

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1963**  
100TH GENERAL ASSEMBLY

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Reported from the Committee on Transportation, Infrastructure and Public Safety, April 30, 2020, with recommendation that the Senate Committee Substitute do pass.

4390S.03C

ADRIANE D. CROUSE, Secretary.

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**AN ACT**

To repeal sections 32.300, 137.115, 143.441, 144.070, 144.805, 227.600, 300.010, 301.010, 301.030, 301.032, 301.140, 301.190, 301.210, 301.213, 301.280, 301.560, 301.564, 301.3174, 302.170, 302.181, 302.720, 303.026, 304.172, 304.180, 306.127, 307.015, 407.815, 407.1025, and 577.001 RSMo, and to enact in lieu thereof forty 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:*

Section A. Sections 32.300, 137.115, 143.441, 144.070, 144.805, 227.600, 300.010, 301.010, 301.030, 301.032, 301.140, 301.190, 301.210, 301.213, 301.280, 301.560, 301.564, 301.3174, 302.170, 302.181, 302.720, 303.026, 304.172, 304.180, 306.127, 307.015, 407.815, 407.1025, and 577.001 RSMo, is repealed and forty new sections enacted in lieu thereof, to be known as sections 32.300, 137.115, 143.441, 144.070, 144.805, 227.600, 300.010, 301.010, 301.030, 301.032, 301.140, 301.190, 301.210, 301.213, 301.280, 301.560, 301.564, 301.576, 301.3069, 301.3159, 301.3174, 302.170, 302.181, 302.205, 302.720, 302.723, 303.026, 304.172, 304.180, 305.800, 305.802, 305.804, 305.806, 305.808, 305.810, 306.127, 307.015, 407.815, 407.1025, and 577.001, to read as follows:

32.300. **1.** In a county where personal property tax records are accessible via computer, and when proof of motor vehicle liability insurance, safety inspections and emission inspections where required are verifiable by computer, the department of revenue shall design and implement a motor vehicle license renewal system which may be used through the department's internet website connection. [The online license renewal system shall be available no later than

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

7 January 1, 2002.] The department of revenue shall also design and implement an  
8 online system allowing the filing and payment of Missouri state taxes through the  
9 department's internet website connection. The online tax filing and payment  
10 system shall be available for the payment of Missouri state taxes for tax years  
11 beginning on or after January 1, 2002.

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

22 **3. Notwithstanding any provision of law to the contrary,**  
23 **applicants who have applied in person and received a driver's or**  
24 **nondriver's license in accordance with chapter 302 may apply for no**  
25 **more than one consecutive three-year or six-year license renewal**  
26 **remotely in accordance with this section. Remote application for**  
27 **renewal shall be made within six months before or after the expiration**  
28 **date of the license in accordance with section 302.173.**

29 **4. Applicants for remote driver's license renewal in accordance**  
30 **with this section shall not be required to complete the highway sign**  
31 **recognition test required under section 302.173 unless the department**  
32 **has technology that may be used remotely for such purpose. Applicants**  
33 **for remote driver's license renewal in accordance with this section**  
34 **shall not be required to complete the vision test established under**  
35 **section 302.175, provided the applicant shall certify under penalty of**  
36 **law that the applicant's vision satisfies the requirements of section**  
37 **302.175 and that the applicant has undergone an examination of**  
38 **eyesight by a licensed ophthalmologist or a licensed optometrist within**  
39 **the last twelve months. As a condition for renewal in accordance with**  
40 **this section, the applicant shall authorize the exchange of vision and**  
41 **medical information between the department and the applicant's**  
42 **ophthalmologist or optometrist, and shall be at least twenty-one years**  
43 **of age but less than fifty years of age. The ophthalmologist or**

44 **optometrist shall have four business days to confirm or deny the vision**  
45 **and medical information of the applicant. If no response is received by**  
46 **the department, the department shall accept the vision and medical**  
47 **information provided for processing the renewal application.**

137.115. 1. All other laws to the contrary notwithstanding, the assessor  
2 or the assessor's deputies in all counties of this state including the City of St.  
3 Louis shall annually make a list of all real and tangible personal property taxable  
4 in the assessor's city, county, town or district. Except as otherwise provided in  
5 subsection 3 of this section and section 137.078, the assessor shall annually  
6 assess all personal property at thirty-three and one-third percent of its true value  
7 in money as of January first of each calendar year. The assessor shall annually  
8 assess all real property, including any new construction and improvements to real  
9 property, and possessory interests in real property at the percent of its true value  
10 in money set in subsection 5 of this section. The true value in money of any  
11 possessory interest in real property in subclass (3), where such real property is  
12 on or lies within the ultimate airport boundary as shown by a federal airport  
13 layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR  
14 Part 139 certification and owned by a political subdivision, shall be the otherwise  
15 applicable true value in money of any such possessory interest in real property,  
16 less the total dollar amount of costs paid by a party, other than the political  
17 subdivision, towards any new construction or improvements on such real property  
18 completed after January 1, 2008, and which are included in the above-mentioned  
19 possessory interest, regardless of the year in which such costs were incurred or  
20 whether such costs were considered in any prior year. The assessor shall  
21 annually assess all real property in the following manner: new assessed values  
22 shall be determined as of January first of each odd-numbered year and shall be  
23 entered in the assessor's books; those same assessed values shall apply in the  
24 following even-numbered year, except for new construction and property  
25 improvements which shall be valued as though they had been completed as of  
26 January first of the preceding odd-numbered year. The assessor may call at the  
27 office, place of doing business, or residence of each person required by this  
28 chapter to list property, and require the person to make a correct statement of all  
29 taxable tangible personal property owned by the person or under his or her care,  
30 charge or management, taxable in the county. On or before January first of each  
31 even-numbered year, the assessor shall prepare and submit a two-year  
32 assessment maintenance plan to the county governing body and the state tax

33 commission for their respective approval or modification. The county governing  
34 body shall approve and forward such plan or its alternative to the plan to the  
35 state tax commission by February first. If the county governing body fails to  
36 forward the plan or its alternative to the plan to the state tax commission by  
37 February first, the assessor's plan shall be considered approved by the county  
38 governing body. If the state tax commission fails to approve a plan and if the  
39 state tax commission and the assessor and the governing body of the county  
40 involved are unable to resolve the differences, in order to receive state cost-share  
41 funds outlined in section 137.750, the county or the assessor shall petition the  
42 administrative hearing commission, by May first, to decide all matters in dispute  
43 regarding the assessment maintenance plan. Upon agreement of the parties, the  
44 matter may be stayed while the parties proceed with mediation or arbitration  
45 upon terms agreed to by the parties. The final decision of the administrative  
46 hearing commission shall be subject to judicial review in the circuit court of the  
47 county involved. In the event a valuation of subclass (1) real property within any  
48 county with a charter form of government, or within a city not within a county,  
49 is made by a computer, computer-assisted method or a computer program, the  
50 burden of proof, supported by clear, convincing and cogent evidence to sustain  
51 such valuation, shall be on the assessor at any hearing or appeal. In any such  
52 county, unless the assessor proves otherwise, there shall be a presumption that  
53 the assessment was made by a computer, computer-assisted method or a  
54 computer program. Such evidence shall include, but shall not be limited to, the  
55 following:

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

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

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

62 (b) Such properties are not more than one mile from the site of the  
63 disputed property, except where no similar properties exist within one mile of the  
64 disputed property, the nearest comparable property shall be used. Such property  
65 shall be within five hundred square feet in size of the disputed property, and  
66 resemble the disputed property in age, floor plan, number of rooms, and other  
67 relevant characteristics.

68 2. Assessors in each county of this state and the City of St. Louis may

69 send personal property assessment forms through the mail.

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

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

75 (2) Livestock, twelve percent;

76 (3) Farm machinery, twelve percent;

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

82 (5) Poultry, twelve percent; and

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

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

93 5. (1) All subclasses of real property, as such subclasses are established  
94 in Section 4(b) of Article X of the Missouri Constitution and defined in section  
95 137.016, shall be assessed at the following percentages of true value:

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

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

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

99 (2) A taxpayer may apply to the county assessor, or, if not located within  
100 a county, then the assessor of such city, for the reclassification of such taxpayer's  
101 real property if the use or purpose of such real property is changed after such  
102 property is assessed under the provisions of this chapter. If the assessor  
103 determines that such property shall be reclassified, he or she shall determine the  
104 assessment under this subsection based on the percentage of the tax year that

105 such property was classified in each subclassification.

106           6. Manufactured homes, as defined in section 700.010, which are actually  
107 used as dwelling units shall be assessed at the same percentage of true value as  
108 residential real property for the purpose of taxation. The percentage of  
109 assessment of true value for such manufactured homes shall be the same as for  
110 residential real property. If the county collector cannot identify or find the  
111 manufactured home when attempting to attach the manufactured home for  
112 payment of taxes owed by the manufactured home owner, the county collector  
113 may request the county commission to have the manufactured home removed from  
114 the tax books, and such request shall be granted within thirty days after the  
115 request is made; however, the removal from the tax books does not remove the tax  
116 lien on the manufactured home if it is later identified or found. For purposes of  
117 this section, a manufactured home located in a manufactured home rental park,  
118 rental community or on real estate not owned by the manufactured home owner  
119 shall be considered personal property. For purposes of this section, a  
120 manufactured home located on real estate owned by the manufactured home  
121 owner may be considered real property.

122           7. Each manufactured home assessed shall be considered a parcel for the  
123 purpose of reimbursement [pursuant to] **under** section 137.750, unless the  
124 manufactured home is **deemed to be** real estate [as defined in] **under**  
125 subsection 7 of section 442.015 and assessed as a realty improvement to the  
126 existing real estate parcel.

127           8. Any amount of tax due and owing based on the assessment of a  
128 manufactured home shall be included on the personal property tax statement of  
129 the manufactured home owner unless the manufactured home is **deemed to be**  
130 real estate [as defined in] **under** subsection 7 of section 442.015, in which case  
131 the amount of tax due and owing on the assessment of the manufactured home  
132 as a realty improvement to the existing real estate parcel shall be included on the  
133 real property tax statement of the real estate owner.

134           9. The assessor of each county and each city not within a county shall use  
135 the trade-in value published in the October issue of the National Automobile  
136 Dealers' Association Official Used Car Guide, or its successor publication, as the  
137 recommended guide of information for determining the true value of motor  
138 vehicles described in such publication. The assessor shall not use a value that  
139 is greater than the average trade-in value in determining the true value of the  
140 motor vehicle without performing a physical inspection of the motor vehicle. For

141 vehicles two years old or newer from a vehicle's model year, the assessor may use  
142 a value other than average without performing a physical inspection of the motor  
143 vehicle. In the absence of a listing for a particular motor vehicle in such  
144 publication, the assessor shall use such information or publications which in the  
145 assessor's judgment will fairly estimate the true value in money of the motor  
146 vehicle.

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

151 11. If a physical inspection is required, [pursuant to] **under** subsection  
152 10 of this section, the assessor shall notify the property owner of that fact in  
153 writing and shall provide the owner clear written notice of the owner's rights  
154 relating to the physical inspection. If a physical inspection is required, the  
155 property owner may request that an interior inspection be performed during the  
156 physical inspection. The owner shall have no less than thirty days to notify the  
157 assessor of a request for an interior physical inspection.

158 12. A physical inspection, as required by subsection 10 of this section,  
159 shall include, but not be limited to, an on-site personal observation and review  
160 of all exterior portions of the land and any buildings and improvements to which  
161 the inspector has or may reasonably and lawfully gain external access, and shall  
162 include an observation and review of the interior of any buildings or  
163 improvements on the property upon the timely request of the owner [pursuant to]  
164 **under** subsection 11 of this section. Mere observation of the property via a drive-  
165 by inspection or the like shall not be considered sufficient to constitute a physical  
166 inspection as required by this section.

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

170 14. A county or city collector may accept credit cards as proper form of  
171 payment of outstanding property tax or license due. No county or city collector  
172 may charge surcharge for payment by credit card which exceeds the fee or  
173 surcharge charged by the credit card bank, processor, or issuer for its service. A  
174 county or city collector may accept payment by electronic transfers of funds in  
175 payment of any tax or license and charge the person making such payment a fee  
176 equal to the fee charged the county by the bank, processor, or issuer of such

177 electronic payment.

178           15. Any county or city not within a county in this state may, by an  
179 affirmative vote of the governing body of such county, opt out of the provisions of  
180 this section and sections 137.073, 138.060, and 138.100 as enacted by house bill  
181 no. 1150 of the ninety-first general assembly, second regular session and section  
182 137.073 as modified by house committee substitute for senate substitute for  
183 senate committee substitute for senate bill no. 960, ninety-second general  
184 assembly, second regular session, for the next year of the general reassessment,  
185 prior to January first of any year. No county or city not within a county shall  
186 exercise this opt-out provision after implementing the provisions of this section  
187 and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of  
188 the ninety-first general assembly, second regular session and section 137.073 as  
189 modified by house committee substitute for senate substitute for senate  
190 committee substitute for senate bill no. 960, ninety-second general assembly,  
191 second regular session, in a year of general reassessment. For the purposes of  
192 applying the provisions of this subsection, a political subdivision contained within  
193 two or more counties where at least one of such counties has opted out and at  
194 least one of such counties has not opted out shall calculate a single tax rate as  
195 in effect prior to the enactment of house bill no. 1150 of the ninety-first general  
196 assembly, second regular session. A governing body of a city not within a county  
197 or a county that has opted out under the provisions of this subsection may choose  
198 to implement the provisions of this section and sections 137.073, 138.060, and  
199 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly,  
200 second regular session, and section 137.073 as modified by house committee  
201 substitute for senate substitute for senate committee substitute for senate bill no.  
202 960, ninety-second general assembly, second regular session, for the next year of  
203 general reassessment, by an affirmative vote of the governing body prior to  
204 December thirty-first of any year.

205           16. The governing body of any city of the third classification with more  
206 than twenty-six thousand three hundred but fewer than twenty-six thousand  
207 seven hundred inhabitants located in any county that has exercised its authority  
208 to opt out under subsection 15 of this section may levy separate and differing tax  
209 rates for real and personal property only if such city bills and collects its own  
210 property taxes or satisfies the entire cost of the billing and collection of such  
211 separate and differing tax rates. Such separate and differing rates shall not  
212 exceed such city's tax rate ceiling.

213           17. Any portion of real property that is available as reserve for strip,  
214 surface, or coal mining for minerals for purposes of excavation for future use or  
215 sale to others that has not been bonded and permitted under chapter 444 shall  
216 be assessed based upon how the real property is currently being used. Any  
217 information provided to a county assessor, state tax commission, state agency, or  
218 political subdivision responsible for the administration of tax policies shall, in the  
219 performance of its duties, make available all books, records, and information  
220 requested, except such books, records, and information as are by law declared  
221 confidential in nature, including individually identifiable information regarding  
222 a specific taxpayer or taxpayer's mine property. For purposes of this subsection,  
223 "mine property" shall mean all real property that is in use or readily available as  
224 a reserve for strip, surface, or coal mining for minerals for purposes of excavation  
225 for current or future use or sale to others that has been bonded and permitted  
226 under chapter 444.

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

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

11           (2) Every railroad corporation or receiver in charge of the property thereof  
12 which operates over rails owned or leased by it and every corporation operating  
13 any buslines, trucklines, airlines, or other forms of transportation, **including,**  
14 **but not limited to, qualified air freight forwarders,** operating over fixed  
15 routes owned, leased, or used by it extending from this state to another state or  
16 states. **For purposes of this subdivision, "qualified air freight**  
17 **forwarder" means a taxpayer who meets all of the following**  
18 **requirements:**

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

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

22           **(c) The taxpayer is in the same affiliated group as an airline;**

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

25 (4) Every corporation, or receiver in charge of the property thereof, which  
26 operates a telephone line or lines extending from this state to another state or  
27 states or a telegraph line or lines extending from this state to another state or  
28 states.

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

31 (1) A corporation which by reason of its purposes and activities is exempt  
32 from federal income tax. The preceding sentence shall not apply to unrelated  
33 business taxable income and other income on which chapter 1 of the Internal  
34 Revenue Code imposes the federal income tax or any other tax measured by  
35 income;

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

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

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

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

144.070. 1. At the time the owner of any new or used motor vehicle,  
2 trailer, boat, or outboard motor which was acquired in a transaction subject to  
3 sales tax under the Missouri sales tax law makes application to the director of  
4 revenue for an official certificate of title and the registration of the motor vehicle,  
5 trailer, boat, or outboard motor as otherwise provided by law, the owner shall  
6 present to the director of revenue evidence satisfactory to the director of revenue  
7 showing the purchase price exclusive of any charge incident to the extension of  
8 credit paid by or charged to the applicant in the acquisition of the motor vehicle,  
9 trailer, boat, or outboard motor, or that no sales tax was incurred in its  
10 acquisition, and if sales tax was incurred in its acquisition, the applicant shall  
11 pay or cause to 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 or hereafter  
13 required according to law, and the director of revenue shall not issue a certificate  
14 of title for any new or used motor vehicle, trailer, boat, or outboard motor subject  
15 to sales tax as provided in the Missouri sales tax law until the tax levied for the

16 sale of the same under sections 144.010 to 144.510 has been paid as provided in  
17 this section or is registered under the provisions of subsection 5 of this section.

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

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

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

30         5. Any person, company, or corporation engaged in the business of renting  
31 or leasing motor vehicles, trailers, boats, or outboard motors, which are to be used  
32 exclusively for rental or lease purposes, and not for resale, may apply to the  
33 director of revenue for authority to operate as a leasing or rental company and  
34 pay an annual fee of two hundred fifty dollars for such authority. Any company  
35 approved by the director of revenue may pay the tax due on any motor vehicle,  
36 trailer, boat, or outboard motor as required in section 144.020 at the time of  
37 registration thereof or in lieu thereof may pay a sales tax as provided in sections  
38 144.010, 144.020, 144.070 and 144.440. A sales tax shall be charged to and paid  
39 by a leasing company which does not exercise the option of paying in accordance  
40 with section 144.020, on the amount charged for each rental or lease agreement  
41 while the motor vehicle, trailer, boat, or outboard motor is domiciled in this  
42 state. Any motor vehicle, trailer, boat, or outboard motor which is leased as the  
43 result of a contract executed in this state shall be presumed to be domiciled in  
44 this state.

45         6. Every applicant to be a [lease or rental company] **registered fleet**  
46 **owner as described in subsections 6 to 10 of section 301.032** shall furnish  
47 with the application **to operate as a registered fleet owner** a corporate  
48 surety bond or irrevocable letter of credit, as defined in section 400.5-102, issued  
49 by any state or federal financial institution in the penal sum of one hundred  
50 thousand dollars, on a form approved by the department. The bond or irrevocable  
51 letter of credit shall be conditioned upon the [lease or rental company]

52 **registered fleet owner** complying with the provisions of any statutes applicable  
53 to [lease or rental companies] **registered fleet owners**, and the bond shall be  
54 an indemnity for any loss sustained by reason of the acts of the person bonded  
55 when such acts constitute grounds for the suspension or revocation of the [lease  
56 or rental] **registered fleet owner** license. The bond shall be executed in the  
57 name of the state of Missouri for the benefit of all aggrieved parties or the  
58 irrevocable letter of credit shall name the state of Missouri as the beneficiary;  
59 except that, the aggregate liability of the surety or financial institution to the  
60 aggrieved parties shall, in no event, exceed the amount of the bond or irrevocable  
61 letter of credit. The proceeds of the bond or irrevocable letter of credit shall be  
62 paid upon receipt by the department of a final judgment from a Missouri court of  
63 competent jurisdiction against the principal and in favor of an aggrieved party.

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

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

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

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

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

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

81 8. If the owner of any motor vehicle, trailer, boat, or outboard motor  
82 desires to charge and collect sales tax as provided in this section, the owner shall  
83 make application to the director of revenue for a permit to operate as a motor  
84 vehicle, trailer, boat, or outboard motor leasing company. The director of revenue  
85 shall promulgate rules and regulations determining the qualifications of such a  
86 company, and the method of collection and reporting of sales tax charged and  
87 collected. Such regulations shall apply only to owners of motor vehicles, trailers,

88 boats, or outboard motors, electing to qualify as motor vehicle, trailer, boat, or  
89 outboard motor leasing companies under the provisions of subsection 5 of this  
90 section, and no motor vehicle renting or leasing, trailer renting or leasing, or boat  
91 or outboard motor renting or leasing company can come under sections 144.010,  
92 144.020, 144.070 and 144.440 unless all motor vehicles, trailers, boats, and  
93 outboard motors held for renting and leasing are included.

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

99 10. Beginning July 1, 2010, any motor vehicle dealer licensed under  
100 section 301.560 engaged in the business of selling motor vehicles or trailers may  
101 apply to the director of revenue for authority to collect and remit the sales tax  
102 required under this section on all motor vehicles sold by the motor vehicle dealer.  
103 A motor vehicle dealer receiving authority to collect and remit the tax is subject  
104 to all provisions under sections 144.010 to 144.525. Any motor vehicle dealer  
105 authorized to collect and remit sales taxes on motor vehicles under this  
106 subsection shall be entitled to deduct and retain an amount equal to two percent  
107 of the motor vehicle sales tax pursuant to section 144.140. Any amount of the tax  
108 collected under this subsection that is retained by a motor vehicle dealer  
109 pursuant to section 144.140 shall not constitute state revenue. In no event shall  
110 revenues from the general revenue fund or any other state fund be utilized to  
111 compensate motor vehicle dealers for their role in collecting and remitting sales  
112 taxes on motor vehicles. In the event this subsection or any portion thereof is  
113 held to violate Article IV, Section 30(b) of the Missouri Constitution, no motor  
114 vehicle dealer shall be authorized to collect and remit sales taxes on motor  
115 vehicles under this section. No motor vehicle dealer shall seek compensation  
116 from the state of Missouri or its agencies if a court of competent jurisdiction  
117 declares that the retention of two percent of the motor vehicle sales tax is  
118 unconstitutional and orders the return of such revenues.

144.805. 1. In addition to the exemptions granted pursuant to the  
2 provisions of section 144.030, there shall also be specifically exempted from the  
3 provisions of sections 144.010 to 144.525, sections 144.600 to 144.746, and section  
4 238.235, and the provisions of any local sales tax law, as defined in section  
5 32.085, and from the computation of the tax levied, assessed or payable pursuant

6 to sections 144.010 to 144.525, sections 144.600 to 144.746, and section 238.235,  
7 and the provisions of any local sales tax law, as defined in section 32.085, all  
8 sales of aviation jet fuel in a given calendar year to common carriers engaged in  
9 the interstate air transportation of passengers and cargo, and the storage, use  
10 and consumption of such aviation jet fuel by such common carriers, if such  
11 common carrier has first paid to the state of Missouri, in accordance with the  
12 provisions of this chapter, state sales and use taxes pursuant to the foregoing  
13 provisions and applicable to the purchase, storage, use or consumption of such  
14 aviation jet fuel in a maximum and aggregate amount of one million five hundred  
15 thousand dollars of state sales and use taxes in such calendar year.

16 2. To qualify for the exemption prescribed in subsection 1 of this section,  
17 the common carrier shall furnish to the seller a certificate in writing to the effect  
18 that an exemption pursuant to this section is applicable to the aviation jet fuel  
19 so purchased, stored, used and consumed. The director of revenue shall permit  
20 any such common carrier to enter into a direct-pay agreement with the  
21 department of revenue, pursuant to which such common carrier may pay directly  
22 to the department of revenue any applicable sales and use taxes on such aviation  
23 jet fuel up to the maximum aggregate amount of one million five hundred  
24 thousand dollars in each calendar year. The director of revenue shall adopt  
25 appropriate rules and regulations to implement the provisions of this section, and  
26 to permit appropriate claims for refunds of any excess sales and use taxes  
27 collected in calendar year 1993 or any subsequent year with respect to any such  
28 common carrier and aviation jet fuel.

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

31 4. All sales and use tax revenues upon aviation jet fuel received pursuant  
32 to this chapter, less the amounts specifically designated pursuant to the  
33 constitution or pursuant to section 144.701 for other purposes, shall be deposited  
34 to the credit of the aviation trust fund established pursuant to section 155.090;  
35 provided however, the amount of such state sales and use tax revenues deposited  
36 to the credit of such aviation trust fund shall not exceed ten million dollars in  
37 each calendar year.

38 5. The provisions of this section and section 144.807 shall expire on  
39 December 31, [2023] **2033**.

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

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

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

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

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

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

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

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

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

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

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

26          (10) "Project", exclusively includes any pipeline, ferry, port facility, water  
27 facility, water way, water supply facility or pipeline, stormwater facility or  
28 system, wastewater system or treatment facility, public building, airport,  
29 railroad, light rail, vehicle parking facility, mass transit facility, **tube transport**  
30 **system**, or other similar facility currently available or to be made available to a  
31 government entity for public use, including any structure, parking area,  
32 appurtenance and other property required to operate the structure or facility to  
33 be financed, developed, and/or operated under agreement between the commission  
34 and a private partner. The commission or private partner shall not have the  
35 authority to collect user fees in connection with the project from motor carriers  
36 as defined in section 227.630. Project shall not include any highway, interstate  
37 or bridge construction, or any rest area, rest stop, or truck parking facility  
38 connected to an interstate or other highway under the authority of the

39 commission. Any project not specifically included in this subdivision shall not be  
40 financed, developed, or operated by a private partner until such project is  
41 approved by a vote of the people;

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

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

49 (a) Income;

50 (b) Earnings;

51 (c) Proceeds;

52 (d) User fees;

53 (e) Lease payments;

54 (f) Allocations;

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

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

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

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

62 (15) "State transportation system", the state system of nonhighway  
63 transportation programs, including but not limited to aviation, transit and mass  
64 transportation, railroads, ports, waterborne commerce, freight and intermodal  
65 connections;

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

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

74 **3. Notwithstanding any provision of law to the contrary, the**

75 **power of eminent domain shall not apply to the tube transport system.**

76 **4. Under section 23.253 of the Missouri sunset act:**

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

81 **(2) If the tube transport system is reauthorized, the authority**  
82 **under this section to finance, develop, or operate the tube transport**  
83 **system shall automatically sunset five years after the effective date of**  
84 **the reauthorization of this section; and**

85 **(3) The provisions of this section authorizing the financing,**  
86 **development, or operation of a tube transport system shall terminate**  
87 **on September first of the calendar year immediately following the**  
88 **calendar year in which the program authorized under this section is**  
89 **sunset.**

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

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

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

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

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

14 **(3) "Authorized emergency vehicle", a vehicle publicly owned and operated**  
15 **as an ambulance, or a vehicle publicly owned and operated by the state highway**  
16 **patrol, police or fire department, sheriff or constable or deputy sheriff, traffic**  
17 **officer or any privately owned vehicle operated as an ambulance when responding**  
18 **to emergency calls;**

19 **(4) "Business district", the territory contiguous to and including a highway**  
20 **when within any six hundred feet along the highway there are buildings in use**  
21 **for business or industrial purposes, including but not limited to hotels, banks, or**

22 office buildings, railroad stations and public buildings which occupy at least three  
23 hundred feet of frontage on one side or three hundred feet collectively on both  
24 sides of the highway;

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

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

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

34 (8) "Crosswalk",

35 (a) That part of a roadway at an intersection included within the  
36 connections of the lateral lines of the sidewalks on opposite sides of the highway  
37 measured from the curbs, or in the absence of curbs from the edges of the  
38 traversable roadway;

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

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

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

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

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

52 (13) "Intersection",

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

58 (b) Where a highway includes two roadways thirty feet or more apart,  
59 then every crossing of each roadway of such divided highway by an intersecting  
60 highway shall be regarded as a separate intersection. In the event such  
61 intersecting highway also includes two roadways thirty feet or more apart, then  
62 every crossing of two roadways of such highways shall be regarded as a separate  
63 intersection;

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

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

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

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

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

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

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

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

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

89 (23) "Person", every natural person, firm, copartnership, association or  
90 corporation;

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

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

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

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

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

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

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

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

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

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

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

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

129 (36) "Street" or "highway", the entire width between the lines of every way

130 publicly maintained when any part thereof is open to the uses of the public for  
131 purposes of vehicular travel. "State highway", a highway maintained by the state  
132 of Missouri as a part of the state highway system;

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

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

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

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

147 (41) "Vehicle", any mechanical device on wheels, designed primarily for  
148 use, or used, on highways, except motorized bicycles, vehicles propelled or drawn  
149 by horses or human power, or vehicles used exclusively on fixed rails or tracks,  
150 cotton trailers or motorized wheelchairs operated by handicapped persons.

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

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

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

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

12 (2) "Autocycle", a three-wheeled motor vehicle which the drivers and  
13 passengers ride in a partially or completely enclosed nonstraddle seating area,  
14 that is designed to be controlled with a steering wheel and pedals, and that has  
15 met applicable Department of Transportation National Highway Traffic Safety

16 Administration requirements or federal motorcycle safety standards;

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

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

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

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

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

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

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

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

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

43 (12) "Director" or "director of revenue", the director of the department of  
44 revenue;

45 (13) "Driveaway operation":

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

50 (b) The movement of any vehicle or vehicles, not owned by the transporter,  
51 constituting the commodity being transported, by a person engaged in the

52 business of furnishing drivers and operators for the purpose of transporting  
53 vehicles in transit from one place to another by the driveaway or towaway  
54 methods; or

55 (c) The movement of a motor vehicle by any person who is lawfully  
56 engaged in the business of transporting or delivering vehicles that are not the  
57 person's own and vehicles of a type otherwise required to be registered, by the  
58 driveaway or towaway methods, from a point of manufacture, assembly or  
59 distribution or from the owner of the vehicles to a dealer or sales agent of a  
60 manufacturer or to any consignee designated by the shipper or consignor;

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

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

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

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

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

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

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

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

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

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

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

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

87 (b) Has been designated as junk or a substantially equivalent designation

88 by this state or any other state;

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

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

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

100 (b) An area that extends not more than a radius of fifty miles from its  
101 home base of operations when transporting its owner's machinery, equipment, or  
102 auxiliary supplies to or from projects not involving soil and water conservation.  
103 Nothing in this subdivision shall be construed to prevent any motor vehicle from  
104 being registered as a commercial motor vehicle or local commercial motor vehicle;

105 (27) "Local commercial motor vehicle", a commercial motor vehicle whose  
106 operations are confined to a municipality and that area extending not more than  
107 fifty miles therefrom, or a commercial motor vehicle whose property-carrying  
108 operations are confined solely to the transportation of property owned by any  
109 person who is the owner or operator of such vehicle to or from a farm owned by  
110 such person or under the person's control by virtue of a landlord and tenant lease;  
111 provided that any such property transported to any such farm is for use in the  
112 operation of such farm;

113 (28) "Local log truck", a commercial motor vehicle which is registered  
114 pursuant to this chapter to operate as a motor vehicle on the public highways of  
115 this state, used exclusively in this state, used to transport harvested forest  
116 products, operated solely at a forested site and in an area extending not more  
117 than a one hundred mile radius from such site, carries a load with dimensions not  
118 in excess of twenty-five cubic yards per two axles with dual wheels, and when  
119 operated on the national system of interstate and defense highways described in  
120 23 U.S.C. Section 103, as amended, or outside the one hundred mile radius from  
121 such site with an extended distance local log truck permit, such vehicle shall not  
122 exceed the weight limits of section 304.180, does not have more than four axles,  
123 and does not pull a trailer which has more than three axles. Harvesting

124 equipment which is used specifically for cutting, felling, trimming, delimiting,  
125 debarking, chipping, skidding, loading, unloading, and stacking may be  
126 transported on a local log truck. A local log truck may not exceed the limits  
127 required by law, however, if the truck does exceed such limits as determined by  
128 the inspecting officer, then notwithstanding any other provisions of law to the  
129 contrary, such truck shall be subject to the weight limits required by such  
130 sections as licensed for eighty thousand pounds;

131 (29) "Local log truck tractor", a commercial motor vehicle which is  
132 registered under this chapter to operate as a motor vehicle on the public  
133 highways of this state, used exclusively in this state, used to transport harvested  
134 forest products, operated at a forested site and in an area extending not more  
135 than a one hundred mile radius from such site, operates with a weight not  
136 exceeding twenty-two thousand four hundred pounds on one axle or with a weight  
137 not exceeding forty-four thousand eight hundred pounds on any tandem axle, and  
138 when operated on the national system of interstate and defense highways  
139 described in 23 U.S.C. Section 103, as amended, or outside the one hundred mile  
140 radius from such site with an extended distance local log truck permit, such  
141 vehicle does not exceed the weight limits contained in section 304.180, and does  
142 not have more than three axles and does not pull a trailer which has more than  
143 three axles. Violations of axle weight limitations shall be subject to the load limit  
144 penalty as described for in sections 304.180 to 304.220;

145 (30) "Local transit bus", a bus whose operations are confined wholly  
146 within a municipal corporation, or wholly within a municipal corporation and a  
147 commercial zone, as defined in section 390.020, adjacent thereto, forming a part  
148 of a public transportation system within such municipal corporation and such  
149 municipal corporation and adjacent commercial zone;

150 (31) "Log truck", a vehicle which is not a local log truck or local log truck  
151 tractor and is used exclusively to transport harvested forest products to and from  
152 forested sites which is registered pursuant to this chapter to operate as a motor  
153 vehicle on the public highways of this state for the transportation of harvested  
154 forest products;

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

158 (33) "Manufacturer", any person, firm, corporation or association engaged  
159 in the business of manufacturing or assembling motor vehicles, trailers or vessels

160 for sale;

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

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

166 (36) "Motor vehicle primarily for business use", any vehicle other than a  
167 recreational motor vehicle, motorcycle, motortricycle, or any commercial motor  
168 vehicle licensed for over twelve thousand pounds:

169 (a) Offered for hire or lease; or

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

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

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

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

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

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

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

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

188 (44) "Owner", any person, firm, corporation or association, who holds the  
189 legal title to a vehicle **or who has executed a buyer's order or retail**  
190 **installment sales contract with a motor vehicle dealer licensed under**  
191 **sections 301.550 to 301.580 for the purchase of a vehicle with an**  
192 **immediate right of possession vested in the transferee**, or in the event a  
193 vehicle is the subject of an agreement for the conditional sale or lease thereof  
194 with the right of purchase upon performance of the conditions stated in the  
195 agreement and with an immediate right of possession vested in the conditional

196 vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession,  
197 then such conditional vendee or lessee or mortgagor shall be deemed the owner;

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

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

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

208 (48) "Recreational motor vehicle", any motor vehicle designed, constructed  
209 or substantially modified so that it may be used and is used for the purposes of  
210 temporary housing quarters, including therein sleeping and eating facilities  
211 which are either permanently attached to the motor vehicle or attached to a unit  
212 which is securely attached to the motor vehicle. Nothing herein shall prevent any  
213 motor vehicle from being registered as a commercial motor vehicle if the motor  
214 vehicle could otherwise be so registered;

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

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

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

229 (52) "Saddlemount combination", a combination of vehicles in which a  
230 truck or truck tractor tows one or more trucks or truck tractors, each connected  
231 by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle"

232 is a mechanism that connects the front axle of the towed vehicle to the frame or  
233 fifth wheel of the vehicle in front and functions like a fifth wheel kingpin  
234 connection. When two vehicles are towed in this manner the combination is  
235 called a "double saddlemount combination". When three vehicles are towed in  
236 this manner, the combination is called a "triple saddlemount combination";

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

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

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

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

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

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

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

260 a. Set forth in a current edition of any nationally recognized compilation  
261 of retail values, including automated databases, or from publications commonly  
262 used by the automotive and insurance industries to establish the values of motor  
263 vehicles;

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

266 c. Determined by an insurance company using any other procedure  
267 recognized by the insurance industry, including market surveys, that is applied

268 by the company in a uniform manner;

269 (55) "School bus", any motor vehicle used solely to transport students to  
270 or from school or to transport students to or from any place for educational  
271 purposes;

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

276 (57) "Shuttle bus", a motor vehicle used or maintained by any person,  
277 firm, or corporation as an incidental service to transport patrons or customers of  
278 the regular business of such person, firm, or corporation to and from the place of  
279 business of the person, firm, or corporation providing the service at no fee or  
280 charge. Shuttle buses shall not be registered as buses or as commercial motor  
281 vehicles;

282 (58) "Special mobile equipment", every self-propelled vehicle not designed  
283 or used primarily for the transportation of persons or property and incidentally  
284 operated or moved over the highways, including farm equipment, implements of  
285 husbandry, road construction or maintenance machinery, ditch-digging apparatus,  
286 stone crushers, air compressors, power shovels, cranes, graders, rollers,  
287 well-drillers and wood-sawing equipment used for hire, asphalt spreaders,  
288 bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,  
289 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag  
290 lines, concrete pump trucks, rock-drilling and earth-moving equipment. This  
291 enumeration shall be deemed partial and shall not operate to exclude other such  
292 vehicles which are within the general terms of this section;

293 (59) "Specially constructed motor vehicle", a motor vehicle which shall not  
294 have been originally constructed under a distinctive name, make, model or type  
295 by a manufacturer of motor vehicles. The term specially constructed motor  
296 vehicle includes kit vehicles;

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

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

303 (62) "Towaway trailer transporter combination", a combination of vehicles

304 consisting of a trailer transporter towing unit and two trailers or semitrailers,  
305 with a total weight that does not exceed twenty-six thousand pounds; and in  
306 which the trailers or semitrailers carry no property and constitute inventory  
307 property of a manufacturer, distributor, or dealer of such trailers or semitrailers;

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

312 (64) "Trailer", any vehicle without motive power designed for carrying  
313 property or passengers on its own structure and for being drawn by a  
314 self-propelled vehicle, except those running exclusively on tracks, including a  
315 semitrailer or vehicle of the trailer type so designed and used in conjunction with  
316 a self-propelled vehicle that a considerable part of its own weight rests upon and  
317 is carried by the towing vehicle. The term trailer shall not include cotton trailers  
318 as defined in this section and shall not include manufactured homes as defined  
319 in section 700.010;

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

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

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

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

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

339 (70) "Utility vehicle", any motorized vehicle manufactured and used

340 exclusively for off-highway use which is more than fifty inches but no more than  
341 **[sixty-seven] eighty** inches in width, **measured from outside of tire rim to**  
342 **outside of tire rim**, with an unladen dry weight of **[two] three thousand five**  
343 **hundred** pounds or less, traveling on four or six wheels, to be used primarily for  
344 landscaping, lawn care, or maintenance purposes;

345 (71) "Vanpool", any van or other motor vehicle used or maintained by any  
346 person, group, firm, corporation, association, city, county or state agency, or any  
347 member thereof, for the transportation of not less than eight nor more than  
348 forty-eight employees, per motor vehicle, to and from their place of employment;  
349 however, a vanpool shall not be included in the definition of the term bus or  
350 commercial motor vehicle as defined in this section, nor shall a vanpool driver be  
351 deemed a chauffeur as that term is defined by section 303.020; nor shall use of  
352 a vanpool vehicle for ride-sharing arrangements, recreational, personal, or  
353 maintenance uses constitute an unlicensed use of the motor vehicle, unless used  
354 for monetary profit other than for use in a ride-sharing arrangement;

355 (72) "Vehicle", any mechanical device on wheels, designed primarily for  
356 use, or used, on highways, except motorized bicycles, vehicles propelled or drawn  
357 by horses or human power, or vehicles used exclusively on fixed rails or tracks,  
358 or cotton trailers or motorized wheelchairs operated by handicapped persons;

359 (73) "Wrecker" or "tow truck", any emergency commercial vehicle  
360 equipped, designed and used to assist or render aid and transport or tow disabled  
361 or wrecked vehicles from a highway, road, street or highway rights-of-way to a  
362 point of storage or repair, including towing a replacement vehicle to replace a  
363 disabled or wrecked vehicle;

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

301.030. 1. The director shall provide for the retention of license plates  
2 by the owners of motor vehicles, other than commercial motor vehicles, and shall  
3 establish a system of registration on a monthly series basis to distribute the work  
4 of registering motor vehicles as uniformly as practicable throughout the twelve  
5 months of the calendar year. For the purpose of assigning license plate numbers,  
6 each type of motor vehicle shall be considered a separate class. Commencing July  
7 1, 1949, motor vehicles, other than commercial motor vehicles, shall be registered  
8 for a period of twelve consecutive calendar months. There are established twelve

9 registration periods, each of which shall start on the first day of each calendar  
10 month of the year and shall end on the last date of the twelfth month from the  
11 date of beginning. **Fees for the renewal of noncommercial motor vehicle**  
12 **registrations shall be payable no later than the last day of the month**  
13 **that follows the twelfth month of the expired registration period. No**  
14 **delinquent renewal penalty shall be assessed under section 301.050, and**  
15 **no violation shall be issued under section 301.020 for an expired**  
16 **registration, prior to the second month that follows the twelfth month**  
17 **of the expired registration period.**

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

26 3. All commercial motor vehicles and trailers, except those licensed under  
27 section 301.035 and those operated under agreements as provided for in sections  
28 301.271 to 301.279, shall be registered either on a calendar year basis or on a  
29 prorated basis as provided in this section. The fees for commercial motor  
30 vehicles, trailers, semitrailers, and driveaway vehicles, other than those to be  
31 operated under agreements as provided for in sections 301.271 to 301.279 shall  
32 be payable not later than the last day of February of each year, except when such  
33 vehicle is licensed between April first and July first the fee shall be three-fourths  
34 the annual fee, when licensed between July first and October first the fee shall  
35 be one-half the annual fee and when licensed on or after October first the fee  
36 shall be one-fourth the annual fee. Such license plates shall be made with fully  
37 reflective material with a common color scheme and design, shall be clearly  
38 visible at night, and shall be aesthetically attractive, as prescribed by section  
39 301.130. Local commercial motor vehicle license plates may also be so stamped,  
40 marked or designed as to indicate they are to be used only on local commercial  
41 motor vehicles and, in addition to such stamp, mark or design, the letter "F" shall  
42 also be displayed on local commercial motor vehicle license plates issued to motor  
43 vehicles used for farm or farming transportation operations as defined in section  
44 301.010 in the manner prescribed by the advisory committee established in

45 section 301.129. In addition, all commercial motor vehicle license plates may be  
46 so stamped or marked with a letter, figure or other emblem as to indicate the  
47 gross weight for which issued.

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

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

301.032. 1. Notwithstanding the provisions of sections 301.030 and  
2 301.035 to the contrary, the director of revenue shall establish a system of  
3 registration of all fleet vehicles owned or purchased by a fleet owner registered  
4 pursuant to this section. The director of revenue shall prescribe the forms for  
5 such fleet registration and the forms and procedures for the registration updates  
6 prescribed in this section. Any owner of ten or more motor vehicles which must  
7 be registered in accordance with this chapter may register as a fleet owner. All  
8 registered fleet owners may, at their option, register all motor vehicles included  
9 in the fleet on a calendar year or biennial basis pursuant to this section in lieu  
10 of the registration periods provided in sections 301.030, 301.035, and  
11 301.147. The director shall issue an identification number to each registered  
12 owner of fleet vehicles.

13 2. All fleet vehicles included in the fleet of a registered fleet owner shall  
14 be registered during April of the corresponding year or on a prorated basis as  
15 provided in subsection 3 of this section. Fees of all vehicles in the fleet to be  
16 registered on a calendar year basis or on a biennial basis shall be payable not  
17 later than the last day of April of the corresponding year, with two years' fees due  
18 for biennially-registered vehicles. Notwithstanding the provisions of section  
19 307.355, an application for registration of a fleet vehicle must be accompanied by  
20 a certificate of inspection and approval issued no more than one hundred twenty  
21 days prior to the date of application. The fees for vehicles added to the fleet  
22 which must be licensed at the time of registration shall be payable at the time of  
23 registration, except that when such vehicle is licensed between July first and  
24 September thirtieth the fee shall be three-fourths the annual fee, when licensed  
25 between October first and December thirty-first the fee shall be one-half the  
26 annual fee and when licensed on or after January first the fee shall be one-fourth

27 the annual fee. When biennial registration is sought for vehicles added to a fleet,  
28 an additional year's annual fee will be added to the partial year's prorated fee.

29         3. At any time during the calendar year in which an owner of a fleet  
30 purchases or otherwise acquires a vehicle which is to be added to the fleet or  
31 transfers plates to a fleet vehicle, the owner shall present to the director of  
32 revenue the identification number as a fleet number and may register the vehicle  
33 for the partial year as provided in subsection 2 of this section. The fleet owner  
34 shall also be charged a transfer fee of two dollars for each vehicle so transferred  
35 pursuant to this subsection.

36         4. Except as specifically provided in this subsection, all fleet vehicles  
37 registered pursuant to this section shall be issued a special license plate which  
38 shall have the words "Fleet Vehicle" in place of the words "Show-Me State" in the  
39 manner prescribed by the advisory committee established in section  
40 301.129. Alternatively, for a one-time additional five dollar per-vehicle fee  
41 beyond the regular registration fee, a fleet owner of at least fifty fleet vehicles  
42 may apply for fleet license plates bearing a company name or logo, the size and  
43 design thereof subject to approval by the director. All fleet license plates shall  
44 be made with fully reflective material with a common color scheme and design,  
45 shall be clearly visible at night, and shall be aesthetically attractive, as  
46 prescribed by section 301.130. Fleet vehicles shall be issued multiyear license  
47 plates as provided in this section which shall not require issuance of a renewal  
48 tab. Upon payment of appropriate registration fees, the director of revenue shall  
49 issue a registration certificate or other suitable evidence of payment of the annual  
50 or biennial fee, and such evidence of payment shall be carried at all times in the  
51 vehicle for which it is issued.

52         5. Notwithstanding the provisions of sections 307.350 to 307.390 to the  
53 contrary, a fleet vehicle registered in Missouri is exempt from the requirements  
54 of sections 307.350 to 307.390 if at the time of the annual fleet registration, such  
55 fleet vehicle is situated outside the state of Missouri.

56         6. (1) Notwithstanding any other provisions of law to the contrary, any  
57 person, company, or corporation engaged in the business of renting or leasing  
58 three thousand five hundred or more motor vehicles which are to be used  
59 exclusively for rental or leasing purposes and not for resale that has applied to  
60 the director of revenue for authority to operate as a lease or rental company as  
61 prescribed in section 144.070 may operate as a registered fleet owner as  
62 prescribed in the provisions of this subsection to subsection 10 of this section.

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

68 (3) **The registration fees for vehicles in the registered fleet**  
69 **owner's fleet shall be fully payable at the time such plates are ordered,**  
70 **except that when such plate is ordered after the first month of**  
71 **registration, the fees payable shall be prorated by the month the plates**  
72 **were ordered. When biennial registration is sought, an additional**  
73 **year's annual fee shall be added to the partial year's prorated fee.**

74 (4) Such motor vehicles within the fleet shall not be exempted from the  
75 safety inspection and emissions inspection provisions as prescribed in chapters  
76 307 and 643, but notwithstanding the provisions of section 307.355, such  
77 inspections shall not be required to be presented to the director of revenue.

78 7. A recipient of a lease or rental company license issued by the director  
79 of revenue as prescribed in section 144.070 operating as a registered fleet owner  
80 under this section shall register such fleet with the director of revenue on an  
81 annual or biennial basis in lieu of the individual motor vehicle registration  
82 periods as prescribed in sections 301.030, 301.035, and 301.147. If an applicant  
83 elects a biennial fleet registration, the annual fleet license plate fees prescribed  
84 in subdivision (1) of subsection 6 of this section shall be doubled. An agent fee  
85 as prescribed in subdivision (1) of subsection 1 of section 136.055 shall apply to  
86 the issuance of fleet registrations issued under subsections 6 to 10 of this section,  
87 and if a biennial fleet registration is elected, the agent fee shall be collected in  
88 an amount equal to the fee for two years.

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

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

96 10. A lease or rental company operating fleet license plates issued under  
97 subsections 6 to 10 of this section shall make available, upon request, to the  
98 director of revenue and all Missouri law enforcement agencies any corresponding

99 vehicle and registration information that may be requested as prescribed by rule.  
100           11. The director shall make all necessary rules and regulations for the  
101 administration of this section and shall design all necessary forms required by  
102 this section. Any rule or portion of a rule, as that term is defined in section  
103 536.010, that is created under the authority delegated in this section shall  
104 become effective only if it complies with and is subject to all the provisions of  
105 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are  
106 nonseverable and if any of the powers vested with the general assembly under  
107 chapter 536 to review, to delay the effective date, or to disapprove and annul a  
108 rule are subsequently held unconstitutional, then the grant of rulemaking  
109 authority and any rule proposed or adopted after August 28, 2019, shall be  
110 invalid and void.

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

18           2. In the case of a transfer of ownership the original owner may register  
19 another motor vehicle under the same number, upon the payment of a fee of two  
20 dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a  
21 passenger-carrying commercial motor vehicle) seating capacity, not in excess of  
22 that originally registered. When such motor vehicle is of greater horsepower,  
23 gross weight or (in the case of a passenger-carrying commercial motor vehicle)  
24 seating capacity, for which a greater fee is prescribed, **the** applicant shall pay a

25 transfer fee of two dollars and a pro rata portion for the difference in fees. When  
26 such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying  
27 commercial motor vehicle) seating capacity, for which a lesser fee is prescribed,  
28 **the** applicant shall not be entitled to a refund.

29         3. License plates may be transferred from a motor vehicle which will no  
30 longer be operated to a newly purchased motor vehicle by the owner of such  
31 vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased  
32 vehicle is of horsepower, gross weight or (in the case of a passenger-carrying  
33 commercial motor vehicle) seating capacity, not in excess of that of the vehicle  
34 which will no longer be operated. When the newly purchased motor vehicle is of  
35 greater horsepower, gross weight or (in the case of a passenger-carrying  
36 commercial motor vehicle) seating capacity, for which a greater fee is prescribed,  
37 the applicant shall pay a transfer fee of two dollars and a pro rata portion of the  
38 difference in fees. When the newly purchased vehicle is of less horsepower, gross  
39 weight or (in the case of a passenger-carrying commercial motor vehicle) seating  
40 capacity, for which a lesser fee is prescribed, the applicant shall not be entitled  
41 to a refund.

42         4. The director of the department of revenue shall have authority to  
43 produce or allow others to produce a weather resistant, nontearing temporary  
44 permit authorizing the operation of a motor vehicle or trailer by a buyer for not  
45 more than thirty days, or no more than ninety days if issued by a dealer selling  
46 the motor vehicle under the provisions of section 301.213, **or no more than**  
47 **sixty days if issued by a dealer selling the motor vehicle under the**  
48 **provisions of subsection 5 of section 301.210**, from the date of  
49 purchase. The temporary permit authorized under this section may be purchased  
50 by the purchaser of a motor vehicle or trailer from the central office of the  
51 department of revenue or from an authorized agent of the department of revenue  
52 upon proof of purchase of a motor vehicle or trailer for which the buyer has no  
53 registration plate available for transfer and upon proof of financial responsibility,  
54 or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for  
55 which the buyer has no registration plate available for transfer, or from a motor  
56 vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has  
57 registered and is awaiting receipt of registration plates. The director of the  
58 department of revenue or a producer authorized by the director of the department  
59 of revenue may make temporary permits available to registered dealers in this  
60 state, authorized agents of the department of revenue or the department of

61 revenue. The price paid by a motor vehicle dealer, an authorized agent of the  
62 department of revenue or the department of revenue for a temporary permit shall  
63 not exceed five dollars for each permit. The director of the department of revenue  
64 shall direct motor vehicle dealers and authorized agents to obtain temporary  
65 permits from an authorized producer. Amounts received by the director of the  
66 department of revenue for temporary permits shall constitute state revenue;  
67 however, amounts received by an authorized producer other than the director of  
68 the department of revenue shall not constitute state revenue and any amounts  
69 received by motor vehicle dealers or authorized agents for temporary permits  
70 purchased from a producer other than the director of the department of revenue  
71 shall not constitute state revenue. In no event shall revenues from the general  
72 revenue fund or any other state fund be utilized to compensate motor vehicle  
73 dealers or other producers for their role in producing temporary permits as  
74 authorized under this section. Amounts that do not constitute state revenue  
75 under this section shall also not constitute fees for registration or certificates of  
76 title to be collected by the director of the department of revenue under section  
77 301.190. No motor vehicle dealer, authorized agent or the department of revenue  
78 shall charge more than five dollars for each permit issued. The permit shall be  
79 valid for a period of thirty days, or no more than ninety days if issued by a dealer  
80 selling the motor vehicle under the provisions of section 301.213, **or no more**  
81 **than sixty days if issued by a dealer selling the motor vehicle under the**  
82 **provisions of subsection 5 of section 301.210**, from the date of purchase of  
83 a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer  
84 by a motor vehicle dealer for which the purchaser obtains a permit as set out  
85 above. No permit shall be issued for a vehicle under this section unless the buyer  
86 shows proof of financial responsibility. Each temporary permit issued shall be  
87 securely fastened to the back or rear of the motor vehicle in a manner and place  
88 on the motor vehicle consistent with registration plates so that all parts and  
89 qualities of the temporary permit thereof shall be plainly and clearly visible,  
90 reasonably clean and are not impaired in any way.

91           5. The permit shall be issued on a form prescribed by the director of the  
92 department of revenue and issued only for the applicant's temporary operation  
93 of the motor vehicle or trailer purchased to enable the applicant to temporarily  
94 operate the motor vehicle while proper title and registration plates are being  
95 obtained, or while awaiting receipt of registration plates, and shall be displayed  
96 on no other motor vehicle. Temporary permits issued pursuant to this section

97 shall not be transferable or renewable, shall not be valid upon issuance of proper  
98 registration plates for the motor vehicle or trailer, and shall be returned to the  
99 department or to the department's agent upon the issuance of such proper  
100 registration plates. Any temporary permit returned to the department or to the  
101 department's agent shall be immediately destroyed. The provisions of this  
102 subsection shall not apply to temporary permits issued for commercial motor  
103 vehicles licensed in excess of twenty-four thousand pounds gross weight. The  
104 director of the department of revenue shall determine the size, material, design,  
105 numbering configuration, construction, and color of the permit. The director of  
106 the department of revenue, at his or her discretion, shall have the authority to  
107 reissue, and thereby extend the use of, a temporary permit previously and legally  
108 issued for a motor vehicle or trailer while proper title and registration are being  
109 obtained.

110         6. Every motor vehicle dealer that issues temporary permits shall keep,  
111 for inspection by proper officers, an accurate record of each permit issued by  
112 recording the permit number, the motor vehicle dealer's number, buyer's name  
113 and address, the motor vehicle's year, make, and manufacturer's vehicle  
114 identification number, and the permit's date of issuance and expiration  
115 date. Upon the issuance of a temporary permit by either the central office of the  
116 department of revenue, a motor vehicle dealer or an authorized agent of the  
117 department of revenue, the director of the department of revenue shall make the  
118 information associated with the issued temporary permit immediately available  
119 to the law enforcement community of the state of Missouri.

120         7. Upon the transfer of ownership of any currently registered motor  
121 vehicle wherein the owner cannot transfer the license plates due to a change of  
122 motor vehicle category, the owner may surrender the license plates issued to the  
123 motor vehicle and receive credit for any unused portion of the original  
124 registration fee against the registration fee of another motor vehicle. Such credit  
125 shall be granted based upon the date the license plates are surrendered. No  
126 refunds shall be made on the unused portion of any license plates surrendered for  
127 such credit.

128         8. An additional temporary license plate produced in a manner and of  
129 materials determined by the director to be the most cost-effective means of  
130 production with a configuration that matches an existing or newly issued plate  
131 may be purchased by a motor vehicle owner to be placed in the interior of the  
132 vehicle's rear window such that the driver's view out of the rear window is not

133 obstructed and the plate configuration is clearly visible from the outside of the  
134 vehicle to serve as the visible plate when a bicycle rack or other item obstructs  
135 the view of the actual plate. Such temporary plate is only authorized for use  
136 when the matching actual plate is affixed to the vehicle in the manner prescribed  
137 in subsection 5 of section 301.130. The fee charged for the temporary plate shall  
138 be equal to the fee charged for a temporary permit issued under subsection 4 of  
139 this section. Replacement temporary plates authorized in this subsection may be  
140 issued as needed upon the payment of a fee equal to the fee charged for a  
141 temporary permit under subsection 4 of this section. The newly produced third  
142 plate may only be used on the vehicle with the matching plate, and the additional  
143 plate shall be clearly recognizable as a third plate and only used for the purpose  
144 specified in this subsection.

145           9. Notwithstanding the provisions of section 301.217, the director may  
146 issue a temporary permit to an individual who possesses a salvage motor vehicle  
147 which requires an inspection under subsection 9 of section 301.190. The  
148 operation of a salvage motor vehicle for which the permit has been issued shall  
149 be limited to the most direct route from the residence, maintenance, or storage  
150 facility of the individual in possession of such motor vehicle to the nearest  
151 authorized inspection facility and return to the originating  
152 location. Notwithstanding any other requirements for the issuance of a  
153 temporary permit under this section, an individual obtaining a temporary permit  
154 for the purpose of operating a motor vehicle to and from an examination facility  
155 as prescribed in this subsection shall also purchase the required motor vehicle  
156 examination form which is required to be completed for an examination under  
157 subsection 9 of section 301.190 and provide satisfactory evidence that such vehicle  
158 has passed a motor vehicle safety inspection for such vehicle as required in  
159 section 307.350.

160           10. The director of the department of revenue may promulgate all  
161 necessary rules and regulations for the administration of this section. Any rule  
162 or portion of a rule, as that term is defined in section 536.010, that is created  
163 under the authority delegated in this section shall become effective only if it  
164 complies with and is subject to all of the provisions of chapter 536 and, if  
165 applicable, section 536.028. This section and chapter 536 are nonseverable and  
166 if any of the powers vested with the general assembly pursuant to chapter 536 to  
167 review, to delay the effective date, or to disapprove and annul a rule are  
168 subsequently held unconstitutional, then the grant of rulemaking authority and

169 any rule proposed or adopted after August 28, 2012, shall be invalid and void.

170 11. The repeal and reenactment of this section shall become effective on  
171 the date the department of revenue or a producer authorized by the director of  
172 the department of revenue begins producing temporary permits described in  
173 subsection 4 of such section, or on July 1, 2013, whichever occurs first. If the  
174 director of revenue or a producer authorized by the director of the department of  
175 revenue begins producing temporary permits prior to July 1, 2013, the director  
176 of the department of revenue shall notify the revisor of statutes of such fact.

301.190. 1. No certificate of registration of any motor vehicle or trailer,  
2 or number plate therefor, shall be issued by the director of revenue unless the  
3 applicant therefor shall make application for and be granted a certificate of  
4 ownership of such motor vehicle or trailer, or shall present satisfactory evidence  
5 that such certificate has been previously issued to the applicant for such motor  
6 vehicle or trailer. Application shall be made within thirty days after the  
7 applicant acquires the motor vehicle or trailer, unless the motor vehicle was  
8 acquired under section 301.213 **or subsection 5 of section 301.210** in which  
9 case the applicant shall make application within thirty days after receiving title  
10 from the dealer, upon a blank form furnished by the director of revenue and shall  
11 contain the applicant's identification number, a full description of the motor  
12 vehicle or trailer, the vehicle identification number, and the mileage registered  
13 on the odometer at the time of transfer of ownership, as required by section  
14 407.536, together with a statement of the applicant's source of title and of any  
15 liens or encumbrances on the motor vehicle or trailer, provided that for good  
16 cause shown 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 names on an  
18 application for certificate of ownership of a motor vehicle or trailer that would  
19 cause it to be inconsistent with the name or names listed on the notice of lien, the  
20 owner shall provide the director with documentation evidencing the lienholder's  
21 authorization to add or delete a name or names on an application for certificate  
22 of ownership.

23 2. The director of revenue shall use reasonable diligence in ascertaining  
24 whether the facts stated in such application are true and shall, to the extent  
25 possible without substantially delaying processing of the application, review any  
26 odometer information pertaining to such motor vehicle that is accessible to the  
27 director of revenue. If satisfied that the applicant is the lawful owner of such  
28 motor vehicle or trailer, or otherwise entitled to have the same registered in his

29 **or her** name, the director shall thereupon issue an appropriate certificate over  
30 his signature and sealed with the seal of his **or her** office, procured and used for  
31 such purpose. The certificate shall contain on its face a complete description,  
32 vehicle identification number, and other evidence of identification of the motor  
33 vehicle or trailer, as the director of revenue may deem necessary, together with  
34 the odometer information required to be put on the face of the certificate  
35 pursuant to section 407.536, a statement of any liens or encumbrances which the  
36 application may show to be thereon, and, if ownership of the vehicle has been  
37 transferred, the name of the state issuing the transferor's title and whether the  
38 transferor's odometer mileage statement executed pursuant to section 407.536  
39 indicated that the true mileage is materially different from the number of miles  
40 shown on the odometer, or is unknown.

41 3. The director of revenue shall appropriately designate on the current  
42 and all subsequent issues of the certificate the words "Reconstructed Motor  
43 Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or  
44 "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1,  
45 1990, on all original and all subsequent issues of the certificate for motor vehicles  
46 as referenced in subsections 2 and 3 of section 301.020, the director shall print  
47 on the face thereof the following designation: "Annual odometer updates may be  
48 available from the department of revenue.". On any duplicate certificate, the  
49 director of revenue shall reprint on the face thereof the most recent of either:

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

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

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

62 5. The fee for each original certificate so issued shall be eight dollars and  
63 fifty cents, in addition to the fee for registration of such motor vehicle or trailer.  
64 If application for the certificate is not made within thirty days after the vehicle

65 is acquired by the applicant, or where the motor vehicle was acquired under  
66 section 301.213 **or subsection 5 of section 301.210** and the applicant fails to  
67 make application within thirty days after receiving title from the dealer, a  
68 delinquency penalty fee of twenty-five dollars for the first thirty days of  
69 delinquency and twenty-five dollars for each thirty days of delinquency thereafter,  
70 not to exceed a total of two hundred dollars, but such penalty may be waived by  
71 the director for a good cause shown. If the director of revenue learns that any  
72 person has failed to obtain a certificate within thirty days after acquiring a motor  
73 vehicle or trailer, or where the motor vehicle was acquired under section 301.213  
74 **or subsection 5 of section 301.210** and the applicant fails to make application  
75 within thirty days after receiving title from the dealer, or has sold a vehicle  
76 without obtaining a certificate, he shall cancel the registration of all vehicles  
77 registered in the name of the person, either as sole owner or as a co-owner, and  
78 shall notify the person that the cancellation will remain in force until the person  
79 pays the delinquency penalty fee provided in this section, together with all fees,  
80 charges and payments which the person should have paid in connection with the  
81 certificate of ownership and registration of the vehicle. The certificate shall be  
82 good for the life of the motor vehicle or trailer so long as the same is owned or  
83 held by the original holder of the certificate and shall not have to be renewed  
84 annually.

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

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

92         8. Before an original Missouri certificate of ownership is issued, an  
93 inspection of the vehicle and a verification of vehicle identification numbers shall  
94 be made by the Missouri state highway patrol on vehicles for which there is a  
95 current title issued by another state if a Missouri salvage certificate of title has  
96 been issued for the same vehicle but no prior inspection and verification has been  
97 made in this state, except that if such vehicle has been inspected in another state  
98 by a law enforcement officer in a manner comparable to the inspection process in  
99 this state and the vehicle identification numbers have been so verified, the  
100 applicant shall not be liable for the twenty-five dollar inspection fee if such

101 applicant submits proof of inspection and vehicle identification number  
102 verification to the director of revenue at the time of the application. The  
103 applicant, who has such a title for a vehicle on which no prior inspection and  
104 verification have been made, shall pay a fee of twenty-five dollars for such  
105 verification and inspection, payable to the director of revenue at the time of the  
106 request for the application, which shall be deposited in the state treasury to the  
107 credit of the state highways and transportation department fund.

108           9. Each application for an original Missouri certificate of ownership for  
109 a vehicle which is classified as a reconstructed motor vehicle, specially  
110 constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor  
111 vehicle, or other vehicle as required by the director of revenue shall be  
112 accompanied by a vehicle examination certificate issued by the Missouri state  
113 highway patrol, or other law enforcement agency as authorized by the director of  
114 revenue. The vehicle examination shall include a verification of vehicle  
115 identification numbers and a determination of the classification of the  
116 vehicle. The owner of a vehicle which requires a vehicle examination certificate  
117 shall present the vehicle for examination and obtain a completed vehicle  
118 examination certificate prior to submitting an application for a certificate of  
119 ownership to the director of revenue. Notwithstanding any provision of the law  
120 to the contrary, an owner presenting a motor vehicle which has been issued a  
121 salvage title and which is ten years of age or older to a vehicle examination  
122 described in this subsection in order to obtain a certificate of ownership with the  
123 designation prior salvage motor vehicle shall not be required to repair or restore  
124 the vehicle to its original appearance in order to pass or complete the vehicle  
125 examination. The fee for the vehicle examination application shall be twenty-five  
126 dollars and shall be collected by the director of revenue at the time of the request  
127 for the application and shall be deposited in the state treasury to the credit of the  
128 state highways and transportation department fund. If the vehicle is also to be  
129 registered in Missouri, the safety inspection required in chapter 307 and the  
130 emissions inspection required under chapter 643 shall be completed and the fees  
131 required by section 307.365 and section 643.315 shall be charged to the owner.

132           10. When an application is made for an original Missouri certificate of  
133 ownership for a motor vehicle previously registered or titled in a state other than  
134 Missouri or as required by section 301.020, it shall be accompanied by a current  
135 inspection form certified by a duly authorized official inspection station as  
136 described in chapter 307. The completed form shall certify that the

137 manufacturer's identification number for the vehicle has been inspected, that it  
138 is correctly displayed on the vehicle and shall certify the reading shown on the  
139 odometer at the time of inspection. The inspection station shall collect the same  
140 fee as authorized in section 307.365 for making the inspection, and the fee shall  
141 be deposited in the same manner as provided in section 307.365. If the vehicle  
142 is also to be registered in Missouri, the safety inspection required in chapter 307  
143 and the emissions inspection required under chapter 643 shall be completed and  
144 only the fees required by section 307.365 and section 643.315 shall be charged to  
145 the owner. This section shall not apply to vehicles being transferred on a  
146 manufacturer's statement of origin.

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

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

170 13. When an application is made for an original Missouri certificate of  
171 ownership for a motor vehicle previously registered or titled in a state other than  
172 Missouri, and the certificate of ownership has been appropriately designated by

173 the issuing state as non-USA-std motor vehicle, the director of revenue shall  
174 appropriately designate on the current Missouri and all subsequent issues of the  
175 certificate of ownership the words "Non-USA-Std Motor Vehicle".

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

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

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

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

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

191           (4) An inspection certificate, other than a motor vehicle examination  
192 certificate required under subsection 9 of this section, completed and issued by  
193 the Missouri state highway patrol, or other law enforcement agency as authorized  
194 by the director of revenue. The inspection performed by the highway patrol or  
195 other authorized local law enforcement agency shall include a check for stolen  
196 vehicles.

197 The department of revenue shall issue the owner a certificate of ownership  
198 designated with the words "Reconstructed Motor Vehicle" and deliver such  
199 certificate of ownership in accordance with the provisions of this  
200 chapter. Notwithstanding subsection 9 of this section, no owner of a  
201 reconstructed motor vehicle described in this subsection shall be required to  
202 obtain a vehicle examination certificate issued by the Missouri state highway  
203 patrol.

301.210. 1. In the event of a sale or transfer of ownership of a motor  
2 vehicle or trailer for which a certificate of ownership has been issued, the holder  
3 of such certificate shall endorse on the same an assignment thereof, with  
4 warranty of title in form printed thereon, and prescribed by the director of  
5 revenue, with a statement of all liens or encumbrances on such motor vehicle or

6 trailer, and deliver the same to the buyer at the time of the delivery to him of  
7 such motor vehicle or trailer; provided that, when the transfer of a motor vehicle,  
8 trailer, boat or outboard motor occurs within a corporation which holds a license  
9 to operate as a motor vehicle or boat dealer pursuant to sections 301.550 to  
10 301.575, the provisions of subdivision (3) of subsection 7 of section 144.070 shall  
11 not apply.

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

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

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

33 5. A motor vehicle dealer licensed under sections 301.550 to  
34 301.580 may deliver a motor vehicle or trailer to a purchaser with a  
35 written agreement to pass the certificate of ownership with an  
36 assignment to the purchaser within thirty days after delivery, inclusive  
37 of weekends and holidays.

38 (1) The form of the agreement shall be prescribed by the director  
39 of revenue. The agreement shall provide that if the motor vehicle  
40 dealer does not pass the certificate of ownership with an assignment to  
41 the purchaser within thirty days that the sale shall be voidable at

42 purchaser's option and, in such case, dealer shall re-purchase the  
43 vehicle by paying and satisfying in full any purchase money lien  
44 against the vehicle, including accrued penalties and fees, with the  
45 remainder of one hundred percent of the sale price refunded and paid  
46 by the dealer to the buyer. As used in this subdivision, the term "sale  
47 price" shall include the negotiated price of the vehicle, the down  
48 payment, the trade-in allowance even if the allowance reflected  
49 negative equity, and the price of all optional services and products sold  
50 to the buyer under the sales and finance transaction.

51 (2) In the event a motor vehicle subject to this subsection has  
52 suffered physical damage covered by the purchaser's vehicle insurance  
53 policy and the vehicle is determined by the insurance company to be  
54 a total loss, the insurance company may satisfy the claim in full, with  
55 respect to the damage to the vehicle, by transferring all proceeds to  
56 such purchaser and any secured lienholder of record. The purchaser  
57 shall not assign the purchaser's corresponding insurance benefits to  
58 any party without the express written permission of the insurer. In  
59 conjunction with such satisfaction of the claim, if as part of such claim  
60 settlement the insurance company is to receive the vehicle under  
61 subdivision (3) of this subsection, but clear title never vests with the  
62 purchaser within the thirty-day period after the date of sale prescribed  
63 by subdivision (1) of this subsection or within ten days of the claim  
64 settlement date, whichever is later, the insurance company shall notify  
65 the dealer that clear title never vested with the purchaser and the  
66 dealer shall reimburse the insurance company for the salvage value of  
67 such vehicle as determined in the claims settlement with the purchaser,  
68 and in exchange the insurance company shall assign its rights to the  
69 vehicle back to the dealer. If the dealer fails to make payment to the  
70 insurance company within fifteen days of receiving notice, the dealer  
71 shall be liable to the insurance company for the value of the salvage as  
72 determined in the claims settlement with the purchaser, plus any actual  
73 damages and any applicable court costs, in return for the right to  
74 acquire the title and apply for a salvage title under this chapter.

75 (3) Notwithstanding any provision of law to the contrary,  
76 completion of the requirements of this subsection shall constitute  
77 prima facie evidence of an ownership interest vested in the purchaser  
78 of the vehicle for all purposes other than for a subsequent transfer of

79 ownership of the vehicle by the purchaser, subject to the rights of any  
80 secured lienholder of record; however, the purchaser may use a  
81 dealer-supplied copy of the agreement to transfer his or her ownership  
82 of the vehicle to an insurance company in situations where the vehicle  
83 has been declared salvage or a total loss by the insurance company as  
84 a result of a settlement of a claim. Such insurance company may apply  
85 for a salvage certificate of title or junking certificate under subsection  
86 3 of section 301.193 in order to transfer its interest in such vehicle. The  
87 purchaser may also use a dealer-supplied copy of the agreement on the  
88 form prescribed by the director of revenue as proof of ownership  
89 interest. Any lender or insurance company may rely upon a copy of the  
90 signed written agreement on the form prescribed by the director of  
91 revenue as proof of ownership interest. Any lien placed upon a vehicle  
92 based upon such signed written agreement shall be valid and  
93 enforceable, notwithstanding the absence of a certificate of ownership.

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

301.213. 1. Notwithstanding the provisions of sections 301.200 and  
2 301.210, any person licensed as a motor vehicle dealer under sections 301.550 to  
3 301.580 that has provided to the director of revenue a surety bond or irrevocable  
4 letter of credit in an amount not less than one hundred thousand dollars in a  
5 form which complies with the requirements of section 301.560 and in lieu of the  
6 fifty thousand dollar bond otherwise required for licensure as a motor vehicle  
7 dealer shall be authorized to purchase or accept in trade any motor vehicle for  
8 which there has been issued a certificate of ownership, and to receive such vehicle  
9 subject to any existing liens thereon created and perfected under sections 301.600  
10 to 301.660 provided the licensed dealer receives the following:

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

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

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

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

25           3. If a licensed dealer complies with the requirements of subsection 1 of  
26 this section, and such dealer has provided to the director of revenue a surety bond  
27 or irrevocable letter of credit in amount not less than one hundred thousand  
28 dollars in a form which complies with the requirements of section 301.560 and in  
29 lieu of the fifty thousand dollar bond otherwise required for licensure as a motor  
30 vehicle dealer, such dealer may sell such vehicle prior to receiving and assigning  
31 to the purchaser the certificate of ownership, provided such dealer complies with  
32 the following:

33           (1) All outstanding liens created on the vehicle pursuant to sections  
34 301.600 to 301.660 have been paid in full, and the dealer provides a copy of proof  
35 or other evidence to the purchaser; and

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

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

44           (4) The dealer has signed an application for duplicate or replacement title  
45 for the vehicle under subsection 4 of section 301.300 and provides a copy of the  
46 application to the purchaser, along with a copy of the power of attorney required  
47 by subsection 1 of this section, and the dealer has prepared and delivered to the  
48 purchaser an application for title for the vehicle in the purchaser's name; and

49           (5) The dealer and the purchaser have entered into a written agreement  
50 for the subsequent assignment and delivery of such certificate of ownership, on

51 a form prescribed by the director of revenue, to take place at a time, not to exceed  
52 sixty calendar days, after the time of delivery of the motor vehicle to the  
53 purchaser. Such agreement shall require the purchaser to provide to the dealer  
54 proof of financial responsibility in accordance with chapter 303 and proof of  
55 comprehensive and collision coverage on the motor vehicle. Such dealer shall  
56 maintain the original or an electronic copy of the signed agreement and deliver  
57 a copy of the signed agreement to the purchaser. Such dealer shall also complete  
58 and deliver to the director of revenue such form as the director shall prescribe  
59 demonstrating that the purchaser has purchased the vehicle without  
60 contemporaneous delivery of the title.

61 Notwithstanding any provision of law to the contrary, completion of the  
62 requirements of this subsection shall constitute prima facie evidence of an  
63 ownership interest vested in the purchaser of the vehicle for all purposes other  
64 than for a subsequent transfer of ownership of the vehicle by the purchaser,  
65 subject to the rights of any secured lienholder of record; however, the purchaser  
66 may use the dealer-supplied copy of the agreement to transfer his or her  
67 ownership of the vehicle to an insurance company in situations where the vehicle  
68 has been declared salvage or a total loss by the insurance company as a result of  
69 a settlement of a claim. Such insurance company may apply for a salvage  
70 certificate of title or junking certificate pursuant to the provisions of subsection  
71 3 of section 301.193 in order to transfer its interest in such vehicle. The  
72 purchaser may also use the dealer-supplied copy of the agreement on the form  
73 prescribed by the director of revenue as proof of ownership interest. Any lender  
74 or insurance company may rely upon a copy of the signed written agreement on  
75 the form prescribed by the director of revenue as proof of ownership interest. Any  
76 lien placed upon a vehicle based upon such signed written agreement shall be  
77 valid and enforceable, notwithstanding the absence of a certificate of ownership.

78 4. Following a sale or other transaction in which a certificate of ownership  
79 has not been assigned from the owner to the licensed dealer, the dealer shall,  
80 within ten business days, apply for a duplicate or replacement certificate of  
81 ownership. Upon receipt of a duplicate or replacement certificate of ownership  
82 applied for under subsection 4 of section 301.300, the dealer shall assign and  
83 deliver said certificate of ownership to the purchaser of the vehicle within five  
84 business days. The dealer shall maintain proof of the assignment and delivery  
85 of the certificate of ownership to the purchaser. For purposes of this subsection,  
86 a dealer shall be deemed to have delivered the certificate of ownership to the

87 purchaser upon either:

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

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

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

97 6. If a licensed dealer fails or is unable to comply with subsection 4 of this  
98 section, and the purchaser of the vehicle is thereby damaged, then the dealer  
99 shall be liable to the purchaser of the vehicle for actual damages, plus court costs  
100 and reasonable attorney fees. If the dealer cannot be found by the purchaser  
101 after making reasonable attempts, or if the dealer fails to assign and deliver the  
102 duplicate or replacement certificate of ownership to the purchaser by the date  
103 agreed upon by the dealer and the purchaser, as required by subsection 4 of this  
104 section, then the purchaser may deliver to the director a copy of the contract for  
105 sale of the vehicle, a copy of the application for duplicate title provided by the  
106 dealer to the purchaser, a copy of the secure power of attorney allowing the dealer  
107 to assign the duplicate title, and the proof or other evidence obtained by the  
108 purchaser from the dealer under subsection 3 of this section. Thereafter, the  
109 director shall mail by certified mail, return receipt requested, a notice to the  
110 dealer at the last address given to the department by that dealer. That notice  
111 shall inform the dealer that the director intends to cancel any prior certificate of  
112 title which may have been issued to the dealer on the vehicle and issue to the  
113 purchaser a certificate of title in the name of the purchaser, subject to any liens  
114 incurred by the purchaser in connection with the purchase of the vehicle, unless  
115 the dealer, within ten business days from the date of the director's notice, files  
116 with the director a written objection to the director taking such action. If the  
117 dealer does file a timely, written objection with the director, then the director  
118 shall not take any further action without an order from a court of competent  
119 jurisdiction. However, if the dealer does not file a timely, written objection with  
120 the director, then the director shall cancel the prior certificate of title issued to  
121 the dealer on the vehicle and issue a certificate of title to the purchaser of the  
122 vehicle, subject to any liens incurred by the purchaser in connection with the

123 purchase of the vehicle and subject to the purchaser satisfying all applicable  
124 taxes and fees associated with registering the vehicle.

125         7. If a seller misrepresents to a dealer that the seller is the owner of a  
126 vehicle and the dealer, the owner, any subsequent purchaser, or any prior or  
127 subsequent lienholder is thereby damaged, then the seller shall be liable to each  
128 such party for actual and punitive damages, plus court costs and reasonable  
129 attorney fees.

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

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

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

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

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

145         **11. No dealer shall enter into a contract under this section after**  
146 **December 31, 2020. Any contract entered into prior to December 31,**  
147 **2020, shall be enforceable as provided in this section. This section shall**  
148 **be repealed effective December 31, 2020.**

301.280. 1. Every motor vehicle dealer and boat dealer shall make a  
2 monthly report to the department of revenue, on blanks to be prescribed by the  
3 department of revenue, giving the following information: date of the sale of each  
4 motor vehicle, boat, trailer and all-terrain vehicle sold; the name and address of  
5 the buyer; the name of the manufacturer; year of manufacture; model of vehicle;  
6 vehicle identification number; style of vehicle; odometer setting; and it shall also  
7 state whether the motor vehicle, boat, trailer or all-terrain vehicle is new or  
8 secondhand. Each monthly sales report filed by a motor vehicle dealer who  
9 collects sales tax under subsection 10 of section 144.070 shall also include the  
10 amount of state and local sales tax collected for each motor vehicle sold if sales

11 tax was due. The odometer reading is not required when reporting the sale of  
12 any motor vehicle that is ten years old or older, any motor vehicle having a gross  
13 vehicle weight rating of more than sixteen thousand pounds, new vehicles that  
14 are transferred on a manufacturer's statement of origin between one franchised  
15 motor vehicle dealer and another, or boats, all-terrain vehicles or trailers. The  
16 sale of all temporary permits shall be recorded in the appropriate space on the  
17 dealer's monthly sales report, unless the sale of the temporary permit is already  
18 recorded by electronic means as determined by the department. **The monthly**  
19 **sales report shall include a statement of motor vehicles or trailers sold**  
20 **during the month under subsection 5 of section 301.210.** The monthly  
21 sales report shall be completed in full and signed by an officer, partner, or owner  
22 of the dealership, and actually received by the department of revenue on or before  
23 the fifteenth day of the month succeeding the month for which the sales are being  
24 reported. If no sales occur in any given month, a report shall be submitted for  
25 that month indicating no sales. Any vehicle dealer who fails to file a monthly  
26 report or who fails to file a timely report shall be subject to disciplinary action as  
27 prescribed in section 301.562 or a penalty assessed by the director not to exceed  
28 three hundred dollars per violation. Every motor vehicle and boat dealer shall  
29 retain copies of the monthly sales report as part of the records to be maintained  
30 at the dealership location and shall hold them available for inspection by  
31 appropriate law enforcement officials and officials of the department of  
32 revenue. Every vehicle dealer selling twenty or more vehicles a month shall file  
33 the monthly sales report with the department in an electronic format. Any dealer  
34 filing a monthly sales report in an electronic format shall be exempt from filing  
35 the notice of transfer required by section 301.196. For any dealer not filing  
36 electronically, the notice of transfer required by section 301.196 shall be  
37 submitted with the monthly sales report as prescribed by the director.

38       2. Every dealer and every person operating a public garage shall keep a  
39 correct record of the vehicle identification number, odometer setting,  
40 manufacturer's name of all motor vehicles or trailers accepted by him for the  
41 purpose of sale, rental, storage, repair or repainting, together with the name and  
42 address of the person delivering such motor vehicle or trailer to the dealer or  
43 public garage keeper, and the person delivering such motor vehicle or trailer shall  
44 record such information in a file kept by the dealer or garage keeper. The record  
45 shall be kept for five years and be open for inspection by law enforcement  
46 officials, members or authorized or designated employees of the Missouri highway

47 patrol, and persons, agencies and officials designated by the director of revenue.

48           3. Every dealer and every person operating a public garage in which a  
49 motor vehicle remains unclaimed for a period of fifteen days shall, within five  
50 days after the expiration of that period, report the motor vehicle as unclaimed to  
51 the director of revenue. Such report shall be on a form prescribed by the director  
52 of revenue. A motor vehicle left by its owner whose name and address are known  
53 to the dealer or his employee or person operating a public garage or his employee  
54 is not considered unclaimed. Any dealer or person operating a public garage who  
55 fails to report a motor vehicle as unclaimed as herein required forfeits all claims  
56 and liens for its garaging, parking or storing.

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

60           5. The alteration or obliteration of the vehicle identification number on  
61 any such motor vehicle shall be prima facie evidence of larceny, and the dealer  
62 or person operating such public garage shall upon the discovery of such  
63 obliteration or alteration immediately notify the highway patrol, sheriff, marshal,  
64 constable or chief of police of the municipality where the dealer or garage keeper  
65 has his place of business, and shall hold such motor vehicle or trailer for a period  
66 of forty-eight hours for the purpose of an investigation by the officer so notified.

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

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

3           (1) Every application other than a renewal application for a motor vehicle  
4 franchise dealer shall include a certification that the applicant has a bona fide  
5 established place of business. Such application shall include an annual  
6 certification that the applicant has a bona fide established place of business for  
7 the first three years and only for every other year thereafter. The certification  
8 shall be performed by a uniformed member of the Missouri state highway patrol  
9 or authorized or designated employee stationed in the troop area in which the  
10 applicant's place of business is located; except that in counties of the first  
11 classification, certification may be performed by an officer of a metropolitan police  
12 department when the applicant's established place of business of distributing or  
13 selling motor vehicles or trailers is in the metropolitan area where the certifying

14 metropolitan police officer is employed. When the application is being made for  
15 licensure as a boat manufacturer or boat dealer, certification shall be performed  
16 by a [uniformed member of the Missouri state water patrol stationed in the  
17 district area in which the applicant's place of business is located or by a]  
18 uniformed member of the Missouri state highway patrol **or authorized or**  
19 **designated employee** stationed in the troop area in which the applicant's place  
20 of business is located or, if the applicant's place of business is located within the  
21 jurisdiction of a metropolitan police department in a first class county, by an  
22 officer of such metropolitan police department. A bona fide established place of  
23 business for any new motor vehicle franchise dealer, used motor vehicle dealer,  
24 boat dealer, powersport dealer, wholesale motor vehicle dealer, trailer dealer, or  
25 wholesale or public auction shall be a permanent enclosed building or structure,  
26 either owned in fee or leased and actually occupied as a place of business by the  
27 applicant for the selling, bartering, trading, servicing, or exchanging of motor  
28 vehicles, boats, personal watercraft, or trailers and wherein the public may  
29 contact the owner or operator at any reasonable time, and wherein shall be kept  
30 and maintained the books, records, files and other matters required and  
31 necessary to conduct the business. The applicant shall maintain a working  
32 telephone number during the entire registration year which will allow the public,  
33 the department, and law enforcement to contact the applicant during regular  
34 business hours. The applicant shall also maintain an email address during the  
35 entire registration year which may be used for official correspondence with the  
36 department. In order to qualify as a bona fide established place of business for  
37 all applicants licensed pursuant to this section there shall be an exterior sign  
38 displayed carrying the name of the business set forth in letters at least six inches  
39 in height and clearly visible to the public and there shall be an area or lot which  
40 shall not be a public street on which multiple vehicles, boats, personal watercraft,  
41 or trailers may be displayed. The sign shall contain the name of the dealership  
42 by which it is known to the public through advertising or otherwise, which need  
43 not be identical to the name appearing on the dealership's license so long as such  
44 name is registered as a fictitious name with the secretary of state, has been  
45 approved by its line-make manufacturer in writing in the case of a new motor  
46 vehicle franchise dealer and a copy of such fictitious name registration has been  
47 provided to the department. Dealers who sell only emergency vehicles as defined  
48 in section 301.550 are exempt from maintaining a bona fide place of business,  
49 including the related law enforcement certification requirements, and from

50 meeting the minimum yearly sales;

51 (2) The initial application for licensure shall include a photograph, not to  
52 exceed eight inches by ten inches but no less than five inches by seven inches,  
53 showing the business building, lot, and sign. A new motor vehicle franchise  
54 dealer applicant who has purchased a currently licensed new motor vehicle  
55 franchised dealership shall be allowed to submit a photograph of the existing  
56 dealership building, lot and sign but shall be required to submit a new  
57 photograph upon the installation of the new dealership sign as required by  
58 sections 301.550 to 301.580. Applicants shall not be required to submit a  
59 photograph annually unless the business has moved from its previously licensed  
60 location, or unless the name of the business or address has changed, or unless the  
61 class of business has changed;

62 (3) Every applicant as a new motor vehicle franchise dealer, a used motor  
63 vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, trailer  
64 dealer, or boat dealer shall furnish with the application a corporate surety bond  
65 or an irrevocable letter of credit as defined in section 400.5-102, issued by any  
66 state or federal financial institution in the penal sum of fifty thousand dollars on  
67 a form approved by the department. The bond or irrevocable letter of credit shall  
68 be conditioned upon the dealer complying with the provisions of the statutes  
69 applicable to new motor vehicle franchise dealers, used motor vehicle dealers,  
70 powersport dealers, wholesale motor vehicle dealers, trailer dealers, and boat  
71 dealers, and the bond shall be an indemnity for any loss sustained by reason of  
72 the acts of the person bonded when such acts constitute grounds for the  
73 suspension or revocation of the dealer's license. The bond shall be executed in  
74 the name of the state of Missouri for the benefit of all aggrieved parties or the  
75 irrevocable letter of credit shall name the state of Missouri as the beneficiary;  
76 except, that the aggregate liability of the surety or financial institution to the  
77 aggrieved parties shall, in no event, exceed the amount of the bond or irrevocable  
78 letter of credit. [The proceeds of the bond or irrevocable letter of credit shall be  
79 paid upon receipt by the department of a final judgment from a Missouri court of  
80 competent jurisdiction against the principal and in favor of an aggrieved party.]  
81 Additionally, every applicant as a new motor vehicle franchise dealer, a used  
82 motor vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, or  
83 boat dealer shall furnish with the application a copy of a current dealer garage  
84 policy bearing the policy number and name of the insurer and the insured. **The**  
85 **proceeds of the bond or irrevocable letter of credit furnished by an**

86 applicant shall be paid upon receipt by the department of a final  
87 judgment from a Missouri court of competent jurisdiction against the  
88 principal and in favor of an aggrieved party. The proceeds of the bond  
89 or irrevocable letter of credit furnished by an applicant shall be paid  
90 at the order of the department and in the amount determined by the  
91 department to any buyer or interested lienholder up to the greater of  
92 the amount required for the release of the purchase money lien or the  
93 sales price paid by the buyer where a dealer has failed to fulfill the  
94 dealer's obligations under an agreement to assign and deliver title to  
95 the buyer within thirty days under a contract entered into pursuant to  
96 subsection 5 of section 301.210. The department shall direct release of  
97 the bond or irrevocable letter of credit proceeds upon presentation of  
98 a written agreement entered into pursuant to subsection 5 of section  
99 301.210, copies of the associated sales and finance documents, and the  
100 affidavit or affidavits of the buyer or lienholder stating that the  
101 certificate of title with assignment thereof has not been passed to the  
102 buyer within thirty days of the date of the contract entered into under  
103 subsection 5 of section 301.210, that the dealer has not fulfilled the  
104 agreement under the contract to re-purchase the vehicle, that the buyer  
105 or the lienholder has notified the dealer of the claim on the bond or  
106 letter of credit, and the amount claimed by the purchaser or lienholder.  
107 In addition, prior to directing release and payment of the proceeds of  
108 a bond or irrevocable letter of credit, the department shall ensure that  
109 there is satisfactory evidence to establish that the vehicle which is  
110 subject to the written agreement has been returned by the buyer to the  
111 dealer or that the buyer has represented to the department that the  
112 buyer will surrender possession of the vehicle to the dealer upon  
113 payment of the proceeds of the bond or letter of credit directed by the  
114 department. Excepting ordinary wear and tear or mechanical failures  
115 not caused by the buyer, the amount of proceeds to be paid to the buyer  
116 under the bond or irrevocable letter of credit shall be reduced by an  
117 amount equivalent to any damage, abuse, or destruction incurred by  
118 the vehicle while the vehicle was in the buyer's possession as agreed  
119 between the buyer and the dealer. The dealer may apply to a court of  
120 competent jurisdiction to contest the claim on the bond or letter of  
121 credit, including the amount of the claim and the amount of any  
122 adjustment for any damage, abuse, or destruction, by filing a petition

123 **with the court within thirty days of the notification by the buyer or**  
124 **lienholder. If the dealer does not fulfill the agreement or file a petition**  
125 **to request judicial relief from the terms of the agreement or contest the**  
126 **amount of the claim, the bond or letter of credit shall be released by**  
127 **the department and directed paid in the amount or amounts presented**  
128 **by the lienholder or buyer;**

129 (4) Payment of all necessary license fees as established by the  
130 department. In establishing the amount of the annual license fees, the  
131 department shall, as near as possible, produce sufficient total income to offset  
132 operational expenses of the department relating to the administration of sections  
133 301.550 to 301.580. All fees payable pursuant to the provisions of sections  
134 301.550 to 301.580, other than those fees collected for the issuance of dealer  
135 plates or certificates of number collected pursuant to subsection 6 of this section,  
136 shall be collected by the department for deposit in the state treasury to the credit  
137 of the "Motor Vehicle Commission Fund", which is hereby created. The motor  
138 vehicle commission fund shall be administered by the Missouri department of  
139 revenue. The provisions of section 33.080 to the contrary notwithstanding, money  
140 in such fund shall not be transferred and placed to the credit of the general  
141 revenue fund until the amount in the motor vehicle commission fund at the end  
142 of the biennium exceeds two times the amount of the appropriation from such  
143 fund for the preceding fiscal year or, if the department requires permit renewal  
144 less frequently than yearly, then three times the appropriation from such fund  
145 for the preceding fiscal year. The amount, if any, in the fund which shall lapse  
146 is that amount in the fund which exceeds the multiple of the appropriation from  
147 such fund for the preceding fiscal year.

148 2. In the event a new vehicle manufacturer, boat manufacturer, motor  
149 vehicle dealer, wholesale motor vehicle dealer, boat dealer, powersport dealer,  
150 wholesale motor vehicle auction, trailer dealer, or a public motor vehicle auction  
151 submits an application for a license for a new business and the applicant has  
152 complied with all the provisions of this section, the department shall make a  
153 decision to grant or deny the license to the applicant within eight working hours  
154 after receipt of the dealer's application, notwithstanding any rule of the  
155 department.

156 3. Except as otherwise provided in subsection 6 of this section, upon the  
157 initial issuance of a license by the department, the department shall assign a  
158 distinctive dealer license number or certificate of number to the applicant and the

159 department shall issue one number plate or certificate bearing the distinctive  
 160 dealer license number or certificate of number and two additional number plates  
 161 or certificates of number within eight working hours after presentment of the  
 162 application and payment by the applicant of a fee of fifty dollars for the first plate  
 163 or certificate and ten dollars and fifty cents for each additional plate or  
 164 certificate. Upon renewal, the department shall issue the distinctive dealer  
 165 license number or certificate of number as quickly as possible. The issuance of  
 166 such distinctive dealer license number or certificate of number shall be in lieu of  
 167 registering each motor vehicle, trailer, vessel or vessel trailer dealt with by a boat  
 168 dealer, boat manufacturer, public motor vehicle auction, wholesale  
 169 motor vehicle dealer, wholesale motor vehicle auction or new or used motor  
 170 vehicle dealer. The license plates described in this section shall be made with  
 171 fully reflective material with a common color scheme and design, shall be clearly  
 172 visible at night, and shall be aesthetically attractive, as prescribed by section  
 173 301.130.

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

176	New motor vehicle franchise dealers	D-0 through D-999
177	New powersport dealers	D-1000 through D-1999
178	Used motor vehicle and	
179	used powersport dealers	D-2000 through D-9999
180	Wholesale motor vehicle dealers	W-0 through W-1999
181	Wholesale motor vehicle auctions	WA-0 through WA-999
182	New and used trailer dealers	T-0 through T-9999
183	Motor vehicle, trailer, and boat	
184	manufacturers	DM-0 through DM-999
185	Public motor vehicle auctions	A-0 through A-1999
186	Boat dealers	M-0 through M-9999
187	New and used recreational motor	
188	vehicle dealers	RV-0 through RV-999

189 For purposes of this subsection, qualified transactions shall include the purchase  
 190 of salvage titled vehicles by a licensed salvage dealer. A used motor vehicle  
 191 dealer who also holds a salvage dealer's license shall be allowed one additional  
 192 plate or certificate number per fifty-unit qualified transactions annually. In order  
 193 for salvage dealers to obtain number plates or certificates under this section,  
 194 dealers shall submit to the department of revenue on August first of each year a

195 statement certifying, under penalty of perjury, the dealer's number of purchases  
196 during the reporting period of July first of the immediately preceding year to  
197 June thirtieth of the present year. The provisions of this subsection shall become  
198 effective on the date the director of the department of revenue begins to reissue  
199 new license plates under section 301.130, or on December 1, 2008, whichever  
200 occurs first. If the director of revenue begins reissuing new license plates under  
201 the authority granted under section 301.130 prior to December 1, 2008, the  
202 director of the department of revenue shall notify the revisor of statutes of such  
203 fact.

204           5. Upon the sale of a currently licensed motor vehicle dealership the  
205 department shall, upon request, authorize the new approved dealer applicant to  
206 retain the selling dealer's license number and shall cause the new dealer's records  
207 to indicate such transfer. If the new approved dealer applicant elects not to  
208 retain the selling dealer's license number, the department shall issue the new  
209 dealer applicant a new dealer's license number and an equal number of plates or  
210 certificates as the department had issued to the selling dealer.

211           6. In the case of motor vehicle dealers, the department shall issue one  
212 number plate bearing the distinctive dealer license number and may issue one  
213 additional number plate to the applicant upon payment by the dealer of a fifty  
214 dollar fee for the number plate bearing the distinctive dealer license number and  
215 ten dollars and fifty cents for the additional number plate. The department may  
216 issue a third plate to the motor vehicle dealer upon completion of the dealer's  
217 fifteenth qualified transaction and payment of a fee of ten dollars and fifty cents.  
218 In the case of new motor vehicle manufacturers, powersport dealers, recreational  
219 motor vehicle dealers, and trailer dealers, the department shall issue one number  
220 plate bearing the distinctive dealer license number and may issue two additional  
221 number plates to the applicant upon payment by the manufacturer or dealer of  
222 a fifty dollar fee for the number plate bearing the distinctive dealer license  
223 number and ten dollars and fifty cents for each additional number plate. Boat  
224 dealers and boat manufacturers shall be entitled to one certificate of number  
225 bearing such number upon the payment of a fifty dollar fee. Additional number  
226 plates and as many additional certificates of number may be obtained upon  
227 payment of a fee of ten dollars and fifty cents for each additional plate or  
228 certificate. New motor vehicle manufacturers shall not be issued or possess more  
229 than three hundred forty-seven additional number plates or certificates of number  
230 annually. New and used motor vehicle dealers, powersport dealers, wholesale

231 motor vehicle dealers, boat dealers, and trailer dealers are limited to one  
232 additional plate or certificate of number per ten-unit qualified transactions  
233 annually. New and used recreational motor vehicle dealers are limited to two  
234 additional plates or certificate of number per ten-unit qualified transactions  
235 annually for their first fifty transactions and one additional plate or certificate  
236 of number per ten-unit qualified transactions thereafter. An applicant seeking  
237 the issuance of an initial license shall indicate on his or her initial application  
238 the applicant's proposed annual number of sales in order for the director to issue  
239 the appropriate number of additional plates or certificates of number. A motor  
240 vehicle dealer, trailer dealer, boat dealer, powersport dealer, recreational motor  
241 vehicle dealer, motor vehicle manufacturer, boat manufacturer, or wholesale  
242 motor vehicle dealer obtaining a distinctive dealer license plate or certificate of  
243 number or additional license plate or additional certificate of number, throughout  
244 the calendar year, shall be required to pay a fee for such license plates or  
245 certificates of number computed on the basis of one-twelfth of the full fee  
246 prescribed for the original and duplicate number plates or certificates of number  
247 for such dealers' licenses, multiplied by the number of months remaining in the  
248 licensing period for which the dealer or manufacturers shall be required to be  
249 licensed. In the event of a renewing dealer, the fee due at the time of renewal  
250 shall not be prorated. Wholesale and public auctions shall be issued a certificate  
251 of dealer registration in lieu of a dealer number plate. In order for dealers to  
252 obtain number plates or certificates under this section, dealers shall submit to  
253 the department of revenue on August first of each year a statement certifying,  
254 under penalty of perjury, the dealer's number of sales during the reporting period  
255 of July first of the immediately preceding year to June thirtieth of the present  
256 year.

257           7. The plates issued pursuant to subsection 3 or 6 of this section may be  
258 displayed on any motor vehicle owned by a new motor vehicle manufacturer. The  
259 plates issued pursuant to subsection 3 or 6 of this section may be displayed on  
260 any motor vehicle or trailer owned and held for resale by a motor vehicle dealer  
261 for use by a customer who is test driving the motor vehicle, for use by any  
262 customer while the customer's vehicle is being serviced or repaired by the motor  
263 vehicle dealer, for use and display purposes during, but not limited to, parades,  
264 private events, charitable events, or for use by an employee or officer, but shall  
265 not be displayed on any motor vehicle or trailer hired or loaned to others or upon  
266 any regularly used service or wrecker vehicle. Motor vehicle dealers may display

267 their dealer plates on a tractor, truck or trailer to demonstrate a vehicle under  
268 a loaded condition. Trailer dealers may display their dealer license plates in like  
269 manner, except such plates may only be displayed on trailers owned and held for  
270 resale by the trailer dealer.

271 8. The certificates of number issued pursuant to subsection 3 or 6 of this  
272 section may be displayed on any vessel or vessel trailer owned and held for resale  
273 by a boat manufacturer or a boat dealer, and used by a customer who is test  
274 driving the vessel or vessel trailer, or is used by an employee or officer on a vessel  
275 or vessel trailer only, but shall not be displayed on any motor vehicle owned by  
276 a boat manufacturer, boat dealer, or trailer dealer, or vessel or vessel trailer  
277 hired or loaned to others or upon any regularly used service vessel or vessel  
278 trailer. Boat dealers and boat manufacturers may display their certificate of  
279 number on a vessel or vessel trailer when transporting a vessel or vessels to an  
280 exhibit or show.

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

285 10. (1) Every application for the issuance of a used motor vehicle dealer's  
286 license shall be accompanied by proof that the applicant, within the last twelve  
287 months, has completed an educational seminar course approved by the  
288 department as prescribed by subdivision (2) of this subsection. Wholesale and  
289 public auto auctions and applicants currently holding a new or used license for  
290 a separate dealership shall be exempt from the requirements of this  
291 subsection. The provisions of this subsection shall not apply to current new  
292 motor vehicle franchise dealers or motor vehicle leasing agencies or applicants for  
293 a new motor vehicle franchise or a motor vehicle leasing agency. The provisions  
294 of this subsection shall not apply to used motor vehicle dealers who were licensed  
295 prior to August 28, 2006.

296 (2) The educational seminar shall include, but is not limited to, the dealer  
297 requirements of sections 301.550 to 301.580, the rules promulgated to implement,  
298 enforce, and administer sections 301.550 to 301.580, and any other rules and  
299 regulations promulgated by the department.

301.564. 1. Any person or his agent licensed or registered as a  
2 manufacturer, motor vehicle dealer, wholesale motor vehicle dealer, boat dealer,  
3 wholesale motor vehicle auction or a public motor vehicle auction pursuant to the

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

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

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

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

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

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

15 (6) Any inventory and related documentation.

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

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

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

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

24 (4) Any sheriff or deputy sheriff;

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

**301.576. A motor vehicle dealer, as defined in section 301.550,  
2 and the dealer's owners, shareholders, officers, employees, and agents  
3 who, in conjunction with the actual or potential sale or lease of a motor  
4 vehicle, arrange to provide, actually provide, or otherwise make  
5 available to a vehicle purchaser, lessee, or other person any third-party  
6 motor vehicle history report shall not be liable to the vehicle  
7 purchaser, lessee, or other person for any errors, omissions, or other  
8 inaccuracies contained in the third-party motor vehicle history report  
9 that are not based on information provided directly to the preparer of  
10 the third-party motor vehicle history report by that dealer. For  
11 purposes of this section, a "third-party motor vehicle report" means any  
12 information prepared by a party other than the dealer relating to any  
13 one or more of the following: vehicle ownership or titling history; liens**

14 on the vehicle; vehicle service, maintenance, or repair history; vehicle  
15 condition; or vehicle accident or collision history. This section shall  
16 not apply in the case of any dealer having actual knowledge about a  
17 vehicle's accident, salvage, or service history which is different from,  
18 or not disclosed on, any third-party motor vehicle report.

301.3069. 1. Any Missouri resident may receive special license  
2 plates as prescribed in this section after an annual payment of an  
3 emblem-use authorization fee to Central Missouri Honor  
4 Flight. Central Missouri Honor Flight hereby authorizes the use of its  
5 official emblem to be affixed on multiyear personalized license plates  
6 as provided in this section for any vehicle the person owns, either  
7 solely or jointly, other than an apportioned motor vehicle or  
8 commercial motor vehicle licensed in excess of twenty-four thousand  
9 pounds gross weight. Any contribution to Central Missouri Honor  
10 Flight derived from this section, except reasonable administrative  
11 costs, shall be used solely for financial assistance to transport veterans  
12 to Washington D.C. to view various veteran memorials. Any Missouri  
13 resident may annually apply to Central Missouri Honor Flight for the  
14 use of the emblem.

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

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

33 appearance of the plates.

34 4. A vehicle owner who was previously issued plates with the  
35 Central Missouri Honor Flight emblem authorized by this section but  
36 who does not provide an emblem-use authorization statement at a  
37 subsequent time of registration shall be issued new plates which do not  
38 bear the Central Missouri Honor Flight emblem, as otherwise provided  
39 by law. The director of revenue shall make necessary rules and  
40 regulations for the enforcement of this section and shall design all  
41 necessary forms required by this section.

301.3159. Any person who has been awarded the military service  
2 award known as the meritorious service medal may apply for special  
3 motor vehicle license plates for any motor vehicle such person owns,  
4 either solely or jointly, other than an apportioned motor vehicle or a  
5 commercial motor vehicle licensed in excess of twenty-four thousand  
6 pounds gross weight. Any such person shall make application for the  
7 special license plates on a form provided by the director of revenue and  
8 furnish such proof as a recipient of the meritorious service medal as  
9 the director may require. The director shall then issue license plates  
10 bearing letters or numbers or a combination thereof as determined by  
11 the advisory committee established in section 301.129, with the words  
12 "MERITORIOUS SERVICE" in place of the words "SHOW-ME  
13 STATE". Such license plates shall be made with fully reflective  
14 material with a common color scheme and design, shall be clearly  
15 visible at night, and shall be aesthetically attractive, as prescribed by  
16 section 301.130. Such plates shall also bear an image of the meritorious  
17 service medal. There shall be an additional fee charged for each set of  
18 meritorious service license plates issued under this section equal to the  
19 fee charged for personalized license plates. There shall be no limit on  
20 the number of license plates any person qualified under this section  
21 may obtain so long as each set of license plates issued under this  
22 section is issued for vehicles owned solely or jointly by such  
23 person. License plates issued under the provisions of this section shall  
24 not be transferable to any other person except that any registered co-  
25 owner of the motor vehicle shall be entitled to operate the motor  
26 vehicle with such plates for the duration of the year licensed in the  
27 event of the death of the qualified person.

301.3174. 1. Any Missouri resident may receive special license plates as

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

13         2. Upon annual application and payment of a twenty-five dollar  
14 emblem-use contribution to the Association of Missouri Electric Cooperatives, the  
15 association shall issue to the vehicle owner, without further charge, an  
16 emblem-use authorization statement, which shall be presented by the vehicle  
17 owner to the department of revenue at the time of registration of a motor  
18 vehicle. Upon presentation of the annual statement and payment of the fee  
19 required for personalized license plates in section 301.144, and other fees and  
20 documents which may be required by law, the department of revenue shall issue  
21 a personalized license plate or plates, which shall bear the emblem of the  
22 Association of Missouri Electric Cooperatives' lineman, to the vehicle  
23 owner. **Notwithstanding any provision of law to the contrary, the**  
24 **department of revenue shall issue the license plate or plates, as**  
25 **authorized in this section, for non-apportioned vehicles of any**  
26 **classification for which it issues a license plate or plates.**

27         3. The license plate or plates authorized by this section shall be of a  
28 design submitted by the Association of Missouri Electric Cooperatives and  
29 approved by the department, shall be made with fully reflective material with a  
30 common color scheme and design, shall be clearly visible at night, and shall be  
31 aesthetically attractive, as prescribed by section 301.130. The bidding process  
32 used to select a vendor for the material to manufacture the license plates  
33 authorized by this section shall consider the aesthetic appearance of the plate or  
34 plates.

35         4. A vehicle owner, who was previously issued a plate or plates with the  
36 Association of Missouri Electric Cooperatives' lineman emblem authorized by this  
37 section but who does not provide an emblem-use authorization statement at a

38 subsequent time of registration, shall be issued a new plate or plates which do  
39 not bear the Association of Missouri Electric Cooperatives' lineman emblem, as  
40 otherwise provided by law. The director of revenue shall make necessary rules  
41 and regulations for the enforcement of this section, and shall design all necessary  
42 forms required by this section.

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

- 2 (1) "Biometric data", shall include, but not be limited to, the following:
- 3 (a) ~~Facial feature pattern characteristics;~~
- 4 (b) ~~Voice data used for comparing live speech with a previously created~~  
5 ~~speech model of a person's voice;~~
- 6 ~~(c)~~ (b) Iris recognition data containing color or texture patterns or  
7 codes;
- 8 ~~(d)~~ (c) Retinal scans, reading through the pupil to measure blood  
9 vessels lining the retina;
- 10 ~~(e)~~ (d) Fingerprint, palm prints, hand geometry, measure of any and  
11 all characteristics of biometric information, including shape and length of  
12 fingertips, or recording ridge pattern or fingertip characteristics;
- 13 (f) Eye spacing;
- 14 (g) (e) Characteristic gait or walk;
- 15 (h) (f) DNA;
- 16 (i) (g) Keystroke dynamic, measuring pressure applied to key pads or  
17 other digital receiving devices;
- 18 (2) "Commercial purposes", shall not include data used or compiled solely  
19 to be used for, or obtained or compiled solely for purposes expressly allowed  
20 under Missouri law or the federal Drivers Privacy Protection Act;
- 21 (3) "Source documents", original or certified copies, where applicable, of  
22 documents presented by an applicant as required under 6 CFR Part 37 to the  
23 department of revenue to apply for a driver's license or nondriver's  
24 license. Source documents shall also include any documents required for the  
25 issuance of driver's licenses or nondriver's licenses by the department of revenue  
26 under the provisions of this chapter or accompanying regulations.
- 27 2. Except as provided in subsection 3 of this section and as required to  
28 carry out the provisions of subsection 4 of this section, the department of revenue  
29 shall not retain copies, in any format, of source documents presented by  
30 individuals applying for or holding driver's licenses or nondriver's licenses or use  
31 technology to capture digital images of source documents so that the images are

32 capable of being retained in electronic storage in a transferable  
33 format. [Documents retained as provided or required by subsection 4 of this  
34 section shall be stored solely on a system not connected to the internet nor to a  
35 wide area network that connects to the internet. Once stored on such system, the  
36 documents and data shall be purged from any systems on which they were  
37 previously stored so as to make them irretrievable.]

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

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

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

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

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

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

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

58 4. (1) To the extent not prohibited under subsection 13 of this section, the  
59 department of revenue shall amend procedures for applying for a driver's license  
60 or identification card in order to comply with the goals or standards of the federal  
61 REAL ID Act of 2005, any rules or regulations promulgated under the authority  
62 granted in such Act, or any requirements adopted by the American Association  
63 of Motor Vehicle Administrators for furtherance of the Act, unless such action  
64 conflicts with Missouri law.

65 (2) The department of revenue shall issue driver's licenses or  
66 identification cards that are compliant with the federal REAL ID Act of 2005, as  
67 amended, to all applicants for driver's licenses or identification cards unless an

68 applicant requests a driver's license or identification card that is not REAL ID  
69 compliant. Except as provided in subsection 3 of this section and as required to  
70 carry out the provisions of this subsection, the department of revenue shall not  
71 retain the source documents of individuals applying for driver's licenses or  
72 identification cards not compliant with REAL ID. Upon initial application for a  
73 driver's license or identification card, the department shall inform applicants of  
74 the option of being issued a REAL ID compliant driver's license or identification  
75 card or a driver's license or identification card that is not compliant with REAL  
76 ID. The department shall inform all applicants:

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

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

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

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

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

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

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

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

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

103 5. The department of revenue shall not use, collect, obtain, share, or

104 retain biometric data nor shall the department use biometric technology to  
105 produce a driver's license or nondriver's license or to uniquely identify licensees  
106 or license applicants. This subsection shall not apply to digital images nor  
107 licensee signatures required for the issuance of driver's licenses and nondriver's  
108 licenses **or for the use of software for purposes of combating fraud**, or to  
109 biometric data collected from employees of the department of revenue, employees  
110 of the office of administration who provide information technology support to the  
111 department of revenue, contracted license offices, and contracted manufacturers  
112 engaged in the production, processing, or manufacture of driver's licenses or  
113 identification cards in positions which require a background check in order to be  
114 compliant with the federal REAL ID Act or any rules or regulations promulgated  
115 under the authority of such Act. Except as otherwise provided by law, applicants'  
116 source documents and Social Security numbers shall not be stored in any  
117 database accessible by any other state or the federal government. Such database  
118 shall contain only the data fields included on driver's licenses and nondriver  
119 identification cards compliant with the federal REAL ID Act, and the driving  
120 records of the individuals holding such driver's licenses and nondriver  
121 identification cards.

122         6. Notwithstanding any provision of this chapter that requires an  
123 applicant to provide reasonable proof of lawful presence for issuance or renewal  
124 of a noncommercial driver's license, noncommercial instruction permit, or a  
125 nondriver's license, an applicant shall not have his or her privacy rights violated  
126 in order to obtain or renew a Missouri noncommercial driver's license,  
127 noncommercial instruction permit, or a nondriver's license.

128         7. No citizen of this state shall have his or her privacy compromised by  
129 the state or agents of the state. The state shall within reason protect the  
130 sovereignty of the citizens the state is entrusted to protect. Any data derived  
131 from a person's application shall not be sold for commercial purposes to any other  
132 organization or any other state without the express permission of the applicant  
133 without a court order; except such information may be shared with a law  
134 enforcement agency, judge, prosecuting attorney, or officer of the court, or with  
135 another state for the limited purposes set out in section 302.600, or for the  
136 purposes set forth in section 32.091, or for conducting driver history checks in  
137 compliance with the Motor Carrier Safety Improvement Act, 49 U.S.C. Section  
138 31309. The state of Missouri shall protect the privacy of its citizens when  
139 handling any written, digital, or electronic data, and shall not participate in any

140 standardized identification system using driver's and nondriver's license records  
141 except as provided in this section.

142           8. Other than to process a request by a license or card holder or applicant,  
143 no person shall **knowingly** access, distribute, or allow access to or distribution  
144 of any written, digital, or electronic data collected or retained under this section  
145 without the express permission of the applicant or a court order, except that such  
146 information may be shared with a law enforcement agency, judge, prosecuting  
147 attorney, or officer of the court, or with another state for the limited purposes set  
148 out in section 302.600 or for conducting driver history checks in compliance with  
149 the Motor Carrier Safety Improvement Act, 49 U.S.C. Section 31309. A first  
150 violation of this subsection shall be a class A misdemeanor. A second violation  
151 of this subsection shall be a class E felony. A third or subsequent violation of  
152 this subsection shall be a class D felony.

153           9. Any person harmed or damaged by any violation of this section may  
154 bring a civil action for damages, including noneconomic and punitive damages,  
155 as well as injunctive relief, in the circuit court where that person resided at the  
156 time of the violation or in the circuit court of Cole County to recover such  
157 damages from the department of revenue and any persons participating in such  
158 violation. Sovereign immunity shall not be available as a defense for the  
159 department of revenue in such an action. In the event the plaintiff prevails on  
160 any count of his or her claim, the plaintiff shall be entitled to recover reasonable  
161 attorney fees from the defendants.

162           10. The department of revenue may promulgate rules necessary to  
163 implement the provisions of this section. Any rule or portion of a rule, as that  
164 term is defined in section 536.010, that is created under the authority delegated  
165 in this section shall become effective only if it complies with and is subject to all  
166 of the provisions of chapter 536 and, if applicable, section 536.028. This section  
167 and chapter 536 are nonseverable and if any of the powers vested with the  
168 general assembly pursuant to chapter 536 to review, to delay the effective date,  
169 or to disapprove and annul a rule are subsequently held unconstitutional, then  
170 the grant of rulemaking authority and any rule proposed or adopted after August  
171 28, 2017, shall be invalid and void.

172           11. Biometric data, digital images, source documents, and licensee  
173 signatures, or any copies of the same, required to be collected or retained to  
174 comply with the requirements of the federal REAL ID Act of 2005 shall be  
175 digitally retained for no longer than the minimum duration required to maintain

176 compliance, and immediately thereafter shall be securely destroyed so as to make  
177 them irretrievable.

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

182         13. Notwithstanding any provision of law to the contrary, the department  
183 of revenue shall not amend procedures for applying for a driver's license or  
184 identification card, nor promulgate any rule or regulation, for purposes of  
185 complying with modifications made to the federal REAL ID Act of 2005 after  
186 August 28, 2017, imposing additional requirements on applications, document  
187 retention, or issuance of compliant licenses or cards, including any rules or  
188 regulations promulgated under the authority granted under the federal REAL ID  
189 Act of 2005, as amended, or any requirements adopted by the American  
190 Association of Motor Vehicle Administrators for furtherance thereof.

191         14. If the federal REAL ID Act of 2005 is modified or repealed such that  
192 driver's licenses and identification cards issued by this state that are not  
193 compliant with the federal REAL ID Act of 2005 are once again sufficient for  
194 federal identification purposes, the department shall not issue a driver's license  
195 or identification card that complies with the federal REAL ID Act of 2005 and  
196 shall securely destroy, within thirty days, any source documents retained by the  
197 department for the purpose of compliance with such Act.

198         [15. The provisions of this section shall expire five years after August 28,  
199 2017.]

302.181. 1. The license issued pursuant to the provisions of sections  
2 302.010 to 302.340 shall be in such form as the director shall prescribe, but the  
3 license shall be a card made of plastic or other comparable material. All licenses  
4 shall be manufactured of materials and processes that will prohibit, as nearly as  
5 possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license  
6 without ready detection. [All licenses shall bear the licensee's Social Security  
7 number, if the licensee has one, and if not, a notarized affidavit must be signed  
8 by the licensee stating that the licensee does not possess a Social Security  
9 number, or, if applicable, a certified statement must be submitted as provided in  
10 subsection 4 of this section.] The license shall also bear the expiration date of the  
11 license, the classification of the license, the name, date of birth, residence address  
12 including the county of residence or a code number corresponding to such county

13 established by the department, and brief description and colored [photograph or]  
14 digitized image of the licensee, and a facsimile of the signature of the  
15 licensee. The director shall provide by administrative rule the procedure and  
16 format for a licensee to indicate on the back of the license together with the  
17 designation for an anatomical gift as provided in section 194.240 the name and  
18 address of the person designated pursuant to sections 404.800 to 404.865 as the  
19 licensee's attorney in fact for the purposes of a durable power of attorney for  
20 health care decisions. No license shall be valid until it has been so signed by the  
21 licensee. If any portion of the license is prepared by a private firm, any contract  
22 with such firm shall be made in accordance with the competitive purchasing  
23 procedures as established by the state director of the division of purchasing. [For  
24 all licenses issued or renewed after March 1, 1992, the applicant's Social Security  
25 number shall serve as the applicant's license number. Where the licensee has no  
26 Social Security number, or where the licensee is issued a license without a Social  
27 Security number in accordance with subsection 4 of this section, the director shall  
28 issue a license number for the licensee and such number shall also include an  
29 indicator showing that the number is not a Social Security number.]

30 2. All [film involved in the production of photographs] **digital images**  
31 **produced** for licenses shall become the property of the department of revenue.

32 3. The license issued shall be carried at all times by the holder thereof  
33 while driving a motor vehicle, and shall be displayed upon demand of any officer  
34 of the highway patrol, or any police officer or peace officer, or any other duly  
35 authorized person, for inspection when demand is made therefor. Failure of any  
36 operator of a motor vehicle to exhibit his or her license to any duly authorized  
37 officer shall be presumptive evidence that such person is not a duly licensed  
38 operator.

39 4. [The director of revenue shall issue a commercial or noncommercial  
40 driver's license without a Social Security number to an applicant therefor, who  
41 is otherwise qualified to be licensed, upon presentation to the director of a  
42 certified statement that the applicant objects to the display of the Social Security  
43 number on the license. The director shall assign an identification number, that  
44 is not based on a Social Security number, to the applicant which shall be  
45 displayed on the license in lieu of the Social Security number.

46 5.] The director of revenue shall not issue a license without a facial  
47 [photograph or] digital image of the license applicant, except as provided  
48 pursuant to subsection 8 of this section. A [photograph or] digital image of the

49 applicant's full facial features shall be taken in a manner prescribed by the  
50 director. No [photograph or] digital image [will] **shall** be taken wearing  
51 anything which cloaks the facial features of the individual.

52 [6.] 5. The department of revenue may issue a temporary license or a full  
53 license without the photograph or with the last photograph or digital image in the  
54 department's records to members of the Armed Forces, except that where such  
55 temporary license is issued it shall be valid only until the applicant shall have  
56 had time to appear and have his or her picture taken and a license with his or  
57 her photograph issued.

58 [7.] 6. The department of revenue shall issue upon request a nondriver's  
59 license card containing essentially the same information and photograph or  
60 digital image, except as provided pursuant to subsection 8 of this section, as the  
61 driver's license upon payment of six dollars. All nondriver's licenses shall expire  
62 on the applicant's birthday in the sixth year after issuance. A person who has  
63 passed his or her seventieth birthday shall upon application be issued a  
64 nonexpiring nondriver's license card. Notwithstanding any other provision of this  
65 chapter, a nondriver's license containing a concealed carry endorsement shall  
66 expire three years from the date the certificate of qualification was issued  
67 pursuant to section 571.101, as section 571.101 existed prior to August 28,  
68 2013. The fee for nondriver's licenses issued for a period exceeding three years  
69 is six dollars or three dollars for nondriver's licenses issued for a period of three  
70 years or less. The nondriver's license card shall be used for identification  
71 purposes only and shall not be valid as a license.

72 [8.] 7. If otherwise eligible, an applicant may receive a driver's license  
73 or nondriver's license without a photograph or digital image of the applicant's full  
74 facial features except that such applicant's photograph or digital image shall be  
75 taken and maintained by the director and not printed on such license. In order  
76 to qualify for a license without a photograph or digital image pursuant to this  
77 section the applicant must:

78 (1) Present a form provided by the department of revenue requesting the  
79 applicant's photograph be omitted from the license or nondriver's license due to  
80 religious affiliations. The form shall be signed by the applicant and another  
81 member of the religious tenant verifying the photograph or digital image  
82 exemption on the license or nondriver's license is required as part of their  
83 religious affiliation. The required signatures on the prescribed form shall be  
84 properly notarized;

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

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

97 [9.] 8. The department of revenue shall make available, at one or more  
98 locations within the state, an opportunity for individuals to have their full facial  
99 photograph taken by an employee of the department of revenue, or their designee,  
100 who is of the same sex as the individual being photographed, in a segregated  
101 location.

102 [10.] 9. Beginning July 1, 2005, the director shall not issue a driver's  
103 license or a nondriver's license for a period that exceeds an applicant's lawful  
104 presence in the United States. The director may, by rule or regulation, establish  
105 procedures to verify the lawful presence of the applicant and establish the  
106 duration of any driver's license or nondriver's license issued under this section.

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

110 **10. (1) Notwithstanding any biometric data restrictions**  
111 **contained in section 302.170, the department of revenue is hereby**  
112 **authorized to design and implement a secure digital driver's license**  
113 **program that allows applicants applying for a driver's license in**  
114 **accordance with this chapter to obtain a secure digital driver's license**  
115 **in addition to the physical card-based license specified in this section.**

116 **(2) A digital driver's license as described in this subsection shall**  
117 **be accepted for all purposes for which a license, as defined in section**  
118 **302.010, is used.**

119 **(3) The department may contract with one or more entities to**  
120 **develop the secure digital driver's license system. The department or**

121 entity may develop a mobile software application capable of being  
122 utilized through a person's electronic device to access the person's  
123 secure digital driver's license.

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

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

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

130 11. The director of the department of revenue may promulgate  
131 rules as necessary for the implementation of this section. Any rule or  
132 portion of a rule, as that term is defined in section 536.010 that is  
133 created under the authority delegated in this section shall become  
134 effective only if it complies with and is subject to all of the provisions  
135 of chapter 536 and, if applicable, section 536.028. This section and  
136 chapter 536 are nonseverable and if any of the powers vested with the  
137 general assembly pursuant to chapter 536 to review, to delay the  
138 effective date, or to disapprove and annul a rule are subsequently held  
139 unconstitutional, then the grant of rulemaking authority and any rule  
140 proposed or adopted after the effective date of this act shall be invalid  
141 and void.

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

6 (1) Posttraumatic stress disorder;

7 (2) Diabetes;

8 (3) Heart conditions;

9 (4) Epilepsy;

10 (5) Drug allergies;

11 (6) Alzheimer's or dementia;

12 (7) Schizophrenia;

13 (8) Autism; or

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

16 2. Any person requesting the inclusion of a medical alert

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

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

34         4. Any person who has been issued a driver's license or  
35 nondriver's identification card bearing medical alert information may  
36 be issued a replacement driver's license or nondriver's identification  
37 card excluding such medical alert information at his or her request and  
38 upon payment of the fee provided in this chapter for replacement of  
39 lost licenses or identification cards.

40         5. No medical alert information shall be printed on or removed  
41 from a driver's license or nondriver's identification card without the  
42 express consent of the licensee. If the licensee is a child under the age  
43 of eighteen, consent for the printing of medical alert information shall  
44 be provided by the parent or guardian of the child when he or she signs  
45 the application for the driver's license or nondriver's identification  
46 card. If the licensee is an incapacitated adult, consent for the printing  
47 of medical alert information shall be given by the guardian of such  
48 adult as appointed by a court of competent jurisdiction.

49         6. The director of the department of revenue may promulgate all  
50 necessary rules and regulations for the administration of this  
51 section. Any rule or portion of a rule, as that term is defined in section  
52 536.010, that is created under the authority delegated in this section  
53 shall become effective only if it complies with and is subject to all of

54 **the provisions of chapter 536 and, if applicable, section 536.028. This**  
55 **section and chapter 536 are nonseverable, and if any of the powers**  
56 **vested with the general assembly pursuant to chapter 536 to review, to**  
57 **delay the effective date, or to disapprove and annul a rule are**  
58 **subsequently held unconstitutional, then the grant of rulemaking**  
59 **authority and any rule proposed or adopted after August 28, 2020, shall**  
60 **be invalid and void.**

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

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

30 Patriot Act of 2001 (Title X of Public Law 107-56) as specified and required by  
31 regulations promulgated by the Secretary. Nothing contained in this subsection  
32 shall be construed as prohibiting the director from establishing alternate testing  
33 formats for those who are functionally illiterate; provided, however, that any such  
34 alternate test must comply with the minimum requirements of the Commercial  
35 Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) as established by  
36 the Secretary.

37 (1) The written and driving tests shall be held at such times and in such  
38 places as the superintendent may designate. A twenty-five dollar examination  
39 fee shall be paid by the applicant upon completion of any written or driving test,  
40 except the examination fee shall be waived for applicants seventy years of age or  
41 older renewing a license with a school bus endorsement. The director shall  
42 delegate the power to conduct the examinations required under sections 302.700  
43 to 302.780 to any member of the highway patrol or any person employed by the  
44 highway patrol qualified to give driving examinations. The written test shall only  
45 be administered in the English language. No translators shall be allowed for  
46 applicants taking the test.

47 (2) The director shall adopt and promulgate rules and regulations  
48 governing the certification of third-party testers by the department of  
49 revenue. Such rules and regulations shall substantially comply with the  
50 requirements of 49 CFR 383, Section 383.75. A certification to conduct  
51 third-party testing shall be valid for one year, and the department shall charge  
52 a fee of one hundred dollars to issue or renew the certification of any third-party  
53 tester.

54 (3) Beginning August 28, 2006, the director shall issue or renew  
55 third-party tester certification to community colleges established under chapter  
56 178 or to private companies who own, lease, or maintain their own fleet and  
57 administer in-house testing to their employees, or to school districts and their  
58 agents that administer in-house testing to the school district's or agent's  
59 employees. Any third-party tester who violates any of the rules and regulations  
60 adopted and promulgated pursuant to this section shall be subject to having his  
61 certification revoked by the department. The department shall provide written  
62 notice and an opportunity for the third-party tester to be heard in substantially  
63 the same manner as provided in chapter 536. If any applicant submits evidence  
64 that he has successfully completed a test administered by a third-party tester, the  
65 actual driving test for a commercial driver's license may then be waived.

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

73 (5) The director shall have the authority to waive the driving skills and  
74 written tests for any qualified current or former military service member  
75 applicant for a commercial driver's instruction permit or a commercial driver's  
76 license who is currently licensed at the time of application for a commercial  
77 driver's instruction permit or commercial driver's license. The director shall  
78 impose conditions and limitations and require certification and evidence to  
79 restrict the applicants from whom the department may accept the alternative  
80 requirements for the skills and written tests described in federal regulations  
81 CFR 383.71 and 49 CFR 383.77. Applicant's shall meet all federal and state  
82 qualifications to operate a commercial vehicle. Applicants shall be required to  
83 complete all applicable tests, except when the applicant provides proof of  
84 approved military training sufficient for [wiaver] **waiver** of the written  
85 knowledge and skills tests as specified in this subdivision and subdivision (5) of  
86 subsection 3 of section 302.170.

87 3. A commercial driver's license or commercial driver's instruction permit  
88 may not be issued to a person while the person is disqualified from driving a  
89 commercial motor vehicle, when a disqualification is pending in any state or while  
90 the person's driver's license is suspended, revoked, or cancelled in any state; nor  
91 may a commercial driver's license be issued unless the person first surrenders in  
92 a manner prescribed by the director any commercial driver's license issued by  
93 another state, which license shall be returned to the issuing state for  
94 cancellation.

95 4. Beginning July 1, 2005, the director shall not issue an instruction  
96 permit under this section unless the director verifies that the applicant is  
97 lawfully present in the United States before accepting the application. The  
98 director may, by rule or regulation, establish procedures to verify the lawful  
99 presence of the applicant under this section. No rule or portion of a rule  
100 promulgated pursuant to the authority of this section shall become effective  
101 unless it has been promulgated pursuant to chapter 536.

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

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

113           **7. The director shall adopt and promulgate rules and regulations**  
114 **establishing a process for applicants with disabilities to request testing**  
115 **accommodations with respect to both the written and driving tests**  
116 **required under this section and to establish criteria for awarding such**  
117 **accommodations. The rules shall specify that a hearing test shall not**  
118 **be a component of the written test or driving test for any applicant who**  
119 **is deaf or hard of hearing. Any rule or portion of a rule, as that term**  
120 **is defined in section 536.010, that is created under the authority**  
121 **delegated in this section shall become effective only if it complies with**  
122 **and is subject to all of the provisions of chapter 536 and, if applicable,**  
123 **section 536.028. This section and chapter 536 are nonseverable and if**  
124 **any of the powers vested with the general assembly pursuant to chapter**  
125 **536 to review, to delay the effective date, or to disapprove and annul a**  
126 **rule are subsequently held unconstitutional, then the grant of**  
127 **rulemaking authority and any rule proposed or adopted after August**  
128 **28, 2020, shall be invalid and void.**

129           8. If the United States Secretary of Transportation determines  
130 that subsection 7 of this section has the effect of placing the state of  
131 Missouri in noncompliance with any federal constitutional, statutory,  
132 or regulatory provision that would result in the loss of any federal aid  
133 funds to the Missouri highways and transportation commission, then  
134 subsection 7 of this section shall be null and void.

          302.723. 1. Notwithstanding any other provision of law, any  
2 entity providing commercial driver's license training to persons  
3 preparing to apply for commercial driver's licenses under the  
4 provisions of sections 302.700 to 302.780 shall provide reasonable

5 accommodations for persons who are deaf or hard of hearing.

6           **2. If the United States Secretary of Transportation determines**  
7 **that this section or subsection 7 of section 302.720 has the effect of**  
8 **placing the state of Missouri in noncompliance with any federal**  
9 **constitutional, statutory, or regulatory provision that would result in**  
10 **the loss of any federal aid funds to the Missouri highways and**  
11 **transportation commission, then this section shall be null and void.**

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

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

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

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

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

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

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

30 the vehicle according to the requirements of the division of motor carrier and  
31 railroad safety pursuant to section 390.126.

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

39 (1) Beginning January 1, 2001, the director may require such information,  
40 as in his or her discretion is necessary to enforce the requirements of subdivision  
41 (1) of subsection 1 of this section, to be submitted from the person's insurer or  
42 insurance company. When requested by the director of revenue, all licensed  
43 insurance companies in this state which sell private passenger (noncommercial)  
44 motor vehicle insurance policies shall report information regarding the issuance,  
45 nonrenewal and cancellation of such policies to the director, excluding policies  
46 issued to owners of fleet or rental vehicles or issued on vehicles that are insured  
47 pursuant to a commercial line policy. Such information shall be reported  
48 electronically in a format as prescribed by the director of the department of  
49 revenue by rule [except that such rule shall provide for an exemption from  
50 electronic reporting for insurers with a statistically insignificant number of  
51 policies in force].

52 (2) When required by the director of revenue, each insurance company  
53 shall provide to the department a record of each policy issued, cancelled,  
54 terminated or revoked during the period since the previous report. [Nothing in  
55 this section shall prohibit insurance companies from reporting more frequently  
56 than once per month] **The director of revenue may require insurance**  
57 **companies to provide such records as frequently as he or she deems**  
58 **necessary.**

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

61 4. Information provided to the department by an insurance company for  
62 use in accordance with this section is the property of the insurer and is not  
63 subject to disclosure pursuant to chapter 610. Such information may be utilized  
64 by the department for enforcement of this chapter but may not be disclosed except  
65 that the department shall disclose whether an individual is maintaining the

66 required insurance coverage upon request of the following individuals and  
67 agencies only:

68 (1) The individual;

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

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

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

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

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

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

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

90 6. Any person or agency who knowingly discloses information received  
91 from insurance companies pursuant to this section for any purpose, or to a  
92 person, other than those authorized in this section is guilty of a class A  
93 misdemeanor. No insurer shall be liable to any person for performing its duties  
94 pursuant to this section unless and to the extent the insurer commits a willful  
95 and wanton act of omission.

96 7. The department of revenue shall notify the department of commerce  
97 and insurance of any insurer who violates any provisions of this section. The  
98 department of commerce and insurance may, against any insurer who knowingly  
99 fails to comply with this section, assess an administrative penalty up to five  
100 hundred dollars per day of noncompliance. The department of commerce and  
101 insurance may excuse the administrative penalty if an assessed insurer provides

102 acceptable proof that such insurer's noncompliance was inadvertent, accidental  
103 or the result of excusable neglect. The penalty provisions of this section shall  
104 become effective six months after the rule issued pursuant to subsections 3 and  
105 5 of this section is published in the code of state regulations.

106 8. To verify that financial responsibility is being maintained, the director  
107 shall notify the owner or operator of the need to provide, within fifteen days,  
108 proof of the existence of the required financial responsibility. The request shall  
109 require the owner or the operator to state whether or not the motor vehicle was  
110 insured on the verification date stated in the director's request. The request may  
111 include but not be limited to a statement of the names and addresses of insurers,  
112 policy numbers and expiration date of insurance coverage. Failure to provide  
113 such information shall result in the suspension of the registration of the owner's  
114 motor vehicle, and where applicable, the owner's or the operator's driving  
115 privilege, for failing to meet such requirements, as is provided in this chapter.

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

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

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

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

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

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

52	30	40,000	58,500	62,000	66,500	72,000
53	31	40,000	59,000	62,500	67,500	72,500
54	32	40,000	60,000	63,500	68,000	73,000
55	33	40,000	60,000	64,000	68,500	74,000
56	34	40,000	60,000	64,500	69,000	74,500
57	35	40,000	60,000	65,500	70,000	75,000
58	36		60,000	66,000	70,500	75,500
59	37		60,000	66,500	71,000	76,000
60	38		60,000	67,500	72,000	77,000
61	39		60,000	68,000	72,500	77,500
62	40		60,000	68,500	73,000	78,000
63	41		60,000	69,500	73,500	78,500
64	42		60,000	70,000	74,000	79,000
65	43		60,000	70,500	75,000	80,000
66	44		60,000	71,500	75,500	80,000
67	45		60,000	72,000	76,000	80,000
68	46		60,000	72,500	76,500	80,000
69	47		60,000	73,500	77,500	80,000
70	48		60,000	74,000	78,000	80,000
71	49		60,000	74,500	78,500	80,000
72	50		60,000	75,500	79,000	80,000
73	51		60,000	76,000	80,000	80,000
74	52		60,000	76,500	80,000	80,000
75	53		60,000	77,500	80,000	80,000
76	54		60,000	78,000	80,000	80,000
77	55		60,000	78,500	80,000	80,000
78	56		60,000	79,500	80,000	80,000
79	57		60,000	80,000	80,000	80,000

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

84 4. Whenever the state highways and transportation commission finds that  
85 any state highway bridge in the state is in such a condition that use of such  
86 bridge by vehicles of the weights specified in subsection 3 of this section will  
87 endanger the bridge, or the users of the bridge, the commission may establish

88 maximum weight limits and speed limits for vehicles using such bridge. The  
89 governing body of any city or county may grant authority by act or ordinance to  
90 the commission to enact the limitations established in this section on those  
91 roadways within the purview of such city or county. Notice of the weight limits  
92 and speed limits established by the commission shall be given by posting signs  
93 at a conspicuous place at each end of any such bridge.

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

98 6. Notwithstanding the weight limitations contained in this section, any  
99 vehicle or combination of vehicles operating on highways other than the interstate  
100 highway system may exceed single axle, tandem axle and gross weight limitations  
101 in an amount not to exceed two thousand pounds. However, total gross weight  
102 shall not exceed eighty thousand pounds, except as provided in subsections 9, 10,  
103 12, and 13 of this section.

104 7. Notwithstanding any provision of this section to the contrary, the  
105 commission shall issue a single-use special permit, or upon request of the owner  
106 of the truck or equipment shall issue an annual permit, for the transporting of  
107 any crane or concrete pump truck or well-drillers' equipment. The commission  
108 shall set fees for the issuance of permits and parameters for the transport of  
109 cranes pursuant to this subsection. Notwithstanding the provisions of section  
110 301.133, cranes, concrete pump trucks, or well-drillers' equipment may be  
111 operated on state-maintained roads and highways at any time on any day.

112 8. Notwithstanding the provision of this section to the contrary, the  
113 maximum gross vehicle limit and axle weight limit for any vehicle or combination  
114 of vehicles equipped with an idle reduction technology may be increased by a  
115 quantity necessary to compensate for the additional weight of the idle reduction  
116 system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the  
117 additional weight increase allowed by this subsection be greater than five  
118 hundred fifty pounds. Upon request by an appropriate law enforcement officer,  
119 the vehicle operator shall provide proof that the idle reduction technology is fully  
120 functional at all times and that the gross weight increase is not used for any  
121 purpose other than for the use of idle reduction technology.

122 9. Notwithstanding any provision of this section or any other law to the  
123 contrary, the total gross weight of any vehicle or combination of vehicles hauling

124 milk, from a farm to a processing facility or livestock may be as much as, but  
125 shall not exceed, eighty-five thousand five hundred pounds while operating on  
126 highways other than the interstate highway system. The provisions of this  
127 subsection shall not apply to vehicles operated and operating on the Dwight D.  
128 Eisenhower System of Interstate and Defense Highways.

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

136           11. Notwithstanding any provision of this section or any other law to the  
137 contrary, the commission shall issue emergency utility response permits for the  
138 transporting of utility wires or cables, poles, and equipment needed for repair  
139 work immediately following a disaster where utility service has been  
140 disrupted. Under exigent circumstances, verbal approval of such operation may  
141 be made either by the department of transportation motor carrier compliance  
142 supervisor or other designated motor carrier services representative. Utility  
143 vehicles and equipment used to assist utility companies granted special permits  
144 under this subsection may be operated and transported on state-maintained roads  
145 and highways at any time on any day. The commission shall promulgate all  
146 necessary rules and regulations for the administration of this section. Any rule  
147 or portion of a rule, as that term is defined in section 536.010, that is created  
148 under the authority delegated in this section shall become effective only if it  
149 complies with and is subject to all of the provisions of chapter 536 and, if  
150 applicable, section 536.028. This section and chapter 536 are nonseverable and  
151 if any of the powers vested with the general assembly pursuant to chapter 536 to  
152 review, to delay the effective date, or to disapprove and annul a rule are  
153 subsequently held unconstitutional, then the grant of rulemaking authority and  
154 any rule proposed or adopted after August 28, 2014, shall be invalid and void.

155           12. Notwithstanding any provision of this section to the contrary,  
156 emergency vehicles designed to be used under emergency conditions to transport  
157 personnel and equipment and to **support the suppression of fires and**  
158 mitigate hazardous situations may have a maximum gross vehicle weight of  
159 eighty-six thousand pounds inclusive of twenty-four thousand pounds on a single

160 steering axle; thirty-three thousand five hundred pounds on a single drive axle;  
161 sixty-two thousand pounds on a tandem axle; or fifty-two thousand pounds on a  
162 tandem rear-drive steer axle; **except that, such emergency vehicles shall**  
163 **only operate on the Dwight D. Eisenhower National System of**  
164 **Interstate and Defense Highways.**

165 13. Notwithstanding any provision of this section to the contrary, a  
166 vehicle operated by an engine fueled primarily by natural gas may operate upon  
167 the public highways of this state in excess of the vehicle weight limits set forth  
168 in this section by an amount that is equal to the difference between the weight  
169 of the vehicle attributable to the natural gas tank and fueling system carried by  
170 that vehicle and the weight of a comparable diesel tank and fueling system. In  
171 no event shall the maximum gross vehicle weight of the vehicle operating with a  
172 natural gas engine exceed eighty-two thousand pounds.

**305.800. As used in sections 305.800 to 305.810, the following**  
2 **terms mean:**

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

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

11 **(3) "Derelict aircraft", any aircraft that is not in a flyable**  
12 **condition, does not have a current certificate of airworthiness issued**  
13 **by the Federal Aviation Administration, and is not in the process of**  
14 **actively being repaired.**

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

3 **(1) Make a record of the date the aircraft was discovered on the**  
4 **airport property; and**

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

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

11           **(b) Contacting an aircraft title search company.**

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

16           **(1) Of the location of the derelict or abandoned aircraft on the**  
17 **airport property;**

18           **(2) That fees and charges for the use of the airport by the**  
19 **aircraft have accrued and the amount of those fees and charges;**

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

23           **(4) That the lien is subject to enforcement under this section;**

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

30           **(6) That the airport superintendent may remove the aircraft in**  
31 **less than thirty calendar days if the aircraft poses a danger to the**  
32 **health or safety of users of the airport, as determined by the airport**  
33 **superintendent.**

34           **3. (1) If the owner of the aircraft is unknown or cannot be found**  
35 **after the inquiry required under subdivision (2) of subsection 1 of this**  
36 **section, the airport superintendent shall place a notice upon the**  
37 **aircraft in a conspicuous place containing the information required**  
38 **under subdivisions (2), (3), (4), (5), and (6) of subsection 2 of this**  
39 **section.**

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

**305.804. 1. If the owner or other interested party has not**  
2 **removed the aircraft from the airport and paid in full all accrued fees**  
3 **and charges for the use of the airport and for the transportation,**  
4 **storage, and removal of the aircraft, or shown reasonable cause for the**

5 failure to do so within thirty calendar days of the airport  
6 superintendent posting notice under section 305.802, the airport  
7 superintendent may:

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

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

12 (3) Sell the aircraft; or

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

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

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

31 4. If the sale price or the negotiated price is less than the airport  
32 superintendent's current fees and charges against the aircraft, the  
33 owner of the aircraft shall remain liable to the airport superintendent  
34 for the fees and charges that are not offset by the sale price or  
35 negotiated price.

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

305.806. 1. The airport superintendent shall have a lien on a  
2 derelict or abandoned aircraft for all unpaid fees and charges for the  
3 use of the airport by the aircraft and for all unpaid costs incurred by

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

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

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

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

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

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

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

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

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

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

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

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

      305.810. 1. Any person acquiring a legal interest in an aircraft  
2 under sections 305.800 to 305.810 shall be the lawful owner of the  
3 aircraft and all other legal or equitable interests in that aircraft shall  
4 be divested; provided that, the holder of any legal or equitable interest

5 was notified of the intended disposal of the aircraft as required under  
6 sections 305.800 to 305.810.

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

306.127. 1. Beginning January 1, 2005, every person born after January  
2 1, 1984, or as required pursuant to section 306.128, who operates a vessel on the  
3 lakes of this state shall possess, on the vessel, a boating safety identification card  
4 issued by the water patrol division or its agent which shows that he or she has:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 5. The water patrol division shall inform other states of the requirements  
46 of this section.

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

50 7. Any person or company that rents or sells vessels may issue a  
51 temporary boating safety identification card to an individual to operate a rented  
52 vessel or a vessel being considered for sale, for a period of up to seven days,  
53 provided that the individual meets the minimum age requirements for operating  
54 a vessel in this state. In order to qualify for the temporary boating safety  
55 identification card, the applicant shall provide a valid driver's license and shall  
56 sign an affidavit that he or she has reviewed the Missouri state highway patrol  
57 handbook of Missouri boating laws and responsibilities. Any individual holding  
58 a valid temporary boating safety identification card shall be deemed in  
59 compliance with the requirements of this section. The Missouri state highway  
60 patrol shall charge a fee of nine dollars for such temporary boating safety  
61 identification card. Individuals shall not be eligible for more than one temporary  
62 boating safety identification card. No person or company may issue a temporary  
63 boating safety identification card to an individual under the provisions of this  
64 subsection unless such person or company is capable of submitting the applicant's  
65 temporary boating safety identification card information and payment in an  
66 electronic format as prescribed by the Missouri state highway patrol. The  
67 business entity issuing a temporary boating safety identification card to an

68 individual under the provisions of this subsection shall transmit the applicant's  
69 temporary boating safety identification card information electronically to the  
70 Missouri state highway patrol, in a manner and format prescribed by the  
71 superintendent, using an electronic online registration process developed and  
72 provided by the Missouri state highway patrol. The electronic online process  
73 developed and provided by the Missouri state highway patrol shall allow the  
74 applicant to pay the temporary boating safety identification card fee by credit  
75 card or debit card. Notwithstanding any provision in section 306.185 to the  
76 contrary, all fees collected under the authority of this subsection shall be  
77 deposited in the water patrol division fund. The Missouri state highway patrol  
78 shall promulgate rules for developing the temporary boating safety identification  
79 card and any requirements necessary to the issuance, processing, and payment  
80 of the temporary boating safety identification card. The Missouri state highway  
81 patrol shall, by rule, develop a boating safety checklist for each applicant seeking  
82 a temporary boating safety identification card. Nothing in this subsection shall  
83 allow a holder of a temporary boating safety identification card to receive a  
84 notation on the person's driver's license or nondriver identification under section  
85 302.184. The provisions of this subsection shall expire on December 31, [2022]  
86 **2032.**

307.015. 1. Trucks, semitrailers, and trailers, except utility trailers,  
2 without rear fenders, attached to a commercial motor vehicle registered for over  
3 twenty-four thousand pounds shall be equipped with mud flaps for the rear  
4 wheels when operated on the public highways of this state. If mud flaps are  
5 used, they shall be wide enough to cover the full tread width of the tire or tires  
6 being protected; shall be so installed that they extend from the underside of the  
7 vehicle body in a vertical plane behind the rear wheels to within **twelve inches**  
8 **of the ground for dump trucks and within** eight inches of the ground **for all**  
9 **other vehicles required to be equipped with mud flaps under this**  
10 **section;** and shall be constructed of a rigid material or a flexible material which  
11 is of a sufficiently rigid character to provide adequate protection when the vehicle  
12 is in motion. No provisions of this section shall apply to a motor vehicle in  
13 transit and in process of delivery equipped with temporary mud flaps, to farm  
14 implements, or to any vehicle which is not 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 end**  
17 **of the platform can be hydraulically raised so that the load is**

18 **discharged by gravity.**

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

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

3 (1) "Administrative hearing commission", the body established in chapter  
4 621 to conduct administrative hearings;

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

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

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

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

17 (a) Good faith recommendations, exposition, argument, persuasion or  
18 attempts at persuasion without unreasonable conditions;

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

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

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

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

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

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

33 (6) "Dealer-operator", the individual who works at the established place

34 of business of a dealer and who is responsible for and in charge of day-to-day  
35 operations of that place of business;

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

38 (8) "Franchise" or "franchise agreement", a written arrangement or  
39 contract for a definite or indefinite period, in which a person grants to another  
40 person a license to use, or the right to grant to others a license to use, a trade  
41 name, trademark, service mark, or related characteristics, in which there is a  
42 community of interest in the marketing of goods or services, or both, at wholesale  
43 or retail, by agreement, lease or otherwise, and in which the operation of the  
44 franchisee's business with respect to such franchise is substantially reliant on the  
45 franchisor for the continued supply of franchised new motor vehicles, parts and  
46 accessories for sale at wholesale or retail. The franchise includes all portions of  
47 all agreements between a franchisor and a franchisee, including but not limited  
48 to a contract, new motor vehicle franchise, sales and service agreement, or dealer  
49 agreement, regardless of the terminology used to describe the agreement or  
50 relationship between the franchisor and franchisee, and also includes all  
51 provisions, schedules, attachments, exhibits and agreements incorporated by  
52 reference therein;

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

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

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

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

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

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

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

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

80 (15) "Motor vehicle", for the purposes of sections 407.810 to 407.835, any  
81 motor-driven vehicle required to be registered pursuant to the provisions of  
82 chapter 301, except that, motorcycles and all-terrain vehicles as defined in section  
83 301.010 shall not be included. The term "motor vehicle" shall also include any  
84 engine, transmission, or rear axle, regardless of whether attached to a vehicle  
85 chassis, that is manufactured for the installation in any motor-driven vehicle with  
86 a gross vehicle weight rating of more than sixteen thousand pounds that is  
87 registered for the operations on the highways of this state under chapter 301;

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

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

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

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

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

99 (21) "Successor manufacturer", any manufacturer that succeeds, or  
100 assumes any part of the business of, another manufacturer, referred to as the  
101 "predecessor manufacturer", as the result of:

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

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

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

109 (d) A change in distribution system by the predecessor manufacturer,  
110 whether through a change in distributor or the predecessor manufacturer's  
111 decision to cease conducting business through a distributor altogether.

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

3 (1) "Administrative hearing commission", the body established in chapter  
4 621 to conduct administrative hearings;

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

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

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

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

16 (a) Good faith recommendations, exposition, argument, persuasion or  
17 attempts at persuasion;

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

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

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

25 (4) "Franchise", a written arrangement or contract for a definite or  
26 indefinite period, in which a person grants to another person a license to use, or  
27 the right to grant to others a license to use, a trade name, trademark, service  
28 mark, or related characteristics, in which there is a community of interest in the  
29 marketing of goods or services, or both, at wholesale or retail, by agreement, lease  
30 or otherwise, and in which the operation of the franchisee's business with respect

31 to such franchise is substantially reliant on the franchisor for the continued  
 32 supply of franchised new motorcycles or all-terrain vehicles, parts and accessories  
 33 for sale at wholesale or retail;

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

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

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

37 (8) "New", when referring to motorcycles or all-terrain vehicles or parts,  
 38 means those motorcycles or all-terrain vehicles or parts which have not been held  
 39 except as inventory, as that term is defined in subdivision (4) of section  
 40 400.9-109;

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

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

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

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

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

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

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

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

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

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

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

25 **arrangement;**

26 (4) "Court", any circuit, associate circuit, or municipal court, including  
27 traffic court, but not any juvenile court or treatment court;

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

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

31 (b) Three or more intoxication-related traffic offenses committed on  
32 separate occasions where at least one of the intoxication-related traffic offenses  
33 is an offense committed in violation of any state law, county or municipal  
34 ordinance, any federal offense, or any military offense in which the defendant was  
35 operating a vehicle while intoxicated and another person was injured or killed;  
36 or

37 (c) Two or more intoxication-related traffic offenses committed on separate  
38 occasions where both intoxication-related traffic offenses were offenses committed  
39 in violation of any state law, county or municipal ordinance, any federal offense,  
40 or any military offense in which the defendant was operating a vehicle while  
41 intoxicated and another person was injured or killed;

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

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

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

49 (c) Two or more intoxication-related boating offenses committed on  
50 separate occasions where both intoxication-related boating offenses were offenses  
51 committed in violation of any state law, county or municipal ordinance, any  
52 federal offense, or any military offense in which the defendant was operating a  
53 vessel while intoxicated and another person was injured or killed;

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

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

61 (9) "Drive", "driving", "operates" or "operating", physically driving or  
62 operating a vehicle or vessel;

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

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

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

68 (b) Four or more intoxication-related traffic offenses committed on  
69 separate occasions where at least one of the intoxication-related traffic offenses  
70 is an offense committed in violation of any state law, county or municipal  
71 ordinance, any federal offense, or any military offense in which the defendant was  
72 operating a vehicle while intoxicated and another person was injured or killed;  
73 or

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

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

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

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

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

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

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

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

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

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

102 (14) "Intoxication-related boating offense", operating a vessel while  
103 intoxicated; boating while intoxicated; operating a vessel with excessive blood  
104 alcohol content or an offense in which the defendant was operating a vessel while  
105 intoxicated and another person was injured or killed in violation of any state law,  
106 county or municipal ordinance, any federal offense, or any military offense;

107 (15) "Intoxication-related traffic offense", driving while intoxicated,  
108 driving with excessive blood alcohol content, driving under the influence of  
109 alcohol or drugs in violation of a state law, county or municipal ordinance, any  
110 federal offense, or any military offense, or an offense in which the defendant was  
111 operating a vehicle while intoxicated and another person was injured or killed in  
112 violation of any state law, county or municipal ordinance, any federal offense, or  
113 any military offense;

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

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

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

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

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

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

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

130 (b) One intoxication-related boating offense committed in violation of any  
131 state law, county or municipal ordinance, federal offense, or military offense in  
132 which the defendant was operating a vessel while intoxicated and another person

133 was injured or killed;

134 (20) "Prior offender", a person who has been found guilty of one  
135 intoxication-related traffic offense, where such prior offense occurred within five  
136 years of the occurrence of the intoxication-related traffic offense for which the  
137 person is charged;

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

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

✓

Bill

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