

SENATE BILL NO. 1632

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR CRAWFORD.

7039S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 144.070, 301.010, 301.020, 301.030, 301.050, 301.055, 301.070, 301.110, 301.140, 301.142, 301.147, 301.190, 301.550, 301.560, 301.570, 302.170, 307.350, and 643.315, RSMo, and to enact in lieu thereof eighteen new sections relating to motor vehicles, with penalty provisions and an effective date.

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

Section A. Sections 144.070, 301.010, 301.020, 301.030,
2 301.050, 301.055, 301.070, 301.110, 301.140, 301.142, 301.147,
3 301.190, 301.550, 301.560, 301.570, 302.170, 307.350, and
4 643.315, RSMo, are repealed and eighteen new sections enacted
5 in lieu thereof, to be known as sections 144.070, 301.010,
6 301.020, 301.030, 301.050, 301.055, 301.070, 301.110, 301.140,
7 301.142, 301.147, 301.190, 301.550, 301.560, 301.570, 302.170,
8 307.350, and 643.315, to read as follows:

144.070. 1. At the time the owner of any new or used
2 motor vehicle, trailer, boat, or outboard motor which was
3 acquired in a transaction subject to sales tax under the
4 Missouri sales tax law makes application to the director of
5 revenue for an official certificate of title and the
6 registration of the motor vehicle, trailer, boat, or
7 outboard motor as otherwise provided by law, the owner shall
8 present to the director of revenue evidence satisfactory to
9 the director of revenue showing the purchase price exclusive
10 of any charge incident to the extension of credit paid by or

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

11 charged to the applicant in the acquisition of the motor
12 vehicle, trailer, boat, or outboard motor, or that no sales
13 tax was incurred in its acquisition, and if sales tax was
14 incurred in its acquisition, the applicant shall pay or
15 cause to be paid to the director of revenue the sales tax
16 provided by the Missouri sales tax law in addition to the
17 registration fees now or hereafter required according to
18 law, and the director of revenue shall not issue a
19 certificate of title for any new or used motor vehicle,
20 trailer, boat, or outboard motor subject to sales tax as
21 provided in the Missouri sales tax law until the tax levied
22 for the sale of the same under sections 144.010 to 144.510
23 has been paid as provided in this section or is registered
24 under the provisions of subsection 5 of this section.

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

30 3. In the event that the purchase price is unknown or
31 undisclosed, or that the evidence thereof is not
32 satisfactory to the director of revenue, the same shall be
33 fixed by appraisement by the director.

34 4. The director of the department of revenue shall
35 endorse upon the official certificate of title issued by the
36 director upon such application an entry showing that such
37 sales tax has been paid or that the motor vehicle, trailer,
38 boat, or outboard motor represented by such certificate is
39 exempt from sales tax and state the ground for such
40 exemption.

41 5. Any person, company, or corporation engaged in the
42 business of renting or leasing motor vehicles, trailers,

43 boats, or outboard motors, which are to be used exclusively
44 for rental or lease purposes, and not for resale, may apply
45 to the director of revenue for authority to operate as a
46 leasing or rental company and pay an annual fee of two
47 hundred fifty dollars for such authority. Any company
48 approved by the director of revenue may pay the tax due on
49 any motor vehicle, trailer, boat, or outboard motor as
50 required in section 144.020 at the time of registration
51 thereof or in lieu thereof may pay a sales tax as provided
52 in sections 144.010, 144.020, 144.070 and 144.440. A sales
53 tax shall be charged to and paid by a leasing company which
54 does not exercise the option of paying in accordance with
55 section 144.020, on the amount charged for each rental or
56 lease agreement while the motor vehicle, trailer, boat, or
57 outboard motor is domiciled in this state. Any motor
58 vehicle, trailer, boat, or outboard motor which is leased as
59 the result of a contract executed in this state shall be
60 presumed to be domiciled in this state.

61 6. Every applicant to be a registered fleet owner as
62 described in subsections 6 to 10 of section 301.032 shall
63 furnish with the application to operate as a registered
64 fleet owner a corporate surety bond or irrevocable letter of
65 credit, as defined in section 400.5-102, issued by any state
66 or federal financial institution in the penal sum of one
67 hundred thousand dollars, on a form approved by the
68 department. The bond or irrevocable letter of credit shall
69 be conditioned upon the registered fleet owner complying
70 with the provisions of any statutes applicable to registered
71 fleet owners, and the bond shall be an indemnity for any
72 loss sustained by reason of the acts of the person bonded
73 when such acts constitute grounds for the suspension or
74 revocation of the registered fleet owner license. The bond

75 shall be executed in the name of the state of Missouri for
76 the benefit of all aggrieved parties or the irrevocable
77 letter of credit shall name the state of Missouri as the
78 beneficiary; except that, the aggregate liability of the
79 surety or financial institution to the aggrieved parties
80 shall, in no event, exceed the amount of the bond or
81 irrevocable letter of credit. The proceeds of the bond or
82 irrevocable letter of credit shall be paid upon receipt by
83 the department of a final judgment from a Missouri court of
84 competent jurisdiction against the principal and in favor of
85 an aggrieved party.

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

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

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

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

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

100 (5) Operates each of its divisions on a basis separate
101 from each of its other divisions. However, when the
102 transfer of a motor vehicle, trailer, boat or outboard motor
103 occurs within a corporation which holds a license to operate
104 as a motor vehicle or boat dealer pursuant to sections
105 301.550 to 301.573 the provisions in subdivision (3) of this
106 subsection shall not apply.

107 8. If the owner of any motor vehicle, trailer, boat,
108 or outboard motor desires to charge and collect sales tax as
109 provided in this section, the owner shall make application
110 to the director of revenue for a permit to operate as a
111 motor vehicle, trailer, boat, or outboard motor leasing
112 company. The director of revenue shall promulgate rules and
113 regulations determining the qualifications of such a
114 company, and the method of collection and reporting of sales
115 tax charged and collected. Such regulations shall apply
116 only to owners of motor vehicles, trailers, boats, or
117 outboard motors, electing to qualify as motor vehicle,
118 trailer, boat, or outboard motor leasing companies under the
119 provisions of subsection 5 of this section, and no motor
120 vehicle renting or leasing, trailer renting or leasing, or
121 boat or outboard motor renting or leasing company can come
122 under sections 144.010, 144.020, 144.070 and 144.440 unless
123 all motor vehicles, trailers, boats, and outboard motors
124 held for renting and leasing are included.

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

132 10. **(1)** Beginning July 1, 2010, any motor vehicle
133 dealer licensed under section 301.560 engaged in the
134 business of selling motor vehicles or trailers shall apply
135 to the director of revenue for authority to collect and
136 remit the sales tax required under this section on all motor
137 vehicles sold by the motor vehicle dealer. A motor vehicle
138 dealer receiving authority to collect and remit the tax is

139 subject to all provisions under sections 144.010 to
140 144.525. Any motor vehicle dealer authorized to collect and
141 remit sales taxes on motor vehicles under this subsection
142 shall be entitled to deduct and retain an amount equal to
143 two percent of the motor vehicle sales tax pursuant to
144 section 144.140. Any amount of the tax collected under this
145 subsection that is retained by a motor vehicle dealer
146 pursuant to section 144.140 shall not constitute state
147 revenue. In no event shall revenues from the general
148 revenue fund or any other state fund be utilized to
149 compensate motor vehicle dealers for their role in
150 collecting and remitting sales taxes on motor vehicles. In
151 the event this subsection or any portion thereof is held to
152 violate Article IV, Section 30(b) of the Missouri
153 Constitution, no motor vehicle dealer shall be authorized to
154 collect and remit sales taxes on motor vehicles under this
155 section. No motor vehicle dealer shall seek compensation
156 from the state of Missouri or its agencies if a court of
157 competent jurisdiction declares that the retention of two
158 percent of the motor vehicle sales tax is unconstitutional
159 and orders the return of such revenues.

160 **(2) Notwithstanding any provision of law to the**
161 **contrary, when a motor vehicle, trailer, boat, or other**
162 **titled personal property is sold by a licensed Missouri**
163 **dealer to a purchaser who is not a resident of this state,**
164 **and the vehicle is delivered to or picked up at the dealer's**
165 **Missouri location, the dealer shall collect and remit**
166 **Missouri state and local sales tax according to law at the**
167 **rate applicable at the dealer's place of business. The**
168 **provisions of this subdivision shall apply regardless of**
169 **whether the purchaser intends to title or register the**
170 **vehicle in another state. The dealer shall not be required**

171 **to determine the tax rate of the purchaser's state of**
172 **residence.**

173 11. (1) Every motor vehicle dealer licensed under
174 section 301.560, as soon as technologically possible
175 following the development and maintenance of a modernized,
176 integrated system for the titling of vehicles, issuance and
177 renewal of vehicle registrations, issuance and renewal of
178 driver's licenses and identification cards, and perfection
179 and release of liens and encumbrances on vehicles, to be
180 funded by the motor vehicle administration technology fund
181 as created in section 301.558, shall collect and remit the
182 sales tax required under this section on all motor vehicles,
183 **boats, and outboard motors** that such dealer sells **as**
184 **directed by the director of revenue.** In collecting and
185 remitting this sales tax, motor vehicle dealers shall be
186 subject to all applicable provisions under sections 144.010
187 to 144.527.

188 (2) The director of revenue may promulgate all
189 necessary rules and regulations for the administration of
190 this subsection. Any rule or portion of a rule, as that
191 term is defined in section 536.010, that is created under
192 the authority delegated in this subsection shall become
193 effective only if it complies with and is subject to all of
194 the provisions of chapter 536 and, if applicable, section
195 536.028. This subsection and chapter 536 are nonseverable
196 and if any of the powers vested with the general assembly
197 pursuant to chapter 536 to review, to delay the effective
198 date, or to disapprove and annul a rule are subsequently
199 held unconstitutional, then the grant of rulemaking
200 authority and any rule proposed or adopted after August 28,
201 2023, shall be invalid and void.

301.010. As used in this chapter and sections 304.010
2 to 304.040, 304.120 to 304.260, and sections 307.010 to
3 307.175, the following terms mean:

4 (1) "All-terrain vehicle", any motorized vehicle
5 manufactured and used exclusively for off-highway use, with
6 an unladen dry weight of one thousand five hundred pounds or
7 less, traveling on three, four or more nonhighway tires,
8 with either:

9 (a) A seat designed to be straddled by the operator,
10 and handlebars for steering control, but excluding an
11 electric bicycle; or

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

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

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

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

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

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

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

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

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

49 (10) "Cotton trailer", a trailer designed for
50 transporting cotton at speeds less than seventy miles per
51 hour from field to field or from field to market and return;

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

56 (12) "Director" or "director of revenue", the director
57 of the department of revenue;

58 (13) "Driveaway operation":

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

65 (b) The movement of any vehicle or vehicles, not owned
66 by the transporter, constituting the commodity being
67 transported, by a person engaged in the business of
68 furnishing drivers and operators for the purpose of
69 transporting vehicles in transit from one place to another
70 by the driveaway or towaway methods; or

71 (c) The movement of a motor vehicle by any person who
72 is lawfully engaged in the business of transporting or
73 delivering vehicles that are not the person's own and
74 vehicles of a type otherwise required to be registered, by
75 the driveaway or towaway methods, from a point of
76 manufacture, assembly or distribution or from the owner of
77 the vehicles to a dealer or sales agent of a manufacturer or
78 to any consignee designated by the shipper or consignor;

79 (14) "Dromedary", a box, deck, or plate mounted behind
80 the cab and forward of the fifth wheel on the frame of the
81 power unit of a truck tractor-semitrailer combination. A
82 truck tractor equipped with a dromedary may carry part of a
83 load when operating independently or in a combination with a
84 semitrailer;

85 (15) "Electric bicycle", a bicycle equipped with fully
86 operable pedals, a saddle or seat for the rider, and an
87 electric motor of less than 750 watts that meets the
88 requirements of one of the following three classes:

89 (a) "Class 1 electric bicycle", an electric bicycle
90 equipped with a motor that provides assistance only when the
91 rider is pedaling and that ceases to provide assistance when
92 the bicycle reaches the speed of twenty miles per hour;

93 (b) "Class 2 electric bicycle", an electric bicycle
94 equipped with a motor that may be used exclusively to propel
95 the bicycle and that is not capable of providing assistance

96 when the bicycle reaches the speed of twenty miles per hour;
97 or

98 (c) "Class 3 electric bicycle", an electric bicycle
99 equipped with a motor that provides assistance only when the
100 rider is pedaling and that ceases to provide assistance when
101 the bicycle reaches the speed of twenty-eight miles per hour;

102 (16) "Farm tractor", a tractor used exclusively for
103 agricultural purposes;

104 (17) "Fleet", any group of ten or more motor vehicles
105 owned by the same owner;

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

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

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

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

116 (22) "Highway", any public thoroughfare for vehicles,
117 including state roads, county roads and public streets,
118 avenues, boulevards, parkways or alleys in any municipality;

119 (23) "Improved highway", a highway which has been
120 paved with gravel, macadam, concrete, brick or asphalt, or
121 surfaced in such a manner that it shall have a hard, smooth
122 surface;

123 (24) "Intersecting highway", any highway which joins
124 another, whether or not it crosses the same;

125 (25) "Junk vehicle", a vehicle which:

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

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

131 (26) "Kit vehicle", a motor vehicle assembled by a
132 person other than a generally recognized manufacturer of
133 motor vehicles by the use of a glider kit or replica
134 purchased from an authorized manufacturer and accompanied by
135 a manufacturer's statement of origin;

136 (27) "Land improvement contractors' commercial motor
137 vehicle", any not-for-hire commercial motor vehicle the
138 operation of which is confined to:

139 (a) An area that extends not more than a radius of one
140 hundred fifty miles from its home base of operations when
141 transporting its owner's machinery, equipment, or auxiliary
142 supplies to or from projects involving soil and water
143 conservation, or to and from equipment dealers' maintenance
144 facilities for maintenance purposes; or

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

150 Nothing in this subdivision shall be construed to prevent
151 any motor vehicle from being registered as a commercial
152 motor vehicle or local commercial motor vehicle;

153 (28) "Local commercial motor vehicle", a commercial
154 motor vehicle whose operations are confined to a
155 municipality and that area extending not more than fifty
156 miles therefrom, or a commercial motor vehicle whose

157 property-carrying operations are confined solely to the
158 transportation of property owned by any person who is the
159 owner or operator of such vehicle to or from a farm owned by
160 such person or under the person's control by virtue of a
161 landlord and tenant lease; provided that any such property
162 transported to any such farm is for use in the operation of
163 such farm;

164 (29) "Local log truck", a commercial motor vehicle
165 which is registered pursuant to this chapter to operate as a
166 motor vehicle on the public highways of this state; used
167 exclusively in this state; used to transport harvested
168 forest products; operated solely at a forested site and in
169 an area extending not more than a one hundred fifty mile
170 radius from such site; and when operated on the national
171 system of interstate and defense highways described in 23
172 U.S.C. Section 103, as amended, or outside the one hundred
173 fifty mile radius from such site with an extended distance
174 local log truck permit, does not have more than four axles,
175 and does not pull a trailer which has more than three
176 axles. Harvesting equipment which is used specifically for
177 cutting, felling, trimming, delimiting, debarking, chipping,
178 skidding, loading, unloading, and stacking may be
179 transported on a local log truck;

180 (30) "Local log truck tractor", a commercial motor
181 vehicle which is registered under this chapter to operate as
182 a motor vehicle on the public highways of this state; used
183 exclusively in this state; used to transport harvested
184 forest products, operated at a forested site and in an area
185 extending not more than a one hundred fifty mile radius from
186 such site; and when operated on the national system of
187 interstate and defense highways described in 23 U.S.C.
188 Section 103, as amended, or outside the one hundred fifty

189 mile radius from such site with an extended distance local
190 log truck permit, does not have more than three axles and
191 does not pull a trailer which has more than three axles;

192 (31) "Local transit bus", a bus whose operations are
193 confined wholly within a municipal corporation, or wholly
194 within a municipal corporation and a commercial zone, as
195 defined in section 390.020, adjacent thereto, forming a part
196 of a public transportation system within such municipal
197 corporation and such municipal corporation and adjacent
198 commercial zone;

199 (32) "Log truck", a vehicle which is not a local log
200 truck or local log truck tractor and is used exclusively to
201 transport harvested forest products to and from forested
202 sites which is registered pursuant to this chapter to
203 operate as a motor vehicle on the public highways of this
204 state for the transportation of harvested forest products;

205 (33) "Major component parts", the rear clip, cowl,
206 frame, body, cab, front-end assembly, and front clip, as
207 those terms are defined by the director of revenue pursuant
208 to rules and regulations or by illustrations;

209 (34) "Manufacturer", any person, firm, corporation or
210 association engaged in the business of manufacturing or
211 assembling motor vehicles, trailers or vessels for sale;

212 (35) "Motor change vehicle", a vehicle manufactured
213 prior to August, 1957, which receives a new, rebuilt or used
214 engine, and which used the number stamped on the original
215 engine as the vehicle identification number;

216 (36) "Motor vehicle", any self-propelled vehicle not
217 operated exclusively upon tracks, except farm tractors and
218 electric bicycles;

219 (37) "Motor vehicle primarily for business use", any
220 vehicle other than a recreational motor vehicle, motorcycle,

221 motortricycle, or any commercial motor vehicle licensed for
222 over twelve thousand pounds:

223 (a) Offered for hire or lease; or

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

226 (38) "Motorcycle", a motor vehicle operated on two
227 wheels;

228 (39) "Motorized bicycle", any two-wheeled or three-
229 wheeled device having an automatic transmission and a motor
230 with a cylinder capacity of not more than fifty cubic
231 centimeters, which produces less than three gross brake
232 horsepower, and is capable of propelling the device at a
233 maximum speed of not more than thirty miles per hour on
234 level ground, but excluding an electric bicycle;

235 (40) "Motortricycle", a motor vehicle upon which the
236 operator straddles or sits astride that is designed to be
237 controlled by handle bars and is operated on three wheels,
238 including a motorcycle while operated with any conveyance,
239 temporary or otherwise, requiring the use of a third wheel,
240 but excluding an electric bicycle. A motortricycle shall
241 not be included in the definition of all-terrain vehicle;

242 (41) "Municipality", any city, town or village,
243 whether incorporated or not;

244 (42) "Nonresident", a resident of a state or country
245 other than the state of Missouri;

246 (43) "Non-USA-std motor vehicle", a motor vehicle not
247 originally manufactured in compliance with United States
248 emissions or safety standards;

249 (44) "Operator", any person who operates or drives a
250 motor vehicle;

251 (45) "Owner", any person, firm, corporation or
252 association, who holds the legal title to a vehicle or who

253 has executed a buyer's order or retail installment sales
254 contract with a motor vehicle dealer licensed under sections
255 301.550 to 301.580 for the purchase of a vehicle with an
256 immediate right of possession vested in the transferee, or
257 in the event a vehicle is the subject of an agreement for
258 the conditional sale or lease thereof with the right of
259 purchase upon performance of the conditions stated in the
260 agreement and with an immediate right of possession vested
261 in the conditional vendee or lessee, or in the event a
262 mortgagor of a vehicle is entitled to possession, then such
263 conditional vendee or lessee or mortgagor shall be deemed
264 the owner;

265 (46) "Public garage", a place of business where motor
266 vehicles are housed, stored, repaired, reconstructed or
267 repainted for persons other than the owners or operators of
268 such place of business;

269 (47) "Rebuilder", a business that repairs or rebuilds
270 motor vehicles owned by the rebuilder, but does not include
271 certificated common or contract carriers of persons or
272 property;

273 (48) "Reconstructed motor vehicle", a vehicle that is
274 altered from its original construction by the addition or
275 substitution of two or more new or used major component
276 parts, excluding motor vehicles made from all new parts, and
277 new multistage manufactured vehicles;

278 (49) "Recreational motor vehicle", any motor vehicle
279 designed, constructed or substantially modified so that it
280 may be used and is used for the purposes of temporary
281 housing quarters, including therein sleeping and eating
282 facilities which are either permanently attached to the
283 motor vehicle or attached to a unit which is securely
284 attached to the motor vehicle. Nothing herein shall prevent

285 any motor vehicle from being registered as a commercial
286 motor vehicle if the motor vehicle could otherwise be so
287 registered;

288 (50) "Recreational off-highway vehicle", any motorized
289 vehicle manufactured and used exclusively for off-highway
290 use which is more than fifty inches but no more than eighty
291 inches in width, measured from outside of tire rim to
292 outside of tire rim, with an unladen dry weight of three
293 thousand five hundred pounds or less, traveling on four or
294 more nonhighway tires and which may have access to ATV
295 trails;

296 (51) "Recreational trailer", any trailer designed,
297 constructed, or substantially modified so that it may be
298 used and is used for the purpose of temporary housing
299 quarters, including therein sleeping or eating facilities,
300 which can be temporarily attached to a motor vehicle or
301 attached to a unit which is securely attached to a motor
302 vehicle;

303 (52) "Rollback or car carrier", any vehicle
304 specifically designed to transport wrecked, disabled or
305 otherwise inoperable vehicles, when the transportation is
306 directly connected to a wrecker or towing service;

307 (53) "Saddlemount combination", a combination of
308 vehicles in which a truck or truck tractor tows one or more
309 trucks or truck tractors, each connected by a saddle to the
310 frame or fifth wheel of the vehicle in front of it. The
311 "saddle" is a mechanism that connects the front axle of the
312 towed vehicle to the frame or fifth wheel of the vehicle in
313 front and functions like a fifth wheel kingpin connection.
314 When two vehicles are towed in this manner the combination
315 is called a "double saddlemount combination". When three

316 vehicles are towed in this manner, the combination is called
317 a "triple saddlemount combination";

318 (54) "Salvage dealer and dismantler", a business that
319 dismantles used motor vehicles for the sale of the parts
320 thereof, and buys and sells used motor vehicle parts and
321 accessories;

322 (55) "Salvage vehicle", a motor vehicle, semitrailer,
323 or house trailer which:

324 (a) Was damaged during a year that is no more than six
325 years after the manufacturer's model year designation for
326 such vehicle to the extent that the total cost of repairs to
327 rebuild or reconstruct the vehicle to its condition
328 immediately before it was damaged for legal operation on the
329 roads or highways exceeds eighty percent of the fair market
330 value of the vehicle immediately preceding the time it was
331 damaged;

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

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

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

340 (e) Is abandoned property which is titled pursuant to
341 section 304.155 or section 304.157 and designated with the
342 words "salvage/abandoned property". The total cost of
343 repairs to rebuild or reconstruct the vehicle shall not
344 include the cost of repairing, replacing, or reinstalling
345 inflatable safety restraints, tires, sound systems, or
346 damage as a result of hail, or any sales tax on parts or
347 materials to rebuild or reconstruct the vehicle. For

348 purposes of this definition, "fair market value" means the
349 retail value of a motor vehicle as:

350 a. Set forth in a current edition of any nationally
351 recognized compilation of retail values, including automated
352 databases, or from publications commonly used by the
353 automotive and insurance industries to establish the values
354 of motor vehicles;

355 b. Determined pursuant to a market survey of
356 comparable vehicles with regard to condition and equipment;
357 and

358 c. Determined by an insurance company using any other
359 procedure recognized by the insurance industry, including
360 market surveys, that is applied by the company in a uniform
361 manner;

362 (56) "School bus", any motor vehicle used solely to
363 transport students to or from school or to transport
364 students to or from any place for educational purposes;

365 (57) "Scrap processor", a business that, through the
366 use of fixed or mobile equipment, flattens, crushes, or
367 otherwise accepts motor vehicles and vehicle parts for
368 processing or transportation to a shredder or scrap metal
369 operator for recycling;

370 (58) "Shuttle bus", a motor vehicle used or maintained
371 by any person, firm, or corporation as an incidental service
372 to transport patrons or customers of the regular business of
373 such person, firm, or corporation to and from the place of
374 business of the person, firm, or corporation providing the
375 service at no fee or charge. Shuttle buses shall not be
376 registered as buses or as commercial motor vehicles;

377 (59) "Special mobile equipment", every self-propelled
378 vehicle not designed or used primarily for the
379 transportation of persons or property and incidentally

380 operated or moved over the highways, including farm
381 equipment, implements of husbandry, road construction or
382 maintenance machinery, ditch-digging apparatus, stone
383 crushers, air compressors, power shovels, cranes, graders,
384 rollers, well-drillers and wood-sawing equipment used for
385 hire, asphalt spreaders, bituminous mixers, bucket loaders,
386 ditchers, leveling graders, finished machines, motor
387 graders, road rollers, scarifiers, earth-moving carryalls,
388 scrapers, drag lines, concrete pump trucks, rock-drilling
389 and earth-moving equipment. This enumeration shall be
390 deemed partial and shall not operate to exclude other such
391 vehicles which are within the general terms of this section;

392 (60) "Specially constructed motor vehicle", a motor
393 vehicle which shall not have been originally constructed
394 under a distinctive name, make, model or type by a
395 manufacturer of motor vehicles. The term specially
396 constructed motor vehicle includes kit vehicles;

397 (61) "Stinger-steered combination", a truck tractor-
398 semitrailer wherein the fifth wheel is located on a drop
399 frame located behind and below the rearmost axle of the
400 power unit;

401 (62) "Tandem axle", a group of two or more axles,
402 arranged one behind another, the distance between the
403 extremes of which is more than forty inches and not more
404 than ninety-six inches apart;

405 (63) "Towaway trailer transporter combination", a
406 combination of vehicles consisting of a trailer transporter
407 towing unit and two trailers or semitrailers, with a total
408 weight that does not exceed twenty-six thousand pounds; and
409 in which the trailers or semitrailers carry no property and
410 constitute inventory property of a manufacturer,
411 distributor, or dealer of such trailers or semitrailers;

412 (64) "Tractor", "truck tractor" or "truck-tractor", a
413 self-propelled motor vehicle designed for drawing other
414 vehicles, but not for the carriage of any load when
415 operating independently. When attached to a semitrailer, it
416 supports a part of the weight thereof;

417 (65) "Trailer", any vehicle without motive power
418 designed for carrying property or passengers on its own
419 structure and for being drawn by a self-propelled vehicle,
420 except those running exclusively on tracks, including a
421 semitrailer or vehicle of the trailer type so designed and
422 used in conjunction with a self-propelled vehicle that a
423 considerable part of its own weight rests upon and is
424 carried by the towing vehicle. The term trailer shall not
425 include cotton trailers as defined in this section and shall
426 not include manufactured homes as defined in section 700.010;

427 (66) "Trailer transporter towing unit", a power unit
428 that is not used to carry property when operating in a
429 towaway trailer transporter combination;

430 (67) "Truck", a motor vehicle designed, used, or
431 maintained for the transportation of property;

432 (68) "Truck-tractor semitrailer-semitrailer", a
433 combination vehicle in which the two trailing units are
434 connected with a B-train assembly which is a rigid frame
435 extension attached to the rear frame of a first semitrailer
436 which allows for a fifth-wheel connection point for the
437 second semitrailer and has one less articulation point than
438 the conventional A-dolly connected truck-tractor semitrailer-
439 trailer combination;

440 (69) "Truck-trailer boat transporter combination", a
441 boat transporter combination consisting of a straight truck
442 towing a trailer using typically a ball and socket
443 connection with the trailer axle located substantially at

444 the trailer center of gravity rather than the rear of the
445 trailer but so as to maintain a downward force on the
446 trailer tongue;

447 (70) "Used parts dealer", a business that buys and
448 sells used motor vehicle parts or accessories, but not
449 including a business that sells only new, remanufactured or
450 rebuilt parts. Business does not include isolated sales at
451 a swap meet of less than three days;

452 (71) "Utility vehicle", any motorized vehicle
453 manufactured and used exclusively for off-highway use which
454 is more than fifty inches but no more than eighty inches in
455 width, measured from outside of tire rim to outside of tire
456 rim, with an unladen dry weight of three thousand five
457 hundred pounds or less, traveling on four or six wheels, to
458 be used primarily for landscaping, lawn care, or maintenance
459 purposes;

460 (72) "Vanpool", any van or other motor vehicle used or
461 maintained by any person, group, firm, corporation,
462 association, city, county or state agency, or any member
463 thereof, for the transportation of not less than eight nor
464 more than forty-eight employees, per motor vehicle, to and
465 from their place of employment; however, a vanpool shall not
466 be included in the definition of the term bus or commercial
467 motor vehicle as defined in this section, nor shall a
468 vanpool driver be deemed a chauffeur as that term is defined
469 by section 303.020; nor shall use of a vanpool vehicle for
470 ride-sharing arrangements, recreational, personal, or
471 maintenance uses constitute an unlicensed use of the motor
472 vehicle, unless used for monetary profit other than for use
473 in a ride-sharing arrangement;

474 (73) "Vehicle", any mechanical device on wheels,
475 designed primarily for use, or used, on highways, except

476 motorized bicycles, electric bicycles, vehicles propelled or
477 drawn by horses or human power, or vehicles used exclusively
478 on fixed rails or tracks, or cotton trailers or motorized
479 wheelchairs operated by handicapped persons;

480 (74) **"Water-damaged vehicle", any vehicle that has**
481 **been submerged in water to the point that rising water has**
482 **reached over the door sill and has entered the passenger or**
483 **trunk compartment. The department of revenue shall issue**
484 **the owner of a water-damaged vehicle a certificate of**
485 **ownership designated with the words "water-damaged" in**
486 **addition to "salvage" or "prior salvage";**

487 (75) "Wrecker" or "tow truck", any emergency
488 commercial vehicle equipped, designed and used to assist or
489 render aid and transport or tow disabled or wrecked vehicles
490 from a highway, road, street or highway rights-of-way to a
491 point of storage or repair, including towing a replacement
492 vehicle to replace a disabled or wrecked vehicle;

493 [(75)] (76) "Wrecker or towing service", the act of
494 transporting, towing or recovering with a wrecker, tow
495 truck, rollback or car carrier any vehicle not owned by the
496 operator of the wrecker, tow truck, rollback or car carrier
497 for which the operator directly or indirectly receives
498 compensation or other personal gain.

301.020. 1. Every owner of a motor vehicle or
2 trailer, which shall be operated or driven upon the highways
3 of this state, except as herein otherwise expressly
4 provided, shall annually file, by mail or otherwise, in the
5 office of the director of revenue, an application for
6 registration on a blank to be furnished by the director of
7 revenue for that purpose containing:

8 (1) A brief description of the motor vehicle or
9 trailer to be registered, including the name of the

10 manufacturer, the vehicle identification number, the amount
11 of motive power of the motor vehicle, stated in figures of
12 horsepower and whether the motor vehicle is to be registered
13 as a motor vehicle primarily for business use as defined in
14 section 301.010;

15 (2) The **[name, the]** applicant's **full legal name as it**
16 **appears on the applicant's driver license, nondriver**
17 **license, or permit. If the applicant does not have a**
18 **Missouri driver license, nondriver license, or permit, the**
19 **full legal name shall be as it appears on a birth**
20 **certificate or as legally changed through marriage or court**
21 **order. Name changes by common usage based on common law**
22 **shall not be permitted. Applicants that are businesses**
23 **shall be the same name as registered to do business through**
24 **the Missouri secretary of state's office. The application**
25 **shall also include the vehicle** identification number and
26 address of the owner of such motor vehicle or trailer, **as**
27 **well as the address of the owner of such boat or outboard**
28 **motor as prescribed in chapter 306;**

29 (3) The gross weight of the vehicle and the desired
30 load in pounds if the vehicle is a commercial motor vehicle
31 or trailer.

32 2. If the vehicle is a motor vehicle primarily for
33 business use as defined in section 301.010 and if such
34 vehicle is ten years of age or less and has less than one
35 hundred fifty thousand miles on the odometer, the director
36 of revenue shall retain the odometer information provided in
37 the vehicle inspection report, and provide for prompt access
38 to such information, together with the vehicle
39 identification number for the motor vehicle to which such
40 information pertains, for a period of ten years after the

41 receipt of such information. This section shall not apply
42 unless:

43 (1) The application for the vehicle's certificate of
44 ownership was submitted after July 1, 1989; and

45 (2) The certificate was issued pursuant to a
46 manufacturer's statement of origin.

47 3. If the vehicle is any motor vehicle other than a
48 motor vehicle primarily for business use, a recreational
49 motor vehicle, motorcycle, motortricycle, autocycle, bus, or
50 any commercial motor vehicle licensed for over twelve
51 thousand pounds and if such motor vehicle is ten years of
52 age or less and has less than one hundred fifty thousand
53 miles on the odometer, the director of revenue shall retain
54 the odometer information provided in the vehicle inspection
55 report, and provide for prompt access to such information,
56 together with the vehicle identification number for the
57 motor vehicle to which such information pertains, for a
58 period of ten years after the receipt of such information.
59 This subsection shall not apply unless:

60 (1) The application for the vehicle's certificate of
61 ownership was submitted after July 1, 1990; and

62 (2) The certificate was issued pursuant to a
63 manufacturer's statement of origin.

64 4. If the vehicle qualifies as a reconstructed motor
65 vehicle, motor change vehicle, specially constructed motor
66 vehicle, non-USA-std motor vehicle, as defined in section
67 301.010, or prior salvage as referenced in section 301.573,
68 the owner or lienholder shall surrender the certificate of
69 ownership. The owner shall make an application for a new
70 certificate of ownership, pay the required title fee, and
71 obtain the vehicle examination certificate required pursuant
72 to subsection 9 of section 301.190. If an insurance company

73 pays a claim on a salvage vehicle as defined in section
74 301.010 and the owner retains the vehicle, as prior salvage,
75 the vehicle shall only be required to meet the examination
76 requirements under subsection 10 of section 301.190.
77 Notarized bills of sale along with a copy of the front and
78 back of the certificate of ownership for all major component
79 parts installed on the vehicle and invoices for all
80 essential parts which are not defined as major component
81 parts shall accompany the application for a new certificate
82 of ownership. If the vehicle is a specially constructed
83 motor vehicle, as defined in section 301.010, two pictures
84 of the vehicle shall be submitted with the application. If
85 the vehicle is a kit vehicle, the applicant shall submit the
86 invoice and the manufacturer's statement of origin on the
87 kit. If the vehicle requires the issuance of a special
88 number by the director of revenue or a replacement vehicle
89 identification number, the applicant shall submit the
90 required application and application fee. All applications
91 required under this subsection shall be submitted with any
92 applicable taxes which may be due on the purchase of the
93 vehicle or parts. The director of revenue shall
94 appropriately designate "Reconstructed Motor Vehicle",
95 "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or
96 "Specially Constructed Motor Vehicle" on the current and all
97 subsequent issues of the certificate of ownership of such
98 vehicle.

99 5. Every insurance company that pays a claim for
100 repair of a motor vehicle which as the result of such
101 repairs becomes a reconstructed motor vehicle as defined in
102 section 301.010 or that pays a claim on a salvage vehicle as
103 defined in section 301.010 and the owner is retaining the
104 vehicle shall in writing notify the owner of the vehicle,

105 and in a first party claim, the lienholder if a lien is in
106 effect, that he is required to surrender the certificate of
107 ownership, and the documents and fees required pursuant to
108 subsection 4 of this section to obtain a prior salvage motor
109 vehicle certificate of ownership or documents and fees as
110 otherwise required by law to obtain a salvage certificate of
111 ownership, from the director of revenue. The insurance
112 company shall within thirty days of the payment of such
113 claims report to the director of revenue the **full legal** name
114 and address of such owner, the year, make, model, vehicle
115 identification number, and license plate number of the
116 vehicle, and the date of loss and payment.

117 6. Anyone who fails to comply with the requirements of
118 this section shall be guilty of a class B misdemeanor.

119 7. An applicant for registration may make a donation
120 of one dollar to promote a blindness education, screening
121 and treatment program. The director of revenue shall
122 collect the donations and deposit all such donations in the
123 state treasury to the credit of the blindness education,
124 screening and treatment program fund established in section
125 209.015. Moneys in the blindness education, screening and
126 treatment program fund shall be used solely for the purposes
127 established in section 209.015; except that the department
128 of revenue shall retain no more than one percent for its
129 administrative costs. The donation prescribed in this
130 subsection is voluntary and may be refused by the applicant
131 for registration at the time of issuance or renewal. The
132 director shall inquire of each applicant at the time the
133 applicant presents the completed application to the director
134 whether the applicant is interested in making the one dollar
135 donation prescribed in this subsection.

136 8. An applicant for registration may make a donation
137 of an amount not less than one dollar to promote an organ
138 donor program. The director of revenue shall collect the
139 donations and deposit all such donations in the state
140 treasury to the credit of the organ donor program fund as
141 established in sections 194.297 to 194.304. Moneys in the
142 organ donor fund shall be used solely for the purposes
143 established in sections 194.297 to 194.304, except that the
144 department of revenue shall retain no more than one percent
145 for its administrative costs. The donation prescribed in
146 this subsection is voluntary and may be refused by the
147 applicant for registration at the time of issuance or
148 renewal. The director shall inquire of each applicant at
149 the time the applicant presents the completed application to
150 the director whether the applicant is interested in making a
151 contribution not less than one dollar as prescribed in this
152 subsection.

153 9. An applicant for registration may make a donation
154 of one dollar to the Missouri medal of honor recipients
155 fund. The director of revenue shall collect the donations
156 and deposit all such donations in the state treasury to the
157 credit of the Missouri medal of honor recipients fund as
158 established in section 226.925. Moneys in the medal of
159 honor recipients fund shall be used solely for the purposes
160 established in section 226.925, except that the department
161 of revenue shall retain no more than one percent for its
162 administrative costs. The donation prescribed in this
163 subsection is voluntary and may be refused by the applicant
164 for registration at the time of issuance or renewal. The
165 director shall inquire of each applicant at the time the
166 applicant presents the completed application to the director

167 whether the applicant is interested in making the one dollar
168 donation prescribed in this subsection.

301.030. 1. The director shall provide for the
2 retention of license plates by the owners of motor vehicles,
3 other than commercial motor vehicles, and shall establish a
4 system of registration on a monthly series basis to
5 distribute the work of registering motor vehicles as
6 uniformly as practicable throughout the twelve months of the
7 calendar year. For the purpose of assigning license plate
8 numbers, each type of motor vehicle shall be considered a
9 separate class. [Commencing July 1, 1949,] Motor vehicles,
10 other than commercial motor vehicles, shall be registered
11 for a period of twelve consecutive calendar months. [There
12 are established twelve registration periods, each of which
13 shall start on the first day of each calendar month of the
14 year and shall end on the last date of the twelfth month
15 from the date of beginning.] Fees for the renewal of
16 noncommercial motor vehicle registrations shall be payable
17 no later than the last day of the month [that follows the
18 twelfth month] of the expired registration period. No
19 [delinquent renewal penalty shall be assessed under section
20 301.050, and no] violation shall be issued under section
21 301.020 for an expired registration[, prior to the second
22 month that follows the twelfth month of the expired
23 registration period] **before the last day of the month of**
24 **expiration.**

25 2. Motor vehicles, other than commercial motor
26 vehicles, operated for the first time upon the public
27 highways of this state, to and including the fifteenth day
28 of any given month, shall be subject to registration and
29 payment of a fee for the twelve-month period commencing the
30 first day of the month of such operation; motor vehicles,

31 other than commercial motor vehicles, operated for the first
32 time on the public highways of this state after the
33 fifteenth day of any given month shall be subject to
34 registration and payment of a fee for the twelve-month
35 period commencing the first day of the next following
36 calendar month.

37 3. All commercial motor vehicles and trailers, except
38 those licensed under section 301.035 and those operated
39 under agreements as provided for in sections 301.271 to
40 301.279, shall be registered either on a calendar year basis
41 or on a prorated basis as provided in this section. The
42 fees for commercial motor vehicles, trailers, semitrailers,
43 and driveaway vehicles, other than those to be operated
44 under agreements as provided for in sections 301.271 to
45 301.279 shall be payable not later than the last day of
46 February of each year, except when such vehicle is licensed
47 between April first and July first the fee shall be three-
48 fourths the annual fee, when licensed between July first and
49 October first the fee shall be one-half the annual fee and
50 when licensed on or after October first the fee shall be one-
51 fourth the annual fee. Such license plates shall be made
52 with fully reflective material with a common color scheme
53 and design, shall be clearly visible at night, and shall be
54 aesthetically attractive, as prescribed by section 301.130.
55 Local commercial motor vehicle license plates may also be so
56 stamped, marked or designed as to indicate they are to be
57 used only on local commercial motor vehicles and, in
58 addition to such stamp, mark or design, the letter "F" shall
59 also be displayed on local commercial motor vehicle license
60 plates issued to motor vehicles used for farm or farming
61 transportation operations as defined in section 301.010 in
62 the manner prescribed by the advisory committee established

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

67 4. The director shall, upon application, issue
68 registration and license plates for nine thousand pounds
69 gross weight for property-carrying commercial motor vehicles
70 referred to herein, upon payment of the fees prescribed for
71 twelve thousand pounds gross weight as provided in section
72 301.057.

73 5. Notwithstanding any other provision of law to the
74 contrary, any motorcycle or motortricycle registration
75 issued by the Missouri department of revenue shall expire on
76 June thirtieth.

301.050. All registration fees shall be payable to the
2 director of revenue and shall accompany the application for
3 registration. A penalty fee of **[five] twenty-five** dollars
4 shall be paid **for the first month of delinquency and twenty-**
5 **five dollars each consecutive month of delinquency not to**
6 **exceed two hundred dollars** on all delinquent registrations.
7 **[Any motor vehicle on which the annual registration fee**
8 **falls due prior to September 1, 1984, and which is**
9 **delinquent shall thereafter be registered by the department**
10 **of revenue to renew that annual registration at the fee in**
11 **effect when the annual registration was due plus the penalty**
12 **provided in this section.]**

301.055. 1. The annual registration fee for a
2 **passenger** motor **[vehicles] vehicle plate** other than
3 commercial motor vehicles is **[:**

4 Less than 12 horsepower	\$18.00
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5	12 horsepower and less than 24	21.00
6	horsepower	
7	24 horsepower and less than 36	24.00
8	horsepower	
9	36 horsepower and less than 48	33.00
10	horsepower	
11	48 horsepower and less than 60	39.00
12	horsepower	
13	60 horsepower and less than 72	45.00
14	horsepower	
15	72 horsepower and more	51.00
16	Motorcycles	8.50
17	Motortricycles	10.00
18	Autocycles	10.00]

19 **twenty-five dollars, inclusive of the railroad crossing**
 20 **safety fee prescribed in section 389.612.**

21 **2. The annual registration fee for motorcycles,**
 22 **motortricycles, and autocycles is ten dollars, inclusive of**
 23 **the railroad crossing safety fee prescribed in section**
 24 **389.612.**

25 **3.** Notwithstanding any other provision of law, the
 26 registration of any autocycle registered as a motorcycle or
 27 motortricycle prior to August 28, 2018, shall remain in
 28 effect until the expiration of the registration period for
 29 such vehicle at which time the owner shall be required to
 30 renew the motor vehicle's registration under the autocycle
 31 classification and pay the appropriate registration fee.

301.070. 1. [In determining fees based on the
2 horsepower of vehicles propelled by internal combustion
3 engines, the horsepower shall be computed and recorded upon
4 the following formula established by the National Automobile
5 Chamber of Commerce: Square the bore of the cylinder in
6 inches multiplied by the number of cylinders, divided by two
7 and one-half.

8 2. The horsepower of all motor vehicles propelled by
9 steam may be accepted as rated by the manufacturers thereof,
10 or may be determined in accordance with regulations
11 promulgated by the director.

12 3. The horsepower of all motor vehicles, except
13 commercial motor vehicles, propelled by electric power,
14 shall be rated as being between twelve and twenty-four
15 horsepower.

16 4.] Fees of commercial motor vehicles, other than
17 passenger-carrying commercial motor vehicles, shall be based
18 on the gross weight of the vehicle or any combination of
19 vehicles and the maximum load to be carried at any one time
20 during the license period, except the fee for a wrecker, tow
21 truck, rollback or car carrier used in a towing service
22 shall be based on the empty weight of such vehicle fully
23 equipped for the recovery or towing of vehicles.

24 [5.] 2. The decision of the director as to the type of
25 motor vehicles and their classification for the purpose of
26 registration and the computation of fees therefor shall be
27 final and conclusive.

301.110. 1. Whenever the director shall determine
2 from an increase or decrease in the number of registrations
3 of all types of motor vehicles in any given month that the
4 volume of clerical work of registration of all types of
5 motor vehicles in such month has become so disproportionate

6 to the volume of work in the remaining registration periods
7 as to render the system burdensome or inefficient, [he] **the**
8 **director** is authorized and empowered to change the
9 registration period of any number of motor vehicles, other
10 than commercial motor vehicles, as may be necessary to
11 increase or reduce the volume of registration in one or more
12 periods by advancing the renewal date and shortening the
13 registration period of such motor vehicles.

14 2. The shifting of registration periods shall be
15 accomplished by notifying the registrants of the change, and
16 giving them credit for that portion of the registration
17 period not yet elapsed. In such instances the director
18 shall order the registrant to surrender the license plates
19 and registration certificate held by [him] **the director** and
20 shall assign and issue, without cost to the owner, new
21 plates and a registration certificate designating the new
22 registration expiration date.

23 3. **Notwithstanding subsection 6 of section 142.869 or**
24 **any other provision of law to the contrary, the director may**
25 **stagger the collection of alternative fuel decal fees and**
26 **issuance of alternative fuel decals so that issuance of**
27 **alternative fuel decals occurs at the time of vehicle**
28 **registration and the decal or decals are valid for the**
29 **duration of the vehicle's registration period. In lieu of**
30 **an alternative fuel decal, the director may issue a receipt**
31 **showing payment of the alternative fuel decal fee, which**
32 **shall be kept with the vehicle and valid in place of an**
33 **alternative fuel decal displayed in accordance with section**
34 **142.869.**

301.140. 1. Upon the transfer of ownership of any
2 motor vehicle or trailer, the certificate of registration
3 and the right to use the number plates shall expire and the

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

24 2. In the case of a transfer of ownership the original
25 owner may register another motor vehicle under the same
26 **license plate** number, upon the payment of a fee of [two] **ten**
27 dollars, if the motor vehicle is [of horsepower, gross
28 weight or (in the case of a passenger-carrying commercial
29 motor vehicle) seating capacity, not in excess of that] **the**
30 **same classification as** originally registered. When such
31 motor vehicle is of greater [horsepower, gross weight or (in
32 the case of a passenger-carrying commercial motor vehicle)
33 seating capacity, for which a greater fee is prescribed]
34 **classification than originally registered**, the applicant
35 shall pay a transfer fee of [two] **ten** dollars and a pro rata

36 portion for the difference in fees. When such vehicle is of
37 less [horsepower, gross weight or (in case of a passenger-
38 carrying commercial motor vehicle) seating capacity, for
39 which a lesser fee is prescribed] **classification than**
40 **originally registered**, the applicant shall not be entitled
41 to a refund. **As soon as technologically possible following**
42 **the implementation and maintenance of a modernized,**
43 **integrated system for the titling of vehicles, issuance and**
44 **renewal of vehicle registrations, and perfection and release**
45 **of liens and encumbrances on vehicles, if the transfer**
46 **occurs at a dealer location the current plate may be**
47 **transferred at time of purchase and tracked in the system.**
48 **If a motor vehicle, trailer, boat, or outboard motor is**
49 **purchased independently, the time frame for transfer of**
50 **plates noted in this section shall apply, and the transfer**
51 **shall occur by an authorized agent of the department of**
52 **revenue or the department of revenue central office.**

53 3. License plates may be transferred from a motor
54 vehicle which will no longer be operated to a newly
55 purchased motor vehicle by the owner of such vehicles. The
56 owner shall pay a transfer fee of [two] **ten** dollars if the
57 **motor vehicle is the same classification as the** newly
58 purchased vehicle [is of horsepower, gross weight or (in the
59 case of a passenger-carrying commercial motor vehicle)
60 seating capacity, not in excess of that of the vehicle which
61 will no longer be operated]. When the newly purchased motor
62 vehicle is of greater [horsepower, gross weight or (in the
63 case of a passenger-carrying commercial motor vehicle)
64 seating capacity, for which a greater fee is prescribed]
65 **classification than originally registered**, the applicant
66 shall pay a transfer fee of [two] **ten** dollars and a pro rata
67 portion of the difference in fees. When the newly purchased

68 vehicle is of less [horsepower, gross weight or (in the case
69 of a passenger-carrying commercial motor vehicle) seating
70 capacity, for which a lesser fee is prescribed]
71 **classification than originally registered**, the applicant
72 shall not be entitled to a refund. **As soon as**
73 **technologically possible following the implementation and**
74 **maintenance of a modernized, integrated system for the**
75 **titling of vehicles, issuance and renewal of vehicle**
76 **registrations, and perfection and release of liens and**
77 **encumbrances on vehicles, if the transfer occurs at a dealer**
78 **location the current plate may be transferred at time of**
79 **purchase and tracked in the system. If a motor vehicle,**
80 **trailer, boat, or outboard motor is purchased independently,**
81 **the time frame for transfer of plates noted in this section**
82 **shall apply, and the transfer shall occur by an authorized**
83 **agent of the department of revenue or the department of**
84 **revenue central office.**

85 4. (1) The director of the department of revenue
86 shall have authority to produce or allow others to produce a
87 weather resistant, [nontearing temporary permit] **interim**
88 **plate** authorizing the operation of a motor vehicle or
89 trailer by a buyer for not more than thirty days[, or no
90 more than sixty days if issued by a dealer selling the motor
91 vehicle under the provisions of subsection 5 of section
92 301.210, from the date of purchase]. The [temporary permit]
93 **interim plate** authorized under this section may be purchased
94 by the purchaser of a motor vehicle or trailer from the
95 central office of the department of revenue or from an
96 authorized agent of the department of revenue upon
97 satisfaction of all applicable taxes under chapter 144, upon
98 proof of purchase of a motor vehicle or trailer for which
99 the buyer has no registration plate available for transfer

100 and upon proof of financial responsibility, or from a motor
101 vehicle dealer upon purchase of a motor vehicle or trailer
102 for which the buyer has no registration plate available for
103 transfer, or from a motor vehicle dealer upon purchase of a
104 motor vehicle or trailer for which the buyer has registered
105 and is awaiting receipt of registration plates. The
106 director of the department of revenue or a producer
107 authorized by the director of the department of revenue may
108 make **[temporary permits] interim plates** available to
109 registered dealers in this state, authorized agents of the
110 department of revenue or the department of revenue. **[The**
111 **price paid by a motor vehicle dealer, an authorized agent of**
112 **the department of revenue or the department of revenue for a**
113 **temporary permit shall not exceed five dollars for each**
114 **permit .]** The director of the department of revenue shall
115 direct motor vehicle dealers and authorized agents to obtain
116 **[temporary permits] interim plates** from an authorized
117 producer. **[Amounts received by the director of the**
118 **department of revenue for temporary permits shall**
119 **constitute state revenue; however, amounts received by an**
120 **authorized producer other than the director of the**
121 **department of revenue shall not constitute state revenue and**
122 **any amounts received by motor vehicle dealers or authorized**
123 **agents for temporary permits purchased from a producer**
124 **other than the director of the department of revenue shall**
125 **not constitute state revenue. In no event shall revenues**
126 **from the general revenue fund or any other state fund be**
127 **utilized to compensate motor vehicle dealers or other**
128 **producers for their role in producing temporary permits as**
129 **authorized under this section. Amounts that do not**
130 **constitute state revenue under this section shall also not**
131 **constitute fees for registration or certificates of title to**

132 be collected by the director of the department of revenue
133 under section 301.190. No motor vehicle dealer, authorized
134 agent or the department of revenue shall charge more than
135 five dollars for each permit issued.] The [permit] **interim**
136 **plate** shall be valid for a period of thirty days, [or no
137 more than ninety days if issued by a dealer selling the
138 motor vehicle under the provisions of section 301.213, or no
139 more than sixty days if issued by a dealer selling the motor
140 vehicle under the provisions of subsection 5 of section
141 301.210,] from the date of purchase of a motor vehicle or
142 trailer, or from the date of sale of the motor vehicle or
143 trailer by a motor vehicle dealer for which the purchaser
144 obtains [a permit] **an interim plate** as set out above. No
145 permit shall be issued for a vehicle under this section
146 unless the buyer shows proof of financial responsibility.
147 Each [temporary permit] **interim plate** issued shall be
148 securely fastened to the back or rear of the motor vehicle
149 in a manner and place on the motor vehicle consistent with
150 registration plates so that all parts and qualities of the
151 [temporary permit] **interim plate** thereof shall be plainly
152 and clearly visible, reasonably clean and are not impaired
153 in any way. **The department shall issue a nontransferable in-**
154 **transit plate for motor vehicles, trailers, and boats**
155 **purchased by nonresidents of this state for a fee of ten**
156 **dollars. Such in-transit plate shall be displayed in the**
157 **rear window of the newly purchased motor vehicle, boat, or**
158 **trailer, be available to law enforcement to query in the**
159 **department's system, and be void fifteen days after**
160 **issuance. As soon as technologically possible following the**
161 **implementation and maintenance of a modernized, integrated**
162 **system for the titling of vehicles, issuance and renewal of**
163 **vehicle registrations, and perfection and release of liens**

164 and encumbrances on vehicles, dealers selling the motor
165 vehicle shall title and register vehicles, collect sales
166 tax, verify personal property tax is current and issue an
167 interim plate with the same configuration of the permanent
168 plate, which shall subsequently be mailed to the owner by
169 the department. If a motor vehicle is purchased
170 independently, the time frame for obtaining an interim plate
171 shall be thirty days from the purchase and the interim plate
172 shall be obtained through the department of revenue or an
173 authorized agent of the department of revenue, provided that
174 the interim plate shall have the same configuration of the
175 permanent registration plate, which shall be mailed to the
176 owner by the department. No other type of temporary permit
177 or plate shall be issued by the department or an authorized
178 agent of the department.

179 (2) The provisions of subdivision (1) of this
180 subsection requiring satisfaction of all applicable taxes
181 under chapter 144 shall become effective only upon
182 notification by the director of the department of revenue
183 that implementation of such requirements are technologically
184 feasible following the development and maintenance of a
185 modernized, integrated system for the titling of vehicles,
186 the issuance and renewal of vehicle registrations, the
187 issuance and renewal of drivers' licenses and identification
188 cards, and the perfection and release of liens and
189 encumbrances on vehicles.

190 5. The [permit] interim plate shall be issued on a
191 form prescribed by the director of the department of revenue
192 and issued only for the applicant's temporary operation of
193 the motor vehicle or trailer purchased to enable the
194 applicant to temporarily operate the motor vehicle while
195 proper title and registration plates are being obtained, or

196 while awaiting receipt of registration plates, and shall be
197 displayed on no other motor vehicle. [Temporary permits]
198 **Interim plates** issued pursuant to this section shall not be
199 transferable or renewable[,] **and** shall not be valid upon
200 issuance of proper registration plates for the motor vehicle
201 or trailer[, and shall be returned to the department or to
202 the department's agent upon the issuance of such proper
203 registration plates. Any temporary permit returned to the
204 department or to the department's agent shall be immediately
205 destroyed.] The provisions of this subsection shall not
206 apply to [temporary permits] **interim plates** issued for
207 commercial motor vehicles licensed in excess of twenty-four
208 thousand pounds gross weight. The director of the
209 department of revenue shall determine the size, material,
210 design, numbering configuration, construction, and color of
211 the [permit] **interim plate**. The director of the department
212 of revenue, at his or her discretion, shall have the
213 authority to reissue, and thereby extend the use of, [a
214 temporary permit] **an interim plate** previously and legally
215 issued for a motor vehicle or trailer while proper title and
216 registration are being obtained.

217 6. Every motor vehicle dealer that issues [temporary
218 permits] **interim plates** shall keep, for inspection by proper
219 officers, an accurate record of each [permit] **interim plate**
220 issued by recording the [permit] **interim plate** number **that**
221 **shall coincide with the registration plate issued**, the motor
222 vehicle dealer's number, buyer's name and address, the motor
223 vehicle's year, make, and manufacturer's vehicle
224 identification number, and the [permit's] **interim plate's**
225 date of issuance and expiration date. Upon the issuance of
226 [a temporary permit] **an interim plate** by either the central
227 office of the department of revenue, a motor vehicle dealer

228 or an authorized agent of the department of revenue, the
229 director of the department of revenue shall make the
230 information associated with the issued [temporary permit]
231 **interim registration plate** immediately available to the law
232 enforcement community of the state of Missouri. **As soon as**
233 **technologically possible following the implementation and**
234 **maintenance of a modernized, integrated system for the**
235 **titling of vehicles, issuance and renewal of vehicle**
236 **registrations, and perfection and release of liens and**
237 **encumbrances on vehicles, dealers shall no longer issue**
238 **temporary permits and no records shall need to be kept.**

239 7. Upon the transfer of ownership of any currently
240 registered motor vehicle wherein the owner cannot transfer
241 the license plates due to a change of motor vehicle
242 category, the owner may surrender the license plates issued
243 to the motor vehicle and receive credit for any unused
244 portion of the original registration fee against the
245 registration fee of another motor vehicle. Such credit
246 shall be granted based upon the date the license plates are
247 surrendered. No refunds shall be made on the unused portion
248 of any license plates surrendered for such credit.

249 8. [An additional temporary license plate produced in
250 a manner and of materials determined by the director to be
251 the most cost-effective means of production with a
252 configuration that matches an existing or newly issued
253 plate] **A third plate** may be purchased by a motor vehicle
254 owner to be placed in the interior of the vehicle's rear
255 window such that the driver's view out of the rear window is
256 not obstructed and the plate configuration is clearly
257 visible from the outside of the vehicle to serve as the
258 visible plate when a bicycle rack or other item obstructs
259 the view of the actual plate. [Such temporary plate is only

260 authorized for use when the matching actual plate is affixed
261 to the vehicle in the manner prescribed in subsection 5 of
262 section 301.130.] The fee charged for the [temporary] **third**
263 plate shall be equal to the fee charged for a [temporary
264 permit issued under subsection 4 of this section]
265 **replacement plate as prescribed in section 301.300.**

266 [Replacement temporary plates authorized in this subsection
267 may be issued as needed upon the payment of a fee equal to
268 the fee charged for a temporary permit under subsection 4 of
269 this section.] The newly produced third plate may only be
270 used on the vehicle with the matching plate, and the
271 additional plate shall be clearly recognizable as a third
272 plate and only used for the purpose specified in this
273 subsection.

274 9. Notwithstanding the provisions of section 301.217,
275 the director may issue a temporary permit to an individual
276 who possesses a salvage motor vehicle which requires an
277 inspection under subsection 9 of section 301.190. The
278 operation of a salvage motor vehicle for which the permit
279 has been issued shall be limited to the most direct route
280 from the residence, maintenance, or storage facility of the
281 individual in possession of such motor vehicle to the
282 nearest authorized inspection facility and return to the
283 originating location. Notwithstanding any other
284 requirements for the issuance of a temporary permit under
285 this section, an individual obtaining a temporary permit for
286 the purpose of operating a motor vehicle to and from an
287 examination facility as prescribed in this subsection shall
288 also purchase the required motor vehicle examination form
289 which is required to be completed for an examination under
290 subsection 9 of section 301.190 and provide satisfactory
291 evidence that such vehicle has passed a motor vehicle safety

292 inspection for such vehicle as required in section 307.350.
293 **As soon as technologically possible following the**
294 **implementation and maintenance of a modernized, integrated**
295 **system for the titling of vehicles, issuance and renewal of**
296 **vehicle registrations, and perfection and release of liens**
297 **and encumbrances on vehicles, if an inspection is required**
298 **at an authorized inspection facility for a salvage vehicle,**
299 **the owner shall carry and possess a notice of sale and shall**
300 **get an inspection within fifteen days of the sale.**

301 10. The director of the department of revenue may
302 promulgate all necessary rules and regulations for the
303 administration of this section. Any rule or portion of a
304 rule, as that term is defined in section 536.010, that is
305 created under the authority delegated in this section shall
306 become effective only if it complies with and is subject to
307 all of the provisions of chapter 536 and, if applicable,
308 section 536.028. This section and chapter 536 are
309 nonseverable and if any of the powers vested with the
310 general assembly pursuant to chapter 536 to review, to delay
311 the effective date, or to disapprove and annul a rule are
312 subsequently held unconstitutional, then the grant of
313 rulemaking authority and any rule proposed or adopted after
314 August 28, 2012, shall be invalid and void.

315 [11. The repeal and reenactment of this section shall
316 become effective on the date the department of revenue or a
317 producer authorized by the director of the department of
318 revenue begins producing temporary permits described in
319 subsection 4 of such section, or on July 1, 2013, whichever
320 occurs first. If the director of revenue or a producer
321 authorized by the director of the department of revenue
322 begins producing temporary permits prior to July 1, 2013,

323 the director of the department of revenue shall notify the
324 revisor of statutes of such fact.]

301.142. 1. As used in sections 301.141 to 301.143,
2 the following terms mean:

3 (1) "Department", the department of revenue;

4 (2) "Director", the director of the department of
5 revenue;

6 (3) "Other authorized health care practitioner"
7 includes advanced practice registered nurses licensed
8 pursuant to chapter 335, physician assistants licensed
9 pursuant to chapter 334, chiropractors licensed pursuant to
10 chapter 331, podiatrists licensed pursuant to chapter 330,
11 assistant physicians, physical therapists licensed pursuant
12 to chapter 334, and optometrists licensed pursuant to
13 chapter 336;

14 (4) "Physically disabled", a natural person who is
15 blind, as defined in section 8.700, or a natural person with
16 medical disabilities which prohibits, limits, or severely
17 impairs one's ability to ambulate or walk, as determined by
18 a licensed physician or other authorized health care
19 practitioner as follows:

20 (a) The person cannot ambulate or walk fifty or less
21 feet without stopping to rest due to a severe and disabling
22 arthritic, neurological, orthopedic condition, or other
23 severe and disabling condition; or

24 (b) The person cannot ambulate or walk without the use
25 of, or assistance from, a brace, cane, crutch, another
26 person, prosthetic device, wheelchair, or other assistive
27 device; or

28 (c) Is restricted by a respiratory or other disease to
29 such an extent that the person's forced respiratory
30 expiratory volume for one second, when measured by

31 spirometry, is less than one liter, or the arterial oxygen
32 tension is less than sixty mm/hg on room air at rest; or

33 (d) Uses portable oxygen; or

34 (e) Has a cardiac condition to the extent that the
35 person's functional limitations are classified in severity
36 as class III or class IV according to standards set by the
37 American Heart Association; or

38 (f) Except as otherwise provided in subdivision (3) of
39 subsection 16 of this section, a person's age, in and of
40 itself, shall not be a factor in determining whether such
41 person is physically disabled or is otherwise entitled to
42 disabled license plates and/or disabled windshield hanging
43 placards within the meaning of sections 301.141 to 301.143;

44 (5) "Physician", a person licensed to practice
45 medicine pursuant to chapter 334;

46 (6) "Physician's statement", a statement personally
47 signed by a duly authorized person which certifies that a
48 person is disabled as defined in this section;

49 (7) "Temporarily disabled person", a disabled person
50 as defined in this section whose disability or incapacity is
51 expected to last no more than one hundred eighty days;

52 (8) "Temporary windshield placard", a placard to be
53 issued to persons who are temporarily disabled persons as
54 defined in this section, certification of which shall be
55 indicated on the physician's statement;

56 (9) "Windshield placard", a placard to be issued to
57 persons who are physically disabled as defined in this
58 section, certification of which shall be indicated on the
59 physician's statement.

60 2. Other authorized health care practitioners may
61 furnish to a disabled or temporarily disabled person a
62 physician's statement for only those physical health care

63 conditions for which such health care practitioner is
64 legally authorized to diagnose and treat.

65 3. A physician's statement shall:

66 (1) Be on a form prescribed by the director of revenue;

67 (2) Set forth the specific diagnosis and medical
68 condition which renders the person physically disabled or
69 temporarily disabled as defined in this section;

70 (3) Include the physician's or other authorized health
71 care practitioner's license number; and

72 (4) Be personally signed by the issuing physician or
73 other authorized health care practitioner.

74 4. If it is the professional opinion of the physician
75 or other authorized health care practitioner issuing the
76 statement that the physical disability of the applicant,
77 user, or member of the applicant's household is permanent,
78 it shall be noted on the statement. Otherwise, the
79 physician or other authorized health care practitioner shall
80 note on the statement the anticipated length of the
81 disability, which shall determine the expiration date for
82 the temporary windshield placard, and which period shall not
83 exceed one hundred eighty days. If the physician or health
84 care practitioner fails to record an expiration date on the
85 physician's statement, the director shall issue a temporary
86 windshield placard for a period of thirty days.

87 5. A physician or other authorized health care
88 practitioner who issues or signs a physician's statement so
89 that disabled plates or a disabled windshield placard may be
90 obtained shall maintain in such disabled person's medical
91 chart documentation that such a certificate has been issued,
92 the date the statement was signed, the diagnosis or
93 condition which existed that qualified the person as
94 disabled pursuant to this section and shall contain

95 sufficient documentation so as to objectively confirm that
96 such condition exists.

97 6. The medical or other records of the physician or
98 other authorized health care practitioner who issued a
99 physician's statement shall be open to inspection and review
100 by such practitioner's licensing board, in order to verify
101 compliance with this section. Information contained within
102 such records shall be confidential unless required for
103 prosecution, disciplinary purposes, or otherwise required to
104 be disclosed by law.

105 7. Owners of motor vehicles who are residents of the
106 state of Missouri, and who are physically disabled, owners
107 of motor vehicles operated at least fifty percent of the
108 time by a physically disabled person, or owners of motor
109 vehicles used to primarily transport physically disabled
110 members of the owner's household may obtain disabled person
111 license plates. Such owners, upon application to the
112 director accompanied by the documents and fees provided for
113 in this section, a current physician's statement which has
114 been issued within ninety days proceeding the date the
115 application is made, and proof of compliance with the state
116 motor vehicle laws relating to registration and licensing of
117 motor vehicles, shall be issued motor vehicle license plates
118 for vehicles, other than commercial vehicles with a gross
119 weight in excess of twenty-four thousand pounds, upon which
120 shall be inscribed the international wheelchair
121 accessibility symbol and the word "DISABLED" in addition to
122 a combination of letters and numbers. Such license plates
123 shall be made with fully reflective material with a common
124 color scheme and design, shall be clearly visible at night,
125 and shall be aesthetically attractive, as prescribed by
126 section 301.130. If at any time an individual who obtained

127 disabled license plates issued under this subsection no
128 longer occupies a residence with a physically disabled
129 person, or no longer owns a vehicle that is operated at
130 least fifty percent of the time by a physically disabled
131 person, such individual shall surrender the disabled license
132 plates to the department within thirty days of becoming
133 ineligible for their use.

134 8. The director shall further issue, upon request, to
135 such applicant one, and for good cause shown, as the
136 director may define by rule and regulations, not more than
137 two, removable disabled windshield hanging placards for use
138 when the disabled person is occupying a vehicle or when a
139 vehicle not bearing the permanent handicap plate is being
140 used to pick up, deliver, or collect the physically disabled
141 person issued the disabled motor vehicle license plate or
142 disabled windshield hanging placard.

143 9. No additional fee shall be paid to the director for
144 the issuance of the special license plates provided in this
145 section, except for special personalized license plates and
146 other license plates described in this subsection. Priority
147 for any specific set of special license plates shall be
148 given to the applicant who received the number in the
149 immediately preceding license period subject to the
150 applicant's compliance with the provisions of this section
151 and any applicable rules or regulations issued by the
152 director. If determined feasible by the advisory committee
153 established in section 301.129, any special license plate
154 issued pursuant to this section may be adapted to also
155 include the international wheelchair accessibility symbol
156 and the word "DISABLED" as prescribed in this section and
157 such plate may be issued to any applicant who meets the
158 requirements of this section and the other appropriate

159 provision of this chapter, subject to the requirements and
160 fees of the appropriate provision of this chapter.

161 10. Any physically disabled person, or the parent or
162 guardian of any such person, or any not-for-profit group,
163 organization, or other entity which transports more than one
164 physically disabled person, may apply to the director of
165 revenue for a removable windshield placard. The placard may
166 be used in motor vehicles which do not bear the permanent
167 handicap symbol on the license plate. Such placards must be
168 hung from the front, middle rearview mirror of a parked
169 motor vehicle and may not be hung from the mirror during
170 operation. These placards may only be used during the
171 period of time when the vehicle is being used by a disabled
172 person, or when the vehicle is being used to pick up,
173 deliver, or collect a disabled person, and shall be
174 surrendered to the department, within thirty days, if a
175 group, organization, or entity that obtained the removable
176 windshield placard due to the transportation of more than
177 one physically disabled person no longer transports more
178 than one disabled person. When there is no rearview mirror,
179 the placard shall be displayed on the dashboard on the
180 driver's side.

181 11. The removable windshield placard shall conform to
182 the specifications, in respect to size, color, and content,
183 as set forth in federal regulations published by the
184 Department of Transportation. The removable windshield
185 placard shall be renewed every [four] **eight** years. **The**
186 **department shall have the authority to automatically renew**
187 **current valid disabled placards for a duration of eight**
188 **years, or for the duration that correlates with the current**
189 **physician's statement expiration date, until all permanent**
190 **disabled placards are on an eight-year renewal cycle.** The

191 director may stagger the expiration dates to equalize
192 workload. Only one removable placard may be issued to an
193 applicant who has been issued disabled person license
194 plates. Upon request, one additional windshield placard may
195 be issued to an applicant who has not been issued disabled
196 person license plates.

197 12. A temporary windshield placard shall be issued to
198 any physically disabled person, or the parent or guardian of
199 any such person who otherwise qualifies except that the
200 physical disability, in the opinion of the physician, is not
201 expected to exceed a period of one hundred eighty days. The
202 temporary windshield placard shall conform to the
203 specifications, in respect to size, color, and content, as
204 set forth in federal regulations published by the Department
205 of Transportation. The fee for the temporary windshield
206 placard shall be two dollars. Upon request, and for good
207 cause shown, one additional temporary windshield placard may
208 be issued to an applicant. Temporary windshield placards
209 shall be issued upon presentation of the physician's
210 statement provided by this section and shall be displayed in
211 the same manner as removable windshield placards. A person
212 or entity shall be qualified to possess and display a
213 temporary removable windshield placard for six months and
214 the placard may be renewed once for an additional six months
215 if a physician's statement pursuant to this section is
216 supplied to the director of revenue at the time of renewal.

217 13. A windshield placard shall be renewable only by
218 the person or entity to which the placard was originally
219 issued. Any placard issued pursuant to this section shall
220 only be used when the physically disabled occupant for whom
221 the disabled plate or placard was issued is in the motor
222 vehicle at the time of parking or when a physically disabled

223 person is being delivered or collected. A disabled license
224 plate and/or a removable windshield hanging placard are not
225 transferable and may not be used by any other person whether
226 disabled or not.

227 14. At the time the disabled plates or windshield
228 hanging placards are issued, the director shall issue a
229 registration certificate which shall include the applicant's
230 name, address, and other identifying information as
231 prescribed by the director, or if issued to an agency, such
232 agency's name and address. This certificate shall further
233 contain the disabled license plate number or, for windshield
234 hanging placards, the registration or identifying number
235 stamped on the placard. The validated registration receipt
236 given to the applicant shall serve as the registration
237 certificate.

238 15. The director shall, upon issuing any disabled
239 registration certificate for license plates and/or
240 windshield hanging placards, provide information which
241 explains that such plates or windshield hanging placards are
242 nontransferable, and the restrictions explaining who and
243 when a person or vehicle which bears or has the disabled
244 plates or windshield hanging placards may be used or be
245 parked in a disabled reserved parking space, and the
246 penalties prescribed for violations of the provisions of
247 this act.

248 16. (1) Except as otherwise provided in this
249 subsection, every applicant for issuance of a disabled
250 license plate or placard shall be required to present a new
251 physician's statement dated no more than ninety days prior
252 to such application, and for renewal applications a
253 physician's statement dated no more than ninety days prior
254 to such application shall be required every eighth year.

255 (2) Notwithstanding any provision of law to the
256 contrary, if the applicant has presented proof of disability
257 in the form of a statement from the United States Department
258 of Veterans Affairs verifying that the person is permanently
259 disabled, the applicant shall not be required to provide a
260 physician's statement for the purpose of issuance or renewal
261 of disabled person license plates or windshield placards.

262 (3) Notwithstanding the provisions of paragraph (f) of
263 subdivision (4) of subsection 1 of this section, any person
264 seventy-five years of age or older who provided a
265 physician's statement with the original application shall
266 not be required to provide a physician's statement for the
267 purpose of renewal of disabled person license plates or
268 windshield placards.

269 17. The director of revenue upon receiving a
270 physician's statement pursuant to this subsection shall
271 check with the state board of registration for the healing
272 arts created in section 334.120, or the Missouri state board
273 of nursing established in section 335.021, with respect to
274 physician's statements signed by advanced practice
275 registered nurses, or the Missouri state board of
276 chiropractic examiners established in section 331.090, with
277 respect to physician's statements signed by licensed
278 chiropractors, or with the board of optometry established in
279 section 336.130, with respect to physician's statements
280 signed by licensed optometrists, or the state board of
281 podiatric medicine created in section 330.100, with respect
282 to physician's statements signed by physicians of the foot
283 or podiatrists to determine whether the physician is duly
284 licensed and registered pursuant to law.

285 18. The boards shall cooperate with the director and
286 shall supply information requested pursuant to this

287 subsection. The director shall, in cooperation with the
288 boards which shall assist the director, establish a list of
289 all Missouri physicians and other authorized health care
290 practitioners and of any other information necessary to
291 administer this section.

292 19. Where the owner's application is based on the fact
293 that the vehicle is used at least fifty percent of the time
294 by a physically disabled person, the applicant shall submit
295 a statement stating this fact, in addition to the
296 physician's statement. The statement shall be signed by
297 both the owner of the vehicle and the physically disabled
298 person. The applicant shall be required to submit this
299 statement with each application for license plates. No
300 person shall willingly or knowingly submit a false statement
301 and any such false statement shall be considered perjury and
302 may be punishable pursuant to section 301.420.

303 20. The director of revenue shall retain all
304 physicians' statements and all other documents received in
305 connection with a person's application for disabled license
306 plates and/or disabled windshield placards.

307 21. The director of revenue shall enter into
308 reciprocity agreements with other states or the federal
309 government for the purpose of recognizing disabled person
310 license plates or windshield placards issued to physically
311 disabled persons.

312 22. When a person to whom disabled person license
313 plates or a removable or temporary windshield placard or
314 both have been issued dies, the personal representative of
315 the decedent or such other person who may come into or
316 otherwise take possession of the disabled license plates or
317 disabled windshield placard shall return the same to the
318 director of revenue under penalty of law. Failure to return

319 such plates or placards shall constitute a class B
320 misdemeanor.

321 23. The director of revenue may order any person
322 issued disabled person license plates or windshield placards
323 to submit to an examination by a chiropractor, osteopath, or
324 physician, or to such other investigation as will determine
325 whether such person qualifies for the special plates or
326 placards.

327 24. If such person refuses to submit or is found to no
328 longer qualify for special plates or placards provided for
329 in this section, the director of revenue shall collect the
330 special plates or placards, and shall furnish license plates
331 to replace the ones collected as provided by this chapter.

332 25. In the event a removable or temporary windshield
333 placard is lost, stolen, or mutilated, the lawful holder
334 thereof shall, within five days, file with the director of
335 revenue an application and an affidavit stating such fact,
336 in order to purchase a new placard. The fee for the
337 replacement windshield placard shall be four dollars.

338 26. Fraudulent application, renewal, issuance,
339 procurement or use of disabled person license plates or
340 windshield placards shall be a class A misdemeanor. It is a
341 class B misdemeanor for a physician, chiropractor,
342 podiatrist or optometrist to certify that an individual or
343 family member is qualified for a license plate or windshield
344 placard based on a disability, the diagnosis of which is
345 outside their scope of practice or if there is no basis for
346 the diagnosis.

301.147. 1. Notwithstanding the provisions of section
2 301.020 to the contrary, [beginning July 1, 2000,] the
3 director of revenue may provide owners of motor vehicles,
4 other than commercial motor vehicles licensed in excess of

5 fifty-four thousand pounds gross weight, the option of
6 biennially registering motor vehicles [. Any vehicle
7 manufactured as an even-numbered model year vehicle shall be
8 renewed each even-numbered calendar year and any such
9 vehicle manufactured as an odd-numbered model year vehicle
10 shall be renewed each odd-numbered calendar year], subject
11 to the following requirements:

12 (1) The fee collected at the time of biennial
13 registration shall include the annual registration fee plus
14 a pro rata amount for the additional twelve months of the
15 biennial registration;

16 (2) Presentation of all documentation otherwise
17 required by law for vehicle registration including, but not
18 limited to, a personal property tax receipt or certified
19 statement for the preceding year that no such taxes were due
20 as set forth in section 301.025, proof of a motor vehicle
21 safety inspection and any applicable emission inspection
22 conducted within sixty days prior to the date of application
23 and proof of insurance as required by section 303.026.

24 2. The director of revenue may prescribe rules and
25 regulations for the effective administration of this
26 section. The director is authorized to adopt those rules
27 that are reasonable and necessary to accomplish the limited
28 duties specifically delegated within this section. Any rule
29 or portion of a rule, as that term is defined in section
30 536.010, that is promulgated pursuant to the authority
31 delegated in this section shall become effective only if it
32 has been promulgated pursuant to the provisions of chapter
33 536. This section and chapter 536 are nonseverable and if
34 any of the powers vested with the general assembly pursuant
35 to chapter 536 to review, to delay the effective date or to
36 disapprove and annul a rule are subsequently held

37 unconstitutional, then the grant of rulemaking authority and
38 any rule proposed or adopted after July 1, 2000, shall be
39 invalid and void.

40 3. The director of revenue shall have the authority to
41 stagger the registration period of motor vehicles other than
42 commercial motor vehicles, licensed in excess of twelve
43 thousand pounds gross weight, **to equalize workload or for**
44 **the convenience of registration applicants.** Once the owner
45 of a motor vehicle chooses the option of biennial
46 registration, such registration must be maintained for the
47 full twenty-four month period.

301.190. 1. No certificate of registration of any
2 motor vehicle or trailer, or number plate therefor, shall be
3 issued by the director of revenue unless the applicant
4 therefor shall make application for and be granted a
5 certificate of ownership of such motor vehicle or trailer,
6 or shall present satisfactory evidence that such certificate
7 has been previously issued to the applicant for such motor
8 vehicle or trailer. Application shall be made within thirty
9 days after the applicant acquires the motor vehicle or
10 trailer, unless the motor vehicle was acquired under section
11 301.213 or subsection 5 of section 301.210 in which case the
12 applicant shall make application within thirty days after
13 receiving title from the dealer, upon a blank form furnished
14 by the director of revenue and shall contain the applicant's
15 **[identification number,] full legal name as it appears on**
16 **the applicant's driver license, nondriver license or**
17 **permit. If the applicant does not have a Missouri driver**
18 **license, nondriver license, or permit, the full legal name**
19 **shall be as it appears on a birth certificate or as legally**
20 **changed through marriage or court order. Name changes by**
21 **common usage based on common law shall not be permitted.**

22 **Applicants that are businesses shall be the same name as**
23 **registered to do business through the Missouri secretary of**
24 **state's office. The application shall also include** a full
25 description of the motor vehicle or trailer, the vehicle
26 identification number, and the mileage registered on the
27 odometer at the time of transfer of ownership, as required
28 by section 407.536, together with a statement of the
29 applicant's source of title and of any liens or encumbrances
30 on the motor vehicle or trailer, provided that for good
31 cause shown the director of revenue may extend the period of
32 time for making such application. When an owner wants to
33 add or delete a name or names on an application for
34 certificate of ownership of a motor vehicle or trailer [that
35 would cause it to be inconsistent with], the name or names
36 listed on the **certificate of ownership shall be consistent**
37 **with the names noted on the** notice of lien, **and** the owner
38 shall provide the director with documentation evidencing the
39 lienholder's authorization to add or delete a name or names
40 on an application for certificate of ownership.

41 2. The director of revenue shall use reasonable
42 diligence in ascertaining whether the facts stated in such
43 application are true and shall, to the extent possible
44 without substantially delaying processing of the
45 application, review any odometer information pertaining to
46 such motor vehicle that is accessible to the director of
47 revenue. If satisfied that the applicant is the lawful
48 owner of such motor vehicle or trailer, or otherwise
49 entitled to have the same registered in his name, the
50 director shall thereupon issue an appropriate certificate
51 over [his] **the director's** signature and sealed with the seal
52 of [his] **the** office, procured and used for such purpose.
53 The certificate shall contain on its face a complete

54 description, vehicle identification number, and other
55 evidence of identification of the motor vehicle or trailer,
56 as the director of revenue may deem necessary, together with
57 the odometer information required to be put on the face of
58 the certificate pursuant to section 407.536, a statement of
59 any liens or encumbrances which the application may show to
60 be thereon, and, if ownership of the vehicle has been
61 transferred, the name of the state issuing the transferor's
62 title and whether the transferor's odometer mileage
63 statement executed pursuant to section 407.536 indicated
64 that the true mileage is materially different from the
65 number of miles shown on the odometer, or is unknown.

66 3. The director of revenue shall appropriately
67 designate on the current and all subsequent issues of the
68 certificate the words "Reconstructed Motor Vehicle", "Motor
69 Change Vehicle", "Specially Constructed Motor Vehicle", or
70 "Non-USA-Std Motor Vehicle", as defined in section 301.010.
71 Effective July 1, 1990, on all original and all subsequent
72 issues of the certificate for motor vehicles as referenced
73 in subsections 2 and 3 of section 301.020, the director
74 shall print on the face thereof the following designation:
75 "Annual odometer updates may be available from the
76 department of revenue.". On any duplicate certificate, the
77 director of revenue shall reprint on the face thereof the
78 most recent of either:

79 (1) The mileage information included on the face of
80 the immediately prior certificate and the date of purchase
81 or issuance of the immediately prior certificate; or

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

85 4. The certificate of ownership issued by the director
86 of revenue shall be manufactured in a manner to prohibit as
87 nearly as possible the ability to alter, counterfeit,
88 duplicate, or forge such certificate without ready
89 detection. In order to carry out the requirements of this
90 subsection, the director of revenue may contract with a
91 nonprofit scientific or educational institution specializing
92 in the analysis of secure documents to determine the most
93 effective methods of rendering Missouri certificates of
94 ownership nonalterable or noncounterfeitable.

95 5. The fee for each original certificate so issued
96 shall be eight dollars and fifty cents, in addition to the
97 fee for registration of such motor vehicle or trailer. If
98 application for the certificate is not made within thirty
99 days after the vehicle is acquired by the applicant, or
100 where the motor vehicle was acquired under section 301.213
101 or subsection 5 of section 301.210 and the applicant fails
102 to make application within thirty days after receiving title
103 from the dealer, a delinquency penalty fee of twenty-five
104 dollars for the first thirty days of delinquency and twenty-
105 five dollars for each thirty days of delinquency thereafter,
106 not to exceed a total of two hundred dollars, but such
107 penalty may be waived by the director for a good cause
108 shown. If the director of revenue learns that any person
109 has failed to obtain a certificate within thirty days after
110 acquiring a motor vehicle or trailer, or where the motor
111 vehicle was acquired under section 301.213 or subsection 5
112 of section 301.210 and the applicant fails to make
113 application within thirty days after receiving title from
114 the dealer, or has sold a vehicle without obtaining a
115 certificate, he shall cancel the registration of all
116 vehicles registered in the name of the person, either as

117 sole owner or as a co-owner, and shall notify the person
118 that the cancellation will remain in force until the person
119 pays the delinquency penalty fee provided in this section,
120 together with all fees, charges and payments which the
121 person should have paid in connection with the certificate
122 of ownership and registration of the vehicle. The
123 certificate shall be good for the life of the motor vehicle
124 or trailer so long as the same is owned or held by the
125 original holder of the certificate and shall not have to be
126 renewed annually.

127 6. Any applicant for a certificate of ownership
128 requesting the department of revenue to process an
129 application for a certificate of ownership in an expeditious
130 manner requiring special handling shall pay a fee of five
131 dollars in addition to the regular certificate of ownership
132 fee.

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

137 8. Before an original Missouri certificate of
138 ownership is issued, an inspection of the vehicle and a
139 verification of vehicle identification numbers shall be made
140 by the Missouri state highway patrol on vehicles for which
141 there is a current title issued by another state if a
142 Missouri salvage certificate of title has been issued for
143 the same vehicle but no prior inspection and verification
144 has been made in this state, except that if such vehicle has
145 been inspected in another state by a law enforcement officer
146 in a manner comparable to the inspection process in this
147 state and the vehicle identification numbers have been so
148 verified, the applicant shall not be liable for the twenty-

149 five dollar inspection fee if such applicant submits proof
150 of inspection and vehicle identification number verification
151 to the director of revenue at the time of the application.
152 The applicant, who has such a title for a vehicle on which
153 no prior inspection and verification have been made, shall
154 pay a fee of twenty-five dollars for such verification and
155 inspection, payable to the director of revenue at the time
156 of the request for the application, which shall be deposited
157 in the state treasury to the credit of the state highways
158 and transportation department fund.

159 9. Each application for an original Missouri
160 certificate of ownership for a vehicle which is classified
161 as a reconstructed motor vehicle, specially constructed
162 motor vehicle, kit vehicle, motor change vehicle, non-USA-
163 std motor vehicle, or other vehicle as required by the
164 director of revenue shall be accompanied by a vehicle
165 examination certificate issued by the Missouri state highway
166 patrol, or other law enforcement agency as authorized by the
167 director of revenue. The vehicle examination shall include
168 a verification of vehicle identification numbers and a
169 determination of the classification of the vehicle. The
170 owner of a vehicle which requires a vehicle examination
171 certificate shall present the vehicle for examination and
172 obtain a completed vehicle examination certificate prior to
173 submitting an application for a certificate of ownership to
174 the director of revenue. Notwithstanding any provision of
175 the law to the contrary, an owner presenting a motor vehicle
176 which has been issued a salvage title and which is ten years
177 of age or older to a vehicle examination described in this
178 subsection in order to obtain a certificate of ownership
179 with the designation prior salvage motor vehicle shall not
180 be required to repair or restore the vehicle to its original

181 appearance in order to pass or complete the vehicle
182 examination. The fee for the vehicle examination
183 application shall be twenty-five dollars and shall be
184 collected by the director of revenue at the time of the
185 request for the application and shall be deposited in the
186 state treasury to the credit of the state highways and
187 transportation department fund. If the vehicle is also to
188 be registered in Missouri, the safety inspection required in
189 chapter 307 and the emissions inspection required under
190 chapter 643 shall be completed and the fees required by
191 section 307.365 and section 643.315 shall be charged to the
192 owner.

193 10. When an application is made for an original
194 Missouri certificate of ownership for a motor vehicle
195 previously registered or titled in a state other than
196 Missouri or as required by section 301.020, it shall be
197 accompanied by a current inspection form certified by a duly
198 authorized official inspection station as described in
199 chapter 307. The completed form shall certify that the
200 manufacturer's identification number for the vehicle has
201 been inspected, that it is correctly displayed on the
202 vehicle and shall certify the reading shown on the odometer
203 at the time of inspection. The inspection station shall
204 collect the same fee as authorized in section 307.365 for
205 making the inspection, and the fee shall be deposited in the
206 same manner as provided in section 307.365. If the vehicle
207 is also to be registered in Missouri, the safety inspection
208 required in chapter 307 and the emissions inspection
209 required under chapter 643 shall be completed and only the
210 fees required by section 307.365 and section 643.315 shall
211 be charged to the owner. This section shall not apply to

212 vehicles being transferred on a manufacturer's statement of
213 origin.

214 11. Motor vehicles brought into this state in a
215 wrecked or damaged condition or after being towed as an
216 abandoned vehicle pursuant to another state's abandoned
217 motor vehicle procedures shall, in lieu of the inspection
218 required by subsection 10 of this section, be inspected by
219 the Missouri state highway patrol in accordance with
220 subsection 9 of this section. If the inspection reveals the
221 vehicle to be in a salvage or junk condition, the director
222 shall so indicate on any Missouri certificate of ownership
223 issued for such vehicle. Any salvage designation shall be
224 carried forward on all subsequently issued certificates of
225 title for the motor vehicle.

226 12. When an application is made for an original
227 Missouri certificate of ownership for a motor vehicle
228 previously registered or titled in a state other than
229 Missouri, and the certificate of ownership has been
230 appropriately designated by the issuing state as a
231 reconstructed motor vehicle, motor change vehicle, specially
232 constructed motor vehicle, or prior salvage vehicle, the
233 director of revenue shall appropriately designate on the
234 current Missouri and all subsequent issues of the
235 certificate of ownership the name of the issuing state and
236 such prior designation. The absence of any prior
237 designation shall not relieve a transferor of the duty to
238 exercise due diligence with regard to such certificate of
239 ownership prior to the transfer of a certificate. If a
240 transferor exercises any due diligence with regard to a
241 certificate of ownership, the legal transfer of a
242 certificate of ownership without any designation that is
243 subsequently discovered to have or should have had a

244 designation shall be a transfer free and clear of any
245 liabilities of the transferor associated with the missing
246 designation.

247 13. When an application is made for an original
248 Missouri certificate of ownership for a motor vehicle
249 previously registered or titled in a state other than
250 Missouri, and the certificate of ownership has been
251 appropriately designated by the issuing state as non-USA-std
252 motor vehicle, the director of revenue shall appropriately
253 designate on the current Missouri and all subsequent issues
254 of the certificate of ownership the words "Non-USA-Std Motor
255 Vehicle".

256 14. The director of revenue and the superintendent of
257 the Missouri state highway patrol shall make and enforce
258 rules for the administration of the inspections required by
259 this section.

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

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

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

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

276 (4) An inspection certificate, other than a motor
277 vehicle examination certificate required under subsection 9
278 of this section, completed and issued by the Missouri state
279 highway patrol, or other law enforcement agency as
280 authorized by the director of revenue. The inspection
281 performed by the highway patrol or other authorized local
282 law enforcement agency shall include a check for stolen
283 vehicles.

284 The department of revenue shall issue the owner a
285 certificate of ownership designated with the words
286 "Reconstructed Motor Vehicle" and deliver such certificate
287 of ownership in accordance with the provisions of this
288 chapter. Notwithstanding subsection 9 of this section, no
289 owner of a reconstructed motor vehicle described in this
290 subsection shall be required to obtain a vehicle examination
291 certificate issued by the Missouri state highway patrol.

301.550. 1. The definitions contained in section
2 301.010 shall apply to sections 301.550 to 301.580, and in
3 addition as used in sections 301.550 to 301.580, the
4 following terms mean:

5 (1) "Boat dealer", any natural person, partnership, or
6 corporation who, for a commission or with an intent to make
7 a profit or gain of money or other thing of value, sells,
8 barter, exchanges, leases or rents with the option to
9 purchase, offers, attempts to sell, or negotiates the sale
10 of any vessel or vessel trailer, whether or not the vessel
11 or vessel trailer is owned by such person. The sale of six
12 or more vessels or vessel trailers or both in any calendar
13 year shall be required as evidence that such person is
14 eligible for licensure as a boat dealer under sections
15 301.550 to 301.580; except that, such sales requirements

16 shall be waived for entities also licensed as boat
17 manufacturers under section 301.559 who custom manufacture
18 boats:

19 (a) For use with biological research and management
20 equipment for fisheries; or

21 (b) For use with scientific sampling and for
22 geological or chemistry purposes.

23 The boat dealer shall demonstrate eligibility for renewal of
24 his license by selling six or more vessels or vessel
25 trailers or both in the prior calendar year while licensed
26 as a boat dealer pursuant to sections 301.550 to 301.580;

27 (2) "Boat manufacturer", any person engaged in the
28 manufacturing, assembling or modification of new vessels or
29 vessel trailers as a regular business, including a person,
30 partnership or corporation which acts for and is under the
31 control of a manufacturer or assembly in connection with the
32 distribution of vessels or vessel trailers;

33 (3) "Department", the Missouri department of revenue;

34 (4) "Director", the director of the Missouri
35 department of revenue;

36 (5) "Emergency vehicles", motor vehicles used as
37 ambulances, law enforcement vehicles, and fire fighting and
38 assistance vehicles;

39 (6) "Manufacturer", any person engaged in the
40 manufacturing, assembling or modification of new motor
41 vehicles or trailers as a regular business, including a
42 person, partnership or corporation which acts for and is
43 under the control of a manufacturer or assembly in
44 connection with the distribution of motor vehicles or
45 accessories for motor vehicles;

46 (7) "Motor vehicle broker", a person who holds himself
47 out through solicitation, advertisement, or otherwise as one
48 who offers to arrange a transaction involving the retail
49 sale of a motor vehicle, and who is not:

50 (a) A dealer, or any agent, or any employee of a
51 dealer when acting on behalf of a dealer;

52 (b) A manufacturer, or any agent, or employee of a
53 manufacturer when acting on behalf of a manufacturer;

54 (c) The owner of the vehicle involved in the
55 transaction; or

56 (d) A public motor vehicle auction or wholesale motor
57 vehicle auction where buyers are licensed dealers in this or
58 any other jurisdiction;

59 (8) "Motor vehicle dealer" or "dealer", any person
60 who, for commission or with an intent to make a profit or
61 gain of money or other thing of value, sells, barter,
62 exchanges, leases or rents with the option to purchase, or
63 who offers or attempts to sell or negotiates the sale of
64 motor vehicles or trailers whether or not the motor vehicles
65 or trailers are owned by such person; provided, however, an
66 individual auctioneer or auction conducted by an auctioneer
67 licensed pursuant to chapter 343 shall not be included
68 within the definition of a motor vehicle dealer. The sale
69 of **[eight] twelve** or more motor vehicles or trailers in any
70 calendar year shall be required as evidence that such person
71 is engaged in the motor vehicle business and is eligible for
72 licensure as a motor vehicle dealer under sections 301.550
73 to 301.580. Any licensed motor vehicle dealer failing to
74 meet the minimum vehicle sales requirements as referenced in
75 this subsection shall not be qualified to renew his or her
76 license for one year. To be eligible for license renewal,

77 applicants shall meet the minimum requirement of [eight]
78 **twelve** sales per year;

79 (9) "New motor vehicle", any motor vehicle being
80 transferred for the first time from a manufacturer,
81 distributor or new vehicle dealer which has not been
82 registered or titled in this state or any other state and
83 which is offered for sale, barter or exchange by a dealer
84 who is franchised to sell, barter or exchange that
85 particular make of motor vehicle. The term "new motor
86 vehicle" shall not include manufactured homes, as defined in
87 section 700.010;

88 (10) "New motor vehicle franchise dealer", any motor
89 vehicle dealer who has been franchised to deal in a certain
90 make of motor vehicle by the manufacturer or distributor of
91 that make and motor vehicle and who may, in line with
92 conducting his business as a franchise dealer, sell, barter
93 or exchange used motor vehicles;

94 (11) "Person" includes an individual, a partnership,
95 corporation, an unincorporated society or association, joint
96 venture or any other entity;

97 (12) "Powersport dealer", any motor vehicle dealer who
98 sells, either pursuant to a franchise agreement or
99 otherwise, primarily motor vehicles including but not
100 limited to motorcycles, all-terrain vehicles, and personal
101 watercraft, as those terms are defined in this chapter and
102 chapter 306;

103 (13) "Public motor vehicle auction", any person, firm
104 or corporation who takes possession of a motor vehicle
105 whether by consignment, bailment or any other arrangement,
106 except by title, for the purpose of selling motor vehicles
107 at a public auction by a licensed auctioneer;

108 (14) "Recreational motor vehicle dealer", a dealer of
109 new or used motor vehicles designed, constructed or
110 substantially modified for use as temporary housing
111 quarters, including sleeping and eating facilities which are
112 either permanently attached to the motor vehicle or attached
113 to a unit which is securely attached to the motor vehicle;

114 (15) "Storage lot", an area within the same city or
115 county where a dealer may store excess vehicle inventory;

116 (16) "Trailer dealer", any person selling, either
117 exclusively or otherwise, trailers as defined in section
118 301.010. A trailer dealer may acquire a motor vehicle for
119 resale only as a trade-in for a trailer. Notwithstanding
120 the provisions of section 301.010 and section 301.069,
121 trailer dealers may purchase one driveaway license plate to
122 display such motor vehicle for demonstration purposes. The
123 sale of six or more trailers in any calendar year shall be
124 required as evidence that such person is engaged in the
125 trailer business and is eligible for licensure as a trailer
126 dealer under sections 301.550 to 301.580. Any licensed
127 trailer dealer failing to meet the minimum trailer and
128 vehicle sales requirements as referenced in this subsection
129 shall not be qualified to renew his or her license for one
130 year. Applicants who reapply after the one-year period
131 shall meet the requirement of six sales per year;

132 (17) "Used motor vehicle", any motor vehicle which is
133 not a new motor vehicle, as defined in sections 301.550 to
134 301.580, and which has been sold, bartered, exchanged or
135 given away or which may have had a title issued in this
136 state or any other state, or a motor vehicle so used as to
137 be what is commonly known as a secondhand motor vehicle. In
138 the event of an assignment of the statement of origin from
139 an original franchise dealer to any individual or other

140 motor vehicle dealer other than a new motor vehicle
141 franchise dealer of the same make, the vehicle so assigned
142 shall be deemed to be a used motor vehicle and a certificate
143 of ownership shall be obtained in the assignee's name. The
144 term "used motor vehicle" shall not include manufactured
145 homes, as defined in section 700.010;

146 (18) "Used motor vehicle dealer", any motor vehicle
147 dealer who is not a new motor vehicle franchise dealer;

148 (19) "Vessel", every boat and watercraft defined as a
149 vessel in section 306.010;

150 (20) "Vessel trailer", any trailer, as defined by
151 section 301.010 which is designed and manufactured for the
152 purposes of transporting vessels;

153 (21) "Wholesale motor vehicle auction", any person,
154 firm or corporation in the business of providing auction
155 services solely in wholesale transactions at its established
156 place of business in which the purchasers are motor vehicle
157 dealers licensed by this or any other jurisdiction, and
158 which neither buys, sells nor owns the motor vehicles it
159 auctions in the ordinary course of its business. Except as
160 required by law with regard to the auction sale of a
161 government-owned motor vehicle, a wholesale motor vehicle
162 auction shall not provide auction services in connection
163 with the retail sale of a motor vehicle;

164 (22) "Wholesale motor vehicle dealer", a motor vehicle
165 dealer who sells motor vehicles only to other new motor
166 vehicle franchise dealers or used motor vehicle dealers or
167 via auctions limited to other dealers of any class.

168 2. For purposes of sections 301.550 to 301.580,
169 neither the term motor vehicle nor the term trailer shall
170 include manufactured homes, as defined in section 700.010.

171 3. Dealers shall be divided into classes as follows:

- 172 (1) Boat dealers;
173 (2) Franchised new motor vehicle dealers;
174 (3) Used motor vehicle dealers;
175 (4) Wholesale motor vehicle dealers;
176 (5) Recreational motor vehicle dealers;
177 (6) Historic motor vehicle dealers;
178 (7) Classic motor vehicle dealers;
179 (8) Powersport dealers; and
180 (9) Trailer dealers.

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

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

24 stationed in the troop area in which the applicant's place
25 of business is located or, if the applicant's place of
26 business is located within the jurisdiction of a
27 metropolitan police department in a first class county, by
28 an officer of such metropolitan police department. A bona
29 fide established place of business for any new motor vehicle
30 franchise dealer, used motor vehicle dealer, boat dealer,
31 powersport dealer, wholesale motor vehicle dealer, trailer
32 dealer, or wholesale or public auction shall be a permanent
33 enclosed building or structure, either owned in fee or
34 leased and actually occupied as a place of business by the
35 applicant for the selling, bartering, trading, servicing, or
36 exchanging of motor vehicles, boats, personal watercraft, or
37 trailers and wherein the public may contact the owner or
38 operator at any reasonable time, and wherein shall be kept
39 and maintained the books, records, files and other matters
40 required and necessary to conduct the business. The
41 applicant shall maintain a working telephone number during
42 the entire registration year which will allow the public,
43 the department, and law enforcement to contact the applicant
44 during regular business hours. The applicant shall also
45 maintain an email address during the entire registration
46 year which may be used for official correspondence with the
47 department. In order to qualify as a bona fide established
48 place of business for all applicants licensed pursuant to
49 this section there shall be an exterior sign displayed
50 carrying the name of the business set forth in letters at
51 least six inches in height and clearly visible to the public
52 and there shall be an area or lot which shall not be a
53 public street on which multiple vehicles, boats, personal
54 watercraft, or trailers may be displayed. The sign shall
55 contain the name of the dealership by which it is known to

56 the public through advertising or otherwise, which need not
57 be identical to the name appearing on the dealership's
58 license so long as such name is registered as a fictitious
59 name with the secretary of state, has been approved by its
60 line-make manufacturer in writing in the case of a new motor
61 vehicle franchise dealer and a copy of such fictitious name
62 registration has been provided to the department. Dealers
63 who sell only emergency vehicles as defined in section
64 301.550 are exempt from maintaining a bona fide place of
65 business, including the related law enforcement
66 certification requirements, and from meeting the minimum
67 yearly sales;

68 (2) The initial application for licensure shall
69 include a photograph, not to exceed eight inches by ten
70 inches but no less than five inches by seven inches, showing
71 the business building, lot, and sign. A new motor vehicle
72 franchise dealer applicant who has purchased a currently
73 licensed new motor vehicle franchised dealership shall be
74 allowed to submit a photograph of the existing dealership
75 building, lot and sign but shall be required to submit a new
76 photograph upon the installation of the new dealership sign
77 as required by sections 301.550 to 301.580. Applicants
78 shall not be required to submit a photograph annually unless
79 the business has moved from its previously licensed
80 location, or unless the name of the business or address has
81 changed, or unless the class of business has changed;

82 (3) Every applicant as a new motor vehicle franchise
83 dealer, a used motor vehicle dealer, a powersport dealer, a
84 wholesale motor vehicle dealer, trailer dealer, or boat
85 dealer shall furnish with the application a corporate surety
86 bond or an irrevocable letter of credit as defined in
87 section 400.5-102, issued by any state or federal financial

88 institution in the penal sum of fifty thousand dollars on a
89 form approved by the department. The bond or irrevocable
90 letter of credit shall be conditioned upon the dealer
91 complying with the provisions of the statutes applicable to
92 new motor vehicle franchise dealers, used motor vehicle
93 dealers, powersport dealers, wholesale motor vehicle
94 dealers, trailer dealers, and boat dealers, and the bond
95 shall be an indemnity for any loss sustained by reason of
96 the acts of the person bonded when such acts constitute
97 grounds for the suspension or revocation of the dealer's
98 license. The bond shall be executed in the name of the
99 state of Missouri for the benefit of all aggrieved parties
100 or the irrevocable letter of credit shall name the state of
101 Missouri as the beneficiary; except, that the aggregate
102 liability of the surety or financial institution to the
103 aggrieved parties shall, in no event, exceed the amount of
104 the bond or irrevocable letter of credit. Additionally,
105 every applicant as a new motor vehicle franchise dealer, a
106 used motor vehicle dealer, a powersport dealer, a wholesale
107 motor vehicle dealer, or boat dealer shall furnish with the
108 application a copy of a current dealer garage policy bearing
109 the policy number and name of the insurer and the insured.
110 The proceeds of the bond or irrevocable letter of credit
111 furnished by an applicant shall be paid upon receipt by the
112 department of a final judgment from a Missouri court of
113 competent jurisdiction against the principal and in favor of
114 an aggrieved party. The proceeds of the bond or irrevocable
115 letter of credit furnished by an applicant shall be paid at
116 the order of the department and in the amount determined by
117 the department to any buyer or interested lienholder up to
118 the greater of the amount required for the release of the
119 purchase money lien or the sales price paid by the buyer

120 where a dealer has failed to fulfill the dealer's
121 obligations under an agreement to assign and deliver title
122 to the buyer within thirty days under a contract entered
123 into pursuant to subsection 5 of section 301.210. The
124 department shall direct release of the bond or irrevocable
125 letter of credit proceeds upon presentation of a written
126 agreement entered into pursuant to subsection 5 of section
127 301.210, copies of the associated sales and finance
128 documents, and the affidavit or affidavits of the buyer or
129 lienholder stating that the certificate of title with
130 assignment thereof has not been passed to the buyer within
131 thirty days of the date of the contract entered into under
132 subsection 5 of section 301.210, that the dealer has not
133 fulfilled the agreement under the contract to repurchase the
134 vehicle, that the buyer or the lienholder has notified the
135 dealer of the claim on the bond or letter of credit, and the
136 amount claimed by the purchaser or lienholder. In addition,
137 prior to directing release and payment of the proceeds of a
138 bond or irrevocable letter of credit, the department shall
139 ensure that there is satisfactory evidence to establish that
140 the vehicle which is subject to the written agreement has
141 been returned by the buyer to the dealer or that the buyer
142 has represented to the department that the buyer will
143 surrender possession of the vehicle to the dealer upon
144 payment of the proceeds of the bond or letter of credit
145 directed by the department. Excepting ordinary wear and
146 tear or mechanical failures not caused by the buyer, the
147 amount of proceeds to be paid to the buyer under the bond or
148 irrevocable letter of credit shall be reduced by an amount
149 equivalent to any damage, abuse, or destruction incurred by
150 the vehicle while the vehicle was in the buyer's possession
151 as agreed between the buyer and the dealer. The dealer may

152 apply to a court of competent jurisdiction to contest the
153 claim on the bond or letter of credit, including the amount
154 of the claim and the amount of any adjustment for any
155 damage, abuse, or destruction, by filing a petition with the
156 court within thirty days of the notification by the buyer or
157 lienholder. If the dealer does not fulfill the agreement or
158 file a petition to request judicial relief from the terms of
159 the agreement or contest the amount of the claim, the bond
160 or letter of credit shall be released by the department and
161 directed paid in the amount or amounts presented by the
162 lienholder or buyer;

163 (4) Payment of all necessary license fees as
164 established by the department. In establishing the amount
165 of the annual license fees, the department shall, as near as
166 possible, produce sufficient total income to offset
167 operational expenses of the department relating to the
168 administration of sections 301.550 to 301.580. All fees
169 payable pursuant to the provisions of sections 301.550 to
170 301.580[, other than those fees collected for the issuance
171 of dealer plates or certificates of number collected
172 pursuant to subsection 6 of this section,] shall be
173 collected by the department for deposit in the state
174 treasury to the credit of the "Motor Vehicle Commission
175 Fund", which is hereby created. The motor vehicle
176 commission fund shall be administered by the Missouri
177 department of revenue. The provisions of section 33.080 to
178 the contrary notwithstanding, money in such fund shall not
179 be transferred and placed to the credit of the general
180 revenue fund until the amount in the motor vehicle
181 commission fund at the end of the biennium exceeds two times
182 the amount of the appropriation from such fund for the
183 preceding fiscal year or, if the department requires permit

184 renewal less frequently than yearly, then three times the
185 appropriation from such fund for the preceding fiscal year.
186 The amount, if any, in the fund which shall lapse is that
187 amount in the fund which exceeds the multiple of the
188 appropriation from such fund for the preceding fiscal year.

189 2. In the event a new vehicle manufacturer, boat
190 manufacturer, motor vehicle dealer, wholesale motor vehicle
191 dealer, boat dealer, powersport dealer, wholesale motor
192 vehicle auction, trailer dealer, or a public motor vehicle
193 auction submits an application for a license for a new
194 business and the applicant has complied with all the
195 provisions of this section, the department shall make a
196 decision to grant or deny the license to the applicant
197 within eight working hours after receipt of the dealer's
198 application, notwithstanding any rule of the department.

199 3. Except as otherwise provided in subsection 6 of
200 this section, upon the initial issuance of a license by the
201 department, the department shall assign a distinctive dealer
202 license number or certificate of number to the applicant and
203 the department shall issue one number plate or certificate
204 bearing the distinctive dealer license number or certificate
205 of number and two additional number plates or certificates
206 of number within eight working hours after presentment of
207 the application and payment by the applicant of a fee of
208 fifty dollars for the first plate, **tab**, or certificate and
209 ten dollars and fifty cents for each additional plate, **tab**,
210 or certificate. Upon renewal, the department shall issue
211 [the distinctive dealer license number or certificate of
212 number] **a renewal tab to be placed on the lower right corner**
213 **of the plate or certificate** as quickly as possible. The
214 issuance of such distinctive dealer license number or
215 certificate of number, **and tab or tabs**, shall be in lieu of

216 registering each motor vehicle, trailer, vessel or vessel
 217 trailer dealt with by a boat dealer, boat manufacturer,
 218 manufacturer, public motor vehicle auction, wholesale motor
 219 vehicle dealer, wholesale motor vehicle auction or new or
 220 used motor vehicle dealer. The license plates described in
 221 this section shall be made with fully reflective material
 222 with a common color scheme and design, shall be clearly
 223 visible at night, and shall be aesthetically attractive, as
 224 prescribed by section 301.130.

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

228	New motor vehicle franchise	D-0 through D-999
229	dealers	
230	New powersport dealers	D-1000 through D-
231		1999
232	Used motor vehicle and used	D-2000 through D-
233	powersport dealers	9999
234	Wholesale motor vehicle	W-0 through W-1999
	dealers	
235	Wholesale motor vehicle	WA-0 through WA-999
236	auctions	
237	New and used trailer dealers	T-0 through T-9999
238	Motor vehicle, trailer, and	DM-0 through DM-999
239	boat manufacturers	
240	Public motor vehicle auctions	A-0 through A-1999
241	Boat dealers	M-0 through M-9999

242
243

New and used recreational motor vehicle dealers	RV-0 through RV-999
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244 For purposes of this subsection, qualified transactions
245 shall include the purchase of salvage titled vehicles by a
246 licensed salvage dealer. A used motor vehicle dealer who
247 also holds a salvage dealer's license shall be allowed one
248 additional plate or certificate number per fifty-unit
249 qualified transactions annually. In order for salvage
250 dealers to obtain number plates or certificates under this
251 section, dealers shall submit to the department of revenue
252 on August first of each year a statement certifying, under
253 penalty of perjury, the dealer's number of purchases during
254 the reporting period of July first of the immediately
255 preceding year to June thirtieth of the present year. The
256 provisions of this subsection shall become effective on the
257 date the director of the department of revenue begins to
258 reissue new license plates under section 301.130, or on
259 December 1, 2008, whichever occurs first. If the director
260 of revenue begins reissuing new license plates under the
261 authority granted under section 301.130 prior to December 1,
262 2008, the director of the department of revenue shall notify
263 the revisor of statutes of such fact.

264 5. Upon the sale of a currently licensed motor vehicle
265 dealership the department shall, upon request, authorize the
266 new approved dealer applicant to retain the selling dealer's
267 license number and shall cause the new dealer's records to
268 indicate such transfer. If the new approved dealer
269 applicant elects not to retain the selling dealer's license
270 number, the department shall issue the new dealer applicant
271 a new dealer's license number and an equal number of plates

272 or certificates as the department had issued to the selling
273 dealer.

274 6. In the case of motor vehicle dealers, the
275 department shall issue one number plate bearing the
276 distinctive dealer license number and may issue one
277 additional number plate to the applicant upon payment by the
278 dealer of a fifty dollar fee **per plate** for the number plate
279 bearing the distinctive dealer license number and ten
280 dollars and fifty cents for the additional number plate.

281 [The department may issue a third plate to the motor vehicle
282 dealer upon completion of the dealer's fifteenth qualified
283 transaction and payment of a fee of ten dollars and fifty
284 cents.]

285 In the case of new motor vehicle manufacturers,
286 powersport dealers, recreational motor vehicle dealers, and
287 trailer dealers, the department shall issue one number plate
288 bearing the distinctive dealer license number and may issue
289 two additional number plates to the applicant upon payment
290 by the manufacturer or dealer of a fifty dollar fee for
291 [the] **each** number plate bearing the distinctive dealer
292 license number and ten dollars and fifty cents for each
293 additional number plate. Boat dealers and boat
294 manufacturers shall be entitled to one certificate of number
295 bearing such number upon the payment of a fifty dollar fee.
296 Additional number plates and as many additional certificates
297 of number may be obtained upon payment of a fee of ten
298 dollars and fifty cents for each additional plate or
299 certificate. New motor vehicle manufacturers shall not be
300 issued or possess more than three hundred forty-seven
301 additional number plates or certificates of number
302 annually. New and used motor vehicle dealers, powersport
303 dealers, wholesale motor vehicle dealers, boat dealers, and
trailer dealers are limited to one additional plate or

304 certificate of number per ten-unit qualified transactions
305 annually. New and used recreational motor vehicle dealers
306 are limited to two additional plates or certificate of
307 number per ten-unit qualified transactions annually for
308 their first fifty transactions and one additional plate or
309 certificate of number per ten-unit qualified transactions
310 thereafter. An applicant seeking the issuance of an initial
311 license shall indicate on his or her initial application the
312 applicant's proposed annual number of sales in order for the
313 director to issue the appropriate number of additional
314 plates or certificates of number. A motor vehicle dealer,
315 trailer dealer, boat dealer, powersport dealer, recreational
316 motor vehicle dealer, motor vehicle manufacturer, boat
317 manufacturer, or wholesale motor vehicle dealer obtaining a
318 distinctive dealer license plate or certificate of number or
319 additional license plate or additional certificate of
320 number, throughout the calendar year, shall be required to
321 pay a fee for such license plates or certificates of number
322 computed on the basis of one-twelfth of the full fee
323 prescribed for the original and duplicate number plates or
324 certificates of number for such dealers' licenses,
325 multiplied by the number of months remaining in the
326 licensing period for which the dealer or manufacturers shall
327 be required to be licensed. In the event of a renewing
328 dealer, the fee due at the time of renewal shall not be
329 prorated. Wholesale and public auctions shall be issued a
330 certificate of dealer registration in lieu of a dealer
331 number plate. In order for dealers to obtain number plates
332 or certificates under this section, dealers shall submit to
333 the department of revenue on August first of each year a
334 statement certifying, under penalty of perjury, the dealer's
335 number of sales during the [reporting period of July first

336 of the immediately preceding year to June thirtieth of the
337 present year] **last calendar year of the previous license**
338 **period.**

339 7. The plates issued pursuant to subsection 3 or 6 of
340 this section may be displayed on any motor vehicle owned by
341 a new motor vehicle manufacturer. The plates issued
342 pursuant to subsection 3 or 6 of this section may be
343 displayed on any motor vehicle or trailer owned and held for
344 resale by a motor vehicle dealer for use by a customer who
345 is test driving the motor vehicle, for use by any customer
346 while the customer's vehicle is being serviced or repaired
347 by the motor vehicle dealer, for use and display purposes
348 during, but not limited to, parades, private events,
349 charitable events, or for use by an employee or officer, but
350 shall not be displayed on any motor vehicle or trailer hired
351 or loaned to others or upon any regularly used service or
352 wrecker vehicle. Motor vehicle dealers may display their
353 dealer plates on a tractor, truck or trailer to demonstrate
354 a vehicle under a loaded condition. Trailer dealers may
355 display their dealer license plates in like manner, except
356 such plates may only be displayed on trailers owned and held
357 for resale by the trailer dealer.

358 8. The certificates of number issued pursuant to
359 subsection 3 or 6 of this section may be displayed on any
360 vessel or vessel trailer owned and held for resale by a boat
361 manufacturer or a boat dealer, and used by a customer who is
362 test driving the vessel or vessel trailer, or is used by an
363 employee or officer on a vessel or vessel trailer only, but
364 shall not be displayed on any motor vehicle owned by a boat
365 manufacturer, boat dealer, or trailer dealer, or vessel or
366 vessel trailer hired or loaned to others or upon any
367 regularly used service vessel or vessel trailer. Boat

368 dealers and boat manufacturers may display their certificate
369 of number on a vessel or vessel trailer when transporting a
370 vessel or vessels to an exhibit or show.

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

377 10. (1) Every application for the issuance of a used
378 motor vehicle dealer's license shall be accompanied by proof
379 that the applicant, within the last twelve months, has
380 completed an educational seminar course approved by the
381 department as prescribed by subdivision (2) of this
382 subsection. Wholesale and public auto auctions and
383 applicants currently holding a new or used license for a
384 separate dealership shall be exempt from the requirements of
385 this subsection. The provisions of this subsection shall
386 not apply to current new motor vehicle franchise dealers or
387 motor vehicle leasing agencies or applicants for a new motor
388 vehicle franchise or a motor vehicle leasing agency. The
389 provisions of this subsection shall not apply to used motor
390 vehicle dealers who were licensed prior to August 28, 2006.

391 (2) The educational seminar shall include, but is not
392 limited to, the dealer requirements of sections 301.550 to
393 301.580, the rules promulgated to implement, enforce, and
394 administer sections 301.550 to 301.580, and any other rules
395 and regulations promulgated by the department.

301.570. 1. It shall be unlawful for any person,
2 partnership, corporation, company or association, unless the
3 seller is a financial institution, or is selling repossessed
4 motor vehicles or is disposing of vehicles used and titled

5 solely in its ordinary course of business or is a collector
6 of antique motor vehicles, to sell or display with an intent
7 to sell [~~six~~] **twelve** or more motor vehicles in a calendar
8 year, except when such motor vehicles are registered in the
9 name of the seller, unless such person, partnership,
10 corporation, company or association is:

11 (1) Licensed as a motor vehicle dealer by the
12 department under the provisions of sections 301.550 to
13 301.580;

14 (2) Exempt from licensure as a motor vehicle dealer
15 pursuant to subsection 4 of section 301.559;

16 (3) Selling commercial motor vehicles with a gross
17 weight of at least nineteen thousand five hundred pounds,
18 but only with respect to such commercial motor vehicles;

19 (4) An auctioneer, acting at the request of the owner
20 at an auction, when such auction is not a public motor
21 vehicle auction.

22 2. Any person, partnership, corporation, company or
23 association that has reason to believe that the provisions
24 of this section are being violated shall file a complaint
25 with the prosecuting attorney in the county in which the
26 violation occurred. The prosecuting attorney shall
27 investigate the complaint and take appropriate action.

28 3. For the purposes of sections 301.550 to 301.580,
29 the sale, barter, exchange, lease or rental with option to
30 purchase of [~~six~~] **twelve** or more motor vehicles in a
31 calendar year by any person, partnership, corporation,
32 company or association, whether or not the motor vehicles
33 are owned by them, shall be prima facie evidence of intent
34 to make a profit or gain of money and such person,
35 partnership, corporation, company or association shall be

36 deemed to be acting as a motor vehicle dealer without a
37 license.

38 4. Any person, partnership, corporation, company or
39 association who violates subsection 1 of this section is
40 guilty of a class A misdemeanor. A second or subsequent
41 conviction shall be deemed a class E felony.

42 5. The provisions of this section shall not apply to
43 liquidation of an estate.

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

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

5 (a) Voice data used for comparing live speech with a
6 previously created speech model of a person's voice;

7 (b) Iris recognition data containing color or texture
8 patterns or codes;

9 (c) Retinal scans, reading through the pupil to
10 measure blood vessels lining the retina;

11 (d) Fingerprint, palm prints, hand geometry, measure
12 of any and all characteristics of biometric information,
13 including shape and length of fingertips, or recording ridge
14 pattern or fingertip characteristics;

15 (e) Characteristic gait or walk;

16 (f) DNA;

17 (g) Keystroke dynamic, measuring pressure applied to
18 key pads or other digital receiving devices;

19 (2) "Commercial purposes" shall not include data used
20 or compiled solely to be used for, or obtained or compiled
21 solely for purposes expressly allowed under Missouri law or
22 the federal Drivers Privacy Protection Act;

23 (3) "Source documents", original or certified copies,
24 where applicable, of documents presented by an applicant as

25 required under 6 CFR Part 37 to the department of revenue to
26 apply for a driver's license or nondriver's license. Source
27 documents shall also include any documents required for the
28 issuance of driver's licenses or nondriver's licenses by the
29 department of revenue under the provisions of this chapter
30 or accompanying regulations.

31 2. Except as provided in subsection 3 of this section
32 and as required to carry out the provisions of subsection 4
33 of this section, the department of revenue shall not retain
34 copies, in any format, of source documents presented by
35 individuals applying for or holding driver's licenses or
36 nondriver's licenses or use technology to capture digital
37 images of source documents so that the images are capable of
38 being retained in electronic storage in a transferable
39 format.

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

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

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

46 (3) Documents demonstrating lawful presence of any
47 applicant who is not a citizen of the United States,
48 including documents demonstrating duration of the person's
49 lawful presence in the United States;

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

55 (5) Documents submitted by a commercial driver's
56 license or commercial driver's instruction permit applicant

57 who is a Missouri resident and is a qualified current or
58 former military service member which allow for waiver of the
59 commercial driver's license knowledge test, skills test, or
60 both; and

61 (6) Any other document at the request of and for the
62 convenience of the applicant.

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

72 (2) The department of revenue shall issue driver's
73 licenses or identification cards that are compliant with the
74 federal REAL ID Act of 2005, as amended, to all applicants
75 for driver's licenses or identification cards unless an
76 applicant requests a driver's license or identification card
77 that is not REAL ID compliant. Except as provided in
78 subsection 3 of this section and as required to carry out
79 the provisions of this subsection, the department of revenue
80 shall not retain the source documents of individuals
81 applying for driver's licenses or identification cards not
82 compliant with REAL ID. Upon initial application for a
83 driver's license or identification card, the department
84 shall inform applicants of the option of being issued a REAL
85 ID compliant driver's license or identification card or a
86 driver's license or identification card that is not
87 compliant with REAL ID. The department shall inform all
88 applicants:

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

91 a. Such card is valid for official state purposes and
92 for official federal purposes as outlined in the federal
93 REAL ID Act of 2005, as amended, such as domestic air travel
94 and seeking access to military bases and most federal
95 facilities;

96 b. Electronic copies of source documents will be
97 retained by the department [and destroyed after the minimum
98 time required for digital retention by the federal REAL ID
99 Act of 2005, as amended]; **and**

100 c. The facial image capture will only be retained by
101 the department if the application is finished and submitted
102 to the department; [and

103 d. Any other information the department deems
104 necessary to inform the applicant about the REAL ID
105 compliant driver's license or identification card under the
106 federal REAL ID Act;]

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

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

115 b. Source documents will be verified [but no copies
116 of] **and** such documents will be retained by the department
117 [unless permitted under subsection 3 of this section, except
118 as necessary to process a request by a license or card
119 holder or applicant];

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

123 5. The department of revenue shall not use, collect,
124 obtain, share, or retain biometric data nor shall the
125 department use biometric technology to produce a driver's
126 license or nondriver's license or to uniquely identify
127 licensees or license applicants. This subsection shall not
128 apply to digital images nor licensee signatures required for
129 the issuance of driver's licenses and nondriver's licenses
130 or for the use of software for purposes of combating fraud,
131 or to biometric data collected from employees of the
132 department of revenue, employees of the office of
133 administration who provide information technology support to
134 the department of revenue, contracted license offices, and
135 contracted manufacturers engaged in the production,
136 processing, or manufacture of driver's licenses or
137 identification cards in positions which require a background
138 check in order to be compliant with the federal REAL ID Act
139 or any rules or regulations promulgated under the authority
140 of such Act. Except as otherwise provided by law,
141 applicants' source documents and Social Security numbers
142 shall not be stored in any database accessible by any other
143 state or the federal government. Such database shall
144 contain only the data fields included on driver's licenses
145 and nondriver identification cards compliant with the
146 federal REAL ID Act, and the driving records of the
147 individuals holding such driver's licenses and nondriver
148 identification cards.

149 6. Notwithstanding any provision of this chapter that
150 requires an applicant to provide reasonable proof of lawful
151 presence for issuance or renewal of a noncommercial driver's

152 license, noncommercial instruction permit, or a nondriver's
153 license, an applicant shall not have his or her privacy
154 rights violated in order to obtain or renew a Missouri
155 noncommercial driver's license, noncommercial instruction
156 permit, or a nondriver's license.

157 7. No citizen of this state shall have his or her
158 privacy compromised by the state or agents of the state.
159 The state shall within reason protect the sovereignty of the
160 citizens the state is entrusted to protect. Any data
161 derived from a person's application shall not be sold for
162 commercial purposes to any other organization or any other
163 state without the express permission of the applicant
164 without a court order; except such information may be shared
165 with a law enforcement agency, judge, prosecuting attorney,
166 or officer of the court, or with another state for the
167 limited purposes set out in section 302.600, or for the
168 purposes set forth in section 32.091, or for conducting
169 driver history checks in compliance with the Motor Carrier
170 Safety Improvement Act, 49 U.S.C. Section 31309. The state
171 of Missouri shall protect the privacy of its citizens when
172 handling any written, digital, or electronic data, and shall
173 not participate in any standardized identification system
174 using driver's and nondriver's license records except as
175 provided in this section.

176 8. Other than to process a request by a license or
177 card holder or applicant, no person shall knowingly access,
178 distribute, or allow access to or distribution of any
179 written, digital, or electronic data collected or retained
180 under this section without the express permission of the
181 applicant or a court order, except that such information may
182 be shared with a law enforcement agency, judge, prosecuting
183 attorney, or officer of the court, or with another state for

184 the limited purposes set out in section 302.600 or for
185 conducting driver history checks in compliance with the
186 Motor Carrier Safety Improvement Act, 49 U.S.C. Section
187 31309. A first violation of this subsection shall be a
188 class A misdemeanor. A second violation of this subsection
189 shall be a class E felony. A third or subsequent violation
190 of this subsection shall be a class D felony.

191 9. Any person harmed or damaged by any violation of
192 this section may bring a civil action for damages, including
193 noneconomic and punitive damages, as well as injunctive
194 relief, in the circuit court where that person resided at
195 the time of the violation or in the circuit court of Cole
196 County to recover such damages from the department of
197 revenue and any persons participating in such violation.
198 Sovereign immunity shall not be available as a defense for
199 the department of revenue in such an action. In the event
200 the plaintiff prevails on any count of his or her claim, the
201 plaintiff shall be entitled to recover reasonable attorney
202 fees from the defendants.

203 10. The department of revenue may promulgate rules
204 necessary to implement the provisions of this section. Any
205 rule or portion of a rule, as that term is defined in
206 section 536.010, that is created under the authority
207 delegated in this section shall become effective only if it
208 complies with and is subject to all of the provisions of
209 chapter 536 and, if applicable, section 536.028. This
210 section and chapter 536 are nonseverable and if any of the
211 powers vested with the general assembly pursuant to chapter
212 536 to review, to delay the effective date, or to disapprove
213 and annul a rule are subsequently held unconstitutional,
214 then the grant of rulemaking authority and any rule proposed
215 or adopted after August 28, 2017, shall be invalid and void.

216 11. Biometric data, digital images, source documents,
217 and licensee signatures, or any copies of the same, required
218 to be collected or retained to comply with the requirements
219 of the federal REAL ID Act of 2005 shall be digitally
220 retained for no longer than the minimum duration required to
221 maintain compliance, and immediately thereafter shall be
222 securely destroyed so as to make them irretrievable.

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

229 13. Notwithstanding any provision of law to the
230 contrary, the department of revenue shall not amend
231 procedures for applying for a driver's license or
232 identification card, nor promulgate any rule or regulation,
233 for purposes of complying with modifications made to the
234 federal REAL ID Act of 2005 after August 28, 2017, imposing
235 additional requirements on applications, document retention,
236 or issuance of compliant licenses or cards, including any
237 rules or regulations promulgated under the authority granted
238 under the federal REAL ID Act of 2005, as amended, or any
239 requirements adopted by the American Association of Motor
240 Vehicle Administrators for furtherance thereof.

241 14. If the federal REAL ID Act of 2005 is modified or
242 repealed such that driver's licenses and identification
243 cards issued by this state that are not compliant with the
244 federal REAL ID Act of 2005 are once again sufficient for
245 federal identification purposes, the department shall not
246 issue a driver's license or identification card that
247 complies with the federal REAL ID Act of 2005 and shall

248 securely destroy, within thirty days, any source documents
249 retained by the department for the purpose of compliance
250 with such Act.

307.350. 1. The owner of every motor vehicle as
2 defined in section 301.010 which is required to be
3 registered in this state, except:

4 (1) Motor vehicles having less than one hundred fifty
5 thousand miles, for the ten-year period following their
6 model year of manufacture, excluding prior salvage vehicles
7 immediately following a rebuilding process and vehicles
8 subject to the provisions of section 307.380;

9 (2) Those motor vehicles which are engaged in
10 interstate commerce and are proportionately registered in
11 this state with the Missouri highway reciprocity commission,
12 although the owner may request that such vehicle be
13 inspected by an official inspection station, and a peace
14 officer may stop and inspect such vehicles to determine
15 whether the mechanical condition is in compliance with the
16 safety regulations established by the United States
17 Department of Transportation; and

18 (3) Historic motor vehicles registered pursuant to
19 section 301.131;

20 (4) Vehicles registered in excess of twenty-four
21 thousand pounds for a period of less than twelve months;

22 shall submit such vehicles to a biennial inspection of their
23 mechanism and equipment in accordance with the provisions of
24 sections 307.350 to 307.390 and obtain a certificate of
25 inspection and approval and a sticker, seal, or other device
26 from a duly authorized official inspection station. The
27 inspection, except the inspection of school buses which
28 shall be made at the time provided in section 307.375, shall

29 be made at the time prescribed in the rules and regulations
30 issued by the superintendent of the Missouri state highway
31 patrol; but the inspection of a vehicle shall not be made
32 more than sixty days prior to the date of application for
33 registration or within sixty days of when a vehicle's
34 registration is transferred; however, if a vehicle was
35 purchased from a motor vehicle dealer and a valid inspection
36 had been made within sixty days of the purchase date, the
37 new owner shall be able to utilize an inspection performed
38 within ninety days prior to the application for registration
39 or transfer. [Any vehicle manufactured as an even-numbered
40 model year vehicle shall be inspected and approved pursuant
41 to the safety inspection program established pursuant to
42 sections 307.350 to 307.390 in each even-numbered calendar
43 year and any such vehicle manufactured as an odd-numbered
44 model year vehicle shall be inspected and approved pursuant
45 to sections 307.350 to 307.390 in each odd-numbered year.]
46 The certificate of inspection and approval shall be a
47 sticker, seal, or other device or combination thereof, as
48 the superintendent of the Missouri state highway patrol
49 prescribes by regulation and shall be displayed upon the
50 motor vehicle or trailer as prescribed by the regulations
51 established by him. The replacement of certificates of
52 inspection and approval which are lost or destroyed shall be
53 made by the superintendent of the Missouri state highway
54 patrol under regulations prescribed by him.

55 2. For the purpose of obtaining an inspection only, it
56 shall be lawful to operate a vehicle over the most direct
57 route between the owner's usual place of residence and an
58 inspection station of such owner's choice, notwithstanding
59 the fact that the vehicle does not have a current state
60 registration license. It shall also be lawful to operate

61 such a vehicle from an inspection station to another place
62 where repairs may be made and to return the vehicle to the
63 inspection station notwithstanding the absence of a current
64 state registration license.

65 3. No person whose motor vehicle was duly inspected
66 and approved as provided in this section shall be required
67 to have the same motor vehicle again inspected and approved
68 for the sole reason that such person wishes to obtain a set
69 of any special personalized license plates available
70 pursuant to section 301.144 or a set of any license plates
71 available pursuant to section 301.142, prior to the
72 expiration date of such motor vehicle's current registration.

73 4. **Notwithstanding any provision of law to the**
74 **contrary, a valid safety inspection shall be required for**
75 **all registration issuances and renewals of a motor vehicle**
76 **subject to safety inspection under this section.**

77 5. Notwithstanding the provisions of section 307.390,
78 violation of this section shall be deemed an infraction.

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
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
27 in conformity with the procedure required by sections
28 307.350 to 307.390 and sections 643.300 to 643.355. The
29 director of revenue may verify that a successful safety and
30 emissions 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.

88 3. The commission may, by rule, allow inspection
89 reciprocity with other states having equivalent or more
90 stringent testing and waiver requirements than those
91 established pursuant to sections 643.300 to 643.355.

92 4. (1) At the time of sale, a licensed motor vehicle
93 dealer, as defined in section 301.550, may choose to sell a
94 motor vehicle subject to the inspection requirements of
95 sections 643.300 to 643.355 either:

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

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

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

109 of registration of such vehicle, such inspection shall be
110 considered timely.

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

140 **5. Notwithstanding any provision of law to the**
141 **contrary, a valid emissions inspection shall be required for**
142 **all registration issuances and renewals of a motor vehicle**
143 **subject to emissions inspection under this section.**

 Section B. The repeal and reenactment of sections
2 144.070, 301.055, 301.070, 301.110, 301.140, 301.142,
3 301.147, 301.550, 301.560, 301.570, 302.170, 307.350, and
4 643.315 of this act shall take effect as soon as
5 technologically possible following the development and
6 maintenance of a modernized, integrated system for the
7 titling of vehicles, issuance and renewal of vehicle
8 registrations, issuance and renewal of driver's licenses and
9 identification cards, and perfection and release of liens
10 and encumbrances on vehicles, to be funded by the motor
11 vehicle administration technology fund as created in section
12 301.558. Following the development of the system, the
13 director of the department of revenue shall notify the
14 governor, the secretary of state, and the revisor of
15 statutes, and shall implement the provisions of sections
16 144.070, 301.055, 301.070, 301.110, 301.140, 301.142,
17 301.147, 301.550, 301.560, 301.570, 302.170, 307.350, and
18 643.315 of this act.

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