

FIRST REGULAR SESSION

SENATE BILL NO. 415

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODE.

Read 1st time February 8, 1999, and 1,000 copies ordered printed.

S1692.041

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 303.041, 303.042, 303.043, 307.353, 307.355, 307.360 and 307.365, RSMo 1994, and sections 32.080, 301.025, 301.140, 302.302, 303.024, 303.025, 303.026, 307.350 and 307.375, RSMo Supp. 1998, relating to the registration of motor vehicles, and to enact in lieu thereof twenty-one new sections relating to the same subject, with penalty provisions, an effective date for certain sections and a contingent effective date for certain sections.

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

Section A. Sections 303.041, 303.042, 303.043, 307.353, 307.355, 307.360 and 307.365, RSMo 1994, and sections 32.080, 301.025, 301.140, 302.302, 303.024, 303.025, 303.026, 307.350 and 307.375, RSMo Supp. 1998, are repealed and twenty-one new sections enacted in lieu thereof, to be known as sections 32.080, 301.025, 301.140, 301.147, 302.302, 302.303, 303.024, 303.025, 303.026, 303.041, 303.042, 303.172, 303.175, 303.178, 303.179, 307.350, 307.353, 307.355, 307.360, 307.365 and 307.375, to read as follows:

32.080. 1. Notwithstanding other provisions of law, the director of revenue may destroy motor vehicle, driver's license, or tax reports, returns and other related documents at any time if such reports, returns, and other related documents have been photographed, microphotographed, electronically generated, electronically recorded, photostated, reproduced on film or other process capable of producing a clear, accurate and permanent copy of the original. Such film or reproducing material shall be of durable material and the device used to reproduce the records, reports, returns, and other related documents on film or material shall be such as to accurately reproduce and perpetuate the original records, reports, returns and other documents in all details.

2. The reproductions so made may be used as permanent records of the original. When

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

microfilm or a similar reproduction is used as a permanent record by the director of revenue, one copy shall be stored in a fireproof vault and other copies may be made for use by any person entitled thereto. All reproductions shall retain the same confidentiality as is provided in the law regarding the original record.

3. Such photostatic copy, photograph, microphotograph, electronically generated, electronically recorded, or other process copy shall be deemed to be an original record for all purposes, and shall be admissible in evidence in all courts or administrative agencies. A transcript, exemplification or certified copy of any motor vehicle, driver's license or tax reports, records, returns and other related documents made from such photostatic copy, photograph, microphotograph, electronically generated, electronically recorded, or other process copy shall, for all purposes be deemed to be a transcript, exemplification or certified copy of the original and shall be admissible in evidence in all courts or administrative agencies. No document shall be admissible under this section unless the offeror shall comply with section 490.692, RSMo.

4. Reproductions made of motor vehicle, driver's license, or tax reports, returns and related documents hereunder shall be preserved for four years and thereafter until the director of revenue orders them to be destroyed.

5. Notwithstanding other provisions of law, the department of revenue may allow the electronic filing of any motor vehicle, driver's license, or tax records, reports, returns and other related documents. A transcript, exemplification or certified copy of any electronically filed motor vehicle, driver's license or tax reports, records, returns and other related document upon certification of the director of revenue shall be admissible in evidence in all courts or administrative agencies without further proof. "Records, reports, returns, and other related documents" include, but are not limited to, papers, documents, facsimile information, microphotographic process, electronically generated or electronically recorded information, deposited or filed with the department of revenue.

6. Notwithstanding other provisions of law, the department of revenue may determine alternative methods for the signing, subscribing or verifying of a record, report, return, application, driver's license, or other related document that shall have the same validity and consequences as the actual signing by the person providing the record, report, return, or related document.

7. The director of revenue may renew motor vehicle registrations by electronic means when the information, fees and documents required by chapters 301, 303 and 307, RSMo, to accompany such application are provided to the director electronically in a format prescribed by the director of revenue.

8. The director of revenue may prescribe rules and regulations for the effective administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority delegated in this section

shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to the effective date of this section if it fully complied with the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

301.025. 1. No state registration license to operate any motor vehicle in this state shall be issued unless the application for license of a motor vehicle or trailer is accompanied by a tax receipt for the tax year which immediately precedes the year in which the vehicle's or trailer's registration is due **which reflects that all taxes including delinquent taxes from prior years have been paid** or a statement certified by the county or township collector of the county or township in which the applicant's property was assessed showing that the state and county tangible personal property taxes for such previous tax year **and all delinquent taxes due** have been paid by the applicant or that no such taxes were due or, if the applicant is not a resident of this state and serving in the armed forces of the United States, the application is accompanied by a leave and earnings statement from such person verifying such status. **The county or township collector shall not be required to issue a receipt for the immediately preceding tax year until all personal property taxes, including all delinquent taxes currently due are paid.** Every county and township collector shall give each person a tax receipt or a certified statement of tangible personal property taxes paid. The receipt issued by the county collector in any county of the first classification with a charter form of government which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county, any county of the first classification without a charter form of government with a population of at least one hundred fifty thousand inhabitants which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county and any county of the first classification without a charter form of government with a population of at least one hundred ten thousand but less than one hundred fifty thousand inhabitants shall be determined null and void if the person paying tangible personal property taxes issues or passes a check or other similar sight order which is returned to the collector because the account upon which the check or order was drawn was closed or did not have sufficient funds at the time of presentation for payment by the collector to meet the face amount of the check or order. The collector may assess and collect in addition to any other penalty or interest that may be owed, a penalty of ten dollars or five percent of the total amount of the returned check or order whichever amount is greater to be deposited in the county general

revenue fund, but in no event shall such penalty imposed exceed one hundred dollars. The collector may refuse to accept any check or other similar sight order in payment of any tax currently owed plus penalty or interest from a person who previously attempted to pay such amount with a check or order that was returned to the collector unless the remittance is in the form of a cashier's check, certified check or money order. If a person does not comply with the provisions of this section, a tax receipt issued pursuant to this section is null and void and no state registration license shall be issued or renewed. Where no such taxes are due each such collector shall, upon request, certify such fact and transmit such statement to the person making the request. Each receipt or statement shall describe by type the total number of motor vehicles on which personal property taxes were paid, and no renewal of any state registration license shall be issued to any person for a number greater than that shown on his or her tax receipt or statement except for a vehicle which was purchased without another vehicle being traded therefor, or for a vehicle previously registered in another state, provided the application for title or other evidence shows that the date the vehicle was purchased or was first registered in this state was such that no personal property tax was owed on such vehicle as of the date of the last tax receipt or certified statement prior to the renewal. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms.

2. Every county collector in counties with a population of over six hundred thousand and less than nine hundred thousand shall give priority to issuing tax receipts or certified statements pursuant to this section for any person whose motor vehicle registration expires in January. Such collector shall send tax receipts or certified statements for personal property taxes for the previous year within three days to any person who pays the person's personal property tax in person, and within twenty working days, if the payment is made by mail. Any person wishing to have priority pursuant to this subsection shall notify the collector at the time of payment of the property taxes that a motor vehicle registration expires in January. Any person purchasing a new vehicle in December and licensing such vehicle in January of the following year, may use the personal property tax receipt of the prior year as proof of payment.

3. In addition to all other requirements, the director of revenue shall not register any vehicle subject to the heavy vehicle use tax imposed by Section 4481 of the Internal Revenue Code of 1954 unless the applicant presents proof of payment, or that such tax is not owing, in such form as may be prescribed by the United States Secretary of the Treasury. No proof of payment of such tax shall be required by the director until the form for proof of payment has been prescribed by the Secretary of the Treasury.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same

in his or her possession whether in use or not; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

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

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of fifteen days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within fifteen days. The director shall issue a temporary permit or paper plate authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit or paper plate shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary plates or permits available to registered dealers in this state in sets of ten plates or permits. The fee for the temporary permit or plate shall be seven dollars and fifty cents for each permit or plate issued. No dealer shall charge more than seven dollars and fifty cents for each permit issued. The permit or plate shall be valid for a period of thirty days from the date of purchase [by the purchaser] of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit or plate as set out above.

6. The permit or plate shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable him to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Permits or paper plates issued under this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit and plate.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the paper plate or permit when issued to the buyer. The dealer shall also insert his dealer's number on the paper plate. Every dealer that issues a temporary permit or paper plate shall keep, for inspection of proper officers, a correct record of each permit or plate issued by him by recording the permit or plate number, buyer's name and address, year, make, manufacturer's number of vehicle on which the permit or plate is to be used, and the date of issuance.

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

301.147. 1. Notwithstanding the provisions of section 301.020, RSMo, to the contrary, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight, the option of biennially registering motor vehicles subject to the following requirements:

(1) The fee collected at the time of biennial registration shall include the annual registration fee plus a prorata amount for the additional twelve months of the biennial registration;

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

2. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

3. The director of revenue shall have the authority to stagger the registration period of motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial registration, such registration must be maintained for the full twenty-four month period.

302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

- (1) Any moving violation of a state law or county or municipal traffic ordinance not listed in this section, other than a violation of vehicle equipment provisions **or a court ordered supervision as provided in section 302.303** 2 points
(except any violation of municipal stop sign ordinance where no accident is involved 1 point)
- (2) Speeding
 - In violation of a state law 3 points
 - In violation of a county or municipal ordinance 2 points

(3) Leaving the scene of an accident in violation of section 577.060, RSMo	12 points
In violation of any county or municipal ordinance	6 points
(4) Careless and imprudent driving in violation of subsection 4 of section 304.016, RSMo	4 points
In violation of a county or municipal ordinance	2 points
(5) Operating without a license after suspension or revocation and prior to restoration of operating privileges which have been suspended or revoked	12 points
(6) Obtaining a license by misrepresentation	12 points
(7) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs	8 points
(8) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of ten-hundredths of one percent or more by weight	12 points
(9) For the first conviction for driving with blood alcohol content ten-hundredths of one percent or more by weight In violation of state law	8 points
In violation of a county or municipal ordinance	8 points
(10) Any felony involving the use of a motor vehicle	12 points
(11) Knowingly permitting an unlicensed operator to operate a motor vehicle	4 points

2. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subsection 1 of this section and if found to be warranted and certified by the reporting court.

3. When any of the acts listed in subdivision (2), (3), (4) or (7) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (7), (8) and (9) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (7), (8) and (9) of subsection 1 of this section for offenses arising out of

the same occurrence.

4. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle rider training course approved by the director of the department of public safety, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2), or (4) of subsection 1 of this section or pursuant to subsection 2 of this section. For the purposes of this subsection, the driver improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the director of the department of public safety pursuant to sections 302.133 to 302.138. The completion of a driver improvement program or a motorcycle rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver improvement program or motorcycle rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection.

302.303. 1. Whenever a court convicts a person of a violation of section 303.025, RSMo, or enters an order of court ordered supervision, the clerk of the court shall within ten days forward a report of the conviction or order or supervision to the director of revenue in a form prescribed by the department of revenue. In any case where the person charged with the violation fails to appear in court, the procedures provided in section 302.341, RSMo, shall apply. For the purpose of this section, the term "court ordered supervision" is used to indicate where a court of record may, upon a plea or finding of guilt, defer further proceedings of a sentence, and enter an order for supervision of the defendant, if the defendant is charged with a violation, in which case no points shall be assessed.

2. The department of revenue shall keep records of such reports. However, reports of court ordered supervision shall not be released to any outside source, except the affected driver and those entities provided for in subsection 4 of section 32.091, RSMo, and shall be used only to inform the director and the courts that such driver has previously been assigned court supervision.

303.024. 1. Each insurer issuing motor vehicle liability policies in this state, or an agent of the insurer, shall furnish an insurance identification card to the named insured for each motor vehicle insured by a motor vehicle liability policy that complies with the requirements of sections 303.010 to 303.050, 303.060, 303.140, 303.220, 303.290, 303.330 and 303.370.

2. The insurance identification card shall include all of the following information:

- (1) The name and address of the insurer;
- (2) The name of the named insured;
- (3) The policy number;
- (4) The effective dates of the policy, including month, day and year;
- (5) A description of the insured motor vehicle, including year and make or at least five digits of the vehicle identification number or the word "Fleet" if the insurance policy covers five or more motor vehicles; and

(6) The statement "THIS CARD MUST BE CARRIED IN THE INSURED MOTOR VEHICLE FOR PRODUCTION UPON DEMAND" prominently displayed on the card.

3. A new insurance identification card shall be issued when the insured motor vehicle is changed, when an additional motor vehicle is insured, and when a new policy number is assigned. A replacement insurance identification card shall be issued at the request of the insured in the event of loss of the original insurance identification card.

4. The director shall furnish each self-insurer, as provided for in section 303.220, an insurance identification card for each motor vehicle so insured. The insurance identification card shall include all of the following information:

- (1) Name of the self-insurer;
- (2) The word "self-insured"; and
- (3) The statement "THIS CARD MUST BE CARRIED IN THE SELF-INSURED MOTOR VEHICLE FOR PRODUCTION UPON DEMAND" prominently displayed on the card.

5. An insurance identification card shall be carried in the insured motor vehicle at all times. The operator of an insured motor vehicle shall exhibit the insurance identification card on the demand of any peace officer, commercial vehicle enforcement officer or commercial vehicle inspector who lawfully stops such operator or investigates an accident while that officer or inspector is engaged in the performance of the officer's or inspector's duties. If the operator fails to exhibit an insurance identification card, the officer or inspector shall [notify the director of revenue, in the manner determined by the director, and the officer or inspector may] issue a citation to the operator [pursuant to subsection 6 of this section] **for a violation of section 303.025**. A motor vehicle liability insurance policy, a motor vehicle liability insurance binder, or receipt which contains the policy information required in subsection 2 of this section, shall be satisfactory evidence of insurance in lieu of an insurance identification card.

[6. Any person failing to exhibit an insurance identification card or other satisfactory

evidence of insurance in lieu of such card upon the demand of any peace officer, commercial vehicle enforcement officer or commercial vehicle inspector pursuant to this section is guilty of a class C misdemeanor. However, no person shall be found guilty of violating this section if the operator demonstrates to the court that he or she met the financial responsibility requirements of section 303.025 at the time the peace officer, commercial vehicle enforcement officer or commercial vehicle inspector wrote the citation.]

303.025. 1. No owner of a motor vehicle registered in this state, or required to be registered in this state, shall operate, [the vehicle, or authorize any other person to operate the] **register or maintain registration of a motor vehicle, or permit another person to operate such** vehicle, unless the owner maintains the financial responsibility [as required in this section] **which conforms to the requirements of the laws of this state.** Furthermore, no person shall operate a motor vehicle owned by another with the knowledge that the owner has not maintained financial responsibility unless such person has financial responsibility which covers the person's operation of the other's vehicle. [Any person who violates this section is guilty of a class C misdemeanor.]

2. A motor vehicle owner shall maintain the owner's financial responsibility in a manner provided for in section 303.160, or with a motor vehicle liability policy which conforms to the requirements of the laws of this state.

3. Any person who violates this section is guilty of a class C misdemeanor. In addition to any other authorized punishment, the court shall notify the director of revenue of any person convicted under this section and shall do one of the following:

(1) Enter an order suspending the driving privilege as of the date of the court order. If the court orders the suspension of the driving privilege, the court shall require the defendant to surrender to it any driver's license then held by such person. The court shall forward to the director of revenue the order of suspension of driving privilege and any license surrendered;

(2) Forward the record of the conviction for an assessment of four points; or

(3) In lieu of an assessment of points, render an order of supervision as provided in section 302.303. An order of supervision shall not be used in lieu of points more than one time in any thirty-six month period. Every court having jurisdiction under the provisions of this section shall forward a record of conviction or the order of supervision to the department of revenue within ten days. The director shall establish procedures for the record keeping and administration of this section.

[3.] **4.** Nothing in sections 303.010 to 303.050, 303.060, 303.140, 303.220, 303.290, 303.330 and 303.370 shall be construed as prohibiting the department of insurance from approving or authorizing those exclusions and limitations which are contained in automobile liability insurance policies and the uninsured motorist provisions of automobile liability insurance policies.

5. The provisions of section 302.311 to the contrary notwithstanding, all appeals shall be made directly from the court-ordered suspension to the circuit court of the county of which the defendant is a resident. The sole issue on appeal shall be whether the court properly ordered the department of revenue to suspend the defendant's license.

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

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

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

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

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

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

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

3. [The director shall annually select for financial responsibility verification, a sample of the motor vehicle registrations or licenses which is statistically significant to determine the number of insured motorists in the state of Missouri, or to insure compliance. The director may utilize a variety of sampling techniques including but not limited to the processing of uniform traffic tickets, point system warning letters, and random surveys of motor vehicle

registrations. The director of revenue may verify the financial responsibility of any person reported under section 303.040.] **The director may select random samples of registrations of motor vehicles subject to the provisions of this section for the purpose of verifying whether or not the motor vehicles are insured. The director may utilize a variety of sampling techniques including but not limited to the processing of uniform traffic tickets, random surveys to verify insurance information provided to the director at the time of motor vehicle registration, surveys of motor vehicle registrations and persons who during the preceding year have received a disposition of supervision as provided in section 302.303. The director may verify the financial responsibility of any person sampled or reported.**

4. Upon determination that the information provided by the owner or authorized agent is inaccurate, the director shall notify the owner of the need to provide, within [thirty] **fifteen** days, [information establishing] **proof of** the existence of the required financial responsibility [as of the date of such notice]. **The request shall require the owner to state whether or not the motor vehicle was insured on the verification date stated in the director's request and the request may require but not be limited to a statement by the owner of the names and addresses of insurers, policy numbers and expiration date of insurance coverage.** Failure to provide such information shall result in the suspension of all registrations of the owner's motor vehicles failing to meet such requirements, as is provided in [section 303.041] **this chapter.**

303.041. 1. [If the director determines that the operator or owner of a motor vehicle has not maintained the financial responsibility required in section 303.025 as a result of a financial responsibility verification sample as provided for in section 303.026, or as a result of an accident report as required by section 303.040, or either, the director shall thirty-three days after mailing notice to the owner or operator suspend the license of the owner or operator, or both, and all registrations of the owner's motor vehicles failing to meet such requirement. The notice of suspension shall be mailed to the person at the last known address shown on the department's records, and to the address provided by the accident report if that address differs from the address of record. The notice is deemed received three days after mailing. The notice of suspension shall clearly specify the reason and statutory grounds for the suspension and the effective date of the suspension, the right of the person to request a hearing, the procedure for requesting a hearing, and the date by which that request for a hearing must be made.] **If the director determines that as a result of a verification sample or accident report that the owner of a motor vehicle has not maintained financial responsibility, or if the director determines as a result of an order of court supervision that the operator of a motor vehicle has not maintained the financial responsibility as required in this chapter, the director shall thirty-three days after mailing notice, suspend the driving privilege of the operator or**

the registration of the vehicle failing to meet such requirement. The notice of suspension shall be mailed to the person at the last known address shown on the department's records. The notice of suspension is deemed received three days after mailing. The notice of suspension shall clearly specify the reason and statutory grounds for the suspension and the effective date of the suspension, the right of the person to request a hearing, the procedure for requesting a hearing, and the date by which that request for a hearing must be made. If the request for a hearing is received by the department prior to the effective date of the suspension, the effective date of the suspension will be stayed until a final order is issued following the hearing.

2. [If any person shall neglect or refuse to surrender his license or registration within fifteen days of the suspension or revocation date, a fee of twenty-five dollars shall be assessed for each month or portion thereof that the license or registration is not surrendered, not to exceed three hundred dollars.] **Neither the fact that subsequent to the date of verification or conviction, the owner acquired the required liability insurance policy nor the fact that the owner terminated ownership of the motor vehicle, shall have any bearing upon the director's decision to suspend. Until it is terminated, the suspension shall remain in force after the registration is renewed or a new registration is acquired for the motor vehicle. The suspension also shall apply to any motor vehicle to which the owner transfers the registration.**

303.042. 1. The suspension shall become effective thirty days after the subject person is deemed to have received the notice of suspension by certified mail as provided in section 303.041. [If the request for a hearing is received by the department prior to the effective date of the suspension, the effective date of the suspension will be stayed until a final order is issued following the hearing; however, any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension during the period of delay.]

2. The period of suspension under this section shall be as follows:

(1) [If the person's driving record shows no prior failure to maintain the required financial responsibility as provided for in section 303.025, the period of suspension shall be sixty days after the effective date of suspension;] **In the case of a first violation, the director shall terminate the suspension upon payment by the owner of a reinstatement fee of twenty dollars and submission of proof of insurance as prescribed by the director.**

(2) [If the person's record shows one prior suspension for failure to maintain the required financial responsibility as provided for in section 303.025, the period of suspension shall be one year after the effective date of suspension;] **In the case of one prior violation of a person having ownership interest in a motor vehicle or vehicles within the preceding two years, the director shall terminate the suspension ninety days after its effective date upon payment by the owner of a reinstatement fee of two hundred dollars and**

submission of proof of insurance as prescribed by the director.

(3) If the person's [driving] record shows two or more prior suspensions for failure to maintain the required financial responsibility as provided for in section 303.025, the [period of] suspension shall [be two years] **terminate one year** after [the] **its** effective date [of suspension] **upon payment of a reinstatement fee of four hundred dollars and submission of proof of insurance as prescribed by the director.** The director shall not reduce any period of suspension provided for in this subsection.

3. In the event that proof of [financial responsibility] **insurance as prescribed by the director** has not been filed with the department of revenue in accordance with this chapter prior to the end of the period of suspension [provided in subsection 2 of this section], such period of suspension shall be extended until such proof of [financial responsibility] **insurance as prescribed by the director** has been filed. In no event shall filing proof of [financial responsibility] **insurance as prescribed by the director** reduce any period of suspension.

4. If the director determines that the proof of insurance submitted by a motor vehicle owner or operator, under this chapter is false, the director shall suspend the owner's vehicle registration and operator's driving privilege. The director shall terminate the suspension one year after the effective date upon payment by the owner or operator of a reinstatement fee of one hundred fifty dollars and submission of proof of insurance as prescribed by the director.

[303.043. Whenever a suspension is imposed under section 303.041, the following reinstatement fees shall be paid prior to the end of the period of suspension provided in subsection 2 of section 303.042, and in the event such reinstatement fees are not paid the period of suspension shall be extended until such fees have been paid:

(1) If the person's driving record shows no prior failure to maintain the required financial responsibility as provided for in section 303.025, the reinstatement fee shall be two hundred dollars;

(2) If the person's driving record shows one prior suspension for failure to maintain the required financial responsibility as provided for in section 303.025, the reinstatement fee shall be four hundred dollars;

(3) If the person's driving record shows two or more prior suspensions for failure to maintain the required financial responsibility as provided for in section 303.025, the reinstatement fee shall be eight hundred dollars.]

303.172. Any provisions of law to the contrary notwithstanding, in order to help reduce the uninsured motorists population in this state, the director of revenue may create and maintain a motorist insurance identification database to use when verifying compliance with the motor vehicle financial responsibility law.

303.175. Every motor vehicle liability policy issued to meet the requirements of

this chapter shall have a minimum term of three months. Each policy payment collected by the insurer shall cover a period of at least one month. This section shall not be construed to interfere with the cancellation and renewal provisions of section 379.110, RSMo.

303.178. No person shall display evidence of insurance to a law enforcement officer, knowing there is no valid liability insurance in effect on the motor vehicle as required pursuant to chapter 303, or knowing the evidence of insurance is illegally altered, counterfeit or otherwise invalid as evidence of insurance. If the law enforcement officer issues a citation to a motor vehicle operator for displaying invalid evidence of insurance, the officer shall confiscate the evidence for presentation in court. Any person convicted of violating this section is guilty of a class A misdemeanor.

303.179. No person shall alter an invalid insurance card to make it appear valid. No person knowingly shall make, sell or otherwise make available an invalid or counterfeit insurance card. Any person who violates this section is guilty of a class A misdemeanor.

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

(1) New motor vehicles which have not been previously titled and registered, prior to the initial motor vehicle registration [or the next succeeding registration which is required by law];

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

(3) Historic motor vehicles registered pursuant to section 301.131, RSMo; shall submit such vehicles to an [annual] inspection of their mechanism and equipment in accordance with the provisions of sections 307.350 to 307.390 and obtain a certificate of inspection and approval and a sticker, seal, or other device from a duly authorized official inspection station. The inspection, except the inspection of school buses which shall be made at the time provided in section 307.375, shall be made at the time prescribed in the rules and regulations issued by the superintendent of the Missouri state highway patrol; but the inspection of a vehicle shall not be made more than sixty days prior to the date of application for [annual] registration or within sixty days of when a vehicle's registration is transferred. The certificate of inspection and approval shall be a sticker, seal, or other device or combination thereof, as the superintendent of the Missouri state highway patrol prescribes by regulation and shall be displayed upon the motor vehicle or trailer as prescribed by the regulations established by him. The replacement of certificates of inspection and

approval which are lost or destroyed shall be made by the superintendent of the Missouri state highway patrol under regulations prescribed by him.

2. For the purpose of obtaining an inspection only, it shall be lawful to operate a vehicle over the most direct route between the owner's usual place of residence and an inspection station of such owner's choice, notwithstanding the fact that the vehicle does not have a current state registration license. It shall also be lawful to operate such a vehicle from an inspection station to another place where repairs may be made and to return the vehicle to the inspection station notwithstanding the absence of a current state registration license.

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

4. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed an infraction.

307.353. Other provisions of law notwithstanding, no person shall be required to have [an annual] a vehicle inspection during a registration period [which exceeds one year]. The inspection required at the beginning of the registration period shall be valid for the entire registration period.

307.355. 1. No state registration license to operate the type of vehicle required to be inspected by section 307.350 may be transferred or issued unless the application for the transfer of a license or the application for [annual] registration is accompanied by a current certificate of inspection and approval issued not more than sixty days prior to the date of the application, or, in the cases of school buses, the current certificate of inspection and approval issued at the time provided in section 307.375 next preceding the date of application, except:

(1) The director of revenue may transfer or issue a state registration license to the type of vehicle required to be inspected by section 307.350 without a certificate of inspection and approval accompanying the application if the director has satisfactory evidence that the vehicle was not in the state of Missouri at any time during the sixty days prior to the date of application; however, the owner of every such vehicle must submit the vehicle for inspection and obtain a certificate of inspection and approval within ten days after the vehicle is first returned to the state of Missouri.

(2) The director of revenue shall renew a vehicle's registration license without a certificate of inspection and approval accompanying the application if satisfactory documentary evidence is presented at the time of application that the license being renewed was properly transferred within a six-month period prior to the expiration of the license being renewed or that the vehicle for which the registration is being issued was issued a registration for a period of less than one year for the registration period just expiring.

2. If due to interstate operation a commercial motor vehicle as defined in section 301.010, RSMo, or a trailer of the type required to be inspected is required to obtain full fee registration in this and any other state during the same calendar year, no Missouri certificate of inspection and approval is required if the vehicle bears evidence that a current valid inspection sticker or decal was issued by such other state in which the vehicle is registered; provided that the sticker or decal issued by such other state is valid for the registration period in this state.

3. After a commercial motor vehicle as defined in section 301.010, RSMo, has been registered for the current year, no certificate of inspection and approval is required when a local commercial motor vehicle license is changed to a beyond-local commercial motor vehicle license or when the licensed gross weight is changed during the licensed period.

307.360. 1. The superintendent of the Missouri state highway patrol shall issue permits and written instructions to official inspection stations and shall furnish forms and certificates for the inspection of brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust system, glazing, air pollution control devices, fuel [tank] **system**, and any other safety equipment required by the state. In no instance will road testing of a vehicle be considered a part of the inspection procedure.

2. The superintendent of the Missouri state highway patrol shall prescribe the standards and equipment necessary for an official inspection station and the qualifications for persons who conduct the inspections, and no applicant may be approved to operate an official inspection station until the applicant meets the standards and has the required equipment and qualified [inspections] **inspectors** as prescribed. The superintendent of the Missouri state highway patrol shall establish standards and procedures to be followed in the making of inspections required by sections 307.350 to 307.390 and shall prescribe rules and regulations for the operation of the stations.

3. (1) The application for permit as an official inspection station shall be made to the superintendent of the Missouri state highway patrol on a form furnished by him. The fee for a permit to operate an official inspection station shall be ten dollars per year and each permit shall be renewed annually on the date of issue. All fees shall be payable to the director of revenue and shall be deposited by him in the state treasury to the credit of the state highway fund.

(2) The application shall set forth the name under which applicant transacts or intends to transact business, the location of his place of business and such other information as the superintendent of the Missouri state highway patrol may require. If the applicant has or intends to have more than one place of business within the state, a separate application shall be made for each place of business. If the applicant is a partnership, the application shall set forth the names of the partners; [in] **if** a corporation, the names of the officers shall be shown. The application shall be signed and verified by oath or affirmation of the owner or an authorized officer or partner.

(3) Each location which fulfills the superintendent of the Missouri state highway patrol's

requirements and whose owners, proprietors and employees comply with his regulations and qualifications shall be designated as an official inspection station and the applicant issued a certificate. The superintendent of the Missouri state highway patrol shall investigate all applicants for inspection station permits to determine whether or not the premises, equipment and personnel meet the requirements prescribed by him.

(4) Any automobile mechanic who has had at least one year of practical experience as an automotive mechanic or any person who has successfully completed a course of vocational instruction in automotive mechanics from a generally recognized educational institution, either public or private, and who has demonstrated his knowledge and ability to conduct an inspection in compliance with the regulations established by the superintendent of the Missouri state highway patrol may be issued a permit to conduct inspections at any official inspection station. No person without a valid permit shall conduct any part of an inspection, except a person without a valid permit may assist in the inspection of a vehicle by operating the vehicle's lighting equipment and signaling devices. The superintendent of the Missouri state highway patrol may at his discretion require a mechanic to be reexamined at any time to determine his knowledge and ability to conduct an inspection. If the mechanic fails the reexamination or refuses to be reexamined, the permit issued to him shall be suspended until the mechanic passes the examination but under no circumstances can the mechanic again be tested until a period of thirty days has elapsed. No fee shall be charged for the permit and the permit shall remain valid for a period of three years from the date of issue or until suspended or revoked by the superintendent of the Missouri state highway patrol.

(5) The superintendent of the Missouri state highway patrol may issue a private official inspection station permit to any association, person, partnership, corporation and/or subsidiary corporation, and governmental entity having registered or titled in his or its name in this state one or more vehicles of the type required to be inspected by section 307.350, or who maintains such vehicles under a written maintenance agreement of at least one year's duration and who maintains approved inspection facilities and has qualified personnel; but separate permits must be obtained for separate facilities of the same association, person, partnership, corporation and/or subsidiary corporation, or governmental entity. Such private stations shall inspect only vehicles registered or to be registered, titled or to be titled or maintained in the name of the person or organization described on the application for permit. No fee shall be charged for a permit issued to a governmental entity.

4. (1) The superintendent of the Missouri state highway patrol shall supervise and cause inspections to be made of the official inspection stations and inspecting personnel and if he finds that the provisions of sections 307.350 to 307.390 or the regulations issued pursuant to sections 307.350 to 307.390 are not being complied with, or that the business of an official inspection station, in connection with corrections, adjustments, repairs or inspection of vehicles is being

improperly conducted, he shall suspend or revoke the permit of the station for a period of not less than thirty days or more than [one year] **three years** and require the immediate surrender and return of the permit, together with all official forms and certificates of inspection and approval. If the superintendent finds that an inspector has violated any of the provisions of sections 307.350 to 307.390 or the regulations issued pursuant to sections 307.350 to 307.390, he shall suspend or revoke the inspector's permit for a period of not less than thirty days nor more than [one year] **three years. Official inspection station permit holders are responsible at all times for the conduct of their business and are directly responsible at all times for any act or the conduct of any employee on the premises which is in violation of the motor vehicle safety inspection laws or the regulations of the superintendent of the Missouri state highway patrol.** If a station operator or if an inspector violates any of the provisions of sections 307.350 to 307.390, he is subject to prosecution as provided in section 307.390.

(2) The suspension or revocation of a station permit or of an inspector's permit shall be in writing to the operator, inspector, or the person in charge of the station. Before suspending or revoking either of the permits, the superintendent shall serve notice in writing by certified mail or by personal service to the permittee at his address of record giving him the opportunity to appear in the office of the superintendent on a stated date, not less than ten nor more than thirty days after the mailing or service of the notice, for a hearing to show cause why his permit should not be suspended or revoked. An inspection station owner or an inspector may appear in person or by counsel in the office of the superintendent to show cause why the proposed suspension or revocation is in error, or to present any other facts or testimony that would bear on the final decision of the superintendent. If the permittee or his agent does not appear on the stated day after receipt of notice, it shall be presumed that the permittee admits the allegations of fact contained in the hearing notification letter. The decision of the superintendent may in such case be based upon the written reports submitted to him by his officers. The order of the superintendent, specifying his findings of fact and conclusions of law, shall be considered final immediately after receipt of notice thereof by the permittee.

(3) Any person whose permit is suspended or revoked or whose application for a permit is denied may within ten days appeal the action as provided in chapter 536, RSMo.

307.365. 1. No permit for an official inspection station shall be assigned or transferred or used at any location other than therein designated and every permit shall be posted in a conspicuous place at the location designated. The superintendent of the Missouri state highway patrol shall design and furnish each official inspection station, at no cost, one official sign made of metal or other durable material to be displayed in a conspicuous location to designate the station as an official inspection station. Additional signs may be obtained by an official inspection station for a fee equal to the cost to the state. Each inspection station shall also be supplied with one or more posters which must be displayed in a conspicuous location at the place of inspection

and which informs the public that required repairs or corrections need not be made at the inspection station.

2. No person operating an official inspection station under the provisions of sections 307.350 to 307.390 may issue a certificate of inspection and approval for any vehicle except upon an official form furnished by the superintendent of the Missouri state highway patrol for that purpose and only after inspecting the vehicle and determining that its brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust system, glazing, air pollution control devices, fuel [tank] **system** and any other safety equipment as required by the state are in proper condition and adjustment to be operated upon the public highways of this state with safety to the driver or operator, other occupants therein, as well as other persons and property upon the highways, as provided by sections 307.350 to 307.390 and the regulations prescribed by the superintendent of the Missouri state highway patrol. No person operating an official inspection station shall furnish, loan, give or sell a certificate of inspection and approval to any other person except those entitled to receive it under provisions of sections 307.350 to 307.390. No person shall have in his possession any certificate of inspection and approval and/or inspection sticker with knowledge that the certificate and/or inspection sticker has been illegally purchased, stolen or counterfeited.

3. The superintendent of the Missouri state highway patrol may require officially designated stations to furnish reports upon forms furnished by him for that purpose as he considers reasonably necessary for the proper and efficient administration of sections 307.350 to 307.390.

4. If, upon inspection, defects or unsafe conditions are found, the owner may correct them himself or shall have them corrected at any place of his own choice within [fifteen] **twenty** days after the defect or unsafe condition is found, and shall have the right to remove the vehicle to such place for correction, but before the vehicle is operated thereafter upon the public highways of this state, a certificate of inspection and approval must be obtained. The inspecting personnel of the official inspection station must inform the owner that he need not have the corrections made at the inspection station.

5. A fee, not to exceed [seven] **twelve** dollars, as determined by each official inspection station, may be charged by an official inspection station for each official inspection including the issuance of the certificate of inspection and approval, sticker, seal or other device and a total fee, not to exceed [six] **ten** dollars, as determined by each official inspection station, may be charged for an official inspection of a trailer or motorcycle, which shall include the issuance of the certificate of inspection and approval, sticker, seal or other device. Such fee shall be conspicuously posted on the premises of each such official inspection station. No owner shall be charged an additional inspection fee upon having corrected defects or unsafe conditions found in an inspection completed within the previous [ten] **twenty** consecutive days, excluding Saturdays, Sundays and

holidays, if such follow-up inspection is made by the station making the initial inspection. Every inspection for which a fee is charged shall be a complete inspection, and upon completion of the inspection, if any defects are found the owner of the vehicle shall be furnished a list of the defects and a receipt for the fee paid for the inspection. If the owner of a vehicle decides to have any necessary repairs or corrections made at the official inspection station, he shall be furnished a written estimate of the cost of such repairs before such repairs or corrections are made by the official inspection station. The written estimate shall have plainly written upon it that the owner understands that he need not have the corrections made by the official inspection station and shall have a signature line for the owner. The owner must sign below the statement on the signature line before any repairs are made.

6. Certificates of inspection and approval, sticker, seal or other device shall be purchased by the official inspection stations from the superintendent of the Missouri state highway patrol. The superintendent of the Missouri state highway patrol shall collect a fee of [seventy-five] **one dollar fifty** cents for each certificate of inspection, sticker, seal or other device issued to the official inspection stations, except that no charge shall be made for certificates of inspection, sticker, seal or other device issued to official inspection stations operated by governmental entities. All fees collected shall be deposited in the state treasury with [fifty cents] **one dollar** of each fee collected credited to the state highway fund and, for the purpose of administering and enforcing the state motor vehicle laws and traffic regulations, [twenty-five] **fifty** cents credited to the "Highway Patrol Inspection Fund" which is hereby created. The moneys collected and deposited in the highway patrol inspection fund shall be expended subject to appropriations by the general assembly for the administration and enforcement of sections 307.350 to 307.390 by the Missouri state highway patrol. The unexpended balance in the fund at the end of each biennium exceeding the amount of the appropriations from the fund for the first two fiscal years shall be transferred to the state road fund, and the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue fund at the end of the biennium, shall not apply to the fund.

7. The owner or operator of any inspection station who discontinues operation during the period that a station permit is valid or whose station permit is suspended or revoked shall return all official signs and posters and any current unused inspection stickers, seals or other devices to the superintendent of the Missouri state highway patrol and shall receive a full refund on request except for official signs and posters, provided the request is made during the calendar year or within sixty days thereafter in the manner prescribed by the superintendent of the Missouri state highway patrol. Stations which have a valid permit shall exchange unused previous year issue inspection stickers and/or decals for an identical number of current year issue, provided the unused stickers and/or decals are submitted for exchange not later than April thirtieth of the current calendar year, in the manner prescribed by the superintendent of the Missouri state

highway patrol.

307.375. 1. The owner of every bus used to transport children to or from school in addition to any other inspection required by law shall submit the vehicle to an official inspection station, and obtain a certificate of inspection, sticker, seal or other device annually [during the month of August or], **but the inspection of the vehicle shall not be made more than sixty days** prior to operating the vehicle during the school year. The inspection shall, in addition to the inspection of the mechanism and equipment required for all motor vehicles under the provisions of sections 307.350 to 307.390, include an inspection to ascertain that the following items are correctly fitted, adjusted, and in good working condition:

- (1) All mirrors, including crossview, inside, and outside;
- (2) The front and rear warning flashers;
- (3) The stop signal arm;
- (4) The crossing control arm on public school buses required to have them pursuant to section 304.050, RSMo;
- (5) The rear bumper to determine that it is flush with the bus so that hitching of rides cannot occur;
- (6) The exhaust tailpipe to determine that it does not protrude from the bus;
- (7) The emergency [door] **doors and exits** to determine [that it is] **them to be** unlocked and easily opened as required;
- (8) The lettering and signing on the front, side, and rear of the bus;
- (9) The service door;
- (10) The step treads;
- (11) The aisle mats or aisle runners;
- (12) The emergency equipment which shall include as a minimum, a first aid kit, flares or fuses, and a fire extinguisher;
- (13) The seats, including a determination that they are securely fastened to the floor;
- (14) The emergency door buzzer;
- (15) All hand hold grips;
- (16) The interior glazing of the bus.

2. In addition to the inspection required by subsection 1, the Missouri state highway patrol shall conduct an inspection after February first of each school year of all vehicles required to be marked as school buses under section 304.050, RSMo. This inspection shall be conducted by the Missouri highway patrol in cooperation with the department of elementary and secondary education and shall include, as a minimum, items in subsection 1 and the following:

- (1) The driver seat belts;
- (2) The heating and defrosting systems;
- (3) The reflectors;

(4) The bus steps;

(5) The aisles.

3. If, upon inspection, conditions which violate the standards in subsection 2 are found, the owner or operator shall have them corrected in ten days and notify the superintendent of the Missouri state highway patrol or those persons authorized by the superintendent. If the defects or unsafe conditions found constitute an immediate danger, the bus shall not be used until corrections are made and the superintendent of the Missouri state highway patrol or those persons authorized by the superintendent are notified.

4. The Missouri highway patrol may inspect any school bus at any time and if such inspection reveals a deficiency affecting the safe operation of the bus, the provisions of subsection 3 shall be applicable.

Section B. The repeal and reenactment of sections 32.080, 301.025, 301.140, 307.350, 307.353, 307.355, 307.360, 307.365 and 307.375, and the enactment of section 301.147 shall become effective on July 1, 2000.

Section C. The repeal and reenactment of sections 302.302, 302.303, 303.024, 303.025, 303.026, 303.041 and 303.042, the repeal of section 303.043, and the enactment of sections 303.172, 303.175, 303.178 and 303.179, shall become effective on the January first following the year the director of the department of revenue notifies the revisor of statutes that the motorist insurance identification database, as provided in section 303.172, is operational.

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