration, and

1 is not in the process of actively being repaired.

2 305.802. 1. If a derelict aircraft or abandoned aircraft  
3 is discovered on airport property, the airport superintendent  
4 shall:

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

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

10 (a) Contacting the Federal Aviation Administration,  
11 aircraft registration branch, and making a diligent search of the  
12 appropriate records; or

13 (b) Contacting an aircraft title search company.

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

18 (1) Of the location of the derelict or abandoned aircraft  
19 on the airport property;

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

22 (3) That the aircraft is subject to a lien under section  
23 305.806 for any unpaid and accrued fees and charges for the use  
24 of the airport and for the transportation, storage, and removal  
25 of the aircraft;

26 (4) That the lien is subject to enforcement under this  
27 section;

28 (5) That the airport may use, trade, sell, or remove the

1 aircraft as described in section 305.804 if, within thirty  
2 calendar days after the date of receipt of the notice, the owner  
3 or other interested party has not removed the aircraft from the  
4 airport and paid in full all accrued fees and charges for the use  
5 of the airport and for the transportation, storage, and removal  
6 of the aircraft; and

7 (6) That the airport superintendent may remove the aircraft  
8 in less than thirty calendar days if the aircraft poses a danger  
9 to the health or safety of users of the airport, as determined by  
10 the airport superintendent.

11 3. (1) If the owner of the aircraft is unknown or cannot be  
12 found after the inquiry required under subdivision (2) of  
13 subsection 1 of this section, the airport superintendent shall  
14 place a notice upon the aircraft in a conspicuous place  
15 containing the information required under subdivisions (2), (3),  
16 (4), (5), and (6) of subsection 2 of this section.

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

21 305.804. 1. If the owner or other interested party has not  
22 removed the aircraft from the airport and paid in full all  
23 accrued fees and charges for the use of the airport and for the  
24 transportation, storage, and removal of the aircraft, or shown  
25 reasonable cause for the failure to do so within thirty calendar  
26 days of the airport superintendent posting notice under section  
27 305.802, the airport superintendent may:

28 (1) Retain the aircraft for use by the airport, the state,

1 or the unit of local government owning or operating the airport;

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

4 (3) Sell the aircraft; or

5 (4) Dispose of the aircraft through an appropriate refuse  
6 removal company or a company that provides salvage services for  
7 aircraft.

8 2. If the airport superintendent elects to sell the aircraft  
9 in accordance with subdivision (3) of subsection 1 of this  
10 section, the aircraft shall be sold at public auction after  
11 giving notice of the time and place of sale, at least ten  
12 calendar days prior to the date of sale, in a newspaper of  
13 general circulation within the county where the airport is  
14 located and after providing written notice of the intended sale  
15 to all parties known to have an interest in the aircraft.

16 3. If the airport superintendent elects to dispose of the  
17 aircraft in accordance with subdivision (4) of subsection 1 of  
18 this section, the airport superintendent shall be entitled to  
19 negotiate with the company for a price to be received from the  
20 company in payment for the aircraft, or, if circumstances so  
21 warrant, a price to be paid to the company by the airport  
22 superintendent for the costs of disposing of the aircraft. All  
23 information and records pertaining to the establishment of the  
24 price and the justification for the amount of the price shall be  
25 prepared and maintained by the airport superintendent.

26 4. If the sale price or the negotiated price is less than  
27 the airport superintendent's current fees and charges against the  
28 aircraft, the owner of the aircraft shall remain liable to the

1 airport superintendent for the fees and charges that are not  
2 offset by the sale price or negotiated price.

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

6 305.806. 1. The airport superintendent shall have a lien on  
7 a derelict or abandoned aircraft for all unpaid fees and charges  
8 for the use of the airport by the aircraft and for all unpaid  
9 costs incurred by the airport superintendent for the  
10 transportation, storage, and removal of the aircraft. As a  
11 prerequisite to perfecting a lien under this section, the airport  
12 superintendent shall serve a notice on the last registered owner  
13 and all persons having an equitable or legal interest in the  
14 aircraft.

15 2. (1) For the purpose of perfecting a lien under this  
16 section, the airport superintendent shall file a claim of lien  
17 that states:

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

19 (b) The name of the last registered owner of the aircraft  
20 and all persons having a legal or equitable interest in the  
21 aircraft;

22 (c) The fees and charges incurred by the aircraft for the  
23 use of the airport and the costs for the transportation, storage,  
24 and removal of the aircraft; and

25 (d) A description of the aircraft sufficient for  
26 identification.

27 (2) The claim of lien shall be signed and sworn to or  
28 affirmed by the airport superintendent's director or the

1 director's designee.

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

6 (4) The claim of lien shall be filed with the proper office  
7 according to section 400-9.501. The filing of the claim of lien  
8 shall be constructive notice to all persons of the contents and  
9 effect of such claim. The lien shall attach at the time of  
10 filing and shall take priority as of that time.

11 305.808. 1. If the aircraft is sold, the airport  
12 superintendent shall satisfy the airport superintendent's lien,  
13 plus the reasonable expenses of notice, advertisement, and sale  
14 from the proceeds of the sale.

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

18 3. If no person claims the balance within twelve months of  
19 the date of sale, the airport shall retain the funds and use the  
20 funds for airport operations.

21 305.810. 1. Any person acquiring a legal interest in an  
22 aircraft under sections 305.800 to 305.810 shall be the lawful  
23 owner of the aircraft and all other legal or equitable interests  
24 in that aircraft shall be divested; provided that, the holder of  
25 any legal or equitable interest was notified of the intended  
26 disposal of the aircraft as required under sections 305.800 to  
27 305.810.

28 2. The airport superintendent may issue documents of

1 disposition to the purchaser or recipient of an aircraft disposed  
2 of under sections 305.800 to 305.810.

3 306.127. 1. Beginning January 1, 2005, every person born  
4 after January 1, 1984, or as required pursuant to section  
5 306.128, who operates a vessel on the lakes of this state shall  
6 possess, on the vessel, a boating safety identification card  
7 issued by the water patrol division or its agent which shows that  
8 he or she has:

9 (1) Successfully completed a boating safety course approved  
10 by the National Association of State Boating Law Administrators  
11 and certified by the water patrol division. The boating safety  
12 course may include a course sponsored by the United States Coast  
13 Guard Auxiliary or the United States Power Squadron. The water  
14 patrol division may appoint agents to administer a boater  
15 education course or course equivalency examination and issue  
16 boater identification cards under guidelines established by the  
17 water patrol. The water patrol division shall maintain a list of  
18 approved courses; or

19 (2) Successfully passed an equivalency examination prepared  
20 by the water patrol division and administered by the water patrol  
21 division or its agent. The equivalency examination shall have a  
22 degree of difficulty equal to, or greater than, that of the  
23 examinations given at the conclusion of an approved boating  
24 safety course; or

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

27 2. The water patrol division or its agent shall issue a  
28 permanent boating safety identification card to each person who

1 complies with the requirements of this section which is valid for  
2 life unless invalidated pursuant to law.

3 3. The water patrol division may charge a fee for such card  
4 or any replacement card that does not substantially exceed the  
5 costs of administrating this section. The water patrol division  
6 or its designated agent shall collect such fees. These funds  
7 shall be forwarded to general revenue.

8 4. The provisions of this section shall not apply to any  
9 person who:

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

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

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

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

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

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

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

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

1           5. The water patrol division shall inform other states of  
2 the requirements of this section.

3           6. No individual shall be detained or stopped strictly for  
4 the purpose of checking whether the individual possesses a  
5 boating safety identification card or a temporary boater  
6 education permit.

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

1 boating safety identification card to an individual under the  
2 provisions of this subsection shall transmit the applicant's  
3 temporary boating safety identification card information  
4 electronically to the Missouri state highway patrol, in a manner  
5 and format prescribed by the superintendent, using an electronic  
6 online registration process developed and provided by the  
7 Missouri state highway patrol. The electronic online process  
8 developed and provided by the Missouri state highway patrol shall  
9 allow the applicant to pay the temporary boating safety  
10 identification card fee by credit card or debit card.  
11 Notwithstanding any provision in section 306.185 to the contrary,  
12 all fees collected under the authority of this subsection shall  
13 be deposited in the water patrol division fund. The Missouri  
14 state highway patrol shall promulgate rules for developing the  
15 temporary boating safety identification card and any requirements  
16 necessary to the issuance, processing, and payment of the  
17 temporary boating safety identification card. The Missouri state  
18 highway patrol shall, by rule, develop a boating safety checklist  
19 for each applicant seeking a temporary boating safety  
20 identification card. Nothing in this subsection shall allow a  
21 holder of a temporary boating safety identification card to  
22 receive a notation on the person's driver's license or nondriver  
23 identification under section 302.184. The provisions of this  
24 subsection shall expire on December 31, [2022] 2032.

25 307.015. 1. Trucks, semitrailers, and trailers, except  
26 utility trailers, without rear fenders, attached to a commercial  
27 motor vehicle registered for over twenty-four thousand pounds  
28 shall be equipped with mud flaps for the rear wheels when

1 operated on the public highways of this state. If mud flaps are  
2 used, they shall be wide enough to cover the full tread width of  
3 the tire or tires being protected; shall be so installed that  
4 they extend from the underside of the vehicle body in a vertical  
5 plane behind the rear wheels to within twelve inches of the  
6 ground for dump trucks and within eight inches of the ground for  
7 all other vehicles required to be equipped with mud flaps under  
8 this section; and shall be constructed of a rigid material or a  
9 flexible material which is of a sufficiently rigid character to  
10 provide adequate protection when the vehicle is in motion. No  
11 provisions of this section shall apply to a motor vehicle in  
12 transit and in process of delivery equipped with temporary mud  
13 flaps, to farm implements, or to any vehicle which is not  
14 required to be registered.

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

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

22 407.815. As used in sections 407.810 to 407.835, unless the  
23 context otherwise requires, the following terms mean:

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

26 (2) "All-terrain vehicle", any motorized vehicle  
27 manufactured and used exclusively for off-highway use [which is  
28 fifty inches or less in width], with an unladen dry weight of

1 [six] one thousand five hundred pounds or less, traveling on  
2 three, four or more [low pressure] nonhighway tires, with either:

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

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

8 (3) "Coerce", to compel or attempt to compel a person to  
9 act in a given manner by pressure, intimidation, or threat of  
10 harm, damage, or breach of contract, but shall not include the  
11 following:

12 (a) Good faith recommendations, exposition, argument,  
13 persuasion or attempts at persuasion without unreasonable  
14 conditions;

15 (b) Notice given in good faith to any franchisee of such  
16 franchisee's violation of terms or provisions of such franchise  
17 or contractual agreement; or

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

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

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

24 (b) Who shares directors or officers or partners with a  
25 franchisor;

26 (5) "Control", to possess, directly or indirectly, the  
27 power to direct or cause the direction of the management or  
28 policies of a person, whether through the ownership of voting

1 securities, by contract, or otherwise; except that "control" does  
2 not include the relationship between a franchisor and a  
3 franchisee under a franchise agreement;

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

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

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

1 reference therein;

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

3 (10) "Franchisor", a person who grants a franchise to  
4 another person;

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

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

14 (13) "Line-make", a collection of models, series, or groups  
15 of motor vehicles manufactured by or for a particular  
16 manufacturer, distributor or importer offered for sale, lease or  
17 distribution pursuant to a common brand name or mark; provided,  
18 however:

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

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

28 (14) "Manufacturer", any person, whether a resident or

1 nonresident of this state, who manufactures or assembles motor  
2 vehicles or who manufactures or installs on previously assembled  
3 truck chassis special bodies or equipment which, when installed,  
4 form an integral part of the motor vehicle and which constitute a  
5 major manufacturing alteration. The term "manufacturer" includes  
6 a central or principal sales corporation or other entity, other  
7 than a franchisee, through which, by contractual agreement or  
8 otherwise, it distributes its products;

9 (15) "Motor vehicle", for the purposes of sections 407.810  
10 to 407.835, any motor-driven vehicle required to be registered  
11 pursuant to the provisions of chapter 301, except that,  
12 motorcycles and all-terrain vehicles as defined in section  
13 301.010 shall not be included. The term "motor vehicle" shall  
14 also include any engine, transmission, or rear axle, regardless  
15 of whether attached to a vehicle chassis, that is manufactured  
16 for the installation in any motor-driven vehicle with a gross  
17 vehicle weight rating of more than sixteen thousand pounds that  
18 is registered for the operations on the highways of this state  
19 under chapter 301;

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

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

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

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

3 (20) "Require", to impose upon a franchisee a provision not  
4 required by law or previously agreed to by a franchisee in a  
5 franchise agreement;

6 (21) "Successor manufacturer", any manufacturer that  
7 succeeds, or assumes any part of the business of, another  
8 manufacturer, referred to as the "predecessor manufacturer", as  
9 the result of:

10 (a) A change in ownership, operation, or control of the  
11 predecessor manufacturer by sale or transfer of assets, corporate  
12 stock, or other equity interest, assignment, merger,  
13 consolidation, combination, joint venture, redemption,  
14 court-approved sale, operation of law, or otherwise;

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

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

18 (d) A change in distribution system by the predecessor  
19 manufacturer, whether through a change in distributor or the  
20 predecessor manufacturer's decision to cease conducting business  
21 through a distributor altogether.

22 407.1025. As used in sections 407.1025 to 407.1049, unless  
23 the context otherwise requires, the following terms mean:

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

26 (2) "All-terrain vehicle", any motorized vehicle  
27 manufactured and used exclusively for off-highway use [which is  
28 fifty inches or less in width], with an unladen dry weight of

1 [six] one thousand five hundred pounds or less, traveling on  
2 three, four or more [low pressure] nonhighway tires, with either:

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

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

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

11 (a) Good faith recommendations, exposition, argument,  
12 persuasion or attempts at persuasion;

13 (b) Notice given in good faith to any franchisee of such  
14 franchisee's violation of terms or provisions of such franchise  
15 or contractual agreement;

16 (c) Any other conduct set forth in section 407.1043 as a  
17 defense to an action brought pursuant to sections 407.1025 to  
18 407.1049; or

19 (d) Any other conduct set forth in sections 407.1025 to  
20 407.1049 that is permitted of the franchisor or is expressly  
21 excluded from coercion or a violation of sections 407.1025 to  
22 407.1049;

23 (4) "Franchise", a written arrangement or contract for a  
24 definite or indefinite period, in which a person grants to  
25 another person a license to use, or the right to grant to others  
26 a license to use, a trade name, trademark, service mark, or  
27 related characteristics, in which there is a community of  
28 interest in the marketing of goods or services, or both, at

1 wholesale or retail, by agreement, lease or otherwise, and in  
2 which the operation of the franchisee's business with respect to  
3 such franchise is substantially reliant on the franchisor for the  
4 continued supply of franchised new motorcycles or all-terrain  
5 vehicles, parts and accessories for sale at wholesale or retail;

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

7 (6) "Franchisor", a person who grants a franchise to  
8 another person;

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

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

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

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

28 (1) [(a) All new, untitled current model year recreation

1 vehicle inventory, acquired from the manufacturer, which has not  
2 been used (except for demonstration purposes), altered or damaged  
3 to the extent that such damage must be disclosed to the consumer  
4 pursuant to section 407.1343, at one hundred percent of the net  
5 invoice cost, including transportation, less applicable rebates  
6 and discounts to the dealer; and

7 (b) All new, untitled recreation vehicle inventory of the  
8 prior model year, acquired from the manufacturer, provided the  
9 prior model year vehicles have not been altered, used (except for  
10 demonstration purposes) or damaged to the extent that such damage  
11 must be disclosed to the consumer pursuant to section 407.1343,  
12 and were drafted on the dealer's financing source or paid within  
13 one hundred twenty days prior to the effective date of the  
14 termination, cancellation, or nonrenewal.

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

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

6           (3) Any fully and correctly functioning diagnostic  
7 equipment, special tools, current signage and other equipment and  
8 machinery, at one hundred percent of the dealer's net cost plus  
9 freight, destination, delivery and distribution charges and sales  
10 taxes, if any, provided it was purchased by the dealer within  
11 five years before termination and upon the manufacturer's request  
12 and can no longer be used in the normal course of the dealer's  
13 ongoing business.

14  
15 The manufacturer shall pay the dealer within thirty days of  
16 receipt of [the returned] all items returned for repurchase under  
17 this section.

18           577.001. As used in this chapter, the following terms mean:

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

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

23           (b) Two or more intoxication-related traffic offenses  
24 committed on separate occasions where at least one of the  
25 intoxication-related traffic 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 vehicle while intoxicated and another person was

1 injured or killed;

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

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

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

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

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

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

23 (4) "Court", any circuit, associate circuit, or municipal  
24 court, including traffic court, but not any juvenile court or  
25 treatment court;

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

28 (a) Four or more intoxication-related traffic offenses

1 committed on separate occasions; or

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

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

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

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

19 (b) Three or more intoxication-related boating offenses  
20 committed on separate occasions where at least one of the  
21 intoxication-related boating offenses is an offense 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 vessel while intoxicated and another person was  
25 injured or killed; or

26 (c) Two or more intoxication-related boating offenses  
27 committed on separate occasions where both intoxication-related  
28 boating offenses were offenses committed in violation of any

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

5 (7) "Continuous alcohol monitoring", automatically testing  
6 breath, blood, or transdermal alcohol concentration levels and  
7 tampering attempts at least once every hour, regardless of the  
8 location of the person who is being monitored, and regularly  
9 transmitting the data. Continuous alcohol monitoring shall be  
10 considered an electronic monitoring service under subsection 3 of  
11 section 217.690;

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

14 (9) "Drive", "driving", "operates" or "operating",  
15 physically driving or operating a vehicle or vessel;

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

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

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

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

1           (c) Three or more intoxication-related traffic offenses  
2 committed on separate occasions where at least two of the  
3 intoxication-related traffic offenses were offenses 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 vehicle while intoxicated and another person was  
7 injured or killed;

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

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

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

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

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

27           a. Cause the death of any person not a passenger in the  
28 vessel operated by the defendant, including the death of an

1 individual that results from the defendant's vessel leaving the  
2 water; or

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

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

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

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

17 (15) "Intoxication-related traffic offense", driving while  
18 intoxicated, driving with excessive blood alcohol content,  
19 driving under the influence of alcohol or drugs in violation of a  
20 state law, county or municipal ordinance, any federal offense, or  
21 any military offense, or an offense in which the defendant was  
22 operating a vehicle while intoxicated and another person was  
23 injured or killed in violation of any state law, county or  
24 municipal ordinance, any federal offense, or any military  
25 offense;

26 (16) "Law enforcement officer" or "arresting officer",  
27 includes the definition of law enforcement officer in section  
28 556.061 and military policemen conducting traffic enforcement

1 operations on a federal military installation under military  
2 jurisdiction in the state of Missouri;

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

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

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

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

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

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

18 (b) One intoxication-related boating offense committed in  
19 violation of any state law, county or municipal ordinance,  
20 federal offense, or military offense in which the defendant was  
21 operating a vessel while intoxicated and another person was  
22 injured or killed;

23 (20) "Prior offender", a person who has been found guilty  
24 of one intoxication-related traffic offense, where such prior  
25 offense occurred within five years of the occurrence of the  
26 intoxication-related traffic offense for which the person is  
27 charged;

28 (21) "Prior boating offender", a person who has been found

1 guilty of one intoxication-related boating offense, where such  
2 prior offense occurred within five years of the occurrence of the  
3 intoxication-related boating offense for which the person is  
4 charged.

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