

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 491**  
92ND GENERAL ASSEMBLY

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Reported from the Committee on Transportation, April 15, 2003, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

1477S.03C

TERRY L. SPIELER, Secretary.

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**AN ACT**

To repeal sections 301.069, 301.130, and 301.142, RSMo, and to enact in lieu thereof three new sections relating to license plates, with penalty provisions and an effective date for certain sections.

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

Section A. Sections 301.069, 301.130, and 301.142, RSMo, are repealed and three  
2 new sections enacted in lieu thereof, to be known as sections 301.069, 301.130, and  
3 301.142, to read as follows:

301.069. For each driveway license there shall be paid an annual license fee of  
2 forty-four dollars and fifty cents for one set of plates or such insignia as the director may  
3 issue which shall be attached to the motor vehicle as prescribed in this  
4 chapter. **Applicants may choose to obtain biennial driveway licenses. The fee**  
5 **for biennial driveway licenses shall be eighty-nine dollars.** For single trips the  
6 fee shall be four dollars, and descriptive insignia shall be prepared and issued at the  
7 discretion of the director who shall also prescribe the type of equipment used to attach  
8 such vehicles in combinations.

301.130. 1. The director of revenue, upon receipt of a proper application for  
2 registration, required fees and any other information which may be required by law,  
3 shall issue to the applicant a certificate of registration in such manner and form as the  
4 director of revenue may prescribe and a set of license plates, or other evidence of  
5 registration, as provided [herein] **by this section.** Each set of license plates shall bear

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

6 the name or abbreviated name of this state, the words "SHOW-ME STATE", the month  
7 and year in which the registration shall expire, and an arrangement of numbers or  
8 letters, or both, as shall be assigned from year to year by the director of revenue. **The**  
9 **plates shall also contain fully reflective material with a common color scheme**  
10 **and design for each type of license plate issued pursuant to this chapter. The**  
11 **plates shall be clearly visible at night, and shall be aesthetically**  
12 **attractive.** Special plates for qualified disabled veterans will have the "DISABLED  
13 VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE"  
14 and special plates for members of the national guard will have the "NATIONAL GUARD"  
15 wording in preference to the words "SHOW-ME STATE".

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

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

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

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

42 **exceed the fee prescribed for personalized license plates in subsection 1 of**  
43 **section 301.144.**

44 [6.] 4. The plates issued to manufacturers and dealers shall bear the letter "D"  
45 preceding the number, and the director may place upon the plates other letters or marks  
46 to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

47 [7.] 5. No motor vehicle or trailer shall be operated on any highway of this state  
48 unless it shall have displayed thereon the license plate or set of license plates issued by  
49 the director of revenue and authorized by section 301.140. Each such plate shall be  
50 securely fastened to the motor vehicle in a manner so that all parts thereof shall be  
51 plainly visible and reasonably clean so that the reflective qualities thereof are not  
52 impaired. License plates shall be fastened to all motor vehicles except trucks, tractors,  
53 truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front  
54 and rear of such vehicles not less than eight nor more than forty-eight inches above the  
55 ground, with the letters and numbers thereon right side up. The license plates on  
56 trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of  
57 such vehicles, with the letters and numbers thereon right side up. The license plate on  
58 **buses, other than school buses, and on** trucks, tractors, truck tractors or  
59 truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the  
60 front of such vehicles not less than eight nor more than forty-eight inches above the  
61 ground, with the letters and numbers thereon right side up **or if two plates are**  
62 **issued for the vehicle pursuant to subsection 5 of this section, displayed in**  
63 **the same manner on the front and rear of such vehicles.** The license plate or  
64 plates authorized by section 301.140, when properly attached, shall be prima facie  
65 evidence that the required fees have been paid.

66 [8.] 6. (1) The director of revenue shall issue annually a tab or set of tabs as  
67 evidence of the annual payment of registration fees and the current registration of a  
68 vehicle in lieu of the set of plates[; except that the director shall annually issue a new  
69 license plate or set of plates as provided in this section for vehicles registered pursuant  
70 to subsection 2 of section 301.277, commercial motor vehicles in excess of twelve  
71 thousand pounds, trailers, buses and dealers].

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

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

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

80 (5) For those commercial motor vehicles and trailers registered pursuant to  
81 section 301.041, the plate issued by the director of revenue shall be a permanent  
82 nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall  
83 relieve the owner of any vehicle permanently registered pursuant to this section from the  
84 obligation to pay the annual registration fee due for the vehicle. The permanent  
85 nonexpiring license plate shall be returned to the director of revenue upon the sale or  
86 disposal of the vehicle by the owner to whom the permanent nonexpiring license plate  
87 is issued, or the plate may be transferred to a replacement commercial motor vehicle  
88 when the owner files a supplemental application with the Missouri highway reciprocity  
89 commission for the registration of such replacement commercial motor vehicle. Upon  
90 payment of the annual registration fee, the director of revenue shall issue a certificate  
91 of registration or other suitable evidence of payment of the annual fee, and such evidence  
92 of payment shall be carried at all times in the vehicle for which it is issued.

93 (6) Upon the sale or disposal of any vehicle permanently registered under this  
94 section, or upon the termination of a lease of any such vehicle, the permanent  
95 nonexpiring plate issued for such vehicle shall be returned to the director and shall not  
96 be valid for operation of such vehicle, or the plate may be transferred to a replacement  
97 vehicle when the owner files a supplemental application with the Missouri highway  
98 reciprocity commission for the registration of such replacement vehicle. If a vehicle  
99 which is permanently registered under this section is sold, wrecked or otherwise  
100 disposed of, or the lease terminated, the registrant shall be given credit for any unused  
101 portion of the annual registration fee when the vehicle is replaced by the purchase or  
102 lease of another vehicle during the registration year.

103 [9.] 7. The director of revenue may prescribe rules and regulations for the  
104 effective administration of this section. No rule or portion of a rule promulgated under  
105 the authority of this section shall become effective unless it has been promulgated  
106 pursuant to the provisions of section 536.024, RSMo.

107 **8. Notwithstanding the provisions of any other law to the contrary,**  
108 **owners of motor vehicles other than apportioned motor vehicles or**  
109 **commercial motor vehicles licensed in excess of eighteen thousand pounds**  
110 **gross weight may apply for special personalized license plates. Vehicles**  
111 **licensed for eighteen thousand pounds that display special personalized**  
112 **license plates shall be subject to the provisions of subsections 1 and 2 of**  
113 **section 301.030.**

301.142. 1. As used in this section the term "physically disabled" means a  
2 natural person who is a blind person, as defined in section 8.700, RSMo, or a natural  
3 person with disabilities which limit or impair the ability to walk, as determined by a  
4 licensed physician as follows:

- 5 (1) The person cannot walk fifty feet without stopping to rest; or
- 6 (2) The person cannot walk without the use of, or assistance from, a brace, cane,  
7 crutch, another person, prosthetic device, wheelchair, or other assistive device; or
- 8 (3) Is restricted by lung disease to such an extent that the person's forced  
9 respiratory expiratory volume for one second, when measured by spirometry, is less than  
10 one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or
- 11 (4) Uses portable oxygen; or
- 12 (5) Has a cardiac condition to the extent that the person's functional limitations  
13 are classified in severity as class III or class IV according to standards set by the  
14 American Heart Association; or
- 15 (6) Is severely limited in the applicant's ability to walk due to an arthritic,  
16 neurological, or orthopedic condition.

17 2. "Temporarily disabled person" means a physically disabled person whose  
18 disability or incapacity can be expected to last for not more than one hundred eighty  
19 days.

20 3. Owners of motor vehicles who are residents of the state of Missouri, and who  
21 are physically disabled, owners of motor vehicles operated at least fifty percent of the  
22 time by a physically disabled person, or owners of motor vehicles used to transport  
23 physically disabled members of the owner's household may obtain disabled person license  
24 plates. Such owners, upon application, accompanied by the documents and fees provided  
25 for in this section, and by state motor vehicle laws relating to registration and licensing  
26 of motor vehicles shall be issued motor vehicle license plates for vehicles, other than  
27 commercial vehicles with a gross weight in excess of twenty-four thousand pounds, upon  
28 which shall be inscribed the international wheelchair accessibility symbol and the word  
29 "disabled" in addition to a combination of letters and numbers. Such license plates shall  
30 be made with fully reflective material with a common color scheme and design, shall be  
31 clearly visible at night, and shall be aesthetically attractive, as prescribed by section  
32 301.130. Handicapped parking places may only be used when a physically disabled  
33 occupant is in the motor vehicle at the time of parking or when a physically disabled  
34 person is being delivered or collected by a properly marked vehicle which is parked for  
35 the sole use of the physically disabled person. No vehicle shall park in the access  
36 aisle. Such parking violation shall be an infraction. The use of a vehicle displaying a

37 disabled license plate or windshield placard to park in a parking space designated for  
38 the disabled by a person not transporting the individual for whom the license or placard  
39 was issued shall be an infraction. Upon conviction thereof, violators shall be punished  
40 by a fine of not less than fifty dollars nor more than three hundred dollars.

41 4. No additional fee shall be paid to the director of revenue for the issuance of  
42 the special license plates provided in this section, except for special personalized license  
43 plates and other license plates described in this subsection. Priority for any specific set  
44 of special license plates shall be given to the applicant who received the number in the  
45 immediately preceding license period subject to the applicant's compliance with the  
46 provisions of this section and any applicable rules or regulations issued by the director  
47 determined feasible by the advisory committee established in section 301.129, any special  
48 license plate issued pursuant to this section may be adapted to also include the  
49 international wheelchair accessibility symbol and the word "disabled" as prescribed in  
50 subsection 3 of this section and such plate may be issued to any applicant who meets the  
51 requirements of this section and the other appropriate provision of this chapter, subject  
52 to the requirements and fees of the appropriate provision of this chapter.

53 5. Any physically disabled person, or the parent or guardian of any such person,  
54 or any not-for-profit group, organization, or other entity which transports more than one  
55 physically disabled person, may apply to the director of revenue for a removable  
56 windshield placard to be hung from the rearview mirror of a parked motor  
57 vehicle. When there is no rearview mirror, the placard shall be displayed on the  
58 dashboard on the driver's side. The removable windshield placard shall conform to the  
59 specifications, in respect to size, color, and content, as set forth in federal regulations  
60 published by the Department of Transportation. The fee for each removable windshield  
61 placard shall be [two] **four** dollars and the removable windshield placard shall be  
62 renewed every [year, renewable for one year, or four dollars, renewable every] two  
63 years. **The director may stagger the expiration dates to equalize the**  
64 **workload.** Only one removable placard may be issued to an applicant who has been  
65 issued disabled person license plates. Upon request, one additional windshield placard  
66 shall be issued to an applicant who has not been issued disabled person license plates.  
67 A temporary windshield placard shall be issued to any physically disabled person, or the  
68 parent or guardian of any such person who otherwise qualifies except that the physical  
69 disability, in the opinion of the physician, is not expected to exceed a period of one  
70 hundred eighty days. The temporary windshield placard shall conform to the  
71 specifications, in respect to size, color, and content, as set forth in federal regulations  
72 published by the Department of Transportation. The fee for the temporary windshield

73 placard shall be two dollars. Upon request, one additional temporary windshield placard  
74 shall be issued to an applicant. Temporary windshield placards shall be issued upon  
75 presentation of the physician's statement provided by this section and shall be displayed  
76 in the same manner as removable windshield placards. A person or entity shall be  
77 qualified to possess and display a temporary removable windshield placard for six  
78 months and the placard may be renewed once for an additional six months if a  
79 physician's statement pursuant to subsection 6 of this section is supplied to the director  
80 of revenue at the time of renewal. The placard shall be renewable only by the person or  
81 entity to which the placard was originally issued. Any placard issued pursuant to this  
82 section shall only be used when a physically disabled occupant is in the motor vehicle  
83 at the time of parking or when a physically disabled person is being delivered or  
84 collected by a properly marked vehicle which is parked for the sole use of the physically  
85 disabled person.

86         6. Application for license plates or windshield placards issued pursuant to this  
87 section shall be made to the director of revenue and shall be accompanied by a statement  
88 signed by a licensed physician which certifies that the applicant, user, or member of the  
89 applicant's household is a physically disabled person as defined by this section. The  
90 physician's statement shall be on a form prescribed by the director of revenue which  
91 shall include the physician's license number. If it is the professional opinion of the  
92 physician who issues the statement that the physical disability of the applicant, user,  
93 or member of the applicant's household is permanent, this shall be noted on the  
94 statement. In such instances, the applicant shall present the physician's statement  
95 which states that the applicant's disability is permanent to the director of revenue the  
96 first time the applicant applies for license plates or a removable windshield placard. The  
97 applicant shall not be required to obtain a new physician's statement each time that the  
98 applicant applies for or renews license plates or a removable windshield placard; but, the  
99 applicant shall present a physician's statement each time the applicant applies for a  
100 temporary windshield placard or renews a temporary windshield placard. Such  
101 physician's statement shall state the expiration date for the temporary windshield  
102 placard. If the physician fails to record an expiration date on the physician's statement,  
103 the director shall issue the temporary windshield placard for a period of thirty  
104 days. The director of revenue upon receiving a physician's statement pursuant to this  
105 subsection shall check with the state board of registration for the healing arts created  
106 in section 334.120, RSMo, or the Missouri state board of chiropractic examiners  
107 established in section 331.090, RSMo, with respect to physician's statements signed by  
108 licensed chiropractors, or with the board of optometry established in section 336.130,

109 RSMo, with respect to physician's statements signed by licensed optometrists, or the  
110 state board of podiatric medicine created in section 330.100, RSMo, with respect to  
111 physician's statements signed by physicians of the foot or podiatrists to determine  
112 whether the physician is duly licensed and registered pursuant to law. The boards shall  
113 cooperate with the director and shall supply information requested pursuant to this  
114 subsection. The director may, in cooperation with the boards which shall assist the  
115 director, establish a list of all physicians' names and of any other information necessary  
116 to administer this subsection within the department of revenue if the director determines  
117 that such listing is necessary to carry out the provisions of this subsection.

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

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

127         9. When a person to whom disabled person license plates or a removable or  
128 temporary windshield placard or both have been issued dies, the personal representative  
129 of such person shall return the plates or placards or both to the director of revenue  
130 under penalty of law. The director of revenue may order any person issued disabled  
131 person license plates or windshield placards to submit to an examination by a  
132 chiropractor, osteopath, or physician, or to such other investigation as will determine  
133 whether such person qualifies for the special plates or placards. If such person refuses  
134 to submit or is found to no longer qualify for special plates or placards provided for in  
135 this section, the director of revenue shall collect the special plates or placards, and shall  
136 furnish license plates to replace the ones collected as provided by this chapter.

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

141         11. Beginning after September 1, 1998, and prior to August 31, 1999, the director  
142 of revenue shall authorize a one-time recertification and review of all permanent  
143 disabled person license plates and windshield placards, including physician's license  
144 numbers and related information that the director has on file pursuant to subsection 6



145 of this section to determine if such numbers and information are current and  
146 correct. The director shall require the presentation of a new physician's statement and  
147 other information deemed necessary by the director to administer the provisions of this  
148 section. The recertification and review shall be conducted in a manner as determined  
149 by the director.

150         12. Fraudulent application, renewal, issuance, procurement or use of disabled  
151 person license plates or windshield placards shall be a class A misdemeanor. It is a  
152 class B misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify  
153 that an individual or family member is qualified for a license plate or windshield placard  
154 based on a disability, the diagnosis of which is outside their scope of practice or if there  
155 is no basis for the diagnosis.

          Section B. The repeal and reenactment of sections 301.069 and 301.142 shall  
2 become effective on January 1, 2004.

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