

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-THIRD DAY—WEDNESDAY, MARCH 10, 2021

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

The Reverend Carl Gauck offered the following prayer:

“If we really want to pray, we have to give time to learning its lessons.” (Mother Mary Clare)

Gracious God during this period before Easter we are more mindful of our relationship with You and our need to spend time in prayer. Help us Lord not only take the time to pray but also to be silent and experience Your presence as we discover ourselves before You. Help our faith to mature as we seek to deepen our relationship with You and become all that You intend for us to be. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bean	Beck	Bernskoetter	Brattin	Brown	Burlison
Cierpiot	Crawford	Eigel	Eslinger	Gannon	Hegeman	Hoskins
Hough	Koenig	Luetkemeyer	May	Moon	Mosley	O’Laughlin
Onder	Razer	Rehder	Riddle	Rizzo	Roberts	Rowden
Schatz	Schupp	Washington	White	Wieland	Williams—34	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

CONCURRENT RESOLUTIONS

Senator Roberts moved that **SCR 3**, with **SCS**, be taken up for adoption, which motion prevailed.

SCS for **SCR 3** was taken up.

Senator Roberts moved that **SCS** for **SCR 3** be adopted, which motion prevailed.

On motion of Senator Roberts, **SCR 3**, as amended by the **SCS**, was adopted by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brattin	Brown	Burlison
Cierpiot	Crawford	Eigel	Eslinger	Gannon	Hegeman	Hoskins
Hough	Koenig	Luetkemeyer	May	Mosley	O’Laughlin	Onder
Razer	Rehder	Riddle	Rizzo	Roberts	Rowden	Schatz
Schupp	Washington	White	Wieland	Williams—33		

NAYS—Senators—None

Absent—Senator Moon—1

Absent with leave—Senators—None

Vacancies—None

SCR 7, introduced by Senator Hegeman, entitled:

An Act relating to the North Central Missouri Regional Water Commission.

Was taken up.

On motion of Senator Hegeman, **SCR 7** was read for the third time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brattin	Brown	Burlison
Cierpiot	Crawford	Eigel	Eslinger	Gannon	Hegeman	Hoskins
Hough	Koenig	Luetkemeyer	May	Moon	Mosley	O’Laughlin
Onder	Razer	Rehder	Riddle	Rizzo	Roberts	Rowden
Schatz	Schupp	Washington	White	Wieland	Williams—34	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Hegeman, title to the concurrent resolution was agreed to.

Senator Hegeman moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Schatz moved that **SB 262**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 was again taken up.

At the request of Senator Schatz, **SS** for **SCS** for **SB 262** was withdrawn, rendering **SA 2** moot.

Senator Schatz offered **SS No. 2** for **SCS** for **SB 262**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 262

An Act to repeal sections 142.803, 142.824, 142.869, 301.192, 301.280, 302.755, 407.526, 407.536, and 407.556, RSMo, and to enact in lieu thereof eleven new sections relating to transportation, with penalty provisions and an emergency clause for certain sections.

Senator Schatz moved that **SS No. 2** for **SCS** for **SB 262** be adopted, which motion prevailed.

On motion of Senator Schatz, **SS No. 2** for **SCS** for **SB 262**, was declared perfected and ordered printed.

REFERRALS

President Pro Tem Schatz referred **SCR 19** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

Senator Wieland moved that **SB 4**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 4**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 4

An Act to repeal sections 303.025 and 303.041, RSMo, and to enact in lieu thereof seven new sections relating to motor vehicle financial responsibility, with penalty provisions.

Was taken up.

Senator Wieland moved that **SCS** for **SB 4** be adopted.

Senator Wieland offered **SS** for **SCS** for **SB 4**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 4

An Act to repeal sections 303.025 and 303.041, RSMo, and to enact in lieu thereof seven new sections relating to motor vehicle financial responsibility, with penalty provisions and an effective date for a certain section.

Senator Wieland moved that **SS** for **SCS** for **SB 4** be adopted.

Senator Koenig offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 4, Page 1, In the Title, Line 3, by striking “motor vehicle financial responsibility” and inserting in lieu thereof the following: “transportation”; and

Further amend said bill and page, Section A, Line 4, by inserting after all of said line the following:

“301.558. 1. A motor vehicle dealer, boat dealer, or powersport dealer may fill in the blanks on standardized forms in connection with the sale or lease of a new or used motor vehicle, vessel, or vessel trailer if the motor vehicle dealer, boat dealer, or powersport dealer does not charge for the services of filling in the blanks or otherwise charge for preparing documents.

2. A motor vehicle dealer, boat dealer, or powersport dealer may charge an administrative fee in connection with the sale or lease of a new or used motor vehicle, vessel, or vessel trailer for the storage of documents or any other administrative or clerical services not prohibited by this section. A portion of the administrative fee may result in profit to the motor vehicle dealer, boat dealer, or powersport dealer.

3. No motor vehicle dealer, boat dealer, or powersport dealer that sells or leases new or used motor vehicles, vessels, or vessel trailers and imposes an administrative fee of [less than two] **five** hundred dollars **or less** in connection with the sale or lease of a new or used vehicle, vessel, or vessel trailer for the storage of documents or any other administrative or clerical services shall be deemed to be engaging in the unauthorized practice of law. **The maximum administrative fee permitted under this subsection shall be increased annually by an amount equal to the percentage change in the annual average of the Consumer Price Index for All Urban Consumers or its successor index, as reported by the federal Bureau of Labor Statistics or its successor agency, or by zero, whichever is greater. The director of the department of revenue shall annually furnish the maximum administrative fee determined under this section to the secretary of state, who shall publish such value in the Missouri register as soon as practicable after January fourteenth of each year.**

4. If an administrative fee is charged under this section, the **same** administrative fee shall be charged to all retail customers [and] **unless the fee is limited by the dealer’s franchise agreement to certain classes of customers. The fee shall be** disclosed on the retail buyer’s order form as a separate itemized charge.

5. A preliminary worksheet on which a sale price is computed and that is shown to the purchaser, a retail buyer’s order form from the purchaser, or a retail installment contract shall include, in reasonable proximity to the place on the document where the administrative fee authorized by this section is disclosed, the amount of the administrative fee and the following notice in type that is boldfaced, capitalized, underlined, or otherwise conspicuously set out from the surrounding written material:

“AN ADMINISTRATIVE FEE IS NOT AN OFFICIAL FEE AND IS NOT REQUIRED BY LAW BUT MAY BE CHARGED BY A DEALER. THIS ADMINISTRATIVE FEE MAY RESULT IN A PROFIT TO DEALER. NO PORTION OF THIS ADMINISTRATIVE FEE IS FOR THE DRAFTING, PREPARATION, OR COMPLETION OF DOCUMENTS OR THE PROVIDING OF LEGAL ADVICE. THIS NOTICE IS REQUIRED BY LAW.”

6. The general assembly believes that an administrative fee charged in compliance with this section is not the unauthorized practice of law or the unauthorized business of law so long as the activity or service for which the fee is charged is in compliance with the provisions of this section and does not result in the

waiver of any rights or remedies. Recognizing, however, that the judiciary is the sole arbitrator of what constitutes the practice of law, in the event that a court determines that an administrative fee charged in compliance with this section, and that does not waive any rights or remedies of the buyer, is the unauthorized practice of law or the unauthorized business of law, then no person who paid that administrative fee may recover said fee or treble damages, as permitted under section 484.020, and no person who charged that fee shall be guilty of a misdemeanor, as provided under section 484.020.”; and

Further amend the title and enacting clause accordingly.

Senator Koenig moved that the above amendment be adopted, which motion prevailed.

Senator Brown offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 4, Page 1, In the Title, Line 3, by striking “vehicle financial responsibility, with penalty provisions” and inserting in lieu thereof the following: “vehicles, with penalty provisions and an emergency clause for certain sections”; and

Further amend said bill and page, Section A, Line 4, by inserting after all of said line the following:

“301.192. 1. In addition to any other requirements of section 301.190, when application is made for a certificate of ownership for a motor vehicle or trailer seven years old or older and the value of vehicle does not exceed three thousand dollars, for which no record of any prior application for a certificate of ownership exists in the records of the director of revenue or for which the records of the director of revenue reflect incomplete or conflicting documentation of ownership, the director of revenue may issue a certificate of ownership, not less than thirty days after receiving the completed application, provided it is accompanied by:

(1) An affidavit explaining how the motor vehicle or trailer was acquired and the reasons a valid certificate of ownership cannot be furnished;

(2) Presentation of all evidence of ownership in the applicant’s possession;

(3) Title verification from a state in which the vehicle was previously titled or registered if known, provided the vehicle was so previously titled or registered;

(4) A notarized lien release from any lienholder of record;

(5) A vehicle examination certificate issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The vehicle examination shall include a verification of the vehicle’s identification number and a determination that the vehicle has not been reported stolen in Missouri or any other state. The fee for the vehicle examination certificate shall be twenty-five dollars and shall be collected by the director of revenue at the time of the request for the application;

(6) A statement certifying the odometer reading of the motor vehicle if less than [ten] **twenty** years of age; and

(7) A surety bond or a suitable financial security instrument in a form prescribed by the director of revenue and executed by the applicant and a person authorized to conduct surety business in this state. The bond shall be an amount equal to two times the value of the vehicle as determined by the Kelly Blue Book,

NADA Used Car Guide or two appraisals from a licensed motor vehicle dealer. The bond shall be for a minimum of one hundred dollars and conditioned to indemnify any prior owner or lienholder and any subsequent purchaser of the vehicle or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage including reasonable attorneys fees, by reason of the issuance of the certificate of ownership of the vehicle or on account of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the vehicle. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond shall be returned at the end of three years, unless the department has been notified of the pendency of an action to recover on the bond.

2. Upon satisfaction with the genuineness of the application and supporting documents, the director of revenue shall issue a new certificate of ownership. The certificate of ownership shall appropriately be designated with the words “BONDED VEHICLE”.

301.280. 1. Every motor vehicle dealer and boat dealer shall make a monthly report to the department of revenue, on blanks to be prescribed by the department of revenue, giving the following information: date of the sale of each motor vehicle, boat, trailer and all-terrain vehicle sold; the name and address of the buyer; the name of the manufacturer; year of manufacture; model of vehicle; vehicle identification number; style of vehicle; odometer setting; and it shall also state whether the motor vehicle, boat, trailer or all-terrain vehicle is new or secondhand. Each monthly sales report filed by a motor vehicle dealer who collects sales tax under subsection 10 of section 144.070 shall also include the amount of state and local sales tax collected for each motor vehicle sold if sales tax was due. The odometer reading is not required when reporting the sale of any motor vehicle that is [ten] **twenty** years old or older, any motor vehicle having a gross vehicle weight rating of more than sixteen thousand pounds, new vehicles that are transferred on a manufacturer’s statement of origin between one franchised motor vehicle dealer and another, or boats, all-terrain vehicles or trailers. The sale of all temporary permits shall be recorded in the appropriate space on the dealer’s monthly sales report, unless the sale of the temporary permit is already recorded by electronic means as determined by the department. The monthly sales report shall include a statement of motor vehicles or trailers sold during the month under subsection 5 of section 301.210. The monthly sales report shall be completed in full and signed by an officer, partner, or owner of the dealership, and actually received by the department of revenue on or before the fifteenth day of the month succeeding the month for which the sales are being reported. If no sales occur in any given month, a report shall be submitted for that month indicating no sales. Any vehicle dealer who fails to file a monthly report or who fails to file a timely report shall be subject to disciplinary action as prescribed in section 301.562 or a penalty assessed by the director not to exceed three hundred dollars per violation. Every motor vehicle and boat dealer shall retain copies of the monthly sales report as part of the records to be maintained at the dealership location and shall hold them available for inspection by appropriate law enforcement officials and officials of the department of revenue. Every vehicle dealer selling twenty or more vehicles a month shall file the monthly sales report with the department in an electronic format. Any dealer filing a monthly sales report in an electronic format shall be exempt from filing the notice of transfer required by section 301.196. For any dealer not filing electronically, the notice of transfer required by section 301.196 shall be submitted with the monthly sales report as prescribed by the director.

2. Every dealer and every person operating a public garage shall keep a correct record of the vehicle identification number, odometer setting, manufacturer’s name of all motor vehicles or trailers accepted by

him for the purpose of sale, rental, storage, repair or repainting, together with the name and address of the person delivering such motor vehicle or trailer to the dealer or public garage keeper, and the person delivering such motor vehicle or trailer shall record such information in a file kept by the dealer or garage keeper. The record shall be kept for five years and be open for inspection by law enforcement officials, members or authorized or designated employees of the Missouri highway patrol, and persons, agencies and officials designated by the director of revenue.

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

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

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

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

302.755. 1. A person is disqualified from driving a commercial motor vehicle for a period of not less than one year if convicted of a first violation of:

(1) Driving a motor vehicle under the influence of alcohol or a controlled substance, or of an alcohol-related enforcement contact as defined in subsection 3 of section 302.525;

(2) Driving a commercial motor vehicle which causes a fatality through the negligent operation of the commercial motor vehicle, including but not limited to the offenses of vehicular manslaughter, homicide by motor vehicle, and negligent homicide;

(3) Driving a commercial motor vehicle while revoked pursuant to section 302.727;

(4) Leaving the scene of an accident involving a commercial or noncommercial motor vehicle operated by the person;

(5) Using a commercial or noncommercial motor vehicle in the commission of any felony, as defined in section 302.700, except a felony as provided in subsection 4 of this section.

2. If any of the violations described in subsection 1 of this section occur while transporting a hazardous material the person is disqualified for a period of not less than three years.

3. Any person is disqualified from operating a commercial motor vehicle for life if convicted of two or more violations of any of the offenses specified in subsection 1 of this section, or any combination of those offenses, arising from two or more separate incidents. The director may issue rules and regulations, in accordance with guidelines established by the Secretary, under which a disqualification for life under this section may be reduced to a period of not less than ten years.

4. Any person is disqualified from driving a commercial motor vehicle for life who uses a commercial or noncommercial motor vehicle in the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, or possession with intent to manufacture, distribute, or dispense a controlled substance.

5. Any person is disqualified from operating a commercial motor vehicle for a period of not less than sixty days if convicted of two serious traffic violations or one hundred twenty days if convicted of three serious traffic violations, arising from separate incidents occurring within a three-year period.

6. Any person found to be operating a commercial motor vehicle while having any measurable alcohol concentration shall immediately be issued a continuous twenty-four-hour out-of-service order by a law enforcement officer in this state.

7. Any person who is convicted of operating a commercial motor vehicle beginning at the time of issuance of the out-of-service order until its expiration is guilty of a class A misdemeanor.

8. Any person convicted for the first time of driving while out of service shall be disqualified from driving a commercial motor vehicle in the manner prescribed in 49 CFR 383, or as amended by the Secretary.

9. Any person convicted of driving while out of service on a second occasion during any ten-year period, involving separate incidents, shall be disqualified in the manner prescribed in 49 CFR 383, or as amended by the Secretary.

10. Any person convicted of driving while out of service on a third or subsequent occasion during any ten-year period, involving separate incidents, shall be disqualified for a period of three years.

11. Any person convicted of a first violation of an out-of-service order while transporting hazardous materials or while operating a motor vehicle designed to transport sixteen or more passengers, including the driver, is disqualified for a period of one hundred eighty days.

12. Any person convicted of any subsequent violation of an out-of-service order in a separate incident within ten years after a previous violation, while transporting hazardous materials or while operating a motor vehicle designed to transport fifteen passengers, including the driver, is disqualified for a period of three years.

13. Any person convicted of any other offense as specified by regulations promulgated by the Secretary of Transportation shall be disqualified in accordance with such regulations.

14. After suspending, revoking, cancelling, or disqualifying a driver, the director shall update records to reflect such action and notify a nonresident's licensing authority and the commercial driver's license information system within ten days in the manner prescribed in 49 CFR 384, or as amended by the Secretary.

15. Any person disqualified from operating a commercial motor vehicle pursuant to subsection 1, 2, 3 or 4 of this section shall have such commercial driver's license cancelled, and upon conclusion of the period of disqualification shall take the written and driving tests and meet all other requirements of sections 302.700 to 302.780. Such disqualification and cancellation shall not be withdrawn by the director until such person reapplies for a commercial driver's license in this or any other state after meeting all requirements of sections 302.700 to 302.780.

16. The director shall disqualify a driver upon receipt of notification that the Secretary has determined a driver to be an imminent hazard pursuant to 49 CFR 383.52. Due process of a disqualification determined by the Secretary pursuant to this section shall be held in accordance with regulations promulgated by the Secretary. The period of disqualification determined by the Secretary pursuant to this section shall be served concurrently to any other period of disqualification which may be imposed by the director pursuant to this section. Both disqualifications shall appear on the driving record of the driver.

17. The director shall disqualify a commercial license holder or operator of a commercial motor vehicle from operation of any commercial motor vehicle upon receipt of a conviction for an offense of failure to appear or pay, and such disqualification shall remain in effect until the director receives notice that the person has complied with the requirement to appear or pay.

18. The disqualification period must be in addition to any other previous periods of disqualification in the manner prescribed in 49 CFR 383, or as amended by the Secretary, except when the major or serious violations are a result of the same incident.

19. Any person is disqualified from driving a commercial motor vehicle for life for being convicted of using a commercial motor vehicle in the commission of a felony involving an act or practice of severe forms of trafficking in persons, as defined in U.S.C. 7102(11). A disqualification for life under this subsection shall not be reduced.”; and

Further amend said bill, Page 18, Section 303.440, Line 9, by inserting after all of said line the following:

“407.526. 1. A person commits the crime of odometer fraud in the third degree if, with the intent to defraud, he operates a motor vehicle less than [ten] **twenty** years old on any street or highway knowing that the odometer of the motor vehicle is disconnected or not functioning.

2. Odometer fraud in the third degree is a class C misdemeanor.

407.536. 1. Any person transferring ownership of a motor vehicle previously titled in this or any other state shall do so by assignment of title and shall place the mileage registered on the odometer at the time of transfer above the signature of the transferor. The signature of the transferor below the mileage shall constitute an odometer mileage statement. The transferee shall sign such odometer mileage statement before an application for certificate of ownership may be made. If the true mileage is known to the transferor to be different from the number of miles shown on the odometer or the true mileage is unknown, a statement from the transferor shall accompany the assignment of title which shall contain all facts known by the transferor concerning the true mileage of the motor vehicle. That statement shall become a part of the permanent record of the motor vehicle with the Missouri department of revenue. The department of revenue shall place on all new titles issued after September 28, 1977, a box titled “mileage at the time of transfer”.

2. Any person transferring the ownership of a motor vehicle previously untitled in this or any other state

to another person shall give an odometer mileage statement to the transferee. The statement shall include above the signature of the transferor and transferee the cumulative mileage registered on the odometer at the time of transfer. If the true mileage is known to the transferor to be different from the number of miles shown on the odometer or the true mileage is unknown, a statement from the transferor shall accompany the assignment of title which shall contain all facts known by the transferor concerning the true mileage of the motor vehicle. That statement shall become a permanent part of the records of the Missouri department of revenue.

3. If, upon receiving an application for registration or for a certificate of ownership of a motor vehicle, the director of revenue has credible evidence that the odometer reading provided by a transferor is materially inaccurate, he may place an asterisk on the face of the title document issued by the Missouri department of revenue, provided that the process required thereby does not interfere with his obligations under subdivision (2) of subsection 3 of section 301.190. The asterisk shall refer to a statement on the face and at the bottom of the title document which shall read as follows: "This may not be the true and accurate mileage of this motor vehicle. Consult the documents on file with the Missouri department of revenue for an explanation of the inaccuracy.". Nothing in this section shall prevent any person from challenging the determination by the director of revenue in the circuit courts of the state of Missouri. The burden of proof shall be on the director of the department of revenue in all such proceedings.

4. The mileage disclosed by the odometer mileage statement for a new or used motor vehicle as described in subsections 1 and 2 of this section shall be placed by the transferor on any title or document evidencing ownership. Additional statements shall be placed on the title document as follows:

(1) If the transferor states that to the best of his knowledge the mileage disclosed is the actual mileage of the motor vehicle, an asterisk shall follow the mileage on the face of the title or document of ownership issued by the Missouri department of revenue. The asterisk shall reference to a statement on the face and bottom of the title document which shall read as follows: "Actual Mileage";

(2) Where the transferor has submitted an explanation why this mileage is incorrect, an asterisk shall follow the mileage on the face of the title or document of ownership issued by the Missouri department of revenue. The asterisk shall reference to a statement on the face and at the bottom of the title document which shall read as follows: "This is not the true and accurate mileage of this motor vehicle. Consult the documents on file with the Missouri department of revenue for an explanation of the inaccuracy.". Further wording shall be included as follows:

(a) If the transferor states that the odometer reflects the amount of mileage in excess of the designed mechanical odometer limit, the above statement on the face of the title document shall be followed by the words: "Mileage exceeds the mechanical limits";

(b) If the transferor states that the odometer reading differs from the mileage and that the difference is greater than that caused by odometer calibration error and the odometer reading does not reflect the actual mileage and should not be relied upon, the above statement on the face of the title document shall be preceded by the words: "Warning Odometer Discrepancy".

5. The department of revenue shall notify all motor vehicle ownership transferees of the civil and criminal penalties involving odometer fraud.

6. Any person defacing or obscuring or otherwise falsifying any odometer reading on any document

required by this section shall be guilty of a class E felony.

7. The granting or creation of a security interest or lien shall not be considered a change of ownership for the purpose of this section, and the grantor of such lien or security interest shall not be required to make an odometer mileage statement. The release of a lien by a mortgage holder shall not be considered a change of ownership of the motor vehicle for the purposes of this section. The mortgage holder or lienholder shall not be required to make an odometer disclosure statement or state the current odometer setting at the time of the release of the lien where there is no change of ownership.

8. For the purposes of the mileage disclosure requirements of this section, if a certificate of ownership is held by a lienholder, if the transferor makes application for a duplicate certificate of ownership, or as otherwise provided in the federal Motor Vehicle Information and Cost Savings Act and related federal regulations, the transferor may execute a written power of attorney authorizing a transfer of ownership. The person granted such power of attorney shall restate exactly on the assignment of title the actual mileage disclosed at the time of transfer. The power of attorney shall accompany the certificate of ownership and the original power of attorney and a copy of the certificate of ownership shall be returned to the issuing state in the manner prescribed by the director of revenue, unless otherwise provided by federal law, rule or regulation. The department of revenue may prescribe a secure document for use in executing a written power of attorney, **and may allow electronic signatures on such document**. The department shall collect a fee for each form issued, not to exceed the cost of procuring the form.

407.556. 1. A violation of the provisions of sections 407.511 to 407.556 by any person licensed or registered as a manufacturer or dealer pursuant to the provisions of chapter 301, shall be considered a violation of the provisions of that chapter, subjecting that person to revocation or suspension of any license issued pursuant to the provisions of that chapter.

2. The provisions of sections 407.511 to 407.556 do not apply to the following motor vehicles:

- (1) Any motor vehicle having a gross vehicle weight rating of more than sixteen thousand pounds;
- (2) Any motor vehicle that is [ten] **twenty** years old or older;
- (3) Any motor vehicle sold directly by the manufacturer to any agency of the United States in conformity with contractual specifications; or
- (4) Any new vehicle prior to its first transfer for purposes other than resale.

Section B. Because of the importance of combating human trafficking, and because of the importance of securing federal highway funding to maintain a safe and adequate system of highways in this state, the repeal and reenactment of sections 301.192, 301.280, 302.755, 407.526, 407.536, and 407.556 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 301.192, 301.280, 302.755, 407.526, 407.536, and 407.556 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Wieland moved that **SS** for **SCS** for **SB 4**, as amended, be adopted, which motion prevailed.

On motion of Senator Wieland, **SS** for **SCS** for **SB 4**, as amended, was declared perfected and ordered

printed.

Senator Riddle moved that **SB 9** be taken up for perfection, which motion prevailed.

On motion of Senator Riddle, **SB 9** was declared perfected and ordered printed.

On motion of Senator Rowden, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS No. 2** for **SCS** for **SB 262** and **SB 9**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Koenig moved that **SB 153** and **SB 97**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 153** and **97**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 153 and 97

An Act to repeal sections 32.087, 32.310, 143.011, 144.011, 144.014, 144.020, 144.049, 144.054, 144.060, 144.080, 144.140, 144.526, 144.605, 144.710, 144.757, 144.759, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, and 144.1015, RSMo, and to enact in lieu thereof twenty-one new sections relating to taxation, with penalty provisions, an emergency clause for a certain section, and an effective date for certain sections.

Was taken up.

Senator Koenig moved that **SCS** for **SBs 153** and **97** be adopted.

Senator Koenig offered **SS** for **SCS** for **SBs 153** and **97**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 153 and 97

An Act to repeal sections 32.310, 67.2677, 67.2689, 143.011, 144.011, 144.014, 144.020, 144.049, 144.054, 144.060, 144.080, 144.140, 144.526, 144.605, 144.710, 144.757, 144.759, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, and 144.1015, RSMo, and to enact in lieu thereof twenty-three new sections relating to taxation, with penalty provisions and an effective date for certain sections.

Senator Koenig moved that **SS** for **SCS** for **SBs 153** and **97** be adopted.

Senator Hough offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 153 and 97, Page 3,

Section 32.310, Line 62, by inserting after all of said line the following:

“33.575. 1. There is hereby created in the state treasury the “Cash Operating Expense Fund”, which shall consist of money as provided under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

2. The state general revenue portion from remittances made pursuant to section 144.752 and paragraph (e) of subdivision (3) of section 144.605, with the exception of revenues collected pursuant to section 144.701 and Article IV, Sections 43(a) and 47(a) of the Missouri Constitution, shall be deposited into the fund.”; and

Further amend said bill, page 53, Section 144.752, lines 180-181, by striking “general revenue fund as provided in section 144.700” and inserting in lieu thereof the following: **“cash operating fund established pursuant to section 33.575”**; and

Further amend the title and enacting clause accordingly.

Senator Hough moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 153 and 97, Page 65, Section B, Line 7, by inserting after all of said line, the following:

“Section C. The repeal and reenactment of Section 67.2677 shall become effective August 28, 2023.”; and

Further amend the title accordingly.

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

Senator Eslinger assumed the Chair.

President Kehoe assumed the Chair.

Senator Koenig moved that **SS for SCS for SBs 153 and 97**, as amended, be adopted, which motion prevailed.

On motion of Senator Koenig, **SS for SCS for SBs 153 and 97**, as amended, was declared perfected and ordered printed.

The Senate observed a moment of silence in memory of Mrs. Rosie McCulley and her children.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 4**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Rowden, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Schatz.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SBs 153** and **97**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Rowden assumed the Chair.

REFERRALS

President Pro Tem Schatz referred **SS No. 2** for **SCS** for **SB 262**; **SS** for **SCS** for **SB 4**; and **SS** for **SCS** for **SBs 153** and **97** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator Bernskoetter offered Senate Resolution No. 155, regarding Sarah Robinson-Holmes, Jefferson City, which was adopted.

INTRODUCTION OF GUESTS

Senator Brattin introduced to the Senate, Pam Woolridge, Lee's Summit; Braeden Woolridge, Lee's Summit; Jenna Doll, Pleasant Hill; Asya Tolefree, Kansas City; Adam Tolfree, Lee's Summit; Tasleem Tolefree, Kansas City; and Olivia Baitinger, Lee's Summit.

Senator Bean introduced to the Senate, Jonah Clary, Bloomfield; Joseph Clary, Bloomfield; James Taylor, Poplar Bluff; Alyssa Bubonovich; Robert Wake; Jackson Bostic; Jeffrey Drury, Silva; Charles Berry, Poplar Bluff; Marvin Lewis, Poplar Bluff; David Mathis Jr, Poplar Bluff; Derek Fuemmeler, Harviell; Michael Bailey, Poplar Bluff; Ontario Reed, Poplar Bluff; Charles Cook, Kennett; Chad Cook, Cape Girardeau; and Charles Washington, Hayti.

Senator Williams introduced to the Senate, Rori Picker-Ness, University City; and parents of Trans-Children and their children.

Senator Hegeman introduced to the Senate, Kyle White, Maysville.

President Kehoe introduced to the Senate, Angela Zeng.

Senator Moon introduced to the Senate, his wife, Denise Moon, Ash Grove; his daughter, Amanda Richards, Republic; his grandchildren Lily Richards; Adalyn Richards; and Emmy Richards, Republic.

Senator Williams introduced to the Senate, Police Chief Jason Armstrong, Ferguson.

On motion of Senator Schatz, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-FOURTH DAY—THURSDAY, MARCH 11, 2021

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 579-Rehder	SB 606-Burlison
SB 580-Rehder	SB 607-Williams
SB 581-Eslinger	SB 608-Razer
SB 582-Eslinger	SB 609-Razer
SB 583-Eslinger	SB 610-May
SB 584-Eslinger	SB 611-May
SB 585-Eslinger	SB 612-May
SB 586-Brattin	SB 613-Crawford
SB 587-Brattin	SB 614-Crawford
SB 588-Brattin	SB 615-Eigel
SB 589-Brattin	SB 616-Eigel
SB 590-Brattin	SB 617-Eigel
SB 591-Roberts	SB 618-Bernskoetter
SB 592-Roberts	SB 619-Bernskoetter
SB 593-Roberts	SB 620-Bernskoetter
SB 594-Moon	SB 621-Bernskoetter
SB 595-Moon	SB 622-Bernskoetter
SB 596-Moon	SB 623-Hough
SB 597-Moon	SB 624-Hough
SB 598-O'Laughlin	SB 625-Hough
SB 599-O'Laughlin	SB 626-Hough
SB 600-O'Laughlin	SB 627-Hough
SB 601-O'Laughlin	SB 628-Brattin
SB 602-O'Laughlin	SB 629-Hoskins
SB 603-Koenig	SB 630-Hoskins
SB 604-Koenig	SJR 28-Hegeman
SB 605-Koenig	SJR 29-Burlison

HOUSE BILLS ON SECOND READING

HCS for HBs 85 & 310	HCS for HB 349
HCS for HB 350	HCS for HB 548
HB 153-Rone	HB 139-Hudson
HCS for HB 574	HB 670-Houx
HB 476-Grier	HB 657-Trent
HCS for HB 271	HCS for HBs 1083, 1085, 1050, 1035,
HCS for HB 362	1036, 873 & 1097
HCS for HB 59	HB 63-Pike
HCS for HBs 547 & 752	HCS for HB 357
HCS for HB 334	HCS for HB 784
HB 345-DeGroot	HB 52-Schnelting
HCS for HB 527	HB 578-Bromley

THIRD READING OF SENATE BILLS

- | | |
|---|---|
| 1. SS for SCS for SB 152-Hoskins
(In Fiscal Oversight) | 8. SS for SB 6-Wieland |
| 2. SB 330-Burlison | 9. SS#2 for SCS for SB 262-Schatz
(In Fiscal Oversight) |
| 3. SS for SCS for SB 43-White
(In Fiscal Oversight) | 10. SB 9-Riddle |
| 4. SB 86-Hegeman | 11. SS for SCS for SB 4-Wieland
(In Fiscal Oversight) |
| 5. SS for SB 258-White | 12. SS for SCS for SBs 153 & 97-Koenig
(In Fiscal Oversight) |
| 6. SB 128-Brown | |
| 7. SS for SCS for SB 106-Crawford | |

SENATE BILLS FOR PERFECTION

- | | |
|------------------------------|-----------------------------------|
| 1. SB 91-Riddle, with SCS | 9. SB 163-Cierpiot |
| 2. SB 283-Hoskins | 10. SB 40-Burlison, with SCS |
| 3. SB 119-Burlison, with SCS | 11. SB 301-Bernskoetter, with SCS |
| 4. SB 149-Onder | 12. SB 333-Burlison |
| 5. SJR 2-Onder, with SCS | 13. SB 120-White, with SCS |
| 6. SB 137-Brattin | 14. SB 327-Koenig |
| 7. SB 108-Cierpiot, with SCS | 15. SB 289-Brown, with SCS |
| 8. SB 141-Bean | 16. SB 176-Hough |

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|-------------------------------|------------------------------------|
| 17. SB 46-Hough | 29. SB 71-Gannon, with SCS |
| 18. SB 3-Hegeman | 30. SB 254-Riddle, with SCS |
| 19. SB 212-White | 31. SB 94-Onder |
| 20. SB 5-Wieland, with SCS | 32. SB 206-Arthur |
| 21. SB 36-Bernskoetter | 33. SB 138-Brattin, with SCS |
| 22. SB 57-May, with SCS | 34. SB 78-Beck |
| 23. SB 354-Hoskins, with SCS | 35. SB 74-Bean, with SCS |
| 24. SB 126-Brown, with SCS | 36. SB 343-Brown |
| 25. SB 287-Crawford | 37. SB 95-Onder, with SCS |
| 26. SB 282-Hegeman, with SCS | 38. SB 30-Cierpiot |
| 27. SB 202-Cierpiot, with SCS | 39. SB 134-O'Laughlin and Cierpiot |
| 28. SB 44-White | 40. SB 98-Hoskins, with SCS |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SB 64-Rehder

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 1-Hegeman | SBs 53 & 60-Luetkemeyer, with SCS |
| SB 7-Riddle, with SS & SA 1 (pending) | SBs 55, 23 & 25-O'Laughlin, et al, with
SCS & SS for SCS (pending) |
| SB 10-Schatz, with SS (pending) | SB 63-Rehder |
| SB 11-Schatz | SB 100-Koenig, with SCS |
| SBs 12, 20, 21, 31, 56, 67 & 68-Onder,
with SCS, SS for SCS & SA 5
(pending) | SB 123-Hough, with SS & SA 2 (pending) |
| SB 47-Hough | SB 179-Luetkemeyer |

CONSENT CALENDAR

Senate Bills

- | | |
|---------------|-----------------|
| SB 226-Koenig | SB 377-Eslinger |
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