

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 598
92ND GENERAL ASSEMBLY

Reported from the Committee on Transportation, May 1, 2003, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

1497S.05C

AN ACT

To repeal sections 301.130, 301.132, 301.141, 301.142, 301.144, 301.456, 301.463, 301.3098, 301.4000, 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 thirty-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:

Section A. Sections 301.130, 301.132, 301.141, 301.142, 301.144, 301.456, 301.463, 2 301.3098, 301.4000, and 643.315, RSMo, section 307.366 as enacted by conference 3 committee substitute for senate committee substitute for house committee substitute for 4 house bills nos. 603, 722 & 783, ninetieth general assembly, first regular session, section 5 307.366 as enacted by conference committee substitute for house substitute for senate 6 substitute for senate bill no. 19, ninetieth general assembly, first regular session, and 7 sections 307.366 and 643.315 as truly agreed to and finally passed by senate bill no. 54, 8 ninety-second general assembly, first regular session, are repealed and thirty-one new 9 sections enacted in lieu thereof, to be known as sections 41.033, 301.130, 301.132, 10 301.134, 301.141, 301.142, 301.144, 301.456, 301.463, 301.3098, 301.3106, 301.3122, 11 301.3123, 301.3124, 301.3125, 301.3126, 301.3128, 301.3129, 301.3130, 301.3132, 12 301.3137, 301.3139, 301.3140, 301.3141, 301.3144, 301.3999, 301.4000, 304.029, 304.601, 13 307.366, and 643.315, to read 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.

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

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

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
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 In 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.**

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

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

14 3. The director shall issue to the owner of any motor vehicle registered under this
15 section two license plates containing the number assigned to the registration certificate
16 issued by the director of revenue, and the following words: "Street Rod", "State of
17 Missouri". Such license plates shall be kept securely attached to the motor vehicle
18 registered hereunder. The advisory committee established in section 301.129 shall
19 determine the characteristic features of such license plates for vehicles registered under
20 the provisions of this section so that they may be recognized as such, except that such
21 license plates shall be made with fully reflective material with a common color scheme
22 and design, shall be clearly visible at night, and shall be aesthetically attractive, as
23 prescribed by section 301.130.

24 4. Motor vehicles registered under this section are subject to the motor vehicle

25 safety inspection requirements of sections 307.350 to 307.390, RSMo.] **For purposes**
26 **of this section, "street rod" is a vehicle older than 1949 or a vehicle**
27 **manufactured after 1948 to resemble a vehicle manufactured before 1949; and**
28 **has been altered from the manufacturer's original design or has a body**
29 **constructed from nonoriginal materials.**

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

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

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

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

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

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

50 **6. On registration of a vehicle pursuant to this section, the director of**
51 **the department of revenue shall issue to the owner two license plates**
52 **containing the number assigned to the registration certificate issued by the**
53 **director of revenue, and the following words: "Street Rod", "State of**
54 **Missouri". Such license plates shall be kept securely attached to the motor**
55 **vehicle registered pursuant to this section. The director of revenue shall**
56 **determine the characteristic features of such license plates for vehicles**
57 **registered pursuant to the provisions of this section so that they may be**
58 **recognized as such, except that such license plates shall be made with fully**
59 **reflective material with a common color scheme and design, shall be clearly**
60 **visible at night, and shall be aesthetically attractive, as prescribed by section**
61 **301.130.**

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

66 **section.**

67 **8. Except as provided in subsection 5 of this section, a vehicle**
68 **registered pursuant to this section is exempt from any statute of this state**
69 **that requires periodic vehicle inspections and from any statute of this state**
70 **that requires the use and inspection of emission controls.**

71 **9. A custom vehicle means any motor vehicle that:**

72 **(1) Is at least twenty-five years old and of a model year after 1948, or**
73 **was manufactured to resemble a vehicle twenty-five years old or older and of**
74 **a model year after 1948; and**

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

77 **10. The model year and the year of manufacture that are listed on the**
78 **certificate of title of a custom vehicle shall be the model year and year of**
79 **manufacture that the body of such vehicle resembles. The current and all**
80 **subsequent certificates of ownership shall be designated with the word**
81 **"REPLICA".**

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

85 **12. In applying for registration of a custom vehicle pursuant to this**
86 **section, the owner of the custom vehicle shall submit with the application a**
87 **certification that the vehicle for which the application is made:**

88 **(1) Will be maintained for occasional transportation, exhibits, club**
89 **activities, parades, tours, and similar uses; and**

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

91 **13. In addition to the certification required pursuant to subsection 12**
92 **of this section, when applying for registration of a custom vehicle, the new**
93 **owner of the custom vehicle shall provide proof that the custom vehicle**
94 **passed a safety inspection in accordance with section 307.350, RSMo, that**
95 **shall be approved by the department of public safety in consultation with the**
96 **street rod community in this state.**

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

107 shall be aesthetically attractive, as prescribed by section 301.130.

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

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

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

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

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

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

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

27 required for plates issued pursuant to this section.

28 **4. The director of revenue may promulgate rules and regulations for**
29 **the administration of this section. Any rule or portion of a rule, as that term**
30 **is defined in section 536.010, RSMo, that is created under the authority**
31 **delegated in this section shall become effective only if it complies with and**
32 **is subject to all of the provisions of chapter 536, RSMo, and, if applicable,**
33 **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**
35 **chapter 536, RSMo, to review, to delay the effective date, or to disapprove and**
36 **annul a rule are subsequently held unconstitutional, then the grant of**
37 **rulemaking authority and any rule proposed or adopted after August 28, 2003,**
38 **shall be invalid and 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
3 for a physician, chiropractor, podiatrist or optometrist to certify that an individual or
4 family member is qualified for a license plate or windshield placard based on a disability,
5 the diagnosis of which is outside their scope of practice.]

6 **2. Any physician or other health care practitioner authorized to issue**
7 **a physician's statement or certificate to enable persons to obtain disabled**
8 **license plates or windshield hanging placards pursuant to section 301.142,**
9 **who issues, signs, or furnishes such statement or certificate to any person**
10 **who does not meet one or more of the conditions set forth in subsection 1 of**
11 **section 301.142, if there is no basis for the diagnosis given, or who issues,**
12 **signs, or furnishes such statement for a condition, the diagnosis of which is**
13 **outside the scope of such health care provider's license, is guilty of a class A**
14 **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**
6 **chiropractors licensed pursuant to chapter 331, RSMo, podiatrists licensed**
7 **pursuant to chapter 330, RSMo, and optometrists licensed pursuant to chapter**
8 **336, RSMo;**

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

14 **[(1)] (a) The person cannot ambulate or walk fifty or less feet without**
15 **stopping to rest due to a severe and disabling, arthritic, neurological, or**

16 **orthopedic condition; or**

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

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

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

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

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

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

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

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

39 [2.] **(7) "Temporarily disabled person" [means], a [physically] disabled person**
40 **as defined in this section** whose disability or incapacity [can be] **is** expected to last
41 [for not] **no** more than one hundred eighty days.

42 [3.] **2. Other authorized health care practitioners may furnish to a**
43 **disabled or temporarily disabled person a physician's statement for only those**
44 **physical health care conditions for which such health care practitioner is**
45 **legally authorized to diagnose and treat.**

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

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

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

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

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

55 **4. If it is the professional opinion of the physician or other authorized**
56 **health care practitioner issuing the statement, that the physical disability of**

57 **the applicant, user, or member of the applicant's household is permanent, it**
58 **shall be noted on the statement. Otherwise, the physician or other authorized**
59 **health care practitioner shall note on the statement the anticipated length of**
60 **the disability which period may not exceed one hundred eighty days.**

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

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

73 **7. Owners of motor vehicles who are residents of the state of Missouri, and who**
74 **are physically disabled, owners of motor vehicles operated at least fifty percent of the**
75 **time by a physically disabled person, or owners of motor vehicles used to primarily**
76 **transport physically disabled members of the owner's household may obtain disabled**
77 **person license plates. Such owners, upon application, accompanied by the documents**
78 **and fees provided for in this section, a current physician's statement which has**
79 **been issued within ninety days preceding the date the application is made**
80 **and [by] proof of compliance with the state motor vehicle laws relating to**
81 **registration and licensing of motor vehicles shall be issued motor vehicle license plates**
82 **for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four**
83 **thousand pounds, upon which shall be inscribed the international wheelchair**
84 **accessibility symbol and the word "disabled" in addition to a combination of letters and**
85 **numbers. Such license plates shall be made with fully reflective material with a common**
86 **color scheme and design, shall be clearly visible at night, and shall be aesthetically**
87 **attractive, as prescribed by section 301.130. [Handicapped parking places may only be**
88 **used when a physically disabled occupant is in the motor vehicle at the time of parking**
89 **or when a physically disabled person is being delivered or collected by a properly marked**
90 **vehicle which is parked for the sole use of the physically disabled person. No vehicle**
91 **shall park in the access aisle. Such parking violation shall be an infraction. The use of**
92 **a vehicle displaying a disabled license plate or windshield placard to park in a parking**
93 **space designated for the disabled by a person not transporting the individual for whom**
94 **the license or placard was issued shall be an infraction. Upon conviction thereof,**
95 **violators shall be punished by a fine of not less than fifty dollars nor more than three**
96 **hundred dollars.**

97 4.] **8. The director shall further issue, upon request, to such applicant**
98 **one, and for good cause shown, as the director may define by rule and**
99 **regulations, not more than two, removable disabled windshield hanging**
100 **placards for use when the disabled person is occupying a vehicle or when a**
101 **vehicle not bearing the permanent handicap plate is being used to pick up,**
102 **deliver, or collect the physically disabled person issued the disabled motor**
103 **vehicle license plate or disabled windshield hanging placard.**

104 **9.** No additional fee shall be paid to the director [of revenue] for the issuance of
105 the special license plates provided in this section, except for special personalized license
106 plates and other license plates described in this subsection. Priority for any specific set
107 of special license plates shall be given to the applicant who received the number in the
108 immediately preceding license period subject to the applicant's compliance with the
109 provisions of this section and any applicable rules or regulations issued by the director if
110 determined feasible by the advisory committee established in section 301.129, any special
111 license plate issued pursuant to this section may be adapted to also include the
112 international wheelchair accessibility symbol and the word "disabled" as prescribed in
113 [subsection 3 of] this section and such plate may be issued to any applicant who meets
114 the requirements of this section and the other appropriate provision of this chapter,
115 subject to the requirements and fees of the appropriate provision of this chapter.

116 [5.] **10.** Any physically disabled person, or the parent or guardian of any such
117 person, or any not-for-profit group, organization, or other entity which transports more
118 than one physically disabled person, may apply to the director of revenue for a removable
119 windshield placard. [to] **The placard may be used in motor vehicles which do**
120 **not bear the permanent handicap symbol on the license plate. Such placards**
121 **must be hung from the front, middle rearview mirror of a parked motor vehicle and**
122 **may not be hung from the mirror during operation. These placards may only**
123 **be used during the period of time when the vehicle is being used by a**
124 **disabled person, or when the vehicle is being used to pick up, deliver, or**
125 **collect a disabled person.** When there is no rearview mirror, the placard shall be
126 displayed on the dashboard on the driver's side.

127 **11.** The removable windshield placard shall conform to the specifications, in
128 respect to size, color, and content, as set forth in federal regulations published by the
129 Department of Transportation. The fee for each removable windshield placard shall be
130 [two] **four** dollars and the removable windshield placard shall be renewed every [year]
131 **two years. The director may stagger the expiration dates to equalize**
132 **workload.** Only one removable placard may be issued to an applicant who has been
133 issued disabled person license plates. Upon request, one additional windshield placard
134 [shall] **may** be issued to an applicant who has not been issued disabled person license
135 plates, **at the appropriate fee.**

136 **12.** A temporary windshield placard shall be issued to any physically disabled

137 person, or the parent or guardian of any such person who otherwise qualifies except that
138 the physical disability, in the opinion of the physician, is not expected to exceed a period
139 of one hundred eighty days. The temporary windshield placard shall conform to the
140 specifications, in respect to size, color, and content, as set forth in federal regulations
141 published by the Department of Transportation. The fee for the temporary windshield
142 placard shall be two dollars. Upon request, **and for good cause shown**, one additional
143 temporary windshield placard [shall] **may** be issued to an applicant. Temporary
144 windshield placards shall be issued upon presentation of the physician's statement
145 provided by this section and shall be displayed in the same manner as removable
146 windshield placards. A person or entity shall be qualified to possess and display a
147 temporary removable windshield placard for six months and the placard may be renewed
148 once for an additional six months if a physician's statement pursuant to [subsection 6
149 of] this section is supplied to the director of revenue at the time of renewal. [The
150 placard shall be renewable only by the person or entity to which the placard was
151 originally issued. Any placard issued pursuant to this section shall only be used when
152 a physically disabled occupant is in the motor vehicle at the time of parking or when a
153 physically disabled person is being delivered or collected by a properly marked vehicle
154 which is parked for the sole use of the physically disabled person.

155 6.] **13.** Application for license plates or windshield placards issued pursuant to
156 this section shall be made to the director of revenue and shall be accompanied by a
157 statement signed by a licensed physician **or other authorized health care**
158 **practitioner** which certifies that the applicant, user, or member of the applicant's
159 household is a physically disabled person as defined by this section. [The physician's
160 statement shall be on a form prescribed by the director of revenue which shall include
161 the physician's license number. If it is the professional opinion of the physician who
162 issues the statement that the physical disability of the applicant, user, or member of the
163 applicant's household is permanent, this shall be noted on the statement. In such
164 instances, the applicant shall present the physician's statement which states that the
165 applicant's disability is permanent to the director of revenue the first time the applicant
166 applies for license plates or a removable windshield placard. The applicant shall not be
167 required to obtain a new physician's statement each time that the applicant applies for
168 or renews license plates or a removable windshield placard; but, the applicant shall
169 present a physician's statement each time the applicant applies for a temporary
170 windshield placard or renews a temporary windshield placard.]

171 **14.** The placard shall be renewable only by the person or entity to
172 which the placard was originally issued. Any placard issued pursuant to this
173 section shall only be used when a physically disabled occupant is in the motor
174 vehicle at the time of parking or when a physically disabled person is being
175 delivered or collected by a properly marked vehicle which is parked for the
176 sole use of the physically disable person. A disabled license plate and/or a

177 **removable windshield hanging placard are not transferable and may not be**
178 **used by any other person whether disabled or not.**

179 **15. At the time the disabled plates or windshield hanging placards are**
180 **issued, the director shall issue a registration certificate which shall include**
181 **the applicant's name, address, and other identifying information as**
182 **prescribed by the director, or if issued to an agency, such agency's name and**
183 **address. This certificate shall further contain the disabled license plate**
184 **number or, for windshield hanging placards, the registration or identifying**
185 **number stamped on the placard.**

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

193 **17. Beginning July 1, 2004, every applicant for a disabled license plate**
194 **or placard or for renewal of a plate or placard shall be required to present a**
195 **new physician's statement dated no more than ninety days prior to such**
196 **application. Thereafter, every new applicant, and in every fourth year any**
197 **applicant for a renewal, shall present a new physician's statement dated no**
198 **more than ninety days prior to such application.** Such physician's statement
199 shall state the expiration date for the temporary windshield placard. If the physician
200 fails to record an expiration date on the physician's statement, the director shall issue
201 the temporary windshield placard for a period of thirty days.

202 **18. The director of revenue upon receiving a physician's statement pursuant to**
203 **this subsection shall check with the state board of registration for the healing arts**
204 **created in section 334.120, RSMo, or the Missouri state board of chiropractic examiners**
205 **established in section 331.090, RSMo, with respect to physician's statements signed by**
206 **licensed chiropractors, or with the board of optometry established in section 336.130,**
207 **RSMo, with respect to physician's statements signed by licensed optometrists, or the**
208 **state board of podiatric medicine created in section 330.100, RSMo, with respect to**
209 **physician's statements signed by physicians of the foot or podiatrists to determine**
210 **whether the physician is duly licensed and registered pursuant to law.**

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

217 subsection] **section.**

218 [7.] **20.** Where the owner's application is based on the fact that the vehicle is
219 used at least fifty percent of the time by a physically disabled person, the applicant shall
220 submit an affidavit stating this fact, in addition to the physician's statement. The
221 affidavit shall be signed by both the owner of the vehicle and the physically disabled
222 person. The applicant shall be required to submit this affidavit with each application
223 for license plates.

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

227 [8.] **22.** The director of revenue shall enter into reciprocity agreements with
228 other states or the federal government for the purpose of recognizing disabled person
229 license plates or windshield placards issued to physically disabled persons.

230 [9.] **23.** When a person to whom disabled person license plates or a removable
231 or temporary windshield placard or both have been issued dies, the personal
232 representative of [such person] **the decedent or such other person who may come**
233 **into or otherwise take possession, of the disabled license plates or disabled**
234 **windshield placard** shall return [the plates or placards or both] **the same** to the
235 director of revenue under penalty of law. **Failure to return such plates or placards**
236 **shall constitute a class A misdemeanor.**

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

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

245 [10.] **26.** In the event a removable or temporary windshield placard is lost,
246 stolen, or mutilated, the lawful holder thereof shall, within five days, file with the
247 director of revenue an application and an affidavit stating such fact, in order to purchase
248 a new placard. The fee for the replacement windshield placard shall be [two] **four**
249 dollars.

250 [11. Beginning after September 1, 1998, and prior to August 31, 1999, the
251 director of revenue shall authorize a one-time recertification and review of all permanent
252 disabled person license plates and windshield placards, including physician's license
253 numbers and related information that the director has on file pursuant to subsection 6
254 of this section to determine if such numbers and information are current and
255 correct. The director shall require the presentation of a new physician's statement and
256 other information deemed necessary by the director to administer the provisions of this

257 section. The recertification and review shall be conducted in a manner as determined
258 by the director.

259 12.] **27. If the applicant shall fail to furnish the director with a new**
260 **physician's statement as provided in this section, the director shall cancel the**
261 **disabled plates, any hanging windshield placards, and shall require the**
262 **return of such cancelled plates or windshield hanging placards.**

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

301.144. 1. The director of revenue shall establish and issue special personalized
2 license plates containing letters or numbers or combinations of letters and numbers[, not
3 to exceed six characters in length]. Such license plates shall be made with fully
4 reflective material with a common color scheme and design, shall be clearly visible at
5 night, and shall be aesthetically attractive, as prescribed by section 301.130. Any person
6 desiring to obtain a special personalized license plate for any motor vehicle other than
7 a commercial motor vehicle licensed for more than twelve thousand pounds shall apply
8 to the director of revenue on a form provided by the director and shall pay a fee of fifteen
9 dollars in addition to the regular registration fees. The director of revenue shall issue
10 rules and regulations setting the standards and establishing the procedure for
11 application for and issuance of the special personalized license plates and shall provide
12 a deadline each year for the applications. Any rule or portion of a rule, as that term is
13 defined in section 536.010, RSMo, that is created under the authority delegated in this
14 section shall become effective only if it complies with and is subject to all of the
15 provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section
16 and chapter 536, RSMo, are nonseverable and if any of the powers vested with the
17 general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date
18 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
19 of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall
20 be invalid and void. No two owners shall be issued identical plates. An owner shall
21 make a new application and pay a new fee each year such owner desires to obtain or
22 retain special personalized license plates; however, notwithstanding the provisions of
23 subsection 8 of section 301.130 to the contrary, the director shall allow the special
24 personalized license plates to be replaced with new plates every three years without any
25 additional charge, above the fee established in this section, to the renewal
26 applicant. Any person currently in possession of an approved personalized license plate
27 shall have first priority on that particular plate for each of the following years that
28 timely and appropriate application is made.

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

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

58 4. The director of revenue shall issue to residents of the state of Missouri who
59 hold an unrevoked and unexpired official amateur radio license issued by the Federal
60 Communications Commission, upon application and upon payment of the additional fee
61 specified in subsection 1 of this section, except for a person exempted from the additional
62 fee pursuant to subsection 6 of this section, personalized special license plates bearing
63 the official amateur radio call letters assigned by the Federal Communications
64 Commission to the applicant **with the words "AMATEUR RADIO" in place of the**
65 **words "SHOW-ME STATE"**. The application shall be accompanied by an affidavit
66 stating that the applicant has an unrevoked and unexpired amateur radio license issued
67 by the Federal Communications Commission and the official radio call letters assigned
68 by the Federal Communications Commission to the applicant. **An owner making a**

69 **new application and paying a new fee to retain an amateur radio plate may**
70 **request a replacement plate with the words "AMATEUR RADIO" in place of the**
71 **words "SHOW-ME STATE". If application is made to retain a plate that is**
72 **three years old or older, the replacement plate shall be issued upon the**
73 **payment of required fees.**

74 5. Notwithstanding any other provision to the contrary, any business that
75 repossesses motor vehicles or trailers and sells or otherwise disposes of them shall be
76 issued a placard displaying the word "Repossessed", provided such business pays the fees
77 presently required of a manufacturer, distributor, or dealer in subsection 1 of section
78 301.253. Such placard shall bear a number and shall be in such form as the director of
79 revenue shall determine, and shall be only used for demonstrations when displayed
80 substantially as provided for number plates on the rear of the motor vehicle or trailer.

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

301.456. Any person who has been awarded the military service award known as
2 the "Silver Star" may apply for special motor vehicle license plates for any vehicle such
3 person owns, either solely or jointly, [for issuance either to passenger motor vehicles
4 subject to the registration fees provided in section 301.055 or for a nonlocal
5 property-carrying commercial motor vehicle licensed for a gross weight of nine thousand
6 one pounds to twelve thousand pounds as provided in section 301.057] **other than an**
7 **apportioned motor vehicle or a commercial motor vehicle licensed in excess**
8 **of eighteen thousand pounds gross weight.** Any such person shall make
9 application for the special license plates on a form provided by the director of revenue
10 and furnish such proof as a recipient of the silver star as the director may require. The
11 director shall then issue license plates bearing letters or numbers or a combination
12 thereof as determined by the advisory committee established in section 301.129, with the
13 words "SILVER STAR" in place of the words "SHOW-ME STATE". Such license plates
14 shall be made with fully reflective material with a common color scheme and design,
15 shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by
16 section 301.130. Such plates shall also bear an image of the silver star. There shall be
17 an additional fee charged for each set of silver star license plates issued pursuant to this
18 section equal to the fee charged for personalized license plates. No more than [one set]
19 **two sets** of silver star license plates shall be issued to a qualified applicant. License
20 plates issued under the provisions of this section shall not be transferable to any other
21 person except that any registered co-owner of the motor vehicle shall be entitled to

22 operate the motor vehicle with such plates for the duration of the year licensed in the
23 event of the death of the qualified person.

301.463. **1.** The children's trust fund board established in section 210.170, RSMo,
2 may authorize the use of their logo to be incorporated on [multiyear personalized] **motor**
3 **vehicle** license plates [as provided in this section] **for any motor vehicle the person**
4 **owns, either solely or jointly, other than an apportioned motor vehicle or a**
5 **commercial motor vehicle licensed in excess of eighteen thousand pounds**
6 **gross weight.** The license plate shall contain an emblem designed by the board
7 depicting two handprints of a child and the words "Children's Trust Fund" and the
8 children's trust fund logo in preference to the words "SHOW-ME STATE". The license
9 plates shall have a common background and shall bear as many letters and numbers as
10 will fit on the plate without damaging the plate's aesthetic appearance as determined
11 by the director of revenue. Any vehicle owner may annually apply to the board **or**
12 **director** for the use of the logo. Upon annual application and payment of a twenty-five
13 dollar logo use contribution to the board, the board shall issue to the vehicle owner,
14 without further charge, a "logo use authorization statement", which shall be presented
15 by the vehicle owner to the department of revenue at the time of
16 registration. **Application for use of the logo and payment of the twenty-five**
17 **dollar contribution may also be made at the time of registration to the**
18 **director, who shall deposit such contribution in the state treasury to the**
19 **credit of the children's trust fund.** Upon presentation of the annual statement
20 [and], payment of [the fee required for personalized license plates in section 301.144,
21 and other] **a fifteen dollar fee in addition to the regular registration** fees and
22 **presentation of** documents which may be required by law, the department of revenue
23 shall issue a [personalized] license plate described in this section to the vehicle
24 owner. **Notwithstanding the provisions of section 301.144, no additional fee**
25 **shall be charged for the personalization of license plates issued pursuant to**
26 **this section. There shall be no limit on the number of license plates any**
27 **person qualified pursuant to this section may obtain so long as each set of**
28 **plates issued pursuant to this section is issued for vehicles owned solely or**
29 **jointly by such person.** The license plate authorized by this section shall be issued
30 with a design approved by both the board and the director of revenue. The bidding
31 process used to select a vendor for the material to manufacture the license plates
32 authorized by this section shall consider the aesthetic appearance of the plate. A vehicle
33 owner, who was previously issued a plate with [an emblem] **a logo** authorized by this
34 section and who does not provide [an emblem] **a logo** use authorization statement at a
35 subsequent time of registration, shall be issued a new plate which does not bear the
36 [emblem] **logo**, as otherwise provided by law. Any contribution to the board derived
37 from this section shall be deposited in the state treasury to the credit of the children's
38 trust fund established in section 210.173, RSMo.

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

 301.3098. 1. Any member of the Kingdom of Calontir may receive special license
2 plates as prescribed by this section, for any motor vehicle such person owns, either solely
3 or jointly, other than an apportioned motor vehicle or a commercial motor vehicle
4 licensed in excess of eighteen thousand pounds gross weight, after an annual payment
5 of an emblem-use authorization fee to the Kingdom of Calontir, a subdivision of the
6 Society for Creative Anachronism, of which the person is a member. The Kingdom of
7 Calontir 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 Kingdom
9 of Calontir derived from this section, except reasonable administrative costs, shall be
10 used solely for the purposes of the Kingdom of Calontir. Any member of the Kingdom
11 of Calontir may 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 Kingdom of Calontir, 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
16 motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar
17 fee in 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 Kingdom of Calontir **and shall bear the words**
20 **"KINGDOM OF CALONTIR" in place of the words "SHOW-ME STATE"**. Such
21 license plates shall be made with fully reflective material with a common color scheme
22 and design, shall be clearly visible at night, and shall be aesthetically attractive, as
23 prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no
24 additional fee shall be charged for the personalization of license plates pursuant to this
25 section.

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

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

**8 2. Upon presentation of the appropriate proof of eligibility as
9 determined by the director and annual payment of a fifteen dollar fee in
10 addition to the registration fee, and other documents which may be required
11 by law, the department of revenue shall issue to the vehicle owner a
12 personalized license plate which shall bear an appropriate configuration to
13 be determined by the director, with the words "FORMER MISSOURI
14 LEGISLATOR" in place of the words "SHOW-ME STATE". Such license plates
15 shall be made with fully reflective material with a common color scheme and
16 design, shall be clearly visible at night, and shall be aesthetically attractive,
17 as prescribed by section 301.130. Notwithstanding the provisions of section
18 301.144, no additional fee shall be charged for the personalization of license
19 plates pursuant to this section.**

**20 3. No more than two sets of license plates shall be issued pursuant to
21 this section to a qualified applicant. License plates issued pursuant to this
22 section shall not be transferable to any other person except that any
23 registered co-owner of the motor vehicle shall be entitled to operate the
24 motor vehicle with such plates for the duration of the year licensed in the
25 event of the death of the qualified person. The director of revenue shall make
26 necessary rules and regulations for the administration of this section, and
27 shall design all necessary forms required by this section. Any rule or portion
28 of a rule, as that term is defined in section 536.010, RSMo, that is created
29 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,
31 and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo,
32 are nonseverable and if any of the powers vested with the general assembly
33 pursuant to chapter 536, RSMo, to review, to delay the effective date, or to
34 disapprove and annul a rule are subsequently held unconstitutional, then the
35 grant of rulemaking authority and any rule proposed or adopted after August
36 28, 2003, shall be invalid and void.**

**301.3122. 1. Any person may receive special license plates as
2 prescribed by this section, for any motor vehicle such person owns, either**

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

10 2. Upon annual application and payment of a twenty-five dollar
11 emblem-use contribution to the Friends of Kids with Cancer, the organization
12 shall issue to the vehicle owner, without further charge, an emblem-use
13 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
15 presentation of the annual statement, payment of a fifteen dollar fee in
16 addition to the registration fee and documents which may be required by law,
17 the department of revenue shall issue to the vehicle owner a personalized
18 license plate which shall bear the emblem of the Friends of Kids with Cancer
19 and shall bear the words "FRIENDS OF KIDS WITH CANCER" in place of the
20 words "SHOW-ME STATE". Such license plates shall be made with fully
21 reflective material with a common color scheme and design, shall be clearly
22 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
24 shall be charged for the personalization of license plates pursuant to this
25 section.

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

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

301.3123. 1. Any vehicle owner may apply for "Fight Terrorism" license

2 plates for any motor vehicle the person owns, either solely or jointly, other
3 than an apportioned motor vehicle or a commercial motor vehicle licensed in
4 excess of eighteen thousand pounds gross weight. Upon making an annual
5 twenty-five dollar contribution to the antiterrorism fund established pursuant
6 to section 41.033, RSMo, the vehicle owner may apply for the "Fight
7 Terrorism" plate. If the contribution is made directly to the Missouri office
8 of homeland security it shall issue the individual making the contribution a
9 receipt, verifying the contribution, that may be used to apply for the "Fight
10 Terrorism" license plate. If the contribution is made directly to the director
11 of revenue pursuant to section 301.3031, the director shall note the
12 contribution and the owner may then apply for the "Fight Terrorism"
13 plate. The applicant for such plate must pay a fifteen dollar fee in addition
14 to the regular registration fees and present any other documentation required
15 by law for each set of "Fight Terrorism" plates issued pursuant to this
16 section. Notwithstanding the provisions of section 301.144, no additional fee
17 shall be charged for the personalization of license plates issued pursuant to
18 this section. The "Fight Terrorism" plate shall bear an emblem prescribed by
19 the director of revenue and shall have the words "FIGHT TERRORISM" in
20 place of the words "SHOW-ME STATE". The insignia shall be affixed on
21 multiyear personalized license plates within the plate area prescribed by the
22 director of revenue. Such license plates shall be made with fully reflective
23 material with a common color scheme and design of the standard license
24 plate, shall be clearly visible at night, shall have a reflective white
25 background in the area of the plate configuration, and shall be aesthetically
26 attractive, as prescribed by section 301.130.

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

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

43 void.

201.3124. 1. Any person may receive special license plates as prescribed by this section for any motor vehicle such 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, after an annual payment of an emblem-use authorization fee to Special Olympics Missouri. Special Olympics Missouri hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section.

2. Upon annual application and payment of a twenty-five dollar emblem-use authorization fee to Special Olympics Missouri, that organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized license plate which shall bear an emblem approved by Special Olympics Missouri and the director of the department of revenue and shall have the words "SPECIAL OLYMPICS MISSOURI" in place of the words "SHOW-ME STATE". 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. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.

3. A vehicle owner, who was previously issued a plate with the Special Olympics Missouri emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Special Olympics Missouri emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become 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 personalized 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. Upon making a twenty-five dollar annual contribution to the Organ Donor Program Fund, established pursuant to section 194.297, RSMo,

7 the vehicle owner may apply for the "Be An Organ Donor" plate. If the
8 contribution is made directly to the state treasurer, the state treasurer shall
9 issue the individual making the contribution a receipt, verifying the
10 contribution, that may be used to apply for the "Be An Organ Donor" license
11 plate. If the contribution is made directly to the director of revenue pursuant
12 to section 301.3031, the director shall note the contribution and the owner
13 may then apply for the "Be An Organ Donor" plate. The applicant for such
14 plate must pay a fifteen dollar fee in addition to the regular registration fees
15 and present any other documentation required by law for each set of "Be An
16 Organ Donor" plates issued pursuant to this section. Notwithstanding the
17 provisions of section 301.144, no additional fee shall be charged for the
18 personalization of license plates issued pursuant to this section.

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

24 3. These plates shall be designed by the director, in consultation with
25 the Organ Donation Advisory Committee, established pursuant to section
26 194.300, RSMo, to educate the public about the urgent need for organ
27 donation and the life saving benefits of organ transplants.

28 4. A vehicle owner, who was previously issued a plate with the words
29 "BE AN ORGAN DONOR" authorized by this section but who does not present
30 a contribution receipt or make a contribution to the Organ Donor Program
31 Fund at a subsequent time of registration, shall be issued a new plate which
32 does not bear the words "BE AN ORGAN DONOR", as otherwise provided by
33 law.

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

 301.3126. 1. Any member of the Missouri Foxtrotting Horse Breed
2 Association may receive special license plates as prescribed by this section,
3 for any motor vehicle such person owns, either solely or jointly, other than

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

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

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

301.3128. 1. Any person, as defined by subsection 3 of this section, may
2 apply for special license plates for any motor vehicle such person owns, either
3 solely or jointly, other than an apportioned motor vehicle or a commercial
4 motor vehicle licensed in excess of eighteen thousand pounds gross

5 weight. Any person desiring a special license plate as provided by this
6 section shall make an application for the special license plates on a form
7 provided by the director of revenue and furnish proof of eligibility as the
8 director may require.

9 2. Upon payment of a fifteen dollar fee in addition to the registration
10 fee and other documents which may be required by law, the department of
11 revenue shall issue to the vehicle owner a personalized license plate which
12 shall bear an insignia depicting an outline of the state of Missouri with a
13 badge and the words "CONCERNS OF POLICE SURVIVORS" superimposed on
14 the outline of the state. Such license plates shall be made with fully reflective
15 material with a common color scheme and design, shall be clearly visible at
16 night, and shall be aesthetically attractive, as prescribed by section
17 301.130. Notwithstanding the provisions of section 301.144, no additional fee
18 shall be charged for the personalization of license plates pursuant to this
19 section.

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

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

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

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

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

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

301.3129. 1. Any person, as defined by subsection 3 of this section, may
2 apply for special license plates for any motor vehicle such person owns, either
3 solely or jointly, other than an apportioned motor vehicle or a commercial
4 motor vehicle licensed in excess of eighteen thousand pounds gross

5 weight. Any person desiring a special license plate as provided by this
6 section shall make an application for the special license plates on a form
7 provided by the director of revenue and furnish proof of eligibility as the
8 director may require.

9 2. Upon payment of a fifteen dollar fee in addition to the registration
10 fee and other documents which may be required by law, the department of
11 revenue shall issue to the vehicle owner a personalized license plate which
12 shall bear an insignia designed by the director or the director's designee and
13 shall bear the words "FIREFIGHTERS MEMORIAL" in place of the words
14 "SHOW-ME STATE". Such license plates shall be made with fully reflective
15 material with a common color scheme and design, shall be clearly visible at
16 night, and shall be aesthetically attractive, as prescribed by section
17 301.130. Notwithstanding the provisions of section 301.144, no additional fee
18 shall be charged for the personalization of license plates pursuant to this
19 section.

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

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

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

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

301.3130. 1. Any member of the Missouri Association of State Troopers
2 Emergency Relief Society, after an annual payment of an emblem-use
3 authorization fee to the Missouri Association of State Troopers Emergency
4 Relief Society, may receive special license plates for any vehicle the member
5 owns, either solely or jointly, other than an apportioned motor vehicle or a
6 commercial motor vehicle licensed in excess of eighteen thousand pounds
7 gross weight. The Missouri Association of State Troopers Emergency Relief
8 Society hereby authorizes the use of its official emblem to be affixed on
9 multiyear personalized license plates within the plate area prescribed by the

10 **director of revenue as provided in this section. Any contribution to the**
11 **Missouri Association of State Troopers Emergency Relief Society derived from**
12 **this section, except reasonable administrative costs, shall be used solely for**
13 **the purposes of the Missouri Association of State Troopers Emergency Relief**
14 **Society. Any member of the Missouri Association of State Troopers**
15 **Emergency Relief Society may annually apply for the use of the emblem.**

16 **2. Upon annual application and payment of a twenty-five dollar**
17 **emblem-use contribution to the Missouri Association of State Troopers**
18 **Emergency Relief Society, the Missouri Association of State Troopers**
19 **Emergency Relief Society shall issue to the vehicle owner, without further**
20 **charge, and "emblem-use authorization statement", which shall be presented**
21 **by the vehicle owner to the director of revenue at the time of**
22 **registration. Upon presentation of the annual statement and payment of a**
23 **fifteen dollar fee in addition to the regular registration fees, and presentation**
24 **of any documents which may be required by law, the director of revenue shall**
25 **issue to the vehicle owner a special license plate which shall bear the emblem**
26 **of the Missouri Association of State Troopers Emergency Relief Society and**
27 **the words "The MASTERS" in place of the words "SHOW-ME STATE". Such**
28 **license plates shall be made with fully reflective material with a common**
29 **color scheme and design of the standard license plate, shall be clearly visible**
30 **at night, shall have a reflective white background in the area of the plate**
31 **configuration, and shall be aesthetically attractive, as prescribed by section**
32 **301.130. Notwithstanding the provisions of section 301.144, no additional fee**
33 **shall be charged for the personalization of license plates pursuant to this**
34 **section.**

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

41 **4. The director of revenue shall make necessary rules and regulations**
42 **for the enforcement of this section, and shall design all necessary forms**
43 **required by this section. Any rule or portion of a rule, as that term is defined**
44 **in section 536.010, RSMo, that is created under the authority delegated in this**
45 **section shall become effective only if it complies with and is subject to all of**
46 **the provisions of chapter 536, RSMo, and, if applicable, section 536.028,**
47 **RSMo. This section and chapter 536, RSMo, are nonseverable and if any of**
48 **the powers vested with the general assembly pursuant to chapter 536, RSMo,**
49 **to review, to delay the effective date or to disapprove and annul a rule are**
50 **subsequently held unconstitutional, then the grant of rulemaking authority**

51 and any rule proposed or adopted after August 28, 2003, shall be invalid and
52 void.

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

16 2. Upon annual application and annual payment of a twenty-five dollar
17 emblem-use contribution to the Missouri Society of Professional Engineers
18 Education Foundation, the organization shall issue to the vehicle owner,
19 without further charge, an emblem-use authorization statement, which shall
20 be presented by the owner to the department of revenue at the time of
21 registration of a motor vehicle. Upon presentation of the annual statement,
22 payment of a fifteen dollar fee in addition to the registration fee and
23 documents which may be required by law, the department of revenue shall
24 issue to the vehicle owner a personalized license plate which shall bear the
25 emblem of the Missouri Society of Professional Engineers and the words
26 "MISSOURI SOCIETY OF PROFESSIONAL ENGINEERS" in place of "SHOW-ME
27 STATE". Such license plates shall be made with fully reflective material with
28 a common color scheme and design, shall be clearly visible at night, and shall
29 be aesthetically attractive, as prescribed by section 301.130. Notwithstanding
30 the provisions of section 301.144, no additional fee shall be added for the
31 personalization of license plates issued pursuant to this section.

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

38 4. The director of the department of revenue shall make necessary
39 rules and regulations for the administration of this section, and shall design

40 all necessary forms required by this section. Any rule or portion of a rule, as
41 that term is defined in section 536.010, RSMo, that is created under the
42 authority delegated in this section shall become effective only if it complies
43 with and is subject to all of the provisions of chapter 536, RSMo, and, if
44 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are
45 nonseverable and if any of the powers vested with the general assembly
46 pursuant to chapter 536, RSMo, to review, to delay the effective date, or to
47 disapprove and annul a rule are subsequently held unconstitutional, then the
48 grant of rulemaking authority and any rule proposed or adopted after August
49 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
3 special motor vehicle license plates for any vehicle such person owns, either
4 solely or jointly, other than an apportioned motor vehicle or a commercial
5 motor vehicle licensed in excess of eighteen thousand pounds gross weight,
6 after an annual payment of an emblem-use authorization fee to the Alpha Phi
7 Omega. Alpha Phi Omega hereby authorizes the use of their official emblem
8 to be affixed on multiyear personalized license plates as provided in this
9 section. Any contribution to Alpha Phi Omega derived from this section,
10 except reasonable administrative costs, shall be used solely for the purposes
11 of that organization. Any member or alumnus of Alpha Phi Omega may
12 annually apply for the use of the organization's emblem.

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

28 3. A vehicle owner, who was previously issued a plate with the Alpha
29 Phi Omega emblem authorized by this section but who does not provide an
30 emblem-use authorization statement at a subsequent time of registration,
31 shall be issued a new plate which does not bear the Alpha Phi Omega emblem,

32 as otherwise provided by law. The director of revenue shall make necessary
33 rules and regulations for the administration of this section, and shall design
34 all necessary forms required by this section. No rule or portion of a rule
35 promulgated pursuant to the authority of this section shall become effective
36 unless it has been promulgated pursuant to the provisions of chapter 536,
37 RSMo.

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

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

30 3. A vehicle owner, who was previously issued a plate with the Boy
31 Scouts of America emblem authorized by this section but who does not
32 provide an emblem-use authorization statement at a subsequent time of
33 registration, shall be issued a new plate which does not bear the Boy Scouts
34 of America emblem, as otherwise provided by law. The director of revenue
35 shall make necessary rules and regulations for the administration of this

36 section, and shall design all necessary forms required by this section. No rule
37 or portion of a rule promulgated pursuant to the authority of this section
38 shall become effective unless it has been promulgated pursuant to the
39 provisions of chapter 536, RSMo.

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

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

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

38 provisions of chapter 536, RSMo.

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

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

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

301.3144. 1. Any person may receive special license plates as prescribed by this section, for any motor vehicle such 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, after an annual contribution of an emblem-use authorization fee to Camp Quality of Missouri. Any contribution given pursuant to this section shall be designated for the sole use of providing scholarships to children with cancer who are residents of the state of Missouri for attendance at any summer camp conducted by Camp Quality in the state of Missouri. Camp Quality of Missouri hereby authorizes the use of its official emblem to be affixed on single-year or multiyear personalized license plates as provided in this section. Any person may annually or biannually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to Camp Quality of Missouri, that organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual or biannual statement, payment of a fifteen dollar fee, in addition to the registration fees, and presentation of other documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized license plate which shall bear the emblem of Camp Quality of Missouri and shall bear the words "CAMP QUALITY-FUN FOR KIDS WITH CANCER" in the place of the words "SHOW-ME STATE". 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. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. A vehicle owner, who was previously issued a plate with the Camp Quality of Missouri emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Camp Quality of Missouri emblem, as otherwise provided by law.

4. The director of the department of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are

42 **nonseverable and if any of the powers vested with the general assembly**
43 **pursuant to chapter 536, RSMo, to review, to delay the effective date, or to**
44 **disapprove and annul a rule are subsequently held unconstitutional, then the**
45 **grant of rulemaking authority and any rule proposed or adopted after August**
46 **28, 2003, shall be invalid and void.**

201.3999. 1. Any person who served in the active military service in a
2 branch of the armed services of the United States and was honorably
3 discharged from such service may apply for special license plates for any
4 vehicle other than an apportioned motor vehicle or a commercial motor
5 vehicle licensed in excess of eighteen thousand pounds gross weight. Any
6 such person shall make application for the special license plates on a form
7 provided by the director of revenue and furnish such proof of service and
8 status as an honorably discharged veteran as the director may require.

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

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

301.4000. Any person who served in the active military service in a branch of the
2 armed forces of the United States [during a period of war] and was honorably discharged
3 from such service may apply for special motorcycle license plates, either solely or jointly,
4 for issuance for any motorcycle subject to the registration fees provided in section
5 301.055. Any such person shall make application for the special license plates on a form
6 provided by the director of revenue and furnish such proof of [service in a foreign war
7 and] status as an honorably discharged veteran as the director may require. Upon
8 presentation of the proof of eligibility and payment of a fifteen dollar fee in addition to

9 the regulation registration fees, and presentation of other documents which may be
10 required by law, the director shall then issue license plates bearing letters or numbers
11 or a combination thereof as determined by the director, with the words "U.S. VET" in
12 place of the words "SHOW-ME STATE". The plates shall be clearly visible at night and
13 shall be aesthetically attractive, as prescribed by section 301.130. No more than one set
14 of special license plates shall be issued pursuant to this section to a qualified
15 applicant. License plates issued pursuant to this section shall not be transferable to any
16 other person except that any registered co-owner of the motorcycle may operate the
17 motorcycle for the duration of the year licensed in the event of the death of the qualified
18 person.

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

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

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

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

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

**18 4. A low-speed vehicle shall be exempt from the requirements of
19 sections 307.350 to 307.402, RSMo, for purposes of titling and
20 registration. Low-speed vehicles shall comply with the standards in 49 C.F.R.
21 571.500.**

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

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

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

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

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

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

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

32 **4. The windshield hanging placard shall only be used when the vehicle**
33 **is parked in a disabled parking space. It shall be unlawful for any person to**
34 **operate or drive a motor vehicle with windshield hanging placard hanging**

35 from the inside rearview mirror.

307.366. 1. This enactment of the emissions inspection program is a mandate of
2 the United States Congress pursuant to the federal Clean Air Act, as amended, 42 U.S.C.
3 7401, et seq. In any [city not within a county, any county of the first classification
4 having a population of over nine hundred thousand inhabitants according to the most
5 recent decennial census, any county of the first classification with a charter form of
6 government and a population of not more than two hundred twenty thousand inhabitants
7 and not less than two hundred thousand inhabitants according to the most recent
8 decennial census, any county of the first classification without a charter form of
9 government with a population of not more than one hundred eighty thousand inhabitants
10 and not less than one hundred seventy thousand inhabitants according to the most
11 recent decennial census and any county of the first classification without a charter form
12 of government with a population of not more than eighty-two thousand inhabitants and
13 not less than eighty thousand inhabitants according to the most recent decennial census]
14 **portion of an area designated by the governor as a nonattainment area, as**
15 **defined in the federal Clean Air Act, as amended, 42 U.S.C.A. Section 7501, and**
16 **located within the area described in subsection 1 of section 643.305, RSMo,**
17 certain motor vehicles shall be tested [annually] **and approved prior to sale or**
18 **transfer and biennially thereafter** to determine that the emissions system is
19 functioning within the emission standards as specified by the Missouri air conservation
20 commission and as required to attain the national health standards for air quality. **For**
21 **such biennial testing, any such vehicle manufactured as an even-numbered**
22 **model year vehicle shall be tested and approved in each even-numbered**
23 **calendar year and any such vehicle manufactured as an odd-numbered model**
24 **year vehicle shall be tested and approved in each odd-numbered calendar**
25 **year.** The motor vehicles to be tested shall be all motor vehicles except those
26 specifically exempted pursuant to subdivisions (1) to (3) of subsection 1 of section
27 307.350 and those exempted pursuant to this section.

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

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

31 (2) Motorcycles and motortricycles;

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

34 (4) School buses;

35 (5) Diesel-powered vehicles;

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

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

47 (8) Motor vehicles owned by a person who resides in a county of the first
48 classification without a charter form of government with a population of less than one
49 hundred thousand inhabitants according to the most recent decennial census who has
50 [chosen to have a biennial motor vehicle registration pursuant to section 301.147, RSMo,
51 and who has] completed an emission inspection pursuant to section 643.315, RSMo.
52 Each official inspection station which conducts [safety or] emissions inspections [in a
53 city or county] **within the area** referred to in subsection 1 of this section shall indicate
54 the gross vehicle weight rating of the motor vehicle on the [safety] inspection certificate
55 if the vehicle is exempt from the emissions inspection pursuant to subdivision (1) of this
56 subsection.

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

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

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

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

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

80 conspicuously on the sales contract and bill of sale that the purchaser has the option to
81 return the vehicle within ten days, provided that the vehicle has no more than one
82 thousand additional miles since the time of sale, to have the dealer repair the vehicle
83 and provide an emissions certificate and sticker within five working days if the vehicle
84 fails, upon inspection, to meet the emissions standards established by the commission,
85 or enter into any mutually acceptable agreement with the dealer. A violation of this
86 [subdivisions] **subsection** shall be an unlawful practice as defined in section 407.020,
87 RSMo. No emissions inspection shall be required pursuant to this section for the sale
88 of any motor vehicle which may be sold without a certificate of inspection and approval,
89 as provided pursuant to subsection 2 of section 307.380.

90 **4. Any motor vehicle required to be tested pursuant to this section**
91 **which fails an onboard diagnostic test shall be tested by the tailpipe**
92 **emissions test to determine if the actual tailpipe emissions of the motor**
93 **vehicle exceed the appropriate emissions standards established pursuant to**
94 **this section. If the vehicle passes the tailpipe emissions test, the motor**
95 **vehicle shall be considered to have passed the emissions tests established**
96 **pursuant to this section.**

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

112 [5.] **6.** The air conservation commission shall establish, by rule, a waiver amount
113 which may be lower for older model vehicles and which shall be no greater than
114 seventy-five dollars for model year vehicles prior to 1981 and no greater than two
115 hundred dollars for model year vehicles of 1981 and all subsequent model years.

116 [6.] **7.** An owner whose vehicle fails upon reinspection to meet the emission
117 standards specified by the Missouri air conservation commission shall be issued a
118 certificate of inspection and an approval sticker or seal by the official emissions
119 inspection station that provided the inspection if the vehicle owner furnishes a complete,

120 signed affidavit satisfying the requirements of this subsection and the cost of emissions
121 repairs and adjustments is equal to or greater than the waiver amount established by
122 the air conservation commission pursuant to this section. The air conservation
123 commission shall establish, by rule, a form and a procedure for verifying that repair and
124 adjustment was performed on a failing vehicle prior to the granting of a waiver and
125 approval. The waiver form established pursuant to this subsection shall be an affidavit
126 requiring:

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

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

131 [7.] **8.** The department of revenue shall require evidence of the inspection and
132 approval required by this section in issuing the motor vehicle annual registration in
133 conformity with the procedure required by sections 307.350 to 307.370.

134 [8.] **9.** Each emissions inspection station located in [any city or county] **the**
135 **area** described in subsection 1 of this section shall purchase from the highway patrol
136 sufficient forms and stickers or other devices to evidence approval of the motor vehicle's
137 emissions control system. In addition, emissions inspection stations may be required to
138 purchase forms for use in automated analyzers from outside vendors of the inspection
139 station's choice. The forms must comply with state regulations.

140 [9.] **10.** In addition to the fee collected by the superintendent pursuant to
141 subsection 5 of section 307.365, the highway patrol shall collect a fee of seventy-five
142 cents for each automobile emissions certificate issued to the applicable official emissions
143 inspection stations, except that no charge shall be made for certificates of inspection
144 issued to official emissions inspection stations operated by governmental entities. All
145 fees collected by the superintendent pursuant to this section shall be deposited in the
146 state treasury to the credit of the "Missouri Air Pollution Control Fund", which is hereby
147 created.

148 [10.] **11.** The moneys collected and deposited in the Missouri air pollution
149 control fund pursuant to this section shall be allocated on an equal basis to the Missouri
150 state highway patrol and the Missouri department of natural resources, air pollution
151 control program, and shall be expended subject to appropriation by the general assembly
152 for the administration and enforcement of sections 307.350 to 307.390. The unexpended
153 balance in the fund at the end of each appropriation period shall not be transferred to
154 the general revenue fund, except as directed by the general assembly by appropriation,
155 and the provisions of section 33.080, RSMo, relating to the transfer of funds to the
156 general revenue fund at the end of the biennium, shall not apply to this fund. The
157 moneys in the fund shall be invested by the treasurer as provided by law, and the
158 interest shall be credited to the fund.

159 [11.] **12.** The superintendent of the Missouri state highway patrol shall issue

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

166 [12.] 13. The provisions of this section shall not apply in any county for any time
167 period during which the air conservation commission has established a motor vehicle
168 emissions inspection program pursuant to sections 643.300 to 643.355, RSMo, for such
169 county, except where motor vehicle owners have the option of biennial testing pursuant
170 to chapter 643, RSMo. In counties where such option is available, the emissions
171 inspection may be conducted in stations conducting only an emissions inspection under
172 contract to the state.

173 [13.] 14. Notwithstanding the provisions of section 307.390, violation of this
174 section shall be deemed a class C misdemeanor.

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

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

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

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

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

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

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

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

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

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

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

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

51 **4. Any motor vehicle required to be tested pursuant to this section**
52 **which fails an onboard diagnostic test shall be tested by the tailpipe**
53 **emissions test to determine if the actual tailpipe emissions of the motor**
54 **vehicle exceed the appropriate emissions standards established pursuant to**
55 **this section. If the vehicle passes the tailpipe emissions test, the motor**
56 **vehicle shall be considered to have passed the emissions tests established**
57 **pursuant to this section.**

58 [4.] **5.** The commission may, by rule, allow inspection reciprocity with other
59 states having equivalent or more stringent testing and waiver requirements than those
60 established pursuant to sections 643.300 to 643.355.

61 [5.] **6.** (1) At the time of sale, a licensed motor vehicle dealer, as defined in
62 section 301.550, RSMo, may choose to sell a motor vehicle subject to the inspection
63 requirements of sections 643.300 to 643.355 either:

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

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

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

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

2 [307.366. 1. This enactment of the emissions inspection program
3 is a mandate of the United States Congress pursuant to the federal Clean
4 Air Act, as amended, 42 U.S.C. 7401, et seq. In [any city not within a
5 county, any county of the first classification having a population of over
6 nine hundred thousand inhabitants according to the most recent decennial
7 census, any county of the first classification with a charter form of
8 government and a population of not more than two hundred twenty
9 thousand inhabitants and not less than two hundred thousand inhabitants
10 according to the most recent decennial census, any county of the first
11 classification without a charter form of government with a population of
12 not more than one hundred eighty thousand inhabitants and not less than
one hundred seventy thousand inhabitants according to the most recent

13 decennial census and any county of the first classification without a
14 charter form of government with a population of not more than eighty-two
15 thousand inhabitants and not less than eighty thousand inhabitants
16 according to the most recent decennial census] **any portion of an area**
17 **designated by the governor as a nonattainment area, as defined**
18 **in the federal Clean Air Act, as amended, 42 U.S.C.A. Section**
19 **7501, and located within the area described in subsection 1 of**
20 **section 643.305, RSMo, certain motor vehicles shall be tested [annually]**
21 **and approved prior to sale or transfer and biennially thereafter**
22 to determine that the emissions system is functioning within the emission
23 standards as specified by the Missouri air conservation commission and
24 as required to attain the national health standards for air quality. **For**
25 **such biennial testing, any such vehicle manufactured as an even-**
26 **numbered model year vehicle shall be tested and approved in**
27 **each even-numbered calendar year and any such vehicle**
28 **manufactured as an odd-numbered model year vehicle shall be**
29 **tested and approved in each odd-numbered calendar year.** The
30 motor vehicles to be tested shall be all motor vehicles except those
31 specifically exempted pursuant to subdivisions (1) to (3) of subsection 1 of
32 section 307.350 and those exempted pursuant to this section.

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

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

36 (2) Motorcycles and motortricycles;

37 (3) Model year vehicles prior to 1971;

38 (4) School buses;

39 (5) Diesel-powered vehicles;

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

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

53 (8) Motor vehicles owned by a person who resides in a county of
54 the first classification without a charter form of government with a
55 population of less than one hundred thousand inhabitants according to the
56 most recent decennial census [who has chosen to have a biennial motor
57 vehicle registration pursuant to section 301.147, RSMo, and] who has
58 completed an emission inspection pursuant to section 643.315, RSMo.
59 Each official inspection station which conducts [safety or] emissions
60 inspections [in a city or county] **within the area** referred to in subsection
61 1 of this section shall indicate the gross vehicle weight rating of the motor
62 vehicle on the [safety] inspection certificate if the vehicle is exempt from
63 the emissions inspection pursuant to subdivision (1) of this subsection.

64 3. (1) At the time of sale, a licensed motor vehicle dealer, as
65 defined in section 301.550, RSMo, may choose to sell a motor vehicle
66 subject to the inspection requirements of this section either:

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

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

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

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

93 has no more than one thousand additional miles since the time of sale, to
94 have the dealer repair the vehicle and provide an emissions certificate and
95 sticker within five working days if the vehicle fails, upon inspection, to
96 meet the emissions standards established by the commission, or enter into
97 any mutually acceptable agreement with the dealer. A violation of this
98 [subdivisions] **subsection** shall be an unlawful practice as defined in
99 section 407.020, RSMo. No emissions inspection shall be required
100 pursuant to this section for the sale of any motor vehicle which may be
101 sold without a certificate of inspection and approval, as provided pursuant
102 to subsection 2 of section 307.380.

103 4. [In addition to the fee authorized by subsection 5 of section
104 307.365,] A fee, not to exceed [eight dollars and fifty cents for inspections
105 conducted prior to January 1, 1993, and not to exceed ten dollars and fifty
106 cents for inspections conducted thereafter, as determined by each official
107 emissions inspection station located in any city or county described in
108 subsection 1 of this section,] **twenty-four dollars** may be charged for an
109 automobile emissions and air pollution control inspection in order to
110 attain the national health standards for air quality. Such fee shall be
111 conspicuously posted on the premises of each such inspection station. The
112 official emissions inspection station shall issue a certificate of inspection
113 and an approval sticker or seal certifying the emissions system is
114 functioning properly. The certificate or approval issued shall bear the
115 legend: "This cost is mandated by your United States Congress.". No
116 owner shall be charged an additional fee after having corrected defects or
117 unsafe conditions in the automobile's emissions and air pollution control
118 system if the reinspection is completed within twenty consecutive days,
119 excluding Saturdays, Sundays and holidays, and if such follow-up
120 inspection is made by the station making the initial inspection.

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

126 6. An owner whose vehicle fails upon reinspection to meet the
127 emission standards specified by the Missouri air conservation commission
128 shall be issued a certificate of inspection and an approval sticker or seal
129 by the official emissions inspection station that provided the inspection if
130 the vehicle owner furnishes a complete, signed affidavit satisfying the
131 requirements of this subsection and the cost of emissions repairs and
132 adjustments is equal to or greater than the waiver amount established by

133 the air conservation commission pursuant to this section. The air
134 conservation commission shall establish, by rule, a form and a procedure
135 for verifying that repair and adjustment was performed on a failing
136 vehicle prior to the granting of a waiver and approval. The waiver form
137 established pursuant to this subsection shall be an affidavit requiring:

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

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

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

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

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

162 10. The moneys collected and deposited in the Missouri air
163 pollution control fund pursuant to this section shall be allocated on an
164 equal basis to the Missouri state highway patrol and the Missouri
165 department of natural resources, air pollution control program, and shall
166 be expended subject to appropriation by the general assembly for the
167 administration and enforcement of sections 307.350 to 307.390. The
168 unexpended balance in the fund at the end of each appropriation period
169 shall not be transferred to the general revenue fund, except as directed by
170 the general assembly by appropriation, and the provisions of section
171 33.080, RSMo, relating to the transfer of funds to the general revenue
172 fund at the end of the biennium, shall not apply to this fund. The moneys

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

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

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

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

2 [307.366. 1. This enactment of the emissions inspection program
3 is a mandate of the United States Congress pursuant to the federal Clean
4 Air Act, as amended, 42 U.S.C. 7401, et seq. In any city not within a
5 county, any county of the first classification having a population of over
6 nine hundred thousand inhabitants according to the most recent decennial
7 census, any county of the first classification with a charter form of
8 government and a population of not more than two hundred twenty
9 thousand inhabitants and not less than two hundred thousand inhabitants
10 according to the most recent decennial census, any county of the first
11 classification without a charter form of government with a population of
12 not more than one hundred eighty thousand inhabitants and not less than
13 one hundred seventy thousand inhabitants according to the most recent
14 decennial census and any county of the first classification without a
15 charter form of government with a population of not more than eighty-two
16 thousand inhabitants and not less than eighty thousand inhabitants
17 according to the most recent decennial census certain motor vehicles shall
18 be tested annually to determine that the emissions system is functioning
19 within the emission standards as specified by the Missouri air
conservation commission and as required to attain the national health

20 standards for air quality. The motor vehicles to be tested shall be all
21 motor vehicles except those specifically exempted pursuant to subdivisions
22 (1) to (3) of subsection 1 of section 307.350 and those exempted pursuant
23 to this section.

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

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

27 (2) Motorcycles and motortricycles;

28 (3) Model year vehicles prior to 1971;

29 (4) School buses;

30 (5) Diesel-powered vehicles;

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

36 (7) New motor vehicles not previously titled or registered prior to
37 the initial motor vehicle registration or the next succeeding registration
38 which is required by law. Each official inspection station which conducts
39 safety or emissions inspections in a city or county referred to in subsection
40 1 of this section shall indicate the gross vehicle weight rating of the motor
41 vehicle on the safety inspection certificate if the vehicle is exempt from the
42 emissions inspection pursuant to subdivision (1) of this subsection.

43 3. (1) At the time of sale, a licensed motor vehicle dealer, as
44 defined in section 301.550, RSMo, may choose to sell a motor vehicle
45 subject to the inspection requirements of this section either:

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

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

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

59 (3) If the dealer chooses to sell the vehicle without prior inspection

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

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

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

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

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

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

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

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

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

140 which is hereby created.

141 10. The moneys collected and deposited in the Missouri air
142 pollution control fund pursuant to this section shall be allocated on an
143 equal basis to the Missouri state highway patrol and the Missouri
144 department of natural resources, air pollution control program, and shall
145 be expended subject to appropriation by the general assembly for the
146 administration and enforcement of sections 307.350 to 307.390. The
147 unexpended balance in the fund at the end of each appropriation period
148 shall not be transferred to the general revenue fund, except as directed by
149 the general assembly by appropriation, and the provisions of section
150 33.080, RSMo, relating to the transfer of funds to the general revenue
151 fund at the end of the biennium, shall not apply to this fund.

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

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

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

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

2 [643.315. 1. Except as provided in sections 643.300 to 643.355, all
3 motor vehicles which are domiciled, registered or primarily operated in an
4 area for which the commission has established a motor vehicle emissions
5 inspection program pursuant to sections 643.300 to 643.355, which may
6 include all motor vehicles owned by residents of a county of the first
7 classification without a charter form of government with a population of
8 less than one hundred thousand inhabitants according to the most recent
9 decennial census who have chosen to [have a biennial motor vehicle
10 registration pursuant to section 301.147] **participate in such a**
11 **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

12 vehicle manufactured as an even-numbered model year vehicle shall be
13 inspected and approved under the emissions inspection program
14 established pursuant to sections 643.300 to 643.355 in each
15 even-numbered calendar year and any such vehicle manufactured as an
16 odd-numbered model year vehicle shall be inspected and approved under
17 the emissions inspection program established pursuant to sections 643.300
18 to 643.355 in each odd-numbered calendar year. All motor vehicles subject
19 to the inspection requirements of sections 643.300 to 643.355 shall display
20 a valid emissions inspection sticker, and when applicable, a valid
21 emissions inspection certificate shall be presented at the time of
22 registration or registration renewal of such motor vehicle.

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

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

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

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

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

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

36 (3) Model year vehicles prior to 1971;

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

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

50 (6) New and unused motor vehicles, of model years of the current
51 calendar year and of any calendar year within two years of such calendar

52 year, which have an odometer reading of less than six thousand miles at
53 the time of original sale by a motor vehicle manufacturer or licensed motor
54 vehicle dealer to the first user; and

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

57 4. The commission may, by rule, allow inspection reciprocity with
58 other states having equivalent or more stringent testing and waiver
59 requirements than those established pursuant to sections 643.300 to
60 643.355.

61 5. (1) At the time of sale, a licensed motor vehicle dealer, as
62 defined in section 301.550, RSMo, may choose to sell a motor vehicle
63 subject to the inspection requirements of sections 643.300 to 643.355
64 either:

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

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

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

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

92 have the dealer repair the vehicle and provide an emissions certificate and
93 sticker within five working days if the vehicle fails, upon inspection, to
94 meet the emissions standards established by the commission, or enter into
95 any mutually acceptable agreement with the dealer. A violation of this
96 subdivision shall be an unlawful practice as defined in section 407.020,
97 RSMo. No emissions inspection shall be required pursuant to sections
98 643.300 to 643.360 for the sale of any motor vehicle which may be sold
99 without a certificate of inspection and approval, as provided pursuant to
100 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.

T