

SECOND REGULAR SESSION

# HOUSE BILL NO. 1690

92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE JONES.

Read 1<sup>st</sup> time March 18, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4954L.011

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## AN ACT

To repeal section 307.365, RSMo, and to enact in lieu thereof one new section relating to motor vehicle inspections.

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

Section A. Section 307.365, RSMo, is repealed and one new section enacted in lieu  
2 thereof, to be known as section 307.365, RSMo, to read as follows:

307.365. 1. No permit for an official inspection station shall be assigned or transferred  
2 or used at any location other than therein designated and every permit shall be posted in a  
3 conspicuous place at the location designated. The superintendent of the Missouri state highway  
4 patrol shall design and furnish each official inspection station, at no cost, one official sign made  
5 of metal or other durable material to be displayed in a conspicuous location to designate the  
6 station as an official inspection station. Additional signs may be obtained by an official  
7 inspection station for a fee equal to the cost to the state. Each inspection station shall also be  
8 supplied with one or more posters which must be displayed in a conspicuous location at the place  
9 of inspection and which informs the public that required repairs or corrections need not be made  
10 at the inspection station.

11 2. No person operating an official inspection station pursuant to the provisions of  
12 sections 307.350 to 307.390 may issue a certificate of inspection and approval for any vehicle  
13 except upon an official form furnished by the superintendent of the Missouri state highway patrol  
14 for that purpose and only after inspecting the vehicle and determining that its brakes, lighting  
15 equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires,  
16 wheels, exhaust system, glazing, air pollution control devices, fuel system and any other safety  
17 equipment as required by the state are in proper condition and adjustment to be operated upon  
18 the public highways of this state with safety to the driver or operator, other occupants therein,

19 as well as other persons and property upon the highways, as provided by sections 307.350 to  
20 307.390 and the regulations prescribed by the superintendent of the Missouri state highway  
21 patrol. Brakes may be inspected for safety by means of visual inspection or computerized brake  
22 testing. No person operating an official inspection station shall furnish, loan, give or sell a  
23 certificate of inspection and approval to any other person except those entitled to receive it under  
24 provisions of sections 307.350 to 307.390. No person shall have in such person's possession any  
25 certificate of inspection and approval and/or inspection sticker with knowledge that the  
26 certificate and/or inspection sticker has been illegally purchased, stolen or counterfeited.

27         3. The superintendent of the Missouri state highway patrol may require officially  
28 designated stations to furnish reports upon forms furnished by the superintendent for that purpose  
29 as the superintendent considers reasonably necessary for the proper and efficient administration  
30 of sections 307.350 to 307.390.

31         4. If, upon inspection, defects or unsafe conditions are found, the owner may correct  
32 them or shall have them corrected at any place the owner chooses within twenty days after the  
33 defect or unsafe condition is found, and shall have the right to remove the vehicle to such place  
34 for correction, but before the vehicle is operated thereafter upon the public highways of this state,  
35 a certificate of inspection and approval must be obtained. The inspecting personnel of the  
36 official inspection station must inform the owner that the corrections need not be made at the  
37 inspection station.

38         5. A fee, not to exceed twelve dollars, as determined by each official inspection station,  
39 may be charged by an official inspection station for each official inspection including the  
40 issuance of the certificate of inspection and approval, sticker, seal or other device and a total fee,  
41 not to exceed ten dollars, as determined by each official inspection station, may be charged for  
42 an official inspection of a trailer or motorcycle, which shall include the issuance of the certificate  
43 of inspection and approval, sticker, seal or other device. Such fee shall be conspicuously posted  
44 on the premises of each such official inspection station. No owner shall be charged an additional  
45 inspection fee upon having corrected defects or unsafe conditions found in an inspection  
46 completed within the previous twenty consecutive days, excluding Saturdays, Sundays and  
47 holidays, if such follow-up inspection is made by the station making the initial inspection. Every  
48 inspection for which a fee is charged shall be a complete inspection, and upon completion of the  
49 inspection, if any defects are found the owner of the vehicle shall be furnished a list of the  
50 defects and a receipt for the fee paid for the inspection. If the owner of a vehicle decides to have  
51 any necessary repairs or corrections made at the official inspection station, the owner shall be  
52 furnished a written estimate of the cost of such repairs before such repairs or corrections are  
53 made by the official inspection station. The written estimate shall have plainly written upon it  
54 that the owner understands that the corrections need not be made by the official inspection

55 station and shall have a signature line for the owner. The owner must sign below the statement  
56 on the signature line before any repairs are made.

57           6. Certificates of inspection and approval, sticker, seal or other device shall be purchased  
58 by the official inspection stations from the superintendent of the Missouri state highway patrol.  
59 The superintendent of the Missouri state highway patrol shall collect a fee of one dollar and fifty  
60 cents for each certificate of inspection, sticker, seal or other device issued to the official  
61 inspection stations, except that no charge shall be made for certificates of inspection, sticker, seal  
62 or other device issued to official inspection stations operated by governmental entities. All fees  
63 collected shall be deposited in the state treasury with one dollar of each fee collected credited to  
64 the state highway fund and, for the purpose of administering and enforcing the state motor  
65 vehicle laws and traffic regulations, fifty cents credited to the "Highway Patrol Inspection Fund"  
66 which is hereby created. The moneys collected and deposited in the highway patrol inspection  
67 fund shall be expended subject to appropriations by the general assembly for the administration  
68 and enforcement of sections 307.350 to 307.390 by the Missouri state highway patrol. The  
69 unexpended balance in the fund at the end of each biennium exceeding the amount of the  
70 appropriations from the fund for the first two fiscal years shall be transferred to the state road  
71 fund, and the provisions of section 33.080, RSMo, relating to the transfer of funds to the general  
72 revenue fund at the end of the biennium, shall not apply to the fund.

73           7. The owner or operator of any inspection station who discontinues operation during  
74 the period that a station permit is valid or whose station permit is suspended or revoked shall  
75 return all official signs and posters and any current unused inspection stickers, seals or other  
76 devices to the superintendent of the Missouri state highway patrol and shall receive a full refund  
77 on request except for official signs and posters, provided the request is made during the calendar  
78 year or within sixty days thereafter in the manner prescribed by the superintendent of the  
79 Missouri state highway patrol. Stations which have a valid permit shall exchange unused  
80 previous year issue inspection stickers and/or decals for an identical number of current year  
81 issue, provided the unused stickers and/or decals are submitted for exchange not later than April  
82 thirtieth of the current calendar year, in the manner prescribed by the superintendent of the  
83 Missouri state highway patrol.

84           **8. The owner or operator of any inspection station shall maintain liability insurance**  
85 **at all times to cover possible damage to vehicles during the inspection process.**