

CONFERENCE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 1020

AN ACT

To repeal sections 136.055, 144.070, 301.010, 301.020, 301.030, 301.050, 301.055, 301.070, 301.074, 301.110, 301.130, 301.132, 301.140, 301.147, 301.190, 301.550, 301.560, 301.570, 301.600, 302.170, 302.177, 307.350, 307.365, 307.375, 407.1338, and 643.315, RSMo, and to enact in lieu thereof twenty-six new sections relating to the department of revenue, with penalty provisions 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 136.055, 144.070, 301.010, 301.020,
 2 301.030, 301.050, 301.055, 301.070, 301.074, 301.110, 301.130,
 3 301.132, 301.140, 301.147, 301.190, 301.550, 301.560, 301.570,
 4 301.600, 302.170, 302.177, 307.350, 307.365, 307.375, 407.1338,
 5 and 643.315, RSMo, are repealed and twenty-six new sections
 6 enacted in lieu thereof, to be known as sections 136.055,
 7 144.070, 301.010, 301.020, 301.030, 301.050, 301.055, 301.070,
 8 301.074, 301.110, 301.130, 301.132, 301.140, 301.147, 301.190,
 9 301.550, 301.560, 301.570, 301.600, 302.170, 302.177, 307.350,
 10 307.365, 307.375, 407.1338, and 643.315, to read as follows:

136.055. 1. Any person who is selected or appointed
 2 by the state director of revenue as provided in subsection 2
 3 of this section to act as an agent of the department of
 4 revenue, whose duties shall be the processing of motor
 5 vehicle title and registration transactions and the
 6 collection of sales and use taxes when required under

7 sections 144.070 and 144.440, and who receives no salary
8 from the department of revenue, shall be authorized to
9 collect from the party requiring such services additional
10 fees as compensation in full and for all services rendered
11 on the following basis:

12 (1) For each motor vehicle registration issued,
13 renewed, or transferred:

- 14 (a) Nine dollars for annual registration; ~~[or]~~
15 (b) Eighteen dollars for biennial registration; or
16 (c) Twenty-seven dollars for three-year registration;

17 (2) For each trailer registration issued, renewed, or
18 transferred:

- 19 (a) Nine dollars for annual registration;
20 (b) Twenty-seven dollars for three-year registration;

21 or

22 (c) Forty-five dollars for permanent registration;

23 (3) For each application or transfer of title, nine
24 dollars;

25 (4) For each instruction permit, nondriver license,
26 chauffeur's, operator's or driver's license issued for a
27 period of three years or less, nine dollars and eighteen
28 dollars for licenses or instruction permits issued or
29 renewed for a period exceeding three years;

30 (5) For each notice of lien processed, nine dollars;

31 (6) Notary fee or electronic transmission per
32 processing, two dollars.

33 2. The director of revenue shall award fee office
34 contracts under this section through a competitive bidding
35 process. The competitive bidding process shall give
36 priority to organizations and entities that are exempt from
37 taxation under Section 501(c)(3), 501(c)(6), or 501(c)(4),
38 except those civic organizations that would be considered
39 action organizations under 26 C.F.R. Section 1.501(c)(3)-

40 1(c)(3), of the Internal Revenue Code of 1986, as amended,
41 with special consideration given to those organizations and
42 entities that reinvest a minimum of seventy-five percent of
43 the net proceeds to charitable organizations in Missouri,
44 and political subdivisions, including but not limited to,
45 municipalities, counties, and fire protection districts. If
46 no competitive bids are received, the director of revenue
47 shall have the authority to enter into a contract with a
48 political subdivision, service organization, or other
49 reputable business to become the agent and such entity shall
50 be authorized to carry out the services for the department
51 pursuant to this section. Notwithstanding any provision of
52 law to the contrary, the director of revenue shall not award
53 any fee office contract under this section to any entity
54 affiliated in any manner with a current employee of the
55 department of revenue or with a former employee of the
56 department of revenue for the one-year period following the
57 former employee's termination of employment with the
58 department. For purposes of this subsection, "affiliated in
59 any manner" includes owning the entity or serving as an
60 officer or board member of such entity. Additionally, no
61 person affiliated in any manner with an entity awarded a fee
62 office contract under this section shall be affiliated in
63 any manner with an entity acting as a motor vehicle title
64 service agent as prescribed in sections 301.112 to 301.119.
65 The director of the department of revenue may promulgate
66 rules and regulations necessary to carry out the provisions
67 of this subsection. Any rule or portion of a rule, as that
68 term is defined in section 536.010, that is created under
69 the authority delegated in this subsection shall become
70 effective only if it complies with and is subject to all of
71 the provisions of chapter 536 and, if applicable, section
72 536.028. This section and chapter 536 are nonseverable and

73 if any of the powers vested with the general assembly
74 pursuant to chapter 536 to review, to delay the effective
75 date, or to disapprove and annul a rule are subsequently
76 held unconstitutional, then the grant of rulemaking
77 authority and any rule proposed or adopted after August 28,
78 2009, shall be invalid and void.

79 3. Notwithstanding any other provision of law to the
80 contrary, the director of revenue shall have the authority
81 to enter into a contract amendment or renewal, for any
82 contract for a fee office awarded through the competitive
83 bidding process after September 1, 2009, to extend such
84 contract for up to a five-year period to begin after the
85 expiration date of such contract. The director of revenue
86 shall evaluate performance under the contract when deciding
87 whether to enter into contract amendments or renewals
88 authorized in this subsection. Nothing shall obligate the
89 director to offer such extension or renewal. A
90 competitively awarded contract may only be extended once
91 pursuant to this subsection.

92 4. All fees authorized under this section collected by
93 a contract fee office may be retained and used by the entity
94 operating the contract fee office, and all fees authorized
95 under this section collected by a fee office operated by the
96 department of revenue shall be considered state revenue.

97 5. All fees charged shall not exceed those in this
98 section. The fees authorized under this section shall be
99 collected by all contract fee offices and shall be collected
100 by all full-time or temporary offices operated by the
101 department of revenue.

102 6. Any person acting as agent of the department of
103 revenue for the sale and issuance of registrations,
104 licenses, and other documents related to motor vehicles
105 shall have an insurable interest in all license plates,

106 licenses, tabs, forms and other documents held on behalf of
107 the department.

108 7. The fees authorized by this section shall not be
109 collected by motor vehicle dealers acting as agents of the
110 department of revenue under section 32.095 or those motor
111 vehicle dealers authorized to collect and remit sales tax
112 under subsection 10 of section 144.070.

113 8. Notwithstanding any other provision of law to the
114 contrary, the state auditor may audit all records maintained
115 and established by the fee office in the same manner as the
116 auditor may audit any agency of the state, and the
117 department shall ensure that this audit requirement is a
118 necessary condition for the award of all fee office
119 contracts. No confidential records shall be divulged in
120 such a way to reveal personally identifiable information.

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
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 appraisalment 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 tax according to law. The provisions of this
167 subdivision shall apply regardless of whether the purchaser
168 intends to title or register the vehicle in another state.
169 The dealer shall not be required to determine the tax rate
170 of the purchaser's state of residence.

171 11. (1) Every motor vehicle dealer licensed under
172 section 301.560, as soon as technologically possible
173 following the development and maintenance of a modernized,
174 integrated system for the titling of vehicles, issuance and
175 renewal of vehicle registrations, issuance and renewal of
176 [driver's] driver licenses and identification cards, and
177 perfection and release of liens and encumbrances on
178 vehicles, to be funded by the motor vehicle administration
179 technology fund as created in section 301.558, shall collect
180 and remit the sales tax required under this section on all
181 motor vehicles, boats, and outboard motors that such dealer
182 sells as directed by the director of revenue. In collecting

183 and remitting this sales tax, motor vehicle dealers shall be
184 subject to all applicable provisions under sections 144.010
185 to 144.527.

186 (2) The director of revenue may promulgate all
187 necessary rules and regulations for the administration of
188 this subsection. Any rule or portion of a rule, as that
189 term is defined in section 536.010, that is created under
190 the authority delegated in this subsection shall become
191 effective only if it complies with and is subject to all of
192 the provisions of chapter 536 and, if applicable, section
193 536.028. This subsection and chapter 536 are nonseverable
194 and if any of the powers vested with the general assembly
195 pursuant to chapter 536 to review, to delay the effective
196 date, or to disapprove and annul a rule are subsequently
197 held unconstitutional, then the grant of rulemaking
198 authority and any rule proposed or adopted after August 28,
199 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
13 registered as a motor vehicle primarily for business use as
14 defined in 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 government-
20 issued identification document, birth certificate, or as
21 legally changed through marriage or court order. Name
22 changes by common usage based on common law shall not be
23 permitted. Applicants that are businesses shall be the same
24 name as registered to do business through the Missouri
25 secretary of state's office. The application shall also
26 include the vehicle's identification number and address of
27 the owner of such motor vehicle or trailer, as well as the
28 address of the owner of such boat or outboard motor as
29 prescribed in chapter 306;

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

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

39 to such information, together with the vehicle
40 identification number for the motor vehicle to which such
41 information pertains, for a period of ten years after the
42 receipt of such information. This section shall not apply
43 unless:

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

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

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

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

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

66 4. If the vehicle qualifies as a reconstructed motor
67 vehicle, motor change vehicle, specially constructed motor
68 vehicle, non-USA-std motor vehicle, as defined in section
69 301.010, or prior salvage as referenced in section 301.573,
70 the owner or lienholder shall surrender the certificate of
71 ownership. The owner shall make an application for a new

72 certificate of ownership, pay the required title fee, and
73 obtain the vehicle examination certificate required pursuant
74 to subsection 9 of section 301.190. If an insurance company
75 pays a claim on a salvage vehicle as defined in section
76 301.010 and the owner retains the vehicle, as prior salvage,
77 the vehicle shall only be required to meet the examination
78 requirements under subsection 10 of section 301.190.
79 Notarized bills of sale along with a copy of the front and
80 back of the certificate of ownership for all major component
81 parts installed on the vehicle and invoices for all
82 essential parts which are not defined as major component
83 parts shall accompany the application for a new certificate
84 of ownership. If the vehicle is a specially constructed
85 motor vehicle, as defined in section 301.010, two pictures
86 of the vehicle shall be submitted with the application. If
87 the vehicle is a kit vehicle, the applicant shall submit the
88 invoice and the manufacturer's statement of origin on the
89 kit. If the vehicle requires the issuance of a special
90 number by the director of revenue or a replacement vehicle
91 identification number, the applicant shall submit the
92 required application and application fee. All applications
93 required under this subsection shall be submitted with any
94 applicable taxes which may be due on the purchase of the
95 vehicle or parts. The director of revenue shall
96 appropriately designate "Reconstructed Motor Vehicle",
97 "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or
98 "Specially Constructed Motor Vehicle" on the current and all
99 subsequent issues of the certificate of ownership of such
100 vehicle.

101 5. Every insurance company that pays a claim for
102 repair of a motor vehicle which as the result of such
103 repairs becomes a reconstructed motor vehicle as defined in
104 section 301.010 or that pays a claim on a salvage vehicle as

105 defined in section 301.010 and the owner is retaining the
106 vehicle shall in writing notify the owner of the vehicle,
107 and in a first party claim, the lienholder if a lien is in
108 effect, that he is required to surrender the certificate of
109 ownership, and the documents and fees required pursuant to
110 subsection 4 of this section to obtain a prior salvage motor
111 vehicle certificate of ownership or documents and fees as
112 otherwise required by law to obtain a salvage certificate of
113 ownership, from the director of revenue. The insurance
114 company shall within thirty days of the payment of such
115 claims report to the director of revenue the full legal name
116 and address of such owner, the year, make, model, vehicle
117 identification number, and license plate number of the
118 vehicle, and the date of loss and payment.

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

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

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

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

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

13 2. Notwithstanding any provision of law to the
14 contrary, all online registration renewal submissions shall
15 have an option to be electronically forwarded to the local
16 department of revenue fee office of the applicant's
17 preference and shall be processed only by the local fee
18 office so designated. For purposes of this section, "local
19 department of revenue fee office" means an entity awarded a
20 fee office contract by the department of revenue under
21 section 136.055.

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
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.

301.074. License plates issued under sections 301.071
2 to 301.075 shall be valid for the duration of the veteran's
3 disability. Each such applicant issued license plates under

4 these provisions shall annually furnish [proof of vehicle
5 inspection and] proof of disability to the director, except
6 that an applicant whose service connected disability
7 qualifying him for special license plates consists in whole
8 or in part of loss of an eye or a limb or an applicant with
9 a one hundred percent permanent disability, as established
10 by a physician's signed statement to that effect, need only
11 furnish proof of disability to the director when initially
12 applying for the special license plates and not thereafter,
13 but in such case proof that the veteran is alive shall be
14 required annually. No commercial motor vehicle in excess of
15 twenty-four thousand pounds gross weight may be licensed
16 under the provisions of sections 301.071 to 301.075.

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.

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

301.130. 1. The director of revenue, upon receipt of
2 a proper application for registration, required fees and any
3 other information which may be required by law, shall issue
4 to the applicant a certificate of registration in such
5 manner and form as the director of revenue may prescribe and
6 a set of license plates, or other evidence of registration,
7 as provided by this section. Each set of license plates
8 shall bear the name or abbreviated name of this state, the
9 words "SHOW-ME STATE", the month and year in which the
10 registration shall expire, and an arrangement of numbers or
11 letters, or both, as shall be assigned from year to year by
12 the director of revenue. The plates shall also contain
13 fully reflective material with a common color scheme and
14 design for each type of license plate issued pursuant to
15 this chapter. The plates shall be clearly visible at night,
16 and shall be aesthetically attractive. Special plates for
17 qualified disabled veterans will have the "DISABLED VETERAN"
18 wording on the license plates in preference to the words
19 "SHOW-ME STATE" and special plates for members of the

20 National Guard will have the "NATIONAL GUARD" wording in
21 preference to the words "SHOW-ME STATE".

22 2. The arrangement of letters and numbers of license
23 plates shall be uniform throughout each classification of
24 registration. The director may provide for the arrangement
25 of the numbers in groups or otherwise, and for other
26 distinguishing marks on the plates.

27 3. All property-carrying commercial motor vehicles to
28 be registered at a gross weight in excess of twelve thousand
29 pounds, all passenger-carrying commercial motor vehicles,
30 local transit buses, school buses, trailers, semitrailers,
31 motorcycles, motortricycles, autocycles, motorscooters, and
32 driveaway vehicles shall be registered with the director of
33 revenue as provided for in subsection 3 of section 301.030,
34 or with the state highways and transportation commission as
35 otherwise provided in this chapter, but only one license
36 plate shall be issued for each such vehicle, except as
37 provided in this subsection. The applicant for registration
38 of any property-carrying commercial vehicle registered at a
39 gross weight in excess of twelve thousand pounds may request
40 and be issued two license plates for such vehicle, and if
41 such plates are issued, the director of revenue shall
42 provide for distinguishing marks on the plates indicating
43 one plate is for the front and the other is for the rear of
44 such vehicle. The director may assess and collect an
45 additional charge from the applicant in an amount not to
46 exceed the fee prescribed for personalized license plates in
47 subsection 1 of section 301.144.

48 4. The plates issued to manufacturers and dealers
49 shall bear the letters and numbers as prescribed by section
50 301.560, and the director may place upon the plates other
51 letters or marks to distinguish commercial motor vehicles
52 and trailers and other types of motor vehicles.

53 5. No motor vehicle or trailer shall be operated on
54 any highway of this state unless it shall have displayed
55 thereon the license plate or set of license plates issued by
56 the director of revenue or the state highways and
57 transportation commission and authorized by section
58 301.140. Each such plate shall be securely fastened to the
59 motor vehicle or trailer in a manner so that all parts
60 thereof shall be plainly visible and reasonably clean so
61 that the reflective qualities thereof are not impaired.
62 Each such plate may be encased in a transparent cover so
63 long as the plate is plainly visible and its reflective
64 qualities are not impaired. License plates shall be
65 fastened to all motor vehicles except trucks, tractors,
66 truck tractors or truck-tractors licensed in excess of
67 twelve thousand pounds on the front and rear of such
68 vehicles not less than eight nor more than forty-eight
69 inches above the ground, with the letters and numbers
70 thereon right side up. The license plates on trailers,
71 motorcycles, motortricycles, autocycles, and motorscooters
72 shall be displayed on the rear of such vehicles either
73 horizontally or vertically, with the letters and numbers
74 plainly visible. The license plate on buses, other than
75 school buses, and on trucks, tractors, truck tractors or
76 truck-tractors licensed in excess of twelve thousand pounds
77 shall be displayed on the front of such vehicles not less
78 than eight nor more than forty-eight inches above the
79 ground, with the letters and numbers thereon right side up
80 or if two plates are issued for the vehicle pursuant to
81 subsection 3 of this section, displayed in the same manner
82 on the front and rear of such vehicles. The license plate
83 or plates authorized by section 301.140, when properly
84 attached, shall be prima facie evidence that the required
85 fees have been paid.

86 6. (1) The director of revenue shall issue annually
87 or biennially a tab or set of tabs as provided by law as
88 evidence of the annual payment of registration fees and the
89 current registration of a vehicle in lieu of the set of
90 plates. Beginning January 1, 2010, the director may
91 prescribe any additional information recorded on the tab or
92 tabs to ensure that the tab or tabs positively correlate
93 with the license plate or plates issued by the department of
94 revenue for such vehicle. Such tabs shall be produced in
95 each license bureau office.

96 (2) The vehicle owner to whom a tab or set of tabs is
97 issued shall affix and display such tab or tabs in the
98 designated area of the license plate, no more than one per
99 plate.

100 (3) A tab or set of tabs issued by the director of
101 revenue when attached to a vehicle in the prescribed manner
102 shall be prima facie evidence that the registration fee for
103 such vehicle has been paid.

104 (4) Except as otherwise provided in this section, the
105 director of revenue shall issue plates for a period of at
106 least six years.

107 (5) For those commercial motor vehicles and trailers
108 registered pursuant to section 301.041, the plate issued by
109 the highways and transportation commission shall be a
110 permanent nonexpiring license plate for which no tabs shall
111 be issued. Nothing in this section shall relieve the owner
112 of any vehicle permanently registered pursuant to this
113 section from the obligation to pay the annual registration
114 fee due for the vehicle. The permanent nonexpiring license
115 plate shall be returned to the highways and transportation
116 commission upon the sale or disposal of the vehicle by the
117 owner to whom the permanent nonexpiring license plate is
118 issued, or the plate may be transferred to a replacement

119 commercial motor vehicle when the owner files a supplemental
120 application with the Missouri highways and transportation
121 commission for the registration of such replacement
122 commercial motor vehicle. Upon payment of the annual
123 registration fee, the highways and transportation commission
124 shall issue a certificate of registration or other suitable
125 evidence of payment of the annual fee, and such evidence of
126 payment shall be carried at all times in the vehicle for
127 which it is issued.

128 (6) Upon the sale or disposal of any vehicle
129 permanently registered under this section, or upon the
130 termination of a lease of any such vehicle, the permanent
131 nonexpiring plate issued for such vehicle shall be returned
132 to the highways and transportation commission and shall not
133 be valid for operation of such vehicle, or the plate may be
134 transferred to a replacement vehicle when the owner files a
135 supplemental application with the Missouri highways and
136 transportation commission for the registration of such
137 replacement vehicle. If a vehicle which is permanently
138 registered under this section is sold, wrecked or otherwise
139 disposed of, or the lease terminated, the registrant shall
140 be given credit for any unused portion of the annual
141 registration fee when the vehicle is replaced by the
142 purchase or lease of another vehicle during the registration
143 year.

144 7. Beginning January 1, 2027, the director of revenue
145 may issue three-year tabs as provided by law as evidence of
146 the payment of registration fees and the current
147 registration of a vehicle in lieu of the set of plates to
148 motor vehicle owners electing a three-year registration
149 under subsection 2 of section 301.147.

150 8. The director of revenue and the highways and
151 transportation commission may prescribe rules and

152 regulations for the effective administration of this
153 section. No rule or portion of a rule promulgated under the
154 authority of this section shall become effective unless it
155 has been promulgated pursuant to the provisions of section
156 536.024.

157 [8.] 9. Notwithstanding the provisions of any other
158 law to the contrary, owners of motor vehicles other than
159 apportioned motor vehicles or commercial motor vehicles
160 licensed in excess of twenty-four thousand pounds gross
161 weight may apply for special personalized license plates.
162 Vehicles licensed for twenty-four thousand pounds that
163 display special personalized license plates shall be subject
164 to the provisions of subsections 1 and 2 of section
165 301.030. On and after August 28, 2016, owners of motor
166 vehicles, other than apportioned motor vehicles or
167 commercial motor vehicles licensed in excess of twenty-four
168 thousand pounds gross weight, may apply for any preexisting
169 or hereafter statutorily created special personalized
170 license plates.

171 [9.] 10. No later than January 1, 2019, the director
172 of revenue shall commence the reissuance of new license
173 plates of such design as approved by the advisory committee
174 under section 301.125 consistent with the terms, conditions,
175 and provisions of section 301.125 and this chapter. Except
176 as otherwise provided in this section, in addition to all
177 other fees required by law, applicants for registration of
178 vehicles with license plates that expire during the period
179 of reissuance, applicants for registration of trailers or
180 semitrailers with license plates that expire during the
181 period of reissuance and applicants for registration of
182 vehicles that are to be issued new license plates during the
183 period of reissuance shall pay the cost of the plates
184 required by this subsection. The additional cost prescribed

185 in this subsection shall not be charged to persons receiving
186 special license plates issued under section 301.073 or
187 301.443. Historic motor vehicle license plates registered
188 pursuant to section 301.131 and specialized license plates
189 are exempt from the provisions of this subsection. Except
190 for new, replacement, and transfer applications, permanent
191 nonexpiring license plates issued to commercial motor
192 vehicles and trailers registered under section 301.041 are
193 exempt from the provisions of this subsection.

301.132. 1. For purposes of this section, "street
2 rod" is a vehicle older than 1949 or a vehicle manufactured
3 after 1948 to resemble a vehicle manufactured before 1949;
4 and has been altered from the manufacturer's original design
5 or has a body constructed from nonoriginal materials.

6 2. The model year and the year of manufacture that are
7 listed on the certificate of title of a street rod vehicle
8 shall be the model year and year of manufacture that the
9 body of such vehicle resembles. The current and all
10 subsequent certificates of ownership shall be designated
11 with the word "REPLICA".

12 3. For each street rod, there shall be an annual fee
13 equal to the fee charged for personalized license plates in
14 section 301.144 in addition to the regular annual
15 registration fees.

16 4. In applying for registration of a street rod
17 pursuant to this section, the owner of the street rod shall
18 submit with the application a certification that the vehicle
19 for which the application is made:

20 (1) Will be maintained for occasional transportation,
21 exhibitions, club activities, parades, tours, and similar
22 uses;

23 (2) Will not be used for general daily transportation.

24 5. [In addition to the certification required pursuant
25 to subsection 4 of this section, when applying for
26 registration of a street rod, the new owner of the street
27 rod shall provide proof that the street rod passed a safety
28 inspection in accordance with section 307.350 that shall be
29 approved by the department of public safety in consultation
30 with the street rod community in this state.]

31 6.] On registration of a vehicle pursuant to this
32 section, the director of the department of revenue shall
33 issue to the owner two license plates containing the number
34 assigned to the registration certificate issued by the
35 director of revenue, and the following words: "STREET ROD",
36 "STATE OF MISSOURI". Such license plates shall be kept
37 securely attached to the motor vehicle registered pursuant
38 to this section. The director of revenue shall determine
39 the characteristic features of such license plates for
40 vehicles registered pursuant to the provisions of this
41 section so that they may be recognized as such, except that
42 such license plates shall be made with fully reflective
43 material with a common color scheme and design, shall be
44 clearly visible at night, and shall be aesthetically
45 attractive, as prescribed by section 301.130.

46 [7.] 6. Unless the presence of the equipment was
47 specifically required by a statute of this state as a
48 condition of sale in the year listed as the year of
49 manufacture on the certificate of title, the presence of any
50 specific equipment is not required for the operation of a
51 vehicle registered pursuant to this section.

52 [8. Except as provided in subsection 5 of this
53 section,]

54 7. A vehicle registered pursuant to this section is
55 exempt from any statute of this state that requires
56 [periodic vehicle inspections and from any statute of this

57 state that requires] the use and inspection of emission
58 controls.

59 [9.] 8. A "custom vehicle" means any motor vehicle
60 that:

61 (1) Is at least twenty-five years old and of a model
62 year after 1948, or was manufactured to resemble a vehicle
63 twenty-five years old or older and of a model year after
64 1948; and

65 (2) Has been altered from the manufacturer's original
66 design, or has an entire body constructed from nonoriginal
67 materials.

68 [10.] 9. The model year and the year of manufacture
69 that are listed on the certificate of title of a custom
70 vehicle shall be the model year and year of manufacture that
71 the body of such vehicle resembles. The current and all
72 subsequent certificates of ownership shall be designated
73 with the word "REPLICA".

74 [11.] 10. For each custom vehicle, there shall be an
75 annual fee equal to the fee charged for personalized license
76 plates in section 301.144 in addition to the regular annual
77 registration fees.

78 [12.] 11. In applying for registration of a custom
79 vehicle pursuant to this section, the owner of the custom
80 vehicle shall submit with the application a certification
81 that the vehicle for which the application is made:

82 (1) Will be maintained for occasional transportation,
83 exhibits, club activities, parades, tours, and similar uses;
84 and

85 (2) Will not be used for general daily transportation.

86 [13. In addition to the certification required
87 pursuant to subsection 12 of this section, when applying for
88 registration of a custom vehicle, the new owner of the
89 custom vehicle shall provide proof that the custom vehicle

90 passed a safety inspection in accordance with section
91 307.350 that shall be approved by the department of public
92 safety in consultation with the street rod community in this
93 state.

94 [14.] 12. On registration of a vehicle pursuant to this
95 section, the director of the department of revenue shall
96 issue to the owner two license plates containing the number
97 assigned to the registration certificate issued by the
98 director of revenue, and the following words: "CUSTOM
99 VEHICLE", "STATE OF MISSOURI". Such license plates shall be
100 kept securely attached to the motor vehicle registered
101 hereunder. The director of revenue shall determine the
102 characteristic features of such license plates for vehicles
103 registered pursuant to the provisions of this section so
104 that they may be recognized as such, except that such
105 license plates shall be made with fully reflective material
106 with a common color scheme and design, shall be clearly
107 visible at night, and shall be aesthetically attractive, as
108 prescribed by section 301.130.

109 [15.] 13. Unless the presence of the equipment was
110 specifically required by a statute of this state as a
111 condition of sale in the year listed as the year of
112 manufacture on the certificate of title, the presence of any
113 specific equipment is not required for the operation of a
114 vehicle registered pursuant to this section.

115 [16. Except as provided in subsection 13 of this
116 section, a vehicle registered pursuant to this section is
117 exempt from any statute of this state that requires periodic
118 vehicle inspections and from any statute of this state that
119 requires the use and inspection of emission controls.

120 [17.] 14. For purposes of this section, "blue dot tail
121 light" is a red lamp installed in the rear of a motor

122 vehicle containing a blue or purple insert that is not more
123 than one inch in diameter.

124 [18.] 15. A street rod or custom vehicle may use blue
125 dot tail lights for stop lamps, rear turning indicator
126 lamps, rear hazard lamps, and rear reflectors.

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 more
90 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
113 [a temporary permit] interim plates shall not exceed five
114 dollars for each permit. The director of the department of
115 revenue shall direct motor vehicle dealers and authorized
116 agents to obtain [temporary permits] interim plates from an
117 authorized producer. Amounts received by the director of
118 the department of revenue for [temporary permits] interim
119 plates shall constitute state revenue; however, amounts
120 received by an authorized producer other than the director
121 of the department of revenue shall not constitute state
122 revenue and any amounts received by motor vehicle dealers or
123 authorized agents for [temporary permits] interim plates
124 purchased from a producer other than the director of the
125 department of revenue shall not constitute state revenue.
126 In no event shall revenues from the general revenue fund or
127 any other state fund be utilized to compensate motor vehicle

128 dealers or other producers for their role in producing
129 [temporary permits] interim plates as authorized under this
130 section. Amounts that do not constitute state revenue under
131 this section shall also not constitute fees for registration
132 or certificates of title to be collected by the director of
133 the department of revenue under section 301.190. No motor
134 vehicle dealer, authorized agent or the department of
135 revenue shall charge more than five dollars for each
136 [permit] interim plate issued. The [permit] interim plate
137 shall be valid for a period of thirty days, [or no more than
138 ninety days if issued by a dealer selling the motor vehicle
139 under the provisions of section 301.213,] or no more than
140 sixty days if issued by a dealer selling the motor vehicle
141 under the provisions of subsection 5 of section 301.210,
142 from the date of purchase of a motor vehicle or trailer, or
143 from the date of sale of the motor vehicle or trailer by a
144 motor vehicle dealer for which the purchaser obtains [a
145 permit] an interim plate as set out above. No permit shall
146 be issued for a vehicle under this section unless the buyer
147 shows proof of financial responsibility. Each [temporary
148 permit] interim plate issued shall be securely fastened to
149 the back or rear of the motor vehicle in a manner and place
150 on the motor vehicle consistent with registration plates so
151 that all parts and qualities of the [temporary permit]
152 interim plate thereof shall be plainly and clearly visible,
153 reasonably clean and are not impaired in any way. The
154 department shall issue a nontransferable in-transit plate
155 for motor vehicles, trailers, and boats purchased by
156 nonresidents of this state for a fee of ten dollars. Such
157 in-transit plate shall be displayed on the newly purchased
158 motor vehicle, and shall be prominently displayed for boats
159 and trailers on the rear of the newly purchased boat or
160 trailer, be available to law enforcement to query in the

161 department's system, and be void fifteen days after
162 issuance. As soon as technologically possible following the
163 implementation and maintenance of a modernized, integrated
164 system for the titling of vehicles, issuance and renewal of
165 vehicle registrations, and perfection and release of liens
166 and encumbrances on vehicles, dealers selling the motor
167 vehicle shall title and register vehicles, collect sales
168 tax, verify personal property tax and insurance is current,
169 and issue an interim plate with the same configuration as
170 the permanent plate, which shall subsequently be mailed to
171 the owner by the department. If a motor vehicle is
172 purchased independently, the time frame for obtaining an
173 interim plate shall be thirty days from the purchase and the
174 interim plate shall be obtained through the department of
175 revenue or an authorized agent of the department of revenue,
176 provided that the interim plate shall have the same
177 configuration as the permanent registration plate, which
178 shall be mailed to the owner by 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'] driver licenses and
188 identification cards, and the perfection and release of
189 liens and 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 an ownership document or
300 proof of purchase and shall get an inspection within fifteen
301 days of the application.

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

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

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 if applicable, and any applicable emission
22 inspection conducted within sixty days prior to the date of
23 application and proof of insurance as required by section
24 303.026.

25 2. Notwithstanding the provisions of section 301.020
26 to the contrary, beginning January 1, 2027, the director of
27 revenue may provide owners of motor vehicles with a model
28 year of manufacture that is less than six years old, other
29 than commercial motor vehicles licensed in excess of fifty-
30 four thousand pounds gross weight, the option of a three-
31 year registration period, subject to the following
32 requirements:

33 (1) The fee collected at the time of three-year
34 registration shall include the annual registration fee plus
35 a pro rata amount for the additional two years of the three-
36 year registration;

37 (2) Presentation of all documentation otherwise
38 required by law for vehicle registration including, but not
39 limited to, a personal property tax receipt or certified
40 statement for the preceding year that no such taxes were due
41 as set forth in section 301.025, proof of a motor vehicle
42 safety inspection if applicable, and proof of insurance as
43 required by section 303.026.

44 [2.] 3. The director of revenue may prescribe rules
45 and regulations for the effective administration of this
46 section. The director is authorized to adopt those rules
47 that are reasonable and necessary to accomplish the limited
48 duties specifically delegated within this section. Any rule
49 or portion of a rule, as that term is defined in section
50 536.010, that is promulgated pursuant to the authority
51 delegated in this section shall become effective only if it
52 has been promulgated pursuant to the provisions of chapter
53 536. This section and chapter 536 are nonseverable and if
54 any of the powers vested with the general assembly pursuant
55 to chapter 536 to review, to delay the effective date or to
56 disapprove and annul a rule are subsequently held
57 unconstitutional, then the grant of rulemaking authority and
58 any rule proposed or adopted after July 1, 2000, shall be
59 invalid and void.

60 [3.] 4. The director of revenue shall have the
61 authority to stagger the registration period of motor
62 vehicles other than commercial motor vehicles, licensed in
63 excess of twelve thousand pounds gross weight, to equalize
64 workload or for the convenience of registration applicants.
65 Once the owner of a motor vehicle chooses the option of

66 biennial registration, such registration must be maintained
67 for the full twenty-four month period.

301.190. 1. No certificate of registration of any
2 motor vehicle [or], boat, or other titled personal property
3 trailer, or number plate therefor, shall be issued by the
4 director of revenue unless the applicant therefor shall make
5 application for and be granted a certificate of ownership of
6 such motor vehicle or trailer, or other titled personal
7 property or shall present satisfactory evidence that such
8 certificate has been previously issued to the applicant for
9 such motor vehicle or trailer. Application shall be made
10 within thirty days after the applicant acquires the motor
11 vehicle or trailer, unless the motor vehicle was acquired
12 under section 301.213 or subsection 5 of section 301.210 in
13 which case the applicant shall make application within
14 thirty days after receiving title from the dealer, upon a
15 blank form furnished by the director of revenue and shall
16 contain the applicant's [identification number,] full legal
17 name as it appears on the applicant's driver license,
18 nondriver license, or permit. If the applicant does not
19 have a Missouri driver license, nondriver license, or
20 permit, the full legal name shall be as it appears on a
21 government-issued identification document, birth
22 certificate, or as legally changed through marriage or court
23 order. Name changes by common usage based on common law
24 shall not be permitted. Applicants that are businesses
25 shall be the same name as registered to do business through
26 the Missouri secretary of state's office. The application
27 shall also include a full description of the motor vehicle
28 or trailer, the vehicle identification number, and the
29 mileage registered on the odometer at the time of transfer
30 of ownership, as required by section 407.536, together with
31 a statement of the applicant's source of title and of any

32 liens or encumbrances on the motor vehicle or trailer,
33 provided that for good cause shown the director of revenue
34 may extend the period of time for making such application.
35 When an owner wants to add or delete a name or names on an
36 application for certificate of ownership of a motor vehicle
37 or trailer [that would cause it to be inconsistent with],
38 the name or names listed on the certificate of ownership
39 shall be consistent with the names noted on the notice of
40 lien, and the owner shall provide the director with
41 documentation evidencing the lienholder's authorization to
42 add or delete a name or names on an application for
43 certificate of ownership.

44 2. The director of revenue shall use reasonable
45 diligence in ascertaining whether the facts stated in such
46 application are true and shall, to the extent possible
47 without substantially delaying processing of the
48 application, review any odometer information pertaining to
49 such motor vehicle that is accessible to the director of
50 revenue. If satisfied that the applicant is the lawful
51 owner of such motor vehicle or trailer, or otherwise
52 entitled to have the same registered in [his] the
53 applicant's name, the director shall thereupon issue an
54 appropriate certificate over [his] the director's signature
55 and sealed with the seal of [his] the office, procured and
56 used for such purpose. The certificate shall contain on its
57 face a complete description, vehicle identification number,
58 and other evidence of identification of the motor vehicle or
59 trailer, as the director of revenue may deem necessary,
60 together with the odometer information required to be put on
61 the face of the certificate pursuant to section 407.536, a
62 statement of any liens or encumbrances which the application
63 may show to be thereon, and, if ownership of the vehicle has
64 been transferred, the name of the state issuing the

65 transferor's title and whether the transferor's odometer
66 mileage statement executed pursuant to section 407.536
67 indicated that the true mileage is materially different from
68 the number of miles shown on the odometer, or is unknown.

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

82 (1) The mileage information included on the face of
83 the immediately prior certificate and the date of purchase
84 or issuance of the immediately prior certificate; or

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

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

98 5. The fee for each original certificate so issued
99 shall be eight dollars and fifty cents, in addition to the
100 fee for registration of such motor vehicle or trailer. If
101 application for the certificate is not made within thirty
102 days after the vehicle is acquired by the applicant, or
103 where the motor vehicle was acquired under section 301.213
104 or subsection 5 of section 301.210 and the applicant fails
105 to make application within thirty days after receiving title
106 from the dealer, a delinquency penalty fee of twenty-five
107 dollars for the first thirty days of delinquency and twenty-
108 five dollars for each thirty days of delinquency thereafter,
109 not to exceed a total of two hundred dollars, but such
110 penalty may be waived by the director for a good cause
111 shown. If the director of revenue learns that any person
112 has failed to obtain a certificate within thirty days after
113 acquiring a motor vehicle or trailer, or where the motor
114 vehicle was acquired under section 301.213 or subsection 5
115 of section 301.210 and the applicant fails to make
116 application within thirty days after receiving title from
117 the dealer, or has sold a vehicle without obtaining a
118 certificate, he shall cancel the registration of all
119 vehicles registered in the name of the person, either as
120 sole owner or as a co-owner, and shall notify the person
121 that the cancellation will remain in force until the person
122 pays the delinquency penalty fee provided in this section,
123 together with all fees, charges and payments which the
124 person should have paid in connection with the certificate
125 of ownership and registration of the vehicle. The
126 certificate shall be good for the life of the motor vehicle
127 or trailer so long as the same is owned or held by the
128 original holder of the certificate and shall not have to be
129 renewed annually.

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

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

140 8. Before an original Missouri certificate of
141 ownership is issued, an inspection of the vehicle and a
142 verification of vehicle identification numbers shall be made
143 by the Missouri state highway patrol on vehicles for which
144 there is a current title issued by another state if a
145 Missouri salvage certificate of title has been issued for
146 the same vehicle but no prior inspection and verification
147 has been made in this state, except that if such vehicle has
148 been inspected in another state by a law enforcement officer
149 in a manner comparable to the inspection process in this
150 state and the vehicle identification numbers have been so
151 verified, the applicant shall not be liable for the twenty-
152 five dollar inspection fee if such applicant submits proof
153 of inspection and vehicle identification number verification
154 to the director of revenue at the time of the application.
155 The applicant, who has such a title for a vehicle on which
156 no prior inspection and verification have been made, shall
157 pay a fee of twenty-five dollars for such verification and
158 inspection, payable to the director of revenue at the time
159 of the request for the application, which shall be deposited
160 in the state treasury to the credit of the state highways
161 and transportation department fund.

162 9. Each application for an original Missouri
163 certificate of ownership for a vehicle which is classified
164 as a reconstructed motor vehicle, specially constructed
165 motor vehicle, kit vehicle, motor change vehicle, non-USA-
166 std motor vehicle, or other vehicle as required by the
167 director of revenue shall be accompanied by a vehicle
168 examination certificate issued by the Missouri state highway
169 patrol, or other law enforcement agency as authorized by the
170 director of revenue. The vehicle examination shall include
171 a verification of vehicle identification numbers and a
172 determination of the classification of the vehicle. The
173 owner of a vehicle which requires a vehicle examination
174 certificate shall present the vehicle for examination and
175 obtain a completed vehicle examination certificate prior to
176 submitting an application for a certificate of ownership to
177 the director of revenue. Notwithstanding any provision of
178 the law to the contrary, an owner presenting a motor vehicle
179 which has been issued a salvage title and which is ten years
180 of age or older to a vehicle examination described in this
181 subsection in order to obtain a certificate of ownership
182 with the designation prior salvage motor vehicle shall not
183 be required to repair or restore the vehicle to its original
184 appearance in order to pass or complete the vehicle
185 examination. The fee for the vehicle examination
186 application shall be twenty-five dollars and shall be
187 collected by the director of revenue at the time of the
188 request for the application and shall be deposited in the
189 state treasury to the credit of the state highways and
190 transportation department fund. If the vehicle is also to
191 be registered in Missouri, the safety inspection required in
192 chapter 307 and the emissions inspection required under
193 chapter 643 shall be completed and the fees required by

194 section 307.365 and section 643.315 shall be charged to the
195 owner.

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

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

227 carried forward on all subsequently issued certificates of
228 title for the motor vehicle.

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

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

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

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

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

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

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

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

287 The department of revenue shall issue the owner a
288 certificate of ownership designated with the words
289 "Reconstructed Motor Vehicle" and deliver such certificate
290 of ownership in accordance with the provisions of this

291 chapter. Notwithstanding subsection 9 of this section, no
292 owner of a reconstructed motor vehicle described in this
293 subsection shall be required to obtain a vehicle examination
294 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
12 ~~[six]~~ twelve or more vessels or vessel trailers or both in
13 any calendar year shall be required as evidence that such
14 person is eligible for licensure as a boat dealer under
15 sections 301.550 to 301.580; except that, such sales
16 requirements shall be waived for entities also licensed as
17 boat manufacturers under section 301.559 who custom
18 manufacture 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
24 renewal of his license by selling ~~[six]~~ twelve or more
25 vessels or vessel trailers or both in the prior calendar
26 year while licensed as a boat dealer pursuant to sections
27 301.550 to 301.580;

28 (2) "Boat manufacturer", any person engaged in the
29 manufacturing, assembling or modification of new vessels or

30 vessel trailers as a regular business, including a person,
31 partnership or corporation which acts for and is under the
32 control of a manufacturer or assembly in connection with the
33 distribution of vessels or vessel trailers;

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

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

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

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

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

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

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

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

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

60 (8) "Motor vehicle dealer" or "dealer", any person
61 who, for commission or with an intent to make a profit or
62 gain of money or other thing of value, sells, barter,

63 exchanges, leases or rents with the option to purchase, or
64 who offers or attempts to sell or negotiates the sale of
65 motor vehicles or trailers whether or not the motor vehicles
66 or trailers are owned by such person; provided, however, an
67 individual auctioneer or auction conducted by an auctioneer
68 licensed pursuant to chapter 343 shall not be included
69 within the definition of a motor vehicle dealer. The sale
70 of [eight] twelve or more motor vehicles or trailers in any
71 calendar year shall be required as evidence that such person
72 is engaged in the motor vehicle business and is eligible for
73 licensure as a motor vehicle dealer under sections 301.550
74 to 301.580. Any licensed motor vehicle dealer failing to
75 meet the minimum vehicle sales requirements as referenced in
76 this subsection shall not be qualified to renew his or her
77 license for one year. To be eligible for license renewal,
78 applicants shall meet the minimum requirement of [eight]
79 twelve sales per year;

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

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

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

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

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

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

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

117 (16) "Trailer dealer", any person selling, either
118 exclusively or otherwise, trailers as defined in section
119 301.010. A trailer dealer may acquire a motor vehicle for
120 resale only as a trade-in for a trailer. Notwithstanding
121 the provisions of section 301.010 and section 301.069,
122 trailer dealers may purchase one driveaway license plate to
123 display such motor vehicle for demonstration purposes. The
124 sale of [~~six~~] twelve or more trailers in any calendar year
125 shall be required as evidence that such person is engaged in
126 the trailer business and is eligible for licensure as a
127 trailer dealer under sections 301.550 to 301.580. Any

128 licensed trailer dealer failing to meet the minimum trailer
129 and vehicle sales requirements as referenced in this
130 subsection shall not be qualified to renew his or her
131 license for one year. Applicants who reapply after the one-
132 year period shall meet the requirement of ~~[six]~~ twelve sales
133 per year;

134 (17) "Used motor vehicle", any motor vehicle which is
135 not a new motor vehicle, as defined in sections 301.550 to
136 301.580, and which has been sold, bartered, exchanged or
137 given away or which may have had a title issued in this
138 state or any other state, or a motor vehicle so used as to
139 be what is commonly known as a secondhand motor vehicle. In
140 the event of an assignment of the statement of origin from
141 an original franchise dealer to any individual or other
142 motor vehicle dealer other than a new motor vehicle
143 franchise dealer of the same make, the vehicle so assigned
144 shall be deemed to be a used motor vehicle and a certificate
145 of ownership shall be obtained in the assignee's name. The
146 term "used motor vehicle" shall not include manufactured
147 homes, as defined in section 700.010;

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

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

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

155 (21) "Wholesale motor vehicle auction", any person,
156 firm or corporation in the business of providing auction
157 services solely in wholesale transactions at its established
158 place of business in which the purchasers are motor vehicle
159 dealers licensed by this or any other jurisdiction, and
160 which neither buys, sells nor owns the motor vehicles it

161 auctions in the ordinary course of its business. Except as
162 required by law with regard to the auction sale of a
163 government-owned motor vehicle, a wholesale motor vehicle
164 auction shall not provide auction services in connection
165 with the retail sale of a motor vehicle;

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

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

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

- 174 (1) Boat dealers;
- 175 (2) Franchised new motor vehicle dealers;
- 176 (3) Used motor vehicle dealers;
- 177 (4) Wholesale motor vehicle dealers;
- 178 (5) Recreational motor vehicle dealers;
- 179 (6) Historic motor vehicle dealers;
- 180 (7) Classic motor vehicle dealers;
- 181 (8) Powersport dealers; and
- 182 (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
241
242
243

Public motor vehicle auctions	A-0 through A-1999
Boat dealers	M-0 through M-9999
New and used recreational motor vehicle dealers	RV-0 through RV-999

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

301.600. 1. Unless excepted by section 301.650, a
2 lien or encumbrance on a motor vehicle or trailer, as
3 defined by section 301.010, is not valid against subsequent
4 transferees or lienholders of the motor vehicle or trailer
5 who took without knowledge of the lien or encumbrance unless
6 the lien or encumbrance is perfected as provided in sections
7 301.600 to 301.660.

8 2. Subject to the provisions of section 301.620, a
9 lien or encumbrance on a motor vehicle or trailer is
10 perfected by the delivery to the director of revenue of a
11 notice of a lien in a format as prescribed by the director
12 of revenue. The notice of lien is perfected as of the time
13 of its creation if the delivery of such notice to the
14 director of revenue is completed within thirty days
15 thereafter, otherwise as of the time of the delivery. A
16 notice of lien shall contain the [name] full legal name as
17 required under subdivision (2) of subsection 1 of section
18 301.020 and address of the owner of the motor vehicle or
19 trailer and the secured party, a description of the motor
20 vehicle or trailer, including the vehicle identification
21 number, and such other information as the department of
22 revenue may prescribe. A notice of lien substantially
23 complying with the requirements of this section is effective
24 even though it contains minor errors which are not seriously
25 misleading. Provided the lienholder submits complete and
26 legible documents, the director of revenue shall mail
27 confirmation or electronically confirm receipt of such
28 notice of lien to the lienholder as soon as possible, but no

29 later than fifteen business days after the filing of the
30 notice of lien.

31 3. Notwithstanding the provisions of section 301.620,
32 on a refinance by a different lender of a prior loan secured
33 by a motor vehicle or trailer a lien is perfected by the
34 delivery to the director of revenue of a notice of lien
35 completed by the refinancing lender in a format prescribed
36 by the director of revenue.

37 4. To perfect a subordinate lien, the notice of lien
38 must be accompanied by the documents required to be
39 delivered to the director pursuant to subdivision (3) of
40 section 301.620.

41 5. Liens may secure future advances. The future
42 advances may be evidenced by one or more notes or other
43 documents evidencing indebtedness and shall not be required
44 to be executed or delivered prior to the date of the future
45 advance lien securing them. The fact that a lien may secure
46 future advances shall be clearly stated on the security
47 agreement and noted as "subject to future advances" on the
48 notice of lien and noted on the certificate of ownership if
49 the motor vehicle or trailer is subject to only one notice
50 of lien. To secure future advances when an existing lien on
51 a motor vehicle or trailer does not secure future advances,
52 the lienholder shall file a notice of lien reflecting the
53 lien to secure future advances. A lien to secure future
54 advances is perfected in the same time and manner as any
55 other lien, except as follows: proof of the lien for future
56 advances is maintained by the department of revenue;
57 however, there shall be additional proof of such lien when
58 the notice of lien reflects such lien for future advances,
59 is receipted for by the department of revenue, and returned
60 to the lienholder.

61 6. If a motor vehicle or trailer is subject to a lien
62 or encumbrance when brought into this state, the validity
63 and effect of the lien or encumbrance is determined by the
64 law of the jurisdiction where the motor vehicle or trailer
65 was when the lien or encumbrance attached, subject to the
66 following:

67 (1) If the parties understood at the time the lien or
68 encumbrance attached that the motor vehicle or trailer would
69 be kept in this state and it was brought into this state
70 within thirty days thereafter for purposes other than
71 transportation through this state, the validity and effect
72 of the lien or encumbrance in this state is determined by
73 the law of this state;

74 (2) If the lien or encumbrance was perfected pursuant
75 to the law of the jurisdiction where the motor vehicle or
76 trailer was when the lien or encumbrance attached, the
77 following rules apply:

78 (a) If the name of the lienholder is shown on an
79 existing certificate of title or ownership issued by that
80 jurisdiction, the lien or encumbrance continues perfected in
81 this state;

82 (b) If the name of the lienholder is not shown on an
83 existing certificate of title or ownership issued by that
84 jurisdiction, the lien or encumbrance continues perfected in
85 this state three months after a first certificate of
86 ownership of the motor vehicle or trailer is issued in this
87 state, and also thereafter if, within the three-month
88 period, it is perfected in this state.

89 The lien or encumbrance may also be perfected in this state
90 after the expiration of the three-month period; in that case
91 perfection dates from the time of perfection in this state;

92 (3) If the lien or encumbrance was not perfected
93 pursuant to the law of the jurisdiction where the motor
94 vehicle or trailer was when the lien or encumbrance
95 attached, it may be perfected in this state; in that case
96 perfection dates from the time of perfection in this state;

97 (4) A lien or encumbrance may be perfected pursuant to
98 paragraph (b) of subdivision (2) or subdivision (3) of this
99 subsection either as provided in subsection 2 or 4 of this
100 section or by the lienholder delivering to the director of
101 revenue a notice of lien or encumbrance in the form the
102 director of revenue prescribes and the required fee.

103 7. By rules and regulations, the director of revenue
104 shall establish a security procedure for the purpose of
105 verifying that an electronic notice of lien or notice of
106 satisfaction of a lien on a motor vehicle or trailer given
107 as permitted in sections 301.600 to 301.640 is that of the
108 lienholder, verifying that an electronic notice of
109 confirmation of ownership and perfection of a lien given as
110 required in section 301.610 is that of the director of
111 revenue, and detecting error in the transmission or the
112 content of any such notice. A security procedure may
113 require the use of algorithms or other codes, identifying
114 words or numbers, encryption, callback procedures or similar
115 security devices. Comparison of a signature on a
116 communication with an authorized specimen signature shall
117 not by itself be a security procedure.

 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] driver license or [nondriver's]
27 nondriver license. Source documents shall also include any
28 documents required for the issuance of [driver's] driver
29 licenses or [nondriver's] nondriver licenses by the
30 department of revenue under the provisions of this chapter
31 or accompanying regulations.

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

39 that the images are capable of being retained in electronic
40 storage in a transferable format.

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

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

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

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

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

56 (5) Documents submitted by a commercial [driver's]
57 driver license or commercial [driver's] driver instruction
58 permit applicant who is a Missouri resident and is a
59 qualified current or former military service member which
60 allow for waiver of the commercial [driver's] driver license
61 knowledge test, skills test, or both; and

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

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

71 of Motor Vehicle Administrators for furtherance of the Act,
72 unless such action conflicts with Missouri law.

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

91 (a) With regard to the REAL ID compliant [driver's]
92 driver license or identification card:

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

98 b. Electronic copies of source documents will be
99 retained by the department [and] provided that the applicant
100 opts in to such retention; otherwise such copies shall be
101 destroyed after the minimum time required for digital
102 retention by the federal REAL ID Act of 2005, as amended; and

103 c. The facial image capture will only be retained by
104 the department if the application is finished and submitted
105 to the department; [and

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

110 (b) With regard to a [driver's] driver license or
111 identification card that is not compliant with the federal
112 REAL ID Act:

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

118 b. Source documents will be verified [but no copies
119 of] and such documents will be retained by the department
120 [unless permitted under subsection 3 of this section, except
121 as necessary to process a request by a license or card
122 holder or applicant] provided that the applicant opts in to
123 such retention;

124 c. Any other information the department deems
125 necessary to inform the applicant about the [driver's]
126 driver license or identification card.

127 5. The department of revenue shall not use, collect,
128 obtain, share, or retain biometric data nor shall the
129 department use biometric technology to produce a [driver's]
130 driver license or [nondriver's] nondriver license or to
131 uniquely identify licensees or license applicants. This
132 subsection shall not apply to digital images nor licensee
133 signatures required for the issuance of [driver's] driver
134 licenses and [nondriver's] nondriver licenses or for the use
135 of software for purposes of combating fraud, or to biometric

136 data collected from employees of the department of revenue,
137 employees of the office of administration who provide
138 information technology support to the department of revenue,
139 contracted license offices, and contracted manufacturers
140 engaged in the production, processing, or manufacture of
141 [driver's] driver licenses or identification cards in
142 positions which require a background check in order to be
143 compliant with the federal REAL ID Act or any rules or
144 regulations promulgated under the authority of such Act.
145 Except as otherwise provided by law, applicants' source
146 documents and Social Security numbers shall not be stored in
147 any database accessible by any other state or the federal
148 government. Such database shall contain only the data
149 fields included on [driver's] driver licenses and nondriver
150 identification cards compliant with the federal REAL ID Act,
151 and the driving records of the individuals holding such
152 [driver's] driver licenses and nondriver identification
153 cards.

154 6. Notwithstanding any provision of this chapter that
155 requires an applicant to provide reasonable proof of lawful
156 presence for issuance or renewal of a noncommercial
157 [driver's] driver license, noncommercial instruction permit,
158 or a [nondriver's] nondriver license, an applicant shall not
159 have his or her privacy rights violated in order to obtain
160 or renew a Missouri noncommercial [driver's] driver license,
161 noncommercial instruction permit, or a [nondriver's]
162 nondriver license.

163 7. No citizen of this state shall have his or her
164 privacy compromised by the state or agents of the state.
165 The state shall within reason protect the sovereignty of the
166 citizens the state is entrusted to protect. Any data
167 derived from a person's application shall not be sold for
168 commercial purposes to any other organization or any other

169 state without the express permission of the applicant
170 without a court order; except such information may be shared
171 with a law enforcement agency, judge, prosecuting attorney,
172 or officer of the court, or with another state for the
173 limited purposes set out in section 302.600, or for the
174 purposes set forth in section 32.091, or for conducting
175 driver history checks in compliance with the Motor Carrier
176 Safety Improvement Act, 49 U.S.C. Section 31309. The state
177 of Missouri shall protect the privacy of its citizens when
178 handling any written, digital, or electronic data, and shall
179 not participate in any standardized identification system
180 using [driver's] driver and [nondriver's] nondriver license
181 records except as provided in this section.

182 8. Other than to process a request by a license or
183 card holder or applicant, no person shall knowingly access,
184 distribute, or allow access to or distribution of any
185 written, digital, or electronic data collected or retained
186 under this section without the express permission of the
187 applicant or a court order, except that such information may
188 be shared with a law enforcement agency, judge, prosecuting
189 attorney, or officer of the court, or with another state for
190 the limited purposes set out in section 302.600 or for
191 conducting driver history checks in compliance with the
192 Motor Carrier Safety Improvement Act, 49 U.S.C. Section
193 31309. A first violation of this subsection shall be a
194 class A misdemeanor. A second violation of this subsection
195 shall be a class E felony. A third or subsequent violation
196 of this subsection shall be a class D felony.

197 9. Any person harmed or damaged by any violation of
198 this section may bring a civil action for damages, including
199 noneconomic and punitive damages, as well as injunctive
200 relief, in the circuit court where that person resided at
201 the time of the violation or in the circuit court of Cole

202 County to recover such damages from the department of
203 revenue and any persons participating in such violation.
204 Sovereign immunity shall not be available as a defense for
205 the department of revenue in such an action. In the event
206 the plaintiff prevails on any count of his or her claim, the
207 plaintiff shall be entitled to recover reasonable attorney
208 fees from the defendants.

209 10. The department of revenue may promulgate rules
210 necessary to implement the provisions of this section. Any
211 rule or portion of a rule, as that term is defined in
212 section 536.010, that is created under the authority
213 delegated in this section shall become effective only if it
214 complies with and is subject to all of the provisions of
215 chapter 536 and, if applicable, section 536.028. This
216 section and chapter 536 are nonseverable and if any of the
217 powers vested with the general assembly pursuant to chapter
218 536 to review, to delay the effective date, or to disapprove
219 and annul a rule are subsequently held unconstitutional,
220 then the grant of rulemaking authority and any rule proposed
221 or adopted after August 28, 2017, shall be invalid and void.

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

229 12. No agency, department, or official of this state
230 or of any political subdivision thereof shall use, collect,
231 obtain, share, or retain radio frequency identification data
232 from a REAL ID compliant [driver's] driver license or
233 identification card issued by a state, nor use the same to
234 uniquely identify any individual.

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

247 14. If the federal REAL ID Act of 2005 is modified or
248 repealed such that [driver's] driver licenses and
249 identification cards issued by this state that are not
250 compliant with the federal REAL ID Act of 2005 are once
251 again sufficient for federal identification purposes, the
252 department shall not issue a [driver's] driver license or
253 identification card that complies with the federal REAL ID
254 Act of 2005 and shall securely destroy, within thirty days,
255 any source documents retained by the department for the
256 purpose of compliance with such Act.

302.177. 1. To all applicants for a license or
2 renewal to transport persons or property classified in
3 section 302.015 who are at least twenty-one years of age and
4 under the age of seventy, and who submit a satisfactory
5 application and meet the requirements of sections 302.010 to
6 302.605, the director shall issue or renew such license;
7 except that no license shall be issued if an applicant's
8 license is currently suspended, cancelled, revoked,
9 disqualified, or deposited in lieu of bail. Such license
10 shall expire on the applicant's birthday in the sixth year
11 of issuance, unless the license must be issued for a shorter

12 period due to other requirements of law or for transition or
13 staggering of work as determined by the director. The
14 license must be renewed on or before the date of expiration,
15 which date shall be shown on the license.

16 2. To all applicants for a license or renewal to
17 transport persons or property classified in section 302.015
18 who are less than twenty-one years of age or greater than
19 sixty-nine years of age, and who submit a satisfactory
20 application and meet the requirements of sections 302.010 to
21 302.605, the director shall issue or renew such license;
22 except that no license shall be issued if an applicant's
23 license is currently suspended, cancelled, revoked,
24 disqualified, or deposited in lieu of bail. Such license
25 shall expire on the applicant's birthday in the third year
26 of issuance, unless the license must be issued for a shorter
27 period due to other requirements of law or for transition or
28 staggering of work as determined by the director. The
29 license must be renewed on or before the date of expiration,
30 which date shall be shown on the license. A license issued
31 under this section to an applicant who is over the age of
32 seventy-four and contains a school bus endorsement shall not
33 be issued for a period that exceeds two years.

34 3. To all other applicants for a license or renewal of
35 a license who are at least twenty-one years of age and under
36 the age of seventy, and who submit a satisfactory
37 application and meet the requirements of sections 302.010 to
38 302.605, the director shall issue or renew such license;
39 except that no license shall be issued if an applicant's
40 license is currently suspended, cancelled, revoked,
41 disqualified, or deposited in lieu of bail. Such license
42 shall expire on the applicant's birthday in the sixth year
43 of issuance, unless the license must be issued for a shorter
44 period due to other requirements of law or for transition or

45 staggering of work as determined by the director. The
46 license must be renewed on or before the date of expiration,
47 which date shall be shown on the license.

48 4. To all other applicants for a license or renewal of
49 a license who are less than twenty-one years of age or
50 greater than sixty-nine years of age, and who submit a
51 satisfactory application and meet the requirements of
52 sections 302.010 to 302.605, the director shall issue or
53 renew such license; except that no license shall be issued
54 if an applicant's license is currently suspended, cancelled,
55 revoked, disqualified, or deposited in lieu of bail. Such
56 license shall expire on the applicant's birthday in the
57 third year of issuance, unless the license must be issued
58 for a shorter period due to other requirements of law or for
59 transition or staggering of work as determined by the
60 director. The license must be renewed on or before the date
61 of expiration, which date shall be shown on the license.

62 5. The fee for a license issued for a period which
63 exceeds three years under subsection 1 of this section shall
64 be thirty dollars.

65 6. The fee for a license issued for a period of three
66 years or less under subsection 2 of this section shall be
67 fifteen dollars, except that the fee for a license issued
68 for one year or less which contains a school bus endorsement
69 shall be five dollars, except renewal fees shall be waived
70 for applicants seventy-five years of age or older seeking
71 school bus endorsements.

72 7. The fee for a license issued for a period which
73 exceeds three years under subsection 3 of this section shall
74 be fifteen dollars.

75 8. The fee for a license issued for a period of three
76 years or less under subsection 4 of this section shall be
77 seven dollars and fifty cents.

78 9. Beginning July 1, 2005, the director shall not
79 issue a driver's license for a period that exceeds an
80 applicant's lawful presence in the United States. The
81 director may establish procedures to verify the lawful
82 presence of the applicant and establish the duration of any
83 driver's license issued under this section.

84 10. Notwithstanding any provision of law to the
85 contrary, all online license renewal submissions shall have
86 an option to be electronically forwarded to the local
87 department of revenue fee office of the applicant's
88 preference and shall be processed only by the local fee
89 office so designated. For purposes of this section, "local
90 department of revenue fee office" means an entity awarded a
91 fee office contract by the department of revenue under
92 section 136.055.

93 11. The director of revenue may adopt any rules and
94 regulations necessary to carry out the provisions of this
95 section. No rule or portion of a rule promulgated pursuant
96 to the authority of this section shall become effective
97 unless it has been promulgated pursuant to the provisions of
98 chapter 536.

 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] an inspection of
23 their mechanism and equipment in accordance with the
24 provisions of sections 307.350 to 307.390 and obtain a
25 certificate of inspection and approval and a sticker, seal,
26 electronic record, or other device from a duly authorized
27 official inspection station. The inspection, except the
28 inspection of school buses which shall be made at the time
29 provided in section 307.375, shall be made at the time
30 prescribed in the rules and regulations issued by the
31 superintendent of the Missouri state highway patrol; but the
32 inspection of a vehicle shall not be made more than sixty
33 days prior to the date of application for registration or
34 within sixty days of when a vehicle's registration is
35 transferred; however, if a vehicle was purchased from a
36 motor vehicle dealer and a valid inspection had been made
37 within sixty days of the purchase date, the new owner shall
38 be able to utilize an inspection performed within ninety
39 days prior to the application for registration or transfer.
40 [Any vehicle manufactured as an even-numbered model year
41 vehicle shall be inspected and approved pursuant to the
42 safety inspection program established pursuant to sections
43 307.350 to 307.390 in each even-numbered calendar year and
44 any such vehicle manufactured as an odd-numbered model year
45 vehicle shall be inspected and approved pursuant to sections

46 307.350 to 307.390 in each odd-numbered year.] The
47 certificate of inspection and approval shall be a sticker,
48 seal, electronic record, or other device or combination
49 thereof, as the superintendent of the Missouri state highway
50 patrol prescribes by regulation and shall be displayed upon
51 the motor vehicle or trailer as prescribed by the
52 regulations established by him. The replacement of
53 certificates of inspection and approval which are lost or
54 destroyed shall be made by the superintendent of the
55 Missouri state highway patrol under regulations prescribed
56 by [him] the superintendent.

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

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

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

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

 307.365. 1. No permit for an official inspection
2 station shall be assigned or transferred or used at any
3 location other than therein designated and every permit
4 shall be posted in a conspicuous place at the location
5 designated. The superintendent of the Missouri state
6 highway patrol shall design and furnish each official
7 inspection station, at no cost, one official sign made of
8 metal or other durable material to be displayed in a
9 conspicuous location to designate the station as an official
10 inspection station. Additional signs may be obtained by an
11 official inspection station for a fee equal to the cost to
12 the state. Each inspection station shall also be supplied
13 with one or more posters which must be displayed in a
14 conspicuous location at the place of inspection and which
15 informs the public that required repairs or corrections need
16 not be made at the inspection station.

 2. No person operating an official inspection station
18 pursuant to the provisions of sections 307.350 to 307.390
19 may issue a certificate of inspection and approval for any
20 vehicle except upon an official form furnished by the
21 superintendent of the Missouri state highway patrol for that
22 purpose and only after inspecting the vehicle and
23 determining that its brakes, lighting equipment, signaling
24 devices, steering mechanisms, horns, mirrors, windshield
25 wipers, tires, wheels, exhaust system, glazing, air
26 pollution control devices, fuel system and any other safety
27 equipment as required by the state are in proper condition
28 and adjustment to be operated upon the public highways of
29 this state with safety to the driver or operator, other
30 occupants therein, as well as other persons and property
31 upon the highways, as provided by sections 307.350 to

32 307.390 and the regulations prescribed by the superintendent
33 of the Missouri state highway patrol. Brakes may be
34 inspected for safety by means of visual inspection or
35 computerized brake testing. No person operating an official
36 inspection station shall furnish, loan, give or sell a
37 certificate of inspection and approval to any other person
38 except those entitled to receive it under provisions of
39 sections 307.350 to 307.390. No person shall have in such
40 person's possession any certificate of inspection and
41 approval and/or inspection sticker with knowledge that the
42 certificate and/or inspection sticker has been illegally
43 purchased, stolen or counterfeited.

44 3. The superintendent of the Missouri state highway
45 patrol may require officially designated stations to furnish
46 reports upon forms furnished by the superintendent for that
47 purpose as the superintendent considers reasonably necessary
48 for the proper and efficient administration of sections
49 307.350 to 307.390.

50 4. If, upon inspection, defects or unsafe conditions
51 are found, the owner may correct them or shall have them
52 corrected at any place the owner chooses within twenty days
53 after the defect or unsafe condition is found, and shall
54 have the right to remove the vehicle to such place for
55 correction, but before the vehicle is operated thereafter
56 upon the public highways of this state, a certificate of
57 inspection and approval must be obtained. The inspecting
58 personnel of the official inspection station must inform the
59 owner that the corrections need not be made at the
60 inspection station.

61 5. A fee, not to exceed twelve dollars, as determined
62 by each official inspection station, may be charged by an
63 official inspection station for each official inspection
64 including the issuance of the certificate of inspection and

65 approval, sticker, seal or other device and a total fee, not
66 to exceed ten dollars, as determined by each official
67 inspection station, may be charged for an official
68 inspection of a [trailer or] motorcycle, which shall include
69 the issuance of the certificate of inspection and approval,
70 sticker, seal or other device. Such fee shall be
71 conspicuously posted on the premises of each such official
72 inspection station. No owner shall be charged an additional
73 inspection fee upon having corrected defects or unsafe
74 conditions found in an inspection completed within the
75 previous twenty consecutive days, excluding Saturdays,
76 Sundays and holidays, if such follow-up inspection is made
77 by the station making the initial inspection. Every
78 inspection for which a fee is charged shall be a complete
79 inspection, and upon completion of the inspection, if any
80 defects are found the owner of the vehicle shall be
81 furnished a list of the defects and a receipt for the fee
82 paid for the inspection. If the owner of a vehicle decides
83 to have any necessary repairs or corrections made at the
84 official inspection station, the owner shall be furnished a
85 written estimate of the cost of such repairs before such
86 repairs or corrections are made by the official inspection
87 station. The written estimate shall have plainly written
88 upon it that the owner understands that the corrections need
89 not be made by the official inspection station and shall
90 have a signature line for the owner or means to otherwise
91 verify their understanding. [The owner must sign below the
92 statement on the signature line before any repairs are made.]

93 6. Certificates of inspection and approval, sticker,
94 seal or other device shall be purchased by the official
95 inspection stations from the superintendent of the Missouri
96 state highway patrol. The superintendent of the Missouri
97 state highway patrol shall collect a fee of one dollar and

98 fifty cents for each certificate of inspection, sticker,
99 seal or other device issued to the official inspection
100 stations, except that no charge shall be made for
101 certificates of inspection, sticker, seal or other device
102 issued to official inspection stations operated by
103 governmental entities. All fees collected shall be
104 deposited in the state treasury with one dollar of each fee
105 collected credited to the state highway fund and, for the
106 purpose of administering and enforcing the state motor
107 vehicle laws and traffic regulations, fifty cents credited
108 to the "Highway Patrol Inspection Fund" which is hereby
109 created. The moneys collected and deposited in the highway
110 patrol inspection fund shall be expended subject to
111 appropriations by the general assembly for the
112 administration and enforcement of sections 307.350 to
113 307.390 by the Missouri state highway patrol. The
114 unexpended balance in the fund at the end of each biennium
115 exceeding the amount of the appropriations from the fund for
116 the first two fiscal years shall be transferred to the state
117 road fund, and the provisions of section 33.080, relating to
118 the transfer of funds to the general revenue fund at the end
119 of the biennium, shall not apply to the fund.

120 7. The owner or operator of any inspection station who
121 discontinues operation during the period that a station
122 permit is valid or whose station permit is suspended or
123 revoked shall return all official signs and posters and any
124 current unused inspection stickers, seals or other devices
125 to the superintendent of the Missouri state highway patrol
126 and shall receive a full refund on request except for
127 official signs and posters, provided the request is made
128 during the calendar year or within sixty days thereafter in
129 the manner prescribed by the superintendent of the Missouri
130 state highway patrol. Stations which have a valid permit

131 shall exchange unused previous year issue inspection
132 stickers and/or decals for an identical number of current
133 year issue, provided the unused stickers and/or decals are
134 submitted for exchange not later than April thirtieth of the
135 current calendar year, in the manner prescribed by the
136 superintendent of the Missouri state highway patrol.

137 8. Notwithstanding the provisions of section 307.390
138 to the contrary, a violation of this section shall be a
139 class C misdemeanor.

140 9. The owner or operator of any inspection station
141 shall maintain liability insurance at all times to cover
142 possible damage to vehicles during the inspection process.

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

13 (1) All mirrors, including crossview, inside, and
14 outside;

15 (2) The front and rear warning flashers;

16 (3) The stop signal arm;

17 (4) The crossing control arm on public school buses
18 required to have them pursuant to section 304.050;

19 (5) The rear bumper to determine that it is flush with
20 the bus so that hitching of rides cannot occur;

21 (6) The exhaust tailpipe shall be flush with or may
22 extend not more than two inches beyond the perimeter of the
23 body or bumper;

24 (7) The emergency doors and exits to determine them to
25 be unlocked and easily opened as required;

26 (8) The lettering and signing on the front, side and
27 rear of the bus;

28 (9) The service door;

29 (10) The step treads;

30 (11) The aisle mats or aisle runners;

31 (12) The emergency equipment which shall include as a
32 minimum a first aid kit, flares or fuses, and a fire
33 extinguisher;

34 (13) The seats, including a determination that they
35 are securely fastened to the floor;

36 (14) The emergency door buzzer;

37 (15) All hand hold grips;

38 (16) The interior glazing of the bus.

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

48 (1) The driver seat belts;

49 (2) The heating and defrosting systems;

50 (3) The reflectors;

51 (4) The bus steps;

52 (5) The aisles;

53 (6) The frame.

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

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

68 5. Notwithstanding the provisions of section 307.390
69 to the contrary, A violation of this section shall be a
70 class C misdemeanor.

 407.1338. 1. Each warrantor shall specify in writing
2 to each of its RV dealers, obligations, if any, for
3 preparation, delivery and warranty service on its products;
4 shall compensate the dealer for warranty service required of
5 the dealer by the warrantor; and shall provide the dealer
6 the schedule of compensation to be paid; and the time
7 allowances for the performance of such work and service. In
8 no event shall such schedule of compensation fail to include
9 reasonable compensation for diagnostic work as well as
10 warranty labor.

11 2. Time allowances for the diagnosis and performance
12 of warranty labor shall be reasonable for the work to be
13 performed. In the determination of what constitutes
14 reasonable compensation under this section, the principal
15 factors to be given consideration shall be the actual wage
16 rates being paid by the dealer, and the actual retail labor

17 rate being charged by the dealers in the community in which
18 the dealer is doing business. In no event shall such
19 compensation of a dealer for warranty labor be less than the
20 lowest retail labor rates actually charged by the dealer for
21 like nonwarranty labor as long as such rates are reasonable.

22 3. (1) The warrantor shall reimburse the dealer for
23 warranty parts at actual wholesale cost, plus a minimum
24 thirty-percent handling charge and the cost, if any, of
25 freight to return warranty parts to the warrantor.

26 (2) The warrantor shall supply parts and components
27 for warranty service in such quantities and within such
28 reasonable time as will enable the dealer to perform such
29 service without undue delay.

30 (3) If a warrantor fails to ship parts or components
31 necessary for warranty service within ten days of a dealer's
32 order, the dealer may obtain substantially equivalent parts
33 or components from other sources and shall, within thirty
34 days, be reimbursed by the warrantor at one hundred percent
35 of the cost paid by the dealer for any parts obtained from
36 another source.

37 4. Warranty audits of dealer records may be conducted
38 by the warrantor on a reasonable basis, and dealer claims
39 for warranty compensation shall not be denied except for
40 cause, such as performance of nonwarranty repairs, material
41 noncompliance with warrantors' published policies and
42 procedures, lack of material documentation, fraud, or
43 misrepresentation.

44 5. The dealer must submit warranty claims within
45 thirty days of completing work.

46 6. The dealer must notify the warrantor verbally or in
47 writing if the RV dealer is unable to perform material or
48 repetitive warranty repairs as soon as reasonably possible.

49 7. The warrantor must disapprove warranty claims in
50 writing within thirty days of the date of submission by the
51 dealer in the manner and form prescribed by the warrantor.
52 Claims not specifically disapproved in writing within thirty
53 days shall be construed to be approved and shall be paid
54 within forty-five days.

55 8. It is a violation of this chapter for any warrantor
56 to:

57 (1) Fail to perform any of its warranty obligations
58 with respect to its warranted product;

59 (2) Fail to include in written notices of factory
60 campaigns to vehicle owners and dealers the expected date by
61 which necessary parts and equipment, including tires and
62 chassis or chassis parts, will be available to dealers to
63 perform the campaign work. The manufacturer may ship parts
64 in quantity to the dealer to effect such campaign work, and
65 if such parts are in excess of the dealer's requirements,
66 the dealer may return unused parts to the manufacturer for
67 credit after completion of the campaign;

68 (3) Fail to compensate any of its RV dealers for
69 authorized repairs effected by such dealer of merchandise
70 damaged in manufacture or transit to the dealer, if the
71 carrier is designated by the manufacturer, factory branch,
72 distributor or distributor branch;

73 (4) Fail to compensate its RV dealers for authorized
74 warranty service in accordance with the schedule of
75 compensation provided the dealer pursuant to this section,
76 if performed in a timely and competent manner;

77 (5) Intentionally misrepresent in any way to
78 purchasers of RVs that warranties with respect to the
79 manufacture, performance or design of the vehicle are made
80 by the dealer either as warrantor or cowarrantor; [or]

81 (6) Require the dealer to make warranties to customers
82 in any manner related to the manufacture of the RV; or
83 (7) Fail to compensate its dealers for less than
84 seventy-five percent of a dealership's employee time spent
85 in traveling to and from mobile or other warranty repair
86 work performed away from the dealership location, provided
87 the dealership documents such travel time and submits a
88 claim to the warrantor within thirty days of completing the
89 work.

90 9. It is a violation of this chapter for any RV dealer
91 to:

92 (1) Fail to perform "predelivery inspection" (PDI)
93 functions, if required, in a competent and timely manner;

94 (2) Fail to perform warranty service work, authorized
95 by the warrantor, in a reasonably timely and competent
96 manner on any transient customer's vehicle whether sold by
97 that dealer or not;

98 (3) Misrepresent the terms of any warranty.

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]
80 registration periods; and

81 (12) Qualified plug-in electric drive vehicles. For
82 the purposes of this section, "qualified plug-in electric
83 drive vehicle" shall mean a plug-in electric drive vehicle
84 that is made by a manufacturer, has not been modified from
85 original manufacturer specifications, and can operate solely
86 on electric power and is capable of recharging its battery
87 from an on-board generation source and an off-board
88 electricity source.

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

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

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

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

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

112 (3) If the dealer chooses to sell the vehicle without
113 prior inspection and approval, the purchaser may return the

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

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

Section B. The repeal and reenactment of sections
2 144.070, 301.010, 301.020, 301.030, 301.050, 301.055,

3 301.070, 301.110, 301.140, 301.147, 301.190, 301.550,
4 301.560, 301.570, 301.600, 302.170, 307.350, 407.1338, and
5 643.315 of this act shall take effect as soon as
6 technologically possible following the development and
7 maintenance of a modernized, integrated system for the
8 titling of vehicles, issuance and renewal of vehicle
9 registrations, issuance and renewal of driver licenses and
10 identification cards, and perfection and release of liens
11 and encumbrances on vehicles, to be funded by the motor
12 vehicle administration technology fund as created in section
13 301.558. Following the development of the system, the
14 director of the department of revenue shall notify the
15 governor, the secretary of state, and the revisor of
16 statutes, and shall implement the provisions of sections
17 144.070, 301.010, 301.020, 301.030, 301.050, 301.055,
18 301.070, 301.110, 301.140, 301.147, 301.190, 301.550,
19 301.560, 301.570, 301.600, 302.170, 307.350, 407.1338, and
20 643.315 of this act.

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Sandy Crawford

Dave Hinman