

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
**HOUSE BILL NOS. 1105, 1062, 1111,
1113 & 1119**
92ND GENERAL ASSEMBLY

Reported from the Committee on Transportation and Motor Vehicle, January 22, 2004, with recommendation that the House Committee Substitute for House Bill Nos. 1105, 1062, 1111, 1113 & 1119 Do Pass.

STEPHEN S. DAVIS, Chief Clerk

3535L.06C

AN ACT

To repeal sections 210.104, 210.106, 210.107, 301.132, 301.190, 301.219, 301.221, 301.681, 302.130, 302.171, 302.173, 302.177, 302.181, 302.720, 302.735, 304.012, 304.155, 304.235, 306.458, 306.461, 307.100, 307.178, 407.567, 476.385, 577.080, and 700.320, RSMo, and to enact in lieu thereof thirty-three new sections relating to motor vehicles, with penalty provisions and an effective date for certain sections.

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

Section A. Sections 210.104, 210.106, 210.107, 301.132, 301.190, 301.219, 301.221,
2 301.681, 302.130, 302.171, 302.173, 302.177, 302.181, 302.720, 302.735, 304.012, 304.155,
3 304.235, 306.458, 306.461, 307.100, 307.178, 407.567, 476.385, 577.080, and 700.320, RSMo,
4 are repealed and thirty-three new sections enacted in lieu thereof, to be known as sections
5 210.106, 301.132, 301.190, 301.196, 301.197, 301.198, 301.219, 301.221, 301.681, 302.130,
6 302.171, 302.173, 302.177, 302.181, 302.720, 302.735, 304.012, 304.021, 304.154, 304.155,
7 304.235, 306.458, 306.461, 307.100, 307.178, 307.179, 407.567, 476.385, 577.080, 700.320, 1,
8 2, and 3, to read as follows:

210.106. In no event shall failure to employ a child passenger restraint system required
2 by section [210.104] **307.179** provide the basis for a claim of civil liability or negligence or
3 contributory negligence of any person in any action for damages by reason of injury sustained
4 by a child; nor shall such failure to employ such child passenger restraint system be admissible
5 as evidence in the trial of any civil action.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

108 **18. A street rod or custom vehicle may use blue dot tail lights for stop lamps, rear**

109 **turning indicator lamps, rear hazard lamps, and rear reflectors.**

201.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate
2 therefor, shall be issued by the director of revenue unless the applicant therefor shall make
3 application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall
4 present satisfactory evidence that such certificate has been previously issued to the applicant for
5 such motor vehicle or trailer. Application shall be made within thirty days after the applicant
6 acquires the motor vehicle or trailer upon a blank form furnished by the director of revenue and
7 shall contain the applicant's identification number, a full description of the motor vehicle or
8 trailer, the vehicle identification number, and the mileage registered on the odometer at the time
9 of transfer of ownership, as required by section 407.536, RSMo, together with a statement of the
10 applicant's source of title and of any liens or encumbrances on the motor vehicle or trailer,
11 provided that for good cause shown the director of revenue may extend the period of time for
12 making such application.

13 2. The director of revenue shall use reasonable diligence in ascertaining whether the facts
14 stated in such application are true and shall, to the extent possible without substantially delaying
15 processing of the application, review any odometer information pertaining to such motor vehicle
16 that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of
17 such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the
18 director shall thereupon issue an appropriate certificate over his signature and sealed with the
19 seal of his office, procured and used for such purpose. The certificate shall contain on its face
20 a complete description, vehicle identification number, and other evidence of identification of the
21 motor vehicle or trailer, as the director of revenue may deem necessary, together with the
22 odometer information required to be put on the face of the certificate pursuant to section
23 407.536, RSMo, a statement of any liens or encumbrances which the application may show to
24 be thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing
25 the transferor's title and whether the transferor's odometer mileage statement executed pursuant
26 to section 407.536, RSMo, indicated that the true mileage is materially different from the number
27 of miles shown on the odometer, or is unknown.

28 3. The director of revenue shall appropriately designate on the current and all subsequent
29 issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change Vehicle",
30 "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as defined in section
31 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for
32 motor vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print
33 on the face thereof the following designation: "Annual odometer updates may be available from
34 the department of revenue.". On any duplicate certificate, the director of revenue shall reprint
35 on the face thereof the most recent of either:

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

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

40 4. The certificate of ownership issued by the director of revenue shall be manufactured
41 in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge
42 such certificate without ready detection. In order to carry out the requirements of this subsection,
43 the director of revenue may contract with a nonprofit scientific or educational institution
44 specializing in the analysis of secure documents to determine the most effective methods of
45 rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

46 5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in
47 addition to the fee for registration of such motor vehicle or trailer. If application for the
48 certificate is not made within thirty days after the vehicle is acquired by the applicant, a
49 delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and
50 twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of one
51 hundred dollars before November 1, 2003, and not to exceed a total of two hundred dollars on
52 or after November 1, 2003, shall be imposed, but such penalty may be waived by the director for
53 a good cause shown. If the director of revenue learns that any person has failed to obtain a
54 certificate within thirty days after acquiring a motor vehicle or trailer or has sold a vehicle
55 without obtaining a certificate, he shall cancel the registration of all vehicles registered in the
56 name of the person, either as sole owner or as a co-owner, and shall notify the person that the
57 cancellation will remain in force until the person pays the delinquency penalty fee provided in
58 this section, together with all fees, charges and payments which he should have paid in
59 connection with the certificate of ownership and registration of the vehicle. The certificate shall
60 be good for the life of the motor vehicle or trailer so long as the same is owned or held by the
61 original holder of the certificate and shall not have to be renewed annually.

62 6. Any applicant for a certificate of ownership requesting the department of revenue to
63 process an application for a certificate of ownership in an expeditious manner requiring special
64 handling shall pay a fee of five dollars in addition to the regular certificate of ownership fee.

65 7. It is unlawful for any person to operate in this state a motor vehicle or trailer required
66 to be registered under the provisions of the law unless a certificate of ownership has been issued
67 as herein provided.

68 8. Before an original Missouri certificate of ownership is issued, **if a salvage certificate**
69 **of title has been issued for the same vehicle but no prior inspection and verification has**
70 **been made in this state**, an inspection of the vehicle and a verification of vehicle identification
71 numbers shall be made by the Missouri state highway patrol [on vehicles for which there is a

72 current title issued by another state if a Missouri salvage certificate of title has been issued for
73 the same vehicle but no prior inspection and verification has been made in this state], except that
74 if such vehicle has been inspected in another state by a law enforcement officer in a manner
75 comparable to the inspection process in this state and the vehicle identification numbers have
76 been so verified, the applicant shall not be liable for the twenty-five dollar inspection fee if such
77 applicant submits proof of inspection and vehicle identification number verification to the
78 director of revenue at the time of the application. The applicant, who has such a title for a
79 vehicle on which no prior inspection and verification have been made, shall pay a fee of
80 twenty-five dollars for such verification and inspection, payable to the director of revenue at the
81 time of the request for the application, which shall be deposited in the state treasury to the credit
82 of the state highway fund.

83 9. Each application for an original Missouri certificate of ownership for a vehicle which
84 is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle,
85 motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director
86 of revenue, shall be accompanied by a vehicle examination certificate issued by the Missouri
87 state highway patrol, or other law enforcement agency as authorized by the director of revenue.
88 The vehicle examination shall include a verification of vehicle identification numbers and a
89 determination of the classification of the vehicle. The owner of a vehicle which requires a
90 vehicle examination certificate shall present the vehicle for examination and obtain a completed
91 vehicle examination certificate prior to submitting an application for a certificate of ownership
92 to the director of revenue. The fee for the vehicle examination application shall be twenty-five
93 dollars and shall be collected by the director of revenue at the time of the request for the
94 application and shall be deposited in the state treasury to the credit of the state highway fund.

95 10. When an application is made for an original Missouri certificate of ownership for a
96 motor vehicle previously registered or titled in a state other than Missouri, it shall be
97 accompanied by a current inspection form certified by a duly authorized official inspection
98 station as described in chapter 307, RSMo. The completed form shall certify that the
99 manufacturer's identification number for the vehicle has been inspected, that it is correctly
100 displayed on the vehicle and shall certify the reading shown on the odometer at the time of
101 inspection. The inspection station shall collect the same fee as authorized in section 307.365,
102 RSMo, for making the inspection, and the fee shall be deposited in the same manner as provided
103 in section 307.365, RSMo. If the vehicle is also to be registered in Missouri, the safety and
104 emissions inspections required in chapter 307, RSMo, shall be completed and only the fees
105 required by sections 307.365 and 307.366, RSMo, shall be charged to the owner. This section
106 shall not apply to vehicles being transferred on a manufacturer's statement of origin.

107 11. Motor vehicles brought into this state in a wrecked or damaged condition or after

108 being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle
109 procedures shall, in lieu of the inspection required by subsection 10 of this section, be inspected
110 by the Missouri state highway patrol in accordance with subsection 9 of this section. If the
111 inspection reveals the vehicle to be in a salvage or junk condition, the director shall so indicate
112 on any Missouri certificate of ownership issued for such vehicle. Any salvage designation shall
113 be carried forward on all subsequently issued certificates of title for the motor vehicle.

114 12. When an application is made for an original Missouri certificate of ownership for a
115 motor vehicle previously registered or titled in a state other than Missouri, and the certificate of
116 ownership has been appropriately designated by the issuing state as reconstructed motor vehicle,
117 motor change vehicle, specially constructed motor vehicle, the director of revenue shall
118 appropriately designate on the current Missouri and all subsequent issues of the certificate of
119 ownership the name of the issuing state and such prior designation.

120 13. When an application is made for an original Missouri certificate of ownership for a
121 motor vehicle previously registered or titled in a state other than Missouri, and the certificate of
122 ownership has been appropriately designated by the issuing state as non-USA-std motor vehicle,
123 the director of revenue shall appropriately designate on the current Missouri and all subsequent
124 issues of the certificate of ownership the words "Non-USA-Std Motor Vehicle".

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

**301.196. 1. Beginning January 1, 2005, except as otherwise provided in this section,
2 the transferor of an interest in a motor vehicle covered by a Missouri title shall notify the
3 department of revenue of the transfer within ten days of the date of transfer. The notice
4 shall be in a form determined by the department by rule and shall contain:**

- 5 (1) A description of the motor vehicle sufficient to identify it;
- 6 (2) The vehicle identification number of the motor vehicle;
- 7 (3) The name and address of the transferee;
- 8 (4) The date of birth of the transferee, unless the transferee is not a natural person;
- 9 (5) The date of the transfer or sale;
- 10 (6) The purchase price of the motor vehicle, if applicable;
- 11 (7) The number of the transferee's driver license, unless the transferee is a vehicle
12 dealer or does not have a driver license;
- 13 (8) The signature of the transferee;
- 14 (9) Any other information required by the department by rule.

15 2. For purposes of giving notice under this section, if the transfer occurs by
16 operation of law, the personal representative, receiver, trustee, sheriff or other
17 representative or successor in interest of the person whose interest is transferred shall be

18 considered the transferor.

19 3. The requirements of this section do not apply to transfers where there is the
20 creation, termination or change in a security interest or a leasehold when there is no
21 complete change of ownership interest or upon award of ownership of a motor vehicle
22 made by court order.

23 4. A new motor vehicle franchise dealer, as defined in section 301.550, is exempt
24 from the notice requirement of this section.

25 5. Notification provided under this section is for informational purposes only and
26 does not constitute an assignment or release of any interest in the vehicle.

301.197. 1. Beginning January 1, 2005, upon receipt of a notification of transfer
2 described in section 301.196, the department shall make a notation on its records indicating
3 that it has received notification that an interest in the vehicle has been transferred. The
4 notation shall be made whether or not the form submitted to the department contains all
5 the information required by section 301.196, so long as there is sufficient information to
6 identify the vehicle and the name and address of the transferee. Thereafter, until a new
7 title is issued, when the department is asked to provide the name of the owner of a vehicle
8 as shown on its records, the department shall provide the name of the transferor and
9 indicate that department records show a notification of transfer but do not show a title
10 transfer. The department shall also provide the name of the transferee if it is shown on the
11 form submitted by the transferor pursuant to section 301.196.

12 2. If the department does not receive an application for title from the person named
13 as transferee in a form submitted pursuant to section 301.196 within sixty days of the
14 receipt of the form, the department shall notify the transferee to apply for title.
15 Notification shall be made as soon after the sixtieth day after receipt of the form as is
16 convenient for the department. The provisions of this subsection shall be in addition to the
17 requirements of section 301.190.

18 3. The department may adopt rules for the implementation of section 301.196 and
19 this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,
20 that is created under the authority delegated in this section shall become effective only if
21 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
22 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
23 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
24 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
25 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
26 adopted after August 28, 2004, shall be invalid and void.

301.198. Beginning January 1, 2005, a person commits the offense of knowingly

2 **submitting false information about transfer of a vehicle if the person submits a notice of**
3 **transfer of an interest in a vehicle as described in section 301.196 to the department of**
4 **revenue and the person knows that some or all of the information contained in the notice**
5 **is false. The offense described in this section, knowingly submitting false information**
6 **about transfer of a vehicle, is a class C misdemeanor.**

301.219. Application for a license shall be submitted [by July first of each year]
2 **biennially** and shall be made on the form the department prescribes, containing the name of the
3 applicant, the address where business is to be conducted, the kind of business, enumerated in
4 section 301.218 to be conducted, the residence address of the applicant if an individual, the
5 names and residence addresses of the partners of the applicant if a partnership, the names and
6 residence addresses of the principal officers of the applicant and the state of its incorporation,
7 if a corporation. The application shall be verified by the oath or affirmation of the applicant, if
8 the applicant is a partnership or a corporation, by a partner or officer of the applicant and shall
9 be accompanied by a fee of [sixty-five] **one hundred thirty-two** dollars every [year] **two years**
10 for each kind of business required to be licensed under subdivision (1), (2), (3), or (4) of
11 subsection 1 of section 301.218. If the applicant conducts business at different locations, a
12 separate application, license and [sixty-five] **one hundred thirty-two** dollar [annual] fee shall
13 be required for each location. **The director may stagger the expiration dates to equalize the**
14 **workload.**

301.221. 1. The department shall file each application received by it with the required
2 fee, and when satisfied that the applicant, if an individual, or each of the partners or principal
3 officers of the applicant, if a partnership or a corporation, is of good moral character and that the
4 applicant, so far as can be ascertained, has complied and will comply with the provisions of
5 sections 301.217 to 301.229 and the laws of this state relating to registration of and certificates
6 of title of vehicles, shall issue to the applicant a license to carry on and conduct the kind of
7 businesses, enumerated in section 301.218, specified in the application at the address therein
8 specified, until [July first next following the date on which] the **next** license [is issued] **renewal**
9 **date.**

10 2. **When the application is being made for licensure as a salvage dealer, a**
11 **certification may be performed by a uniformed member of the Missouri state highway**
12 **patrol stationed in the troop area in which the applicant's place of business is located;**
13 **except that, in counties of the first classification, certification may be performed by an**
14 **officer of a metropolitan police department when the applicant's established place of**
15 **business of salvage is in the metropolitan area where the certifying metropolitan police**
16 **officer is employed.** An applicant shall have a bona fide established place of business which
17 shall include a permanent enclosed building or structure, either owned in fee or leased and

18 actually occupied as a place of business by the applicant for:

- 19 (1) Selling used parts of or used accessories for vehicles; or
- 20 (2) Salvaging, wrecking or dismantling vehicles for resale of the parts thereof; or
- 21 (3) Rebuilding and repairing wrecked or dismantled vehicles; or
- 22 (4) Processing scrapped vehicles or vehicle parts.

23 3. The applicant's place of business shall be a place wherein the public may contact the
24 owner or operator, in person or by telephone, at any reasonable time, and wherein shall be kept
25 and maintained the books, records, files, tools, equipment and other matters required and
26 necessary to conduct the business. 4. The application shall include a photograph, not to
27 exceed eight inches by ten inches, showing the building and business premises and shall
28 accompany the initial application but will not be required for subsequent renewals unless
29 substantial changes have been made to the building or business premises.

301.681. 1. A sole owner of a motor vehicle or trailer, and multiple owners of a motor
2 vehicle or trailer who hold their interest as joint tenants with right of survivorship or as tenants
3 by the entirety, on application and payment of the fee required for an original certificate of
4 ownership, may request the director of revenue to issue a certificate of ownership for the motor
5 vehicle or trailer in beneficiary form which includes a directive to the director of revenue to
6 transfer the certificate of ownership on death of the sole owner or on death of all multiple owners
7 to one beneficiary or to two or more beneficiaries as joint tenants with right of survivorship or
8 as tenants by the entirety named on the face of the certificate. **The directive to the director of**
9 **revenue shall also permit the beneficiary or beneficiaries to make one reassignment of the**
10 **original certificate of ownership upon the death of the owner to another owner without**
11 **transferring the certificate to the beneficiary or beneficiaries' name.**

12 2. A certificate of ownership in beneficiary form may not be issued to persons who hold
13 their interest in a motor vehicle or trailer as tenants in common.

14 3. A certificate of ownership issued in beneficiary form shall include after the name of
15 the owner, or after the names of multiple owners, the words "transfer on death to" or the
16 abbreviation "TOD" followed by the name of the beneficiary or beneficiaries.

17 4. (1) During the lifetime of a sole owner and during the lifetime of all multiple owners,
18 the signature or consent of the beneficiary or beneficiaries shall not be required for any
19 transaction relating to the motor vehicle or trailer for which a certificate of ownership in
20 beneficiary form has been issued.

21 (2) A certificate of ownership in beneficiary form may be revoked or the beneficiary or
22 beneficiaries changed at any time before the death of a sole owner or surviving multiple owner
23 only by the following methods:

24 (a) By a sale of the motor vehicle or trailer with proper assignment and delivery of the

25 certificate of ownership to another person; or

26 (b) By filing an application to reissue the certificate of ownership with no designation
27 of a beneficiary or with the designation of a different beneficiary or beneficiaries with the
28 director of revenue in proper form and accompanied by the payment of the fee for an original
29 certificate of ownership.

30 (3) The beneficiary's or beneficiaries' interest in the motor vehicle or trailer at death of
31 the owner or surviving owner shall be subject to any contract of sale, assignment of ownership
32 or security interest to which the owner or owners of the motor vehicle or trailer were subject
33 during their lifetime.

34 (4) The designation of a beneficiary or beneficiaries in a certificate of ownership issued
35 in beneficiary form may not be changed or revoked by a will, any other instrument, or a change
36 in circumstances, or otherwise be changed or revoked except as provided by subdivision (2) of
37 this subsection.

38 5. (1) On proof of death of one of the owners of two or more multiple owners, or of a
39 sole owner, surrender of the outstanding certificate of ownership, and on application and
40 payment of the fee for an original certificate of ownership, the director of revenue shall issue a
41 new certificate of ownership for the motor vehicle or trailer to the surviving owner or owners or,
42 if none, to the surviving beneficiary or beneficiaries, subject to any outstanding security interest;
43 and the current valid certificate of number shall be so transferred. **If the surviving beneficiary**
44 **or beneficiaries make a request of the director of revenue, the director may allow the**
45 **beneficiary or beneficiaries to make one assignment of title.**

46 (2) The director of revenue may rely on a death certificate or record or report that
47 constitutes prima facie proof or evidence of death under subdivisions (1) and (2) of section
48 472.290, RSMo.

49 (3) The transfer of a motor vehicle or trailer at death pursuant to this section is effective
50 by reason of sections 301.675 to 301.682 and sections 306.455 to 306.465, RSMo, and is not to
51 be considered as testamentary, or to be subject to the requirements of section 473.087, RSMo,
52 or section 474.320, RSMo.

302.130. 1. Any person at least fifteen years of age who, except for age or lack of
2 instruction in operating a motor vehicle, would otherwise be qualified to obtain a license
3 pursuant to sections 302.010 to 302.340 may apply for and the director shall issue a temporary
4 instruction permit entitling the applicant, while having such permit in the applicant's immediate
5 possession, to drive a motor vehicle of the appropriate class upon the highways for a period of
6 twelve months, but any such person, except when operating a motorcycle or motortricycle, must
7 be accompanied by a licensed operator for the type of motor vehicle being operated who is
8 actually occupying a seat beside the driver for the purpose of giving instruction in driving the

9 motor vehicle, who is at least twenty-one years of age, and in the case of any driver under sixteen
10 years of age, the licensed operator occupying the seat beside the driver shall be a grandparent,
11 parent, guardian, a driver training instructor holding a valid driver education endorsement on a
12 teaching certificate issued by the department of elementary and secondary education or a
13 qualified instructor of a private drivers' education program who has a valid driver's license.
14 Beginning January 1, 2001, an applicant for a temporary instruction permit shall successfully
15 complete a vision test and a test of the applicant's ability to understand highway signs which
16 regulate, warn or direct traffic and practical knowledge of the traffic laws of this state, pursuant
17 to section 302.173. In addition, beginning January 1, 2001, no permit shall be granted pursuant
18 to this subsection unless a parent or legal guardian gives written permission by signing the
19 application and in so signing, state they, or their designee as set forth in subsection 2 of this
20 section, will provide a minimum of twenty hours of behind-the-wheel driving instruction. The
21 twenty hours of behind-the-wheel driving instruction that is completed pursuant to this
22 subsection may include any time that the holder of an instruction permit has spent operating a
23 motor vehicle in a driver training program taught by a driver training instructor holding a valid
24 driver education endorsement on a teaching certificate issued by the department of elementary
25 and secondary education or by a qualified instructor of a private drivers' education program. If
26 the applicant for a permit is enrolled in a federal residential job training program, the instructor,
27 as defined in subsection 5 of this section, is authorized to sign the application stating that the
28 applicant will receive the behind-the-wheel driving instruction required by this section.

29 2. In the event the parent, grandparent or guardian of the person under sixteen years of
30 age has a physical disability which prohibits or disqualifies said parent, grandparent or guardian
31 from being a qualified licensed operator pursuant to this section, said parent, grandparent or
32 guardian may designate a maximum of two individuals authorized to accompany the applicant
33 for the purpose of giving instruction in driving the motor vehicle. An authorized designee must
34 be a licensed operator for the type of motor vehicle being operated and have attained twenty-one
35 years of age. At least one of the designees must occupy the seat beside the applicant while
36 giving instruction in driving the motor vehicle. The name of the authorized designees must be
37 provided to the department of revenue by the parent, grandparent or guardian at the time of
38 application for the temporary instruction permit. The name of each authorized designee shall be
39 printed on the temporary instruction permit, however, the director may delay the time at which
40 permits are printed bearing such names until the inventories of blank permits and related forms
41 existing on August 28, 1998, are exhausted.

42 3. The director, upon proper application on a form prescribed by the director, in his or
43 her discretion, may issue a restricted instruction permit effective for a school year or more
44 restricted period to an applicant who is enrolled in a high school driver training program taught

45 by a driver training instructor holding a valid driver education endorsement on a teaching
46 certificate issued by the state department of elementary and secondary education even though the
47 applicant has not reached the age of sixteen years but has passed the age of fifteen years. Such
48 instruction permit shall entitle the applicant, when the applicant has such permit in his or her
49 immediate possession, to operate a motor vehicle on the highways, but only when a driver
50 training instructor holding a valid driver education endorsement on a teaching certificate issued
51 by the state department of elementary and secondary education is occupying a seat beside the
52 driver.

53 4. The director, in his or her discretion, may issue a temporary driver's permit to an
54 applicant who is otherwise qualified for a license permitting the applicant to operate a motor
55 vehicle while the director is completing the director's investigation and determination of all facts
56 relative to such applicant's rights to receive a license. Such permit must be in the applicant's
57 immediate possession while operating a motor vehicle, and it shall be invalid when the
58 applicant's license has been issued or for good cause has been refused.

59 5. In the event that the applicant for a temporary instruction permit described in
60 subsection 1 of this section is a participant in a federal residential job training program, the
61 permittee may operate a motor vehicle accompanied by a driver training instructor who holds a
62 valid driver education endorsement issued by the department of elementary and secondary
63 education and a valid driver's license.

64 6. A person at least fifteen years of age may operate a motor vehicle as part of a driver
65 training program taught by a driver training instructor holding a valid driver education
66 endorsement on a teaching certificate issued by the department of elementary and secondary
67 education or a qualified instructor of a private drivers' education program.

68 7. Beginning January 1, 2003, the director shall issue with every temporary instruction
69 permit issued pursuant to subsection 1 of this section a sticker or sign bearing the words
70 "PERMIT DRIVER". The design and size of such sticker or sign shall be determined by the
71 director by regulation. Every applicant issued a temporary instruction permit and sticker on or
72 after January 1, 2003, may display or affix the sticker or sign on the rear window of the motor
73 vehicle. Such sticker or sign may be displayed on the rear window of the motor vehicle
74 whenever the holder of the instruction permit operates a motor vehicle during his or her
75 temporary permit licensure period.

76 8. **The director shall verify that an applicant for an instruction permit issued under**
77 **this section is lawfully present in the United States before accepting the application. The**
78 **director shall not issue an instruction permit for a period that exceeds an applicant's lawful**
79 **presence in the United States. The director may establish procedures to verify the lawful**
80 **presence of the applicant and establish the duration of any permit issued under this**

81 **section.**

82 **9.** The director may adopt rules and regulations necessary to carry out the provisions of
83 this section.

302.171. 1. **The director shall verify that an applicant for a driver's license is
2 lawfully present in the United States before accepting the application. The director shall
3 not issue a driver's license for a period that exceeds an applicant's lawful presence in the
4 United States. The director may establish procedures to verify the lawful presence of the
5 applicant and establish the duration of any driver's license issued under this section. An
6 application for a license shall be made upon an approved form furnished by the director. Every
7 application shall state the full name, Social Security number, age, height, weight, color of eyes,
8 sex, residence, mailing address of the applicant, and the classification for which the applicant
9 has been licensed, and, if so, when and by what state, and whether or not such license has ever
10 been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and
11 reason for such suspension, revocation or disqualification and whether the applicant is making
12 a one dollar donation to promote an organ donation program as prescribed in subsection 2 of this
13 section. A driver's license, nondriver's license, or instruction permit issued under this
14 chapter shall contain the applicant's legal name as it appears on a birth certificate or as
15 legally changed through marriage or court order. No name change by common usage
16 based on common law shall be permitted.** The application shall also contain such information
17 as the director may require to enable the director to determine the applicant's qualification for
18 driving a motor vehicle; and shall state whether or not the applicant has been convicted in this
19 or any other state for violating the laws of this or any other state or any ordinance of any
20 municipality, relating to driving without a license, careless driving, or driving while intoxicated,
21 or failing to stop after an accident and disclosing the applicant's identity, or driving a motor
22 vehicle without the owner's consent. The application shall contain a certification by the applicant
23 as to the truth of the facts stated therein. Every person who applies for a license to operate a
24 motor vehicle who is less than twenty-one years of age shall be provided with educational
25 materials relating to the hazards of driving while intoxicated, including information on penalties
26 imposed by law for violation of the intoxication-related offenses of the state. Beginning January
27 1, 2001, if the applicant is less than eighteen years of age, the applicant must comply with all
28 requirements for the issuance of an intermediate driver's license pursuant to section 302.178.

29 **2.** An applicant for a license may make a donation of one dollar to promote an organ
30 donor program. The director of revenue shall collect the donations and deposit all such
31 donations in the state treasury to the credit of the organ donor program fund established in
32 sections 194.297 to 194.304, RSMo. Moneys in the organ donor program fund shall be used
33 solely for the purposes established in sections 194.297 to 194.304, RSMo, except that the

34 department of revenue shall retain no more than one percent for its administrative costs. The
35 donation prescribed in this subsection is voluntary and may be refused by the applicant for the
36 license at the time of issuance or renewal of the license. The director shall make available an
37 informational booklet or other informational sources on the importance of organ donations to
38 applicants for licensure as designed by the organ donation advisory committee established in
39 sections 194.297 to 194.304, RSMo. The director shall inquire of each applicant at the time the
40 licensee presents the completed application to the director whether the applicant is interested in
41 making the one dollar donation prescribed in this subsection and whether the applicant is
42 interested in inclusion in the organ donor registry and shall also specifically inform the licensee
43 of the ability to consent to organ donation by completing the form on the reverse of the license
44 that the applicant will receive in the manner prescribed by subsection 6 of section 194.240,
45 RSMo. The director shall notify the department of health and senior services of information
46 obtained from applicants who indicate to the director that they are interested in registry
47 participation, and the department of health and senior services shall enter the complete name,
48 address, date of birth, race, gender and a unique personal identifier in the registry established in
49 subsection 1 of section 194.304, RSMo.

50 3. An applicant for a license may make a donation of one dollar to promote a blindness
51 education, screening and treatment program. The director of revenue shall collect the donations
52 and deposit all such donations in the state treasury to the credit of the blindness education,
53 screening and treatment program fund established in section 192.935, RSMo. Moneys in the
54 blindness education, screening and treatment program fund shall be used solely for the purposes
55 established in section 192.935, RSMo, except that the department of revenue shall retain no more
56 than one percent for its administrative costs. The donation prescribed in this subsection is
57 voluntary and may be refused by the applicant for the license at the time of issuance or renewal
58 of the license. The director shall inquire of each applicant at the time the licensee presents the
59 completed application to the director whether the applicant is interested in making the one dollar
60 donation prescribed in this subsection.

61 **4. The director shall deny the driving privilege of any person who commits fraud**
62 **or deception during the examination process or who makes application for an instruction**
63 **permit, driver's license, or nondriver's license which contains or is substantiated with false**
64 **or fraudulent information or documentation, or who knowingly conceals a material fact**
65 **or otherwise commits a fraud in any such application. The period of denial shall be one**
66 **year from the effective date of the denial notice sent by the director. The denial shall**
67 **become effective ten days after the date the denial notice is mailed to the person. The**
68 **notice shall be mailed to the person at the last known address shown on the person's**
69 **driving record. The notice shall be deemed received three days after mailing unless**

70 returned by the postal authorities. No such individual shall reapply for a driver's
71 examination, instruction permit, driver's license, or nondriver's license until the period of
72 denial is completed. No individual who is denied the driving privilege under this section
73 shall be eligible for a limited driving privilege issued under section 302.309.

74 5. All appeals of denials under this section shall be made as required by section
75 302.311.

76 6. The period of limitation for criminal prosecution under this section shall be
77 extended under subdivision (1) of subsection 3 of section 556.036, RSMo.

78 7. The director may promulgate rules and regulations necessary to administer and
79 enforce this section. No rule or portion of a rule promulgated pursuant to the authority
80 of this section shall become effective unless it has been promulgated pursuant to chapter
81 536, RSMo.

302.173. 1. Any applicant for a license, who does not possess a valid license issued
2 pursuant to the laws of this state, another state, or a country which has a reciprocal agreement
3 with the state of Missouri regarding the exchange of licenses pursuant to section 302.172 shall
4 be examined as herein provided. Any person who has failed to renew such person's license on
5 or before the date of its expiration or within six months thereafter must take the complete
6 examination. Any active member of the armed forces, their adult dependents or any active
7 member of the peace corps may apply for a renewal license without examination of any kind,
8 unless otherwise required by sections 302.700 to 302.780, provided the renewal application
9 shows that the previous license had not been suspended or revoked. Any person honorably
10 discharged from the armed forces of the United States who held a valid license prior to being
11 inducted may apply for a renewal license within sixty days after such person's honorable
12 discharge without submitting to any examination of such person's ability to safely operate a
13 motor vehicle over the highways of this state unless otherwise required by sections 302.700 to
14 302.780, other than the vision test provided in section 302.175, unless the facts set out in the
15 renewal application or record of convictions on the expiring license, or the records of the director
16 show that there is good cause to authorize the director to require the applicant to submit to the
17 complete examination. No applicant for a renewal license shall be required to submit to any
18 examination of his or her ability to safely operate a motor vehicle over the highways of this state
19 unless otherwise required by sections 302.700 to 302.780 or regulations promulgated thereunder,
20 other than a test of the applicant's ability to understand highway signs regulating, warning or
21 directing traffic and the vision test provided in section 302.175, unless the facts set out in the
22 renewal application or record of convictions on the expiring license, or the records of the director
23 show that there is good cause to authorize the director to require the applicant to submit to the
24 complete examination. The examination shall be made available in each county. Reasonable

25 notice of the time and place of the examination shall be given the applicant by the person or
26 officer designated to conduct it. The complete examination shall include a test of the applicant's
27 natural or corrected vision as prescribed in section 302.175, the applicant's ability to understand
28 highway signs regulating, warning or directing traffic, the applicant's practical knowledge of the
29 traffic laws of this state, and an actual demonstration of ability to exercise due care in the
30 operation of a motor vehicle of the classification for which the license is sought. When an
31 applicant for a license has a license from a state which has requirements for issuance of a license
32 comparable to the Missouri requirements or a license from a country which has a reciprocal
33 agreement with the state of Missouri regarding the exchange of licenses pursuant to section
34 302.172 and such license has not expired more than six months prior to the date of application
35 for the Missouri license, the director may waive the test of the applicant's practical knowledge
36 of the traffic laws of this state, and the requirement of actual demonstration of ability to exercise
37 due care in the operation of a motor vehicle. If the director has reasonable grounds to believe
38 that an applicant is suffering from some known physical or mental ailment which ordinarily
39 would interfere with the applicant's fitness to operate a motor vehicle safely upon the highways,
40 the director may require that the examination include a physical or mental examination by a
41 licensed physician of the applicant's choice, at the applicant's expense, to determine the fact. The
42 director shall prescribe regulations to ensure uniformity in the examinations and in the grading
43 thereof and shall prescribe and furnish all forms to the members of the highway patrol and to
44 other persons authorized to conduct examinations as may be necessary to enable the officer or
45 person to properly conduct the examination. The records of the examination shall be forwarded
46 to the director who shall not issue any license hereunder if in the director's opinion the applicant
47 is not qualified to operate a motor vehicle safely upon the highways of this state.

48 **2. When the examiner has reasonable grounds to believe that an individual has**
49 **committed fraud or deception during the examination process, the license examiner shall**
50 **immediately forward to the director all information relevant to any fraud or deception,**
51 **including but not limited to, a statement of the examiner's grounds for belief that the**
52 **person committed or attempted to commit fraud or deception in the written, skills, or**
53 **vision examination.**

54 **3.** The director of revenue shall delegate the power to conduct the examinations required
55 for a license or permit to any member of the highway patrol or any person employed by the
56 highway patrol. The powers delegated to any examiner may be revoked at any time by the
57 director of revenue upon notice.

58 [3.] **4.** Notwithstanding the requirements of subsections 1 and [2] **3** of this section, the
59 successful completion of a motorcycle rider training course approved pursuant to sections
60 302.133 to [302.138] **302.137** shall constitute an actual demonstration of the person's ability to

61 exercise due care in the operation of a motorcycle or motortricycle, and no further driving test
62 shall be required to obtain a motorcycle or motortricycle license or endorsement.

302.177. 1. To all applicants for a license or renewal to transport persons or property
2 classified in section 302.015 who are at least twenty-one years of age and under the age of
3 seventy, and who submit a satisfactory application and meet the requirements set forth in
4 sections 302.010 to 302.605, the director shall issue or renew a license upon the payment of a
5 fee of thirty dollars; except that, no license shall be issued if an applicant's license is currently
6 suspended, taken up, canceled, revoked, or deposited in lieu of bail.

7 2. To all applicants for a license or renewal who are between twenty-one and sixty-nine
8 years of age, and who submit a satisfactory application and meet the requirements set forth in
9 sections 302.010 to 302.605, the director shall issue or renew a license upon the payment of a
10 fee of fifteen dollars; except that, no license shall be issued if an applicant's license is currently
11 suspended, taken up, canceled, revoked, or deposited in lieu of bail.

12 3. All licenses issued pursuant to subsections 1 and 2 of this section shall expire on the
13 applicant's birthday in the sixth year after issuance and must be renewed on or before the date
14 of expiration, which date shall be shown on the license. The director shall have the authority to
15 stagger the expiration date of driver's licenses and nondriver's licenses being issued or renewed
16 over a six-year period.

17 4. To all applicants for a license or renewal to transport persons or property classified
18 in section 302.015 who are between eighteen and twenty-one years of age or greater than
19 sixty-nine years of age, and who submit a satisfactory application and meet the requirements set
20 forth in sections 302.010 to 302.605, the director shall issue or renew a license upon the payment
21 of a fee of fifteen dollars.

22 5. To all other applicants for a license or renewal less than twenty-one years of age or
23 greater than sixty-nine years of age who submit a satisfactory application and meet the
24 requirements set forth in sections 302.010 to 302.605, the director shall issue or renew a license
25 upon the payment of a fee of seven dollars and fifty cents. All licenses issued pursuant to this
26 subsection and subsection 4 of this section shall expire on the applicant's birthday in the third
27 year after issuance.

28 6. **The director shall not issue a driver's license for a period that exceeds an**
29 **applicant's lawful presence in the United States. The director may establish procedures**
30 **to verify the lawful presence of the applicant and establish the duration of any driver's**
31 **license issued under this section.**

32 7. The director of revenue may adopt any rules and regulations necessary to carry out the
33 provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of
34 this section shall become effective unless it has been promulgated pursuant to the provisions of

35 chapter 536, RSMo.

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340
2 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic
3 or other comparable material. All licenses shall be manufactured of materials and processes that
4 will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge or duplicate
5 any license without ready detection. All licenses shall bear the licensee's Social Security number,
6 if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that
7 the licensee does not possess a Social Security number, or, if applicable, a certified statement
8 must be submitted as provided in subsection 4 of this section. The license shall also bear the
9 expiration date of the license, the classification of the license, the name, date of birth, residence
10 address including the county of residence or a code number corresponding to such county
11 established by the department, and brief description and colored photograph **or digitized image**
12 of the licensee, and a facsimile of the signature of the licensee. The director shall provide by
13 administrative rule the procedure and format for a licensee to indicate on the back of the license
14 together with the designation for an anatomical gift as provided in section 194.240, RSMo, the
15 name and address of the person designated pursuant to sections 404.800 to 404.865, RSMo, as
16 the licensee's attorney in fact for the purposes of a durable power of attorney for health care
17 decisions. No license shall be valid until it has been so signed by the licensee. If any portion of
18 the license is prepared by a private firm, any contract with such firm shall be made in accordance
19 with the competitive purchasing procedures as established by the state director of the division
20 of purchasing. For all licenses issued or renewed after March 1, 1992, the applicant's Social
21 Security number shall serve as the applicant's license number. Where the licensee has no Social
22 Security number, or where the licensee is issued a license without a Social Security number in
23 accordance with subsection 4 of this section, the director shall issue a license number for the
24 licensee and such number shall also include an indicator showing that the number is not a Social
25 Security number.

26 2. All film involved in the production of photographs for licenses shall become the
27 property of the department of revenue.

28 3. The license issued shall be carried at all times by the holder thereof while driving a
29 motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any
30 police officer or peace officer, or any other duly authorized person, for inspection when demand
31 is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any
32 duly authorized officer shall be presumptive evidence that such person is not a duly licensed
33 operator.

34 4. The director of revenue shall issue a commercial or noncommercial driver's license
35 without a Social Security number to an applicant therefor, who is otherwise qualified to be

36 licensed, upon presentation to the director of a certified statement that the applicant objects to
37 the display of the Social Security number on the license. The director shall assign an
38 identification number, that is not based on a Social Security number, to the applicant which shall
39 be displayed on the license in lieu of the Social Security number.

40 5. The director of revenue shall **not** issue a license without [the] **a facial** photograph [to
41 an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director
42 of a statement on forms prescribed and made available by the department of revenue which states
43 that the applicant is a member of a specified religious denomination which prohibits photographs
44 of members as being contrary to its religious tenets. The license shall state thereon that no
45 photograph is required because of the religious affiliation of the licensee. The director of
46 revenue shall establish guidelines and furnish to each circuit court such forms as the director
47 deems necessary to comply with this subsection] **or digital image of the license applicant**. The
48 circuit court shall not charge or receive any fee or court cost for the performance of any duty or
49 act pursuant to this subsection. **A photograph or digital image of the applicant's full facial**
50 **features shall be taken in a manner prescribed by the director. No photograph or digital**
51 **image shall be taken wearing anything which cloaks the facial features of the individual.**

52 6. The department of revenue may issue a temporary license without the photograph **or**
53 **with the last photograph or digital image in the department's records** to [out-of-state
54 applicants and] members of the armed forces, except that where such temporary license is issued
55 it shall be valid only until the applicant shall have had time to appear and have his or her picture
56 taken and a license with his or her photograph issued.

57 7. The department of revenue shall issue upon request a nondriver's license card
58 containing essentially the same information **and photograph or digital image** as the driver's
59 license upon payment of six dollars [if the applicant is under the age of sixty-five. An applicant
60 who is sixty-five years of age or older may purchase a nondriver's license card without a
61 photograph for one dollar or a nondriver's license card with a photograph for six dollars]. All
62 nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A
63 person who has passed his or her seventieth birthday shall upon application be issued a
64 nonexpiring nondriver's license card. The nondriver's license card shall be used for identification
65 purposes only and shall not be valid as a license.

66 8. **The director shall not issue a driver's license or a nondriver's license for a period**
67 **that exceeds an applicant's lawful presence in the United States. The director may, by rule**
68 **or regulation, establish procedures to verify the lawful presence of the applicant and**
69 **establish the duration of any driver's license or nondriver's license issued under this**
70 **section.**

71 9. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall

72 become effective unless it is promulgated pursuant to the provisions of chapter 536, RSMo.

302.720. 1. Except when operating under an instruction permit as described in this
2 section, no person may drive a commercial motor vehicle unless the person has been issued a
3 commercial driver's license with applicable endorsements valid for the type of vehicle being
4 operated as specified in sections 302.700 to 302.780. A commercial driver's instruction permit
5 shall allow the holder of a valid license to operate a commercial motor vehicle when
6 accompanied by the holder of a commercial driver's license valid for the vehicle being operated
7 and who occupies a seat beside the individual, or reasonably near the individual in the case of
8 buses, for the purpose of giving instruction in driving the commercial motor vehicle. A
9 commercial driver's instruction permit shall be valid for the vehicle being operated for a period
10 of not more than six months, and shall not be issued until the permit holder has met all other
11 requirements of sections 302.700 to 302.780, except for the driving test. A permit holder, unless
12 otherwise disqualified, may be granted one six-month renewal within a one-year period. The fee
13 for such permit or renewal shall be five dollars. In the alternative, a commercial driver's
14 instruction permit shall be issued for a thirty-day period to allow the holder of a valid driver's
15 license to operate a commercial motor vehicle if the applicant has completed all other
16 requirements except the driving test. The permit may be renewed for one additional thirty-day
17 period and the fee for the permit and for renewal shall be five dollars.

18 2. No person may be issued a commercial driver's license until he has passed written and
19 driving tests for the operation of a commercial motor vehicle which complies with the minimum
20 federal standards established by the secretary and has satisfied all other requirements of the
21 Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570), as well as any
22 other requirements imposed by state law. Applicants for a hazardous materials endorsement
23 must also meet the requirements of the U.S. Patriot Act of 2001 (Title X of Public Law 107-56)
24 as specified and required by regulations promulgated by the secretary. Nothing contained in this
25 subsection shall be construed as prohibiting the director from establishing alternate testing
26 formats for those who are functionally illiterate; provided, however, that any such alternate test
27 must comply with the minimum requirements of the Commercial Motor Vehicle Safety Act of
28 1986 (Title XII of Pub. Law 99-570) as established by the secretary.

29 (1) The written and driving tests shall be held at such times and in such places as the
30 superintendent may designate. A twenty-five dollar examination fee shall be paid by the
31 applicant upon completion of any written or driving test. The director shall delegate the power
32 to conduct the examinations required under sections 302.700 to 302.780 to any member of the
33 highway patrol or any person employed by the highway patrol qualified to give driving
34 examinations.

35 (2) The director shall adopt and promulgate rules and regulations governing the

36 certification of third-party testers by the department of revenue. Such rules and regulations shall
37 substantially comply with the requirements of 49 CFR Part 383, Section 383.75. A certification
38 to conduct third-party testing shall be valid for one year, and the department shall charge a fee
39 of one hundred dollars to issue or renew the certification of any third-party tester. Any
40 third-party tester who violates any of the rules and regulations adopted and promulgated pursuant
41 to this section shall be subject to having his certification revoked by the department. The
42 department shall provide written notice and an opportunity for the third-party tester to be heard
43 in substantially the same manner as provided in chapter 536, RSMo. If any applicant submits
44 evidence that he has successfully completed a test administered by a third-party tester, the actual
45 driving test for a commercial driver's license may then be waived.

46 (3) Every applicant for renewal of a commercial driver's license shall provide such
47 certifications and information as required by the secretary and if such person transports a
48 hazardous material must also meet the requirements of the U.S. Patriot Act of 2001 (Title X of
49 Public Law 107-56) as specified and required by regulations promulgated by the secretary, such
50 person shall be required to take the written test for such endorsement. A twenty-five dollar
51 examination fee shall be paid for upon completion of such tests.

52 3. A commercial driver's license may not be issued to a person while the person is
53 disqualified from driving a commercial motor vehicle, when a disqualification is pending in any
54 state or while the person's driver's license is suspended, revoked, or canceled in any state; nor
55 may a commercial driver's license be issued unless the person first surrenders in a manner
56 prescribed by the director any commercial driver's license issued by another state, which license
57 shall be returned to the issuing state for cancellation.

58 **4. The director shall not issue an instruction permit under this section unless the**
59 **director verifies that the applicant is lawfully present in the United States before accepting**
60 **the application. The director may, by rule or regulation, establish procedures to verify the**
61 **lawful presence of the applicant under this section. No rule or portion of a rule**
62 **promulgated pursuant to the authority of this section shall become effective unless it has**
63 **been promulgated pursuant to chapter 536, RSMo.**

302.735. 1. The application for a commercial driver's license shall include, but not be
2 limited to, the legal name, mailing and residence address, if different, a physical description of
3 the person, including sex, height, weight and eye color, the person's Social Security number, date
4 of birth and any other information deemed appropriate by the director.

5 2. The application for a commercial driver's license or renewal shall be accompanied by
6 the payment of a fee of forty dollars. The fee for a duplicate commercial driver's license shall
7 be twenty dollars. A commercial driver's license shall expire on the applicant's birthday in the
8 sixth year after issuance and must be renewed on or before the date of expiration. The director

9 shall have the authority to stagger the issuance or renewal of commercial driver's license
10 applicants over a six-year period. When a person changes such person's name an application for
11 a duplicate license shall be made to the director of revenue. When a person changes such
12 person's mailing address or residence the applicant shall notify the director of revenue of said
13 change, however, no application for a duplicate license is required. To all applicants for a
14 commercial license or renewal who are between eighteen and twenty-one years of age and
15 seventy years of age and older, the application shall be accompanied by a fee of twenty dollars.
16 A commercial license issued pursuant to an applicant less than twenty-one years of age and
17 seventy years of age and older shall expire on the applicant's birthday in the third year after
18 issuance.

19 3. Within thirty days after moving to this state, the holder of a commercial driver's
20 license shall apply for a commercial driver's license in this state. The applicant shall meet all
21 other requirements of sections 302.700 to 302.780, except that the director may waive the driving
22 test for a commercial driver's license as required in section 302.720 if the applicant for a
23 commercial driver's license has a valid commercial driver's license from a state which has
24 requirements for issuance of such license comparable to those in this state.

25 4. Any person who falsifies any information in an application or test for a commercial
26 driver's license shall not be licensed to operate a commercial motor vehicle, or the person's
27 commercial driver's license shall be canceled, for a period of one year after the director discovers
28 such falsification.

29 **5. The director shall not issue a commercial driver's license under this section**
30 **unless the director verifies that the applicant is lawfully present in the United States before**
31 **accepting the application. If lawful presence is granted for a temporary period, no**
32 **commercial driver's license shall be issued. The director may, by rule or regulation,**
33 **establish procedures to verify the lawful presence of the applicant and establish the**
34 **duration of any commercial driver's license issued under this section. No rule or portion**
35 **of a rule promulgated pursuant to the authority of this section shall become effective unless**
36 **it has been promulgated pursuant to chapter 536, RSMo.**

37 304.012. 1. Every person operating a motor vehicle on the roads and highways of this
38 state shall drive the vehicle in a careful and prudent manner and at a rate of speed so as not to
39 endanger the property of another or the life or limb of any person and shall exercise the highest
40 degree of care.

41 2. Any person who violates the provisions of this section is guilty of a class B
42 misdemeanor, unless an accident is involved then [it shall be] **such person is guilty of a class**
43 **A misdemeanor. If the accident results in a death, the person is guilty of a class D felony.**

304.021. Any wrecker, tow truck, or rollback, requested by law enforcement

2 pursuant to this chapter, shall be considered an emergency vehicle, after such vehicle
3 arrives at the scene of a vehicle accident. A vehicle containing additional equipment for
4 emergency clean-ups that arrives to assist the above vehicles shall also be considered an
5 emergency vehicle pursuant to this section. The vehicles in this section shall only be
6 considered emergency vehicles after arriving and when working the scene at the direction
7 and supervision of law enforcement.

304.154. 1. Beginning January 1, 2005, a towing company operating a tow truck
2 pursuant to the authority granted in section 304.155 or section 304.157 shall:

3 (1) Have and occupy a verifiable business address;

4 (2) Have a fenced, secure and lighted storage lot or an enclosed, secure building for
5 the storage of motor vehicles;

6 (3) Be available twenty-four hours a day, seven days a week. Availability shall
7 mean that an employee of the towing company or an answering service answered by a
8 person is able to respond to a tow request;

9 (4) Maintain a valid insurance policy issued by an insurer authorized to do business
10 in this state, or a bond or other acceptable surety providing coverage for the death of, or
11 injury to, persons and damage to property for each accident or occurrence in the amount
12 of at least one million dollars per incident;

13 (5) Provide workers' compensation insurance for all employees of the towing
14 company if required by chapter 287, RSMo; and

15 (6) Maintain current motor vehicle registrations on all tow trucks within the towing
16 company fleet.

17 2. Municipalities and counties may adopt ordinances with respect to towing
18 company standards in addition to the minimum standards contained in this section.

19 3. Subdivisions (2) and (4) of subsection 1 of this section shall not apply in any
20 county of the third classification.

304.155. 1. Any law enforcement officer within the officer's jurisdiction, or an officer
2 of a government agency where that agency's real property is concerned, may authorize a towing
3 company to remove to a place of safety:

4 (1) Any abandoned property on the right-of-way of:

5 (a) Any interstate highway or freeway in an urbanized area, left unattended for ten hours,
6 or within two hours if a law enforcement officer determines that the abandoned property
7 is a serious hazard to other motorists;

8 (b) Any interstate highway or freeway outside of an urbanized area, left unattended for
9 forty-eight hours, or within two hours if a law enforcement officer determines that the
10 abandoned property is a serious hazard to other motorists;

11 (c) Any state highway other than an interstate highway or freeway in an urbanized area,
12 left unattended for more than ten hours; or

13 (d) Any state highway other than an interstate highway or freeway outside of an
14 urbanized area, left unattended for more than forty-eight hours; provided that commercial motor
15 vehicles not hauling waste designated as hazardous under 49 U.S.C. 5103(a) may only be
16 removed under this subdivision to a place of safety until the owner or owner's representative has
17 had a reasonable opportunity to contact a towing company of choice;

18 (2) Any unattended abandoned property illegally left standing upon any highway or
19 bridge if the abandoned property is left in a position or under such circumstances as to obstruct
20 the normal movement of traffic where there is no reasonable indication that the person in control
21 of the property is arranging for its immediate control or removal;

22 (3) Any abandoned property which has been abandoned under section 577.080, RSMo;

23 (4) Any abandoned property which has been reported as stolen or taken without consent
24 of the owner;

25 (5) Any abandoned property for which the person operating such property is arrested for
26 an alleged offense for which the officer is required to take the person into custody and where
27 such person is unable to arrange for the property's timely removal;

28 (6) Any abandoned property which due to any other state law or local ordinance is
29 subject to towing because of the owner's outstanding traffic or parking violations;

30 (7) Any abandoned property left unattended in violation of a state law or local ordinance
31 where signs have been posted giving notice of the law or where the violation causes a safety
32 hazard; or

33 (8) Any abandoned property illegally left standing on the waters of this state as defined
34 in section 306.010, RSMo, where the abandoned property is obstructing the normal movement
35 of traffic, or where the abandoned property has been unattended for more than ten hours or is
36 floating loose on the water.

37 2. The state transportation department may immediately remove any abandoned,
38 unattended, wrecked, burned or partially dismantled property, spilled cargo or other personal
39 property from the roadway of any state highway if the abandoned property, cargo or personal
40 property is creating a traffic hazard because of its position in relation to the state highway. In
41 the event the property creating a traffic hazard is a commercial motor vehicle, as defined in
42 section 302.700, RSMo, the department's authority under this subsection shall be limited to
43 authorizing a towing company to remove the commercial motor vehicle to a place of safety,
44 except that the owner of the commercial motor vehicle or the owner's designated representative
45 shall have a reasonable opportunity to contact a towing company of choice. The provisions of
46 this subsection shall not apply to vehicles transporting any material which has been designated

47 as hazardous under Section 5103(a) of Title 49, U.S.C.

48 3. Any law enforcement agency authorizing a tow pursuant to this section in which the
49 abandoned property is moved from the immediate vicinity shall complete a crime inquiry and
50 inspection report. Any state or federal government agency other than a law enforcement agency
51 authorizing a tow pursuant to this section in which the abandoned property is moved away from
52 the immediate vicinity in which it was abandoned shall report the towing to the state highway
53 patrol or water patrol within two hours of the tow along with a crime inquiry and inspection
54 report as required in this section. Any local government agency, other than a law enforcement
55 agency, authorizing a tow pursuant to this section where property is towed away from the
56 immediate vicinity shall report the tow to the local law enforcement agency within two hours
57 along with a crime inquiry and inspection report.

58 4. Neither the law enforcement officer, government agency official nor anyone having
59 custody of abandoned property under his direction shall be liable for any damage to such
60 abandoned property occasioned by a removal authorized by this section or by ordinance of a
61 county or municipality licensing and regulating the sale of abandoned property by the
62 municipality, other than damages occasioned by negligence or by willful or wanton acts or
63 omissions.

64 5. The owner of abandoned property removed as provided in this section or in section
65 304.157 shall be responsible for payment of all reasonable charges for towing and storage of
66 such abandoned property as provided in section 304.158.

67 6. Upon the towing of any abandoned property pursuant to this section or under authority
68 of a law enforcement officer or local government agency pursuant to section 304.157, the law
69 enforcement agency that authorized such towing or was properly notified by another government
70 agency of such towing shall promptly make an inquiry with the national crime information center
71 and any statewide Missouri law enforcement computer system to determine if the abandoned
72 property has been reported as stolen and shall enter the information pertaining to the towed
73 property into the statewide law enforcement computer system. If the abandoned property is not
74 claimed within ten working days of the towing, the law enforcement agency shall submit a crime
75 inquiry and inspection report to the director of revenue. A towing company in possession of
76 abandoned property after ten working days shall report such fact to the law enforcement agency
77 with which the crime inquiry and inspection report was filed. The crime inquiry and inspection
78 report shall be designed by the director of revenue and shall include the following:

79 (1) The year, model, make and property identification number of the property and the
80 owner and any lienholders, if known;

81 (2) A description of any damage to the property noted by the officer authorizing the tow;

82 (3) The license plate or registration number and the state of issuance, if available;

83 (4) The storage location of the towed property;

84 (5) The name, telephone number and address of the towing company;

85 (6) The date, place and reason for the towing of the abandoned property;

86 (7) The date of the inquiry of the national crime information center, any statewide
87 Missouri law enforcement computer system and any other similar system which has titling and
88 registration information to determine if the abandoned property had been stolen. This
89 information shall be entered only by the law enforcement agency making the inquiry;

90 (8) The signature and printed name of the officer authorizing the tow and the towing
91 operator; and

92 (9) Any additional information the director of revenue deems appropriate.

93 7. One copy of the crime inquiry and inspection report shall remain with the agency
94 which authorized the tow. One copy shall be provided to and retained by the storage facility and
95 one copy shall be retained by the towing facility in an accessible format in the business records
96 for a period of three years from the date of the tow or removal.

97 8. The owner of such abandoned property, or the holder of a valid security interest of
98 record, may reclaim it from the towing company upon proof of ownership or valid security
99 interest of record and payment of all reasonable charges for the towing and storage of the
100 abandoned property.

101 9. Any person who removes abandoned property at the direction of a law enforcement
102 officer or an officer of a government agency where that agency's real property is concerned as
103 provided in this section shall have a lien for all reasonable charges for the towing and storage of
104 the abandoned property until possession of the abandoned property is voluntarily relinquished
105 to the owner of the abandoned property or to the holder of a valid security interest of record.
106 Any personal property within the abandoned property need not be released to the owner thereof
107 until the reasonable or agreed charges for such recovery, transportation or safekeeping have been
108 paid or satisfactory arrangements for payment have been made, except that any medication
109 prescribed by a physician shall be released to the owner thereof upon request. The company
110 holding or storing the abandoned property shall either release the personal property to the owner
111 of the abandoned property or allow the owner to inspect the property and provide an itemized
112 receipt for the contents. The company holding or storing the property shall be strictly liable for
113 the condition and safe return of the personal property. Such lien shall be enforced in the manner
114 provided under section 304.156.

115 10. Towing companies shall keep a record for three years on any abandoned property
116 towed and not reclaimed by the owner of the abandoned property. Such record shall contain
117 information regarding the authorization to tow, copies of all correspondence with the department
118 of revenue concerning the abandoned property, and information concerning the final disposition

119 of the possession of the abandoned property.

120 11. If a lienholder repossesses any motor vehicle, trailer, all-terrain vehicle, outboard
121 motor or vessel without the knowledge or cooperation of the owner, then the reposessor shall
122 notify the local law enforcement agency where the repossession occurred within two hours of
123 the repossession and shall further provide the local law enforcement agency with any additional
124 information the agency deems appropriate. The local law enforcement agency shall make an
125 inquiry with the national crime information center and the Missouri statewide law enforcement
126 computer system and shall enter the repossessed vehicle into the statewide law enforcement
127 computer system.

128 **12. Notwithstanding the provisions of section 301.227, RSMo, any towing company**
129 **who has complied with the notification provisions in section 304.156, including notice that**
130 **any property remaining unredeemed after forty-five days may be sold as scrap property**
131 **may then dispose of such property as provided in this subsection. Such sale shall only**
132 **occur if at least forty-five days has passed since the date of such notification, the**
133 **abandoned property remains unredeemed with no satisfactory arrangements made with**
134 **the towing company for continued storage, and the owner or holder of a security**
135 **agreement has not requested a hearing as provided in section 304.156. The towing**
136 **company may dispose of such abandoned property by selling the property on a bill of sale**
137 **as prescribed by the director of revenue to a scrap metal operator for destruction purposes**
138 **only. The towing company shall forward a copy of the bill of sale provided by the scrap**
139 **metal operator to the director of revenue within two weeks of the date of such sale. The**
140 **towing company shall keep a record of each such vehicle sold for destruction for three**
141 **years that shall be available for inspection by law enforcement and authorized department**
142 **of revenue officials. The record shall contain the year, make, identification number of the**
143 **property, date of sale, and name of the purchasing scrap metal operator and copies of all**
144 **notifications issued by the towing company as required in this chapter. Scrap metal**
145 **operators shall keep a record of the purchase of such property as provided in section**
146 **301.227, RSMo.**

2 304.235. All commercial motor vehicles shall be required to stop at an official weigh
3 station, or to be identified through automated means approved by this state and determined to
4 be in compliance without the necessity of stopping, except those licensed for a gross weight of
5 not more than eighteen thousand pounds shall not be required to stop or to be identified unless
6 so directed by a peace officer or a commercial motor vehicle enforcement officer or inspector.
7 The provisions of sections 32.057 and 32.091, RSMo, which govern confidentiality and prohibit
8 the release of information shall not apply to commercial motor vehicle enforcement officers or
their licensees in the performance of their duties at weigh stations. Any person who does not

9 stop at a weigh station or who otherwise improperly evades stopping at the weight station [and
10 who is later determined not to be in compliance with the provisions of this chapter governing
11 weigh limits] may be punished pursuant to section 304.570.

306.458. 1. A certificate of title for an outboard motor or vessel issued in the names of
2 two or more persons that does not show on the face of the certificate that the persons hold their
3 interest in the outboard motor or vessel as tenants in common, on death of one of the named
4 persons, may be transferred to the surviving owner or owners. On proof of death of one of the
5 persons in whose names the certificate was issued, surrender of the outstanding certificate of
6 title, and on application and payment of the fee for an original certificate of title, the director of
7 revenue shall issue a new certificate for the outboard motor or vessel to the surviving owner or
8 owners; and the current valid certificate of number shall be so transferred. **The directive to the**
9 **director of revenue shall also permit the beneficiary or beneficiaries to make one**
10 **reassignment of the original certificate of ownership upon the death of the owner to**
11 **another owner without transferring the certificate to the beneficiary or beneficiaries'**
12 **name.**

13 2. A certificate of title for an outboard motor or vessel, issued in the names of two or
14 more persons that shows on its face that the persons hold their interest in the outboard motor or
15 vessel as tenants in common, on death of one of the named persons, may be transferred by the
16 director of revenue on application by the surviving owners and the personal representative or
17 successors of the deceased owner. Upon being presented proof of death of one of the persons
18 in whose names the certificate of title was issued; surrender of the outstanding certificate of title,
19 and on application and payment of the fee for an original certificate of title, the director of
20 revenue shall issue a new certificate of title for the outboard motor or vessel to the surviving
21 owners and personal representative or successors of the deceased owner; and the current valid
22 certificate of number shall be transferred.

306.461. 1. A sole owner of an outboard motor or vessel, and multiple owners of an
2 outboard motor or vessel who hold their interest as joint tenants with right of survivorship or as
3 tenants by the entirety, on application and payment of the fee required for an original certificate
4 of title, may request the director of revenue to issue a certificate of title for the outboard motor
5 or vessel in beneficiary form which includes a directive to the director of revenue to transfer the
6 certificate of title on death of the sole owner or on death of all multiple owners to one beneficiary
7 or to two or more beneficiaries as joint tenants with right of survivorship or as tenants by the
8 entirety named on the face of the certificate.

9 2. A certificate of title in beneficiary form may not be issued to persons who hold their
10 interest in an outboard motor or vessel as tenants in common.

11 3. A certificate of title issued in beneficiary form shall include after the name of the

12 owner, or after the names of multiple owners, the words "transfer on death to" or the abbreviation
13 "TOD" followed by the name of the beneficiary or beneficiaries.

14 4. (1) During the lifetime of a sole owner and during the lifetime of all multiple owners,
15 the signature or consent of the beneficiary or beneficiaries shall not be required for any
16 transaction relating to the outboard motor or vessel for which a certificate of title in beneficiary
17 form has been issued.

18 (2) A certificate of title in beneficiary form may be revoked or the beneficiary or
19 beneficiaries changed at any time before the death of the sole owner or surviving multiple owner
20 only by the following methods:

21 (a) By a sale of the outboard motor or vessel with proper assignment and delivery of the
22 certificate of title to another person; or

23 (b) By surrender of the outstanding certificate of title and filing an application to reissue
24 the certificate of title with no designation of a beneficiary or with the designation of a different
25 beneficiary or beneficiaries with the director of revenue in proper form and accompanied by the
26 payment of the fee for an original certificate of title.

27 (3) The beneficiary's or beneficiaries' interest in the outboard motor or vessel at death
28 of the owner or surviving owner shall be subject to any contract of sale, assignment of ownership
29 or security interest to which the owner or owners of the outboard motor or vessel were subject
30 during their lifetime.

31 (4) The designation of a beneficiary or beneficiaries in a certificate of title issued in
32 beneficiary form may not be changed or revoked by a will, any other instrument, or a change in
33 circumstances, or otherwise be changed or revoked except as provided by subdivision (2) of this
34 subsection.

35 5. (1) On proof of death of one of the owners of two or more multiple owners, or of a
36 sole owner, surrender of the outstanding certificate of title, and on application and payment of
37 the fee for an original certificate of title, the director of revenue shall issue a new certificate of
38 title for the outboard motor or vessel to the surviving owner or owners or, if none, to the
39 surviving beneficiary or beneficiaries, subject to any outstanding security interest; and the current
40 valid certificate of number shall be so transferred. **If the surviving beneficiary or beneficiaries**
41 **makes a request of the director of revenue, the director may allow the beneficiary or**
42 **beneficiaries to make one assignment of title.**

43 (2) The director of revenue may rely on a death certificate or record or report that
44 constitutes prima facie proof or evidence of death under subdivisions (1) and (2) of section
45 472.290, RSMo.

46 (3) The transfer of an outboard motor or vessel at death pursuant to this section is
47 effective by reason of sections 301.675 to 301.682, RSMo, and sections 306.455 to 306.465, and

48 is not to be considered testamentary, or to be subject to the requirements of section 473.087,
49 RSMo, or section 474.320, RSMo.

307.100. 1. Any lighted lamp or illuminating device upon a motor vehicle other than
2 headlamps, spotlamps, front direction signals or auxiliary lamps which projects a beam of light
3 of an intensity greater than three hundred candlepower shall be so directed that no part of the
4 beam will strike the level of the roadway on which the vehicle stands at a distance of more than
5 seventy-five feet from the vehicle. Alternately flashing warning signals may be used on school
6 buses when used for school purposes and on motor vehicles when used to transport United States
7 mail from post offices to boxes of addressees thereof and on emergency vehicles as defined in
8 section 304.022, RSMo, [and] on buses owned or operated by churches, mosques, synagogues,
9 temples or other houses of worship, **and on commercial passenger transport vehicles or**
10 **railroad passenger cars that are stopped to load or unload passengers**, but are prohibited on
11 other motor vehicles, motorcycles and motor-drawn vehicles except as a means for indicating
12 a right or left turn.

13 2. Notwithstanding the provisions of section 307.120, violation of this section is an
14 infraction.

307.178. 1. As used in this section, the term "passenger car" means every motor vehicle
2 designed for carrying ten persons or less and used for the transportation of persons; except that,
3 the term "passenger car" shall not include motorcycles, motorized bicycles, motor tricycles and
4 trucks with a licensed gross weight of twelve thousand pounds or more.

5 2. Each driver, except persons employed by the United States Postal Service while
6 performing duties for that federal agency which require the operator to service postal boxes from
7 their vehicles, or which require frequent entry into and exit from their vehicles, and front seat
8 passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway
9 in this state, and persons less than eighteen years of age operating or riding in a truck, as defined
10 in section 301.010, RSMo, on a street or highway of this state shall wear a properly adjusted and
11 fastened safety belt that meets federal National Highway, Transportation and Safety Act
12 requirements[; except that, a child less than four years of age shall be protected as required] **or**
13 **as provided** in section [210.104, RSMo] **307.179**. No person shall be stopped, inspected, or
14 detained solely to determine compliance with this subsection. The provisions of this section
15 shall not be applicable to persons who have a medical reason for failing to have a seat belt
16 fastened about their body, nor shall the provisions of this section be applicable to persons while
17 operating or riding a motor vehicle being used in agricultural work-related activities.
18 Noncompliance with this subsection shall not constitute probable cause for violation of any other
19 provision of law.

20 3. Each driver of a motor vehicle transporting a child four years of age or more[, but less

21 than sixteen years of age,] shall secure the child in a properly adjusted and fastened [safety belt]
22 **restraint pursuant to section 307.179.**

23 4. In any action to recover damages arising out of the ownership, common maintenance
24 or operation of a motor vehicle, failure to wear a safety belt in violation of this section shall not
25 be considered evidence of comparative negligence. Failure to wear a safety belt in violation of
26 this section may be admitted to mitigate damages, but only under the following circumstances:

27 (1) Parties seeking to introduce evidence of the failure to wear a safety belt in violation
28 of this section must first introduce expert evidence proving that a failure to wear a safety belt
29 contributed to the injuries claimed by plaintiff;

30 (2) If the evidence supports such a finding, the trier of fact may find that the plaintiff's
31 failure to wear a safety belt in violation of this section contributed to the plaintiff's claimed
32 injuries, and may reduce the amount of the plaintiff's recovery by an amount not to exceed one
33 percent of the damages awarded after any reductions for comparative negligence.

34 5. Each driver who violates the provisions of subsection 2 or [3] 7 of this section is guilty
35 of an infraction for which a fine not to exceed ten dollars may be imposed. All other provisions
36 of law and court rules to the contrary notwithstanding, no court costs shall be imposed on any
37 person due to a violation of this section. In no case shall points be assessed against any person,
38 pursuant to section 302.302, RSMo, for a violation of this section.

39 6. The department of public safety shall initiate and develop a program of public
40 information to develop understanding of, and ensure compliance with, the provisions of this
41 section. The department of public safety shall evaluate the effectiveness of this section and shall
42 include a report of its findings in the annual evaluation report on its highway safety plan that it
43 submits to NHTSA and FHWA pursuant to 23 U.S.C. 402.

44 7. If there are more persons than there are seat belts in the enclosed area of a motor
45 vehicle, then the [driver and] passengers [are not in violation of this section] **who are unable**
46 **to wear seat belts, shall sit in the area behind the front seat of the motor vehicle unless the**
47 **motor vehicle is designed only for a front-seated area. This subsection shall not apply to**
48 **passengers who are accompanying a driver of a motor vehicle who is licensed pursuant to**
49 **section 302.178, RSMo.**

307.179. 1. As used in this section, the following terms shall mean:

2 (1) "Child booster seat", a seating system which meets the Federal Motor Vehicle
3 Safety Standards set forth in 49 C.F.R. 571.213, as amended, that is designed to elevate a
4 child to properly sit in a federally approved safety belt system;

5 (2) "Child passenger restraint system", a seating system which meets the Federal
6 Motor Vehicle Safety Standards set forth in 49 C.F.R. 571.213, as amended, and which is
7 either permanently affixed to a motor vehicle or is affixed to such vehicle by a safety belt

8 or a universal attachment system;

9 (3) "Driver", a person who is in actual physical control of a motor vehicle.

10 2. Every person transporting a child under the age of sixteen years shall be
11 responsible, when transporting such child in a motor vehicle operated by that person on
12 the streets or highways of this state, for providing for the protection of such child as
13 follows:

14 (1) Children less than four years of age, regardless of weight, or children weighing
15 less than forty pounds, regardless of age, shall be secured in a child passenger restraint
16 system appropriate for that child;

17 (2) Children four through five years of age or weighing at least forty pounds but
18 less than sixty pounds shall be secured in a child passenger restraint system or booster seat
19 appropriate for that child;

20 (3) Children at least six years of age, or at least sixty pounds, shall be secured by
21 a vehicle safety belt, child passenger restraint system, or booster seat;

22 (4) A child weighing more than forty pounds, who would otherwise be required to
23 be secured in a booster seat, may be transported in the back seat of a motor vehicle while
24 wearing only a lap belt if the back seat of the motor vehicle is not equipped with a
25 combination lap and shoulder belt for booster seat installation.

26 3. Any person who violates this section is guilty of an infraction and, upon
27 conviction, may be punished by a fine of not more than twenty-five dollars and court costs.
28 In no case shall points be assessed against any person, pursuant to section 302.302, RSMo,
29 for violation of this section. If a person receives a citation for violating this section, the
30 charges shall be dismissed or withdrawn if the person prior to or at his or her hearing
31 provides evidence of acquisition of a child passenger restraint system or child booster seat
32 which is satisfactory to the court or the party responsible for prosecuting the person's
33 citation.

34 4. The provisions of this section shall not apply to any public carrier for hire or to
35 school buses as defined in section 301.010, RSMo, unless such school bus has been
36 equipped with safety belts or is required to be equipped with safety belts pursuant to
37 federal motor vehicle safety standards.

38 5. Every car rental agency doing business within Missouri shall inform its
39 customers of the requirements of this section and shall provide for rental of an appropriate
40 child passenger safety restraint system.

41 6. The department of public safety shall initiate and develop a program of public
42 information to develop understanding of, and ensure compliance with the provisions of this
43 section. The department of public safety may promulgate rules and regulations for the

44 **enforcement of this section. Any rule or portion of a rule, as that term is defined in section**
45 **536.010, RSMo, that is created under the authority delegated in this section shall become**
46 **effective only if it complies with and is subject to all of the provisions of chapter 536,**
47 **RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are**
48 **nonseverable and if any of the powers vested with the general assembly pursuant to**
49 **chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule**
50 **are subsequently held unconstitutional, then the grant of rulemaking authority and any**
51 **rule proposed or adopted after August 28, 2003, shall be invalid and void.**

407.567. 1. If the manufacturer, through its authorized dealer or its agent, cannot
2 conform the new motor vehicle to any applicable express warranty by repairing or correcting any
3 default or condition which impairs the use, market value, or safety of the new motor vehicle to
4 the consumer after a reasonable number of attempts, the manufacturer shall, at its option, either
5 replace the new motor vehicle with a comparable new vehicle acceptable to the consumer, or
6 take title of the vehicle from the consumer and refund to the consumer the full purchase price,
7 including all reasonably incurred collateral charges, less a reasonable allowance for the
8 consumer's use of the vehicle. The subtraction of a reasonable allowance for use shall apply
9 when either a replacement or refund of the new motor vehicle occurs.

10 2. Refunds shall be made to the consumer and lienholder of record, if any, as their
11 interests may appear.

12 3. (1) **Upon taking the title to a vehicle under this section, the manufacturer may**
13 **apply to the department of revenue for a reimbursement equal to any amounts refunded**
14 **to a consumer for any sales tax, license fees, registration fees, title fees, and motor vehicle**
15 **inspection fees paid by the consumer as a result of purchasing the vehicle. Upon the**
16 **receipt of a written request for a refund, accompanied by satisfactory proof that such sales**
17 **tax and fees on the vehicle were paid when or after the vehicle was purchased and that the**
18 **manufacturer has refunded such sales tax and fees to the consumer, lienholder, or lessor**
19 **of the vehicle, the department of revenue shall refund to the manufacturer an amount**
20 **equal to the amounts refunded to a consumer for such sales tax and fees paid by the**
21 **consumer as a result of purchasing the vehicle.**

22 (2) **The manufacturer may, in lieu of applying to the department of revenue for a**
23 **reimbursement under this subsection, direct the consumer to apply to the department of**
24 **revenue for a refund of any sales tax, license fees, registration fees, title fees, and motor**
25 **vehicle inspection fees paid by the consumer as a result of purchasing the vehicle. The**
26 **manufacturer shall provide the consumer with the documentation required to prove that**
27 **the consumer paid such sales tax and fees to the manufacturer. Upon the receipt of a**
28 **written request by the consumer for a refund, accompanied by satisfactory proof that such**

29 **sales tax and fees on the vehicle were paid when or after the vehicle was purchased, and**
30 **a written statement from the manufacturer that such sales tax and fees were not refunded**
31 **to the consumer, lienholder, or lessor of the vehicle, the department of revenue shall refund**
32 **to the consumer an amount equal to the amounts for such sales tax and fees paid by the**
33 **consumer as a result of purchasing the vehicle.**

34 476.385. 1. The judges of the supreme court may appoint a committee consisting of at
35 least seven associate circuit judges, who shall meet en banc and establish and maintain a
36 schedule of fines to be paid for violations of sections [210.104,] 577.070[,] and 577.073, RSMo,
37 and chapters 252, 301, 302, 304, 306, 307 and 390, RSMo, with such fines increasing in
38 proportion to the severity of the violation. The associate circuit judges of each county may meet
39 en banc and adopt the schedule of fines and participation in the centralized bureau pursuant to
40 this section. Notice of such adoption and participation shall be given in the manner provided by
41 supreme court rule. Upon order of the supreme court, the associate circuit judges of each county
42 may meet en banc and establish and maintain a schedule of fines to be paid for violations of
43 municipal ordinances for cities, towns and villages electing to have violations of its municipal
44 ordinances heard by associate circuit judges, pursuant to section 479.040, RSMo; and for traffic
45 court divisions established pursuant to section 479.500, RSMo. The schedule of fines adopted
46 for violations of municipal ordinances may be modified from time to time as the associate circuit
47 judges of each county en banc deem advisable. No fine established pursuant to this subsection
48 may exceed the maximum amount specified by statute or ordinance for such violation.

49 2. In no event shall any schedule of fines adopted pursuant to this section include
50 offenses involving the following:

- 51 (1) Any violation resulting in personal injury or property damage to another person;
52 (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or
53 drugs;
54 (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;
55 (4) Fleeing or attempting to elude an officer.

56 3. There shall be a centralized bureau to be established by supreme court rule in order
57 to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the
58 laws and ordinances described in subsection 1 of this section, made pursuant to a schedule of
59 fines established pursuant to this section. The centralized bureau shall collect, with any plea of
60 guilty and payment of a fine, all court costs which would have been collected by the court of the
61 jurisdiction from which the violation originated.

62 4. If a person elects not to contest the alleged violation, the person shall send payment
63 in the amount of the fine and any court costs established for the violation to the centralized
64 bureau. Such payment shall be payable to the "central violations bureau", shall be made by mail

65 or in any other manner established by the centralized bureau, and shall constitute a plea of guilty,
66 waiver of trial and a conviction for purposes of section 302.302, RSMo, and for purposes of
67 imposing any collateral consequence of a criminal conviction provided by law. Notwithstanding
68 any provision of law to the contrary, the prosecutor shall not be required to sign any information,
69 ticket or indictment if disposition is made pursuant to this subsection. In the event that any
70 payment is made pursuant to this section by credit card or similar method, the centralized bureau
71 may charge an additional fee in order to reflect any transaction cost, surcharge or fee imposed
72 on the recipient of the credit card payment by the credit card company.

73 5. If a person elects to plead not guilty, such person shall send the plea of not guilty to
74 the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor
75 having original jurisdiction over the offense. Any trial shall be conducted at the location
76 designated by the court. The clerk of the court in which the case is to be heard shall notify in
77 writing such person of the date certain for the disposition of such charges. The prosecutor shall
78 not be required to sign any information, ticket or indictment until the commencement of any
79 proceeding by the prosecutor with respect to the notice of violation.

80 6. In courts adopting a schedule of fines pursuant to this section, any person receiving
81 a notice of violation pursuant to this section shall also receive written notification of the
82 following:

83 (1) The fine and court costs established pursuant to this section for the violation or
84 information regarding how the person may obtain the amount of the fine and court costs for the
85 violation;

86 (2) That the person must respond to the notice of violation by paying the prescribed fine
87 and court costs, or pleading not guilty and appearing at trial, and that other legal penalties
88 prescribed by law may attach for failure to appear and dispose of the violation. The supreme
89 court may modify the suggested forms for uniform complaint and summons for use in courts
90 adopting the procedures provided by this section, in order to accommodate such required written
91 notifications.

92 7. Any moneys received in payment of fines and court costs pursuant to this section shall
93 not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit
94 of those persons or entities entitled to receive such funds pursuant to this subsection. All
95 amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested
96 in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260
97 and 30.270, RSMo, and disbursed as provided by the constitution and laws of this state. Any
98 interest earned on such fund shall be payable to the director of the department of revenue for
99 deposit into a revolving fund to be established pursuant to this subsection. The state treasurer
100 shall be the custodian of the revolving fund, and shall make disbursements, as allowed by lawful

101 appropriations, only to the judicial branch of state government for goods and services related to
102 the administration of the judicial system.

103 8. Any person who receives a notice of violation subject to this section who fails to
104 dispose of such violation as provided by this section shall be guilty of failure to appear provided
105 by section 544.665, RSMo; and may be subject to suspension of driving privileges in the manner
106 provided by section 302.341, RSMo. The centralized bureau shall notify the appropriate
107 prosecutor of any person who fails to either pay the prescribed fine and court costs, or plead not
108 guilty and request a trial within the time allotted by this section, for purposes of application of
109 section 544.665, RSMo. The centralized bureau shall also notify the department of revenue of
110 any failure to appear subject to section 302.341, RSMo, and the department shall thereupon
111 suspend the license of the driver in the manner provided by section 302.341, RSMo, as if notified
112 by the court.

113 9. In addition to the remedies provided by subsection 8 of this section, the centralized
114 bureau and the courts may use the remedies provided by sections 488.010 to 488.020, RSMo,
115 for the collection of court costs payable to courts, in order to collect fines and court costs for
116 violations subject to this section.

577.080. 1. A person commits the crime of abandoning a motor vehicle if he abandons
2 any motor vehicle on the right-of-way of any public road or state highway or on or in any of the
3 waters in this state or on the banks of any stream, or on any land or water owned, operated or
4 leased by the state, any board, department, agency or commission thereof, or any political
5 subdivision thereof or on any land or water owned, operated or leased by the federal government
6 or on any private real property owned by another without his consent.

7 2. **For purposes of this section, the last owner of record of a motor vehicle found**
8 **abandoned and not shown to be transferred pursuant to sections 301.196 and 301.197,**
9 **RSMo, shall be deemed prima facie to have been the owner of such motor vehicle at the**
10 **time it was abandoned and to have been the person who abandoned the motor vehicle or**
11 **caused or procured its abandonment. The registered owner of the abandoned motor**
12 **vehicle shall not be subject to the penalties provided by this section if the motor vehicle was**
13 **in the care, custody, or control of another person at the time of the violation. In such**
14 **instance the owner shall submit such evidence in an affidavit permitted by the court setting**
15 **forth the name, address, and other pertinent information of the person who leased, rented**
16 **or otherwise had care, custody, or control of the vehicle at the time of the alleged violation.**
17 **The affidavit submitted pursuant to this subsection shall be admissible in a court**
18 **proceeding adjudicating the alleged violation and shall raise a rebuttable presumption that**
19 **the person identified in the affidavit was in actual control of the vehicle. In such case, the**
20 **court has the authority to terminate the prosecution of the summons issued to the owner**

21 **and issue a summons to the person identified in the affidavit as the operator. If the vehicle**
22 **is alleged to have been stolen, the owner of the vehicle shall submit proof that a police**
23 **report was filed in a timely manner indicating that the vehicle was stolen at the time of the**
24 **alleged violation.**

25 3. Abandoning a motor vehicle is a class A misdemeanor.

26 4. **Any person convicted pursuant to this section shall be civilly liable for all towing,**
27 **storage, and administrative costs associated with the abandonment of the motor vehicle.**
28 **Any towing, storage, and administrative costs in excess of the value of the abandoned**
29 **motor vehicle that exist at the time the motor vehicle is transferred pursuant to section**
30 **304.156 shall remain the liability of the owner of the motor vehicle unless another person**
31 **was in charge or control of the motor vehicle at the time of its abandonment, as provided**
32 **by this section.**

700.320. 1. The owner of any new or used manufactured home, as defined in section
2 700.010, shall make application to the director of revenue for an official certificate of title to
3 such manufactured home in the manner prescribed by law for the acquisition of certificates of
4 title to motor vehicles, and the rules promulgated pursuant thereto. All fees required by section
5 301.190, RSMo, for the titling of motor vehicles and all penalties provided by law for the failure
6 to title motor vehicles shall apply to persons required to make application for an official
7 certificate of title by this subsection. In case there is any duplication in serial numbers assigned
8 any manufactured homes, or no serial number has been assigned by the manufacturer, the
9 director shall assign the serial numbers for the manufactured homes involved.

10 2. At the time the owner of any new manufactured home, as defined in section 700.010,
11 which was acquired in a transaction subject to sales tax under the Missouri sales tax law makes
12 application to the director of revenue for an official certificate of title for such manufactured
13 home, he shall present to the director of revenue evidence satisfactory to the director of revenue
14 showing the purchase price exclusive of any charge incident to the extension of credit paid by
15 or charged to the applicant in the acquisition of the manufactured home, or that no sales tax was
16 incurred in its acquisition, and if sales tax was incurred in its acquisition, the applicant shall pay
17 or cause to be paid to the director of revenue the sales tax provided by the Missouri sales tax law
18 in addition to the registration fees now or hereafter required according to law, and the director
19 of revenue shall not issue a certificate of title for any new manufactured home subject to sales
20 tax as provided in the Missouri sales tax law until the tax levied for the sale of the same under
21 sections 144.010 to 144.510, RSMo, has been paid as provided in this section. As used in this
22 subsection, the term "purchase price" shall mean the total amount of the contract price agreed
23 upon between the seller and the applicant in the acquisition of the new manufactured home
24 regardless of the medium of payment therefor. In the event that the purchase price is unknown

25 or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same
26 shall be fixed by appraisalment by the director. The director of the department of revenue shall
27 endorse upon the official certificate of title issued by him upon such application an entry showing
28 that such sales tax has been paid or that the manufactured home represented by the certificate is
29 exempt from sales tax and state the ground for such exemption.

30 **3. A certificate of title for a manufactured home issued in the names of two or more**
31 **persons that does not show on the face of the certificate that the persons hold their interest**
32 **in the manufactured home as tenants in common, on death of one of the named persons,**
33 **may be transferred to the surviving owner or owners. On proof of death of one of the**
34 **persons in whose names the certificate was issued, surrender of the outstanding certificate**
35 **of title, and on application and payment of the fee for an original certificate of title, the**
36 **director of revenue shall issue a new certificate of title for the manufactured home to the**
37 **surviving owner or owners; and the current valid certificate of number shall be so**
38 **transferred.**

39 **4. A certificate of title for a manufactured home issued in the names of two or more**
40 **persons that shows on its face that the persons hold their interest in the manufactured**
41 **home as tenants in common, on death of one of the named persons, may be transferred by**
42 **the director of revenue on application by the surviving owners and the personal**
43 **representative or successors of the deceased owner. Upon being presented proof of death**
44 **of one of the persons in whose names the certificate of title was issued, surrender of the**
45 **outstanding certificate of title, and on application and payment of the fee for an original**
46 **certificate of title, the director of revenue shall issue a new certificate of title for the**
47 **manufactured home to the surviving owners and personal representative or successors of**
48 **the deceased owner; and the current valid certificate of number shall be so transferred.**

Section 1. 1. Members of the Missouri state highway patrol may prohibit the
2 **operation of a motor vehicle on any street or highway if the motor vehicle has any one of**
3 **the following deficiencies:**

- 4 **(1) Defective brakes;**
5 **(2) Shattered windshield that obstructs the driver's view;**
6 **(3) Tires with either exposed cord or metal wire, or**
7 **(4) No display of lighting to either the front or rear of the vehicle when lights are**
8 **required.**

9 **2. Notwithstanding any other provision of law, any violation of this section shall be**
10 **a class C misdemeanor.**

Section 2. Notwithstanding any provision of chapter 307, RSMo, to the contrary,
2 **any owner of a motor vehicle, as defined in section 301.010, RSMo, may decline to have the**

3 inspection of their mechanism and equipment performed, as required in section 307.350,
4 RSMo. In the event that a motor vehicle owner declines the inspection as authorized in this
5 section, the motor vehicle owner shall submit the fee required in section 307.365, RSMo,
6 for the official inspection of the vehicle, to the department of revenue. The director of the
7 department of revenue shall deposit all funds received under this section to the credit of
8 the state road fund established in section 226.220, RSMo.

Section 3. 1. A sole owner of a manufactured home, and multiple owners of a
2 manufactured home who hold their interest as joint tenants with right of survivorship or
3 as tenants by the entirety, on application and payment of the fee required for an original
4 certificate of ownership, may request the director of revenue to issue a certificate of
5 ownership for the manufactured home in beneficiary form which includes a directive to
6 the director of revenue to transfer the certificate of ownership on death of the sole owner
7 or on death of all multiple owners to one beneficiary or to two or more beneficiaries as
8 joint tenants with right of survivorship or as tenants by the entirety named on the face of
9 the certificate. The directive to the director of revenue shall also permit the beneficiary or
10 beneficiaries to make one reassignment of the original certificate of ownership upon the
11 death of the owner to another owner without transferring the certificate to the beneficiary
12 or beneficiaries' name.

13 2. A certificate of ownership in beneficiary form may not be issued to persons who
14 hold their interest in a manufactured home as tenants in common.

15 3. A certificate of ownership issued in beneficiary form shall include after the name
16 of the owner, or after the names of multiple owners, the words "transfer on death to" or
17 the abbreviation "TOD" followed by the name of the beneficiary or beneficiaries.

18 4. (1) During the lifetime of a sole owner and during the lifetime of all multiple
19 owners, the signature or consent of the beneficiary or beneficiaries shall not be required
20 for any transaction relating to the manufactured home for which a certificate of ownership
21 in beneficiary form has been issued.

22 (2) A certificate of ownership in beneficiary form may be revoked or the
23 beneficiary or beneficiaries changed at any time before the death of a sole owner or
24 surviving multiple owner only by the following methods:

25 (a) By a sale of the manufactured home with proper assignment and delivery of the
26 certificate of ownership to another person; or

27 (b) By filing an application to reissue the certificate of ownership with no
28 designation of a beneficiary or with the designation of a different beneficiary or
29 beneficiaries with the director of revenue in proper form and accompanied by the payment
30 of the fee for an original certificate of ownership.

31 **(3) The beneficiary's or beneficiaries' interest in the manufactured homes at death**
32 **of the owner or surviving owner shall be subject to any contract of sale, assignment of**
33 **ownership or security interest to which the owner or owners of the manufactured home**
34 **were subject during their lifetime.**

35 **(4) The designation of a beneficiary or beneficiaries in a certificate of ownership**
36 **issued in beneficiary form may not be changed or revoked by a will, any other instrument,**
37 **or a change in circumstances, or otherwise be changed or revoked except as provided by**
38 **subdivision (2) of this subsection.**

39 **5. (1) On proof of death of one of the owners of two or more multiple owners, or**
40 **of a sole owner, surrender of the outstanding certificate of ownership, and on application**
41 **and payment of the fee for an original certificate of ownership, the director of revenue shall**
42 **issue a new certificate of ownership for the manufactured home to the surviving owner or**
43 **owners or, if none, to the surviving beneficiary or beneficiaries, subject to any outstanding**
44 **security interest; and the current valid certificate of number shall be so transferred. If the**
45 **surviving beneficiary or beneficiaries makes a request of the director of revenue, the**
46 **director may allow the beneficiary or beneficiaries to make one assignment of title.**

47 **(2) The director of revenue may rely on a death certificate or record or report that**
48 **constitutes prima facie proof or evidence of death under subdivisions (1) and (2) of section**
49 **472.290, RSMo.**

50 **(3) The transfer of a manufactured home at death pursuant to this section is not to**
51 **be considered as testamentary, or to be subject to the requirements of section 473.087,**
52 **RSMo, or section 474.320, RSMo.**

2 [210.104. 1. Every person transporting a child under the age
3 of four years shall be responsible, when transporting such child in a
4 motor vehicle operated by that person on the streets or highways of
5 this state, for providing for the protection of such child. Such child
6 shall be protected by a child passenger restraint system approved by
7 the department of public safety.

8 2. Any person who violates this section is guilty of an infraction and,
9 upon conviction, may be punished by a fine of not more than twenty-five dollars
10 and court costs.

11 3. The provisions of sections 210.104 to 210.107 shall not apply to any
12 public carrier for hire.]

2 [210.107. The department of public safety shall initiate and
3 develop a program of public information to develop understanding of,
4 and ensure compliance with the provisions of sections 210.104 to
5 210.107. The department of public safety shall, within thirty days of
September 28, 1983, promulgate standards for the performance,

6 design, and installation of passenger restraint systems for children
7 under four years of age in accordance with federal motor vehicle
8 safety standards and shall approve those systems which meet such
9 standards. No rule or portion of a rule promulgated under the
10 authority of sections 210.104 to 210.107 shall become effective
11 unless it has been promulgated pursuant to the provisions of section
12 536.024, RSMo.]
13

Section B. The enactment of section 307.179, the repeal and reenactment of sections
2 210.106, 307.178, and 476.385, and the repeal of sections 210.104 and 210.107 of section A of
3 this act shall become effective January 1, 2005.