

SECOND REGULAR SESSION

SENATE BILL NO. 1306

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BEAN.

4972S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 643.315, RSMo, and to enact in lieu thereof one new section relating to farm vehicles.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 643.315, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 643.315,
3 to read as follows:

643.315. 1. Except as provided in sections 643.300 to
2 643.355, all motor vehicles which are domiciled, registered
3 or primarily operated in an area for which the commission
4 has established a motor vehicle emissions inspection program
5 pursuant to sections 643.300 to 643.355 shall be inspected
6 and approved prior to sale or transfer; provided that, if
7 such vehicle is inspected and approved prior to sale or
8 transfer, such vehicle shall not be subject to another
9 emissions inspection for ninety days after the date of sale
10 or transfer of such vehicle. In addition, any such vehicle
11 manufactured as an even-numbered model year vehicle shall be
12 inspected and approved under the emissions inspection
13 program established pursuant to sections 643.300 to 643.355
14 in each even-numbered calendar year and any such vehicle
15 manufactured as an odd-numbered model year vehicle shall be
16 inspected and approved under the emissions inspection
17 program established pursuant to sections 643.300 to 643.355
18 in each odd-numbered calendar year. All motor vehicles

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

19 subject to the inspection requirements of sections 643.300
20 to 643.355 shall display a valid emissions inspection
21 sticker, and when applicable, a valid emissions inspection
22 certificate shall be presented at the time of registration
23 or registration renewal of such motor vehicle. The
24 department of revenue shall require evidence of the safety
25 and emission inspection and approval required by this
26 section in issuing the motor vehicle annual registration in
27 conformity with the procedure required by sections 307.350
28 to 307.390 and sections 643.300 to 643.355. The director of
29 revenue may verify that a successful safety and emissions
30 inspection was completed via electronic means.

31 2. The inspection requirement of subsection 1 of this
32 section shall apply to all motor vehicles except:

33 (1) Motor vehicles with a manufacturer's gross vehicle
34 weight rating in excess of eight thousand five hundred
35 pounds;

36 (2) Motorcycles and motortricycles if such vehicles
37 are exempted from the motor vehicle emissions inspection
38 under federal regulation and approved by the commission by
39 rule;

40 (3) Model year vehicles manufactured prior to 1996;

41 (4) Vehicles which are powered exclusively by electric
42 or hydrogen power or by fuels other than gasoline which are
43 exempted from the motor vehicle emissions inspection under
44 federal regulation and approved by the commission by rule;

45 (5) Motor vehicles registered in an area subject to
46 the inspection requirements of sections 643.300 to 643.355
47 which are domiciled and operated exclusively in an area of
48 the state not subject to the inspection requirements of
49 sections 643.300 to 643.355, but only if the owner of such
50 vehicle presents to the department an affidavit that the

51 vehicle will be operated exclusively in an area of the state
52 not subject to the inspection requirements of sections
53 643.300 to 643.355 for the next twenty-four months, and the
54 owner applies for and receives a waiver which shall be
55 presented at the time of registration or registration
56 renewal;

57 (6) New and unused motor vehicles, of model years of
58 the current calendar year and of any calendar year within
59 two years of such calendar year, which have an odometer
60 reading of less than six thousand miles at the time of
61 original sale by a motor vehicle manufacturer or licensed
62 motor vehicle dealer to the first user;

63 (7) Historic motor vehicles registered pursuant to
64 section 301.131;

65 (8) School buses;

66 (9) Heavy-duty diesel-powered vehicles with a gross
67 vehicle weight rating in excess of eight thousand five
68 hundred pounds;

69 (10) New motor vehicles that have not been previously
70 titled and registered, for the four-year period following
71 their model year of manufacture, provided the odometer
72 reading for such motor vehicles are under forty thousand
73 miles at their first required biennial safety inspection
74 conducted under sections 307.350 to 307.390; otherwise such
75 motor vehicles shall be subject to the emissions inspection
76 requirements of subsection 1 of this section during the same
77 period that the biennial safety inspection is conducted;

78 (11) Motor vehicles that are driven fewer than twelve
79 thousand miles between biennial safety inspections; [and]

80 (12) Qualified plug-in electric drive vehicles. For
81 the purposes of this section, "qualified plug-in electric
82 drive vehicle" shall mean a plug-in electric drive vehicle

83 that is made by a manufacturer, has not been modified from
84 original manufacturer specifications, and can operate solely
85 on electric power and is capable of recharging its battery
86 from an on-board generation source and an off-board
87 electricity source; and

88 **(13) Motor vehicles over ten years old that are**
89 **registered as local commercial motor vehicles used for farm**
90 **or farming transportation operations, as described in**
91 **section 301.010, or that are otherwise defined as covered**
92 **farm vehicles under federal laws and regulations.**

93 3. The commission may, by rule, allow inspection
94 reciprocity with other states having equivalent or more
95 stringent testing and waiver requirements than those
96 established pursuant to sections 643.300 to 643.355.

97 4. (1) At the time of sale, a licensed motor vehicle
98 dealer, as defined in section 301.550, may choose to sell a
99 motor vehicle subject to the inspection requirements of
100 sections 643.300 to 643.355 either:

101 (a) With prior inspection and approval as provided in
102 subdivision (2) of this subsection; or

103 (b) Without prior inspection and approval as provided
104 in subdivision (3) of this subsection.

105 (2) If the dealer chooses to sell the vehicle with
106 prior inspection and approval, the dealer shall disclose, in
107 writing, prior to sale, whether the vehicle obtained
108 approval by meeting the emissions standards established
109 pursuant to sections 643.300 to 643.355 or by obtaining a
110 waiver pursuant to section 643.335. A vehicle sold pursuant
111 to this subdivision by a licensed motor vehicle dealer shall
112 be inspected and approved within the one hundred twenty days
113 immediately preceding the date of sale, and, for the purpose

114 of registration of such vehicle, such inspection shall be
115 considered timely.

116 (3) If the dealer chooses to sell the vehicle without
117 prior inspection and approval, the purchaser may return the
118 vehicle within ten days of the date of purchase, provided
119 that the vehicle has no more than one thousand additional
120 miles since the time of sale, if the vehicle fails, upon
121 inspection, to meet the emissions standards specified by the
122 commission and the dealer shall have the vehicle inspected
123 and approved without the option for a waiver of the
124 emissions standard and return the vehicle to the purchaser
125 with a valid emissions certificate and sticker within five
126 working days or the purchaser and dealer may enter into any
127 other mutually acceptable agreement. If the dealer chooses
128 to sell the vehicle without prior inspection and approval,
129 the dealer shall disclose conspicuously on the sales
130 contract and bill of sale that the purchaser has the option
131 to return the vehicle within ten days, provided that the
132 vehicle has no more than one thousand additional miles since
133 the time of sale, to have the dealer repair the vehicle and
134 provide an emissions certificate and sticker within five
135 working days if the vehicle fails, upon inspection, to meet
136 the emissions standards established by the commission, or
137 enter into any mutually acceptable agreement with the
138 dealer. A violation of this subdivision shall be an
139 unlawful practice as defined in section 407.020. No
140 emissions inspection shall be required pursuant to sections
141 643.300 to 643.360 for the sale of any motor vehicle which
142 may be sold without a certificate of inspection and
143 approval, as provided pursuant to subsection 2 of section
144 307.380.

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