

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 598
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:

1 Section A. Sections 301.130, 301.132, 301.141, 301.142,
2 301.144, 301.456, 301.463, 301.3098, 301.4000, and 643.315, RSMo,
3 section 307.366 as enacted by conference committee substitute for
4 senate committee substitute for house committee substitute for
5 house bills nos. 603, 722 & 783, ninetieth general assembly,
6 first regular session, section 307.366 as enacted by conference
7 committee substitute for house substitute for senate substitute
8 for senate bill no. 19, ninetieth general assembly, first regular
9 session, and sections 307.366 and 643.315 as truly agreed to and
10 finally passed by senate bill no. 54, ninety-second general

1 assembly, first regular session, are repealed and thirty-one new
2 sections enacted in lieu thereof, to be known as sections 41.033,
3 301.130, 301.132, 301.134, 301.141, 301.142, 301.144, 301.456,
4 301.463, 301.3098, 301.3106, 301.3122, 301.3123, 301.3124,
5 301.3125, 301.3126, 301.3128, 301.3129, 301.3130, 301.3132,
6 301.3137, 301.3139, 301.3140, 301.3141, 301.3144, 301.3999,
7 301.4000, 304.029, 304.601, 307.366, and 643.315, to read as
8 follows:

9 41.033. 1. The "Antiterrorism Fund" is hereby established
10 within the state treasury. The state treasurer shall be
11 custodian of the fund, in accordance with sections 30.170 and
12 30.180, RSMo, and shall make disbursements from said fund for the
13 purposes enumerated in subsection 2 of this section. All
14 contributions derived from section 301.3123, RSMo, private
15 donations, grants, or any appropriations made by the general
16 assembly, shall be placed in the antiterrorism fund.
17 Notwithstanding the provisions of section 33.080, RSMo, to the
18 contrary, moneys in the antiterrorism fund shall not revert to
19 the general revenue fund. Interest accruing to the antiterrorism
20 fund shall be part of the fund.

21 2. The antiterrorism fund shall, upon appropriation, be
22 used by the Missouri office of homeland security for
23 antiterrorism activities. Expenditures from the fund shall be
24 made upon the direction of the governor for antiterrorism
25 activities. As used in this section, the term "antiterrorism
26 activities" means activities related to the prevention,
27 detection, and emergency response to terrorism that are
28 undertaken by state and local law enforcement, fire protection,

1 and public health agencies. The funds provided for these
2 activities, to the extent that funds are available, shall be used
3 exclusively for purposes directly related to fighting terrorism.
4 Eligible activities include, but are not limited to, hiring
5 support staff to perform administrative tasks, hiring and
6 training additional law enforcement, fire protection, and public
7 health personnel, response training for existing and additional
8 law enforcement, fire protection, and public health personnel,
9 and hazardous materials and other equipment expenditures.

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

1 STATE".

2 2. The arrangement of letters and numbers of license plates
3 shall be uniform throughout each classification of registration.
4 The director may provide for the arrangement of the numbers in
5 groups or otherwise, and for other distinguishing marks on the
6 plates.

7 3. [The background of all license plates, or the letters
8 and numerals thereof, shall be coated with a material which will
9 reflect the lights of other vehicles. The nature and
10 specifications of this material shall be determined after a
11 public hearing by the director of revenue, director of prison
12 industries, and superintendent of the state highway patrol, and
13 shall meet the standards established by the state transportation
14 department.

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

24 5.] All property-carrying commercial motor vehicles to be
25 registered at a gross weight in excess of twelve thousand pounds,
26 all passenger-carrying commercial motor vehicles, local transit
27 buses, school buses, trailers, semitrailers, motorcycles,
28 motortricycles, motorscooters and driveaway vehicles shall be

1 registered with the director of revenue as provided for in
2 subsection 3 of section 301.030, but only one license plate shall
3 be issued for each such vehicle except as provided in this
4 subsection. The applicant for registration of any property-
5 carrying commercial motor vehicle may request and be issued two
6 license plates for such vehicle, and if such plates are issued
7 the director of revenue may assess and collect an additional
8 charge from the applicant in an amount not to exceed the fee
9 prescribed for personalized license plates in subsection 1 of
10 section 301.144.

11 [6.] 4. The plates issued to manufacturers and dealers
12 shall bear the letter "D" preceding the number, and the director
13 may place upon the plates other letters or marks to distinguish
14 commercial motor vehicles and trailers and other types of motor
15 vehicles.

16 [7.] 5. No motor vehicle or trailer shall be operated on
17 any highway of this state unless it shall have displayed thereon
18 the license plate or set of license plates issued by the director
19 of revenue and authorized by section 301.140. Each such plate
20 shall be securely fastened to the motor vehicle in a manner so
21 that all parts thereof shall be plainly visible and reasonably
22 clean so that the reflective qualities thereof are not impaired.
23 License plates shall be fastened to all motor vehicles except
24 trucks, tractors, truck tractors or truck-tractors licensed in
25 excess of twelve thousand pounds on the front and rear of such
26 vehicles not less than eight nor more than forty-eight inches
27 above the ground, with the letters and numbers thereon right side
28 up. The license plates on trailers, motorcycles, motortricycles

1 and motorscooters shall be displayed on the rear of such
2 vehicles, with the letters and numbers thereon right side up.
3 The license plate on buses, other than school buses, and on
4 trucks, tractors, truck tractors or truck-tractors licensed in
5 excess of twelve thousand pounds shall be displayed on the front
6 of such vehicles not less than eight nor more than forty-eight
7 inches above the ground, with the letters and numbers thereon
8 right side up or if two plates are issued for the vehicle
9 pursuant to subsection 5 of this section, displayed in the same
10 manner on the front and rear of such vehicles. The license plate
11 or plates authorized by section 301.140, when properly attached,
12 shall be prima facie evidence that the required fees have been
13 paid.

14 [8.] 6. (1) The director of revenue shall issue annually a
15 tab or set of tabs as evidence of the annual payment of
16 registration fees and the current registration of a vehicle in
17 lieu of the set of plates[; except that the director shall
18 annually issue a new license plate or set of plates as provided
19 in this section for vehicles registered pursuant to subsection 2
20 of section 301.277, commercial motor vehicles in excess of twelve
21 thousand pounds, trailers, buses and dealers].

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

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

1 been paid.

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

5 (5) For those commercial motor vehicles and trailers
6 registered pursuant to section 301.041, the plate issued by the
7 director of revenue shall be a permanent nonexpiring license
8 plate for which no tabs shall be issued. Nothing in this section
9 shall relieve the owner of any vehicle permanently registered
10 pursuant to this section from the obligation to pay the annual
11 registration fee due for the vehicle. The permanent nonexpiring
12 license plate shall be returned to the director of revenue upon
13 the sale or disposal of the vehicle by the owner to whom the
14 permanent nonexpiring license plate is issued, or the plate may
15 be transferred to a replacement commercial motor vehicle when the
16 owner files a supplemental application with the Missouri highway
17 reciprocity commission for the registration of such replacement
18 commercial motor vehicle. Upon payment of the annual
19 registration fee, the director of revenue shall issue a
20 certificate of registration or other suitable evidence of payment
21 of the annual fee, and such evidence of payment shall be carried
22 at all times in the vehicle for which it is issued.

23 (6) Upon the sale or disposal of any vehicle permanently
24 registered under this section, or upon the termination of a lease
25 of any such vehicle, the permanent nonexpiring plate issued for
26 such vehicle shall be returned to the director and shall not be
27 valid for operation of such vehicle, or the plate may be
28 transferred to a replacement vehicle when the owner files a

1 supplemental application with the Missouri highway reciprocity
2 commission for the registration of such replacement vehicle. If
3 a vehicle which is permanently registered under this section is
4 sold, wrecked or otherwise disposed of, or the lease terminated,
5 the registrant shall be given credit for any unused portion of
6 the annual registration fee when the vehicle is replaced by the
7 purchase or lease of another vehicle during the registration
8 year.

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

14 8. Notwithstanding the provisions of any other law to the
15 contrary, owners of motor vehicles other than apportioned motor
16 vehicles or commercial motor vehicles licensed in excess of
17 eighteen thousand pounds gross weight may apply for special
18 personalized license plates. Vehicles licensed for eighteen
19 thousand pounds that display special personalized license plates
20 shall be subject to the provisions of subsections 1 and 2 of
21 section 301.030.

22 301.132. 1. [Any motor vehicle manufactured in 1948 or
23 before which is modified for safe road use, including but not
24 limited to modifications to the drive train, suspension, brake
25 system, and any safety or comfort apparatus and which is not
26 owned solely as a collector's item and which is not used or
27 intended to be used solely for exhibition and educational
28 purposes only, may be specially registered as a "street rod" upon

1 payment of an annual fee equal to the fee charged for
2 personalized license plates in section 301.144 in addition to the
3 regular annual registration fees. Upon the transfer of the title
4 to any such vehicle the registration shall be canceled and the
5 license plates issued therefor shall be returned to the director
6 of revenue.

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

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

25 4. Motor vehicles registered under this section are subject
26 to the motor vehicle safety inspection requirements of sections
27 307.350 to 307.390, RSMo.] For purposes of this section, "street
28 rod" is a vehicle older than 1949 or a vehicle manufactured after

1 1948 to resemble a vehicle manufactured before 1949; and has been
2 altered from the manufacturer's original design or has a body
3 constructed from nonoriginal materials.

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

9 3. For each street rod, there shall be an annual fee equal
10 to the fee charged for personalized license plates in section
11 301.144 in addition to the regular annual registration fees.

12 4. In applying for registration of a street rod pursuant to
13 this section, the owner of the street rod shall submit with the
14 application a certification that the vehicle for which the
15 application is made:

16 (1) Will be maintained for occasional transportation,
17 exhibitions, club activities, parades, tours, and similar uses;

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

19 5. In addition to the certification required pursuant to
20 subsection 4 of this section, when applying for registration of a
21 street rod, the new owner of the street rod shall provide proof
22 that the street rod passed a safety inspection in accordance with
23 section 307.350, RSMo, that shall be approved by the department
24 of public safety in consultation with the street rod community in
25 this state.

26 6. On registration of a vehicle pursuant to this section,
27 the director of the department of revenue shall issue to the
28 owner two license plates containing the number assigned to the

1 registration certificate issued by the director of revenue, and
2 the following words: "Street Rod", "State of Missouri". Such
3 license plates shall be kept securely attached to the motor
4 vehicle registered pursuant to this section. The director of
5 revenue shall determine the characteristic features of such
6 license plates for vehicles registered pursuant to the provisions
7 of this section so that they may be recognized as such, except
8 that such license plates shall be made with fully reflective
9 material with a common color scheme and design, shall be clearly
10 visible at night, and shall be aesthetically attractive, as
11 prescribed by section 301.130.

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

17 8. Except as provided in subsection 5 of this section, a
18 vehicle registered pursuant to this section is exempt from any
19 statute of this state that requires periodic vehicle inspections
20 and from any statute of this state that requires the use and
21 inspection of emission controls.

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

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

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

1 10. The model year and the year of manufacture that are
2 listed on the certificate of title of a custom vehicle shall be
3 the model year and year of manufacture that the body of such
4 vehicle resembles. The current and all subsequent certificates
5 of ownership shall be designated with the word "REPLICA".

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

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

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

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

17 13. In addition to the certification required pursuant to
18 subsection 12 of this section, when applying for registration of
19 a custom vehicle, the new owner of the custom vehicle shall
20 provide proof that the custom vehicle passed a safety inspection
21 in accordance with section 307.350, RSMo, that shall be approved
22 by the department of public safety in consultation with the
23 street rod community in this state.

24 14. On registration of a vehicle pursuant to this section,
25 the director of the department of revenue shall issue to the
26 owner two license plates containing the number assigned to the
27 registration certificate issued by the director of revenue, and
28 the following words: "Custom Vehicle", "State of Missouri".

1 Such license plates shall be kept securely attached to the motor
2 vehicle registered hereunder. The director of revenue shall
3 determine the characteristic features of such license plates for
4 vehicles registered pursuant to the provisions of this section so
5 that they may be recognized as such, except that such license
6 plates shall be made with fully reflective material with a common
7 color scheme and design, shall be clearly visible at night, and
8 shall be aesthetically attractive, as prescribed by section
9 301.130.

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

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

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

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

26 301.134. 1. Daughters of the American Revolution who has
27 obtained an emblem-use authorization statement from the Missouri
28 State Society Daughters of the American Revolution may apply for

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

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

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

1 for plates issued pursuant to this section.

2 4. The director of revenue may promulgate rules and
3 regulations for the administration of this section. Any rule or
4 portion of a rule, as that term is defined in section 536.010,
5 RSMo, that is created under the authority delegated in this
6 section shall become effective only if it complies with and is
7 subject to all of the provisions of chapter 536, RSMo, and, if
8 applicable, section 536.028, RSMo. This section and chapter 536,
9 RSMo, are nonseverable and if any of the powers vested with the
10 general assembly pursuant to chapter 536, RSMo, to review, to
11 delay the effective date, or to disapprove and annul a rule are
12 subsequently held unconstitutional, then the grant of rulemaking
13 authority and any rule proposed or adopted after August 28, 2003,
14 shall be invalid and void.

15 301.141. 1. Fraudulent procurement or use of
16 disabled-person license plates or windshield placards shall be a
17 class [C] A misdemeanor. [It is a class C misdemeanor for a
18 physician, chiropractor, podiatrist or optometrist to certify
19 that an individual or family member is qualified for a license
20 plate or windshield placard based on a disability, the diagnosis
21 of which is outside their scope of practice.]

22 2. Any physician or other health care practitioner
23 authorized to issue a physician's statement or certificate to
24 enable persons to obtain disabled license plates or windshield
25 hanging placards pursuant to section 301.142, who issues, signs,
26 or furnishes such statement or certificate to any person who does
27 not meet one or more of the conditions set forth in subsection 1
28 of section 301.142, if there is no basis for the diagnosis given,

1 or who issues, signs, or furnishes such statement for a
2 condition, the diagnosis of which is outside the scope of such
3 health care provider's license, is guilty of a class A
4 misdemeanor.

5 301.142. 1. As used in [this section the term] sections
6 301.141 to 301.143, the following terms mean:

7 (1) "Department", the department of revenue;

8 (2) "Director", the director of the department of revenue;

9 (3) "Other authorized health care practitioner", includes
10 only chiropractors licensed pursuant to chapter 331, RSMo,
11 podiatrists licensed pursuant to chapter 330, RSMo, and
12 optometrists licensed pursuant to chapter 336, RSMo;

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

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

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

26 [(3)] (c) Is restricted by [lung] a respiratory or other
27 disease to such an extent that the person's forced respiratory
28 expiratory volume for one second, when measured by spirometry, is

1 less than one liter, or the arterial oxygen tension is less than
2 sixty mm/hg on room air at rest; or

3 [(4)] (d) Uses portable oxygen; or

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

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

10 (f) A person's age, in and of itself, shall not be a factor
11 in determining whether such person is "physically disabled" or is
12 otherwise entitled to disabled license plates and/or disabled
13 windshield hanging placards within the meaning of sections
14 301.141 to 301.143;

15 (5) "Physician", a person licensed to practice medicine
16 pursuant to chapter 334, RSMo;

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

20 [2.] (7) "Temporarily disabled person" [means], a
21 [physically] disabled person as defined in this section whose
22 disability or incapacity [can be] is expected to last [for not]
23 no more than one hundred eighty days.

24 [3.] 2. Other authorized health care practitioners may
25 furnish to a disabled or temporarily disabled person a
26 physician's statement for only those physical health care
27 conditions for which such health care practitioner is legally
28 authorized to diagnose and treat.

1 3. A physician's statement shall:

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

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

6 (3) Include the physician's or other authorized health care
7 practitioner's license number; and

8 (4) Be personally signed by the issuing physician or other
9 authorized health care practitioner.

10 4. If it is the professional opinion of the physician or
11 other authorized health care practitioner issuing the statement,
12 that the physical disability of the applicant, user, or member of
13 the applicant's household is permanent, it shall be noted on the
14 statement. Otherwise, the physician or other authorized health
15 care practitioner shall note on the statement the anticipated
16 length of the disability which period may not exceed one hundred
17 eighty days.

18 5. A physician or other authorized health care practitioner
19 who issues or signs a physician's statement so that disabled
20 plates or a disabled windshield placard may be obtained shall
21 maintain in such disabled person's medical chart documentation
22 that such a certificate has been issued, the date the statement
23 was signed, the diagnosis or condition which existed that
24 qualified the person as disabled pursuant to this section and
25 shall contain sufficient documentation so as to objectively
26 confirm that such condition exists.

27 6. The medical or other records of the physician or other
28 authorized health care practitioner who issued a physician's

1 statement shall be open to inspection and review by such
2 practitioner's licensing board in order to verify compliance with
3 this section.

4 7. Owners of motor vehicles who are residents of the state
5 of Missouri, and who are physically disabled, owners of motor
6 vehicles operated at least fifty percent of the time by a
7 physically disabled person, or owners of motor vehicles used to
8 primarily transport physically disabled members of the owner's
9 household may obtain disabled person license plates. Such
10 owners, upon application, accompanied by the documents and fees
11 provided for in this section, a current physician's statement
12 which has been issued within ninety days proceeding the date the
13 application is made and [by] proof of compliance with the state
14 motor vehicle laws relating to registration and licensing of
15 motor vehicles shall be issued motor vehicle license plates for
16 vehicles, other than commercial vehicles with a gross weight in
17 excess of twenty-four thousand pounds, upon which shall be
18 inscribed the international wheelchair accessibility symbol and
19 the word "disabled" in addition to a combination of letters and
20 numbers. Such license plates shall be made with fully reflective
21 material with a common color scheme and design, shall be clearly
22 visible at night, and shall be aesthetically attractive, as
23 prescribed by section 301.130. [Handicapped parking places may
24 only be used when a physically disabled occupant is in the motor
25 vehicle at the time of parking or when a physically disabled
26 person is being delivered or collected by a properly marked
27 vehicle which is parked for the sole use of the physically
28 disabled person. No vehicle shall park in the access aisle.

1 Such parking violation shall be an infraction. The use of a
2 vehicle displaying a disabled license plate or windshield placard
3 to park in a parking space designated for the disabled by a
4 person not transporting the individual for whom the license or
5 placard was issued shall be an infraction. Upon conviction
6 thereof, violators shall be punished by a fine of not less than
7 fifty dollars nor more than three hundred dollars.

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

16 9. No additional fee shall be paid to the director [of
17 revenue] for the issuance of the special license plates provided
18 in this section, except for special personalized license plates
19 and other license plates described in this subsection. Priority
20 for any specific set of special license plates shall be given to
21 the applicant who received the number in the immediately
22 preceding license period subject to the applicant's compliance
23 with the provisions of this section and any applicable rules or
24 regulations issued by the director. If determined feasible by
25 the advisory committee established in section 301.129, any
26 special license plate issued pursuant to this section may be
27 adapted to also include the international wheelchair
28 accessibility symbol and the word "disabled" as prescribed in

1 [subsection 3 of] this section and such plate may be issued to
2 any applicant who meets the requirements of this section and the
3 other appropriate provision of this chapter, subject to the
4 requirements and fees of the appropriate provision of this
5 chapter.

6 [5.] 10. Any physically disabled person, or the parent or
7 guardian of any such person, or any not-for-profit group,
8 organization, or other entity which transports more than one
9 physically disabled person, may apply to the director of revenue
10 for a removable windshield placard. [to] The placard may be used
11 in motor vehicles which do not bear the permanent handicap symbol
12 on the license plate. Such placards must be hung from the front,
13 middle rearview mirror of a parked motor vehicle and may not be
14 hung from the mirror during operation. These placards may only
15 be used during the period of time when the vehicle is being used
16 by a disabled person, or when the vehicle is being used to pick
17 up, deliver, or collect a disabled person. When there is no
18 rearview mirror, the placard shall be displayed on the dashboard
19 on the driver's side.

20 11. The removable windshield placard shall conform to the
21 specifications, in respect to size, color, and content, as set
22 forth in federal regulations published by the Department of
23 Transportation. The fee for each removable windshield placard
24 shall be ~~[two]~~ four dollars and the removable windshield placard
25 shall be renewed every ~~[year]~~ two years. The director may
26 stagger the expiration dates to equalize workload. Only one
27 removable placard may be issued to an applicant who has been
28 issued disabled person license plates. Upon request, one

1 additional windshield placard [shall] may be issued to an
2 applicant who has not been issued disabled person license plates,
3 at the appropriate fee.

4 12. A temporary windshield placard shall be issued to any
5 physically disabled person, or the parent or guardian of any such
6 person who otherwise qualifies except that the physical
7 disability, in the opinion of the physician, is not expected to
8 exceed a period of one hundred eighty days. The temporary
9 windshield placard shall conform to the specifications, in
10 respect to size, color, and content, as set forth in federal
11 regulations published by the Department of Transportation. The
12 fee for the temporary windshield placard shall be two dollars.
13 Upon request, and for good cause shown, one additional temporary
14 windshield placard [shall] may be issued to an applicant.

15 Temporary windshield placards shall be issued upon presentation
16 of the physician's statement provided by this section and shall
17 be displayed in the same manner as removable windshield placards.

18 A person or entity shall be qualified to possess and display a
19 temporary removable windshield placard for six months and the
20 placard may be renewed once for an additional six months if a
21 physician's statement pursuant to [subsection 6 of] this section
22 is supplied to the director of revenue at the time of renewal.

23 [The placard shall be renewable only by the person or entity to
24 which the placard was originally issued. Any placard issued
25 pursuant to this section shall only be used when a physically
26 disabled occupant is in the motor vehicle at the time of parking
27 or when a physically disabled person is being delivered or
28 collected by a properly marked vehicle which is parked for the

1 sole use of the physically disabled person.

2 6.] 13. Application for license plates or windshield
3 placards issued pursuant to this section shall be made to the
4 director of revenue and shall be accompanied by a statement
5 signed by a licensed physician or other authorized health care
6 practitioner which certifies that the applicant, user, or member
7 of the applicant's household is a physically disabled person as
8 defined by this section. [The physician's statement shall be on
9 a form prescribed by the director of revenue which shall include
10 the physician's license number. If it is the professional
11 opinion of the physician who issues the statement that the
12 physical disability of the applicant, user, or member of the
13 applicant's household is permanent, this shall be noted on the
14 statement. In such instances, the applicant shall present the
15 physician's statement which states that the applicant's
16 disability is permanent to the director of revenue the first time
17 the applicant applies for license plates or a removable
18 windshield placard. The applicant shall not be required to
19 obtain a new physician's statement each time that the applicant
20 applies for or renews license plates or a removable windshield
21 placard; but, the applicant shall present a physician's statement
22 each time the applicant applies for a temporary windshield
23 placard or renews a temporary windshield placard.]

24 14. The placard shall be renewable only by the person or
25 entity to which the placard was originally issued. Any placard
26 issued pursuant to this section shall only be used when a
27 physically disabled occupant is in the motor vehicle at the time
28 of parking or when a physically disabled person is being

1 delivered or collected by a properly marked vehicle which is
2 parked for the sole use of the physically disable person. A
3 disabled license plate and/or a removable windshield hanging
4 placard are not transferable and may not be used by any other
5 person whether disabled or not.

6 15. At the time the disabled plates or windshield hanging
7 placards are issued, the director shall issue a registration
8 certificate which shall include the applicant's name, address,
9 and other identifying information as prescribed by the director,
10 or if issued to an agency, such agency's name and address. This
11 certificate shall further contain the disabled license plate
12 number or, for windshield hanging placards, the registration or
13 identifying number stamped on the placard.

14 16. The director shall, upon issuing any disabled
15 registration certificate for license plates and/or windshield
16 hanging placards, provide information which explains that such
17 plates or windshield hanging placards are nontransferable, and
18 the restrictions explaining who and when a person or vehicle
19 which bears or has the disabled plates or windshield hanging
20 placards may be used or be parked in a disabled reserved parking
21 space, and the penalties prescribed for violations of the
22 provisions of this act.

23 17. Beginning July 1, 2004, every applicant for a disabled
24 license plate or placard or for renewal of a plate or placard
25 shall be required to present a new physician's statement dated no
26 more than ninety days prior to such application. Thereafter,
27 every new applicant, and in every fourth year any applicant for a
28 renewal, shall present a new physician's statement dated no more

1 than ninety days prior to such application. Such physician's
2 statement shall state the expiration date for the temporary
3 windshield placard. If the physician fails to record an
4 expiration date on the physician's statement, the director shall
5 issue the temporary windshield placard for a period of thirty
6 days.

7 18. The director of revenue upon receiving a physician's
8 statement pursuant to this subsection shall check with the state
9 board of registration for the healing arts created in section
10 334.120, RSMo, or the Missouri state board of chiropractic
11 examiners established in section 331.090, RSMo, with respect to
12 physician's statements signed by licensed chiropractors, or with
13 the board of optometry established in section 336.130, RSMo, with
14 respect to physician's statements signed by licensed
15 optometrists, or the state board of podiatric medicine created in
16 section 330.100, RSMo, with respect to physician's statements
17 signed by physicians of the foot or podiatrists to determine
18 whether the physician is duly licensed and registered pursuant to
19 law.

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

1 [7.] 20. Where the owner's application is based on the fact
2 that the vehicle is used at least fifty percent of the time by a
3 physically disabled person, the applicant shall submit an
4 affidavit stating this fact, in addition to the physician's
5 statement. The affidavit shall be signed by both the owner of
6 the vehicle and the physically disabled person. The applicant
7 shall be required to submit this affidavit with each application
8 for license plates.

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

13 [8.] 22. The director of revenue shall enter into
14 reciprocity agreements with other states or the federal
15 government for the purpose of recognizing disabled person license
16 plates or windshield placards issued to physically disabled
17 persons.

18 [9.] 23. When a person to whom disabled person license
19 plates or a removable or temporary windshield placard or both
20 have been issued dies, the personal representative of [such
21 person] the decedent or such other person who may come into or
22 otherwise take possession, of the disabled license plates or
23 disabled windshield placard shall return [the plates or placards
24 or both] the same to the director of revenue under penalty of
25 law. Failure to return such plates or placards shall constitute
26 a class A misdemeanor.

27 24. The director of revenue may order any person issued
28 disabled person license plates or windshield placards to submit

1 to an examination by a chiropractor, osteopath, or physician, or
2 to such other investigation as will determine whether such person
3 qualifies for the special plates or placards.

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

9 [10.] 26. In the event a removable or temporary windshield
10 placard is lost, stolen, or mutilated, the lawful holder thereof
11 shall, within five days, file with the director of revenue an
12 application and an affidavit stating such fact, in order to
13 purchase a new placard. The fee for the replacement windshield
14 placard shall be [two] four dollars.

15 [11. Beginning after September 1, 1998, and prior to August
16 31, 1999, the director of revenue shall authorize a one-time
17 recertification and review of all permanent disabled person
18 license plates and windshield placards, including physician's
19 license numbers and related information that the director has on
20 file pursuant to subsection 6 of this section to determine if
21 such numbers and information are current and correct. The
22 director shall require the presentation of a new physician's
23 statement and other information deemed necessary by the director
24 to administer the provisions of this section. The
25 recertification and review shall be conducted in a manner as
26 determined by the director.

27 12.] 27. If the applicant shall fail to furnish the
28 director with a new physician's statement as provided in this

1 section, the director shall cancel the disabled plates, any
2 hanging windshield placards, and shall require the return of such
3 cancelled plates or windshield hanging placards.

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

12 301.144. 1. The director of revenue shall establish and
13 issue special personalized license plates containing letters or
14 numbers or combinations of letters and numbers[, not to exceed
15 six characters in length]. Such license plates shall be made
16 with fully reflective material with a common color scheme and
17 design, shall be clearly visible at night, and shall be
18 aesthetically attractive, as prescribed by section 301.130. Any
19 person desiring to obtain a special personalized license plate
20 for any motor vehicle other than a commercial motor vehicle
21 licensed for more than twelve thousand pounds shall apply to the
22 director of revenue on a form provided by the director and shall
23 pay a fee of fifteen dollars in addition to the regular
24 registration fees. The director of revenue shall issue rules and
25 regulations setting the standards and establishing the procedure
26 for application for and issuance of the special personalized
27 license plates and shall provide a deadline each year for the
28 applications. Any rule or portion of a rule, as that term is

1 defined in section 536.010, RSMo, that is created under the
2 authority delegated in this section shall become effective only
3 if it complies with and is subject to all of the provisions of
4 chapter 536, RSMo, and, if applicable, section 536.028, RSMo.
5 This section and chapter 536, RSMo, are nonseverable and if any
6 of the powers vested with the general assembly pursuant to
7 chapter 536, RSMo, to review, to delay the effective date or to
8 disapprove and annul a rule are subsequently held
9 unconstitutional, then the grant of rulemaking authority and any
10 rule proposed or adopted after August 28, 2001, shall be invalid
11 and void. No two owners shall be issued identical plates. An
12 owner shall make a new application and pay a new fee each year
13 such owner desires to obtain or retain special personalized
14 license plates; however, notwithstanding the provisions of
15 subsection 8 of section 301.130 to the contrary, the director
16 shall allow the special personalized license plates to be
17 replaced with new plates every three years without any additional
18 charge, above the fee established in this section, to the renewal
19 applicant. Any person currently in possession of an approved
20 personalized license plate shall have first priority on that
21 particular plate for each of the following years that timely and
22 appropriate application is made.

23 2. No personalized license plates shall be issued
24 containing any letters, numbers or combination of letters and
25 numbers which are obscene, profane, patently offensive or
26 contemptuous of a racial or ethnic group, or offensive to good
27 taste or decency, or would present an unreasonable danger to the
28 health or safety of the applicant, of other users of streets and

1 highways, or of the public in any location where the vehicle with
2 such a plate may be found. The director may recall any
3 personalized license plates, including those issued prior to
4 August 28, 1992, if the director determines that the plates are
5 obscene, profane, patently offensive or contemptuous of a racial
6 or ethnic group, or offensive to good taste or decency, or would
7 present an unreasonable danger to the health or safety of the
8 applicant, of other users of streets and highways, or of the
9 public in any location where the vehicle with such a plate may be
10 found. Where the director recalls such plates pursuant to the
11 provisions of this subsection, the director shall reissue
12 personalized license plates to the owner of the motor vehicle for
13 which they were issued at no charge, if the new plates proposed
14 by the owner of the motor vehicle meet the standards established
15 pursuant to this section. The director shall not apply the
16 provisions of this statute in a way that violates the Missouri or
17 United States Constitutions as interpreted by the courts with
18 controlling authority in the state of Missouri. The primary
19 purpose of motor vehicle licence plates is to identify motor
20 vehicles. Nothing in the issuance of a personalized license
21 plate creates a designated or limited public forum. Nothing
22 contained in this subsection shall be interpreted to prohibit the
23 use of license plates, which are no longer valid for registration
24 purposes, as collector's items or for decorative purposes.

25 3. The director may also establish categories of special
26 license plates from which license plates may be issued. Any such
27 person, other than a person exempted from the additional fee
28 pursuant to subsection 6 of this section, that desires a

1 personalized special license plate from any such category shall
2 pay the same additional fee and make the same kind of application
3 as that required by subsection 1 of this section, and the
4 director shall issue such plates in the same manner as other
5 personalized special license plates are issued.

6 4. The director of revenue shall issue to residents of the
7 state of Missouri who hold an unrevoked and unexpired official
8 amateur radio license issued by the Federal Communications
9 Commission, upon application and upon payment of the additional
10 fee specified in subsection 1 of this section, except for a
11 person exempted from the additional fee pursuant to subsection 6
12 of this section, personalized special license plates bearing the
13 official amateur radio call letters assigned by the Federal
14 Communications Commission to the applicant with the words
15 "AMATEUR RADIO" in place of the words "SHOW-ME STATE". The
16 application shall be accompanied by an affidavit stating that the
17 applicant has an unrevoked and unexpired amateur radio license
18 issued by the Federal Communications Commission and the official
19 radio call letters assigned by the Federal Communications
20 Commission to the applicant. An owner making a new application
21 and paying a new fee to retain an amateur radio plate may request
22 a replacement plate with the words "AMATEUR RADIO" in place of
23 the words "SHOW-ME STATE". If application is made to retain a
24 plate that is three years old or older, the replacement plate
25 shall be issued upon the payment of required fees.

26 5. Notwithstanding any other provision to the contrary, any
27 business that repossesses motor vehicles or trailers and sells or
28 otherwise disposes of them shall be issued a placard displaying

1 the word "Repossessed", provided such business pays the fees
2 presently required of a manufacturer, distributor, or dealer in
3 subsection 1 of section 301.253. Such placard shall bear a
4 number and shall be in such form as the director of revenue shall
5 determine, and shall be only used for demonstrations when
6 displayed substantially as provided for number plates on the rear
7 of the motor vehicle or trailer.

8 6. Notwithstanding any provision of law to the contrary,
9 any person who has retired from any branch of the United States
10 armed forces or reserves, the United States Coast Guard or
11 reserve, the United States Merchant Marines or reserve, the
12 National Guard, or any subdivision of any such services shall be
13 exempt from the additional fee required for personalized license
14 plates issued pursuant to section 301.441. As used in this
15 subsection, "retired" means having served twenty or more years in
16 the appropriate branch of service and having received an
17 honorable discharge.

18 301.456. Any person who has been awarded the military
19 service award known as the "Silver Star" may apply for special
20 motor vehicle license plates for any vehicle such person owns,
21 either solely or jointly, [for issuance either to passenger motor
22 vehicles subject to the registration fees provided in section
23 301.055 or for a nonlocal property-carrying commercial motor
24 vehicle licensed for a gross weight of nine thousand one pounds
25 to twelve thousand pounds as provided in section 301.057] other
26 than an apportioned motor vehicle or a commercial motor vehicle
27 licensed in excess of eighteen thousand pounds gross weight. Any
28 such person shall make application for the special license plates

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

21 301.463. 1. The children's trust fund board established in
22 section 210.170, RSMo, may authorize the use of their logo to be
23 incorporated on [multiyear personalized] motor vehicle license
24 plates [as provided in this section] for any motor vehicle the
25 person owns, either solely or jointly, other than an apportioned
26 motor vehicle or a commercial motor vehicle licensed in excess of
27 eighteen thousand pounds gross weight. The license plate shall
28 contain an emblem designed by the board depicting two handprints

1 of a child and the words "Children's Trust Fund" and the
2 children's trust fund logo in preference to the words "SHOW-ME
3 STATE". The license plates shall have a common background and
4 shall bear as many letters and numbers as will fit on the plate
5 without damaging the plate's aesthetic appearance as determined
6 by the director of revenue. Any vehicle owner may annually apply
7 to the board or director for the use of the logo. Upon annual
8 application and payment of a twenty-five dollar logo use
9 contribution to the board, the board shall issue to the vehicle
10 owner, without further charge, a "logo use authorization
11 statement", which shall be presented by the vehicle owner to the
12 department of revenue at the time of registration. Application
13 for use of the logo and payment of the twenty-five dollar
14 contribution may also be made at the time of registration to the
15 director, who shall deposit such contribution in the state
16 treasury to the credit of the children's trust fund. Upon
17 presentation of the annual statement [and], payment of [the fee
18 required for personalized license plates in section 301.144, and
19 other] a fifteen dollar fee in addition to the regular
20 registration fees and presentation of documents which may be
21 required by law, the department of revenue shall issue a
22 [personalized] license plate described in this section to the
23 vehicle owner. Notwithstanding the provisions of section
24 301.144, no additional fee shall be charged for the
25 personalization of license plates issued pursuant to this
26 section. There shall be no limit on the number of license plates
27 any person qualified pursuant to this section may obtain so long
28 as each set of plates issued pursuant to this section is issued

1 for vehicles owned solely or jointly by such person. The license
2 plate authorized by this section shall be issued with a design
3 approved by both the board and the director of revenue. The
4 bidding process used to select a vendor for the material to
5 manufacture the license plates authorized by this section shall
6 consider the aesthetic appearance of the plate. A vehicle owner,
7 who was previously issued a plate with [an emblem] a logo
8 authorized by this section and who does not provide [an emblem] a
9 logo use authorization statement at a subsequent time of
10 registration, shall be issued a new plate which does not bear the
11 [emblem] logo, as otherwise provided by law. Any contribution to
12 the board derived from this section shall be deposited in the
13 state treasury to the credit of the children's trust fund
14 established in section 210.173, RSMo.

15 2. The director of revenue shall issue samples of license
16 plates authorized pursuant to this section to all offices in this
17 state where vehicles are registered and license plates are
18 issued. Such sample license plates shall be prominently
19 displayed in such offices along with literature prepared by the
20 director or by the children's trust fund board describing the
21 purposes of the children's trust fund. The general assembly may
22 appropriate moneys annually from the children's trust fund to the
23 department of revenue to offset costs reasonably incurred by the
24 director of revenue pursuant to this subsection.

25 301.3098. 1. Any member of the Kingdom of Calontir may
26 receive special license plates as prescribed by this section, for
27 any motor vehicle such person owns, either solely or jointly,
28 other than an apportioned motor vehicle or a commercial motor

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

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

1 license plates pursuant to this section.

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

14 301.3106. 1. Any individual who is a former legislator of
15 the Missouri general assembly may receive special license plates
16 as prescribed by this section, for any motor vehicle such person
17 owns, either solely or jointly, other than an apportioned motor
18 vehicle or a commercial motor vehicle licensed in excess of
19 eighteen thousand pounds gross weight. Any individual who is a
20 former legislator of the Missouri general assembly may annually
21 apply for such license plates.

22 2. Upon presentation of the appropriate proof of
23 eligibility as determined by the director and annual payment of a
24 fifteen dollar fee in addition to the registration fee, and other
25 documents which may be required by law, the department of revenue
26 shall issue to the vehicle owner a personalized license plate
27 which shall bear an appropriate configuration to be determined by
28 the director, with the words "FORMER MISSOURI LEGISLATOR" in

1 place of the words "SHOW-ME STATE". Such license plates shall be
2 made with fully reflective material with a common color scheme
3 and design, shall be clearly visible at night, and shall be
4 aesthetically attractive, as prescribed by section 301.130.
5 Notwithstanding the provisions of section 301.144, no additional
6 fee shall be charged for the personalization of license plates
7 pursuant to this section.

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

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

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

1 charged for the personalization of license plates pursuant to
2 this section.

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

9 4. The director of revenue shall make necessary rules and
10 regulations for the administration of this section, and shall
11 design all necessary forms required by this section. Any rule or
12 portion of a rule, as that term is defined in section 536.010,
13 RSMo, that is created under the authority delegated in this
14 section shall become effective only if it complies with and is
15 subject to all of the provisions of chapter 536, RSMo, and, if
16 applicable, section 536.028, RSMo. This section and chapter 536,
17 RSMo, are nonseverable and if any of the powers vested with the
18 general assembly pursuant to chapter 536, RSMo, to review, to
19 delay the effective date, or to disapprove and annul a rule are
20 subsequently held unconstitutional, then the grant of rulemaking
21 authority and any rule proposed or adopted after August 28, 2003,
22 shall be invalid and void.

23 301.3123. 1. Any vehicle owner may apply for "Fight
24 Terrorism" license plates for any motor vehicle the person owns,
25 either solely or jointly, other than an apportioned motor vehicle
26 or a commercial motor vehicle licensed in excess of eighteen
27 thousand pounds gross weight. Upon making an annual twenty-five
28 dollar contribution to the antiterrorism fund established

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

26 2. A vehicle owner, who was previously issued a "Fight
27 Terrorism" license plate authorized by this section but who does
28 not provide proof of the annual contribution at a subsequent time

1 of registration, shall be issued a new plate which does not bear
2 the emblem or motto "Fight Terrorism", as otherwise provided by
3 law.

4 3. The director of revenue may promulgate rules and
5 regulations for the administration of this section, and shall
6 design all necessary forms required by this section. Any rule or
7 portion of a rule, as that term is defined in section 536.010,
8 RSMo, that is created under the authority delegated in this
9 section shall become effective only if it complies with and is
10 subject to all of the provisions of chapter 536, RSMo, and, if
11 applicable, section 536.028, RSMo. This section and chapter 536,
12 RSMo, are nonseverable and if any of the powers vested with the
13 general assembly pursuant to chapter 536, RSMo, to review, to
14 delay the effective date or to disapprove and annul a rule are
15 subsequently held unconstitutional, then the grant of rulemaking
16 authority and any rule proposed or adopted after August 28, 2003,
17 shall be invalid and void.

18 301.3124. 1. Any person may receive special license plates
19 as prescribed by this section for any motor vehicle such person
20 owns, either solely or jointly, other than an apportioned motor
21 vehicle or a commercial motor vehicle licensed in excess of
22 eighteen thousand pounds gross weight, after an annual payment of
23 an emblem-use authorization fee to Special Olympics Missouri.
24 Special Olympics Missouri hereby authorizes the use of its
25 official emblem to be affixed on multiyear personalized license
26 plates as provided in this section.

27 2. Upon annual application and payment of a twenty-five
28 dollar emblem-use authorization fee to Special Olympics Missouri,

1 that organization shall issue to the vehicle owner, without
2 further charge, an emblem-use authorization statement, which
3 shall be presented by the owner to the department of revenue at
4 the time of registration of a motor vehicle. Upon presentation
5 of the annual statement, payment of a fifteen dollar fee in
6 addition to the registration fee and documents which may be
7 required by law, the department of revenue shall issue to the
8 vehicle owner a personalized license plate which shall bear an
9 emblem approved by Special Olympics Missouri and the director of
10 the department of revenue and shall have the words "SPECIAL
11 OLYMPICS MISSOURI" in place of the words "SHOW-ME STATE". Such
12 license plates shall be made with fully reflective material with
13 a common color scheme and design, shall be clearly visible at
14 night, and shall be aesthetically attractive, as prescribed by
15 section 301.130. Notwithstanding the provisions of section
16 301.144, no additional fee shall be charged for the
17 personalization of license plates issued pursuant to this
18 section.

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

1 has been promulgated pursuant to the provisions of chapter 536,
2 RSMo.

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

25 2. The "Be An Organ Donor" plate shall have the words "BE
26 AN ORGAN DONOR" in place of the words "SHOW-ME STATE". Such
27 license plates shall be made with fully reflective material with
28 a common color scheme and design, shall be clearly visible at

1 night, and shall be aesthetically attractive, as prescribed by
2 section 301.130.

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

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

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

27 301.3126. 1. Any member of the Missouri Foxtrotting Horse
28 Breed Association may receive special license plates as

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

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

1 charged for the personalization of license plates pursuant to
2 this section. Such license plates shall be made with fully
3 reflective material with a common color scheme and design, shall
4 be clearly visible at night, and shall be aesthetically
5 attractive, as prescribed by section 301.130.

6 3. A vehicle owner, who was previously issued a plate with
7 the Missouri Foxtrotting Horse Breed Association emblem
8 authorized by this section but who does not provide an emblem-use
9 authorization statement at a subsequent time of registration,
10 shall be issued a new plate which does not bear the Missouri
11 Foxtrotting Horse Breed Association emblem, as otherwise provided
12 by law. The director of revenue shall make necessary rules and
13 regulations for the administration of this section, and shall
14 design all necessary forms required by this section. No rule or
15 portion of a rule promulgated pursuant to the authority of this
16 section shall become effective unless it has been promulgated
17 pursuant to the provisions of chapter 536, RSMo.

18 301.3128. 1. Any person, as defined by subsection 3 of
19 this section, may apply for special license plates for any motor
20 vehicle such person owns, either solely or jointly, other than an
21 apportioned motor vehicle or a commercial motor vehicle licensed
22 in excess of eighteen thousand pounds gross weight. Any person
23 desiring a special license plate as provided by this section
24 shall make an application for the special license plates on a
25 form provided by the director of revenue and furnish proof of
26 eligibility as the director may require.

27 2. Upon payment of a fifteen dollar fee in addition to the
28 registration fee and other documents which may be required by

1 law, the department of revenue shall issue to the vehicle owner a
2 personalized license plate which shall bear an insignia depicting
3 an outline of the state of Missouri with a badge and the words
4 "CONCERNS OF POLICE SURVIVORS" superimposed on the outline of the
5 state. Such license plates shall be made with fully reflective
6 material with a common color scheme and design, shall be clearly
7 visible at night, and shall be aesthetically attractive, as
8 prescribed by section 301.130. Notwithstanding the provisions of
9 section 301.144, no additional fee shall be charged for the
10 personalization of license plates pursuant to this section.

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

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

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

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

19 5. The director may consult with any organization which
20 represents the interests of any person, as defined in subsection
21 3 of this section when formulating the design for the special
22 license plate described in this section.

23 6. The director of revenue shall make necessary rules and
24 regulations for the administration of this section, and shall
25 design all necessary forms required by this section. Any rule or
26 portion of a rule, as that term is defined in section 536.010,
27 RSMo, that is created under the authority delegated in this
28 section shall become effective only if it complies with and is

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

9 301.3129. 1. Any person, as defined by subsection 3 of
10 this section, may apply for special license plates for any motor
11 vehicle such person owns, either solely or jointly, other than an
12 apportioned motor vehicle or a commercial motor vehicle licensed
13 in excess of eighteen thousand pounds gross weight. Any person
14 desiring a special license plate as provided by this section
15 shall make an application for the special license plates on a
16 form provided by the director of revenue and furnish proof of
17 eligibility as the director may require.

18 2. Upon payment of a fifteen dollar fee in addition to the
19 registration fee and other documents which may be required by
20 law, the department of revenue shall issue to the vehicle owner a
21 personalized license plate which shall bear an insignia designed
22 by the director or the director's designee and shall bear the
23 words "FIREFIGHTERS MEMORIAL" in place of the words "SHOW-ME
24 STATE". Such license plates shall be made with fully reflective
25 material with a common color scheme and design, shall be clearly
26 visible at night, and shall be aesthetically attractive, as
27 prescribed by section 301.130. Notwithstanding the provisions of
28 section 301.144, no additional fee shall be charged for the

1 personalization of license plates pursuant to this section.

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

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

4 or

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

8 4. The director of revenue shall make necessary rules and
9 regulations for the administration of this section, and shall
10 design all necessary forms required by this section. Any rule or
11 portion of a rule, as that term is defined in section 536.010,
12 RSMo, that is created under the authority delegated in this
13 section shall become effective only if it complies with and is
14 subject to all of the provisions of chapter 536, RSMo, and, if
15 applicable, section 536.028, RSMo. This section and chapter 536,
16 RSMo, are nonseverable and if any of the powers vested with the
17 general assembly pursuant to chapter 536, RSMo, to review, to
18 delay the effective date or to disapprove and annul a rule are
19 subsequently held unconstitutional, then the grant of rulemaking
20 authority and any rule proposed or adopted after August 28, 2003,
21 shall be invalid and void.

22 301.3130. 1. Any member of the Missouri Association of
23 State Troopers Emergency Relief Society, after an annual payment
24 of an emblem-use authorization fee to the Missouri Association of
25 State Troopers Emergency Relief Society, may receive special
26 license plates for any vehicle the member owns, either solely or
27 jointly, other than an apportioned motor vehicle or a commercial
28 motor vehicle licensed in excess of eighteen thousand pounds

1 gross weight. The Missouri Association of State Troopers
2 Emergency Relief Society hereby authorizes the use of its
3 official emblem to be affixed on multiyear personalized license
4 plates within the plate area prescribed by the director of
5 revenue as provided in this section. Any contribution to the
6 Missouri Association of State Troopers Emergency Relief Society
7 derived from this section, except reasonable administrative
8 costs, shall be used solely for the purposes of the Missouri
9 Association of State Troopers Emergency Relief Society. Any
10 member of the Missouri Association of State Troopers Emergency
11 Relief Society may annually apply for the use of the emblem.

12 2. Upon annual application and payment of a twenty-five
13 dollar emblem-use contribution to the Missouri Association of
14 State Troopers Emergency Relief Society, the Missouri Association
15 of State Troopers Emergency Relief Society shall issue to the
16 vehicle owner, without further charge, and "emblem-use
17 authorization statement", which shall be presented by the vehicle
18 owner to the director of revenue at the time of registration.
19 Upon presentation of the annual statement and payment of a
20 fifteen dollar fee in addition to the regular registration fees,
21 and presentation of any documents which may be required by law,
22 the director of revenue shall issue to the vehicle owner a
23 special license plate which shall bear the emblem of the Missouri
24 Association of State Troopers Emergency Relief Society and the
25 words "The MASTERS" in place of the words "SHOW-ME STATE". Such
26 license plates shall be made with fully reflective material with
27 a common color scheme and design of the standard license plate,
28 shall be clearly visible at night, shall have a reflective white

1 background in the area of the plate configuration, and shall be
2 aesthetically attractive, as prescribed by section 301.130.
3 Notwithstanding the provisions of section 301.144, no additional
4 fee shall be charged for the personalization of license plates
5 pursuant to this section.

6 3. A vehicle owner who was previously issued a plate with
7 the Missouri Association of State Troopers Emergency Relief
8 Society emblem authorized by this section, but who does not
9 provide an emblem-use authorization statement at a subsequent
10 time of registration, shall be issued a new plate which does not
11 bear the Missouri Association of State Troopers Emergency Relief
12 Society emblem, as otherwise provided by law.

13 4. The director of revenue shall make necessary rules and
14 regulations for the enforcement of this section, and shall design
15 all necessary forms required by this section. Any rule or
16 portion of a rule, as that term is defined in section 536.010,
17 RSMo, that is created under the authority delegated in this
18 section shall become effective only if it complies with and is
19 subject to all of the provisions of chapter 536, RSMo, and, if
20 applicable, section 536.028, RSMo. This section and chapter 536,
21 RSMo, are nonseverable and if any of the powers vested with the
22 general assembly pursuant to chapter 536, RSMo, to review, to
23 delay the effective date or to disapprove and annul a rule are
24 subsequently held unconstitutional, then the grant of rulemaking
25 authority and any rule proposed or adopted after August 28, 2003,
26 shall be invalid and void.

27 301.3132. 1. Any member designated by the Missouri Society
28 of Professional Engineers may receive special license plates as

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

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

1 "MISSOURI SOCIETY OF PROFESSIONAL ENGINEERS" in place of "SHOW-ME
2 STATE". Such license plates shall be made with fully reflective
3 material with a common color scheme and design, shall be clearly
4 visible at night, and shall be aesthetically attractive, as
5 prescribed by section 301.130. Notwithstanding the provisions of
6 section 301.144, no additional fee shall be added for the
7 personalization of license plates issued pursuant to this
8 section.

9 3. A vehicle owner, who was previously issued a plate with
10 the Missouri Society of Professional Engineers' emblem authorized
11 by this section but who does not provide an emblem-use
12 authorization statement at the subsequent time of registration,
13 shall be issued a new plate which does not bear the Missouri
14 Society of Professional Engineers' emblem, as otherwise provided
15 by law.

16 4. The director of the department of revenue shall make
17 necessary rules and regulations for the administration of this
18 section, and shall design all necessary forms required by this
19 section. Any rule or portion of a rule, as that term is defined
20 in section 536.010, RSMo, that is created under the authority
21 delegated in this section shall become effective only if it
22 complies with and is subject to all of the provisions of chapter
23 536, RSMo, and, if applicable, section 536.028, RSMo. This
24 section and chapter 536, RSMo, are nonseverable and if any of the
25 powers vested with the general assembly pursuant to chapter 536,
26 RSMo, to review, to delay the effective date, or to disapprove
27 and annul a rule are subsequently held unconstitutional, then the
28 grant of rulemaking authority and any rule proposed or adopted

1 after August 28, 2003, shall be invalid and void.

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

16 2. Upon annual application and payment of a twenty-five
17 dollar emblem-use contribution to Alpha Phi Omega, the
18 organization shall issue to the vehicle owner, without further
19 charge, an emblem-use authorization statement, which shall be
20 presented by the owner to the department of revenue at the time
21 of registration of a motor vehicle. Upon presentation of the
22 annual statement, payment of a fifteen dollar fee in addition to
23 the registration fee and documents which may be required by law,
24 the department of revenue shall issue to the vehicle owner a
25 personalized license plate which shall bear the emblem of Alpha
26 Phi Omega and the words "ALPHA PHI OMEGA" shall replace the words
27 "SHOW-ME STATE". Such license plates shall be made with fully
28 reflective material with a common color scheme and design, shall

1 be clearly visible at night, and shall be aesthetically
2 attractive, as prescribed by section 301.130. Notwithstanding
3 the provisions of section 301.144, no additional fee shall be
4 charged for the personalization of license plates pursuant to
5 this section.

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

17 301.3139. 1. Any Boy Scout of appropriate age as
18 prescribed by law or parent of a Boy Scout may receive special
19 license plates as prescribed by this section, for any motor
20 vehicle such person owns, either solely or jointly, other than an
21 apportioned motor vehicle or a commercial motor vehicle licensed
22 in excess of eighteen thousand pounds gross weight, after an
23 annual payment of an emblem-use authorization fee to the Boy
24 Scouts of America Council of which the person is a member or the
25 parent of a member. The Boy Scouts of America hereby authorizes
26 the use of its official emblem to be affixed on multiyear
27 personalized license plates as provided in this section. Any
28 contribution to the Boy Scouts of America derived from this

1 section, except reasonable administrative costs, shall be used
2 solely for the purposes of the Boy Scouts of America. Any Boy
3 Scout or parent of a Boy Scout may annually apply for the use of
4 the emblem and pay the twenty-five dollar emblem-use
5 authorization fee at any local district council in the state.

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

24 3. A vehicle owner, who was previously issued a plate with
25 the Boy Scouts of America emblem authorized by this section but
26 who does not provide an emblem-use authorization statement at a
27 subsequent time of registration, shall be issued a new plate
28 which does not bear the Boy Scouts of America emblem, as

1 otherwise provided by law. The director of revenue shall make
2 necessary rules and regulations for the administration of this
3 section, and shall design all necessary forms required by this
4 section. No rule or portion of a rule promulgated pursuant to
5 the authority of this section shall become effective unless it
6 has been promulgated pursuant to the provisions of chapter 536,
7 RSMo.

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

23 2. Upon annual application and payment of a twenty-five
24 dollar emblem-use contribution to the Girl Scouts of America, the
25 organization shall issue to the vehicle owner, without further
26 charge, an emblem-use authorization statement, which shall be
27 presented by the owner to the department of revenue at the time
28 of registration of a motor vehicle. Upon presentation of the

1 annual statement, payment of a fifteen dollar fee in addition to
2 the registration fee and documents which may be required by law,
3 the department of revenue shall issue to the vehicle owner a
4 personalized license plate which shall bear the emblem of the
5 Girl Scouts of America and the words "GIRL SCOUTS OF AMERICA" in
6 place of the words "SHOW-ME STATE". Such license plates shall be
7 made with fully reflective material with a common color scheme
8 and design, shall be clearly visible at night, and shall be
9 aesthetically attractive, as prescribed by section 301.130.
10 Notwithstanding the provisions of section 301.144, no additional
11 fee shall be charged for the personalization of license plates
12 pursuant to this section.

13 3. A vehicle owner, who was previously issued a plate with
14 the Girl Scouts of America emblem authorized by this section but
15 who does not provide an emblem-use authorization statement at a
16 subsequent time of registration, shall be issued a new plate
17 which does not bear the Girl Scouts of America emblem, as
18 otherwise provided by law. The director of revenue shall make
19 necessary rules and regulations for the administration of this
20 section, and shall design all necessary forms required by this
21 section. No rule or portion of a rule promulgated pursuant to
22 the authority of this section shall become effective unless it
23 has been promulgated pursuant to the provisions of chapter 536,
24 RSMo.

25 301.3141. 1. Any recipient of appropriate age as
26 prescribed by law or parent of a recipient of the Girl Scout Gold
27 Award Medallion may receive special license plates as prescribed
28 by this section, for any motor vehicle such person owns, either

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

15 2. Upon annual application and payment of a twenty-five
16 dollar emblem-use contribution to the Girl Scouts of America, the
17 organization shall issue to the vehicle owner, without further
18 charge, an emblem-use authorization statement, which shall be
19 presented by the owner to the department of revenue at the time
20 of registration of a motor vehicle. Upon presentation of the
21 annual statement, payment of a fifteen dollar fee in addition to
22 the registration fee and documents which may be required by law,
23 the department of revenue shall issue to the vehicle owner a
24 personalized license plate which shall bear the emblem of the
25 Girl Scout Gold Award Medallion and the words "GOLD AWARD" in
26 place of the words "SHOW-ME STATE". Such license plates shall be
27 made with fully reflective material with a common color scheme
28 and design, shall be clearly visible at night, and shall be

1 aesthetically attractive, as prescribed by section 301.130.
2 Notwithstanding the provisions of section 301.144, no additional
3 fee shall be charged for the personalization of license plates
4 pursuant to this section.

5 3. A vehicle owner, who was previously issued a plate with
6 the Girl Scout Gold Award Medallion emblem authorized by this
7 section but who does not provide an emblem-use authorization
8 statement at a subsequent time of registration, shall be issued a
9 new plate which does not bear the Girl Scout Gold Award Medallion
10 emblem, as otherwise provided by law. The director of revenue
11 shall make necessary rules and regulations for the administration
12 of this section, and shall design all necessary forms required by
13 this section. No rule or portion of a rule promulgated pursuant
14 to the authority of this section shall become effective unless it
15 has been promulgated pursuant to the provisions of chapter 536,
16 RSMo.

17 301.3144. 1. Any person may receive special license plates
18 as prescribed by this section, for any motor vehicle such person
19 owns, either solely or jointly, other than an apportioned motor
20 vehicle or a commercial motor vehicle licensed in excess of
21 eighteen thousand pounds gross weight, after an annual
22 contribution of an emblem-use authorization fee to Camp Quality
23 of Missouri. Any contribution given pursuant to this section
24 shall be designated for the sole use of providing scholarships to
25 children with cancer who are residents of the state of Missouri
26 for attendance at any summer camp conducted by Camp Quality in
27 the state of Missouri. Camp Quality of Missouri hereby
28 authorizes the use of its official emblem to be affixed on

1 single-year or multiyear personalized license plates as provided
2 in this section. Any person may annually or biannually apply for
3 the use of the emblem.

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

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

1 4. The director of the department of revenue shall make
2 necessary rules and regulations for the administration of this
3 section, and shall design all necessary forms required by this
4 section. Any rule or portion of a rule, as that term is defined
5 in section 536.010, RSMo, that is created under the authority
6 delegated in this section shall become effective only if it
7 complies with and is subject to all of the provisions of chapter
8 536, RSMo, and, if applicable, section 536.028, RSMo. This
9 section and chapter 536, RSMo, are nonseverable and if any of the
10 powers vested with the general assembly pursuant to chapter 536,
11 RSMo, to review, to delay the effective date, or to disapprove
12 and annul a rule are subsequently held unconstitutional, then the
13 grant of rulemaking authority and any rule proposed or adopted
14 after August 28, 2003, shall be invalid and void.

15 301.3999. 1. Any person who served in the active military
16 service in a branch of the armed services of the United States
17 and was honorably discharged from such service may apply for
18 special license plates for any vehicle other than an apportioned
19 motor vehicle or a commercial motor vehicle licensed in excess of
20 eighteen thousand pounds gross weight. Any such person shall
21 make application for the special license plates on a form
22 provided by the director of revenue and furnish such proof of
23 service and status as an honorably discharged veteran as the
24 director may require.

25 2. Upon presentation of proof of eligibility and payment of
26 a fifteen dollar fee in addition to the regular registration
27 fees, and presentation of any documents which may be required by
28 law, the director shall issue to the vehicle owner a special

1 license plate bearing letters or numbers or a combination thereof
2 as determined by the director, with the words "U.S. VET" in place
3 of the words "SHOW-ME STATE". Such license plates shall be made
4 with fully reflective material with a common color scheme and
5 design, shall be clearly visible at night, shall have a
6 reflective white background with a blue and red configuration in
7 the area of the plate configuration, and shall be aesthetically
8 attractive, as prescribed by section 301.130. Notwithstanding
9 the provisions of section 301.144, no additional fee shall be
10 charged for the personalization of license plates pursuant to
11 this section.

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

21 301.4000. Any person who served in the active military
22 service in a branch of the armed forces of the United States
23 [during a period of war] and was honorably discharged from such
24 service may apply for special motorcycle license plates, either
25 solely or jointly, for issuance for any motorcycle subject to the
26 registration fees provided in section 301.055. Any such person
27 shall make application for the special license plates on a form
28 provided by the director of revenue and furnish such proof of

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

17 304.029. 1. Notwithstanding any other law to the contrary,
18 a low-speed vehicle may be operated upon a highway in the state
19 if it meets the requirements of this section. Every person
20 operating a low-speed vehicle shall be granted all the rights and
21 shall be subject to all the duties applicable to the driver of
22 any other motor vehicle except as to the special regulations in
23 this section and except as to those provisions which by their
24 nature can have no application.

25 2. The operator of a low-speed vehicle shall observe all
26 traffic laws and local ordinances regarding the rules of the
27 road. A low-speed vehicle shall not be operated on a street or a
28 highway with a posted speed limit greater than thirty-five miles

1 per hour. The provisions of this subsection shall not prohibit a
2 low-speed vehicle from crossing a street or highway with a posted
3 speed limit greater than thirty-five miles per hour.

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

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

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

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

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

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

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

26 8. Nothing in this section shall prevent county or
27 municipal governments from adopting more stringent local
28 ordinances governing low-speed vehicle operation if the governing

1 body of the county or municipality determines that such
2 ordinances are necessary in the interest of public safety. The
3 department of transportation may prohibit the operation of low-
4 speed vehicles on any highway under its jurisdiction if it
5 determines that the prohibition is necessary in the interest of
6 public safety.

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

19 2. The driver, or any occupant, of a motor vehicle bearing
20 disabled license plates or a windshield hanging placard which is
21 parked or has been observed to have been parking in a duly
22 designated disabled parking space shall, upon request from any
23 law enforcement officer or other duly constituted peace officer
24 upon identification as such, produce the disabled registration
25 certificate issued to the disabled person or entity as provided
26 for in section 301.142, RSMo, or such other authorization to show
27 that the driver, or any occupant of the vehicle is lawfully
28 entitled to use a designated disabled parking space. The driver

1 or any occupant of the motor vehicle shall, in addition to the
2 certificate, produce other identification with a photograph of
3 the disabled person for whom the disabled plates or windshield
4 hanging placard was issued.

5 3. If the driver, or an occupant, of a motor vehicle which
6 is parked or has been observed to have parked in a designated
7 disabled parking space is unable to, or cannot, produce the
8 certificate as provided for in section 301.142, RSMo, or other
9 proper authorization showing that the vehicle is being used, or
10 has been lawfully parking in a disabled parking space, the
11 operator is guilty of a class A misdemeanor. However, no person
12 shall be found guilty of violating this section if the operator
13 produces such a certificate to the court that was valid at the
14 time of the citation for a person who was using the vehicle.

15 4. The windshield hanging placard shall only be used when
16 the vehicle is parked in a disabled parking space. It shall be
17 unlawful for any person to operate or drive a motor vehicle with
18 windshield hanging placard hanging from the inside rearview
19 mirror.

20 307.366. 1. This enactment of the emissions inspection
21 program is a mandate of the United States Congress pursuant to
22 the federal Clean Air Act, as amended, 42 U.S.C. 7401, et seq.
23 In any [city not within a county, any county of the first
24 classification having a population of over nine hundred thousand
25 inhabitants according to the most recent decennial census, any
26 county of the first classification with a charter form of
27 government and a population of not more than two hundred twenty
28 thousand inhabitants and not less than two hundred thousand

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

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

28 (1) Motor vehicles with a manufacturer's gross vehicle

weight rating in excess of eight thousand five hundred pounds;

(2) Motorcycles and motortricycles;

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

(4) School buses;

(5) Diesel-powered vehicles;

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

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

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

Each official inspection station which conducts [safety or]

emissions inspections [in a city or county] within the area referred to in subsection 1 of this section shall indicate the gross vehicle weight rating of the motor vehicle on the [safety] inspection certificate if the vehicle is exempt from the emissions inspection pursuant to subdivision (1) of this subsection.

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

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

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

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

(3) If the dealer chooses to sell the vehicle without prior inspection and approval, the purchaser may return the vehicle within ten days of the date of purchase, provided that the vehicle has no more than one thousand additional miles since the

1 time of sale, if the vehicle fails, upon inspection, to meet the
2 emissions standards specified by the commission and the dealer
3 shall have the vehicle inspected and approved without the option
4 for a waiver of the emissions standard and return the vehicle to
5 the purchaser with a valid emissions certificate and sticker
6 within five working days or the purchaser and dealer may enter
7 into any other mutually acceptable agreement. If the dealer
8 chooses to sell the vehicle without prior inspection and
9 approval, the dealer shall disclose conspicuously on the sales
10 contract and bill of sale that the purchaser has the option to
11 return the vehicle within ten days, provided that the vehicle has
12 no more than one thousand additional miles since the time of
13 sale, to have the dealer repair the vehicle and provide an
14 emissions certificate and sticker within five working days if the
15 vehicle fails, upon inspection, to meet the emissions standards
16 established by the commission, or enter into any mutually
17 acceptable agreement with the dealer. A violation of this
18 [subdivisions] subsection shall be an unlawful practice as
19 defined in section 407.020, RSMo. No emissions inspection shall
20 be required pursuant to this section for the sale of any motor
21 vehicle which may be sold without a certificate of inspection and
22 approval, as provided pursuant to subsection 2 of section
23 307.380.

24 [4. In addition to the fee authorized by subsection 5 of
25 section 307.365,] 5. A fee, not to exceed [eight] twenty-four
26 dollars [and fifty cents for inspections conducted prior to
27 January 1, 1993, and not to exceed ten dollars and fifty cents
28 for inspections conducted thereafter, as determined by each

1 official emissions inspection station located in any city or
2 county described in subsection 1 of this section,] may be charged
3 for an automobile emissions and air pollution control inspection
4 in order to attain the national health standards for air quality.
5 Such fee shall be conspicuously posted on the premises of each
6 such inspection station. The official emissions inspection
7 station shall issue a certificate of inspection and an approval
8 sticker or seal certifying the emissions system is functioning
9 properly. The certificate or approval issued shall bear the
10 legend: "This cost is mandated by your United States Congress."
11 No owner shall be charged an additional fee after having
12 corrected defects or unsafe conditions in the automobile's
13 emissions and air pollution control system if the reinspection is
14 completed within twenty consecutive days, excluding Saturdays,
15 Sundays and holidays, and if such follow-up inspection is made by
16 the station making the initial inspection.

17 [5.] 4. The air conservation commission shall establish, by
18 rule, a waiver amount which may be lower for older model vehicles
19 and which shall be no greater than seventy-five dollars for model
20 year vehicles prior to 1981 and no greater than two hundred
21 dollars for model year vehicles of 1981 and all subsequent model
22 years.

23 [6.] 5. An owner whose vehicle fails upon reinspection to
24 meet the emission standards specified by the Missouri air
25 conservation commission shall be issued a certificate of
26 inspection and an approval sticker or seal by the official
27 emissions inspection station that provided the inspection if the
28 vehicle owner furnishes a complete, signed affidavit satisfying

1 the requirements of this subsection and the cost of emissions
2 repairs and adjustments is equal to or greater than the waiver
3 amount established by the air conservation commission pursuant to
4 this section. The air conservation commission shall establish,
5 by rule, a form and a procedure for verifying that repair and
6 adjustment was performed on a failing vehicle prior to the
7 granting of a waiver and approval. The waiver form established
8 pursuant to this subsection shall be an affidavit requiring:

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

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

14 [7.] 6. The department of revenue shall require evidence of
15 the inspection and approval required by this section in issuing
16 the motor vehicle annual registration in conformity with the
17 procedure required by sections 307.350 to 307.370.

18 [8.] 7. Each emissions inspection station located in [any
19 city or county] the area described in subsection 1 of this
20 section shall purchase from the highway patrol sufficient forms
21 and stickers or other devices to evidence approval of the motor
22 vehicle's emissions control system. In addition, emissions
23 inspection stations may be required to purchase forms for use in
24 automated analyzers from outside vendors of the inspection
25 station's choice. The forms must comply with state regulations.

26 [9.] 8. In addition to the fee collected by the
27 superintendent pursuant to subsection 5 of section 307.365, the
28 highway patrol shall collect a fee of seventy-five cents for each

1 automobile emissions certificate issued to the applicable
2 official emissions inspection stations, except that no charge
3 shall be made for certificates of inspection issued to official
4 emissions inspection stations operated by governmental entities.
5 All fees collected by the superintendent pursuant to this section
6 shall be deposited in the state treasury to the credit of the
7 "Missouri Air Pollution Control Fund", which is hereby created.

8 [10.] 9. The moneys collected and deposited in the Missouri
9 air pollution control fund pursuant to this section shall be
10 allocated on an equal basis to the Missouri state highway patrol
11 and the Missouri department of natural resources, air pollution
12 control program, and shall be expended subject to appropriation
13 by the general assembly for the administration and enforcement of
14 sections 307.350 to 307.390. The unexpended balance in the fund
15 at the end of each appropriation period shall not be transferred
16 to the general revenue fund, except as directed by the general
17 assembly by appropriation, and the provisions of section 33.080,
18 RSMo, relating to the transfer of funds to the general revenue
19 fund at the end of the biennium, shall not apply to this fund.
20 The moneys in the fund shall be invested by the treasurer as
21 provided by law, and the interest shall be credited to the fund.

22 [11.] 10. The superintendent of the Missouri state highway
23 patrol shall issue such rules and regulations as are necessary to
24 determine whether a motor vehicle's emissions control system is
25 operating as required by subsection 1 of this section, and the
26 superintendent and the state highways and transportation
27 commission shall use their best efforts to seek federal funds
28 from which reimbursement grants may be made to those official

1 inspection stations which acquire and use the necessary testing
2 equipment which will be required to perform the tests required by
3 the provisions of this section.

4 [12.] 11. The provisions of this section shall not apply in
5 any county for any time period during which the air conservation
6 commission has established a motor vehicle emissions inspection
7 program pursuant to sections 643.300 to 643.355, RSMo, for such
8 county, except where motor vehicle owners have the option of
9 biennial testing pursuant to chapter 643, RSMo. In counties
10 where such option is available, the emissions inspection may be
11 conducted in stations conducting only an emissions inspection
12 under contract to the state.

13 [13.] 12. Notwithstanding the provisions of section
14 307.390, violation of this section shall be deemed a class C
15 misdemeanor.

16 643.315. 1. Except as provided in sections 643.300 to
17 643.355, all motor vehicles which are domiciled, registered or
18 primarily operated in an area for which the commission has
19 established a motor vehicle emissions inspection program pursuant
20 to sections 643.300 to 643.355, which may include all motor
21 vehicles owned by residents of a county of the first
22 classification without a charter form of government with a
23 population of less than one hundred thousand inhabitants
24 according to the most recent decennial census who have chosen to
25 [have a biennial motor vehicle registration pursuant to section
26 301.147] participate in such a program in lieu of the provisions
27 of section 307.366, RSMo, shall be inspected and approved prior
28 to sale or transfer. In addition, any such vehicle manufactured

1 as an even-numbered model year vehicle shall be inspected and
2 approved under the emissions inspection program established
3 pursuant to sections 643.300 to 643.355 in each even-numbered
4 calendar year and any such vehicle manufactured as an
5 odd-numbered model year vehicle shall be inspected and approved
6 under the emissions inspection program established pursuant to
7 sections 643.300 to 643.355 in each odd-numbered calendar year.
8 All motor vehicles subject to the inspection requirements of
9 sections 643.300 to 643.355 shall display a valid emissions
10 inspection sticker, and when applicable, a valid emissions
11 inspection certificate shall be presented at the time of
12 registration or registration renewal of such motor vehicle.

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

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

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

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

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

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

28 (3) Model year vehicles manufactured twenty-six years prior

1 to [1971] the current model year;

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

6 (5) Motor vehicles registered in an area subject to the
7 inspection requirements of sections 643.300 to 643.355 which are
8 domiciled and operated exclusively in an area of the state not
9 subject to the inspection requirements of sections 643.300 to
10 643.355, but only if the owner of such vehicle presents to the
11 department an affidavit that the vehicle will be operated
12 exclusively in an area of the state not subject to the inspection
13 requirements of sections 643.300 to 643.355 for the next
14 twenty-four months, and the owner applies for and receives a
15 waiver which shall be presented at the time of registration or
16 registration renewal;

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

23 (7) Historic motor vehicles registered pursuant to section
24 301.131, RSMo.

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

1 5. (1) At the time of sale, a licensed motor vehicle
2 dealer, as defined in section 301.550, RSMo, may choose to sell a
3 motor vehicle subject to the inspection requirements of sections
4 643.300 to 643.355 either:

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

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

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

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

1 into any other mutually acceptable agreement. If the dealer
2 chooses to sell the vehicle without prior inspection and
3 approval, the dealer shall disclose conspicuously on the sales
4 contract and bill of sale that the purchaser has the option to
5 return the vehicle within ten days, provided that the vehicle has
6 no more than one thousand additional miles since the time of
7 sale, to have the dealer repair the vehicle and provide an
8 emissions certificate and sticker within five working days if the
9 vehicle fails, upon inspection, to meet the emissions standards
10 established by the commission, or enter into any mutually
11 acceptable agreement with the dealer. A violation of this
12 subdivision shall be an unlawful practice as defined in section
13 407.020, RSMo. No emissions inspection shall be required
14 pursuant to sections 643.300 to 643.360 for the sale of any motor
15 vehicle which may be sold without a certificate of inspection and
16 approval, as provided pursuant to subsection 2 of section
17 307.380, RSMo.

18 [307.366. 1. This enactment of the emissions
19 inspection program is a mandate of the United States
20 Congress pursuant to the federal Clean Air Act, as
21 amended, 42 U.S.C. 7401, et seq. In [any city not
22 within a county, any county of the first classification
23 having a population of over nine hundred thousand
24 inhabitants according to the most recent decennial
25 census, any county of the first classification with a
26 charter form of government and a population of not more
27 than two hundred twenty thousand inhabitants and not
28 less than two hundred thousand inhabitants according to
29 the most recent decennial census, any county of the
30 first classification without a charter form of
31 government with a population of not more than one
32 hundred eighty thousand inhabitants and not less than
33 one hundred seventy thousand inhabitants according to
34 the most recent decennial census and any county of the
35 first classification without a charter form of
36 government with a population of not more than
37 eighty-two thousand inhabitants and not less than

1 eighty thousand inhabitants according to the most
2 recent decennial census] any portion of an area
3 designated by the governor as a nonattainment area, as
4 defined in the federal Clean Air Act, as amended, 42
5 U.S.C.A. Section 7501, and located within the area
6 described in subsection 1 of section 643.305, RSMo,
7 certain motor vehicles shall be tested [annually] and
8 approved prior to sale or transfer and biennially
9 thereafter to determine that the emissions system is
10 functioning within the emission standards as specified
11 by the Missouri air conservation commission and as
12 required to attain the national health standards for
13 air quality. For such biennial testing, any such
14 vehicle manufactured as an even-numbered model year
15 vehicle shall be tested and approved in each even-
16 numbered calendar year and any such vehicle
17 manufactured as an odd-numbered model year vehicle
18 shall be tested and approved in each odd-numbered
19 calendar year. The motor vehicles to be tested shall
20 be all motor vehicles except those specifically
21 exempted pursuant to subdivisions (1) to (3) of
22 subsection 1 of section 307.350 and those exempted
23 pursuant to this section.

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

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

29 (2) Motorcycles and motortricycles;

30 (3) Model year vehicles prior to 1971;

31 (4) School buses;

32 (5) Diesel-powered vehicles;

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

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

49 (8) Motor vehicles owned by a person who resides
50 in a county of the first classification without a
51 charter form of government with a population of less

1 than one hundred thousand inhabitants according to the
2 most recent decennial census [who has chosen to have a
3 biennial motor vehicle registration pursuant to section
4 301.147, RSMo, and] who has completed an emission
5 inspection pursuant to section 643.315, RSMo.
6 Each official inspection station which conducts [safety
7 or] emissions inspections [in a city or county] within
8 the area referred to in subsection 1 of this section
9 shall indicate the gross vehicle weight rating of the
10 motor vehicle on the [safety] inspection certificate if
11 the vehicle is exempt from the emissions inspection
12 pursuant to subdivision (1) of this subsection.

13 3. (1) At the time of sale, a licensed motor
14 vehicle dealer, as defined in section 301.550, RSMo,
15 may choose to sell a motor vehicle subject to the
16 inspection requirements of this section either:

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

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

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

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

1 to have the dealer repair the vehicle and provide an
2 emissions certificate and sticker within five working
3 days if the vehicle fails, upon inspection, to meet the
4 emissions standards established by the commission, or
5 enter into any mutually acceptable agreement with the
6 dealer. A violation of this [subdivisions] subsection
7 shall be an unlawful practice as defined in section
8 407.020, RSMo. No emissions inspection shall be
9 required pursuant to this section for the sale of any
10 motor vehicle which may be sold without a certificate
11 of inspection and approval, as provided pursuant to
12 subsection 2 of section 307.380.

13 4. [In addition to the fee authorized by
14 subsection 5 of section 307.365,] A fee, not to exceed
15 [eight dollars and fifty cents for inspections
16 conducted prior to January 1, 1993, and not to exceed
17 ten dollars and fifty cents for inspections conducted
18 thereafter, as determined by each official emissions
19 inspection station located in any city or county
20 described in subsection 1 of this section,] twenty-four
21 dollars may be charged for an automobile emissions and
22 air pollution control inspection in order to attain the
23 national health standards for air quality. Such fee
24 shall be conspicuously posted on the premises of each
25 such inspection station. The official emissions
26 inspection station shall issue a certificate of
27 inspection and an approval sticker or seal certifying
28 the emissions system is functioning properly. The
29 certificate or approval issued shall bear the legend:
30 "This cost is mandated by your United States
31 Congress.". No owner shall be charged an additional
32 fee after having corrected defects or unsafe conditions
33 in the automobile's emissions and air pollution control
34 system if the reinspection is completed within twenty
35 consecutive days, excluding Saturdays, Sundays and
36 holidays, and if such follow-up inspection is made by
37 the station making the initial inspection.

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

45 6. An owner whose vehicle fails upon reinspection
46 to meet the emission standards specified by the
47 Missouri air conservation commission shall be issued a
48 certificate of inspection and an approval sticker or
49 seal by the official emissions inspection station that
50 provided the inspection if the vehicle owner furnishes
51 a complete, signed affidavit satisfying the

1 requirements of this subsection and the cost of
2 emissions repairs and adjustments is equal to or
3 greater than the waiver amount established by the air
4 conservation commission pursuant to this section. The
5 air conservation commission shall establish, by rule, a
6 form and a procedure for verifying that repair and
7 adjustment was performed on a failing vehicle prior to
8 the granting of a waiver and approval. The waiver form
9 established pursuant to this subsection shall be an
10 affidavit requiring:

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

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

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

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

32 9. In addition to the fee collected by the
33 superintendent pursuant to subsection 5 of section
34 307.365, the highway patrol shall collect a fee of
35 seventy-five cents for each automobile emissions
36 certificate issued to the applicable official emissions
37 inspection stations, except that no charge shall be
38 made for certificates of inspection issued to official
39 emissions inspection stations operated by governmental
40 entities. All fees collected by the superintendent
41 pursuant to this section shall be deposited in the
42 state treasury to the credit of the "Missouri Air
43 Pollution Control Fund", which is hereby created.

44 10. The moneys collected and deposited in the
45 Missouri air pollution control fund pursuant to this
46 section shall be allocated on an equal basis to the
47 Missouri state highway patrol and the Missouri
48 department of natural resources, air pollution control
49 program, and shall be expended subject to appropriation
50 by the general assembly for the administration and
51 enforcement of sections 307.350 to 307.390. The

1 unexpended balance in the fund at the end of each
2 appropriation period shall not be transferred to the
3 general revenue fund, except as directed by the general
4 assembly by appropriation, and the provisions of
5 section 33.080, RSMo, relating to the transfer of funds
6 to the general revenue fund at the end of the biennium,
7 shall not apply to this fund. The moneys in the fund
8 shall be invested by the treasurer as provided by law,
9 and the interest shall be credited to the fund.

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

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

32 13. Notwithstanding the provisions of section
33 307.390, violation of this section shall be deemed a
34 class C misdemeanor.]

35
36 [307.366. 1. This enactment of the emissions
37 inspection program is a mandate of the United States
38 Congress pursuant to the federal Clean Air Act, as
39 amended, 42 U.S.C. 7401, et seq. In any city not
40 within a county, any county of the first classification
41 having a population of over nine hundred thousand
42 inhabitants according to the most recent decennial
43 census, any county of the first classification with a
44 charter form of government and a population of not more
45 than two hundred twenty thousand inhabitants and not
46 less than two hundred thousand inhabitants according to
47 the most recent decennial census, any county of the
48 first classification without a charter form of
49 government with a population of not more than one
50 hundred eighty thousand inhabitants and not less than
51 one hundred seventy thousand inhabitants according to

1 the most recent decennial census and any county of the
2 first classification without a charter form of
3 government with a population of not more than
4 eighty-two thousand inhabitants and not less than
5 eighty thousand inhabitants according to the most
6 recent decennial census certain motor vehicles shall be
7 tested annually to determine that the emissions system
8 is functioning within the emission standards as
9 specified by the Missouri air conservation commission
10 and as required to attain the national health standards
11 for air quality. The motor vehicles to be tested shall
12 be all motor vehicles except those specifically
13 exempted pursuant to subdivisions (1) to (3) of
14 subsection 1 of section 307.350 and those exempted
15 pursuant to this section.

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

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

21 (2) Motorcycles and motortricycles;

22 (3) Model year vehicles prior to 1971;

23 (4) School buses;

24 (5) Diesel-powered vehicles;

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

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

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

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

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

51 (2) If the dealer chooses to sell the vehicle

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

12 (3) If the dealer chooses to sell the vehicle
13 without prior inspection and approval, the purchaser
14 may return the vehicle within fourteen days of the date
15 of purchase, provided that the vehicle has no more than
16 one thousand additional miles since the time of sale,
17 if the vehicle fails, upon inspection, to meet the
18 emissions standards specified by the commission and the
19 dealer shall have the vehicle inspected and approved
20 without the option for a waiver of the emissions
21 standard and return the vehicle to the purchaser with a
22 valid emissions certificate and sticker within five
23 working days or the purchaser and dealer may enter into
24 any other mutually acceptable agreement. If the dealer
25 chooses to sell the vehicle without prior inspection
26 and approval, the dealer shall disclose conspicuously
27 on the sales contract and bill of sale that the
28 purchaser has the option to return the vehicle within
29 fourteen days, provided that the vehicle has no more
30 than one thousand additional miles since the time of
31 sale, to have the dealer repair the vehicle and provide
32 an emissions certificate and sticker within five
33 working days if the vehicle fails, upon inspection, to
34 meet the emissions standards established by the
35 commission, or enter into any mutually acceptable
36 agreement with the dealer. A violation of this
37 subdivisions shall be an unlawful practice as defined
38 in section 407.020, RSMo. No emissions inspection
39 shall be required pursuant to this section for the sale
40 of any motor vehicle which may be sold without a
41 certificate of inspection and approval, as provided
42 pursuant to subsection 2 of section 307.380.

43 4. In addition to the fee authorized by
44 subsection 5 of section 307.365, a fee, not to exceed
45 eight dollars and fifty cents for inspections conducted
46 prior to January 1, 1993, and not to exceed ten dollars
47 and fifty cents for inspections conducted thereafter,
48 as determined by each official emissions inspection
49 station located in any city or county described in
50 subsection 1 of this section, may be charged for an
51 automobile emissions and air pollution control

1 inspection in order to attain the national health
2 standards for air quality. Such fee shall be
3 conspicuously posted on the premises of each such
4 inspection station. The official emissions inspection
5 station shall issue a certificate of inspection and an
6 approval sticker or seal certifying the emissions
7 system is functioning properly. The certificate or
8 approval issued shall bear the legend: "This cost is
9 mandated by your United States Congress.". No owner
10 shall be charged an additional fee after having
11 corrected defects or unsafe conditions in the
12 automobile's emissions and air pollution control system
13 if the reinspection is completed within twenty
14 consecutive days, excluding Saturdays, Sundays and
15 holidays, and if such follow-up inspection is made by
16 the station making the initial inspection.

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

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

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

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

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

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

11 9. In addition to the fee collected by the
12 superintendent pursuant to subsection 5 of section
13 307.365, the highway patrol shall collect a fee of
14 seventy-five cents for each automobile emissions
15 certificate issued to the applicable official emissions
16 inspection stations, except that no charge shall be
17 made for certificates of inspection issued to official
18 emissions inspection stations operated by governmental
19 entities. All fees collected by the superintendent
20 pursuant to this section shall be deposited in the
21 state treasury to the credit of the "Missouri Air
22 Pollution Control Fund", which is hereby created.

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

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

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

1 section.

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

7 13. Notwithstanding the provisions of section
8 307.390, violation of this section shall be deemed a
9 class C misdemeanor.】

10
11 [643.315. 1. Except as provided in sections
12 643.300 to 643.355, all motor vehicles which are
13 domiciled, registered or primarily operated in an area
14 for which the commission has established a motor
15 vehicle emissions inspection program pursuant to
16 sections 643.300 to 643.355, which may include all
17 motor vehicles owned by residents of a county of the
18 first classification without a charter form of
19 government with a population of less than one hundred
20 thousand inhabitants according to the most recent
21 decennial census who have chosen to [have a biennial
22 motor vehicle registration pursuant to section 301.147]
23 participate in such a program in lieu of the provisions
24 of section 307.366, RSMo, shall be inspected and
25 approved prior to sale or transfer. In addition, any
26 such vehicle manufactured as an even-numbered model
27 year vehicle shall be inspected and approved under the
28 emissions inspection program established pursuant to
29 sections 643.300 to 643.355 in each even-numbered
30 calendar year and any such vehicle manufactured as an
31 odd-numbered model year vehicle shall be inspected and
32 approved under the emissions inspection program
33 established pursuant to sections 643.300 to 643.355 in
34 each odd-numbered calendar year. All motor vehicles
35 subject to the inspection requirements of sections
36 643.300 to 643.355 shall display a valid emissions
37 inspection sticker, and when applicable, a valid
38 emissions inspection certificate shall be presented at
39 the time of registration or registration renewal of
40 such motor vehicle.

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

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

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

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

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

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

8 (3) Model year vehicles prior to 1971;

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

14 (5) Motor vehicles registered in an area subject
15 to the inspection requirements of sections 643.300 to
16 643.355 which are domiciled and operated exclusively in
17 an area of the state not subject to the inspection
18 requirements of sections 643.300 to 643.355, but only
19 if the owner of such vehicle presents to the department
20 an affidavit that the vehicle will be operated
21 exclusively in an area of the state not subject to the
22 inspection requirements of sections 643.300 to 643.355
23 for the next twenty-four months, and the owner applies
24 for and receives a waiver which shall be presented at
25 the time of registration or registration renewal;

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

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

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

38 5. (1) At the time of sale, a licensed motor
39 vehicle dealer, as defined in section 301.550, RSMo,
40 may choose to sell a motor vehicle subject to the
41 inspection requirements of sections 643.300 to 643.355
42 either:

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

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

47 (2) If the dealer chooses to sell the vehicle
48 with prior inspection and approval, the dealer shall
49 disclose, in writing, prior to sale, whether the
50 vehicle obtained approval by meeting the emissions
51 standards established pursuant to sections 643.300 to

1 643.355 or by obtaining a waiver pursuant to section
2 643.335. A vehicle sold pursuant to this subdivision by
3 a licensed motor vehicle dealer shall be inspected and
4 approved within the one hundred twenty days immediately
5 preceding the date of sale, and, for the purpose of
6 registration of such vehicle, such inspection shall be
7 considered timely.

8 (3) If the dealer chooses to sell the vehicle
9 without prior inspection and approval, the purchaser
10 may return the vehicle within ten days of the date of
11 purchase, provided that the vehicle has no more than
12 one thousand additional miles since the time of sale,
13 if the vehicle fails, upon inspection, to meet the
14 emissions standards specified by the commission and the
15 dealer shall have the vehicle inspected and approved
16 without the option for a waiver of the emissions
17 standard and return the vehicle to the purchaser with a
18 valid emissions certificate and sticker within five
19 working days or the purchaser and dealer may enter into
20 any other mutually acceptable agreement. If the dealer
21 chooses to sell the vehicle without prior inspection
22 and approval, the dealer shall disclose conspicuously
23 on the sales contract and bill of sale that the
24 purchaser has the option to return the vehicle within
25 ten days, provided that the vehicle has no more than
26 one thousand additional miles since the time of sale,
27 to have the dealer repair the vehicle and provide an
28 emissions certificate and sticker within five working
29 days if the vehicle fails, upon inspection, to meet the
30 emissions standards established by the commission, or
31 enter into any mutually acceptable agreement with the
32 dealer. A violation of this subdivision shall be an
33 unlawful practice as defined in section 407.020, RSMo.
34 No emissions inspection shall be required pursuant to
35 sections 643.300 to 643.360 for the sale of any motor
36 vehicle which may be sold without a certificate of
37 inspection and approval, as provided pursuant to
38 subsection 2 of section 307.380, RSMo.]

39
40 Section B. The repeal and reenactment of sections 301.141
41 and 301.142 and the enactment of section 304.601 of this act
42 shall become effective January 1, 2004.
43