

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 598
92ND GENERAL ASSEMBLY

1497S.06T

2003

AN ACT

To repeal sections 301.010, 301.130, 301.132, 301.141, 301.142, 301.144, 301.147, 301.456, 301.463, 301.567, 301.3098, 301.4000, 304.013, 307.125, 307.127, 643.310, and 643.315, RSMo, section 307.366 as enacted by conference committee substitute for senate committee substitute for house committee substitute for house bills nos. 603, 722 & 783, ninetieth general assembly, first regular session, section 307.366 as enacted by conference committee substitute for house substitute for senate substitute for senate bill no. 19, ninetieth general assembly, first regular session, and sections 307.366 and 643.315 as truly agreed to and finally passed by senate bill no. 54, ninety-second general assembly, first regular session, and to enact in lieu thereof fifty-one new sections relating to motor vehicle registration, with penalty provisions and an effective date for certain sections.

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

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

Section A. Sections 301.010, 301.130, 301.132, 301.141, 301.142, 301.144, 301.147, 301.456, 301.463, 301.567, 301.3098, 301.4000, 304.013, 307.125, 307.127, 643.310, and 643.315, RSMo, section 307.366 as enacted by conference committee substitute for senate committee substitute for house committee substitute for house bills nos. 603, 722 & 783, ninetieth general assembly, first regular session, section 307.366 as enacted by conference committee substitute for house substitute for senate substitute for senate bill no. 19, ninetieth general assembly, first regular session, and sections 307.366 and 643.315 as truly agreed to and finally passed by senate bill no. 54, ninety-second general assembly, first regular session, are repealed and fifty-one new sections enacted in lieu thereof, to be known as sections 41.033, 227.338, 301.010, 301.130, 301.132, 301.134, 301.141, 301.142, 301.144, 301.147, 301.456, 301.463, 301.567, 301.3098, 301.3106, 301.3122, 301.3123, 301.3124, 301.3125, 301.3126, 301.3128, 301.3129, 301.3130, 301.3132, 301.3137, 301.3139, 301.3140, 301.3141, 301.3144, 301.3145, 301.3999, 301.4000, 304.013, 304.029, 304.601, 307.125, 307.127, 307.366, 407.1200, 407.1203, 407.1206, 407.1209, 407.1212, 407.1215, 407.1218, 407.1221, 407.1224, 407.1225, 407.1227, 643.310, and 643.315, to read as follows:

41.033. 1. The "Antiterrorism Fund" is hereby established within the state treasury. The state treasurer shall be custodian of the fund, in accordance with sections 30.170 and 30.180, RSMo, and shall make disbursements from said fund for the purposes enumerated in subsection 2 of this section. All contributions derived from section 301.3123, RSMo, private donations, grants, or any appropriations made by the general assembly, shall be placed in the antiterrorism fund. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the antiterrorism fund shall not revert to the general revenue fund. Interest accruing to the antiterrorism fund shall be part of the fund.

2. The antiterrorism fund shall, upon appropriation, be used by the Missouri office of homeland security for antiterrorism activities. Expenditures from the fund shall be made upon the direction of the governor for antiterrorism activities. As used in this section, the term "antiterrorism activities" means activities related to the prevention, detection, and emergency response to terrorism that are undertaken by state and local law enforcement, fire protection, and public health agencies. The funds provided for these activities, to the extent that funds are available, shall be used exclusively for purposes directly related to fighting terrorism. Eligible activities include, but are not limited to, hiring support staff to perform administrative tasks, hiring and training additional law enforcement, fire protection, and public health personnel, response training for existing and additional law enforcement, fire protection, and public health personnel, and hazardous materials and other equipment expenditures.

227.338. The portion of U.S. Highway 71, located within a county of the third classification without a township form of government and with more than twenty-one thousand six hundred but less than twenty-one thousand seven hundred inhabitants shall be designated the “Corporal Bobbie J. Harper Memorial Highway”.

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

- (1) “All-terrain vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of [six hundred] **one thousand** pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be straddled by the operator, **or with a seat designed to carry more than one person**, and handlebars for steering control;
- (2) “Automobile transporter”, any vehicle combination designed and used specifically for the transport of assembled motor vehicles;
- (3) “Axle load”, the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;
- (4) “Boat transporter”, any vehicle combination designed and used specifically to transport assembled boats and boat hulls;
- (5) “Body shop”, a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;
- (6) “Bus”, a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;
- (7) “Commercial motor vehicle”, a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;
- (8) “Cotton trailer”, a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;
- (9) “Dealer”, any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;
- (10) “Director” or “director of revenue”, the director of the department of revenue;
- (11) “Driveaway operation”, the movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

- 32 (12) “Dromedary”, a box, deck, or plate mounted behind the cab and forward of the fifth
33 wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor
34 equipped with a dromedary may carry part of a load when operating independently or in a
35 combination with a semitrailer;
- 36 (13) “Farm tractor”, a tractor used exclusively for agricultural purposes;
- 37 (14) “Fleet”, any group of ten or more motor vehicles owned by the same owner;
- 38 (15) “Fleet vehicle”, a motor vehicle which is included as part of a fleet;
- 39 (16) “Fullmount”, a vehicle mounted completely on the frame of either the first or last
40 vehicle in a saddlemount combination;
- 41 (17) “Gross weight”, the weight of vehicle and/or vehicle combination without load, plus
42 the weight of any load thereon;
- 43 (18) “Hail-damaged vehicle”, any vehicle, the body of which has become dented as the
44 result of the impact of hail;
- 45 (19) “Highway”, any public thoroughfare for vehicles, including state roads, county roads
46 and public streets, avenues, boulevards, parkways or alleys in any municipality;
- 47 (20) “Improved highway”, a highway which has been paved with gravel, macadam,
48 concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;
- 49 (21) “Intersecting highway”, any highway which joins another, whether or not it crosses
50 the same;
- 51 (22) “Junk vehicle”, a vehicle which is incapable of operation or use upon the highways
52 and has no resale value except as a source of parts or scrap, and shall not be titled or registered;
- 53 (23) “Kit vehicle”, a motor vehicle assembled by a person other than a generally
54 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
55 an authorized manufacturer and accompanied by a manufacturer's statement of origin;
- 56 (24) “Land improvement contractors' commercial motor vehicle”, any not-for-hire
57 commercial motor vehicle the operation of which is confined to:
- 58 (a) An area that extends not more than a radius of one hundred miles from its home base
59 of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or
60 from projects involving soil and water conservation, or to and from equipment dealers'
61 maintenance facilities for maintenance purposes; or
- 62 (b) An area that extends not more than a radius of twenty-five miles from its home base
63 of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or
64 from projects not involving soil and water conservation. Nothing in this subdivision shall be
65 construed to prevent any motor vehicle from being registered as a commercial motor vehicle or
66 local commercial motor vehicle;

67 (25) “Local commercial motor vehicle”, a commercial motor vehicle whose operations
68 are confined solely to a municipality and that area extending not more than fifty miles therefrom,
69 or a commercial motor vehicle whose property-carrying operations are confined solely to the
70 transportation of property owned by any person who is the owner or operator of such vehicle to
71 or from a farm owned by such person or under the person's control by virtue of a landlord and
72 tenant lease; provided that any such property transported to any such farm is for use in the
73 operation of such farm;

74 (26) “Local log truck”, a commercial motor vehicle which is registered pursuant to this
75 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
76 state, used to transport harvested forest products, operated solely at a forested site and in an area
77 extending not more than a fifty-mile radius from such site, carries a load with dimensions not
78 in excess of twenty-five cubic yards per two axles with dual wheels, and is not operated on the
79 national system of interstate and defense highways described in Title 23, Section 103(e) of the
80 United States Code, does not have more than four axles and does not pull a trailer which has
81 more than two axles. A local log truck may not exceed the limits required by law, however, if
82 the truck does exceed such limits as determined by the inspecting officer, then notwithstanding
83 any other provisions of law to the contrary, such truck shall be subject to the weight limits
84 required by such sections as licensed for eighty thousand pounds;

85 (27) “Local transit bus”, a bus whose operations are confined wholly within a municipal
86 corporation, or wholly within a municipal corporation and a commercial zone, as defined in
87 section 390.020, RSMo, adjacent thereto, forming a part of a public transportation system within
88 such municipal corporation and such municipal corporation and adjacent commercial zone;

89 (28) “Log truck”, a vehicle which is not a local log truck and is used exclusively to
90 transport harvested forest products to and from forested sites which is registered pursuant to this
91 chapter to operate as a motor vehicle on the public highways of this state for the transportation
92 of harvested forest products;

93 (29) “Major component parts”, the rear clip, cowl, frame, body, cab, front-end assembly,
94 and front clip, as those terms are defined by the director of revenue pursuant to rules and
95 regulations or by illustrations;

96 (30) “Manufacturer”, any person, firm, corporation or association engaged in the business
97 of manufacturing or assembling motor vehicles, trailers or vessels for sale;

98 (31) “Mobile scrap processor”, a business located in Missouri or any other state that
99 comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder
100 or scrap metal operator for recycling;

- 101 (32) “Motor change vehicle”, a vehicle manufactured prior to August, 1957, which
102 receives a new, rebuilt or used engine, and which used the number stamped on the original
103 engine as the vehicle identification number;
- 104 (33) “Motor vehicle”, any self-propelled vehicle not operated exclusively upon tracks,
105 except farm tractors;
- 106 (34) “Motor vehicle primarily for business use”, any vehicle other than a recreational
107 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over
108 twelve thousand pounds:
- 109 (a) Offered for hire or lease; or
110 (b) The owner of which also owns ten or more such motor vehicles;
- 111 (35) “Motorcycle”, a motor vehicle operated on two wheels;
- 112 (36) “Motorized bicycle”, any two-wheeled or three-wheeled device having an automatic
113 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which
114 produces less than three gross brake horsepower, and is capable of propelling the device at a
115 maximum speed of not more than thirty miles per hour on level ground;
- 116 (37) “Motortricycle”, a motor vehicle operated on three wheels, including a motorcycle
117 while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel.
118 A motortricycle shall not be included in the definition of all-terrain vehicle;
- 119 (38) “Municipality”, any city, town or village, whether incorporated or not;
- 120 (39) “Nonresident”, a resident of a state or country other than the state of Missouri;
- 121 (40) “Non-USA-std motor vehicle”, a motor vehicle not originally manufactured in
122 compliance with United States emissions or safety standards;
- 123 (41) “Operator”, any person who operates or drives a motor vehicle;
- 124 (42) “Owner”, any person, firm, corporation or association, who holds the legal title to
125 a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease
126 thereof with the right of purchase upon performance of the conditions stated in the agreement
127 and with an immediate right of possession vested in the conditional vendee or lessee, or in the
128 event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee
129 or mortgagor shall be deemed the owner for the purpose of this law;
- 130 (43) “Public garage”, a place of business where motor vehicles are housed, stored,
131 repaired, reconstructed or repainted for persons other than the owners or operators of such place
132 of business;
- 133 (44) “Rebuilder”, a business that repairs or rebuilds motor vehicles owned by the
134 rebuilder, but does not include certificated common or contract carriers of persons or property;

135 (45) "Reconstructed motor vehicle", a vehicle that is altered from its original construction
136 by the addition or substitution of two or more new or used major component parts, excluding
137 motor vehicles made from all new parts, and new multistage manufactured vehicles;

138 (46) "Recreational motor vehicle", any motor vehicle designed, constructed or
139 substantially modified so that it may be used and is used for the purposes of temporary housing
140 quarters, including therein sleeping and eating facilities which are either permanently attached
141 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing
142 herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if
143 the motor vehicle could otherwise be so registered;

144 (47) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,
145 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a
146 wrecker or towing service;

147 (48) "Saddlemount combination", a combination of vehicles in which a truck or truck
148 tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth
149 wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of
150 the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth
151 wheel kingpin connection. When two vehicles are towed in this manner the combination is called
152 a double saddlemount combination. When three vehicles are towed in this manner, the
153 combination is called a triple saddlemount combination;

154 (49) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for
155 the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

156 (50) "Salvage vehicle", a motor vehicle, semitrailer or house trailer which, by reason of
157 condition or circumstance, has been declared salvage, either by its owner, or by a person, firm,
158 corporation, or other legal entity exercising the right of security interest in it, or by an insurance
159 company as a result of settlement of a claim for loss due to damage or theft; or a vehicle,
160 ownership of which is evidenced by a salvage title; or abandoned property which is titled
161 pursuant to section 304.155, RSMo, or section 304.157, RSMo, and designated with the words
162 "salvage/abandoned property";

163 (51) "School bus", any motor vehicle used solely to transport students to or from school
164 or to transport students to or from any place for educational purposes;

165 (52) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
166 corporation as an incidental service to transport patrons or customers of the regular business of
167 such person, firm, or corporation to and from the place of business of the person, firm, or
168 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
169 buses or as commercial motor vehicles;

170 (53) “Special mobile equipment”, every self-propelled vehicle not designed or used
171 primarily for the transportation of persons or property and incidentally operated or moved over
172 the highways, including farm equipment, implements of husbandry, road construction or
173 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,
174 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt
175 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
176 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump
177 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and
178 shall not operate to exclude other such vehicles which are within the general terms of this
179 section;

180 (54) “Specially constructed motor vehicle”, a motor vehicle which shall not have been
181 originally constructed under a distinctive name, make, model or type by a manufacturer of motor
182 vehicles. The term “specially constructed motor vehicle” includes kit vehicles;

183 (55) “Stinger-steered combination”, a truck tractor-semitrailer wherein the fifth wheel
184 is located on a drop frame located behind and below the rearmost axle of the power unit;

185 (56) “Tandem axle”, a group of two or more axles, arranged one behind another, the
186 distance between the extremes of which is more than forty inches and not more than ninety-six
187 inches apart;

188 (57) “Tractor”, “truck tractor” or “truck-tractor”, a self-propelled motor vehicle designed
189 for drawing other vehicles, but not for the carriage of any load when operating independently.
190 When attached to a semitrailer, it supports a part of the weight thereof;

191 (58) “Trailer”, any vehicle without motive power designed for carrying property or
192 passengers on its own structure and for being drawn by a self-propelled vehicle, except those
193 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
194 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
195 rests upon and is carried by the towing vehicle. The term “trailer” shall not include cotton trailers
196 as defined in subdivision (8) of this section and shall not include manufactured homes as defined
197 in section 700.010, RSMo;

198 (59) “Truck”, a motor vehicle designed, used, or maintained for the transportation of
199 property;

200 (60) “Truck-tractor semitrailer-semitrailer”, a combination vehicle in which the two
201 trailing units are connected with a B-train assembly which is a rigid frame extension attached to
202 the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second
203 semitrailer and has one less articulation point than the conventional “A dolly” connected
204 truck-tractor semitrailer-trailer combination;

205 (61) "Truck-trailer boat transporter combination", a boat transporter combination
206 consisting of a straight truck towing a trailer using typically a ball and socket connection with
207 the trailer axle located substantially at the trailer center of gravity rather than the rear of the
208 trailer but so as to maintain a downward force on the trailer tongue;

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

212 (63) "Vanpool", any van or other motor vehicle used or maintained by any person, group,
213 firm, corporation, association, city, county or state agency, or any member thereof, for the
214 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
215 and from their place of employment; however, a vanpool shall not be included in the definition
216 of the term "bus" or "commercial motor vehicle" as defined by subdivisions (6) and (7) of this
217 section, nor shall a vanpool driver be deemed a "chauffeur" as that term is defined by section
218 302.010, RSMo; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational,
219 personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for
220 monetary profit other than for use in a ride-sharing arrangement;

221 (64) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
222 on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power,
223 or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs
224 operated by handicapped persons;

225 (65) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed
226 and used to assist or render aid and transport or tow disabled or wrecked vehicles from a
227 highway, road, street or highway rights-of-way to a point of storage or repair, including towing
228 a replacement vehicle to replace a disabled or wrecked vehicle;

229 (66) "Wrecker or towing service", the act of transporting, towing or recovering with a
230 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker,
231 tow truck, rollback or car carrier for which the operator directly or indirectly receives
232 compensation or other personal gain.

301.130. 1. The director of revenue, upon receipt of a proper application for registration,
2 required fees and any other information which may be required by law, shall issue to the
3 applicant a certificate of registration in such manner and form as the director of revenue may
4 prescribe and a set of license plates, or other evidence of registration, as provided [herein] **by**
5 **this section**. Each set of license plates shall bear the name or abbreviated name of this state, the
6 words "SHOW-ME STATE", the month and year in which the registration shall expire, and an
7 arrangement of numbers or letters, or both, as shall be assigned from year to year by the director
8 of revenue. **The plates shall also contain fully reflective material with a common color**

9 **scheme and design for each type of license plate issued pursuant to this chapter. The plates**
10 **shall be clearly visible at night, and shall be aesthetically attractive.** Special plates for
11 qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates
12 in preference to the words "SHOW-ME STATE" and special plates for members of the national
13 guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME
14 STATE".

15 2. The arrangement of letters and numbers of license plates shall be uniform throughout
16 each classification of registration. **The director may provide for the arrangement of the**
17 **numbers in groups or otherwise, and for other distinguishing marks on the plates.**

18 3. [The background of all license plates, or the letters and numerals thereof, shall be
19 coated with a material which will reflect the lights of other vehicles. The nature and
20 specifications of this material shall be determined after a public hearing by the director of
21 revenue, director of prison industries, and superintendent of the state highway patrol, and shall
22 meet the standards established by the state transportation department.

23 4. Figures on license plates, except those which may be used to designate gross weights
24 for which commercial motor vehicles are registered, shall not be less than three inches in height
25 and the strokes thereof not less than five-sixteenths of an inch in width. In the case of
26 motorcycles and motortricycles, the letters and figures shall be not less than one inch in height
27 and the strokes thereof one-eighth of an inch in width. The director may provide for the
28 arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the
29 plates.

30 5.] All property-carrying commercial motor vehicles to be registered at a gross weight
31 in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local
32 transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and
33 driveaway vehicles shall be registered with the director of revenue as provided for in subsection
34 3 of section 301.030, but only one license plate shall be issued for each such vehicle **except as**
35 **provided in this subsection. The applicant for registration of any property-carrying**
36 **commercial motor vehicle may request and be issued two license plates for such vehicle,**
37 **and if such plates are issued the director of revenue may assess and collect an additional**
38 **charge from the applicant in an amount not to exceed the fee prescribed for personalized**
39 **license plates in subsection 1 of section 301.144.**

40 [6.] 4. The plates issued to manufacturers and dealers shall bear the letter "D" preceding
41 the number, and the director may place upon the plates other letters or marks to distinguish
42 commercial motor vehicles and trailers and other types of motor vehicles.

43 [7.] 5. No motor vehicle or trailer shall be operated on any highway of this state unless
44 it shall have displayed thereon the license plate or set of license plates issued by the director of

45 revenue and authorized by section 301.140. Each such plate shall be securely fastened to the
46 motor vehicle in a manner so that all parts thereof shall be plainly visible and reasonably clean
47 so that the reflective qualities thereof are not impaired. License plates shall be fastened to all
48 motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve
49 thousand pounds on the front and rear of such vehicles not less than eight nor more than
50 forty-eight inches above the ground, with the letters and numbers thereon right side up. The
51 license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on
52 the rear of such vehicles, with the letters and numbers thereon right side up. The license plate
53 on **buses, other than school buses, and on** trucks, tractors, truck tractors or truck-tractors
54 licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not
55 less than eight nor more than forty-eight inches above the ground, with the letters and numbers
56 thereon right side up **or if two plates are issued for the vehicle pursuant to subsection 5 of**
57 **this section, displayed in the same manner on the front and rear of such vehicles.** The
58 license plate or plates authorized by section 301.140, when properly attached, shall be prima
59 facie evidence that the required fees have been paid.

60 [8.] 6. (1) The director of revenue shall issue annually a tab or set of tabs as evidence
61 of the annual payment of registration fees and the current registration of a vehicle in lieu of the
62 set of plates]; except that the director shall annually issue a new license plate or set of plates as
63 provided in this section for vehicles registered pursuant to subsection 2 of section 301.277,
64 commercial motor vehicles in excess of twelve thousand pounds, trailers, buses and dealers].

65 (2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such
66 tab or tabs [on the middle] **in the designated area** of the license plate, no more than one per
67 plate.

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

70 (4) Except as provided in subdivision (1) of this subsection, the director of revenue shall
71 issue plates for a period of at least five years.

72 (5) For those commercial motor vehicles and trailers registered pursuant to section
73 301.041, the plate issued by the director of revenue shall be a permanent nonexpiring license
74 plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any
75 vehicle permanently registered pursuant to this section from the obligation to pay the annual
76 registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned
77 to the director of revenue upon the sale or disposal of the vehicle by the owner to whom the
78 permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement
79 commercial motor vehicle when the owner files a supplemental application with the Missouri
80 highway reciprocity commission for the registration of such replacement commercial motor

81 vehicle. Upon payment of the annual registration fee, the director of revenue shall issue a
82 certificate of registration or other suitable evidence of payment of the annual fee, and such
83 evidence of payment shall be carried at all times in the vehicle for which it is issued.

84 (6) Upon the sale or disposal of any vehicle permanently registered under this section,
85 or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued
86 for such vehicle shall be returned to the director and shall not be valid for operation of such
87 vehicle, or the plate may be transferred to a replacement vehicle when the owner files a
88 supplemental application with the Missouri highway reciprocity commission for the registration
89 of such replacement vehicle. If a vehicle which is permanently registered under this section is
90 sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given
91 credit for any unused portion of the annual registration fee when the vehicle is replaced by the
92 purchase or lease of another vehicle during the registration year.

93 [9.] 7. The director of revenue may prescribe rules and regulations for the effective
94 administration of this section. No rule or portion of a rule promulgated under the authority of
95 this section shall become effective unless it has been promulgated pursuant to the provisions of
96 section 536.024, RSMo.

97 **8. Notwithstanding the provisions of any other law to the contrary, owners of motor**
98 **vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in**
99 **excess of eighteen thousand pounds gross weight may apply for special personalized license**
100 **plates. Vehicles licensed for eighteen thousand pounds that display special personalized**
101 **license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.**

301.132. 1. [Any motor vehicle manufactured in 1948 or before which is modified for
2 safe road use, including but not limited to modifications to the drive train, suspension, brake
3 system, and any safety or comfort apparatus and which is not owned solely as a collector's item
4 and which is not used or intended to be used solely for exhibition and educational purposes only,
5 may be specially registered as a "street rod" upon payment of an annual fee equal to the fee
6 charged for personalized license plates in section 301.144 in addition to the regular annual
7 registration fees. Upon the transfer of the title to any such vehicle the registration shall be
8 canceled and the license plates issued therefor shall be returned to the director of revenue.

9 2. The owner of any such vehicle shall file an application in a form prescribed by the
10 director, verified by affidavit, providing that such vehicle meets the requirements which shall be
11 issued by the director for classification as a "street rod", and a certificate of registration shall be
12 issued therefor.

13 3. The director shall issue to the owner of any motor vehicle registered under this section
14 two license plates containing the number assigned to the registration certificate issued by the
15 director of revenue, and the following words: "Street Rod", "State of Missouri". Such license

16 plates shall be kept securely attached to the motor vehicle registered hereunder. The advisory
17 committee established in section 301.129 shall determine the characteristic features of such
18 license plates for vehicles registered under the provisions of this section so that they may be
19 recognized as such, except that such license plates shall be made with fully reflective material
20 with a common color scheme and design, shall be clearly visible at night, and shall be
21 aesthetically attractive, as prescribed by section 301.130.

22 4. Motor vehicles registered under this section are subject to the motor vehicle safety
23 inspection requirements of sections 307.350 to 307.390, RSMo.] **For purposes of this section,**
24 **"street rod" is a vehicle older than 1949 or a vehicle manufactured after 1948 to resemble**
25 **a vehicle manufactured before 1949; and has been altered from the manufacturer's**
26 **original design or has a body constructed from nonoriginal materials.**

27 2. **The model year and the year of manufacture that are listed on the certificate of**
28 **title of a street rod vehicle shall be the model year and year of manufacture that the body**
29 **of such vehicle resembles. The current and all subsequent certificates of ownership shall**
30 **be designated with the word "REPLICA".**

31 3. **For each street rod, there shall be an annual fee equal to the fee charged for**
32 **personalized license plates in section 301.144 in addition to the regular annual registration**
33 **fees.**

34 4. **In applying for registration of a street rod pursuant to this section, the owner of**
35 **the street rod shall submit with the application a certification that the vehicle for which the**
36 **application is made:**

37 (1) **Will be maintained for occasional transportation, exhibitions, club activities,**
38 **parades, tours, and similar uses;**

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

40 5. **In addition to the certification required pursuant to subsection 4 of this section,**
41 **when applying for registration of a street rod, the new owner of the street rod shall provide**
42 **proof that the street rod passed a safety inspection in accordance with section 307.350,**
43 **RSMo, that shall be approved by the department of public safety in consultation with the**
44 **street rod community in this state.**

45 6. **On registration of a vehicle pursuant to this section, the director of the**
46 **department of revenue shall issue to the owner two license plates containing the number**
47 **assigned to the registration certificate issued by the director of revenue, and the following**
48 **words: "Street Rod", "State of Missouri". Such license plates shall be kept securely**
49 **attached to the motor vehicle registered pursuant to this section. The director of revenue**
50 **shall determine the characteristic features of such license plates for vehicles registered**
51 **pursuant to the provisions of this section so that they may be recognized as such, except**

52 that such license plates shall be made with fully reflective material with a common color
53 scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as
54 prescribed by section 301.130.

55 7. Unless the presence of the equipment was specifically required by a statute of this
56 state as a condition of sale in the year listed as the year of manufacture on the certificate
57 of title, the presence of any specific equipment is not required for the operation of a vehicle
58 registered pursuant to this section.

59 8. Except as provided in subsection 5 of this section, a vehicle registered pursuant
60 to this section is exempt from any statute of this state that requires periodic vehicle
61 inspections and from any statute of this state that requires the use and inspection of
62 emission controls.

63 9. A custom vehicle means any motor vehicle that:

64 (1) Is at least twenty-five years old and of a model year after 1948, or was
65 manufactured to resemble a vehicle twenty-five years old or older and of a model year after
66 1948; and

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

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

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

76 12. In applying for registration of a custom vehicle pursuant to this section, the
77 owner of the custom vehicle shall submit with the application a certification that the vehicle
78 for which the application is made:

79 (1) Will be maintained for occasional transportation, exhibits, club activities,
80 parades, tours, and similar uses; and

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

82 13. In addition to the certification required pursuant to subsection 12 of this
83 section, when applying for registration of a custom vehicle, the new owner of the custom
84 vehicle shall provide proof that the custom vehicle passed a safety inspection in accordance
85 with section 307.350, RSMo, that shall be approved by the department of public safety in
86 consultation with the street rod community in this state.

14. On registration of a vehicle pursuant to this section, the director of the department of revenue shall issue to the owner two license plates containing the number assigned to the registration certificate issued by the director of revenue, and the following words: "Custom Vehicle", "State of Missouri". Such license plates shall be kept securely attached to the motor vehicle registered hereunder. The director of revenue shall determine the characteristic features of such license plates for vehicles registered pursuant to the provisions of this section so that they may be recognized as such, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

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

16. Except as provided in subsection 12 of this section, a vehicle registered pursuant to this section is exempt from any statute of this state that requires periodic vehicle inspections and from any statute of this state that requires the use and inspection of emission controls.

17. For purposes of this section, "blue dot tail light" is a red lamp installed in the rear of a motor vehicle containing a blue or purple insert that is not more than one inch in diameter.

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

301.134. 1. Daughters of the American Revolution who has obtained an emblem-use authorization statement from the Missouri State Society Daughters of the American Revolution may apply for Missouri State Society Daughters of the American Revolution license plates for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri State Society Daughters of the American Revolution hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section.

2. Upon application and payment of a one time twenty-five dollar emblem-use contribution to the Missouri State Society Daughters of the American Revolution, the Missouri State Society Daughters of the American Revolution shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented to the department of revenue at the time of registration of a motor vehicle.

14 **3. Upon presentation of the statement and payment of a fifteen dollar fee in**
15 **addition to the regular registration fees and presentation of other documents which may**
16 **be required by law, the department of revenue shall issue a personalized license plate to**
17 **the vehicle owner, which shall bear the emblem of the Missouri State Society Daughters of**
18 **the American Revolution and the words "MISSOURI STATE SOCIETY DAUGHTERS**
19 **OF THE AMERICAN REVOLUTION" shall engrave the words "SHOW-ME STATE".**
20 **Such license plates shall be made with fully reflective material with a common color scheme**
21 **and design, shall be clearly visible at night, and shall be aesthetically attractive, as**
22 **prescribed by section 301.130. A fee for the issuance of personalized license plates issued**
23 **pursuant to section 301.144, shall not be required for plates issued pursuant to this section.**

24 **4. The director of revenue may promulgate rules and regulations for the**
25 **administration of this section. Any rule or portion of a rule, as that term is defined in**
26 **section 536.010, RSMo, that is created under the authority delegated in this section shall**
27 **become effective only if it complies with and is subject to all of the provisions of chapter**
28 **536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536,**
29 **RSMo, are nonseverable and if any of the powers vested with the general assembly**
30 **pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and**
31 **annul a rule are subsequently held unconstitutional, then the grant of rulemaking**
32 **authority and any rule proposed or adopted after August 28, 2003, shall be invalid and**
33 **void.**

 301.141. 1. Fraudulent procurement or use of disabled-person license plates or
2 windshield placards shall be a class [C] A misdemeanor. [It is a class C misdemeanor for a
3 physician, chiropractor, podiatrist or optometrist to certify that an individual or family member
4 is qualified for a license plate or windshield placard based on a disability, the diagnosis of which
5 is outside their scope of practice.]

6 **2. Any physician or other health care practitioner authorized to issue a physician's**
7 **statement or certificate to enable persons to obtain disabled license plates or windshield**
8 **hanging placards pursuant to section 301.142, who issues, signs, or furnishes such**
9 **statement or certificate to any person who does not meet one or more of the conditions set**
10 **forth in subsection 1 of section 301.142, if there is no basis for the diagnosis given, or who**
11 **issues, signs, or furnishes such statement for a condition, the diagnosis of which is outside**
12 **the scope of such health care provider's license, is guilty of a class A misdemeanor.**

 301.142. 1. As used in [this section the term] sections 301.141 to 301.143, the
2 following terms mean:

- 3 **(1) "Department", the department of revenue;**
4 **(2) "Director", the director of the department of revenue;**

5 **(3) "Other authorized health care practitioner", includes only chiropractors**
6 **licensed pursuant to chapter 331, RSMo, podiatrists licensed pursuant to chapter 330,**
7 **RSMo, and optometrists licensed pursuant to chapter 336, RSMo;**

8 **(4) "Physically disabled" [means], a natural person who is [a] blind [person], as defined**
9 **in section 8.700, RSMo, or a natural person with medical disabilities which [limit or impair the]**
10 **prohibits, limits, or severely impairs one's ability to ambulate or walk, as determined by a**
11 **licensed physician or other authorized health care practitioner as follows:**

12 **[(1)] (a) The person cannot ambulate or walk fifty or less feet without stopping to rest**
13 **due to a severe and disabling, arthritic, neurological, or orthopedic condition; or**

14 **[(2)] (b) The person cannot ambulate or walk without the use of, or assistance from,**
15 **a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or**

16 **[(3)] (c) Is restricted by [lung] a respiratory or other disease to such an extent that the**
17 **person's forced respiratory expiratory volume for one second, when measured by spirometry, is**
18 **less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or**

19 **[(4)] (d) Uses portable oxygen; or**

20 **[(5)] (e) Has a cardiac condition to the extent that the person's functional limitations are**
21 **classified in severity as class III or class IV according to standards set by the American Heart**
22 **Association; or**

23 **[(6) Is severely limited in the applicant's ability to walk due to an arthritic, neurological,**
24 **or orthopedic condition.]**

25 **(f) A person's age, in and of itself, shall not be a factor in determining whether such**
26 **person is "physically disabled" or is otherwise entitled to disabled license plates and/or**
27 **disabled windshield hanging placards within the meaning of sections 301.141 to 301.143;**

28 **(5) "Physician", a person licensed to practice medicine pursuant to chapter 334,**
29 **RSMo;**

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

32 **[2.] (7) "Temporarily disabled person" [means], a [physically] disabled person as**
33 **defined in this section whose disability or incapacity [can be] is expected to last [for not] no**
34 **more than one hundred eighty days.**

35 **[3.] 2. Other authorized health care practitioners may furnish to a disabled or**
36 **temporarily disabled person a physician's statement for only those physical health care**
37 **conditions for which such health care practitioner is legally authorized to diagnose and**
38 **treat.**

39 **3. A physician's statement shall:**

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

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

43 **(3) Include the physician's or other authorized health care practitioner's license**
44 **number; and**

45 **(4) Be personally signed by the issuing physician or other authorized health care**
46 **practitioner.**

47 **4. If it is the professional opinion of the physician or other authorized health care**
48 **practitioner issuing the statement, that the physical disability of the applicant, user, or**
49 **member of the applicant's household is permanent, it shall be noted on the statement.**
50 **Otherwise, the physician or other authorized health care practitioner shall note on the**
51 **statement the anticipated length of the disability which period may not exceed one hundred**
52 **eighty days.**

53 **5. A physician or other authorized health care practitioner who issues or signs a**
54 **physician's statement so that disabled plates or a disabled windshield placard may be**
55 **obtained shall maintain in such disabled person's medical chart documentation that such**
56 **a certificate has been issued, the date the statement was signed, the diagnosis or condition**
57 **which existed that qualified the person as disabled pursuant to this section and shall**
58 **contain sufficient documentation so as to objectively confirm that such condition exists.**

59 **6. The medical or other records of the physician or other authorized health care**
60 **practitioner who issued a physician's statement shall be open to inspection and review by**
61 **such practitioner's licensing board in order to verify compliance with this section.**

62 **7. Owners of motor vehicles who are residents of the state of Missouri, and who are**
63 **physically disabled, owners of motor vehicles operated at least fifty percent of the time by a**
64 **physically disabled person, or owners of motor vehicles used to primarily transport physically**
65 **disabled members of the owner's household may obtain disabled person license plates. Such**
66 **owners, upon application, accompanied by the documents and fees provided for in this section,**
67 **a current physician's statement which has been issued within ninety days proceeding the**
68 **date the application is made and [by] proof of compliance with the state motor vehicle laws**
69 **relating to registration and licensing of motor vehicles shall be issued motor vehicle license**
70 **plates for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four**
71 **thousand pounds, upon which shall be inscribed the international wheelchair accessibility symbol**
72 **and the word "disabled" in addition to a combination of letters and numbers. Such license plates**
73 **shall be made with fully reflective material with a common color scheme and design, shall be**
74 **clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.**
75 **[Handicapped parking places may only be used when a physically disabled occupant is in the**
76 **motor vehicle at the time of parking or when a physically disabled person is being delivered or**

77 collected by a properly marked vehicle which is parked for the sole use of the physically disabled
78 person. No vehicle shall park in the access aisle. Such parking violation shall be an infraction.
79 The use of a vehicle displaying a disabled license plate or windshield placard to park in a parking
80 space designated for the disabled by a person not transporting the individual for whom the
81 license or placard was issued shall be an infraction. Upon conviction thereof, violators shall be
82 punished by a fine of not less than fifty dollars nor more than three hundred dollars.

83 **4.] 8. The director shall further issue, upon request, to such applicant one, and for**
84 **good cause shown, as the director may define by rule and regulations, not more than two,**
85 **removable disabled windshield hanging placards for use when the disabled person is**
86 **occupying a vehicle or when a vehicle not bearing the permanent handicap plate is being**
87 **used to pick up, deliver, or collect the physically disabled person issued the disabled motor**
88 **vehicle license plate or disabled windshield hanging placard.**

89 **9.** No additional fee shall be paid to the director [of revenue] for the issuance of the
90 special license plates provided in this section, except for special personalized license plates and
91 other license plates described in this subsection. Priority for any specific set of special license
92 plates shall be given to the applicant who received the number in the immediately preceding
93 license period subject to the applicant's compliance with the provisions of this section and any
94 applicable rules or regulations issued by the director. If determined feasible by the advisory
95 committee established in section 301.129, any special license plate issued pursuant to this section
96 may be adapted to also include the international wheelchair accessibility symbol and the word
97 "disabled" as prescribed in [subsection 3 of] this section and such plate may be issued to any
98 applicant who meets the requirements of this section and the other appropriate provision of this
99 chapter, subject to the requirements and fees of the appropriate provision of this chapter.

100 **[5.] 10.** Any physically disabled person, or the parent or guardian of any such person, or
101 any not-for-profit group, organization, or other entity which transports more than one physically
102 disabled person, may apply to the director of revenue for a removable windshield placard. [to]
103 **The placard may be used in motor vehicles which do not bear the permanent handicap**
104 **symbol on the license plate. Such placards must be hung from the front, middle rearview**
105 **mirror of a parked motor vehicle and may not be hung from the mirror during operation.**
106 **These placards may only be used during the period of time when the vehicle is being used**
107 **by a disabled person, or when the vehicle is being used to pick up, deliver, or collect a**
108 **disabled person.** When there is no rearview mirror, the placard shall be displayed on the
109 dashboard on the driver's side.

110 **11.** The removable windshield placard shall conform to the specifications, in respect to
111 size, color, and content, as set forth in federal regulations published by the Department of
112 Transportation. The fee for each removable windshield placard shall be [two] **four** dollars and

113 the removable windshield placard shall be renewed every [year] **two years. The director may**
114 **stagger the expiration dates to equalize workload.** Only one removable placard may be issued
115 to an applicant who has been issued disabled person license plates. Upon request, one additional
116 windshield placard [shall] **may** be issued to an applicant who has not been issued disabled person
117 license plates, **at the appropriate fee.**

118 **12.** A temporary windshield placard shall be issued to any physically disabled person,
119 or the parent or guardian of any such person who otherwise qualifies except that the physical
120 disability, in the opinion of the physician, is not expected to exceed a period of one hundred
121 eighty days. The temporary windshield placard shall conform to the specifications, in respect
122 to size, color, and content, as set forth in federal regulations published by the Department of
123 Transportation. The fee for the temporary windshield placard shall be two dollars. Upon
124 request, **and for good cause shown,** one additional temporary windshield placard [shall] **may**
125 be issued to an applicant. Temporary windshield placards shall be issued upon presentation of
126 the physician's statement provided by this section and shall be displayed in the same manner as
127 removable windshield placards. A person or entity shall be qualified to possess and display a
128 temporary removable windshield placard for six months and the placard may be renewed once
129 for an additional six months if a physician's statement pursuant to [subsection 6 of] this section
130 is supplied to the director of revenue at the time of renewal. [The placard shall be renewable
131 only by the person or entity to which the placard was originally issued. Any placard issued
132 pursuant to this section shall only be used when a physically disabled occupant is in the motor
133 vehicle at the time of parking or when a physically disabled person is being delivered or collected
134 by a properly marked vehicle which is parked for the sole use of the physically disabled person.

135 **6.] 13.** Application for license plates or windshield placards issued pursuant to this
136 section shall be made to the director of revenue and shall be accompanied by a statement signed
137 by a licensed physician **or other authorized health care practitioner** which certifies that the
138 applicant, user, or member of the applicant's household is a physically disabled person as defined
139 by this section. [The physician's statement shall be on a form prescribed by the director of
140 revenue which shall include the physician's license number. If it is the professional opinion of
141 the physician who issues the statement that the physical disability of the applicant, user, or
142 member of the applicant's household is permanent, this shall be noted on the statement. In such
143 instances, the applicant shall present the physician's statement which states that the applicant's
144 disability is permanent to the director of revenue the first time the applicant applies for license
145 plates or a removable windshield placard. The applicant shall not be required to obtain a new
146 physician's statement each time that the applicant applies for or renews license plates or a
147 removable windshield placard; but, the applicant shall present a physician's statement each time

148 the applicant applies for a temporary windshield placard or renews a temporary windshield
149 placard.]

150 **14. The placard shall be renewable only by the person or entity to which the**
151 **placard was originally issued. Any placard issued pursuant to this section shall only be**
152 **used when a physically disabled occupant is in the motor vehicle at the time of parking or**
153 **when a physically disabled person is being delivered or collected by a properly marked**
154 **vehicle which is parked for the sole use of the physically disable person. A disabled license**
155 **plate and/or a removable windshield hanging placard are not transferable and may not be**
156 **used by any other person whether disabled or not.**

157 **15. At the time the disabled plates or windshield hanging placards are issued, the**
158 **director shall issue a registration certificate which shall include the applicant's name,**
159 **address, and other identifying information as prescribed by the director, or if issued to an**
160 **agency, such agency's name and address. This certificate shall further contain the disabled**
161 **license plate number or, for windshield hanging placards, the registration or identifying**
162 **number stamped on the placard.**

163 **16. The director shall, upon issuing any disabled registration certificate for license**
164 **plates and/or windshield hanging placards, provide information which explains that such**
165 **plates or windshield hanging placards are nontransferable, and the restrictions explaining**
166 **who and when a person or vehicle which bears or has the disabled plates or windshield**
167 **hanging placards may be used or be parked in a disabled reserved parking space, and the**
168 **penalties prescribed for violations of the provisions of this act.**

169 **17. Beginning July 1, 2004, every applicant for a disabled license plate or placard**
170 **or for renewal of a plate or placard shall be required to present a new physician's**
171 **statement dated no more than ninety days prior to such application. Thereafter, every new**
172 **applicant, and in every fourth year any applicant for a renewal, shall present a new**
173 **physician's statement dated no more than ninety days prior to such application. Such**
174 **physician's statement shall state the expiration date for the temporary windshield placard. If the**
175 **physician fails to record an expiration date on the physician's statement, the director shall issue**
176 **the temporary windshield placard for a period of thirty days.**

177 **18. The director of revenue upon receiving a physician's statement pursuant to this**
178 **subsection shall check with the state board of registration for the healing arts created in section**
179 **334.120, RSMo, or the Missouri state board of chiropractic examiners established in section**
180 **331.090, RSMo, with respect to physician's statements signed by licensed chiropractors, or with**
181 **the board of optometry established in section 336.130, RSMo, with respect to physician's**
182 **statements signed by licensed optometrists, or the state board of podiatric medicine created in**

section 330.100, RSMo, with respect to physician's statements signed by physicians of the foot or podiatrists to determine whether the physician is duly licensed and registered pursuant to law.

19. The boards shall cooperate with the director and shall supply information requested pursuant to this subsection. The director [may] shall, in cooperation with the boards which shall assist the director, establish a list of all [physicians' names] physicians and other authorized health care practitioners and of any other information necessary to administer this [subsection within the department of revenue if the director determines that such listing is necessary to carry out the provisions of this subsection] section.

[7.] 20. Where the owner's application is based on the fact that the vehicle is used at least fifty percent of the time by a physically disabled person, the applicant shall submit an affidavit stating this fact, in addition to the physician's statement. The affidavit shall be signed by both the owner of the vehicle and the physically disabled person. The applicant shall be required to submit this affidavit with each application for license plates.

21. The director of revenue shall retain all physician's statements and all other documents received in connection with a person's application for disabled license plates and/or disabled windshield placards.

[8.] 22. The director of revenue shall enter into reciprocity agreements with other states or the federal government for the purpose of recognizing disabled person license plates or windshield placards issued to physically disabled persons.

[9.] 23. When a person to whom disabled person license plates or a removable or temporary windshield placard or both have been issued dies, the personal representative of [such person] **the decedent or such other person who may come into or otherwise take possession, of the disabled license plates or disabled windshield placard** shall return [the plates or placards or both] **the same** to the director of revenue under penalty of law. **Failure to return such plates or placards shall constitute a class A misdemeanor.**

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

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

[10.] 26. In the event a removable or temporary windshield placard is lost, stolen, or mutilated, the lawful holder thereof shall, within five days, file with the director of revenue an application and an affidavit stating such fact, in order to purchase a new placard. The fee for the replacement windshield placard shall be [two] **four** dollars.

219 [11. Beginning after September 1, 1998, and prior to August 31, 1999, the director of
220 revenue shall authorize a one-time recertification and review of all permanent disabled person
221 license plates and windshield placards, including physician's license numbers and related
222 information that the director has on file pursuant to subsection 6 of this section to determine if
223 such numbers and information are current and correct. The director shall require the presentation
224 of a new physician's statement and other information deemed necessary by the director to
225 administer the provisions of this section. The recertification and review shall be conducted in
226 a manner as determined by the director.

227 12.] **27. If the applicant shall fail to furnish the director with a new physician's**
228 **statement as provided in this section, the director shall cancel the disabled plates, any**
229 **hanging windshield placards, and shall require the return of such cancelled plates or**
230 **windshield hanging placards.**

231 **28.** Fraudulent application, renewal, issuance, procurement or use of disabled person
232 license plates or windshield placards shall be a class A misdemeanor. It is a class [B] A
233 misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual
234 or family member is qualified for a license plate or windshield placard based on a disability, the
235 diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis.

301.144. 1. The director of revenue shall establish and issue special personalized license
2 plates containing letters or numbers or combinations of letters and numbers[, not to exceed six
3 characters in length]. Such license plates shall be made with fully reflective material with a
4 common color scheme and design, shall be clearly visible at night, and shall be aesthetically
5 attractive, as prescribed by section 301.130. Any person desiring to obtain a special personalized
6 license plate for any motor vehicle other than a commercial motor vehicle licensed for more than
7 twelve thousand pounds shall apply to the director of revenue on a form provided by the director
8 and shall pay a fee of fifteen dollars in addition to the regular registration fees. The director of
9 revenue shall issue rules and regulations setting the standards and establishing the procedure for
10 application for and issuance of the special personalized license plates and shall provide a
11 deadline each year for the applications. Any rule or portion of a rule, as that term is defined in
12 section 536.010, RSMo, that is created under the authority delegated in this section shall become
13 effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo,
14 and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are
15 nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536,
16 RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently
17 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
18 after August 28, 2001, shall be invalid and void. No two owners shall be issued identical plates.
19 An owner shall make a new application and pay a new fee each year such owner desires to obtain

20 or retain special personalized license plates; however, notwithstanding the provisions of
21 subsection 8 of section 301.130 to the contrary, the director shall allow the special personalized
22 license plates to be replaced with new plates every three years without any additional charge,
23 above the fee established in this section, to the renewal applicant. Any person currently in
24 possession of an approved personalized license plate shall have first priority on that particular
25 plate for each of the following years that timely and appropriate application is made.

26 2. No personalized license plates shall be issued containing any letters, numbers or
27 combination of letters and numbers which are obscene, profane, patently offensive or
28 contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present
29 an unreasonable danger to the health or safety of the applicant, of other users of streets and
30 highways, or of the public in any location where the vehicle with such a plate may be found. The
31 director may recall any personalized license plates, including those issued prior to August 28,
32 1992, if the director determines that the plates are obscene, profane, patently offensive or
33 contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present
34 an unreasonable danger to the health or safety of the applicant, of other users of streets and
35 highways, or of the public in any location where the vehicle with such a plate may be found.
36 Where the director recalls such plates pursuant to the provisions of this subsection, the director
37 shall reissue personalized license plates to the owner of the motor vehicle for which they were
38 issued at no charge, if the new plates proposed by the owner of the motor vehicle meet the
39 standards established pursuant to this section. The director shall not apply the provisions of this
40 statute in a way that violates the Missouri or United States Constitutions as interpreted by the
41 courts with controlling authority in the state of Missouri. The primary purpose of motor vehicle
42 licence plates is to identify motor vehicles. Nothing in the issuance of a personalized license
43 plate creates a designated or limited public forum. Nothing contained in this subsection shall be
44 interpreted to prohibit the use of license plates, which are no longer valid for registration
45 purposes, as collector's items or for decorative purposes.

46 3. The director may also establish categories of special license plates from which license
47 plates may be issued. Any such person, other than a person exempted from the additional fee
48 pursuant to subsection 6 of this section, that desires a personalized special license plate from any
49 such category shall pay the same additional fee and make the same kind of application as that
50 required by subsection 1 of this section, and the director shall issue such plates in the same
51 manner as other personalized special license plates are issued.

52 4. The director of revenue shall issue to residents of the state of Missouri who hold an
53 unrevoked and unexpired official amateur radio license issued by the Federal Communications
54 Commission, upon application and upon payment of the additional fee specified in subsection
55 1 of this section, except for a person exempted from the additional fee pursuant to subsection 6

56 of this section, personalized special license plates bearing the official amateur radio call letters
57 assigned by the Federal Communications Commission to the applicant **with the words**
58 **"AMATEUR RADIO" in place of the words "SHOW-ME STATE"**. The application shall
59 be accompanied by an affidavit stating that the applicant has an unrevoked and unexpired
60 amateur radio license issued by the Federal Communications Commission and the official radio
61 call letters assigned by the Federal Communications Commission to the applicant. **An owner**
62 **making a new application and paying a new fee to retain an amateur radio plate may**
63 **request a replacement plate with the words "AMATEUR RADIO" in place of the words**
64 **"SHOW-ME STATE". If application is made to retain a plate that is three years old or**
65 **older, the replacement plate shall be issued upon the payment of required fees.**

66 5. Notwithstanding any other provision to the contrary, any business that repossesses
67 motor vehicles or trailers and sells or otherwise disposes of them shall be issued a placard
68 displaying the word "Repossessed", provided such business pays the fees presently required of
69 a manufacturer, distributor, or dealer in subsection 1 of section 301.253. Such placard shall bear
70 a number and shall be in such form as the director of revenue shall determine, and shall be only
71 used for demonstrations when displayed substantially as provided for number plates on the rear
72 of the motor vehicle or trailer.

73 6. Notwithstanding any provision of law to the contrary, any person who has retired from
74 any branch of the United States armed forces or reserves, the United States Coast Guard or
75 reserve, the United States Merchant Marines or reserve, the National Guard, or any subdivision
76 of any such services shall be exempt from the additional fee required for personalized license
77 plates issued pursuant to section 301.441. As used in this subsection, "retired" means having
78 served twenty or more years in the appropriate branch of service and having received an
79 honorable discharge.

301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning
2 July 1, 2000, the director of revenue may provide owners of motor vehicles, other than
3 commercial motor vehicles licensed in excess of twelve thousand pounds gross weight, the
4 option of biennially registering motor vehicles. Any vehicle manufactured as an even-numbered
5 model year vehicle shall be renewed each even-numbered calendar year and any such vehicle
6 manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered
7 calendar year, subject to the following requirements:

8 (1) The fee collected at the time of biennial registration shall include the annual
9 registration fee plus a pro rata amount for the additional twelve months of the biennial
10 registration;

11 (2) Presentation of all documentation otherwise required by law for vehicle registration
12 including, but not limited to, a personal property tax receipt or certified statement for the

13 preceding year that no such taxes were due as set forth in section 301.025, proof of a motor
14 vehicle safety inspection and any applicable emission inspection conducted within sixty days
15 prior to the date of application and proof of insurance as required by section 303.026, RSMo[;

16 (3) For those motor vehicles owned by a person who resides in a county of the first
17 classification without a charter form of government with a population of less than one hundred
18 thousand inhabitants according to the most recent decennial census who chooses biennial
19 registration pursuant to this section and who does not submit proof of an emission inspection
20 pursuant to section 643.315, RSMo, but instead submits proof of an emission inspection pursuant
21 to section 307.366, RSMo, the director of the department of revenue shall issue a motor vehicle
22 registration tab valid only for one year. The year following issuance to a person of a motor
23 vehicle registration tab valid only for one year, the director or the director's authorized designee
24 shall, upon notification of any such person's completed emission inspection pursuant to section
25 307.366, RSMo, by the department of natural resources or its designee, without further
26 application or proof issue such person an additional motor vehicle registration tab valid for the
27 remaining biennial period].

28 2. The director of revenue may prescribe rules and regulations for the effective
29 administration of this section. The director is authorized to adopt those rules that are reasonable
30 and necessary to accomplish the limited duties specifically delegated within this section. Any
31 rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated
32 pursuant to the authority delegated in this section shall become effective only if it has been
33 promulgated pursuant to the provisions of chapter 536, RSMo. This section and chapter 536,
34 RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to
35 chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are
36 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed
37 or adopted after July 1, 2000, shall be invalid and void.

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

301.456. Any person who has been awarded the military service award known as the
2 "Silver Star" may apply for special motor vehicle license plates for any vehicle such person
3 owns, either solely or jointly, [for issuance either to passenger motor vehicles subject to the
4 registration fees provided in section 301.055 or for a nonlocal property-carrying commercial
5 motor vehicle licensed for a gross weight of nine thousand one pounds to twelve thousand
6 pounds as provided in section 301.057] **other than an apportioned motor vehicle or a**
7 **commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.**

8 Any such person shall make application for the special license plates on a form provided by the
9 director of revenue and furnish such proof as a recipient of the silver star as the director may
10 require. The director shall then issue license plates bearing letters or numbers or a combination
11 thereof as determined by the advisory committee established in section 301.129, with the words
12 "SILVER STAR" in place of the words "SHOW-ME STATE". Such license plates shall be
13 made with fully reflective material with a common color scheme and design, shall be clearly
14 visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such
15 plates shall also bear an image of the silver star. There shall be an additional fee charged for
16 each set of silver star license plates issued pursuant to this section equal to the fee charged for
17 personalized license plates. No more than [one set] **two sets** of silver star license plates shall be
18 issued to a qualified applicant. License plates issued under the provisions of this section shall
19 not be transferable to any other person except that any registered co-owner of the motor vehicle
20 shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed
21 in the event of the death of the qualified person.

301.463. 1. The children's trust fund board established in section 210.170, RSMo, may
2 authorize the use of their logo to be incorporated on [multiyear personalized] **motor vehicle**
3 license plates [as provided in this section] **for any motor vehicle the person owns, either solely**
4 **or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed**
5 **in excess of eighteen thousand pounds gross weight.** The license plate shall contain an
6 emblem designed by the board depicting two handprints of a child and the words "Children's
7 Trust Fund" and the children's trust fund logo in preference to the words "SHOW-ME STATE".
8 The license plates shall have a common background and shall bear as many letters and numbers
9 as will fit on the plate without damaging the plate's aesthetic appearance as determined by the
10 director of revenue. Any vehicle owner may annually apply to the board **or director** for the use
11 of the logo. Upon annual application and payment of a twenty-five dollar logo use contribution
12 to the board, the board shall issue to the vehicle owner, without further charge, a "logo use
13 authorization statement", which shall be presented by the vehicle owner to the department of
14 revenue at the time of registration. **Application for use of the logo and payment of the**
15 **twenty-five dollar contribution may also be made at the time of registration to the director,**
16 **who shall deposit such contribution in the state treasury to the credit of the children's trust**
17 **fund.** Upon presentation of the annual statement [and], payment of [the fee required for
18 personalized license plates in section 301.144, and other] **a fifteen dollar fee in addition to the**
19 **regular registration** fees and **presentation of** documents which may be required by law, the
20 department of revenue shall issue a [personalized] license plate described in this section to the
21 vehicle owner. **Notwithstanding the provisions of section 301.144, no additional fee shall**
22 **be charged for the personalization of license plates issued pursuant to this section. There**

23 **shall be no limit on the number of license plates any person qualified pursuant to this**
24 **section may obtain so long as each set of plates issued pursuant to this section is issued for**
25 **vehicles owned solely or jointly by such person.** The license plate authorized by this section
26 shall be issued with a design approved by both the board and the director of revenue. The
27 bidding process used to select a vendor for the material to manufacture the license plates
28 authorized by this section shall consider the aesthetic appearance of the plate. A vehicle owner,
29 who was previously issued a plate with [an emblem] **a logo** authorized by this section and who
30 does not provide [an emblem] **a logo** use authorization statement at a subsequent time of
31 registration, shall be issued a new plate which does not bear the [emblem] **logo**, as otherwise
32 provided by law. Any contribution to the board derived from this section shall be deposited in
33 the state treasury to the credit of the children's trust fund established in section 210.173, RSMo.

34 **2. The director of revenue shall issue samples of license plates authorized pursuant**
35 **to this section to all offices in this state where vehicles are registered and license plates are**
36 **issued. Such sample license plates shall be prominently displayed in such offices along with**
37 **literature prepared by the director or by the children's trust fund board describing the**
38 **purposes of the children's trust fund. The general assembly may appropriate moneys**
39 **annually from the children's trust fund to the department of revenue to offset costs**
40 **reasonably incurred by the director of revenue pursuant to this subsection.**

301.567. 1. For purposes of this section, a violation of any of the following advertising
2 standards shall be deemed an attempt by the advertising dealer to obtain a fee or other
3 compensation by fraud, deception or misrepresentation in violation of section 301.562:

4 (1) A motor vehicle shall not be advertised as new, either by express terms or implication,
5 unless it is a "new motor vehicle" as defined in section 301.550;

6 (2) When advertising any motor vehicle which is not a new motor vehicle, such
7 advertisement must expressly identify that the motor vehicle is a used motor vehicle by express
8 use of the term "used", or by such other term as is commonly understood to mean that the vehicle
9 is used;

10 (3) Any terms, conditions, and disclaimers relating to the advertised motor vehicle's price
11 or financing options shall be stated clearly and conspicuously. An asterisk or other reference
12 symbol may be used to point to a disclaimer or other information, but not be used as a means of
13 contradicting or changing the meaning of an advertised statement;

14 (4) The expiration date, if any, of an advertised sale or vehicle price shall be clearly and
15 conspicuously disclosed. In the absence of such disclosure, the advertised sale or vehicle price
16 shall be deemed effective so long as such vehicles remain in the advertising dealership's
17 inventory;

18 (5) The terms “list price”, “sticker price”, or “suggested retail price” shall be used only
19 in reference to the manufacturer's suggested retail price for new motor vehicles, and, if used,
20 shall be accompanied by a clear and conspicuous disclosure that such terms represent the
21 “manufacturer's suggested retail price” of the advertised vehicle;

22 (6) Terms such as “at cost”, “\$..... above cost” shall not be used in advertisements
23 because of the difficulty in determining a dealer's actual net cost at the time of the sale]. Terms
24 such as “invoice price”, “\$..... over invoice” may be used, provided that the invoice referred to
25 is the manufacturer's factory invoice for a new motor vehicle and the invoice is available for
26 customer inspection. For purposes of this section, “manufacturer's factory invoice” means that
27 document supplied by the manufacturer to the dealer listing the manufacturer's charge to the
28 dealer before any deduction for holdback, group advertising, factory incentives or rebates, or any
29 governmental charges];

30 (7) When the price or financing terms of a motor vehicle are advertised, the vehicle shall
31 be fully identified as to year, make, and model. In addition, in advertisements placed by
32 individual dealers and not line-make marketing groups, the advertised price or credit terms shall
33 include all charges which the buyer must pay to the dealer, except buyer- selected options and
34 state and local taxes. If a processing fee or freight or destination charges are not included in the
35 advertised price, the amount of any such processing fee and freight or destination charge must
36 be clearly and conspicuously disclosed within the advertisement;

37 (8) [Advertisements which offer to match or better any competitors' prices shall not be
38 used;

39 (9) Advertisements of “dealer rebates” shall not be used, however, this shall not be
40 deemed to prohibit the advertising of manufacturer rebates, so long as all material terms of such
41 rebates are clearly and conspicuously disclosed;

42 [(10)] (9) “Free”, “at no cost” shall not be used if any purchase is required to qualify for
43 the “free” item, merchandise, or service;

44 [(11)] (10) “Bait advertising”, in which an advertiser may have no intention to sell at the
45 prices or terms advertised, shall not be used. Bait advertising shall include, but not be limited to,
46 the following examples:

47 (a) Not having available for sale the advertised motor vehicles at the advertised prices.
48 If a specific vehicle is advertised, the dealer shall be in possession of a reasonable supply of such
49 vehicles, and they shall be available at the advertised price. If the advertised vehicle is available
50 only in limited numbers or only by order, such limitations shall be stated in the advertisement;

51 (b) Advertising a motor vehicle at a specified price, including such terms as “as low as
52 \$.....”, but having available for sale only vehicles equipped with dealer-added cost options
53 which increase the selling price above the advertised price;

54 [(12)] **(11)** Any reference to monthly payments, down payments, or other reference to
55 financing or leasing information shall be accompanied by a clear and conspicuous disclosure of
56 the following:

57 (a) Whether the payment or other information relates to a financing or a lease transaction;

58 (b) If the payment or other information relates to a financing transaction, the minimum
59 down payment, annual percentage interest rate, and number of payments necessary to obtain the
60 advertised payment amount must be disclosed, in addition to any special qualifications required
61 for obtaining the advertised terms including, but not limited to, “first-time buyer” discounts,
62 “college graduate” discounts, and a statement concerning whether the advertised terms are
63 subject to credit approval;

64 (c) If the payment or other information relates to a lease transaction, the total amount due
65 from the purchaser at signing with such costs broken down and identified by category, lease term
66 expressed in number of months, whether the lease is closed-end or open-end, and total cost to
67 the lessee over the lease term in dollars;

68 [(13)] **(12)** Any advertisement which states or implies that the advertising dealer has a
69 special arrangement or relationship with the distributor or manufacturer, as compared to similarly
70 situated dealers, shall not be used;

71 [(14)] **(13)** Any advertisement which, in the circumstances under which it is made or
72 applied, is false, deceptive, or misleading shall not be used;

73 [(15)] **(14)** No abbreviations for industry words or phrases shall be used in any
74 advertisement unless such abbreviations are accompanied by the fully spelled or spoken words
75 or phrases.

76 2. The requirements of this section shall apply regardless of whether a dealer advertises
77 by means of print, broadcast, or electronic media, or direct mail.

78 3. Dealers shall clearly and conspicuously identify themselves in each advertisement by
79 use of a dealership name which complies with subsection 6 of section 301.560.

301.3098. 1. Any member of the Kingdom of Calontir may receive special license plates
2 as prescribed by this section, for any motor vehicle such person owns, either solely or jointly,
3 other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of
4 eighteen thousand pounds gross weight, after an annual payment of an emblem-use authorization
5 fee to the Kingdom of Calontir, a subdivision of the Society for Creative Anachronism, of which
6 the person is a member. The Kingdom of Calontir hereby authorizes the use of its official
7 emblem to be affixed on multiyear personalized license plates as provided in this section. Any
8 contribution to the Kingdom of Calontir derived from this section, except reasonable
9 administrative costs, shall be used solely for the purposes of the Kingdom of Calontir. Any
10 member of the Kingdom of Calontir may annually apply for the use of the emblem.

11 2. Upon annual application and payment of a twenty-five dollar emblem-use contribution
12 to the Kingdom of Calontir, the organization shall issue to the vehicle owner, without further
13 charge, an emblem-use authorization statement, which shall be presented by the owner to the
14 department of revenue at the time of registration of a motor vehicle. Upon presentation of the
15 annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents
16 which may be required by law, the department of revenue shall issue to the vehicle owner a
17 personalized license plate which shall bear the emblem of the Kingdom of Calontir **and shall**
18 **bear the words "KINGDOM OF CALONTIR" in place of the words "SHOW-ME**
19 **STATE"**. Such license plates shall be made with fully reflective material with a common color
20 scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as
21 prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional
22 fee shall be charged for the personalization of license plates pursuant to this section.

23 3. A vehicle owner, who was previously issued a plate with the Society for Creative
24 Anachronism emblem authorized by this section but who does not provide an emblem-use
25 authorization statement at a subsequent time of registration, shall be issued a new plate which
26 does not bear the Society for Creative Anachronism emblem, as otherwise provided by law. The
27 director of revenue shall make necessary rules and regulations for the administration of this
28 section, and shall design all necessary forms required by this section. No rule or portion of a rule
29 promulgated pursuant to the authority of this section shall become effective unless it has been
30 promulgated pursuant to the provisions of chapter 536, RSMo.

301.3106. 1. Any individual who is a former legislator of the Missouri general
2 **assembly may receive special license plates as prescribed by this section, for any motor**
3 **vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle**
4 **or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.**
5 **Any individual who is a former legislator of the Missouri general assembly may annually**
6 **apply for such license plates.**

7 2. Upon presentation of the appropriate proof of eligibility as determined by the
8 director and annual payment of a fifteen dollar fee in addition to the registration fee, and
9 other documents which may be required by law, the department of revenue shall issue to
10 the vehicle owner a personalized license plate which shall bear an appropriate
11 configuration to be determined by the director, with the words **"FORMER MISSOURI**
12 **LEGISLATOR"** in place of the words **"SHOW-ME STATE"**. Such license plates shall be
13 made with fully reflective material with a common color scheme and design, shall be
14 clearly visible at night, and shall be aesthetically attractive, as prescribed by section
15 **301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be**
16 **charged for the personalization of license plates pursuant to this section.**

17 **3. No more than two sets of license plates shall be issued pursuant to this section**
18 **to a qualified applicant. License plates issued pursuant to this section shall not be**
19 **transferable to any other person except that any registered co-owner of the motor vehicle**
20 **shall be entitled to operate the motor vehicle with such plates for the duration of the year**
21 **licensed in the event of the death of the qualified person. The director of revenue shall**
22 **make necessary rules and regulations for the administration of this section, and shall**
23 **design all necessary forms required by this section. Any rule or portion of a rule, as that**
24 **term is defined in section 536.010, RSMo, that is created under the authority delegated in**
25 **this section shall become effective only if it complies with and is subject to all of the**
26 **provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section**
27 **and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general**
28 **assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to**
29 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
30 **rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be**
31 **invalid and void.**

301.3122. 1. Any person may receive special license plates as prescribed by this
2 **section, for any motor vehicle such person owns, either solely or jointly, other than an**
3 **apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen**
4 **thousand pounds gross weight, after an annual contribution of an emblem-use**
5 **authorization fee to the Friends of Kids with Cancer. The Friends of Kids with Cancer**
6 **hereby authorizes the use of its official emblem to be affixed on multiyear personalized**
7 **license plates as provided in this section. Any person may annually apply for the use of the**
8 **emblem.**

9 **2. Upon annual application and payment of a twenty-five dollar emblem-use**
10 **contribution to the Friends of Kids with Cancer, the organization shall issue to the vehicle**
11 **owner, without further charge, an emblem-use authorization statement, which shall be**
12 **presented by the owner to the department of revenue at the time of registration of a motor**
13 **vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in**
14 **addition to the registration fee and documents which may be required by law, the**
15 **department of revenue shall issue to the vehicle owner a personalized license plate which**
16 **shall bear the emblem of the Friends of Kids with Cancer and shall bear the words**
17 **"FRIENDS OF KIDS WITH CANCER" in place of the words "SHOW-ME STATE".**
18 **Such license plates shall be made with fully reflective material with a common color scheme**
19 **and design, shall be clearly visible at night, and shall be aesthetically attractive, as**
20 **prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no**

21 additional fee shall be charged for the personalization of license plates pursuant to this
22 section.

23 3. A vehicle owner, who was previously issued a plate with the Friends of Kids with
24 Cancer emblem authorized by this section but who does not provide an emblem-use
25 authorization statement at a subsequent time of registration, shall be issued a new plate
26 which does not bear the Friends of Kids with Cancer emblem, as otherwise provided by
27 law.

28 4. The director of revenue shall make necessary rules and regulations for the
29 administration of this section, and shall design all necessary forms required by this section.
30 Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is
31 created under the authority delegated in this section shall become effective only if it
32 complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
33 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
34 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
35 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
36 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
37 adopted after August 28, 2003, shall be invalid and void.

301.3123. 1. Any vehicle owner may apply for "Fight Terrorism" license plates for
2 any motor vehicle the person owns, either solely or jointly, other than an apportioned
3 motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand
4 pounds gross weight. Upon making an annual twenty-five dollar contribution to the
5 antiterrorism fund established pursuant to section 41.033, RSMo, the vehicle owner may
6 apply for the "Fight Terrorism" plate. If the contribution is made directly to the Missouri
7 office of homeland security it shall issue the individual making the contribution a receipt,
8 verifying the contribution, that may be used to apply for the "Fight Terrorism" license
9 plate. If the contribution is made directly to the director of revenue pursuant to section
10 301.3031, the director shall note the contribution and the owner may then apply for the
11 "Fight Terrorism" plate. The applicant for such plate must pay a fifteen dollar fee in
12 addition to the regular registration fees and present any other documentation required by
13 law for each set of "Fight Terrorism" plates issued pursuant to this section.
14 Notwithstanding the provisions of section 301.144, no additional fee shall be charged for
15 the personalization of license plates issued pursuant to this section. The "Fight Terrorism"
16 plate shall bear an emblem prescribed by the director of revenue and shall have the words
17 "FIGHT TERRORISM" in place of the words "SHOW-ME STATE". The insignia shall
18 be affixed on multiyear personalized license plates within the plate area prescribed by the
19 director of revenue. Such license plates shall be made with fully reflective material with

20 a common color scheme and design of the standard license plate, shall be clearly visible at
21 night, shall have a reflective white background in the area of the plate configuration, and
22 shall be aesthetically attractive, as prescribed by section 301.130.

23 2. A vehicle owner, who was previously issued a "Fight Terrorism" license plate
24 authorized by this section but who does not provide proof of the annual contribution at a
25 subsequent time of registration, shall be issued a new plate which does not bear the emblem
26 or motto "Fight Terrorism", as otherwise provided by law.

27 3. The director of revenue may promulgate rules and regulations for the
28 administration of this section, and shall design all necessary forms required by this section.
29 Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is
30 created under the authority delegated in this section shall become effective only if it
31 complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
32 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
33 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
34 to review, to delay the effective date or to disapprove and annul a rule are subsequently
35 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
36 adopted after August 28, 2003, shall be invalid and void.

301.3124. 1. Any person may receive special license plates as prescribed by this
2 section for any motor vehicle such person owns, either solely or jointly, other than an
3 apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen
4 thousand pounds gross weight, after an annual payment of an emblem-use authorization
5 fee to Special Olympics Missouri. Special Olympics Missouri hereby authorizes the use of
6 its official emblem to be affixed on multiyear personalized license plates as provided in this
7 section.

8 2. Upon annual application and payment of a twenty-five dollar emblem-use
9 authorization fee to Special Olympics Missouri, that organization shall issue to the vehicle
10 owner, without further charge, an emblem-use authorization statement, which shall be
11 presented by the owner to the department of revenue at the time of registration of a motor
12 vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in
13 addition to the registration fee and documents which may be required by law, the
14 department of revenue shall issue to the vehicle owner a personalized license plate which
15 shall bear an emblem approved by Special Olympics Missouri and the director of the
16 department of revenue and shall have the words "SPECIAL OLYMPICS MISSOURI" in
17 place of the words "SHOW-ME STATE". Such license plates shall be made with fully
18 reflective material with a common color scheme and design, shall be clearly visible at night,
19 and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the

20 provisions of section 301.144, no additional fee shall be charged for the personalization of
21 license plates issued pursuant to this section.

22 3. A vehicle owner, who was previously issued a plate with the Special Olympics
23 Missouri emblem authorized by this section but who does not provide an emblem-use
24 authorization statement at a subsequent time of registration, shall be issued a new plate
25 which does not bear the Special Olympics Missouri emblem, as otherwise provided by law.
26 The director of revenue shall make necessary rules and regulations for the administration
27 of this section, and shall design all necessary forms required by this section. No rule or
28 portion of a rule promulgated pursuant to the authority of this section shall become
29 effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

 301.3125. 1. Any vehicle owner may apply for "Be An Organ Donor" special
2 personalized license plates for any motor vehicle the person owns, either solely or jointly,
3 other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess
4 of eighteen thousand pounds gross weight. Upon making a twenty-five dollar annual
5 contribution to the Organ Donor Program Fund, established pursuant to section 194.297,
6 RSMo, the vehicle owner may apply for the "Be An Organ Donor" plate. If the
7 contribution is made directly to the state treasurer, the state treasurer shall issue the
8 individual making the contribution a receipt, verifying the contribution, that may be used
9 to apply for the "Be An Organ Donor" license plate. If the contribution is made directly
10 to the director of revenue pursuant to section 301.3031, the director shall note the
11 contribution and the owner may then apply for the "Be An Organ Donor" plate. The
12 applicant for such plate must pay a fifteen dollar fee in addition to the regular registration
13 fees and present any other documentation required by law for each set of "Be An Organ
14 Donor" plates issued pursuant to this section. Notwithstanding the provisions of section
15 301.144, no additional fee shall be charged for the personalization of license plates issued
16 pursuant to this section.

17 2. The "Be An Organ Donor" plate shall have the words "BE AN ORGAN
18 DONOR" in place of the words "SHOW-ME STATE". Such license plates shall be made
19 with fully reflective material with a common color scheme and design, shall be clearly
20 visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

21 3. These plates shall be designed by the director, in consultation with the Organ
22 Donation Advisory Committee, established pursuant to section 194.300, RSMo, to educate
23 the public about the urgent need for organ donation and the life saving benefits of organ
24 transplants.

25 4. A vehicle owner, who was previously issued a plate with the words "BE AN
26 ORGAN DONOR" authorized by this section but who does not present a contribution

27 receipt or make a contribution to the Organ Donor Program Fund at a subsequent time
28 of registration, shall be issued a new plate which does not bear the words "BE AN ORGAN
29 DONOR", as otherwise provided by law.

30 5. The director of revenue may promulgate rules and regulations for the
31 administration of this section. Any rule or portion of a rule, as that term is defined in
32 section 536.010, RSMo, that is created under the authority delegated in this section shall
33 become effective only if it complies with and is subject to all of the provisions of chapter
34 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536,
35 RSMo, are nonseverable and if any of the powers vested with the general assembly
36 pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and
37 annul a rule are subsequently held unconstitutional, then the grant of rulemaking
38 authority and any rule proposed or adopted after August 28, 2003, shall be invalid and
39 void.

301.3126. 1. Any member of the Missouri Foxtrotting Horse Breed Association may
2 receive special license plates as prescribed by this section, for any motor vehicle such
3 person owns, either solely or jointly, other than an apportioned motor vehicle or a
4 commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight,
5 after an annual payment of an emblem-use authorization fee to the Missouri Foxtrotting
6 Horse Breed Association of which the person is a member. The Missouri Foxtrotting Horse
7 Breed Association hereby authorizes the use of its official emblem to be affixed on
8 multiyear personalized license plates as provided in this section. Any contribution to the
9 Missouri Foxtrotting Horse Breed Association derived from this section, except reasonable
10 administrative costs, shall be used solely for the purposes of the Missouri Foxtrotting Horse
11 Breed Association. Any member of the Missouri Foxtrotting Horse Breed Association may
12 annually apply for the use of the emblem.

13 2. Upon annual application and payment of a twenty-five dollar emblem-use
14 contribution to the Missouri Foxtrotting Horse Breed Association, the organization shall
15 issue to the vehicle owner, without further charge, an emblem-use authorization statement,
16 which shall be presented by the owner to the department of revenue at the time of
17 registration of a motor vehicle. Upon presentation of the annual statement, payment of a
18 fifteen dollar fee in addition to the registration fee and documents which may be required
19 by law, the department of revenue shall issue to the vehicle owner a personalized license
20 plate which shall bear the emblem of the Missouri Foxtrotting Horse Breed Association
21 and shall bear the words "FOXTROTTER-STATE HORSE" in place of the words
22 "SHOW-ME STATE". Notwithstanding the provisions of section 301.144, no additional
23 fee shall be charged for the personalization of license plates pursuant to this section. Such

24 license plates shall be made with fully reflective material with a common color scheme and
25 design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed
26 by section 301.130.

27 3. A vehicle owner, who was previously issued a plate with the Missouri Foxtrotting
28 Horse Breed Association emblem authorized by this section but who does not provide an
29 emblem-use authorization statement at a subsequent time of registration, shall be issued
30 a new plate which does not bear the Missouri Foxtrotting Horse Breed Association emblem,
31 as otherwise provided by law. The director of revenue shall make necessary rules and
32 regulations for the administration of this section, and shall design all necessary forms
33 required by this section. No rule or portion of a rule promulgated pursuant to the
34 authority of this section shall become effective unless it has been promulgated pursuant to
35 the provisions of chapter 536, RSMo.

301.3128. 1. Any person, as defined by subsection 3 of this section, may apply for
2 special license plates for any motor vehicle such person owns, either solely or jointly, other
3 than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of
4 eighteen thousand pounds gross weight. Any person desiring a special license plate as
5 provided by this section shall make an application for the special license plates on a form
6 provided by the director of revenue and furnish proof of eligibility as the director may
7 require.

8 2. Upon payment of a fifteen dollar fee in addition to the registration fee and other
9 documents which may be required by law, the department of revenue shall issue to the
10 vehicle owner a personalized license plate which shall bear an insignia depicting an outline
11 of the state of Missouri with a badge and the words "CONCERNS OF POLICE
12 SURVIVORS" superimposed on the outline of the state. Such license plates shall be made
13 with fully reflective material with a common color scheme and design, shall be clearly
14 visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.
15 Notwithstanding the provisions of section 301.144, no additional fee shall be charged for
16 the personalization of license plates pursuant to this section.

17 3. As used in this section the term "person" shall mean:

18 (1) A person wounded in the line of duty as a peace officer; or

19 (2) A surviving spouse, parent, brother, sister, or adult child, including an adopted
20 child or stepchild, of a person killed in the line of duty as a peace officer.

21 4. As used in this section, the term "peace officer" has the same meaning assigned
22 by section 590.010, RSMo.

23 **5. The director may consult with any organization which represents the interests**
24 **of any person, as defined in subsection 3 of this section when formulating the design for the**
25 **special license plate described in this section.**

26 **6. The director of revenue shall make necessary rules and regulations for the**
27 **administration of this section, and shall design all necessary forms required by this section.**
28 **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is**
29 **created under the authority delegated in this section shall become effective only if it**
30 **complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
31 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
32 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
33 **to review, to delay the effective date or to disapprove and annul a rule are subsequently**
34 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
35 **adopted after August 28, 2003, shall be invalid and void.**

301.3129. 1. Any person, as defined by subsection 3 of this section, may apply for
2 **special license plates for any motor vehicle such person owns, either solely or jointly, other**
3 **than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of**
4 **eighteen thousand pounds gross weight. Any person desiring a special license plate as**
5 **provided by this section shall make an application for the special license plates on a form**
6 **provided by the director of revenue and furnish proof of eligibility as the director may**
7 **require.**

8 **2. Upon payment of a fifteen dollar fee in addition to the registration fee and other**
9 **documents which may be required by law, the department of revenue shall issue to the**
10 **vehicle owner a personalized license plate which shall bear an insignia designed by the**
11 **director or the director's designee and shall bear the words "FIREFIGHTERS**
12 **MEMORIAL" in place of the words "SHOW-ME STATE". Such license plates shall be**
13 **made with fully reflective material with a common color scheme and design, shall be**
14 **clearly visible at night, and shall be aesthetically attractive, as prescribed by section**
15 **301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be**
16 **charged for the personalization of license plates pursuant to this section.**

17 **3. As used in this section the term "person" shall mean:**

18 **(1) A person wounded in the line of duty as a firefighter; or**

19 **(2) A surviving spouse, parent, brother, sister, or adult child, including an adopted**
20 **child or stepchild, of a person killed in the line of duty as a firefighter.**

21 **4. The director of revenue shall make necessary rules and regulations for the**
22 **administration of this section, and shall design all necessary forms required by this section.**
23 **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is**

24 created under the authority delegated in this section shall become effective only if it
25 complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
26 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
27 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
28 to review, to delay the effective date or to disapprove and annul a rule are subsequently
29 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
30 adopted after August 28, 2003, shall be invalid and void.

301.3130. 1. Any member of the Missouri Association of State Troopers Emergency
2 Relief Society, after an annual payment of an emblem-use authorization fee to the Missouri
3 Association of State Troopers Emergency Relief Society, may receive special license plates
4 for any vehicle the member owns, either solely or jointly, other than an apportioned motor
5 vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross
6 weight. The Missouri Association of State Troopers Emergency Relief Society hereby
7 authorizes the use of its official emblem to be affixed on multiyear personalized license
8 plates within the plate area prescribed by the director of revenue as provided in this
9 section. Any contribution to the Missouri Association of State Troopers Emergency Relief
10 Society derived from this section, except reasonable administrative costs, shall be used
11 solely for the purposes of the Missouri Association of State Troopers Emergency Relief
12 Society. Any member of the Missouri Association of State Troopers Emergency Relief
13 Society may annually apply for the use of the emblem.

14 2. Upon annual application and payment of a twenty-five dollar emblem-use
15 contribution to the Missouri Association of State Troopers Emergency Relief Society, the
16 Missouri Association of State Troopers Emergency Relief Society shall issue to the vehicle
17 owner, without further charge, and "emblem-use authorization statement", which shall
18 be presented by the vehicle owner to the director of revenue at the time of registration.
19 Upon presentation of the annual statement and payment of a fifteen dollar fee in addition
20 to the regular registration fees, and presentation of any documents which may be required
21 by law, the director of revenue shall issue to the vehicle owner a special license plate which
22 shall bear the emblem of the Missouri Association of State Troopers Emergency Relief
23 Society and the words "The MASTERS" in place of the words "SHOW-ME STATE".
24 Such license plates shall be made with fully reflective material with a common color scheme
25 and design of the standard license plate, shall be clearly visible at night, shall have a
26 reflective white background in the area of the plate configuration, and shall be
27 aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions
28 of section 301.144, no additional fee shall be charged for the personalization of license
29 plates pursuant to this section.

30 **3. A vehicle owner who was previously issued a plate with the Missouri Association**
31 **of State Troopers Emergency Relief Society emblem authorized by this section, but who**
32 **does not provide an emblem-use authorization statement at a subsequent time of**
33 **registration, shall be issued a new plate which does not bear the Missouri Association of**
34 **State Troopers Emergency Relief Society emblem, as otherwise provided by law.**

35 **4. The director of revenue shall make necessary rules and regulations for the**
36 **enforcement of this section, and shall design all necessary forms required by this section.**
37 **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is**
38 **created under the authority delegated in this section shall become effective only if it**
39 **complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
40 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
41 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
42 **to review, to delay the effective date or to disapprove and annul a rule are subsequently**
43 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
44 **adopted after August 28, 2003, shall be invalid and void.**

301.3132. 1. Any member designated by the Missouri Society of Professional
2 **Engineers may receive special license plates as prescribed by this section, for any motor**
3 **vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle**
4 **or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight,**
5 **after an annual payment of an emblem-use authorization fee to the Missouri Society of**
6 **Professional Engineers Education Foundation. The Missouri Society of Professional**
7 **Engineers hereby authorizes the use of its official emblem to be affixed on multiyear**
8 **personalized license plates provided in this section. Any contribution to the Missouri**
9 **Society of Professional Engineers Education Foundation derived from this section, except**
10 **reasonable administrative costs, shall be used solely for the purposes of the Missouri**
11 **Society of Professional Engineers Education Foundation and shall be deposited into the**
12 **society's education fund. Any person designated by the Missouri Society of Professional**
13 **Engineers may annually apply for the use of the emblem.**

14 **2. Upon annual application and annual payment of a twenty-five dollar emblem-use**
15 **contribution to the Missouri Society of Professional Engineers Education Foundation, the**
16 **organization shall issue to the vehicle owner, without further charge, an emblem-use**
17 **authorization statement, which shall be presented by the owner to the department of**
18 **revenue at the time of registration of a motor vehicle. Upon presentation of the annual**
19 **statement, payment of a fifteen dollar fee in addition to the registration fee and documents**
20 **which may be required by law, the department of revenue shall issue to the vehicle owner**
21 **a personalized license plate which shall bear the emblem of the Missouri Society of**

22 Professional Engineers and the words "MISSOURI SOCIETY OF PROFESSIONAL
23 ENGINEERS" in place of "SHOW-ME STATE". Such license plates shall be made with
24 fully reflective material with a common color scheme and design, shall be clearly visible at
25 night, and shall be aesthetically attractive, as prescribed by section 301.130.
26 Notwithstanding the provisions of section 301.144, no additional fee shall be added for the
27 personalization of license plates issued pursuant to this section.

28 3. A vehicle owner, who was previously issued a plate with the Missouri Society of
29 Professional Engineers' emblem authorized by this section but who does not provide an
30 emblem-use authorization statement at the subsequent time of registration, shall be issued
31 a new plate which does not bear the Missouri Society of Professional Engineers' emblem,
32 as otherwise provided by law.

33 4. The director of the department of revenue shall make necessary rules and
34 regulations for the administration of this section, and shall design all necessary forms
35 required by this section. Any rule or portion of a rule, as that term is defined in section
36 536.010, RSMo, that is created under the authority delegated in this section shall become
37 effective only if it complies with and is subject to all of the provisions of chapter 536,
38 RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are
39 nonseverable and if any of the powers vested with the general assembly pursuant to
40 chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule
41 are subsequently held unconstitutional, then the grant of rulemaking authority and any
42 rule proposed or adopted after August 28, 2003, shall be invalid and void.

301.3137. 1. Any current member or alumnus of the Alpha Phi Omega
2 organizations at any college or university within this state may apply for special motor
3 vehicle license plates for any vehicle such person owns, either solely or jointly, other than
4 an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen
5 thousand pounds gross weight, after an annual payment of an emblem-use authorization
6 fee to the Alpha Phi Omega. Alpha Phi Omega hereby authorizes the use of their official
7 emblem to be affixed on multiyear personalized license plates as provided in this section.
8 Any contribution to Alpha Phi Omega derived from this section, except reasonable
9 administrative costs, shall be used solely for the purposes of that organization. Any
10 member or alumnus of Alpha Phi Omega may annually apply for the use of the
11 organization's emblem.

12 2. Upon annual application and payment of a twenty-five dollar emblem-use
13 contribution to Alpha Phi Omega, the organization shall issue to the vehicle owner, without
14 further charge, an emblem-use authorization statement, which shall be presented by the
15 owner to the department of revenue at the time of registration of a motor vehicle. Upon

16 presentation of the annual statement, payment of a fifteen dollar fee in addition to the
17 registration fee and documents which may be required by law, the department of revenue
18 shall issue to the vehicle owner a personalized license plate which shall bear the emblem
19 of Alpha Phi Omega and the words "ALPHA PHI OMEGA" shall replace the words
20 "SHOW-ME STATE". Such license plates shall be made with fully reflective material
21 with a common color scheme and design, shall be clearly visible at night, and shall be
22 aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions
23 of section 301.144, no additional fee shall be charged for the personalization of license
24 plates pursuant to this section.

25 3. A vehicle owner, who was previously issued a plate with the Alpha Phi Omega
26 emblem authorized by this section but who does not provide an emblem-use authorization
27 statement at a subsequent time of registration, shall be issued a new plate which does not
28 bear the Alpha Phi Omega emblem, as otherwise provided by law. The director of revenue
29 shall make necessary rules and regulations for the administration of this section, and shall
30 design all necessary forms required by this section. No rule or portion of a rule
31 promulgated pursuant to the authority of this section shall become effective unless it has
32 been promulgated pursuant to the provisions of chapter 536, RSMo.

301.3139. 1. Any Boy Scout of appropriate age as prescribed by law or parent of
2 a Boy Scout may receive special license plates as prescribed by this section, for any motor
3 vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle
4 or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight,
5 after an annual payment of an emblem-use authorization fee to the Boy Scouts of America
6 Council of which the person is a member or the parent of a member. The Boy Scouts of
7 America hereby authorizes the use of its official emblem to be affixed on multiyear
8 personalized license plates as provided in this section. Any contribution to the Boy Scouts
9 of America derived from this section, except reasonable administrative costs, shall be used
10 solely for the purposes of the Boy Scouts of America. Any Boy Scout or parent of a Boy
11 Scout may annually apply for the use of the emblem and pay the twenty-five dollar
12 emblem-use authorization fee at any local district council in the state.

13 2. Upon annual application and payment of a twenty-five dollar emblem-use
14 contribution to the Boy Scouts of America, the organization shall issue to the vehicle
15 owner, without further charge, an emblem-use authorization statement, which shall be
16 presented by the owner to the department of revenue at the time of registration of a motor
17 vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in
18 addition to the registration fee and documents which may be required by law, the
19 department of revenue shall issue to the vehicle owner a personalized license plate which

20 shall bear the emblem of the Boy Scouts of America and the words "BOY SCOUTS OF
21 AMERICA" in place of the words "SHOW-ME STATE". Such license plates shall be
22 made with fully reflective material with a common color scheme and design, shall be
23 clearly visible at night, and shall be aesthetically attractive, as prescribed by section
24 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be
25 charged for the personalization of license plates pursuant to this section.

26 3. A vehicle owner, who was previously issued a plate with the Boy Scouts of
27 America emblem authorized by this section but who does not provide an emblem-use
28 authorization statement at a subsequent time of registration, shall be issued a new plate
29 which does not bear the Boy Scouts of America emblem, as otherwise provided by law.
30 The director of revenue shall make necessary rules and regulations for the administration
31 of this section, and shall design all necessary forms required by this section. No rule or
32 portion of a rule promulgated pursuant to the authority of this section shall become
33 effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

301.3140. 1. Any Girl Scout of appropriate age as prescribed by law or parent of
2 a Girl Scout may receive special license plates as prescribed by this section, for any motor
3 vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle
4 or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight,
5 after an annual payment of an emblem-use authorization fee to the Girl Scouts of America
6 of which the person is a member or parent of a member. The Girl Scouts of America
7 hereby authorizes the use of its official emblem to be affixed on multiyear personalized
8 license plates as provided in this section. Any contribution to the Girl Scouts of America
9 derived from this section, except reasonable administrative costs, shall be used solely for
10 the purposes of the Girl Scouts of America. Any Girl Scout or parent of a Girl Scout may
11 annually apply for the use of the emblem.

12 2. Upon annual application and payment of a twenty-five dollar emblem-use
13 contribution to the Girl Scouts of America, the organization shall issue to the vehicle
14 owner, without further charge, an emblem-use authorization statement, which shall be
15 presented by the owner to the department of revenue at the time of registration of a motor
16 vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in
17 addition to the registration fee and documents which may be required by law, the
18 department of revenue shall issue to the vehicle owner a personalized license plate which
19 shall bear the emblem of the Girl Scouts of America and the words "GIRL SCOUTS OF
20 AMERICA" in place of the words "SHOW-ME STATE". Such license plates shall be
21 made with fully reflective material with a common color scheme and design, shall be
22 clearly visible at night, and shall be aesthetically attractive, as prescribed by section

23 **301.130.** Notwithstanding the provisions of section 301.144, no additional fee shall be
24 charged for the personalization of license plates pursuant to this section.

25 **3.** A vehicle owner, who was previously issued a plate with the Girl Scouts of
26 America emblem authorized by this section but who does not provide an emblem-use
27 authorization statement at a subsequent time of registration, shall be issued a new plate
28 which does not bear the Girl Scouts of America emblem, as otherwise provided by law.
29 The director of revenue shall make necessary rules and regulations for the administration
30 of this section, and shall design all necessary forms required by this section. No rule or
31 portion of a rule promulgated pursuant to the authority of this section shall become
32 effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

301.3141. 1. Any recipient of appropriate age as prescribed by law or parent of a
2 recipient of the Girl Scout Gold Award Medallion may receive special license plates as
3 prescribed by this section, for any motor vehicle such person owns, either solely or jointly,
4 other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess
5 of eighteen thousand pounds gross weight, after an annual payment of an emblem-use
6 authorization fee to the Girl Scouts of America of which the person is a member and
7 recipient of such award or parent of a member who is a recipient of such award. The Girl
8 Scouts of America hereby authorizes the use of its official emblem to be affixed on
9 multiyear personalized license plates as provided in this section. Any contribution to the
10 Girl Scouts of America derived from this section, except reasonable administrative costs,
11 shall be used solely for the purposes of the Girl Scouts of America. Any recipient of such
12 award by the Girl Scouts of America or parent of such recipient may annually apply for
13 the use of the emblem.

14 **2.** Upon annual application and payment of a twenty-five dollar emblem-use
15 contribution to the Girl Scouts of America, the organization shall issue to the vehicle
16 owner, without further charge, an emblem-use authorization statement, which shall be
17 presented by the owner to the department of revenue at the time of registration of a motor
18 vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in
19 addition to the registration fee and documents which may be required by law, the
20 department of revenue shall issue to the vehicle owner a personalized license plate which
21 shall bear the emblem of the Girl Scout Gold Award Medallion and the words "GOLD
22 AWARD" in place of the words "SHOW-ME STATE". Such license plates shall be made
23 with fully reflective material with a common color scheme and design, shall be clearly
24 visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.
25 Notwithstanding the provisions of section 301.144, no additional fee shall be charged for
26 the personalization of license plates pursuant to this section.

27 **3. A vehicle owner, who was previously issued a plate with the Girl Scout Gold**
28 **Award Medallion emblem authorized by this section but who does not provide an emblem-**
29 **use authorization statement at a subsequent time of registration, shall be issued a new plate**
30 **which does not bear the Girl Scout Gold Award Medallion emblem, as otherwise provided**
31 **by law. The director of revenue shall make necessary rules and regulations for the**
32 **administration of this section, and shall design all necessary forms required by this section.**
33 **No rule or portion of a rule promulgated pursuant to the authority of this section shall**
34 **become effective unless it has been promulgated pursuant to the provisions of chapter 536,**
35 **RSMo.**

301.3144. 1. Any person may receive special license plates as prescribed by this
2 **section, for any motor vehicle such person owns, either solely or jointly, other than an**
3 **apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen**
4 **thousand pounds gross weight, after an annual contribution of an emblem-use**
5 **authorization fee to Camp Quality of Missouri. Any contribution given pursuant to this**
6 **section shall be designated for the sole use of providing scholarships to children with**
7 **cancer who are residents of the state of Missouri for attendance at any summer camp**
8 **conducted by Camp Quality in the state of Missouri. Camp Quality of Missouri hereby**
9 **authorizes the use of its official emblem to be affixed on single-year or multiyear**
10 **personalized license plates as provided in this section. Any person may annually or**
11 **biannually apply for the use of the emblem.**

12 **2. Upon annual application and payment of a twenty-five dollar emblem-use**
13 **contribution to Camp Quality of Missouri, that organization shall issue to the vehicle**
14 **owner, without further charge, an emblem-use authorization statement, which shall be**
15 **presented by the owner to the department of revenue at the time of registration of a motor**
16 **vehicle. Upon presentation of the annual or biannual statement, payment of a fifteen dollar**
17 **fee, in addition to the registration fees, and presentation of other documents which may be**
18 **required by law, the department of revenue shall issue to the vehicle owner a personalized**
19 **license plate which shall bear the emblem of Camp Quality of Missouri and shall bear the**
20 **words "CAMP QUALITY-FUN FOR KIDS WITH CANCER" in the place of the words**
21 **"SHOW-ME STATE". Such license plates shall be made with fully reflective material**
22 **with a common color scheme and design, shall be clearly visible at night, and shall be**
23 **aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions**
24 **of section 301.144, no additional fee shall be charged for the personalization of license**
25 **plates pursuant to this section.**

26 **3. A vehicle owner, who was previously issued a plate with the Camp Quality of**
27 **Missouri emblem authorized by this section but who does not provide an emblem-use**

28 authorization statement at a subsequent time of registration, shall be issued a new plate
29 which does not bear the Camp Quality of Missouri emblem, as otherwise provided by law.

30 4. The director of the department of revenue shall make necessary rules and
31 regulations for the administration of this section, and shall design all necessary forms
32 required by this section. Any rule or portion of a rule, as that term is defined in section
33 536.010, RSMo, that is created under the authority delegated in this section shall become
34 effective only if it complies with and is subject to all of the provisions of chapter 536,
35 RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are
36 nonseverable and if any of the powers vested with the general assembly pursuant to
37 chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule
38 are subsequently held unconstitutional, then the grant of rulemaking authority and any
39 rule proposed or adopted after August 28, 2003, shall be invalid and void.

301.3145. 1. Any member of the National Rifle Association, after an annual payment
2 of an emblem-use authorization fee to the National Rifle Association, may receive special
3 license plates for any vehicle the member owns, either solely or jointly, other than an
4 apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen
5 thousand pounds gross weight. The National Rifle Association hereby authorizes the use
6 of its official emblem to be affixed on multiyear personalized license plates within the plate
7 area prescribed by the director of revenue and as provided in this section. Any
8 contribution to the National Rifle Association derived from this section, except reasonable
9 administrative costs, shall be used solely for the purposes of the National Rifle
10 Association. Any member of the National Rifle Association may annually apply for the use
11 of the emblem.

12 2. Upon annual application and payment of a twenty-five dollar emblem-use
13 contribution to the National Rifle Association, that organization shall issue to the vehicle
14 owner, without further charge, an "emblem-use authorization statement", which shall be
15 presented by the vehicle owner to the director of revenue at the time of registration. Upon
16 presentation of the annual statement and payment of a fifteen dollar fee in addition to the
17 regular registration fees, and presentation of any documents which may be required by
18 law, the director of revenue shall issue to the vehicle owner a special license plate which
19 shall bear the emblem of the National Rifle Association and the words "The Right to Keep
20 and Bear Arms Shall Not Be Infringed" in place of the words "SHOW-ME STATE". Such
21 license plates shall be made with fully reflective material with a common color scheme and
22 design of the standard license plate, shall be clearly visible at night, shall have a reflective
23 white background in the area of the plate configuration, and shall be aesthetically
24 attractive, as prescribed by section 301.130. Notwithstanding the provisions of section

25 **301.144, no additional fee shall be charged for the personalization of license plates**
26 **pursuant to this section.**

27 **3. A vehicle owner who was previously issued a plate with the National Rifle**
28 **Association emblem authorized by this section, but who does not provide an emblem-use**
29 **authorization statement at a subsequent time of registration, shall be issued a new plate**
30 **which does not bear the organization's emblem, as otherwise provided by law. The director**
31 **of revenue shall make necessary rules and regulations for the enforcement of this section,**
32 **and shall design all necessary forms required by this section.**

301.3999. 1. Any person who served in the active military service in a branch of the
2 **armed services of the United States and was honorably discharged from such service may**
3 **apply for special license plates for any vehicle other than an apportioned motor vehicle or**
4 **a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.**
5 **Any such person shall make application for the special license plates on a form provided**
6 **by the director of revenue and furnish such proof of service and status as an honorably**
7 **discharged veteran as the director may require.**

8 **2. Upon presentation of proof of eligibility and payment of a fifteen dollar fee in**
9 **addition to the regular registration fees, and presentation of any documents which may be**
10 **required by law, the director shall issue to the vehicle owner a special license plate bearing**
11 **letters or numbers or a combination thereof as determined by the director, with the words**
12 **"U.S. VET" in place of the words "SHOW-ME STATE". Such license plates shall be**
13 **made with fully reflective material with a common color scheme and design, shall be**
14 **clearly visible at night, shall have a reflective white background with a blue and red**
15 **configuration in the area of the plate configuration, and shall be aesthetically attractive,**
16 **as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no**
17 **additional fee shall be charged for the personalization of license plates pursuant to this**
18 **section.**

19 **3. No more than one set of special license plates shall be issued pursuant to this**
20 **section to a qualified applicant. License plates issued pursuant to this section shall not be**
21 **transferable to any other person except that any registered co-owner of the vehicle may**
22 **operate the vehicle for the duration of the registration in the event of the death of the**
23 **qualified person. The director of revenue shall make necessary rules and regulations for**
24 **the enforcement of this section, and shall design all necessary forms required by this**
25 **section.**

301.4000. Any person who served in the active military service in a branch of the armed
2 **forces of the United States [during a period of war] and was honorably discharged from such**
3 **service may apply for special motorcycle license plates, either solely or jointly, for issuance for**

4 any motorcycle subject to the registration fees provided in section 301.055. Any such person
5 shall make application for the special license plates on a form provided by the director of revenue
6 and furnish such proof of [service in a foreign war and] status as an honorably discharged veteran
7 as the director may require. Upon presentation of the proof of eligibility and payment of a fifteen
8 dollar fee in addition to the regulation registration fees, and presentation of other documents
9 which may be required by law, the director shall then issue license plates bearing letters or
10 numbers or a combination thereof as determined by the director, with the words "U.S. VET" in
11 place of the words "SHOW-ME STATE". The plates shall be clearly visible at night and shall
12 be aesthetically attractive, as prescribed by section 301.130. No more than one set of special
13 license plates shall be issued pursuant to this section to a qualified applicant. License plates
14 issued pursuant to this section shall not be transferable to any other person except that any
15 registered co-owner of the motorcycle may operate the motorcycle for the duration of the year
16 licensed in the event of the death of the qualified person.

304.013. 1. No person shall operate an all-terrain vehicle, as defined in section 301.010,
2 RSMo, upon the highways of this state, except as follows:

- 3 (1) All-terrain vehicles owned and operated by a governmental entity for official use;
- 4 (2) All-terrain vehicles operated for agricultural purposes or industrial on-premises
5 purposes between the official sunrise and sunset on the day of operation;
- 6 (3) All-terrain vehicles operated by handicapped persons for short distances occasionally
7 only on the state's secondary roads when operated between the hours of sunrise and sunset;
- 8 (4) Governing bodies of cities may issue special permits to licensed drivers for special
9 uses of all-terrain vehicles on highways within the city limits. Fees of fifteen dollars may be
10 collected and retained by cities for such permits;
- 11 (5) Governing bodies of counties may issue special permits to licensed drivers for special
12 uses of all-terrain vehicles on county roads within the county. Fees of fifteen dollars may be
13 collected and retained by the counties for such permits.

14 2. No person shall operate an off-road vehicle within any stream or river in this state,
15 except that off-road vehicles may be operated within waterways which flow within the
16 boundaries of land which an off-road vehicle operator owns, or for agricultural purposes within
17 the boundaries of land which an off-road vehicle operator owns or has permission to be upon,
18 or for the purpose of fording such stream or river of this state at such road crossings as are
19 customary or part of the highway system. All law enforcement officials or peace officers of this
20 state and its political subdivisions or department of conservation agents or department of natural
21 resources park rangers shall enforce the provisions of this subsection within the geographic area
22 of their jurisdiction.

23 3. A person operating an all-terrain vehicle on a highway pursuant to an exception
24 covered in this section shall have a valid operator's or chauffeur's license, except that a
25 handicapped person operating such vehicle pursuant to subdivision (3) of subsection 1 of this
26 section, but shall not be required to have passed an examination for the operation of a
27 motorcycle, and the vehicle shall be operated at speeds of less than thirty miles per hour. When
28 operated on a highway, an all-terrain vehicle shall have a bicycle safety flag, which extends not
29 less than seven feet above the ground, attached to the rear of the vehicle. The bicycle safety flag
30 shall be triangular in shape with an area of not less than thirty square inches and shall be
31 day-glow in color.

32 4. No persons shall operate an all-terrain vehicle:

33 (1) In any careless way so as to endanger the person or property of another;

34 (2) While under the influence of alcohol or any controlled substance;

35 (3) Without a securely fastened safety helmet on the head of an individual who operates
36 an all-terrain vehicle or who is being towed or otherwise propelled by an all-terrain vehicle,
37 unless the individual is at least eighteen years of age.

38 5. No operator of an all-terrain vehicle shall carry a passenger, except for agricultural
39 purposes. **The provisions of this subsection shall not apply to any all-terrain vehicle in**
40 **which the seat of such vehicle is designed to carry more than one person.**

41 6. A violation of this section shall be a class C misdemeanor. In addition to other legal
42 remedies, the attorney general or county prosecuting attorney may institute a civil action in a
43 court of competent jurisdiction for injunctive relief to prevent such violation or future violations
44 and for the assessment of a civil penalty not to exceed one thousand dollars per day of violation.

304.029. 1. Notwithstanding any other law to the contrary, a low-speed vehicle may
2 **be operated upon a highway in the state if it meets the requirements of this section. Every**
3 **person operating a low-speed vehicle shall be granted all the rights and shall be subject to**
4 **all the duties applicable to the driver of any other motor vehicle except as to the special**
5 **regulations in this section and except as to those provisions which by their nature can have**
6 **no application.**

7 **2. The operator of a low-speed vehicle shall observe all traffic laws and local**
8 **ordinances regarding the rules of the road. A low-speed vehicle shall not be operated on**
9 **a street or a highway with a posted speed limit greater than thirty-five miles per hour. The**
10 **provisions of this subsection shall not prohibit a low-speed vehicle from crossing a street**
11 **or highway with a posted speed limit greater than thirty-five miles per hour.**

12 **3. No persons shall operate a low-speed vehicle:**

13 **(1) In any careless way so as to endanger the person or property of another; or**

14 **(2) While under the influence of alcohol or any controlled substance.**

15 **4. A low-speed vehicle shall be exempt from the requirements of sections 307.350**
16 **to 307.402, RSMo, for purposes of titling and registration. Low-speed vehicles shall**
17 **comply with the standards in 49 C.F.R. 571.500.**

18 **5. Every operator of a low-speed vehicle shall maintain financial responsibility on**
19 **such low-speed vehicle as required by chapter 303, RSMo, if the low-speed vehicle is to be**
20 **operated upon the highways of this state.**

21 **6. Each person operating a low-speed vehicle on a highway in this state shall**
22 **possess a valid driver's license issued pursuant to chapter 302, RSMo.**

23 **7. For purposes of this section a "low-speed vehicle" means a four-wheeled motor**
24 **vehicle, other than a truck, whose top speed is greater than twenty miles per hour but less**
25 **than twenty-five miles per hour and is manufactured in compliance with the National**
26 **Highway Traffic Safety Administration standards for low-speed vehicles in 49 C.F.R.**
27 **571.500.**

28 **8. Nothing in this section shall prevent county or municipal governments from**
29 **adopting more stringent local ordinances governing low-speed vehicle operation if the**
30 **governing body of the county or municipality determines that such ordinances are**
31 **necessary in the interest of public safety. The department of transportation may prohibit**
32 **the operation of low-speed vehicles on any highway under its jurisdiction if it determines**
33 **that the prohibition is necessary in the interest of public safety.**

304.601. 1. Designated disabled parking spaces may only be used when a disabled
2 **person, who has been issued disabled license plates or windshield hanging placards**
3 **pursuant to the provisions of section 301.142, RSMo, or by those states with which the**
4 **director has entered into reciprocity agreements as provided in section 301.142, RSMo, is**
5 **then, or immediately preceding being parked, was an occupant of the motor vehicle**
6 **bearing the disabled license plate or windshield hanging placard or in cases where the**
7 **motor vehicle bearing the disabled license plate or windshield hanging placard is then**
8 **being used to deliver or collect one or more of the disabled persons for whom the disabled**
9 **license plate or windshield hanging placard was issued.**

10 **2. The driver, or any occupant, of a motor vehicle bearing disabled license plates**
11 **or a windshield hanging placard which is parked or has been observed to have been**
12 **parking in a duly designated disabled parking space shall, upon request from any law**
13 **enforcement officer or other duly constituted peace officer upon identification as such,**
14 **produce the disabled registration certificate issued to the disabled person or entity as**
15 **provided for in section 301.142, RSMo, or such other authorization to show that the driver,**
16 **or any occupant of the vehicle is lawfully entitled to use a designated disabled parking**
17 **space. The driver or any occupant of the motor vehicle shall, in addition to the certificate,**

18 **produce other identification with a photograph of the disabled person for whom the**
19 **disabled plates or windshield hanging placard was issued.**

20 **3. If the driver, or an occupant, of a motor vehicle which is parked or has been**
21 **observed to have parked in a designated disabled parking space is unable to, or cannot,**
22 **produce the certificate as provided for in section 301.142, RSMo, or other proper**
23 **authorization showing that the vehicle is being used, or has been lawfully parking in a**
24 **disabled parking space, the operator is guilty of a class A misdemeanor. However, no**
25 **person shall be found guilty of violating this section if the operator produces such a**
26 **certificate to the court that was valid at the time of the citation for a person who was using**
27 **the vehicle.**

28 **4. The windshield hanging placard shall only be used when the vehicle is parked**
29 **in a disabled parking space. It shall be unlawful for any person to operate or drive a motor**
30 **vehicle with windshield hanging placard hanging from the inside rearview mirror.**

307.125. 1. Any person who shall place or drive or cause to be placed or driven, upon or
2 along any state or supplementary state highway of this state any animal-driven vehicle
3 whatsoever, whether in motion or at rest, shall after sunset to one-half hour before sunrise have
4 attached to every such vehicle at the rear thereof a red taillight or a red reflecting device of not
5 less than three inches in diameter of effective area or its equivalent in area. When such device
6 shall consist of reflecting buttons there shall be no less than seven of such buttons covering an
7 area equal to a circle with a three-inch diameter. The total subtended effective angle of reflection
8 of every such device shall be no less than sixty degrees and the spread and efficiency of the
9 reflected light shall be sufficient for the reflected light to be visible to the driver of any motor
10 vehicle approaching such animal-drawn vehicle from the rear of a distance of not less than five
11 hundred feet.

12 **2. In addition, any person who operates any such animal-driven vehicle during the hours**
13 **between sunset and one-half hour before sunrise shall have at least one light flashing at all times**
14 **the vehicle is on any highway of this state. Such light or lights shall be amber in the front and**
15 **red in the back and shall be placed on the left side of the vehicle at a height of no more than six**
16 **feet from the ground and shall be visible from the front and the back of the vehicle at a distance**
17 **of at least five hundred feet. Any person violating the provisions of this section shall be guilty**
18 **of a class C misdemeanor.**

19 **3. Any person operating an animal-driven vehicle during the hours between sunset**
20 **and one-half hour before sunrise may, in lieu of the requirements of subsection 2 of this**
21 **section, use lamps or lanterns complying with the rules promulgated by the director of the**
22 **department of public safety.**

23 **4. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**
24 **that is created under the authority delegated in this section shall become effective only if**
25 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
26 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
27 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
28 **to review, to delay the effective date, or to disapprove and annul a rule are subsequently**
29 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
30 **adopted after August 28, 2003, shall be invalid and void.**

 307.127. 1. No person shall operate on any public highway of this state any slow-moving
2 vehicle or equipment after sunset to one-half hour before sunrise, any animal-drawn vehicle, or
3 any other machinery, designed for use or normally operated at speeds less than twenty-five miles
4 per hour, including all road construction or maintenance machinery except when engaged in
5 actual construction or maintenance work either guarded by a flagman or clearly visible warning
6 signs, which normally travels or is normally used at a speed of less than twenty-five miles per
7 hour unless there is displayed on the rear thereof an emblem as described in, and displayed as
8 provided in subsection 2 in this section. The requirement of such emblem shall be in addition to
9 any lighting devices required by section 307.115.

10 2. The emblem required by subsection 1 of this section shall be of substantial
11 construction, and shall be a basedown equilateral triangle of fluorescent yellow-orange film or
12 equivalent quality paint with a base of not less than fourteen inches and an altitude of not less
13 than twelve inches. Such triangle shall be bordered with reflective red strips having a minimum
14 width of one and three-fourths inches, with the vertices of the overall triangle truncated such that
15 the remaining altitude shall be a minimum of fourteen inches. Such emblem shall be mounted
16 on the rear of such vehicle near the horizontal geometric center of the rearmost vehicle at a
17 height of not less than four feet above the roadway, and shall be maintained in a clean, reflective
18 condition. The provisions of this section shall not apply to any vehicle or equipment being
19 operated on a gravel or dirt surfaced public highway.

20 3. Any person who shall violate the provisions of this section shall be guilty of an
21 infraction.

22 4. No emblem shall be required on machinery or equipment pulled or attached to a farm
23 tractor providing the machinery or equipment does not extend more than twelve feet to the rear
24 of the tractor and permits a clear view of the emblem on the tractor by vehicles approaching from
25 the rear.

26 **5. Any person operating an animal-drawn vehicle on any public highway of this**
27 **state may, in lieu of displaying the emblem required by subsections 1 and 2 of this section,**
28 **equip the animal-drawn vehicle with reflective material complying with rules and**

29 regulations promulgated by the director of the department of public safety. The reflective
30 material shall be visible from a distance of not less than five hundred feet to the rear when
31 illuminated by the lower beams of vehicle headlights. Any rule or portion of a rule, as that
32 term is defined in section 536.010, RSMo, that is created under the authority delegated in
33 this section shall become effective only if it complies with and is subject to all of the
34 provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section
35 and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general
36 assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to
37 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
38 rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be
39 invalid and void.

307.366. 1. This enactment of the emissions inspection program is a mandate of the
2 United States Congress pursuant to the federal Clean Air Act, as amended, 42 U.S.C. 7401, et
3 seq. In any [city not within a county, any county of the first classification having a population
4 of over nine hundred thousand inhabitants according to the most recent decennial census, any
5 county of the first classification with a charter form of government and a population of not more
6 than two hundred twenty thousand inhabitants and not less than two hundred thousand
7 inhabitants according to the most recent decennial census, any county of the first classification
8 without a charter form of government with a population of not more than one hundred eighty
9 thousand inhabitants and not less than one hundred seventy thousand inhabitants according to
10 the most recent decennial census and any county of the first classification without a charter form
11 of government with a population of not more than eighty-two thousand inhabitants and not less
12 than eighty thousand inhabitants according to the most recent decennial census] **portion of an**
13 **area designated by the governor as a nonattainment area, as defined in the federal Clean**
14 **Air Act, as amended, 42 U.S.C.A. Section 7501, and located within the area described in**
15 **subsection 1 of section 643.305, RSMo, certain motor vehicles shall be tested [annually] and**
16 **approved prior to sale or transfer and biennially thereafter** to determine that the emissions
17 system is functioning within the emission standards as specified by the Missouri air conservation
18 commission and as required to attain the national health standards for air quality. **For such**
19 **biennial testing, any such vehicle manufactured as an even-numbered model year vehicle**
20 **shall be tested and approved in each even-numbered calendar year and any such vehicle**
21 **manufactured as an odd-numbered model year vehicle shall be tested and approved in each**
22 **odd-numbered calendar year.** The motor vehicles to be tested shall be all motor vehicles
23 except those specifically exempted pursuant to subdivisions (1) to (3) of subsection 1 of section
24 307.350 and those exempted pursuant to this section.

25 2. The provisions of this section shall not apply to:

- 26 (1) Motor vehicles with a manufacturer's gross vehicle weight rating in excess of eight
27 thousand five hundred pounds;
- 28 (2) Motorcycles and motortricycles;
- 29 (3) Model year vehicles **manufactured twenty-six years** prior to [1971] **the current**
30 **model year**;
- 31 (4) School buses;
- 32 (5) Diesel-powered vehicles;
- 33 (6) Motor vehicles registered in the area covered by this section but which are based and
34 operated exclusively in an area of this state not subject to the provisions of this section if the
35 owner of such vehicle presents to the director a sworn affidavit that the vehicle will be based and
36 operated outside the covered area;
- 37 (7) New [motor vehicles not previously titled or registered prior to the initial motor
38 vehicle registration or the next succeeding registration which is required by law] **and unused**
39 **motor vehicles, of model years of the current calendar year and of any calendar year**
40 **within two years of such calendar year, which have an odometer reading of less than six**
41 **thousand miles at the time of original sale by a motor vehicle manufacturer or licensed**
42 **motor vehicle dealer to the first user**; and
- 43 (8) Motor vehicles owned by a person who resides in a county of the first classification
44 without a charter form of government with a population of less than one hundred thousand
45 inhabitants according to the most recent decennial census who has [chosen to have a biennial
46 motor vehicle registration pursuant to section 301.147, RSMo, and who has] completed an
47 emission inspection pursuant to section 643.315, RSMo.
- 48 Each official inspection station which conducts [safety or] emissions inspections [in a city or
49 county] **within the area** referred to in subsection 1 of this section shall indicate the gross vehicle
50 weight rating of the motor vehicle on the [safety] inspection certificate if the vehicle is exempt
51 from the emissions inspection pursuant to subdivision (1) of this subsection.
- 52 3. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.550,
53 RSMo, may choose to sell a motor vehicle subject to the inspection requirements of this section
54 either:
- 55 (a) With prior inspection and approval as provided in subdivision (2) of this subsection;
56 or
- 57 (b) Without prior inspection and approval as provided in subdivision (3) of this
58 subsection.
- 59 (2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer
60 shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the
61 emissions standards established pursuant to this section or by obtaining a waiver pursuant to

62 subsection 6 of this section. A vehicle sold pursuant to this subdivision by a licensed motor
63 vehicle dealer shall be inspected and approved within the one hundred twenty days immediately
64 preceding the date of sale, and, for the purpose of registration of such vehicle, such inspection
65 shall be considered timely.

66 (3) If the dealer chooses to sell the vehicle without prior inspection and approval, the
67 purchaser may return the vehicle within ten days of the date of purchase, provided that the
68 vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails,
69 upon inspection, to meet the emissions standards specified by the commission and the dealer
70 shall have the vehicle inspected and approved without the option for a waiver of the emissions
71 standard and return the vehicle to the purchaser with a valid emissions certificate and sticker
72 within five working days or the purchaser and dealer may enter into any other mutually
73 acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and
74 approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the
75 purchaser has the option to return the vehicle within ten days, provided that the vehicle has no
76 more than one thousand additional miles since the time of sale, to have the dealer repair the
77 vehicle and provide an emissions certificate and sticker within five working days if the vehicle
78 fails, upon inspection, to meet the emissions standards established by the commission, or enter
79 into any mutually acceptable agreement with the dealer. A violation of this [subdivisions]
80 **subsection** shall be an unlawful practice as defined in section 407.020, RSMo. No emissions
81 inspection shall be required pursuant to this section for the sale of any motor vehicle which may
82 be sold without a certificate of inspection and approval, as provided pursuant to subsection 2 of
83 section 307.380.

84 [4. In addition to the fee authorized by subsection 5 of section 307.365,] **5.** A fee, not
85 to exceed [eight] **twenty-four** dollars [and fifty cents for inspections conducted prior to January
86 1, 1993, and not to exceed ten dollars and fifty cents for inspections conducted thereafter, as
87 determined by each official emissions inspection station located in any city or county described
88 in subsection 1 of this section,] may be charged for an automobile emissions and air pollution
89 control inspection in order to attain the national health standards for air quality. Such fee shall
90 be conspicuously posted on the premises of each such inspection station. The official emissions
91 inspection station shall issue a certificate of inspection and an approval sticker or seal certifying
92 the emissions system is functioning properly. The certificate or approval issued shall bear the
93 legend: "This cost is mandated by your United States Congress.". No owner shall be charged
94 an additional fee after having corrected defects or unsafe conditions in the automobile's
95 emissions and air pollution control system if the reinspection is completed within twenty
96 consecutive days, excluding Saturdays, Sundays and holidays, and if such follow-up inspection
97 is made by the station making the initial inspection.

98 [5.] 4. The air conservation commission shall establish, by rule, a waiver amount which
99 may be lower for older model vehicles and which shall be no greater than seventy-five dollars
100 for model year vehicles prior to 1981 and no greater than two hundred dollars for model year
101 vehicles of 1981 and all subsequent model years.

102 [6.] 5. An owner whose vehicle fails upon reinspection to meet the emission standards
103 specified by the Missouri air conservation commission shall be issued a certificate of inspection
104 and an approval sticker or seal by the official emissions inspection station that provided the
105 inspection if the vehicle owner furnishes a complete, signed affidavit satisfying the requirements
106 of this subsection and the cost of emissions repairs and adjustments is equal to or greater than
107 the waiver amount established by the air conservation commission pursuant to this section. The
108 air conservation commission shall establish, by rule, a form and a procedure for verifying that
109 repair and adjustment was performed on a failing vehicle prior to the granting of a waiver and
110 approval. The waiver form established pursuant to this subsection shall be an affidavit requiring:

111 (1) A statement signed by the repairer that the specified work was done and stating the
112 itemized charges for the work; and

113 (2) A statement signed by the inspector that an inspection of the vehicle verified, to the
114 extent practical, that the specified work was done.

115 [7.] 6. The department of revenue shall require evidence of the inspection and approval
116 required by this section in issuing the motor vehicle annual registration in conformity with the
117 procedure required by sections 307.350 to 307.370.

118 [8.] 7. Each emissions inspection station located in [any city or county] **the area**
119 described in subsection 1 of this section shall purchase from the highway patrol sufficient forms
120 and stickers or other devices to evidence approval of the motor vehicle's emissions control
121 system. In addition, emissions inspection stations may be required to purchase forms for use in
122 automated analyzers from outside vendors of the inspection station's choice. The forms must
123 comply with state regulations.

124 [9.] 8. In addition to the fee collected by the superintendent pursuant to subsection 5 of
125 section 307.365, the highway patrol shall collect a fee of seventy-five cents for each automobile
126 emissions certificate issued to the applicable official emissions inspection stations, except that
127 no charge shall be made for certificates of inspection issued to official emissions inspection
128 stations operated by governmental entities. All fees collected by the superintendent pursuant to
129 this section shall be deposited in the state treasury to the credit of the "Missouri Air Pollution
130 Control Fund", which is hereby created.

131 [10.] 9. The moneys collected and deposited in the Missouri air pollution control fund
132 pursuant to this section shall be allocated on an equal basis to the Missouri state highway patrol
133 and the Missouri department of natural resources, air pollution control program, and shall be

expended subject to appropriation by the general assembly for the administration and enforcement of sections 307.350 to 307.390. The unexpended balance in the fund at the end of each appropriation period shall not be transferred to the general revenue fund, except as directed by the general assembly by appropriation, and the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue fund at the end of the biennium, shall not apply to this fund. The moneys in the fund shall be invested by the treasurer as provided by law, and the interest shall be credited to the fund.

[11.] 10. The superintendent of the Missouri state highway patrol shall issue such rules and regulations as are necessary to determine whether a motor vehicle's emissions control system is operating as required by subsection 1 of this section, and the superintendent and the state highways and transportation commission shall use their best efforts to seek federal funds from which reimbursement grants may be made to those official inspection stations which acquire and use the necessary testing equipment which will be required to perform the tests required by the provisions of this section.

[12.] 11. The provisions of this section shall not apply in any county for any time period during which the air conservation commission has established a motor vehicle emissions inspection program pursuant to sections 643.300 to 643.355, RSMo, for such county, except where motor vehicle owners have the option of biennial testing pursuant to chapter 643, RSMo. In counties where such option is available, the emissions inspection may be conducted in stations conducting only an emissions inspection under contract to the state.

[13.] 12. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed a class C misdemeanor.

407.1200. As used in sections 407.1200 to 407.1227, the following terms shall mean:

(1) "Administrator", the person who is responsible for the administration of the service contracts or the service contracts plan and who is responsible for any filings required by sections 407.1200 to 407.1227;

(2) "Consumer", a natural person who buys other than for purposes of resale any motor vehicle that is distributed in commerce and that is normally used for personal, family, or household purposes and not for business or research purposes;

(3) "Director", the director of the department of insurance;

(4) "Maintenance agreement", a contract of limited duration that provides for scheduled maintenance only;

(5) "Manufacturer", a person that:

(a) Manufactures or produces the property and sells the property under its own name or label;

- 14 **(b) Is a wholly owned subsidiary of the person who manufacturers or produces the**
15 **property;**
- 16 **(c) Is a corporation which owns one hundred percent of the person who**
17 **manufacturers or produces the property;**
- 18 **(d) Does not manufacture or produce the property, but the property is sold under**
19 **its trade name label;**
- 20 **(e) Manufacturers or produces the property and the property is sold under the**
21 **trade name or label of another person; or**
- 22 **(f) Does not manufacture or produce the property but, pursuant to a written**
23 **contract, licenses the use of its trade name or label to another person that sells the property**
24 **under the licensor's trade name or label;**
- 25 **(6) “Mechanical breakdown insurance”, a policy, contract or agreement issued by**
26 **an authorized insurer that provides for the repair, replacement or maintenance of a motor**
27 **vehicle or indemnification for repair, replacement or service, for the operational or**
28 **structural failure of a motor vehicle due to a defect in materials or workmanship;**
- 29 **(7) “Motor vehicle extended service contract” or “service contract”, a contract or**
30 **agreement for a separately stated consideration or for a specific duration to perform the**
31 **repair, replacement, or maintenance of a motor vehicle or indemnification for repair,**
32 **replacement or maintenance, for the operational or structural failure due to a defect in**
33 **materials, workmanship or normal wear and tear, with or without additional provision for**
34 **incidental payment of indemnity under limited circumstances, including, but not limited**
35 **to, towing, rental and emergency road service, but does not include mechanical breakdown**
36 **insurance or maintenance agreements;**
- 37 **(8) “Non-original manufacturer's parts”, replacement parts not made for or by the**
38 **original manufacturer of the property, commonly referred to as “after market parts”;**
- 39 **(9) “Person”, an individual, partnership, corporation, incorporated or**
40 **unincorporated association, joint stock company, reciprocal, syndicate or any similar entity**
41 **or combination of entities acting in concert;**
- 42 **(10) “Premium”, the consideration paid to an insurer for a reimbursement**
43 **insurance policy;**
- 44 **(11) “Provider”, a person who administers, issues, makes, provides, sells, or offers**
45 **to sell a motor vehicle extended service contract, or who is contractually obligated to**
46 **provide service under a motor vehicle extended service contract such as sellers,**
47 **administrators, and other intermediaries;**
- 48 **(12) “Provider fee”, the consideration paid for a service contract in excess of the**
49 **premium;**

50 **(13) “Reimbursement insurance policy”, a policy of insurance issued to a provider**
51 **and pursuant to which the insurer agrees, for the benefit of the service contract holders,**
52 **to discharge all of the obligations and liabilities of the provider under the terms of the**
53 **service contracts in the event of non-performance by the provider. All obligations and**
54 **liabilities include, but are not limited to, failure of the provider to perform under the**
55 **service contract and the return of the unearned provider fee in the event of the provider's**
56 **unwillingness or inability to reimburse the unearned provider fee in the event of**
57 **termination of a service contract;**

58 **(14) “Service contract holder” or “contract holder”, a person who is the purchaser**
59 **or holder of a services contract;**

60 **(15) “Warranty”, a warranty made solely by the manufacturer, importer or seller**
61 **of property or services without charge, that is not negotiated or separated from the sale of**
62 **the product and is incidental to the sale of the product, that guarantees indemnity for**
63 **defective parts, mechanical or electrical breakdown, labor or other remedial measures,**
64 **such as repair or replacement of the property or repetition of services.**

407.1203. 1. Service contracts shall not be issued, sold, or offered for sale in this
2 **state unless the administrator or its designee has:**

3 **(1) Provided a receipt for the purchase of the service contract to the contract holder**
4 **at the date of purchase;**

5 **(2) Provided a copy of the service contract to the service contract holder within a**
6 **reasonable period of time from the date of purchase; and**

7 **(3) Complied with the provisions of sections 407.1200 to 407.1227.**

8 **2. All administrators of service contracts sold in this state shall file a registration**
9 **with the director on a form, at a fee and at a frequency prescribed by the director.**

10 **3. In order to assure the faithful performance of a provider's obligations to its**
11 **contract holders, each provider who is contractually obligated to provide service under a**
12 **service contract shall:**

13 **(1) Insure all service contracts under a reimbursement insurance policy issued by**
14 **an insurer authorized to transact insurance in this state; or**

15 **(2) (a) Maintain a funded reserve account for its obligation under its contracts**
16 **issued and outstanding in this state. The reserves shall not be less than forty percent of**
17 **gross consideration received, less claims paid, on the sale of the service contract for all in-**
18 **force contracts. The reserve account shall be subject to examination and review by the**
19 **director; and**

20 **(b) Place in trust with the director a financial security deposit, having a value of not**
21 **less than five percent of the gross consideration received, less claims paid, on the sale of the**

22 service contract for all service contracts issued and in force, but not less than twenty-five
23 thousand dollars, consisting of one of the following:

- 24 a. A surety bond issued by an authorized surety;
- 25 b. Securities of the type eligible for deposit by authorized insurers in this state;
- 26 c. Cash;
- 27 d. A letter of credit issued by a qualified financial institution; or
- 28 e. Another form of security prescribed by regulations issued by the director; or

29 (3) (a) Maintain a net worth of one hundred million dollars; and

30 (b) Upon request, provide the director with a copy of the provider's or, if the
31 provider's financial statements are consolidated with those of its parent company, the
32 provider's parent company's most recent Form 10-K filed with the Securities and
33 Exchange Commission (SEC) within the last calendar year, or if the company does not file
34 with the SEC, a copy of the company's audited financial statements, which shows a net
35 worth of the provider or its parent company of at least one hundred million dollars. If the
36 provider's parent company's Form 10-K or audited financial statements are filed to meet
37 the provider's financial stability requirement, then the parent company shall agree to
38 guarantee the obligations of the obligor relating to service contracts sold by the provider
39 in this state.

40 4. Provider fees collected on service contracts shall not be subject to premium taxes.
41 Premiums for reimbursement insurance policies shall be subject to applicable premium
42 taxes.

43 5. Except for the registration requirement in subsection 2 of this section, persons
44 marketing, selling, or offering to sell service contracts for providers that comply with
45 sections 407.1200 to 407.1227 are exempt from this state's licensing requirements.

46 6. Providers complying with the provisions of sections 407.1200 to 407.1227 are not
47 required to comply with other provisions of chapters 374 or 375, or any other provisions
48 governing insurance companies.

407.1206. Reimbursement insurance policies insuring service contracts issued, sold,
2 or offered for sale in this state shall conspicuously state that, upon failure of the provider
3 to perform under the contract, such as failure to return the unearned provider fee, the
4 insurer that issued the policy shall pay on behalf of the provider any sums the provider is
5 legally obligated to pay or shall provide the service which the provider is legally obligated
6 to perform according to the provider's contractual obligations under the service contracts
7 issued or sold by the provider.

407.1209. 1. Service contracts issued, sold, or offered for sale in this state shall be
2 written in clear, understandable language and the entire contract shall be printed or typed

3 in easy to read ten point type or larger and conspicuously disclose the requirements in this
4 section, as applicable.

5 2. Service contracts insured under a reimbursement insurance policy pursuant to
6 subsection 3 of section 407.1203 shall contain a statement in substantially the following
7 form: "Obligations of the provider under this service contract are guaranteed under a
8 service contract reimbursement insurance policy. If the provider fails to pay or provide
9 service on a claim within sixty days after proof of loss has been filed, the contract holder
10 is entitled to make a claim directly against the insurance company." A claim against the
11 provider shall also include a claim for return of the unearned provider fee. The service
12 contract shall also conspicuously state the name and address of the insurer.

13 3. Service contracts not insured under a reimbursement insurance policy pursuant
14 to subsection 3 of section 407.1203 shall contain a statement in substantially the following
15 form: "Obligations of the provider under this service contract are backed only by the full
16 faith and credit of the provider (insurer) and are not guaranteed under a service contract
17 requirement insurance policy." A claim against the provider shall also include a claim for
18 return of the unearned provider fee. The service contract shall also conspicuously state the
19 name and address of the provider.

20 4. Service contracts shall identify any administrator, the provider obligated to
21 perform the service under the contract, the service contract seller, and the service contract
22 holder to the extent that the name and address of the service contract holder has been
23 furnished by the service contract holder.

24 5. Service contracts shall conspicuously state the total purchase price and the terms
25 under which the service contract is sold. The purchase price is not required to be pre-
26 printed on the service contract and may be negotiated at the time of sale with the service
27 contract holder.

28 6. If prior approval of repair work is required, the service contracts shall
29 conspicuously state the procedure for obtaining prior approval and for making a claim,
30 including a toll-free telephone number for claim service and a procedure for obtaining
31 emergency repairs performed outside of normal business hours.

32 7. Service contracts shall conspicuously state the existence of any deductible
33 amount.

34 8. Service contracts shall specify the merchandise and services to be provided and
35 any limitations, exceptions, and exclusions.

36 9. Service contracts shall state the conditions upon which the use of non-original
37 manufacturer's parts, or substitute service, may be allowed. Conditions stated shall comply
38 with applicable state and federal laws.

39 **10. Service contracts shall state any terms, restrictions, or conditions governing the**
40 **transferability of the service contract.**

41 **11. Service contracts shall state the terms, restrictions, or conditions governing**
42 **termination of the service contract by the service contract holder. The provider of the**
43 **service contract shall mail a written notice to the contract holder within fifteen days of the**
44 **date of termination.**

45 **12. Service contracts shall require every provider to permit the service contract**
46 **holder to return the contract within at least fifteen business days if the service contract is**
47 **delivered at the time of sale or within a longer time period permitted under the contract.**
48 **If no claim has been made under the contract, the contract is void and the provider shall**
49 **refund to the contract holder the full purchase price of the contract. A ten percent penalty**
50 **per month shall be added to a refund that is not paid within thirty days of return of the**
51 **contract to the provider. The applicable free-look time periods on service contracts shall**
52 **only apply to the original service contract purchaser.**

53 **13. Service contracts shall set forth all of the obligations and duties of the service**
54 **contract holder, such as the duty to protect against any further damage and the**
55 **requirement for certain service and maintenance.**

56 **14. Service contracts shall clearly state whether or not the service contract provides**
57 **for or excludes consequential damages or preexisting conditions.**

407.1212. 1. A provider shall not use in its name the words insurance, casualty,
2 **guaranty, surety, mutual, or any other words descriptive of the insurance, casualty,**
3 **guaranty, or surety business; or a name deceptively similar to the name or description of**
4 **any insurance or surety corporation, or any other provider. This section shall not apply**
5 **to a company that was using any of the prohibited language in its name prior to August 28,**
6 **2003. However, a company using the prohibited language in its name shall conspicuously**
7 **disclose in its service contract the following statement: "This agreement is not an insurance**
8 **contract."**

9 **2. A provider or its representative shall not in its service contracts or literature**
10 **make, permit, or cause to be made any false or misleading statement, or deliberately omit**
11 **any material statement that would be considered misleading if omitted, in connection with**
12 **the sale, offer to sell or advertisement of a service contract.**

13 **3. A person, such as a bank, savings and loan association, lending institution,**
14 **manufacturer or seller of any product, shall not require the purchase of a service contract**
15 **as a condition of a loan or a condition for the sale of any property.**

407.1215. 1. An administrator, provider, or other intermediary shall keep accurate accounts, books, and records concerning transactions regulated by sections 407.1200 to 407.1227.

2. An administrator's, provider's, or other intermediary's accounts, books, and records shall include:

(1) Copies of each type of service contract issued;

(2) The name and address of each service contract holder to the extent that the name and address have been furnished by the service contract holder;

(3) A list of the provider locations where service contracts are marketed, sold, or offered for sale; and

(4) Claims files which shall contain at least the dates, amounts, and description of all receipts, claims, and expenditures related to the service contracts.

3. Except as provided in this section, an administrator shall retain all records pertaining to each service contract holder for at least three years after the specified period of coverage has expired.

4. An administrator, provider, or other intermediary may keep all records required pursuant to sections 407.1200 to 407.1227 on a computer disk or other similar technology. If an administrator maintains records in other than hard copy, records shall be accessible from a computer terminal available to the director and be capable of duplication to legible hard copy.

5. An administrator, provider, or other intermediary discontinuing business in this state shall maintain its records until it furnishes the commissioner satisfactory proof that it has discharged all obligations to contract holders in this state.

6. An administrator, provider, or other intermediary shall make all accounts, books, and records concerning transactions regulations pursuant to sections 407.1200 to 407.1227 or other pertinent laws available to the director upon request.

407.1218. As applicable, an insurer that issued a reimbursement insurance policy shall not terminate the policy until a notice of termination, in a form and time frame prescribed by the director, has been mailed or delivered to the director. The termination of a reimbursement insurance policy shall not reduce the issuer's responsibility for service contracts issued by providers prior to the date of the termination.

407.1221. 1. Providers are considered to be the agent of the insurer which issued the reimbursement insurance policy. In cases where a provider is acting as an administrator and enlists other providers, the provider acting as the administrator shall notify the insurer of the existence and identities of the other providers.

5 **2. The provisions of sections 407.1200 to 407.1227 shall not prevent or limit the right**
6 **of an insurer which issued a reimbursement insurance policy to seek indemnification or**
7 **subrogation against a provider if the insurer pays or is obligated to pay the service contract**
8 **holder sums that the provider was obligated to pay pursuant to the provisions of the**
9 **service contract or under a contractual agreement.**

407.1224. 1. The director may conduct investigations or examinations of providers,
2 **administrators, insurers, or other persons to enforce the provisions of sections 407.1200 to**
3 **407.1227 and protect service contract holders in this state.**

4 **2. The director may take action which is necessary or appropriate to enforce the**
5 **provisions of sections 407.1200 to 407.1227 and the director's regulations and orders, and**
6 **to protect service contract holders in this state.**

7 **3. The director may order a service contract provider to cease and desist from**
8 **committing violations of sections 407.1200 to 407.1227 or the director's regulations or**
9 **orders, may issue an order prohibiting a service contract provider from selling or offering**
10 **for sale service contracts, or may issue an order imposing a civil penalty, or any**
11 **combination of these, if the provider has violated the provisions of sections 407.1200 to**
12 **407.1227 or the director's regulations or orders.**

13 **4. A person aggrieved by an order pursuant to this section may request a hearing**
14 **before the director. The hearing request shall be filed with the director within twenty days**
15 **of the date the director's order is effective.**

16 **5. Pending the hearing and the decision by the director, the director shall suspend**
17 **the effective date of the order. At the hearing, the burden shall be on the director to show**
18 **why the order issued pursuant to this section is justified. Such hearing shall be held in**
19 **accordance with the provisions of chapter 536, RSMo.**

20 **6. The director may bring an action in the circuit court of Cole county for an**
21 **injunction or other appropriate relief to enjoin threatened or existing violations of sections**
22 **407.1200 to 407.1227 or of the director's orders or regulations. An action filed pursuant to**
23 **this section may also seek restitution on behalf of persons aggrieved by a violation of**
24 **sections 407.1200 to 407.1227 or orders or regulations of the director.**

25 **7. A person in violation of sections 407.1200 to 407.1227 or orders or regulation of**
26 **the director may be assessed a civil penalty not to exceed one thousand dollars per**
27 **violation.**

28 **8. The authority of the director pursuant to this section is in addition to other**
29 **authority of the director.**

407.1225. The director may promulgate rules to effectuate sections 407.1200 to
2 **407.1224. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**

3 that is created under the authority delegated in this section shall become effective only if
4 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
5 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
6 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
7 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
8 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
9 adopted after August 28, 2003, shall be invalid and void.

407.1227. 1. The provisions of sections 407.1200 to 407.1224 shall not apply to:

2 (1) Warranties;

3 (2) Maintenance agreements;

4 (3) Commercial transactions; and

5 (4) Service contracts sold or offered for sale to persons other than consumers.

6 2. Manufacturer's contracts on the manufacturer's products need only comply with
7 the provisions of sections 407.1209, 407.1212, and 407.1224.

643.310. 1. The commission may, by rule, establish a motor vehicle emissions inspection
2 program pursuant to sections 643.300 to 643.355 for any portion of a nonattainment area located
3 within the area described in subsection 1 of section 643.305, except for any portion of the
4 nonattainment area which is located in a county of the first classification without a charter form
5 of government with a population of less than one hundred thousand inhabitants according to the
6 most recent decennial census, except that the commission may establish a motor vehicle
7 emissions inspection program pursuant to sections 643.300 to 643.355 in such county only for
8 motor vehicles owned by residents of such county who have chosen to [have a biennial motor
9 vehicle registration pursuant to section 301.147, RSMo, if the commission determines that such
10 motor vehicle emissions inspection program is necessary in that area to comply with the
11 requirements of subsection 1 of section 643.305] **participate in such a program in lieu of the**
12 **provisions of section 307.366, RSMo.** The commission shall ensure that, for each
13 nonattainment area, the state implementation plan established pursuant to subsection 1 of section
14 643.305 incorporates and receives all applicable credits allowed by the United States
15 Environmental Protection Agency for emission reduction programs in other nonattainment areas
16 of like designation in other states. The commission shall ensure that emission reduction amounts
17 established pursuant to subsection 2 of section 643.305 shall be consistent with and not exceed
18 the emissions reduction amounts required by the United States Environmental Protection Agency
19 for other nonattainment areas of like designation in other states. No motor vehicle emissions
20 inspection program shall be required to comply with subsection 1 of section 643.305 unless the
21 plan established thereunder takes full advantage of any changes in requirements or any
22 agreements made or entered into by the United States Environmental Protection Agency and any

23 entity or entities on behalf of a nonattainment area concerning compliance with National
24 Ambient Air Quality Standards of the federal Clean Air Act, as amended, 42 U.S.C. 7401 et seq.,
25 and the regulations promulgated thereunder. The air conservation commission shall request and
26 it shall be the duty of the attorney general to bring, in a court of competent jurisdiction, an action
27 challenging the authority of the United States Environmental Protection Agency to impose
28 sanctions for failure to attain National Ambient Air Quality Standards and failure to provide for
29 required emission reductions under the federal Clean Air Act, as amended, 42 U.S.C. 7401, et
30 seq. The action shall seek to define the required emission reductions and the credits allowed for
31 current and planned emission reductions measures. The air conservation commission shall
32 request and it shall be the duty of the attorney general to bring an action to obtain injunctive
33 relief to enjoin and restrain the imposition of sanctions on the state of Missouri under the federal
34 Clean Air Act, as amended, 42 U.S.C. 7401, et seq., until all actions initiated pursuant to this
35 section have been decided. Provisions of section 307.366, RSMo, to the contrary
36 notwithstanding, the requirements of sections 643.300 to 643.355 shall apply to those areas
37 designated by the commission pursuant to this section in lieu of the provisions of section
38 307.366, RSMo.

39 2. No later than the effective date of this section, the department of natural resources and
40 the Missouri highway patrol shall enter into an interagency agreement covering all aspects of the
41 administration and enforcement of section 307.366, RSMo, and sections 643.300 to 643.355.

42 3. (1) The department, with the cooperation and approval of the commissioner of
43 administration, shall select a person or persons to operate an inspection facility or inspection
44 program pursuant to sections 643.300 to 643.355, under a bid procedure or under a negotiated
45 process or a combination thereof based on criteria and expectations established by the
46 department. This process may use either a licensing arrangement or contractual arrangement with
47 the selected party or parties. The selection of persons to operate inspection facilities or inspection
48 programs shall be exempt from the provisions of all site procurement laws. The number of
49 locations shall be no less than the number needed to provide adequate service to customers and
50 establish an emissions inspection program which satisfies the requirements of this section. Each
51 person who is authorized to operate a station pursuant to this section shall be capable of
52 providing adequate and cost-effective service to customers.

53 (2) Service management, coordination and data processing may be provided by the
54 department or by another person, including a contractor or licensee, based upon the most
55 cost-effective proposal for service.

56 (3) A license or contract shall be for a period of up to seven years, consistent with the
57 provisions of article IV, section 28 of the Missouri Constitution, and licenses or contracts shall
58 be annually reviewed. A license or contract may be suspended or revoked if the licensee or

59 contractor is not meeting the conditions of sections 643.300 to 643.355, all applicable rules, the
60 license agreement or contract as determined by the department. A licensee or contractor found
61 to have violated sections 643.300 to 643.355, applicable rules or the conditions of the license
62 agreement or contract shall be in violation of section 643.151 and subject to the penalties
63 provided thereunder.

64 4. The inspection program shall satisfy the following criteria:

65 (1) There shall be an adequate number of stations to ensure that no more than twenty
66 percent of all persons residing in an affected nonattainment area reside farther than five miles
67 from the nearest inspection station, and consideration shall be given to employment, locations
68 and commuting patterns when selecting the locations of the stations;

69 (2) There shall be an adequate number of inspection lanes at each facility so that no more
70 than five percent of all persons having an inspection are required to wait more than fifteen
71 minutes before the inspection begins;

72 (3) The days and daily hours of operation shall include at least those hours specified by
73 the department, which shall include, at a minimum, twelve continuous hours of operation on all
74 weekdays excepting federal holidays, and six continuous hours of operation on all Saturdays
75 excepting federal holidays;

76 (4) The emissions inspection program shall include a simulated on-road emissions
77 inspection component, including pressure and purge tests, which satisfies the requirements
78 established by regulation of the United States Environmental Protection Agency and may include
79 a visual inspection component;

80 (5) The inspection stations shall be test-only stations and shall not offer motor vehicle
81 emissions repairs, parts or services of any kind;

82 (6) No person operating or employed by an emissions inspection station shall repair or
83 maintain motor vehicle emission systems or pollution control devices for compensation of any
84 kind.

85 5. The commission, the department of economic development and the office of
86 administration shall, in cooperation with the minority business advocacy commission, select the
87 contractor or contractors to provide an inspection program which satisfies the minimum
88 requirements of this section in accordance with the requirements of section 33.752, RSMo, and
89 chapter 34, RSMo. The commission, the office of administration and the department of economic
90 development, in cooperation with the minority business advocacy commission shall ensure
91 adequate minority business participation in the selection of the contractor or contractors to
92 provide an inspection program pursuant to this section. The commission, the office of
93 administration and the department of economic development shall ensure adequate participation

94 of Missouri businesses in the selection of the contractor or contractors to provide an inspection
95 program pursuant to this section.

96 6. With approval of the commission and pursuant to rules adopted by the commission,
97 an organization whose members are motor vehicle dealers or leasing companies may establish
98 one or more additional emissions inspection facilities, which may be either mobile or stationary,
99 to be used solely to inspect motor vehicles owned and held for sale or lease by the members of
100 the organization. With approval of the commission and pursuant to rules adopted by the
101 commission, any person operating a fleet of five hundred or more motor vehicles may establish
102 one or more additional emissions inspection facilities, which may be either mobile or stationary,
103 to be used solely to inspect motor vehicles owned or leased and operated by the person
104 establishing the facility. The inspections performed in facilities established pursuant to this
105 subsection shall be performed by a contractor selected by the commission pursuant to this section
106 and the contractor performing such inspections shall be responsible solely to the department and
107 shall satisfy all applicable requirements of sections 643.300 to 643.355.

108 7. Any person who owns Missouri analyzer system emission inspection equipment as
109 defined by rule, used to provide emissions inspections pursuant to section 307.366, RSMo, at
110 a facility located in an area in which an emissions inspection program has been established
111 pursuant to sections 643.300 to 643.355 may, within twelve months of the implementation of an
112 emissions inspection program pursuant to sections 643.300 to 643.355, sell such equipment, to
113 the department of natural resources at current market value as established by an independent
114 appraisal provided that the equipment is fully functional and has been maintained according to
115 all applicable manufacturer's specifications and procedures. The department shall purchase such
116 equipment using funds appropriated for that purpose from the Missouri air emission reduction
117 fund. Any person who, prior to January 1, 1992, contracted to lease or lease purchase, or
118 purchased by borrowing a portion of the funds secured by a chattel mortgage, Missouri analyzer
119 system emission inspection equipment used to provide emissions inspections pursuant to section
120 307.366, RSMo, at a facility located in an area in which an emissions inspection program has
121 been established pursuant to sections 643.300 to 643.355, and has made all payments required
122 under the contract, may, within twelve months of the implementation of an emissions inspection
123 program pursuant to sections 643.300 to 643.355, request the department of natural resources
124 to take possession of such equipment and assume all payment obligations owed on such
125 equipment which obligations are not in excess of one hundred and twenty-five percent of the
126 current market value as established by an independent appraisal, provided that the equipment is
127 fully functional and has been maintained according to all applicable manufacturer's specifications
128 and procedures. The department shall take possession of such equipment and pay such

129 obligations using funds appropriated for that purpose from the Missouri air emission reduction
130 fund.

131 8. If the governor applies to the administrator of the Environmental Protection Agency
132 to require federal reformulated gasoline in nonattainment areas, nothing in sections 643.300 to
133 643.355 shall prevent the storage of conventional gasoline in nonattainment areas which is
134 intended for sale to agricultural, commercial or retail customers outside said nonattainment areas
135 subject to reformulated gasoline.

136 9. The governor, the department of natural resources, and the commission shall work to
137 ensure an orderly transition period in the nonattainment area for the introduction of reformulated
138 gasoline. Priority shall be given to ensure the petroleum refiners ample time to organize,
139 structure, and implement both the production and the delivery of reformulated gasoline to the
140 nonattainment area, so that consumers will see an orderly, seamless market substitution.

643.315. 1. Except as provided in sections 643.300 to 643.355, all motor vehicles which
2 are domiciled, registered or primarily operated in an area for which the commission has
3 established a motor vehicle emissions inspection program pursuant to sections 643.300 to
4 643.355, which may include all motor vehicles owned by residents of a county of the first
5 classification without a charter form of government with a population of less than one hundred
6 thousand inhabitants according to the most recent decennial census who have chosen to [have
7 a biennial motor vehicle registration pursuant to section 301.147] **participate in such a**
8 **program in lieu of the provisions of section 307.366**, RSMo, shall be inspected and approved
9 prior to sale or transfer. In addition, any such vehicle manufactured as an even-numbered model
10 year vehicle shall be inspected and approved under the emissions inspection program established
11 pursuant to sections 643.300 to 643.355 in each even-numbered calendar year and any such
12 vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved
13 under the emissions inspection program established pursuant to sections 643.300 to 643.355 in
14 each odd-numbered calendar year. All motor vehicles subject to the inspection requirements of
15 sections 643.300 to 643.355 shall display a valid emissions inspection sticker, and when
16 applicable, a valid emissions inspection certificate shall be presented at the time of registration
17 or registration renewal of such motor vehicle.

18 2. No emission standard established by the commission for a given make and model year
19 shall exceed the lesser of the following:

20 (1) The emission standard for that vehicle model year as established by the United States
21 Environmental Protection Agency; or

22 (2) The emission standard for that vehicle make and model year as established by the
23 vehicle manufacturer.

24 3. The inspection requirement of subsection 1 of this section shall apply to all motor
25 vehicles except:

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

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

30 (3) Model year vehicles **manufactured twenty-six years** prior to [1971] **the current**
31 **model year**;

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

35 (5) Motor vehicles registered in an area subject to the inspection requirements of sections
36 643.300 to 643.355 which are domiciled and operated exclusively in an area of the state not
37 subject to the inspection requirements of sections 643.300 to 643.355, but only if the owner of
38 such vehicle presents to the department an affidavit that the vehicle will be operated exclusively
39 in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355
40 for the next twenty-four months, and the owner applies for and receives a waiver which shall be
41 presented at the time of registration or registration renewal;

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

46 (7) Historic motor vehicles registered pursuant to section 301.131, RSMo.

47 4. The commission may, by rule, allow inspection reciprocity with other states having
48 equivalent or more stringent testing and waiver requirements than those established pursuant to
49 sections 643.300 to 643.355.

50 5. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.550,
51 RSMo, may choose to sell a motor vehicle subject to the inspection requirements of sections
52 643.300 to 643.355 either:

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

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

57 (2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer
58 shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the
59 emissions standards established pursuant to sections 643.300 to 643.355 or by obtaining a waiver

60 pursuant to section 643.335. A vehicle sold pursuant to this subdivision by a licensed motor
61 vehicle dealer shall be inspected and approved within the one hundred twenty days immediately
62 preceding the date of sale, and, for the purpose of registration of such vehicle, such inspection
63 shall be considered timely.

64 (3) If the dealer chooses to sell the vehicle without prior inspection and approval, the
65 purchaser may return the vehicle within ten days of the date of purchase, provided that the
66 vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails,
67 upon inspection, to meet the emissions standards specified by the commission and the dealer
68 shall have the vehicle inspected and approved without the option for a waiver of the emissions
69 standard and return the vehicle to the purchaser with a valid emissions certificate and sticker
70 within five working days or the purchaser and dealer may enter into any other mutually
71 acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and
72 approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the
73 purchaser has the option to return the vehicle within ten days, provided that the vehicle has no
74 more than one thousand additional miles since the time of sale, to have the dealer repair the
75 vehicle and provide an emissions certificate and sticker within five working days if the vehicle
76 fails, upon inspection, to meet the emissions standards established by the commission, or enter
77 into any mutually acceptable agreement with the dealer. A violation of this subdivision shall be
78 an unlawful practice as defined in section 407.020, RSMo. No emissions inspection shall be
79 required pursuant to sections 643.300 to 643.360 for the sale of any motor vehicle which may
80 be sold without a certificate of inspection and approval, as provided pursuant to subsection 2 of
81 section 307.380, RSMo.

2 [307.366. 1. This enactment of the emissions inspection program is a
3 mandate of the United States Congress pursuant to the federal Clean Air Act, as
4 amended, 42 U.S.C. 7401, et seq. In [any city not within a county, any county of the
5 first classification having a population of over nine hundred thousand inhabitants
6 according to the most recent decennial census, any county of the first classification
7 with a charter form of government and a population of not more than two hundred
8 twenty thousand inhabitants and not less than two hundred thousand inhabitants
9 according to the most recent decennial census, any county of the first classification
10 without a charter form of government with a population of not more than one
11 hundred eighty thousand inhabitants and not less than one hundred seventy thousand
12 inhabitants according to the most recent decennial census and any county of the first
13 classification without a charter form of government with a population of not more
14 than eighty-two thousand inhabitants and not less than eighty thousand inhabitants
15 according to the most recent decennial census] **any portion of an area designated**
16 **by the governor as a nonattainment area, as defined in the federal Clean Air**
17 **Act, as amended, 42 U.S.C.A. Section 7501, and located within the area**
described in subsection 1 of section 643.305, RSMo, certain motor vehicles shall

18 be tested [annually] **and approved prior to sale or transfer and biennially**
19 **thereafter** to determine that the emissions system is functioning within the emission
20 standards as specified by the Missouri air conservation commission and as required
21 to attain the national health standards for air quality. **For such biennial testing, any**
22 **such vehicle manufactured as an even-numbered model year vehicle shall be**
23 **tested and approved in each even-numbered calendar year and any such vehicle**
24 **manufactured as an odd-numbered model year vehicle shall be tested and**
25 **approved in each odd-numbered calendar year.** The motor vehicles to be tested
26 shall be all motor vehicles except those specifically exempted pursuant to
27 subdivisions (1) to (3) of subsection 1 of section 307.350 and those exempted
28 pursuant to this section.

29 2. The provisions of this section shall not apply to:

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

32 (2) Motorcycles and motortricycles;

33 (3) Model year vehicles prior to 1971;

34 (4) School buses;

35 (5) Diesel-powered vehicles;

36 (6) Motor vehicles registered in the area covered by this section but which
37 are based and operated exclusively in an area of this state not subject to the
38 provisions of this section if the owner of such vehicle presents to the director a sworn
39 affidavit that the vehicle will be based and operated outside the covered area;

40 (7) New **and unused** motor vehicles [not previously titled or registered prior
41 to the initial motor vehicle registration or the next succeeding registration which is
42 required by law], **of model years of the current calendar year and of any calendar**
43 **year within two years of such calendar year, which have an odometer reading**
44 **of less than six thousand miles at the time of original sale by a motor vehicle**
45 **manufacturer or licensed motor vehicle dealer to the first user;** and

46 (8) Motor vehicles owned by a person who resides in a county of the first
47 classification without a charter form of government with a population of less than
48 one hundred thousand inhabitants according to the most recent decennial census
49 [who has chosen to have a biennial motor vehicle registration pursuant to section
50 301.147, RSMo, and] who has completed an emission inspection pursuant to section
51 643.315, RSMo.

52 Each official inspection station which conducts [safety or] emissions inspections [in
53 a city or county] **within the area** referred to in subsection 1 of this section shall
54 indicate the gross vehicle weight rating of the motor vehicle on the [safety]
55 inspection certificate if the vehicle is exempt from the emissions inspection pursuant
56 to subdivision (1) of this subsection.

57 3. (1) At the time of sale, a licensed motor vehicle dealer, as defined in
58 section 301.550, RSMo, may choose to sell a motor vehicle subject to the inspection
59 requirements of this section either:

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

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

(2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the emissions standards established pursuant to this section or by obtaining a waiver pursuant to subsection 6 of this section. A vehicle sold pursuant to this subdivision by a licensed motor vehicle dealer shall be inspected and approved within the one hundred twenty days immediately preceding the date of sale, and, for the purpose of registration of such vehicle, such inspection shall be considered timely.

(3) If the dealer chooses to sell the vehicle without prior inspection and approval, the purchaser may return the vehicle within ten days of the date of purchase, provided that the vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails, upon inspection, to meet the emissions standards specified by the commission and the dealer shall have the vehicle inspected and approved without the option for a waiver of the emissions standard and return the vehicle to the purchaser with a valid emissions certificate and sticker within five working days or the purchaser and dealer may enter into any other mutually acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the purchaser has the option to return the vehicle within ten days, provided that the vehicle has no more than one thousand additional miles since the time of sale, to have the dealer repair the vehicle and provide an emissions certificate and sticker within five working days if the vehicle fails, upon inspection, to meet the emissions standards established by the commission, or enter into any mutually acceptable agreement with the dealer. A violation of this [subdivisions] **subsection** shall be an unlawful practice as defined in section 407.020, RSMo. No emissions inspection shall be required pursuant to this section for the sale of any motor vehicle which may be sold without a certificate of inspection and approval, as provided pursuant to subsection 2 of section 307.380.

4. [In addition to the fee authorized by subsection 5 of section 307.365,] A fee, not to exceed [eight dollars and fifty cents for inspections conducted prior to January 1, 1993, and not to exceed ten dollars and fifty cents for inspections conducted thereafter, as determined by each official emissions inspection station located in any city or county described in subsection 1 of this section,] **twenty-four dollars** may be charged for an automobile emissions and air pollution control inspection in order to attain the national health standards for air quality. Such fee shall be conspicuously posted on the premises of each such inspection station. The official emissions inspection station shall issue a certificate of inspection and an approval sticker or seal certifying the emissions system is functioning properly. The certificate or approval issued shall bear the legend: "This cost is mandated by your

United States Congress.". No owner shall be charged an additional fee after having corrected defects or unsafe conditions in the automobile's emissions and air pollution control system if the reinspection is completed within twenty consecutive days, excluding Saturdays, Sundays and holidays, and if such follow-up inspection is made by the station making the initial inspection.

5. The air conservation commission shall establish, by rule, a waiver amount which may be lower for older model vehicles and which shall be no greater than seventy-five dollars for model year vehicles prior to 1981 and no greater than two hundred dollars for model year vehicles of 1981 and all subsequent model years.

6. An owner whose vehicle fails upon reinspection to meet the emission standards specified by the Missouri air conservation commission shall be issued a certificate of inspection and an approval sticker or seal by the official emissions inspection station that provided the inspection if the vehicle owner furnishes a complete, signed affidavit satisfying the requirements of this subsection and the cost of emissions repairs and adjustments is equal to or greater than the waiver amount established by the air conservation commission pursuant to this section. The air conservation commission shall establish, by rule, a form and a procedure for verifying that repair and adjustment was performed on a failing vehicle prior to the granting of a waiver and approval. The waiver form established pursuant to this subsection shall be an affidavit requiring:

(1) A statement signed by the repairer that the specified work was done and stating the itemized charges for the work; and

(2) A statement signed by the inspector that an inspection of the vehicle verified, to the extent practical, that the specified work was done.

7. The department of revenue shall require evidence of the inspection and approval required by this section in issuing the motor vehicle annual registration in conformity with the procedure required by sections 307.350 to 307.370.

8. Each emissions inspection station located in [any city or county] **the area** described in subsection 1 of this section shall purchase from the highway patrol sufficient forms and stickers or other devices to evidence approval of the motor vehicle's emissions control system. In addition, emissions inspection stations may be required to purchase forms for use in automated analyzers from outside vendors of the inspection station's choice. The forms must comply with state regulations.

9. In addition to the fee collected by the superintendent pursuant to subsection 5 of section 307.365, the highway patrol shall collect a fee of seventy-five cents for each automobile emissions certificate issued to the applicable official emissions inspection stations, except that no charge shall be made for certificates of inspection issued to official emissions inspection stations operated by governmental entities. All fees collected by the superintendent pursuant to this section shall be deposited in the state treasury to the credit of the "Missouri Air Pollution Control Fund", which is hereby created.

10. The moneys collected and deposited in the Missouri air pollution control fund pursuant to this section shall be allocated on an equal basis to the Missouri state

highway patrol and the Missouri department of natural resources, air pollution control program, and shall be expended subject to appropriation by the general assembly for the administration and enforcement of sections 307.350 to 307.390. The unexpended balance in the fund at the end of each appropriation period shall not be transferred to the general revenue fund, except as directed by the general assembly by appropriation, and the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue fund at the end of the biennium, shall not apply to this fund. The moneys in the fund shall be invested by the treasurer as provided by law, and the interest shall be credited to the fund.

11. The superintendent of the Missouri state highway patrol shall issue such rules and regulations as are necessary to determine whether a motor vehicle's emissions control system is operating as required by subsection 1 of this section, and the superintendent and the state highways and transportation commission shall use their best efforts to seek federal funds from which reimbursement grants may be made to those official inspection stations which acquire and use the necessary testing equipment which will be required to perform the tests required by the provisions of this section.

12. The provisions of this section shall not apply in any county for any time period during which the air conservation commission has established a motor vehicle emissions inspection program pursuant to sections 643.300 to 643.355, RSMo, for such county, except where motor vehicle owners have the option of biennial testing pursuant to chapter 643, RSMo. In counties where such option is available, the emissions inspection may be conducted in stations conducting only an emissions inspection under contract to the state.

13. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed a class C misdemeanor.]

[307.366. 1. This enactment of the emissions inspection program is a mandate of the United States Congress pursuant to the federal Clean Air Act, as amended, 42 U.S.C. 7401, et seq. In any city not within a county, any county of the first classification having a population of over nine hundred thousand inhabitants according to the most recent decennial census, any county of the first classification with a charter form of government and a population of not more than two hundred twenty thousand inhabitants and not less than two hundred thousand inhabitants according to the most recent decennial census, any county of the first classification without a charter form of government with a population of not more than one hundred eighty thousand inhabitants and not less than one hundred seventy thousand inhabitants according to the most recent decennial census and any county of the first classification without a charter form of government with a population of not more than eighty-two thousand inhabitants and not less than eighty thousand inhabitants according to the most recent decennial census certain motor vehicles shall be tested annually to determine that the emissions system is functioning within the emission standards as specified by the Missouri air conservation commission and as required to attain the national health standards for air quality. The motor vehicles to be tested

shall be all motor vehicles except those specifically exempted pursuant to subdivisions (1) to (3) of subsection 1 of section 307.350 and those exempted pursuant to this section.

2. The provisions of this section shall not apply to:

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

(2) Motorcycles and motortricycles;

(3) Model year vehicles prior to 1971;

(4) School buses;

(5) Diesel-powered vehicles;

(6) Motor vehicles registered in the area covered by this section but which are based and operated exclusively in an area of this state not subject to the provisions of this section if the owner of such vehicle presents to the director a sworn affidavit that the vehicle will be based and operated outside the covered area; and

(7) New motor vehicles not previously titled or registered prior to the initial motor vehicle registration or the next succeeding registration which is required by law. Each official inspection station which conducts safety or emissions inspections in a city or county referred to in subsection 1 of this section shall indicate the gross vehicle weight rating of the motor vehicle on the safety inspection certificate if the vehicle is exempt from the emissions inspection pursuant to subdivision (1) of this subsection.

3. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.550, RSMo, may choose to sell a motor vehicle subject to the inspection requirements of this section either:

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

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

(2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the emissions standards established pursuant to this section or by obtaining a waiver pursuant to subsection 6 of this section. A vehicle sold pursuant to this subdivision by a licensed motor vehicle dealer shall be inspected and approved within the one hundred twenty days immediately preceding the date of sale, and, for the purpose of registration of such vehicle, such inspection shall be considered timely.

(3) If the dealer chooses to sell the vehicle without prior inspection and approval, the purchaser may return the vehicle within fourteen days of the date of purchase, provided that the vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails, upon inspection, to meet the emissions standards specified by the commission and the dealer shall have the vehicle inspected and approved without the option for a waiver of the emissions standard and return the vehicle to the purchaser with a valid emissions certificate and sticker within five

61 working days or the purchaser and dealer may enter into any other mutually
62 acceptable agreement. If the dealer chooses to sell the vehicle without prior
63 inspection and approval, the dealer shall disclose conspicuously on the sales contract
64 and bill of sale that the purchaser has the option to return the vehicle within fourteen
65 days, provided that the vehicle has no more than one thousand additional miles since
66 the time of sale, to have the dealer repair the vehicle and provide an emissions
67 certificate and sticker within five working days if the vehicle fails, upon inspection,
68 to meet the emissions standards established by the commission, or enter into any
69 mutually acceptable agreement with the dealer. A violation of this subdivisions shall
70 be an unlawful practice as defined in section 407.020, RSMo. No emissions
71 inspection shall be required pursuant to this section for the sale of any motor vehicle
72 which may be sold without a certificate of inspection and approval, as provided
73 pursuant to subsection 2 of section 307.380.

74 4. In addition to the fee authorized by subsection 5 of section 307.365, a fee,
75 not to exceed eight dollars and fifty cents for inspections conducted prior to January
76 1, 1993, and not to exceed ten dollars and fifty cents for inspections conducted
77 thereafter, as determined by each official emissions inspection station located in any
78 city or county described in subsection 1 of this section, may be charged for an
79 automobile emissions and air pollution control inspection in order to attain the
80 national health standards for air quality. Such fee shall be conspicuously posted on
81 the premises of each such inspection station. The official emissions inspection
82 station shall issue a certificate of inspection and an approval sticker or seal certifying
83 the emissions system is functioning properly. The certificate or approval issued shall
84 bear the legend: "This cost is mandated by your United States Congress.". No owner
85 shall be charged an additional fee after having corrected defects or unsafe conditions
86 in the automobile's emissions and air pollution control system if the reinspection is
87 completed within twenty consecutive days, excluding Saturdays, Sundays and
88 holidays, and if such follow-up inspection is made by the station making the initial
89 inspection.

90 5. The air conservation commission shall establish, by rule, a waiver amount
91 which may be lower for older model vehicles and which shall be no greater than
92 seventy-five dollars for model year vehicles prior to 1981 and no greater than two
93 hundred dollars for model year vehicles of 1981 and all subsequent model years.

94 6. An owner whose vehicle fails upon reinspection to meet the emission
95 standards specified by the Missouri air conservation commission shall be issued a
96 certificate of inspection and an approval sticker or seal by the official emissions
97 inspection station that provided the inspection if the vehicle owner furnishes a
98 complete, signed affidavit satisfying the requirements of this subsection and the cost
99 of emissions repairs and adjustments is equal to or greater than the waiver amount
100 established by the air conservation commission pursuant to this section. The air
101 conservation commission shall establish, by rule, a form and a procedure for
102 verifying that repair and adjustment was performed on a failing vehicle prior to the

granting of a waiver and approval. The waiver form established pursuant to this subsection shall be an affidavit requiring:

(1) A statement signed by the repairer that the specified work was done and stating the itemized charges for the work; and

(2) A statement signed by the inspector that an inspection of the vehicle verified, to the extent practical, that the specified work was done.

7. The department of revenue shall require evidence of the inspection and approval required by this section in issuing the motor vehicle annual registration in conformity with the procedure required by sections 307.350 to 307.370.

8. Each emissions inspection station located in any city or county described in subsection 1 of this section shall purchase from the highway patrol sufficient forms and stickers or other devices to evidence approval of the motor vehicle's emissions control system. In addition, emissions inspection stations may be required to purchase forms for use in automated analyzers from outside vendors of the inspection station's choice. The forms must comply with state regulations.

9. In addition to the fee collected by the superintendent pursuant to subsection 5 of section 307.365, the highway patrol shall collect a fee of seventy-five cents for each automobile emissions certificate issued to the applicable official emissions inspection stations, except that no charge shall be made for certificates of inspection issued to official emissions inspection stations operated by governmental entities. All fees collected by the superintendent pursuant to this section shall be deposited in the state treasury to the credit of the "Missouri Air Pollution Control Fund", which is hereby created.

10. The moneys collected and deposited in the Missouri air pollution control fund pursuant to this section shall be allocated on an equal basis to the Missouri state highway patrol and the Missouri department of natural resources, air pollution control program, and shall be expended subject to appropriation by the general assembly for the administration and enforcement of sections 307.350 to 307.390. The unexpended balance in the fund at the end of each appropriation period shall not be transferred to the general revenue fund, except as directed by the general assembly by appropriation, and the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue fund at the end of the biennium, shall not apply to this fund.

The moneys in the fund shall be invested by the treasurer as provided by law, and the interest shall be credited to the fund.

11. The superintendent of the Missouri state highway patrol shall issue such rules and regulations as are necessary to determine whether a motor vehicle's emissions control system is operating as required by subsection 1 of this section, and the superintendent and the state highways and transportation commission shall use their best efforts to seek federal funds from which reimbursement grants may be made to those official inspection stations which acquire and use the necessary testing equipment which will be required to perform the tests required by the provisions of this section.

12. The provisions of this section shall not apply in any county for any time period during which the air conservation commission has established a motor vehicle emissions inspection program pursuant to sections 643.300 to 643.355, RSMo, for such county.

13. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed a class C misdemeanor.]

[643.315. 1. Except as provided in sections 643.300 to 643.355, all motor vehicles which are domiciled, registered or primarily operated in an area for which the commission has established a motor vehicle emissions inspection program pursuant to sections 643.300 to 643.355, which may include all motor vehicles owned by residents of a county of the first classification without a charter form of government with a population of less than one hundred thousand inhabitants according to the most recent decennial census who have chosen to [have a biennial motor vehicle registration pursuant to section 301.147] **participate in such a program in lieu of the provisions of section 307.366**, RSMo, shall be inspected and approved prior to sale or transfer. In addition, any such vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each odd-numbered calendar year. All motor vehicles subject to the inspection requirements of sections 643.300 to 643.355 shall display a valid emissions inspection sticker, and when applicable, a valid emissions inspection certificate shall be presented at the time of registration or registration renewal of such motor vehicle.

2. No emission standard established by the commission for a given make and model year shall exceed the lesser of the following:

(1) The emission standard for that vehicle model year as established by the United States Environmental Protection Agency; or

(2) The emission standard for that vehicle make and model year as established by the vehicle manufacturer.

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

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

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

(3) Model year vehicles prior to 1971;

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

(5) Motor vehicles registered in an area subject to the inspection requirements of sections 643.300 to 643.355 which are domiciled and operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355, but only if the owner of such vehicle presents to the department an affidavit that the vehicle will be operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355 for the next twenty-four months, and the owner applies for and receives a waiver which shall be presented at the time of registration or registration renewal;

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

(7) Historic motor vehicles registered pursuant to section 301.131, RSMo.

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

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

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

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

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

(3) If the dealer chooses to sell the vehicle without prior inspection and approval, the purchaser may return the vehicle within ten days of the date of purchase, provided that the vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails, upon inspection, to meet the emissions standards specified by the commission and the dealer shall have the vehicle inspected and approved without the option for a waiver of the emissions standard and return the vehicle to the purchaser with a valid emissions certificate and sticker within five working days or the purchaser and dealer may enter into any other mutually acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the purchaser has the option to return the vehicle within ten days, provided that the vehicle has no more than one thousand additional miles since the

80 time of sale, to have the dealer repair the vehicle and provide an emissions certificate
81 and sticker within five working days if the vehicle fails, upon inspection, to meet the
82 emissions standards established by the commission, or enter into any mutually
83 acceptable agreement with the dealer. A violation of this subdivision shall be an
84 unlawful practice as defined in section 407.020, RSMo. No emissions inspection
85 shall be required pursuant to sections 643.300 to 643.360 for the sale of any motor
86 vehicle which may be sold without a certificate of inspection and approval, as
87 provided pursuant to subsection 2 of section 307.380, RSMo.]

Section B. The repeal and reenactment of sections 301.141 and 301.142 and the
2 enactment of section 304.601 of this act shall become effective January 1, 2004.

Section C. The enactment of sections 407.1200, 407.1203, 407.1206, 407.1209,
2 407.1212, 407.1215, 407.1218, 407.1221, 407.1224, 407.1225, and 407.1227 shall become
3 effective January 1, 2007.