

HOUSE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NOS. 1233, 840, & 1043

1 AN ACT

2 To repeal sections 21.795, 67.1800, 67.1808,
 3 67.1818, 137.298, 144.025, 226.030, 226.060,
 4 301.010, 301.020, 301.025, 301.041, 301.069,
 5 301.129, 301.130, 301.132, 301.144, 301.190,
 6 301.193, 301.217, 301.219, 301.221, 301.227,
 7 301.280, 301.290, 301.444, 301.463, 301.469,
 8 301.562, 301.566, 301.681, 301.2999,
 9 301.3098, 302.130, 302.171, 302.173, 302.177,
 10 302.181, 302.225, 302.230, 302.272, 302.302,
 11 302.309, 302.700, 302.720, 302.725, 302.735,
 12 302.740, 302.755, 302.756, 302.760, 304.013,
 13 304.035, 304.070, 304.155, 304.156, 304.157,
 14 304.170, 304.190, 306.461, 306.530, 307.020,
 15 307.040, 307.100, 307.400, 365.020, 365.080,
 16 365.100, 390.020, 390.136, 390.340, 407.567,
 17 407.730, 407.735, 408.140, 577.054, 577.080,
 18 622.095, 622.618, and 700.320, RSMo, and to
 19 enact in lieu thereof one hundred twenty-nine
 20 new sections relating to motor vehicles, with
 21 penalty provisions, an effective date for
 22 certain sections and an emergency clause.

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
 24 AS FOLLOWS:

25 Section A. Sections 21.795, 67.1800, 67.1808, 67.1818,
 26 137.298, 144.025, 226.030, 226.060, 301.010, 301.020, 301.025,
 27 301.041, 301.069, 301.129, 301.130, 301.132, 301.144, 301.190,

1

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

1 301.193, 301.217, 301.219, 301.221, 301.227, 301.280, 301.290,
2 301.444, 301.463, 301.469, 301.562, 301.566, 301.681, 301.2999,
3 301.3098, 302.130, 302.171, 302.173, 302.177, 302.181, 302.225,
4 302.230, 302.272, 302.302, 302.309, 302.700, 302.720, 302.725,
5 302.735, 302.740, 302.755, 302.756, 302.760, 304.013, 304.035,
6 304.070, 304.155, 304.156, 304.157, 304.170, 304.190, 306.461,
7 306.530, 307.020, 307.040, 307.100, 307.400, 365.020, 365.080,
8 365.100, 390.020, 390.136, 390.340, 407.567, 407.730, 407.735,
9 408.140, 577.054, 577.080, 622.095, 622.618, and 700.320, RSMo,
10 are repealed and one hundred twenty-nine new sections enacted in
11 lieu thereof, to be known as sections 21.795, 67.1800, 67.1808,
12 67.1813, 67.1818, 67.1819, 137.298, 144.025, 226.030, 226.060,
13 301.010, 301.020, 301.025, 301.041, 301.069, 301.129, 301.130,
14 301.132, 301.134, 301.144, 301.190, 301.193, 301.196, 301.197,
15 301.198, 301.217, 301.219, 301.221, 301.227, 301.280, 301.290,
16 301.444, 301.463, 301.469, 301.562, 301.566, 301.681, 301.2999,
17 301.3032, 301.3074, 301.3079, 301.3098, 301.3106, 301.3122,
18 301.3124, 301.3125, 301.3126, 301.3128, 301.3130, 301.3131,
19 301.3132, 301.3133, 301.3137, 301.3139, 301.3142, 301.3143,
20 301.3144, 301.3146, 301.3147, 301.3150, 301.3152, 301.3154,
21 301.3155, 301.3999, 302.130, 302.171, 302.173, 302.177, 302.181,
22 302.225, 302.230, 302.233, 302.272, 302.273, 302.302, 302.309,
23 302.345, 302.347, 302.700, 302.720, 302.725, 302.727, 302.735,
24 302.740, 302.755, 302.756, 302.760, 304.013, 304.029, 304.031,
25 304.035, 304.070, 304.154, 304.155, 304.156, 304.157, 304.170,

1 304.190, 306.461, 306.530, 307.020, 307.040, 307.100, 307.400,
2 365.020, 365.080, 365.100, 390.020, 390.136, 407.567, 407.730,
3 407.735, 407.1200, 407.1203, 407.1206, 407.1209, 407.1212,
4 407.1215, 407.1218, 407.1221, 407.1224, 407.1225, 407.1227,
5 408.140, 577.054, 577.080, 622.095, 700.320, and 1, to read as
6 follows:

7 21.795. 1. There is established a permanent joint
8 committee of the general assembly to be known as the "Joint
9 Committee on Transportation Oversight" to be composed of seven
10 members of the standing transportation committees of both the
11 senate and the house of representatives and three nonvoting ex
12 officio members. Of the fourteen members to be appointed to the
13 joint committee, the seven senate members of the joint committee
14 shall be appointed by the president pro tem of the senate and
15 minority leader of the senate and the seven house members shall
16 be appointed by the speaker of the house of representatives and
17 the minority floor leader of the house of representatives. No
18 major party shall be represented by more than four members from
19 the house of representatives nor more than four members from the
20 senate. The ex officio members shall be the state auditor, the
21 director of the oversight division of the committee on
22 legislative research, and the commissioner of the office of
23 administration or the designee of such auditor, director or
24 commissioner. The joint committee shall be chaired jointly by
25 both chairs of the senate and house transportation committees. A

1 majority of the committee shall constitute a quorum, but the
2 concurrence of a majority of the members, other than the ex
3 officio members, shall be required for the determination of any
4 matter within the committee's duties.

5 2. The transportation inspector general shall be appointed
6 by majority vote of a group consisting of the speaker of the
7 house of representatives, the minority floor leader of the house
8 of representatives, the president pro tempore of the senate, and
9 the minority floor leader of the senate. It shall be the duty of
10 the inspector general to serve as the executive director of the
11 joint committee on transportation oversight. The compensation of
12 the inspector general and other personnel shall be paid from the
13 joint contingent fund or jointly from the senate and house
14 contingent funds until an appropriation is made therefor. No
15 funds from highway user fees or other funds allocated for the
16 operation of the department of transportation shall be used for
17 the compensation of the inspector general and his or her staff.
18 The joint committee inspector general initially appointed
19 pursuant to this section shall take office January 1, 2004, for a
20 term ending June 30, 2005. Subsequent joint committee on
21 transportation oversight directors shall be appointed for
22 five-year terms, beginning July 1, 2005. Any joint committee on
23 transportation oversight inspector general whose term is expiring
24 shall be eligible for reappointment. The inspector general of
25 the joint committee on transportation oversight shall:

1 (1) Be qualified by training or experience in
2 transportation policy, management of transportation
3 organizations, accounting, auditing, financial analysis, law,
4 management analysis, or public administration;

5 (2) Report to and be under the general supervision of the
6 joint committee. The joint committee on transportation oversight
7 shall, by a majority vote, direct the inspector general to
8 perform specific investigations, reviews, audits, or other
9 studies of the state department of transportation, in which
10 instance the director shall report the findings and
11 recommendations directly to the joint committee on transportation
12 oversight. All investigations, reviews, audits, or other studies
13 performed by the director shall be conducted so that the general
14 assembly can procure information to assist it in formulating
15 transportation legislation and policy for this state;

16 (3) Receive and process citizen complaints relating to
17 transportation issues. The inspector general shall, when
18 necessary, submit a written complaint report to the joint
19 committee on transportation oversight and the highways and
20 transportation commission. The complaint report shall contain
21 the date, time, nature of the complaint, and any immediate facts
22 and circumstances surrounding the initial report of the
23 complaint. The inspector general shall investigate a citizen
24 complaint if he or she is directed to do so by a majority of the
25 joint committee on transportation oversight;

1 (4) Investigate complaints from current and former
2 employees of the department of transportation if the inspector
3 general receives information from an employee which shows:

- 4 (a) The department is violating a law, rule, or regulation;
5 (b) Gross mismanagement by department officers;
6 (c) Waste of funds by the department;
7 (d) That the department is engaging in activities which
8 pose a danger to public health and safety;

9 (5) Maintain confidentiality with respect to all matters
10 and the identities of the complainants or witnesses coming before
11 the inspector general except insofar as disclosures may be
12 necessary to enable the inspector general to carry out duties and
13 to support recommendations;

14 (6) Maintain records of all investigations conducted,
15 including any record or document or thing, any summary, writing,
16 complaint, data of any kind, tape or video recordings, electronic
17 transmissions, e-mail, or other paper or electronic documents,
18 records, reports, digital recordings, photographs, software
19 programs and software, expense accounts, phone logs, diaries,
20 travel logs, or other things, including originals or copies of
21 any of the above. Records of investigations by the inspector
22 general shall be an "investigative report" of law enforcement
23 agency pursuant to the provisions of section 610.100, RSMo. As
24 provided in such section, such records shall be a closed record
25 until the investigation becomes inactive. If the inspector

1 general refers a violation of law to the appropriate prosecuting
2 attorney or the attorney general, such records shall be
3 transmitted with the referral. If the inspector general finds no
4 violation of law or determines not to refer the subject of the
5 investigation to the appropriate prosecuting attorney or the
6 attorney general regarding matters referred to the appropriate
7 prosecuting attorney or the attorney general and the statute of
8 limitations expires without any action being filed, the record
9 shall remain closed. As provided in section 610.100, RSMo, any
10 person may bring an action pursuant to this section in the
11 circuit court having jurisdiction to authorize disclosure of
12 information in the records of the inspector general which would
13 otherwise be closed pursuant to this section. Any disclosure of
14 records by the inspector general in violation of this section
15 shall be grounds for a suit brought by any individual, person, or
16 corporation to recover damages, and upon award to the plaintiff
17 reasonable attorney's fees.

18 3. The department of transportation shall submit a written
19 report prior to November tenth of each year to the governor,
20 lieutenant governor, and every member of the senate and house of
21 representatives. The report shall be posted to the department's
22 Internet website so that general assembly members may elect to
23 access a copy of the report electronically. The written report
24 shall contain the following:

25 (1) A comprehensive financial report of all funds for the

1 preceding state fiscal year which shall include a report by
2 independent certified public accountants, selected by the
3 commissioner of the office of administration, attesting that the
4 financial statements present fairly the financial position of the
5 department in conformity with generally accepted government
6 accounting principles. This report shall include amounts of:

7 (a) State revenues by sources, including all new state
8 revenue derived from highway users which results from action of
9 the general assembly or voter-approved measures taken after
10 August 28, 2003, and projects funded in whole or in part from
11 such new state revenue, and amounts of federal revenues by
12 source;

13 (b) Any other revenues available to the department by
14 source;

15 (c) Funds appropriated, the amount the department has
16 budgeted and expended for the following: contracts, right-of-way
17 purchases, preliminary and construction engineering, maintenance
18 operations and administration;

19 (d) Total state and federal revenue compared to the revenue
20 estimate in the fifteen-year highway plan as adopted in 1992.

21 All expenditures made by, or on behalf of, the department for
22 personal services including fringe benefits, all categories of
23 expense and equipment, real estate and capital improvements shall
24 be assigned to the categories listed in this subdivision in

1 conformity with generally accepted government accounting
2 principles;

3 (2) A detailed explanation of the methods or criteria
4 employed to select construction projects, including a listing of
5 any new or reprioritized projects not mentioned in a previous
6 report, and an explanation as to how the new or reprioritized
7 projects meet the selection methods or criteria;

8 (3) The proposed allocation and expenditure of moneys and
9 the proposed work plan for the current fiscal year, at least the
10 next four years, and for any period of time expressed in any
11 public transportation plan approved by either the general
12 assembly or by the voters of Missouri. This proposed allocation
13 and expenditure of moneys shall include the amounts of proposed
14 allocation and expenditure of moneys in each of the categories
15 listed in subdivision (1) of this subsection;

16 (4) The amounts which were planned, estimated and expended
17 for projects in the state highway and bridge construction program
18 or any other projects relating to other modes of transportation
19 in the preceding state fiscal year and amounts which have been
20 planned, estimated or expended by project for construction work
21 in progress;

22 (5) The current status as to completion, by project, of the
23 fifteen-year road and bridge program adopted in 1992. The first
24 written report submitted pursuant to this section shall include
25 the original cost estimate, updated estimate and final completed

1 cost by project. Each written report submitted thereafter shall
2 include the cost estimate at the time the project was placed on
3 the most recent five-year highway and bridge construction plan
4 and the final completed cost by project;

5 (6) The reasons for cost increases or decreases exceeding
6 five million dollars or ten percent relative to cost estimates
7 and final completed costs for projects in the state highway and
8 bridge construction program or any other projects relating to
9 other modes of transportation completed in the preceding state
10 fiscal year. Cost increases or decreases shall be determined by
11 comparing the cost estimate at the time the project was placed on
12 the most recent five-year highway and bridge construction plan
13 and the final completed cost by project. The reasons shall
14 include the amounts resulting from inflation, departmentwide
15 design changes, changes in project scope, federal mandates, or
16 other factors;

17 (7) Specific recommendations for any statutory or
18 regulatory changes necessary for the efficient and effective
19 operation of the department;

20 (8) An accounting of the total amount of state, federal and
21 earmarked federal highway funds expended in each district of the
22 department of transportation; and

23 (9) Any further information specifically requested by the
24 joint committee on transportation oversight.

25 4. Prior to December first of each year, the committee

1 shall hold an annual meeting and call before its members,
2 officials or employees of the state highways and transportation
3 commission or department of transportation, as determined by the
4 committee, for the sole purpose of receiving and examining the
5 report required pursuant to subsection 3 of this section. The
6 joint committee may also call before its members at the annual
7 meeting, the inspector general of the joint committee on
8 transportation oversight for purposes authorized in this section.
9 The committee shall not have the power to modify projects or
10 priorities of the state highways and transportation commission or
11 department of transportation. The committee may make
12 recommendations to the state highways and transportation
13 commission or the department of transportation. Disposition of
14 those recommendations shall be reported by the commission or the
15 department to the joint committee on transportation oversight.

16 5. In addition to the annual meeting required by subsection
17 4 of this section, the committee shall meet two times each year.
18 The co-chairs of the committee shall establish an agenda for each
19 meeting that may include, but not be limited to, the following
20 items to be discussed with the committee members throughout the
21 year during the scheduled meeting:

22 (1) Presentation of a prioritized plan for all modes of
23 transportation;

24 (2) Discussion of department efficiencies and expenditure
25 of cost- savings within the department;

1 (3) Presentation of a status report on department of
2 transportation revenues and expenditures, including a detailed
3 summary of projects funded by new state revenue as provided in
4 paragraph (a) of subdivision (1) of subsection 3 of this section;

5 (4) Review of any report from the joint committee inspector
6 general; and

7 (5) Implementation of any actions as may be deemed
8 necessary by the committee as authorized by law.

9 The co-chairs of the committee may call special meetings of the
10 committee with ten days' notice to the members of the committee,
11 the director of the department of transportation, and the
12 department of transportation.

13 6. The committee shall also review for approval or denial
14 all applications for the development of specialty plates
15 submitted to it by the department of revenue. The committee
16 shall approve such application by unanimous vote. The committee
17 shall not approve any application if the committee receives a
18 signed petition from five house members or two senators that they
19 are opposed to the approval of the proposed license plate. The
20 committee shall notify the director of the department of revenue
21 upon approval or denial of an application for the development of
22 a specialty plate.

23 7. The committee shall submit records of its meetings to
24 the secretary of the senate and the chief clerk of the house of

1 representatives in accordance with sections 610.020 and 610.023,
2 RSMo.

3 67.1800. As used in sections 67.1800 to 67.1822, the
4 following terms mean:

5 (1) "Airport", Lambert-St. Louis International Airport and
6 any other airport located within the district and designated by a
7 chief executive;

8 (2) "Airport authority", an entity established by city
9 ordinance regarding governance of the airport with
10 representatives appointed by the chief executives of the city,
11 county, and other approximate counties within the region;

12 (3) "Airport taxicab", a taxicab which picks up passengers
13 for hire at the airport, transports them to places they designate
14 by no regular specific route, and the charge is made on the basis
15 of distance traveled as indicated by the taximeter;

16 (4) "Chief executive", the mayor of the city and the county
17 executive of the county;

18 (5) "City", a city not within a county;

19 (6) "Commission", the regional taxicab commission created
20 in section 67.1804;

21 (7) "County", a county with a charter form of government
22 and with more than one million inhabitants;

23 (8) "District", the geographical area encompassed by the
24 regional taxicab commission;

25 (9) "Driver", an individual operator of a motor vehicle and

1 may be an employee or independent contractor;

2 (10) "Hotel and restaurant industry", the group of
3 enterprises actively engaged in the business of operating lodging
4 and dining facilities for transient guests;

5 (11) "Municipality", a city, town, or village which has
6 been incorporated in accordance with the laws of the state of
7 Missouri;

8 (12) "On-call/reserve taxicab", any motor vehicle or
9 nonmotorized carriage engaged in the business of carrying persons
10 for hire on the streets of the district, whether the same is
11 hailed on the streets by a passenger or is operated from a street
12 stand, from a garage on a regular route, or between fixed termini
13 on a schedule, and where no regular or specific route is
14 traveled, passengers are taken to and from such places as they
15 designate, and the charge is made on the basis of distance
16 traveled as indicated by a taximeter;

17 (13) "Premium sedan", any motor vehicle engaged in the
18 business of carrying persons for hire on the streets of the
19 district which seats a total of five or less passengers in
20 addition to a driver and which carries in each vehicle a manifest
21 or trip ticket containing the name and pickup address of the
22 passenger or passengers who have arranged for the use of the
23 vehicle, and the charge is a prearranged fixed contract price
24 quoted for transportation between termini selected by the
25 passenger;

1 (14) "Taxicab", airport taxicabs, on-call/reserve taxicabs
2 and premium sedans referred to collectively as taxicabs; and
3 includes other motor vehicles operated in commerce on public
4 highways in the transportation of passengers wholly within the
5 boundaries of the regional taxicab district established in
6 section 67.1802, RSMo, if such vehicles are:

7 (a) Operated by a motor carrier for hire, including a
8 common carrier or contract carrier for hire, as those terms are
9 defined in section 390.020, RSMo, except that this subdivision
10 shall not apply to any vehicle used by a not-for-profit
11 corporation to transport passengers as authorized by a
12 certificate or permit issued in accordance with section 390.063,
13 RSMo, or to any motor vehicle operated pursuant to a certificate
14 issued under section 390.051, RSMo, or a permit issued under
15 section 390.061, 390.071, or 390.081, RSMo; or

16 (b) Operated by a private carrier, as that term is defined
17 in section 390.020, RSMo, when engaged in the transportation of
18 passengers to or from an airport located within the regional
19 taxicab district; and

20 (c) Not commercial motor vehicles, as defined in section
21 390.5 of Title 49, Code of Federal Regulations, or any federal
22 regulation which amends or replaces that section;

23 (15) "Taxicab company", the use of one or more taxicabs
24 operated as a business carrying persons for hire;

25 (16) "Taximeter", a meter instrument or device attached to

1 an on-call taxicab or airport taxicab which measures mechanically
2 or electronically the distance driven and the waiting time upon
3 which the fare is based;

4 (17) "Central Repository", the Missouri state highway
5 patrol criminal records division for compiling and disseminating
6 complete and accurate criminal history records;

7 (18) "Criminal history record information", information
8 collected by criminal justice agencies on individuals consisting
9 of identifiable descriptions and notations of arrests,
10 detentions, indictments, information, or other formal criminal
11 charges, and any disposition arising there from sentencing,
12 correctional supervision and release.

13 67.1808. The regional taxicab commission is empowered to:

14 (1) Develop and implement plans, policies, and programs to
15 improve the quality of taxicab service within the district;

16 (2) Cooperate and collaborate with the hotel and restaurant
17 industry to:

18 (a) Restrict the activities of those doormen employed by
19 hotels and restaurants who accept payment from taxicab drivers or
20 taxicab companies in exchange for the doormen's assistance in
21 obtaining passengers for such taxicab drivers and companies; and

22 (b) Obtain the adherence of hotel shuttle vehicles to the
23 requirement that they operate solely on scheduled trips between
24 fixed termini and shall have authority to create guidelines for
25 hotel and commercial shuttles;

1 (3) Cooperate and collaborate with other governmental
2 entities, including the government of the United States, this
3 state, and political subdivisions of this and other states;

4 (4) Cooperate and collaborate with governmental entities
5 whose boundaries adjoin those of the district to assure that any
6 taxicab or taxicab company neither licensed by the commission nor
7 officed within its boundaries shall nonetheless be subject to
8 those aspects of the taxicab code applicable to taxicabs
9 operating within the district's boundaries;

10 (5) Contract with any public or private agency, individual,
11 partnership, association, corporation or other entity, consistent
12 with law, for the provision of services necessary to improve the
13 quality of taxicab service within the district;

14 (6) Accept grants and donations from public or private
15 entities for the purpose of improving the quality of taxicab
16 service within the district;

17 (7) Execute contracts, sue, and be sued;

18 (8) Adopt a taxicab code to license and regulate taxicab
19 companies and individual taxicabs within the district consistent
20 with existing ordinances, and to provide for the enforcement of
21 such code for the purpose of improving the quality of taxicab
22 service within the district;

23 (9) Collect reasonable fees in an amount sufficient to fund
24 the commission's licensing, regulatory, inspection, and
25 enforcement functions; except that, [for the first year after the

1 regional taxicab commission's taxicab code becomes effective, any
2 increase in fees shall not exceed twenty percent of the total
3 fees collected] fees charged to entities regulated by the city or
4 county prior to August 28, 2004, shall not exceed three times
5 those amounts charged by such city or county in the first three
6 years of the commission's operation, nor shall said fees exceed
7 four times those amounts for the next three years and for
8 subsequent years, the fees may be adjusted annually based on the
9 rate of inflation according to the consumer price index.
10 Previously regulated entities the class of service of which was
11 regulated by both the city and the county may have fees based on
12 the higher of the two fees charged for that class of service;
13 [and]

14 (10) Establish accounts with appropriate banking
15 institutions, borrow money, buy, sell, or lease property for the
16 necessary functions of the commission; and

17 (11) Require taxicabs to display special taxicab license
18 plates as provided in Chapter 301 in order to operate within the
19 district. If the commission revokes the taxicab license the
20 commission may confiscate such license plates and return them to
21 the director of revenue pursuant to subsection 3 of section
22 67.1813.

23 67.1813. 1. Any such person required by the regional
24 taxicab commission pursuant to section 67.1808 to obtain and
25 display a special taxicab license plate shall make application

1 for such license plates on a form prescribed by the director of
2 revenue.

3 2. Upon application and payment of the same fee as required
4 in section 301.144, in addition to the regular registration fees
5 and documents as required by law the director of revenue shall
6 issue special taxicab license plates that display the word
7 "TAXICAB" in place of the words "SHOW-ME STATE".

8 3. If the regional taxicab commission revokes the taxicab
9 license authorizing the taxicab to be operated within the
10 district, the licensee or owner shall immediately surrender the
11 special taxicab license plates to the director of revenue and
12 obtain new license plates as otherwise provided by law. If the
13 licensee or owner fails to surrender the special taxicab license
14 plate the regional taxicab commission has the authority to
15 confiscate such plates and return them to the director of
16 revenue.

17 4. The director of the department of revenue may promulgate
18 rules and regulations for the administration of this section.
19 Any rule or portion of a rule, as that term is defined in section
20 536.010, RSMo, that is promulgated under the authority delegated
21 in this section shall become effective only if it has been
22 promulgated pursuant to the provisions of chapter 536, RSMo. All
23 rulemaking authority delegated prior to August 28, 1999, is of no
24 force and effect; however, nothing in this section shall be
25 interpreted to repeal or affect the validity of any rule filed or

1 adopted prior to August 28, 1999, if it fully complied with the
2 provisions of chapter 536, RSMo. This section and chapter 536,
3 RSMo, are nonseverable and if any of the powers vested with the
4 general assembly pursuant to chapter 536, RSMo, to review, to
5 delay the effective date or to disapprove and annul a rule are
6 subsequently held unconstitutional, then the grant of rulemaking
7 authority and any rule proposed or adopted after August 28, 1999,
8 shall be invalid and void.

9 67.1818. The commission shall establish as part of the
10 taxicab code its own internal, administrative procedure for
11 decisions involving the granting, denying, suspending, or
12 revoking of licenses, or the imposition of administrative
13 penalties not to exceed two hundred dollars, and shall develop a
14 schedule of penalties which shall be available to the public and
15 provided to all owners and operators of taxicabs. The commission
16 shall study and take into account rate and fee structures as well
17 as the number of existing taxicab licenses within the district in
18 considering new applications for such licenses. The internal
19 procedures set forth in the taxicab code shall allow appeals from
20 license-related decisions to be conducted by independent hearing
21 officers.

22 67.1819. 1. The commission with the passage of a taxicab
23 code shall request a Missouri criminal record review for a
24 prospective or current driver from the central repository by
25 furnishing information on forms and in the manner approved by the

1 highway patrol.

2 2. The prospective or current driver shall submit two sets
3 of fingerprints to the Missouri state highway patrol, Missouri
4 criminal records repository, for the purpose of checking the
5 person's criminal history. The first set of fingerprints shall
6 be used to search the Missouri criminal records repository and
7 the second set shall be submitted to the Federal Bureau of
8 Investigation to be used for searching the federal criminal
9 history files.

10 3. The prospective or current driver shall pay the
11 appropriate fee to the state central repository payable to the
12 criminal record system fund and pay the appropriate fee
13 determined by the Federal Bureau of Investigation for the federal
14 criminal history record when applying for or renewing a license.

15 4. Any criminal history information received by the
16 commission pursuant to the provisions of this section shall be
17 used solely for the internal purposes of the commission in
18 determining the suitability of the prospective or current driver.
19 The dissemination of criminal history information from the
20 Federal Bureau of Investigation beyond the authorized or related
21 governmental entity is prohibited. All criminal record check
22 information shall be confidential and any person who discloses
23 the information beyond the scope allowed is guilty of a class A
24 misdemeanor.

25 137.298. 1. Other provisions of law to the contrary

1 notwithstanding, any city may by ordinance include as a charge on
2 bills issued for personal property taxes any outstanding parking
3 violations issued on any vehicle for which personal property tax
4 is to be paid and, if required by ordinance, such charge shall be
5 collected with and in the same payment as personal property taxes
6 are collected by the collector of revenue of such city. No
7 personal property tax bill shall be considered paid unless all
8 charges for parking violations are also paid in full and the
9 collector of revenue shall not issue a paid personal property
10 receipt until all such charges are paid.

11 2. Any city or city not within a county may enter into a
12 contract or cooperative agreement with the county governing body
13 and county collector of any county with a charter form of
14 government or any county of the first classification to include
15 as a charge on bills issued for personal property taxes any
16 outstanding vehicle-related fees and fines, including traffic
17 violations, assessed or issued on any vehicle for which personal
18 property tax is to be paid. For the purpose of this section,
19 vehicle-related fees and fines shall include, but not be limited
20 to, traffic violation fines, parking violation fines, towing and
21 vehicle immobilization fees, and any late payment penalties and
22 court costs associated with adjudication or collection of those
23 fines. No personal property tax bill shall be considered paid
24 unless all charges for parking violations and other vehicle-
25 related fees and fines are also paid in full, and the county

1 collector shall not issue a paid personal property tax receipt
2 until all such charges are paid. Any contract or cooperative
3 agreement shall be in writing, signed by the city, county
4 governing body, and county collector, and shall set forth the
5 provisions and terms agreed to by the parties.

6 144.025. 1. Notwithstanding any other provisions of law to
7 the contrary, in any retail sale other than retail sales governed
8 by subsections 4 and 5 of this section, where any article on
9 which sales or use tax has been paid, credited, or otherwise
10 satisfied or which was exempted or excluded from sales or use tax
11 is taken in trade as a credit or part payment on the purchase
12 price of the article being sold, the tax imposed by sections
13 144.020 and 144.440 shall be computed only on that portion of the
14 purchase price which exceeds the actual allowance made for the
15 article traded in or exchanged, if there is a bill of sale or
16 other record showing the actual allowance made for the article
17 traded in or exchanged. [Where the article being traded in for
18 credit or part payment is a motor vehicle, trailer, boat, or
19 outboard motor the person trading in the article must be the
20 owner or holder of a properly assigned certificate of ownership.]
21 Where the purchaser of a motor vehicle, trailer, boat or outboard
22 motor receives a rebate from the seller or manufacturer, the tax
23 imposed by sections 144.020 and 144.440 shall be computed only on
24 that portion of the purchase price which exceeds the amount of
25 the rebate, if there is a bill of sale or other record showing

1 the actual rebate given by the seller or manufacturer. Where the
2 trade-in or exchange allowance plus any applicable rebate exceeds
3 the purchase price of the purchased article there shall be no
4 sales or use tax owed. This section shall also apply to motor
5 vehicles, trailers, boats, and outboard motors sold by the owner
6 or holder of the properly assigned certificate of ownership if
7 the seller purchases or contracts to purchase a subsequent motor
8 vehicle, trailer, boat, or outboard motor within one hundred
9 eighty days before or after the date of the sale of the original
10 article and a notarized bill of sale showing the paid sale price
11 is presented to the department of revenue at the time of
12 licensing. A copy of the bill of sale shall be left with the
13 licensing office. Where the subsequent motor vehicle, trailer,
14 boat, or outboard motor is titled more than one hundred eighty
15 days after the sale of the original motor vehicle, trailer, boat,
16 or outboard motor, the allowance pursuant to this section shall
17 be made if the person titling such article establishes that the
18 purchase or contract to purchase was finalized prior to the
19 expiration of the one hundred eighty-day period.

20 2. As used in this section, the term "boat" includes all
21 motorboats and vessels, as the terms "motorboat" and "vessel" are
22 defined in section 306.010, RSMo.

23 3. As used in this section, the term "motor vehicle"
24 includes motor vehicles as defined in section 301.010, RSMo,
25 recreational vehicles as defined in section 700.010, RSMo, or a

1 combination of a truck as defined in section 301.010, RSMo, and a
2 trailer as defined in section 301.010, RSMo.

3 4. The provisions of subsection 1 of this section shall not
4 apply to retail sales of manufactured homes in which the
5 purchaser receives a document known as the "Manufacturer's
6 Statement of Origin" for purposes of obtaining a title to the
7 manufactured home from the department of revenue of this state or
8 from the appropriate agency or officer of any other state.

9 5. Any purchaser of a motor vehicle or trailer used for
10 agricultural use by the purchaser shall be allowed to use as an
11 allowance to offset the sales and use tax liability towards the
12 purchase of the motor vehicle or trailer any grain or livestock
13 produced or raised by the purchaser. The director of revenue may
14 prescribe forms for compliance with this subsection.

15 226.030. 1. The [state] highways and transportation
16 commission shall consist of six members, who shall be appointed
17 by the governor, by and with the advice and consent of the
18 senate, not more than three thereof to be members of the same
19 political party. Each commissioner shall be a taxpayer and
20 resident of state for at least five years prior to his
21 appointment. Any commissioner may be removed by the governor if
22 fully satisfied of his inefficiency, neglect of duty, or
23 misconduct in office. Commissioners appointed pursuant to this
24 section shall be appointed for terms of six years, except as
25 otherwise provided in this subsection. Upon the expiration of

1 each of the foregoing terms of these commissioners a successor
2 shall be appointed for a term of six years or until his successor
3 is appointed and qualified which term of six years shall
4 thereafter be the length of term of each member of the commission
5 unless removed as above provided. The members of the commission
6 shall receive as compensation for their services twenty-five
7 dollars per day for the time spent in the performance of their
8 official duties, and also their necessary traveling and other
9 expenses incurred while actually engaged in the discharge of
10 their official duties. Members whose terms otherwise expire
11 December 1, 2003, shall serve with terms expiring March 1, 2004,
12 and new members or the members reappointed shall be appointed for
13 terms expiring March 1, 2005; a member whose term otherwise
14 expires December 1, 2005, shall serve with a term expiring March
15 1, 2007; a member whose term otherwise expires December 1, 2007,
16 shall serve with a term expiring March 1, 2009; and one member
17 whose term otherwise expires October 13, 2007, shall serve with a
18 term expiring March 1, 2007; and one member whose term otherwise
19 expires October 13, 2007, shall serve with a term expiring March
20 1, 2009. If a vacancy occurs in any term of a commissioner due
21 to death, resignation, or removal, a successor shall be appointed
22 for only the remainder of the unexpired term.

23 2. [Beginning August 28, 2003, when two members of the
24 state highways and transportation commission are within two years
25 of expiration of their terms, the commission shall appoint one of

1 those two members as chair of the commission and the other as
2 vice chair, each to serve in such position for one year. At the
3 end of such year, the member currently serving as chair shall
4 then serve as vice chair, and the member currently serving as
5 vice chair shall serve as chair, each to serve in such position
6 for one year] The two members of the commission, one each from
7 opposing political parties, who have the most seniority in
8 commission service shall serve as commission leadership with one
9 member as chair and the other member as vice chair, respectively,
10 for terms ending March 1, 2005. The commission shall elect one
11 of the members as chair and the other as vice chair. Effective
12 March 1, 2005, the commission shall elect the two members of the
13 commission, one from each opposing political party who has the
14 most seniority in commission service, who shall serve as
15 commission leadership with one member as chair and the other
16 member as vice chair, respectively, for one year. At the end of
17 such year, the member currently serving as chair shall then serve
18 as vice chair, and the member currently serving as vice chair
19 shall serve as chair, each to serve in such position for one
20 year. Thereafter, commission leadership shall continue to rotate
21 accordingly with the two members from opposing political parties
22 who have the most seniority in terms of commission service being
23 elected by the commission to serve as commission leadership. If
24 one of the commission leadership offices becomes vacant due to
25 death, resignation, removal, or refuses to serve before the one-

1 year leadership term expires, the commission shall elect one of
2 its members that is of the same political party as the vacating
3 officer to serve the remainder of the vacating officer's
4 leadership term. Such election shall not prohibit that member
5 from later serving as chair and vice chair when such member's
6 seniority in commission service qualifies him or her for those
7 offices as provided in this subsection.

8 3. No more than one-half of the members of the [state
9 highways and transportation] commission shall be of the same
10 political party. The selection and removal of all employees of
11 the department of [highways and] transportation shall be without
12 regard to political affiliation.

13 4. The present members of the [state highways and
14 transportation] commission shall continue to serve as members of
15 the [state highways and transportation] commission for the
16 remainder of the terms for which they were appointed, except as
17 provided in subsection 1 of this section.

18 5. The director of the department of transportation shall,
19 by February fifteenth of each year, present an annual state of
20 the state of transportation to a joint session of the general
21 assembly. The six members of the [state highways and
22 transportation] commission shall be present and available at such
23 presentations for questions by members. The transportation
24 inspector general may also be present and report to the general
25 assembly on any matter of concern within his or her statutory

1 authority. The provisions of this subsection shall expire August
2 28, 2008.

3 6. Any member reappointed shall only be eligible to serve
4 as chair or vice-chair during the final two years of such
5 member's reappointment.

6 226.060. 1. The [state highways and transportation
7 commission] director of the Missouri department of
8 transportation, with the consent of the highways and
9 transportation commission, shall select and fix the salary of a
10 chief counsel who shall possess the same qualifications as judges
11 of the supreme court and who shall serve at the pleasure of the
12 [commission] director and shall appear for and represent the
13 commission in all actions and proceedings under chapters 226 and
14 227, RSMo, or any other law administered by the commission, or in
15 any decision, order or proceeding of the commission, or of the
16 director and shall commence, prosecute or defend all actions or
17 proceedings authorized or requested by the commission or to which
18 the commission is a party and shall advise the commission or the
19 director, when requested, in all matters in connection with the
20 organization, powers and duties of the commission or the powers
21 and duties of the director.

22 2. The chief counsel shall, with the consent of the
23 [commission] director, appoint such assistant attorneys as the
24 [commission] director may deem necessary and their salaries shall
25 be fixed by the [commission] director. The chief counsel's

1 office [of the commission] shall be furnished offices in the
2 department of transportation building.

3 3. Nothing in this subsection shall be construed to
4 conflict with the duties of the chief counsel as established in
5 subsection 1 of this section. The chief counsel, or assistant
6 attorneys designated by the chief counsel, shall render legal
7 opinions and advise the commission and director on any matter
8 required by the commission or the director. The commission, or
9 an individual commissioner or commissioners, may request legal
10 opinions or advice from the chief counsel pursuant to subsection
11 1 of this section and the chief counsel or an assistant attorney
12 designated by the chief counsel shall provide such opinion or
13 advice directly to the commission or individual commissioners
14 making the request.

15 301.010. As used in this chapter and sections 304.010 to
16 304.040, 304.120 to 304.260, RSMo, and sections 307.010 to
17 307.175, RSMo, the following terms mean:

18 (1) "All-terrain vehicle", any motorized vehicle
19 manufactured and used exclusively for off-highway use which is
20 fifty inches or less in width, with an unladen dry weight of [six
21 hundred] one thousand pounds or less, traveling on three, four or
22 more low pressure tires, with a seat designed to be straddled by
23 the operator or with a seat designed to carry more than one
24 person, and handlebars for steering control;

25 (2) "Automobile transporter", any vehicle combination

1 designed and used specifically for the transport of assembled
2 motor vehicles;

3 (3) "Axle load", the total load transmitted to the road by
4 all wheels whose centers are included between two parallel
5 transverse vertical planes forty inches apart, extending across
6 the full width of the vehicle;

7 (4) "Boat transporter", any vehicle combination designed
8 and used specifically to transport assembled boats and boat
9 hulls;

10 (5) "Body shop", a business that repairs physical damage on
11 motor vehicles that are not owned by the shop or its officers or
12 employees by mending, straightening, replacing body parts, or
13 painting;

14 (6) "Bus", a motor vehicle primarily for the transportation
15 of a driver and eight or more passengers but not including
16 shuttle buses;

17 (7) "Commercial motor vehicle", a motor vehicle designed or
18 regularly used for carrying freight and merchandise, or more than
19 eight passengers but not including vanpools or shuttle buses;

20 (8) "Cotton trailer", a trailer designed and used
21 exclusively for transporting cotton at speeds less than forty
22 miles per hour from field to field or from field to market and
23 return;

24 (9) "Dealer", any person, firm, corporation, association,
25 agent or subagent engaged in the sale or exchange of new, used or

1 reconstructed motor vehicles or trailers;

2 (10) "Director" or "director of revenue", the director of
3 the department of revenue;

4 (11) "Driveaway operation"[,]:

5 (a) The movement of a motor vehicle or trailer by any
6 person or motor carrier other than a dealer over any public
7 highway, under its own power singly, or in a fixed combination of
8 two or more vehicles, for the purpose of delivery for sale or for
9 delivery either before or after sale;

10 (b) The movement of any vehicle or vehicles, not owned by
11 the transporter, constituting the commodity being transported, by
12 a person engaged in the business of furnishing drivers and
13 operators for the purpose of transporting vehicles in transit
14 from one place to another by the driveaway or towaway methods; or

15 (c) The movement of a motor vehicle by any person who is
16 lawfully engaged in the business of transporting or delivering
17 vehicles that are not the person's own and vehicles of a type
18 otherwise required to be registered, by the driveaway or towaway
19 methods, from a point of manufacture, assembly or distribution or
20 from the owner of the vehicles to a dealer or sales agent of a
21 manufacturer or to any consignee designated by the shipper or
22 consignor;

23 (12) "Dromedary", a box, deck, or plate mounted behind the
24 cab and forward of the fifth wheel on the frame of the power unit
25 of a truck tractor-semitrailer combination. A truck tractor

1 equipped with a dromedary may carry part of a load when operating
2 independently or in a combination with a semitrailer;

3 (13) "Farm tractor", a tractor used exclusively for
4 agricultural purposes;

5 (14) "Fleet", any group of ten or more motor vehicles owned
6 by the same owner;

7 (15) "Fleet vehicle", a motor vehicle which is included as
8 part of a fleet;

9 (16) "Fullmount", a vehicle mounted completely on the frame
10 of either the first or last vehicle in a saddlemount combination;

11 (17) "Gross weight", the weight of vehicle and/or vehicle
12 combination without load, plus the weight of any load thereon;

13 (18) "Hail-damaged vehicle", any vehicle, the body of which
14 has become dented as the result of the impact of hail;

15 (19) "Highway", any public thoroughfare for vehicles,
16 including state roads, county roads and public streets, avenues,
17 boulevards, parkways or alleys in any municipality;

18 (20) "Improved highway", a highway which has been paved
19 with gravel, macadam, concrete, brick or asphalt, or surfaced in
20 such a manner that it shall have a hard, smooth surface;

21 (21) "Intersecting highway", any highway which joins
22 another, whether or not it crosses the same;

23 (22) "Junk vehicle", a vehicle which is incapable of
24 operation or use upon the highways and has no resale value except
25 as a source of parts or scrap, and shall not be titled or

1 registered;

2 (23) "Kit vehicle", a motor vehicle assembled by a person
3 other than a generally recognized manufacturer of motor vehicles
4 by the use of a glider kit or replica purchased from an
5 authorized manufacturer and accompanied by a manufacturer's
6 statement of origin;

7 (24) "Land improvement contractors' commercial motor
8 vehicle", any not-for-hire commercial motor vehicle the operation
9 of which is confined to:

10 (a) An area that extends not more than a radius of one
11 hundred miles from its home base of operations when transporting
12 its owner's machinery, equipment, or auxiliary supplies to or
13 from projects involving soil and water conservation, or to and
14 from equipment dealers' maintenance facilities for maintenance
15 purposes; or

16 (b) An area that extends not more than a radius of
17 [twenty-five] fifty miles from its home base of operations when
18 transporting its owner's machinery, equipment, or auxiliary
19 supplies to or from projects not involving soil and water
20 conservation. Nothing in this subdivision shall be construed to
21 prevent any motor vehicle from being registered as a commercial
22 motor vehicle or local commercial motor vehicle;

23 (25) "Local commercial motor vehicle", a commercial motor
24 vehicle whose operations are confined solely to a municipality
25 and that area extending not more than fifty miles therefrom, or a

1 commercial motor vehicle whose property-carrying operations are
2 confined solely to the transportation of property owned by any
3 person who is the owner or operator of such vehicle to or from a
4 farm owned by such person or under the person's control by virtue
5 of a landlord and tenant lease; provided that any such property
6 transported to any such farm is for use in the operation of such
7 farm;

8 (26) "Local log truck", a commercial motor vehicle which is
9 registered pursuant to this chapter to operate as a motor vehicle
10 on the public highways of this state, used exclusively in this
11 state, used to transport harvested forest products, operated
12 solely at a forested site and in an area extending not more than
13 a fifty-mile radius from such site, carries a load with
14 dimensions not in excess of twenty-five cubic yards per two axles
15 with dual wheels, and [is not] when operated on the national
16 system of interstate and defense highways described in Title 23,
17 Section 103(e) of the United States Code, such vehicle shall not
18 exceed the weight limits of section 304.180, RSMo, does not have
19 more than four axles, and does not pull a trailer which has more
20 than two axles. A local log truck may not exceed the limits
21 required by law, however, if the truck does exceed such limits as
22 determined by the inspecting officer, then notwithstanding any
23 other provisions of law to the contrary, such truck shall be
24 subject to the weight limits required by such sections as
25 licensed for eighty thousand pounds;

1 (27) "Local log truck tractor", a commercial motor vehicle
2 which is registered under this chapter to operate as a motor
3 vehicle on the public highways of this state, used exclusively in
4 this state, used to transport harvested forest products, operated
5 solely at a forested site and in an area extending not more than
6 a fifty-mile radius from such site, operates with a weight not
7 exceeding twenty-two thousand four hundred pounds on one axle or
8 with a weight not exceeding forty-four thousand eight hundred
9 pounds on any tandem axle, and when operated on the national
10 system of interstate and defense highways described in Title 23,
11 Section 103(e) of the United States Code, such vehicle does not
12 exceed the weight limits contained in section 304.180, RSMo, and
13 does not have more than three axles and does not pull a trailer
14 which has more than two axles. Violations of axle weight
15 limitations shall be subject to the load limit penalty as
16 described for in sections 304.180 to 304.220, RSMo;

17 (28) "Local transit bus", a bus whose operations are
18 confined wholly within a municipal corporation, or wholly within
19 a municipal corporation and a commercial zone, as defined in
20 section 390.020, RSMo, adjacent thereto, forming a part of a
21 public transportation system within such municipal corporation
22 and such municipal corporation and adjacent commercial zone;

23 [(28)] (29) "Log truck", a vehicle which is not a local log
24 truck or local log truck tractor and is used exclusively to
25 transport harvested forest products to and from forested sites

1 which is registered pursuant to this chapter to operate as a
2 motor vehicle on the public highways of this state for the
3 transportation of harvested forest products;

4 [(29)] (30) "Major component parts", the rear clip, cowl,
5 frame, body, cab, front-end assembly, and front clip, as those
6 terms are defined by the director of revenue pursuant to rules
7 and regulations or by illustrations;

8 [(30)] (31) "Manufacturer", any person, firm, corporation
9 or association engaged in the business of manufacturing or
10 assembling motor vehicles, trailers or vessels for sale;

11 [(31)] (32) "Mobile scrap processor", a business located in
12 Missouri or any other state that comes onto a salvage site and
13 crushes motor vehicles and parts for transportation to a shredder
14 or scrap metal operator for recycling;

15 [(32)] (33) "Motor change vehicle", a vehicle manufactured
16 prior to August, 1957, which receives a new, rebuilt or used
17 engine, and which used the number stamped on the original engine
18 as the vehicle identification number;

19 [(33)] (34) "Motor vehicle", any self-propelled vehicle not
20 operated exclusively upon tracks, except farm tractors;

21 [(34)] (35) "Motor vehicle primarily for business use", any
22 vehicle other than a recreational motor vehicle, motorcycle,
23 motortricycle, or any commercial motor vehicle licensed for over
24 twelve thousand pounds:

25 (a) Offered for hire or lease; or

1 (b) The owner of which also owns ten or more such motor
2 vehicles;

3 [(35)] (36) "Motorcycle", a motor vehicle operated on two
4 wheels;

5 [(36)] (37) "Motorized bicycle", any two-wheeled or
6 three-wheeled device having an automatic transmission and a motor
7 with a cylinder capacity of not more than fifty cubic
8 centimeters, which produces less than three gross brake
9 horsepower, and is capable of propelling the device at a maximum
10 speed of not more than thirty miles per hour on level ground;

11 [(37)] (38) "Motortricycle", a motor vehicle operated on
12 three wheels, including a motorcycle while operated with any
13 conveyance, temporary or otherwise, requiring the use of a third
14 wheel. A motortricycle shall not be included in the definition
15 of all-terrain vehicle;

16 [(38)] (39) "Municipality", any city, town or village,
17 whether incorporated or not;

18 [(39)] (40) "Nonresident", a resident of a state or country
19 other than the state of Missouri;

20 [(40)] (41) "Non-USA-std motor vehicle", a motor vehicle
21 not originally manufactured in compliance with United States
22 emissions or safety standards;

23 [(41)] (42) "Operator", any person who operates or drives a
24 motor vehicle;

25 [(42)] (43) "Owner", any person, firm, corporation or

1 association, who holds the legal title to a vehicle or in the
2 event a vehicle is the subject of an agreement for the
3 conditional sale or lease thereof with the right of purchase upon
4 performance of the conditions stated in the agreement and with an
5 immediate right of possession vested in the conditional vendee or
6 lessee, or in the event a mortgagor of a vehicle is entitled to
7 possession, then such conditional vendee or lessee or mortgagor
8 shall be deemed the owner for the purpose of this law;

9 [(43)] (44) "Public garage", a place of business where
10 motor vehicles are housed, stored, repaired, reconstructed or
11 repainted for persons other than the owners or operators of such
12 place of business;

13 [(44)] (45) "Rebuilder", a business that repairs or
14 rebuilds motor vehicles owned by the rebuilder, but does not
15 include certificated common or contract carriers of persons or
16 property;

17 [(45)] (46) "Reconstructed motor vehicle", a vehicle that
18 is altered from its original construction by the addition or
19 substitution of two or more new or used major component parts,
20 excluding motor vehicles made from all new parts, and new
21 multistage manufactured vehicles;

22 [(46)] (47) "Recreational motor vehicle", any motor vehicle
23 designed, constructed or substantially modified so that it may be
24 used and is used for the purposes of temporary housing quarters,
25 including therein sleeping and eating facilities which are either

1 permanently attached to the motor vehicle or attached to a unit
2 which is securely attached to the motor vehicle. Nothing herein
3 shall prevent any motor vehicle from being registered as a
4 commercial motor vehicle if the motor vehicle could otherwise be
5 so registered;

6 [(47)] (48) "Rollback or car carrier", any vehicle
7 specifically designed to transport wrecked, disabled or otherwise
8 inoperable vehicles, when the transportation is directly
9 connected to a wrecker or towing service;

10 [(48)] (49) "Saddlemount combination", a combination of
11 vehicles in which a truck or truck tractor tows one or more
12 trucks or truck tractors, each connected by a saddle to the frame
13 or fifth wheel of the vehicle in front of it. The "saddle" is a
14 mechanism that connects the front axle of the towed vehicle to
15 the frame or fifth wheel of the vehicle in front and functions
16 like a fifth wheel kingpin connection. When two vehicles are
17 towed in this manner the combination is called a double
18 saddlemount combination. When three vehicles are towed in this
19 manner, the combination is called a triple saddlemount
20 combination;

21 [(49)] (50) "Salvage dealer and dismantler", a business
22 that dismantles used motor vehicles for the sale of the parts
23 thereof, and buys and sells used motor vehicle parts and
24 accessories;

25 [(50)] (51) "Salvage vehicle", a motor vehicle,

1 semitrailer, or house trailer which[,]:

2 (a) Has been damaged to the extent that the total cost of
3 repairs to rebuild or reconstruct the vehicle to its condition
4 immediately before it was damaged for legal operation on the
5 roads or highways exceeds seventy-five percent of the fair market
6 value of the vehicle immediately preceding the time it was
7 damaged;

8 (b) By reason of condition or circumstance, has been
9 declared salvage, either by its owner, or by a person, firm,
10 corporation, or other legal entity exercising the right of
11 security interest in it[, or];

12 (c) Has been declared salvage by an insurance company as a
13 result of settlement of a claim for loss due to damage or theft;
14 [or

15 A vehicle,] (d) Ownership of which is evidenced by a
16 salvage title; or

17 (e) Is abandoned property which is titled pursuant to
18 section 304.155, RSMo, or section 304.157, RSMo, and designated
19 with the words "salvage/abandoned property".

20 The total cost of repairs to rebuild or reconstruct the vehicle
21 shall not include the cost of repairing, replacing, or
22 reinstalling inflatable safety restraints, tires, sound systems,
23 or any sales tax on parts or materials to rebuild or reconstruct
24 the vehicle. For purposes of this definition, "fair market

1 value" means the retail value of a motor vehicle as:

2 a. Set forth in a current edition of any nationally
3 recognized compilation of retail values, including automated
4 databases, or from publications commonly used by the automotive
5 and insurance industries to establish the values of motor
6 vehicles;

7 b. Determined pursuant to a market survey of comparable
8 vehicles with regard to condition and equipment; and

9 c. Determined by an insurance company using any other
10 procedure recognized by the insurance industry, including market
11 surveys, that is applied by the company in a uniform manner;

12 [(51)] (52) "School bus", any motor vehicle used solely to
13 transport students to or from school or to transport students to
14 or from any place for educational purposes;

15 [(52)] (53) "Shuttle bus", a motor vehicle used or
16 maintained by any person, firm, or corporation as an incidental
17 service to transport patrons or customers of the regular business
18 of such person, firm, or corporation to and from the place of
19 business of the person, firm, or corporation providing the
20 service at no fee or charge. Shuttle buses shall not be
21 registered as buses or as commercial motor vehicles;

22 [(53)] (54) "Special mobile equipment", every
23 self-propelled vehicle not designed or used primarily for the
24 transportation of persons or property and incidentally operated
25 or moved over the highways, including farm equipment, implements

1 of husbandry, road construction or maintenance machinery,
2 ditch-digging apparatus, stone crushers, air compressors, power
3 shovels, cranes, graders, rollers, well-drillers and wood-sawing
4 equipment used for hire, asphalt spreaders, bituminous mixers,
5 bucket loaders, ditchers, leveling graders, finished machines,
6 motor graders, road rollers, scarifiers, earth-moving carryalls,
7 scrapers, drag lines, concrete pump trucks, rock-drilling and
8 earth-moving equipment. This enumeration shall be deemed partial
9 and shall not operate to exclude other such vehicles which are
10 within the general terms of this section;

11 [(54)] (55) "Specially constructed motor vehicle", a motor
12 vehicle which shall not have been originally constructed under a
13 distinctive name, make, model or type by a manufacturer of motor
14 vehicles. The term "specially constructed motor vehicle"
15 includes kit vehicles;

16 [(55)] (56) "Stinger-steered combination", a truck
17 tractor-semitrailer wherein the fifth wheel is located on a drop
18 frame located behind and below the rearmost axle of the power
19 unit;

20 [(56)] (57) "Tandem axle", a group of two or more axles,
21 arranged one behind another, the distance between the extremes of
22 which is more than forty inches and not more than ninety-six
23 inches apart;

24 [(57)] (58) "Tractor", "truck tractor" or "truck-tractor",
25 a self-propelled motor vehicle designed for drawing other

1 vehicles, but not for the carriage of any load when operating
2 independently. When attached to a semitrailer, it supports a
3 part of the weight thereof;

4 [(58)] (59) "Trailer", any vehicle without motive power
5 designed for carrying property or passengers on its own structure
6 and for being drawn by a self-propelled vehicle, except those
7 running exclusively on tracks, including a semitrailer or vehicle
8 of the trailer type so designed and used in conjunction with a
9 self-propelled vehicle that a considerable part of its own weight
10 rests upon and is carried by the towing vehicle. The term
11 "trailer" shall not include cotton trailers as defined in
12 subdivision (8) of this section and shall not include
13 manufactured homes as defined in section 700.010, RSMo;

14 [(59)] (60) "Truck", a motor vehicle designed, used, or
15 maintained for the transportation of property;

16 [(60)] (61) "Truck-tractor semitrailer-semitrailer", a
17 combination vehicle in which the two trailing units are connected
18 with a B-train assembly which is a rigid frame extension attached
19 to the rear frame of a first semitrailer which allows for a
20 fifth-wheel connection point for the second semitrailer and has
21 one less articulation point than the conventional "A dolly"
22 connected truck-tractor semitrailer-trailer combination;

23 [(61)] (62) "Truck-trailer boat transporter combination", a
24 boat transporter combination consisting of a straight truck
25 towing a trailer using typically a ball and socket connection

1 with the trailer axle located substantially at the trailer center
2 of gravity rather than the rear of the trailer but so as to
3 maintain a downward force on the trailer tongue;

4 [(62)] (63) "Used parts dealer", a business that buys and
5 sells used motor vehicle parts or accessories, but not including
6 a business that sells only new, remanufactured or rebuilt parts.
7 "Business" does not include isolated sales at a swap meet of less
8 than three days;

9 [(63)] (64) "Vanpool", any van or other motor vehicle used
10 or maintained by any person, group, firm, corporation,
11 association, city, county or state agency, or any member thereof,
12 for the transportation of not less than eight nor more than
13 forty-eight employees, per motor vehicle, to and from their place
14 of employment; however, a vanpool shall not be included in the
15 definition of the term "bus" or "commercial motor vehicle" as
16 defined by subdivisions (6) and (7) of this section, nor shall a
17 vanpool driver be deemed a "chauffeur" as that term is defined by
18 section 302.010, RSMo; nor shall use of a vanpool vehicle for
19 ride-sharing arrangements, recreational, personal, or maintenance
20 uses constitute an unlicensed use of the motor vehicle, unless
21 used for monetary profit other than for use in a ride-sharing
22 arrangement;

23 [(64)] (65) "Vehicle", any mechanical device on wheels,
24 designed primarily for use, or used, on highways, except
25 motorized bicycles, vehicles propelled or drawn by horses or

1 human power, or vehicles used exclusively on fixed rails or
2 tracks, or cotton trailers or motorized wheelchairs operated by
3 handicapped persons;

4 [(65)] (66) "Wrecker" or "tow truck", any emergency
5 commercial vehicle equipped, designed and used to assist or
6 render aid and transport or tow disabled or wrecked vehicles from
7 a highway, road, street or highway rights-of-way to a point of
8 storage or repair, including towing a replacement vehicle to
9 replace a disabled or wrecked vehicle;

10 [(66)] (67) "Wrecker or towing service", the act of
11 transporting, towing or recovering with a wrecker, tow truck,
12 rollback or car carrier any vehicle not owned by the operator of
13 the wrecker, tow truck, rollback or car carrier for which the
14 operator directly or indirectly receives compensation or other
15 personal gain.

16 301.020. 1. Every owner of a motor vehicle or trailer,
17 which shall be operated or driven upon the highways of this
18 state, except as herein otherwise expressly provided, shall
19 annually file, by mail or otherwise, in the office of the
20 director of revenue, an application for registration on a blank
21 to be furnished by the director of revenue for that purpose
22 containing:

23 (1) A brief description of the motor vehicle or trailer to
24 be registered, including the name of the manufacturer, the
25 vehicle identification number, the amount of motive power of the

1 motor vehicle, stated in figures of horsepower and whether the
2 motor vehicle is to be registered as a motor vehicle primarily
3 for business use as defined in section 301.010;

4 (2) The name, the applicant's identification number and
5 address of the owner of such motor vehicle or trailer;

6 (3) The gross weight of the vehicle and the desired load in
7 pounds if the vehicle is a commercial motor vehicle or trailer.

8 2. If the vehicle is a motor vehicle primarily for business
9 use as defined in section 301.010 and if such vehicle is five
10 years of age or less, the director of revenue shall retain the
11 odometer information provided in the vehicle inspection report,
12 and provide for prompt access to such information, together with
13 the vehicle identification number for the motor vehicle to which
14 such information pertains, for a period of five years after the
15 receipt of such information. This section shall not apply
16 unless:

17 (1) The application for the vehicle's certificate of
18 ownership was submitted after July 1, 1989; and

19 (2) The certificate was issued pursuant to a manufacturer's
20 statement of origin.

21 3. If the vehicle is any motor vehicle other than a motor
22 vehicle primarily for business use, a recreational motor vehicle,
23 motorcycle, motortricycle, bus or any commercial motor vehicle
24 licensed for over twelve thousand pounds and if such motor
25 vehicle is five years of age or less, the director of revenue

1 shall retain the odometer information provided in the vehicle
2 inspection report, and provide for prompt access to such
3 information, together with the vehicle identification number for
4 the motor vehicle to which such information pertains, for a
5 period of five years after the receipt of such information. This
6 subsection shall not apply unless:

7 (1) The application for the vehicle's certificate of
8 ownership was submitted after July 1, 1990; and

9 (2) The certificate was issued pursuant to a manufacturer's
10 statement of origin.

11 4. If the vehicle qualifies as a reconstructed motor
12 vehicle, motor change vehicle, specially constructed motor
13 vehicle, non-USA-std motor vehicle, as defined in section
14 301.010, or prior salvage as referenced in section 301.573, the
15 owner or lienholder shall surrender the certificate of ownership.
16 The owner shall make an application for a new certificate of
17 ownership, pay the required title fee, and obtain the vehicle
18 examination certificate required pursuant to section 301.190.
19 Notarized bills of sale along with a copy of the front and back
20 of the certificate of ownership for all major component parts
21 installed on the vehicle and invoices for all essential parts
22 which are not defined as major component parts shall accompany
23 the application for a new certificate of ownership. If the
24 vehicle is a specially constructed motor vehicle, as defined in
25 section 301.010, two pictures of the vehicle shall be submitted

1 with the application. If the vehicle is a kit vehicle, the
2 applicant shall submit the invoice and the manufacturer's
3 statement of origin on the kit. If the vehicle requires the
4 issuance of a special number by the director of revenue or a
5 replacement vehicle identification number, the applicant shall
6 submit the required application and application fee. All
7 applications required under this subsection shall be submitted
8 with any applicable taxes which may be due on the purchase of the
9 vehicle or parts. The director of revenue shall appropriately
10 designate "Reconstructed Motor Vehicle", "Motor Change Vehicle",
11 "Non-USA-Std Motor Vehicle", or "Specially Constructed Motor
12 Vehicle" on the current and all subsequent issues of the
13 certificate of ownership of such vehicle.

14 5. Every insurance company which pays a claim for repair of
15 a motor vehicle which as the result of such repairs becomes a
16 reconstructed motor vehicle as defined in section 301.010 or
17 which pays a claim on a salvage vehicle as defined in section
18 301.010 and the insured is retaining ownership of the vehicle,
19 shall in writing notify the claimant, if he is the owner of the
20 vehicle, and the lienholder if a lien is in effect, that he is
21 required to surrender the certificate of ownership, and the
22 documents and fees required pursuant to subsection [3] 4 of this
23 section[,] to obtain a reconstructed motor vehicle certificate of
24 ownership or documents and fees as otherwise required by law to
25 obtain a salvage certificate of ownership, from the director of

1 revenue. The insurance company shall within thirty days of the
2 payment of such claims report to the director of revenue the name
3 and address of such claimant, the year, make, model, vehicle
4 identification number, and license plate number of the vehicle,
5 and the date of loss and payment.

6 6. Anyone who fails to comply with the requirements of this
7 section shall be guilty of a class B misdemeanor.

8 7. An applicant for registration may make a donation of one
9 dollar to promote a blindness education, screening and treatment
10 program. The director of revenue shall collect the donations and
11 deposit all such donations in the state treasury to the credit of
12 the blindness education, screening and treatment program fund
13 established in section 192.935, RSMo. Moneys in the blindness
14 education, screening and treatment program fund shall be used
15 solely for the purposes established in section 192.935, RSMo,
16 except that the department of revenue shall retain no more than
17 one percent for its administrative costs. The donation
18 prescribed in this subsection is voluntary and may be refused by
19 the applicant for registration at the time of issuance or
20 renewal. The director shall inquire of each applicant at the
21 time the applicant presents the completed application to the
22 director whether the applicant is interested in making the
23 one-dollar donation prescribed in this subsection.

24 8. An applicant for registration may make a donation of one
25 dollar to promote an organ donor program. The director of

1 revenue shall collect the donations and deposit all such
2 donations in the state treasury to the credit of the organ donor
3 program fund as established in sections 194.297 to 194.304, RSMo.
4 Moneys in the organ donor fund shall be used solely for the
5 purposes established in sections 194.297 to 194.304, RSMo, except
6 that the department of revenue shall retain no more than one
7 percent for its administrative costs. The donation prescribed in
8 this subsection is voluntary and may be refused by the applicant
9 for registration at the time of issuance or renewal. The
10 director shall inquire of each applicant at the time the
11 applicant presents the completed application to the director
12 whether the applicant is interested in making the one-dollar
13 donation prescribed in this subsection.

14 301.025. 1. No state registration license to operate any
15 motor vehicle in this state shall be issued unless the
16 application for license of a motor vehicle or trailer is
17 accompanied by a tax receipt for the tax year which immediately
18 precedes the year in which the vehicle's or trailer's
19 registration is due and which reflects that all taxes, including
20 delinquent taxes from prior years, have been paid, or a statement
21 certified by the county or township collector of the county or
22 township in which the applicant's property was assessed showing
23 that the state and county tangible personal property taxes for
24 such previous tax year and all delinquent taxes due have been
25 paid by the applicant or that no such taxes were due or, if the

1 applicant is not a resident of this state and serving in the
2 armed forces of the United States, the application is accompanied
3 by a leave and earnings statement from such person verifying such
4 status. In the event the registration is a renewal of a
5 registration made two or three years previously, the application
6 shall be accompanied by proof that taxes were not due or have
7 been paid for the two or three years which immediately precede
8 the year in which the motor vehicle's or trailer's registration
9 is due. The county or township collector shall not be required
10 to issue a receipt for the immediately preceding tax year until
11 all personal property taxes, including all delinquent taxes
12 currently due, are paid. If the applicant was a resident of
13 another county of this state in the applicable preceding years,
14 he or she must submit to the collector in the county or township
15 of residence proof that the personal property tax was paid in the
16 applicable tax years. Every county and township collector shall
17 give each person a tax receipt or a certified statement of
18 tangible personal property taxes paid. The receipt issued by the
19 county collector in any county of the first classification with a
20 charter form of government which contains part of a city with a
21 population of at least three hundred fifty thousand inhabitants
22 which is located in more than one county, any county of the first
23 classification without a charter form of government with a
24 population of at least one hundred fifty thousand inhabitants
25 which contains part of a city with a population of at least three

1 hundred fifty thousand inhabitants which is located in more than
2 one county and any county of the first classification without a
3 charter form of government with a population of at least one
4 hundred ten thousand but less than one hundred fifty thousand
5 inhabitants shall be determined null and void if the person
6 paying tangible personal property taxes issues or passes a check
7 or other similar sight order which is returned to the collector
8 because the account upon which the check or order was drawn was
9 closed or did not have sufficient funds at the time of
10 presentation for payment by the collector to meet the face amount
11 of the check or order. The collector may assess and collect in
12 addition to any other penalty or interest that may be owed, a
13 penalty of ten dollars or five percent of the total amount of the
14 returned check or order whichever amount is greater to be
15 deposited in the county general revenue fund, but in no event
16 shall such penalty imposed exceed one hundred dollars. The
17 collector may refuse to accept any check or other similar sight
18 order in payment of any tax currently owed plus penalty or
19 interest from a person who previously attempted to pay such
20 amount with a check or order that was returned to the collector
21 unless the remittance is in the form of a cashier's check,
22 certified check or money order. If a person does not comply with
23 the provisions of this section, a tax receipt issued pursuant to
24 this section is null and void and no state registration license
25 shall be issued or renewed. Where no such taxes are due each

1 such collector shall, upon request, certify such fact and
2 transmit such statement to the person making the request. Each
3 receipt or statement shall describe by type the total number of
4 motor vehicles on which personal property taxes were paid, and no
5 renewal of any state registration license shall be issued to any
6 person for a number greater than that shown on his or her tax
7 receipt or statement except for a vehicle which was purchased
8 without another vehicle being traded therefor, or for a vehicle
9 previously registered in another state, provided the application
10 for title or other evidence shows that the date the vehicle was
11 purchased or was first registered in this state was such that no
12 personal property tax was owed on such vehicle as of the date of
13 the last tax receipt or certified statement prior to the renewal.
14 The director of revenue shall make necessary rules and
15 regulations for the enforcement of this section, and shall design
16 all necessary forms. If electronic data is not available,
17 residents of counties with a township form of government and with
18 township collectors shall present personal property tax receipts
19 which have been paid for the preceding two years when registering
20 under this section.

21 2. Every county collector in counties with a population of
22 over six hundred thousand and less than nine hundred thousand
23 shall give priority to issuing tax receipts or certified
24 statements pursuant to this section for any person whose motor
25 vehicle registration expires in January. Such collector shall

1 send tax receipts or certified statements for personal property
2 taxes for the previous year within three days to any person who
3 pays the person's personal property tax in person, and within
4 twenty working days, if the payment is made by mail. Any person
5 wishing to have priority pursuant to this subsection shall notify
6 the collector at the time of payment of the property taxes that a
7 motor vehicle registration expires in January. Any person
8 purchasing a new vehicle in December and licensing such vehicle
9 in January of the following year, may use the personal property
10 tax receipt of the prior year as proof of payment.

11 3. In addition to all other requirements, the director of
12 revenue shall not register any vehicle subject to the heavy
13 vehicle use tax imposed by Section 4481 of the Internal Revenue
14 Code of 1954 unless the applicant presents proof of payment, or
15 that such tax is not owing, in such form as may be prescribed by
16 the United States Secretary of the Treasury. No proof of payment
17 of such tax shall be required by the director until the form for
18 proof of payment has been prescribed by the Secretary of the
19 Treasury.

20 4. Beginning July 1, 2000, a county or township collector
21 may notify, by ordinary mail, any owner of a motor vehicle for
22 which personal property taxes have not been paid that if full
23 payment is not received within thirty days the collector may
24 notify the director of revenue to suspend the motor vehicle
25 registration for such vehicle. Any notification returned to the

1 collector by the post office shall not result in the notification
2 to the director of revenue for suspension of a motor vehicle
3 registration. Thereafter, if the owner fails to timely pay such
4 taxes the collector may notify the director of revenue of such
5 failure. Such notification shall be on forms designed and
6 provided by the department of revenue and shall list the motor
7 vehicle owner's full name, including middle initial, the owner's
8 address, and the year, make, model and vehicle identification
9 number of such motor vehicle. Upon receipt of this notification
10 the director of revenue may provide notice of suspension of motor
11 vehicle registration to the owner at the owner's last address
12 shown on the records of the department of revenue. Any
13 suspension imposed may remain in effect until the department of
14 revenue receives notification from a county or township collector
15 that the personal property taxes have been paid in full. Upon
16 the owner furnishing proof of payment of such taxes and paying a
17 twenty dollar reinstatement fee to the director of revenue the
18 motor vehicle or vehicles registration shall be reinstated. In
19 the event a motor vehicle registration is suspended for
20 nonpayment of personal property tax the owner so aggrieved may
21 appeal to the circuit court of the county of his or her residence
22 for review of such suspension at any time within thirty days
23 after notice of motor vehicle registration suspension. Upon such
24 appeal the cause shall be heard de novo in the manner provided by
25 chapter 536, RSMo, for the review of administrative decisions.

1 The circuit court may order the director to reinstate such
2 registration, sustain the suspension of registration by the
3 director or set aside or modify such suspension. Appeals from
4 the judgment of the circuit court may be taken as in civil cases.
5 The prosecuting attorney of the county where such appeal is taken
6 shall appear in behalf of the director, and prosecute or defend,
7 as the case may require.

8 5. Beginning July 1, 2005, a city not within a county or
9 any home rule city with more than four hundred thousand
10 inhabitants and located in more than one county may notify, by
11 ordinary mail, any owner of a motor vehicle who is delinquent in
12 payment of vehicle-related fees and fines that if full payment is
13 not received within thirty days, the city not within a county or
14 any home rule city with more than four hundred thousand
15 inhabitants and located in more than one county may notify the
16 director of revenue to suspend the motor vehicle registration for
17 such vehicle. Any notification returned to the city not within a
18 county or any home rule city with more than four hundred thousand
19 inhabitants and located in more than one county by the post
20 office shall not result in the notification to the director of
21 revenue for suspension of a motor vehicle registration. For the
22 purpose of this section, "vehicle-related fees and fines"
23 includes, but is not limited to, traffic violation fines, parking
24 violation fines, vehicle towing, storage and immobilization fees,
25 and any late payment penalties, other fees, and court costs

1 associated with the adjudication or collection of those fines.

2 6. If after notification under subsection 5 of this section
3 the vehicle owner fails to pay such vehicle-related fees and
4 finest to the city not within a county or any home rule city with
5 more than four hundred thousand inhabitants and located in more
6 than one county within thirty days from the date of such notice,
7 the city not within a county or any home rule city with more than
8 four hundred thousand inhabitants and located in more than one
9 county may notify the director of revenue of such failure. Such
10 notification shall be on forms or in an electronic format
11 approved by the department of revenue and shall list the vehicle
12 owner's full name and address, and the year, make, model, and
13 vehicle identification number of such motor vehicle and such
14 other information as the director shall require.

15 7. Upon receipt of notification under subsection 5 of this
16 section, the director of revenue may provide notice of suspension
17 of motor vehicle registration to the owner at the owner's last
18 address shown on the records of the department of revenue. Any
19 suspension imposed may remain in effect until the department of
20 revenue receives notification from a city not within a county or
21 any home rule city with more than four hundred thousand
22 inhabitants and located in more than one county that the vehicle-
23 related fees or fines have been paid in full. Upon the owner
24 furnishing proof of payment of such fees and fines and paying a
25 twenty dollar reinstatement fee to the director of revenue the

1 motor vehicle registration shall be reinstated. In the event a
2 motor vehicle registration is suspended for nonpayment of
3 vehicle-related fees or fines the owner so aggrieved may appeal
4 to the circuit court of the county where the violation occurred
5 for review of such suspension at any time within thirty days
6 after notice of motor vehicle registration suspension. Upon such
7 appeal the cause shall be heard de novo in the manner provided by
8 chapter 536, RSMo, for the review of administrative decisions.
9 The circuit court may order the director to reinstate such
10 registration, sustain the suspension of registration by the
11 director or set aside or modify such suspension. Appeals from
12 the judgment of the circuit court may be taken as in civil cases.
13 The prosecuting attorney of the county where such appeal is taken
14 shall appear in behalf of the director, and prosecute or defend,
15 as the case may require.

16 8. The city not within a county or any home rule city with
17 more than four hundred thousand inhabitants and located in more
18 than one county shall reimburse the department of revenue for all
19 administrative costs associated with the administration of
20 subsections 5 to 8 of this section.

21 9. Any rule or portion of a rule, as that term is defined
22 in section 536.010, RSMo, that is created under the authority
23 delegated in this section shall become effective only if it
24 complies with and is subject to all of the provisions of chapter
25 536, RSMo, and, if applicable, section 536.028, RSMo. This

1 section and chapter 536, RSMo, are nonseverable and if any of the
2 powers vested with the general assembly pursuant to chapter 536,
3 RSMo, to review, to delay the effective date or to disapprove and
4 annul a rule are subsequently held unconstitutional, then the
5 grant of rulemaking authority and any rule proposed or adopted
6 after August 28, 2000, shall be invalid and void.

7 301.041. 1. All commercial motor vehicles and trailers
8 registered pursuant to this section or to be operated under
9 reciprocity agreements [as provided for in sections 301.271 to
10 301.279] shall be registered annually, or in the discretion of
11 the state highways and transportation commission, staggered in
12 such manner as to be registered for a one-year period beginning
13 on the first day of a quarter during such year and in such manner
14 as the commission may determine by regulation. To facilitate the
15 transition from an annual registration to a staggered
16 registration, the commission shall inquire of all registrants as
17 to which calendar quarter the registrant wishes to use as the
18 beginning date of the registration once the transition to
19 staggered registration is complete. If the registrant does not
20 respond by the date selected by the commission, or if no quarter
21 is selected, the registrant shall remain on a calendar year
22 registration. The commission may issue prorated registrations
23 pursuant to this section for periods of greater than or less than
24 one year during the transition to a nonannual year registration,
25 but no registration shall exceed eighteen months nor be less than

1 six months. The commission may issue a prorated, by quarter,
2 partial year registration at any time for additions to a fleet
3 made after an initial registration of such fleet, or such other
4 reasons as approved by the commission or its designee upon the
5 request of the registrant.

6 2. An application for renewal registration pursuant to this
7 section shall be made with all required documents on or before
8 [October first of each year] the first day of the month that is
9 three calendar months immediately prior to the beginning date of
10 the registration. Renewal applications received after [October]
11 the first day of the third calendar month immediately prior to
12 the registration shall be assessed a penalty of one hundred
13 dollars. The [director or his or her] commission's designee may
14 waive the penalty pursuant to this subsection for good cause.

15 3. Fees for commercial motor vehicles and trailers renewed
16 pursuant to this section shall be paid no later than [December
17 first of each year] the first day of the month that is one
18 calendar month immediately prior to the beginning date of the
19 registration except for payments made on an installment basis as
20 provided in subsection 4 of this section. Renewal application
21 fees not paid by [December first] the first day of the month
22 immediately prior to the registration shall be assessed a penalty
23 of fifty dollars per vehicle, but in no case shall such penalty
24 exceed one hundred fifty dollars per application. The [director
25 or his or her] commission's designee may, for good cause, waive

1 or reduce any penalties assessed pursuant to this subsection.

2 4. Any owner of a commercial motor vehicle or trailer
3 operated pursuant to this section or reciprocity agreements
4 [provided in sections 301.271 to 301.279] may elect to pay the
5 Missouri portion of the annual registration fee in two equal
6 installments, except that no such installment shall be less than
7 one hundred dollars. The first installment shall be payable on
8 or before [December first] the first day of the month immediately
9 prior to the beginning date of the registration, and the second
10 installment shall be payable on or before [June first] the first
11 day of the sixth month of that registration [year] one-year
12 period. Every owner electing to pay on an installment basis
13 shall file [with the director of the department of revenue,] on
14 or before [December first] the first day of the month immediately
15 prior to the beginning date of the registration, a surety bond,
16 certificate of deposit or irrevocable letter of credit as defined
17 in section 400.5-103, RSMo, to guarantee the payment of the
18 second installment. The bond or certificate or letter of credit
19 shall be in an amount equal to the payment guaranteed. The
20 commission may require such installments be filed at other times
21 of the year if a nonannual registration is issued pursuant to
22 subsection 1 of this section.

23 5. [If a new application for registration of a commercial
24 vehicle or trailer is made other than as specified in subsection
25 1 of this section, the registration fee shall be prorated as

1 follows:

2 (1) For applications made between April first and June
3 thirtieth, the applicant shall pay three-fourths of the annual
4 registration fee;

5 (2) For applications made between July first and September
6 thirtieth, the applicant shall pay one-half of the annual
7 registration fee; and

8 (3) For applications made after October first of the
9 current registration year, the applicant shall pay one-fourth of
10 the annual registration fee.

11 6.] Any applicant who fails to timely renew his or her
12 registration with all required documents pursuant to this section
13 or who fails to timely pay any fees and penalties owed pursuant
14 to this section shall not be issued a temporary registration for
15 a motor vehicle or a trailer issued pursuant to this section or
16 under reciprocity agreements [as provided for in sections 301.271
17 and 301.279]. Nothing in this section shall prohibit the
18 issuance of temporary registration credentials for additions to
19 the registrant's fleet subsequent to renewal.

20 [7.] 6. The applicant for registration pursuant to this
21 section shall affix the registration plate issued [by the
22 director] to the front of the vehicle in accordance with the
23 provisions of section 301.130. Any vehicle required to be
24 registered pursuant to this section shall display the plate
25 issued to that vehicle no later than December thirty-first of

1 each year or the last day of the quarter preceding the quarter in
2 which the registration begins, as applicable. Failure to display
3 the registration [plates] plate required by this section shall
4 constitute a class A misdemeanor.

5 [8.] 7. The [director of revenue] commission may prescribe
6 rules and regulations for the effective administration of this
7 section.

8 [9.] 8. Any current registration or plate for which all
9 fees have been paid for a commercial trailer previously issued
10 pursuant to reciprocity agreements [provided for in sections
11 301.271 and 301.277] shall remain valid even if such agreements
12 no longer require apportionment of such trailers under such
13 agreements, and such trailers may continue to be registered
14 pursuant to this section.

15 [10.] 9. Notwithstanding any other law to the contrary, the
16 [highway reciprocity] commission shall have the authority
17 pursuant to this chapter to issue permanent and temporary
18 registrations on commercial trailers whether or not the
19 registration is issued pursuant to reciprocity agreements [as
20 provided in sections 301.271 to 301.279]. The provisions of
21 subsection 1 of section 301.190 shall not apply to registrations
22 issued pursuant to this subsection, provided the carrier or
23 person to whom the registration is issued has at least one
24 tractor as defined in section 301.010 registered with the state
25 of Missouri pursuant to this section.

1 [11.] 10. Commercial trailer plates issued pursuant to this
2 section shall in all other respects conform to and have the same
3 requirements as those issued pursuant to subsection 3 of section
4 301.067. Such plates may contain the legend ["HRC TLR"] "COMM
5 TRL" in preference to the words "SHOW-ME STATE".

6 301.069. A driveaway license plate may not be used on a
7 vehicle used or operated on a highway except for the purpose of
8 transporting vehicles in transit. Driveaway license plates may
9 not be used by tow truck operators transporting wrecked,
10 disabled, abandoned, improperly parked, or burned vehicles. For
11 each driveaway license there shall be paid an annual license fee
12 of forty-four dollars and fifty cents for one set of plates or
13 such insignia as the director may issue which shall be attached
14 to the motor vehicle as prescribed in this chapter. Applicants
15 may choose to obtain biennial driveaway licenses. The fee for
16 biennial driveaway licenses shall be eighty-nine dollars. For
17 single trips the fee shall be four dollars, and descriptive
18 insignia shall be prepared and issued at the discretion of the
19 director who shall also prescribe the type of equipment used to
20 attach such vehicles in combinations.

21 301.129. [There is established in this section an advisory
22 committee for the department of revenue, which shall exist solely
23 to develop uniform designs and common colors for motor vehicle
24 license plates issued under this chapter and to determine
25 appropriate license plate parameters for all license plates

1 issued under this chapter. The advisory committee may adopt more
2 than one type of design and color scheme for license plates
3 issued under this chapter; however, each license plate of a
4 distinct type shall be uniform in design and color scheme with
5 all other license plates of that distinct type. The
6 specifications for the fully reflective material used for the
7 plates, as required by section 301.130, shall be determined by
8 the committee. Such plates shall meet any specific requirements
9 prescribed in this chapter. The advisory committee shall consist
10 of the director of revenue, the superintendent of the highway
11 patrol, the correctional enterprises administrator, one person
12 appointed by the governor, one state senator appointed by the
13 president pro tem of the senate and one state representative
14 appointed by the speaker of the house of representatives. Prior
15 to April 1, 1996, the committee shall meet, select a chairman
16 from among their members, and develop uniform design and license
17 plate parameters for the motor vehicle license plates issued
18 under this chapter. Prior to determining the final design of the
19 plates, the committee shall hold at least three public meetings
20 in different areas of the state to invite public input on the
21 final design. Members of the committee shall be reimbursed for
22 their actual and necessary expenses incurred in the performance
23 of their duties under this section out of funds appropriated for
24 that purpose. The committee shall direct the director of revenue
25 to implement its final design of the uniform motor vehicle

1 license plates and any specific parameters for all license plates
2 developed by the committee not later than April 1, 1996. The
3 committee shall be dissolved upon completion of its duties under
4 this section.] There is established in this section an advisory
5 committee for the department of revenue, which shall exist solely
6 to develop uniform designs and common colors for motor vehicle
7 license plates issued under this chapter and to determine
8 appropriate license plate parameters for all license plates
9 issued under this chapter. The advisory committee may adopt more
10 than one type of design and color scheme for license plates
11 issued under this chapter; however, each license plate of a
12 distinct type shall be uniform in design and color scheme with
13 all other license plates of that distinct type. The
14 specifications for the fully reflective material used for the
15 plates, as required by section 301.130, shall be determined by
16 the committee. Such plates shall meet any specific requirements
17 prescribed in this chapter. The advisory committee shall consist
18 of the director of revenue, the superintendent of the highway
19 patrol, the correctional enterprises administrator, and the
20 respective chairpersons of both the senate and house of
21 representatives transportation committees. Notwithstanding
22 section 226.200, RSMo, to the contrary, the general assembly may
23 appropriate state highways and transportation department funds
24 for the requirements of section 301.130, and this section. Prior
25 to April 1, 2006, the committee shall meet, select a chairman

1 from among their members, and develop uniform design and license
2 plate parameters for the motor vehicle license plates issued
3 under this chapter. Prior to determining the final design of the
4 plates, the committee shall hold at least three public meetings
5 in different areas of the state to invite public input on the
6 final design. Members of the committee shall be reimbursed for
7 their actual and necessary expenses incurred in the performance
8 of their duties under this section out of funds appropriated for
9 that purpose. The committee shall direct the director of revenue
10 to implement its final design of the uniform motor vehicle
11 license plates and any specific parameters for all license plates
12 developed by the committee not later than April 1, 2006. The
13 committee shall be dissolved upon completion of its duties under
14 this section.

15 301.130. 1. The director of revenue, upon receipt of a
16 proper application for registration, required fees and any other
17 information which may be required by law, shall issue to the
18 applicant a certificate of registration in such manner and form
19 as the director of revenue may prescribe and a set of license
20 plates, or other evidence of registration, as provided by this
21 section. Each set of license plates shall bear the name or
22 abbreviated name of this state, the words "SHOW-ME STATE", the
23 month and year in which the registration shall expire, and an
24 arrangement of numbers or letters, or both, as shall be assigned
25 from year to year by the director of revenue. The plates shall

1 also contain fully reflective material with a common color scheme
2 and design for each type of license plate issued pursuant to this
3 chapter. The plates shall be clearly visible at night, and shall
4 be aesthetically attractive. Special plates for qualified
5 disabled veterans will have the "DISABLED VETERAN" wording on the
6 license plates in preference to the words "SHOW-ME STATE" and
7 special plates for members of the national guard will have the
8 "NATIONAL GUARD" wording in preference to the words "SHOW-ME
9 STATE".

10 2. The arrangement of letters and numbers of license plates
11 shall be uniform throughout each classification of registration.
12 The director may provide for the arrangement of the numbers in
13 groups or otherwise, and for other distinguishing marks on the
14 plates.

15 3. All property-carrying commercial motor vehicles to be
16 registered at a gross weight in excess of twelve thousand pounds,
17 all passenger-carrying commercial motor vehicles, local transit
18 buses, school buses, trailers, semitrailers, motorcycles,
19 motortricycles, motorscooters and driveaway vehicles shall be
20 registered with the director of revenue as provided for in
21 subsection 3 of section 301.030, or with the state highways and
22 transportation commission as otherwise provided in this chapter,
23 but only one license plate shall be issued for each such vehicle
24 except as provided in this subsection. The applicant for
25 registration of any property-carrying commercial motor vehicle

1 may request and be issued two license plates for such vehicle,
2 and if such plates are issued the director of revenue may assess
3 and collect an additional charge from the applicant in an amount
4 not to exceed the fee prescribed for personalized license plates
5 in subsection 1 of section 301.144.

6 4. The plates issued to manufacturers and dealers shall
7 bear the letter "D" preceding the number, and the director may
8 place upon the plates other letters or marks to distinguish
9 commercial motor vehicles and trailers and other types of motor
10 vehicles.

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

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

12 6. (1) The director of revenue shall issue annually or
13 biennially a tab or set of tabs as provided by law as evidence of
14 the annual payment of registration fees and the current
15 registration of a vehicle in lieu of the set of plates.
16 Beginning January 1, 2009, the numbers recorded on the tab or
17 tabs must be the same numbers that appear on the license plate or
18 plates issued by the department of revenue that are displayed on
19 the vehicle. Such tabs shall be produced in each license bureau
20 office.

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

24 (3) A tab or set of tabs issued by the director of revenue
25 when attached to a vehicle in the prescribed manner shall be

1 prima facie evidence that the registration fee for such vehicle
2 has been paid.

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

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

1 is issued.

2 (6) Upon the sale or disposal of any vehicle permanently
3 registered under this section, or upon the termination of a lease
4 of any such vehicle, the permanent nonexpiring plate issued for
5 such vehicle shall be returned to the [director] highways and
6 transportation commission and shall not be valid for operation of
7 such vehicle, or the plate may be transferred to a replacement
8 vehicle when the owner files a supplemental application with the
9 Missouri [highway reciprocity] highways and transportation
10 commission for the registration of such replacement vehicle. If
11 a vehicle which is permanently registered under this section is
12 sold, wrecked or otherwise disposed of, or the lease terminated,
13 the registrant shall be given credit for any unused portion of
14 the annual registration fee when the vehicle is replaced by the
15 purchase or lease of another vehicle during the registration
16 year.

17 7. The director of revenue and the highways and
18 transportation commission may prescribe rules and regulations for
19 the effective administration of this section. No rule or portion
20 of a rule promulgated under the authority of this section shall
21 become effective unless it has been promulgated pursuant to the
22 provisions of section 536.024, RSMo.

23 8. Notwithstanding the provisions of any other law to the
24 contrary, owners of motor vehicles other than apportioned motor
25 vehicles or commercial motor vehicles licensed in excess of

1 eighteen thousand pounds gross weight may apply for special
2 personalized license plates. Vehicles licensed for eighteen
3 thousand pounds that display special personalized license plates
4 shall be subject to the provisions of subsections 1 and 2 of
5 section 301.030.

6 9. Commencing January 1, 2007, the director of revenue
7 shall cause to be reissued new license plates of such design as
8 directed by the director consistent with the terms, conditions,
9 and provisions of this section and this chapter. Except as
10 otherwise provided in this section, in addition to all other fees
11 required by law, applicants for registration of vehicles with
12 license plates that expire between January 1, 2007, and December
13 31, 2009, applicants for registration of trailers or semitrailers
14 with license plates that expire between January 1, 2007, and
15 December 31, 2009, and applicants for registration of vehicles
16 that are to be issued new license plates shall pay an additional
17 fee of up to two dollars and fifty cents, based on the actual
18 cost of the reissuance, to cover the cost of the newly reissued
19 plates required by this subsection. The additional fee, based on
20 the actual cost, prescribed by this subsection shall only be one
21 dollar and twenty-five cents for issuance of one new plate for
22 vehicles requiring only one license plate pursuant to this
23 section. The additional fee of two dollars and fifty cents
24 prescribed in this subsection shall not be charged to persons
25 receiving special license plates issued under section 301.073 or

1 301.443. Historic motor vehicle license plates registered
2 pursuant to section 301.131 and specialized license plates are
3 exempt from the provisions of this subsection.

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

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

22 3. The director shall issue to the owner of any motor
23 vehicle registered under this section two license plates
24 containing the number assigned to the registration certificate
25 issued by the director of revenue, and the following words:

1 "Street Rod", "State of Missouri". Such license plates shall be
2 kept securely attached to the motor vehicle registered hereunder.
3 The advisory committee established in section 301.129 shall
4 determine the characteristic features of such license plates for
5 vehicles registered under the provisions of this section so that
6 they may be recognized as such, except that such license plates
7 shall be made with fully reflective material with a common color
8 scheme and design, shall be clearly visible at night, and shall
9 be aesthetically attractive, as prescribed by section 301.130.

10 4. Motor vehicles registered under this section are subject
11 to the motor vehicle safety inspection requirements of sections
12 307.350 to 307.390, RSMo.] For purposes of this section, "street
13 rod" is a vehicle older than 1949 or a vehicle manufactured after
14 1948 to resemble a vehicle manufactured before 1949; and has been
15 altered from the manufacturer's original design or has a body
16 constructed from nonoriginal materials.

17 2. The model year and the year of manufacture that are
18 listed on the certificate of title of a street rod vehicle shall
19 be the model year and year of manufacture that the body of such
20 vehicle resembles. The current and all subsequent certificates
21 of ownership shall be designated with the word "REPLICA".

22 3. For each street rod, there shall be an annual fee equal
23 to the fee charged for personalized license plates in section
24 301.144 in addition to the regular annual registration fees.

25 4. In applying for registration of a street rod pursuant to

1 this section, the owner of the street rod shall submit with the
2 application a certification that the vehicle for which the
3 application is made:

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

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

7 5. In addition to the certification required pursuant to
8 subsection 4 of this section, when applying for registration of a
9 street rod, the new owner of the street rod shall provide proof
10 that the street rod passed a safety inspection in accordance with
11 section 307.350, RSMo, that shall be approved by the department
12 of public safety in consultation with the street rod community in
13 this state.

14 6. On registration of a vehicle pursuant to this section,
15 the director of the department of revenue shall issue to the
16 owner two license plates containing the number assigned to the
17 registration certificate issued by the director of revenue, and
18 the following words: "Street Rod", "State of Missouri". Such
19 license plates shall be kept securely attached to the motor
20 vehicle registered pursuant to this section. The director of
21 revenue shall determine the characteristic features of such
22 license plates for vehicles registered pursuant to the provisions
23 of this section so that they may be recognized as such, except
24 that such license plates shall be made with fully reflective
25 material with a common color scheme and design, shall be clearly

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

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

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

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

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

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

20 10. The model year and the year of manufacture that are
21 listed on the certificate of title of a custom vehicle shall be
22 the model year and year of manufacture that the body of such
23 vehicle resembles. The current and all subsequent certificates
24 of ownership shall be designated with the word "REPLICA".

25 11. For each custom vehicle, there shall be an annual fee

1 equal to the fee charged for personalized license plates in
2 section 301.144 in addition to the regular annual registration
3 fees.

4 12. In applying for registration of a custom vehicle
5 pursuant to this section, the owner of the custom vehicle shall
6 submit with the application a certification that the vehicle for
7 which the application is made:

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

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

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

18 14. On registration of a vehicle pursuant to this section,
19 the director of the department of revenue shall issue to the
20 owner two license plates containing the number assigned to the
21 registration certificate issued by the director of revenue, and
22 the following words: "Custom Vehicle", "State of Missouri". Such
23 license plates shall be kept securely attached to the motor
24 vehicle registered hereunder. The director of revenue shall
25 determine the characteristic features of such license plates for

1 vehicles registered pursuant to the provisions of this section so
2 that they may be recognized as such, except that such license
3 plates shall be made with fully reflective material with a common
4 color scheme and design, shall be clearly visible at night, and
5 shall be aesthetically attractive, as prescribed by section
6 301.130.

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

12 16. Except as provided in subsection 13 of this section, a
13 vehicle registered pursuant to this section is exempt from any
14 statute of this state that requires periodic vehicle inspections
15 and from any statute of this state that requires the use and
16 inspection of emission controls.

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

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

23 301.134. 1. Daughters of the American Revolution who have
24 obtained an emblem-use authorization statement from the Missouri
25 State Society Daughters of the American Revolution may apply for

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

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

16 3. Upon presentation of the statement and payment of a
17 fifteen dollar fee in addition to the regular registration fees
18 and presentation of other documents which may be required by law,
19 the department of revenue shall issue a personalized license
20 plate to the vehicle owner, which shall bear the emblem of the
21 Missouri State Society Daughters of the American Revolution and
22 the words "MISSOURI STATE SOCIETY DAUGHTERS OF THE AMERICAN
23 REVOLUTION" and shall engrave the words "SHOW-ME STATE". Such
24 license plates shall be made with fully reflective material with
25 a common color scheme and design, shall be clearly visible at

1 night, and shall be aesthetically attractive, as prescribed by
2 section 301.130. A fee for the issuance of personalized license
3 plates issued pursuant to section 301.144, shall not be required
4 for plates issued pursuant to this section.

5 4. The director of revenue may promulgate rules and
6 regulations for the administration of this section. Any rule or
7 portion of a rule, as that term is defined in section 536.010,
8 RSMo, that is created under the authority delegated in this
9 section shall become effective only if it complies with and is
10 subject to all of the provisions of chapter 536, RSMo, and, if
11 applicable, section 536.028, RSMo. This section and chapter 536,
12 RSMo, are nonseverable and if any of the powers vested with the
13 general assembly pursuant to chapter 536, RSMo, to review, to
14 delay the effective date, or to disapprove and annul a rule are
15 subsequently held unconstitutional, then the grant of rulemaking
16 authority and any rule proposed or adopted after August 28, 2004,
17 shall be invalid and void.

18 301.144. 1. The director of revenue shall establish and
19 issue special personalized license plates containing letters or
20 numbers or combinations of letters and numbers[, not to exceed
21 six characters in length]. Such license plates shall be made
22 with fully reflective material with a common color scheme and
23 design, shall be clearly visible at night, and shall be
24 aesthetically attractive, as prescribed by section 301.130. Any
25 person desiring to obtain a special personalized license plate

1 for any motor vehicle the person owns, either solely or jointly,
2 other than an apportioned motor vehicle or a commercial motor
3 vehicle licensed [for more than twelve] in excess of eighteen
4 thousand pounds gross weight shall apply to the director of
5 revenue on a form provided by the director and shall pay a fee of
6 fifteen dollars in addition to the regular registration fees.
7 The director of revenue shall issue rules and regulations setting
8 the standards and establishing the procedure for application for
9 and issuance of the special personalized license plates and shall
10 provide a deadline each year for the applications. Any rule or
11 portion of a rule, as that term is defined in section 536.010,
12 RSMo, that is created under the authority delegated in this
13 section shall become effective only if it complies with and is
14 subject to all of the provisions of chapter 536, RSMo, and, if
15 applicable, section 536.028, RSMo. This section and chapter 536,
16 RSMo, are nonseverable and if any of the powers vested with the
17 general assembly pursuant to chapter 536, RSMo, to review, to
18 delay the effective date or to disapprove and annul a rule are
19 subsequently held unconstitutional, then the grant of rulemaking
20 authority and any rule proposed or adopted after August 28, 2001,
21 shall be invalid and void. No two owners shall be issued
22 identical plates. An owner shall make a new application and pay
23 a new fee each year such owner desires to obtain or retain
24 special personalized license plates; however, notwithstanding the
25 provisions of subsection 8 of section 301.130 to the contrary,

1 the director shall allow the special personalized license plates
2 to be replaced with new plates every three years without any
3 additional charge, above the fee established in this section, to
4 the renewal applicant. Any person currently in possession of an
5 approved personalized license plate shall have first priority on
6 that particular plate for each of the following years that timely
7 and appropriate application is made.

8 2. Upon application for a personalized plate by the owner
9 of a motor vehicle for which the owner has no registration plate
10 available for transfer as prescribed by section 301.140, the
11 director shall issue a temporary permit authorizing the operation
12 of the motor vehicle until the personalized plate is issued.

13 3. No personalized license plates shall be issued
14 containing any letters, numbers or combination of letters and
15 numbers which are obscene, profane, patently offensive or
16 contemptuous of a racial or ethnic group, or offensive to good
17 taste or decency, or would present an unreasonable danger to the
18 health or safety of the applicant, of other users of streets and
19 highways, or of the public in any location where the vehicle with
20 such a plate may be found. The director may recall any
21 personalized license plates, including those issued prior to
22 August 28, 1992, if the director determines that the plates are
23 obscene, profane, patently offensive or contemptuous of a racial
24 or ethnic group, or offensive to good taste or decency, or would
25 present an unreasonable danger to the health or safety of the

1 applicant, of other users of streets and highways, or of the
2 public in any location where the vehicle with such a plate may be
3 found. Where the director recalls such plates pursuant to the
4 provisions of this subsection, the director shall reissue
5 personalized license plates to the owner of the motor vehicle for
6 which they were issued at no charge, if the new plates proposed
7 by the owner of the motor vehicle meet the standards established
8 pursuant to this section. The director shall not apply the
9 provisions of this statute in a way that violates the Missouri or
10 United States Constitutions as interpreted by the courts with
11 controlling authority in the state of Missouri. The primary
12 purpose of motor vehicle licence plates is to identify motor
13 vehicles. Nothing in the issuance of a personalized license
14 plate creates a designated or limited public forum. Nothing
15 contained in this subsection shall be interpreted to prohibit the
16 use of license plates, which are no longer valid for registration
17 purposes, as collector's items or for decorative purposes.

18 [3.] 4. The director may also establish categories of
19 special license plates from which license plates may be issued.
20 Any such person, other than a person exempted from the additional
21 fee pursuant to subsection 6 of this section, that desires a
22 personalized special license plate from any such category shall
23 pay the same additional fee and make the same kind of application
24 as that required by subsection 1 of this section, and the
25 director shall issue such plates in the same manner as other

1 personalized special license plates are issued.

2 [4.] 5. The director of revenue shall issue to residents of
3 the state of Missouri who hold an unrevoked and unexpired
4 official amateur radio license issued by the Federal
5 Communications Commission, upon application and upon payment of
6 the additional fee specified in subsection 1 of this section,
7 except for a person exempted from the additional fee pursuant to
8 subsection 6 of this section, personalized special license plates
9 bearing the official amateur radio call letters assigned by the
10 Federal Communications Commission to the applicant with the words
11 "AMATEUR RADIO" in the place of the words "SHOW-ME STATE". The
12 application shall be accompanied by [an affidavit] a statement
13 stating that the applicant has an unrevoked and unexpired amateur
14 radio license issued by the Federal Communications Commission and
15 the official radio call letters assigned by the Federal
16 Communications Commission to the applicant. An owner making a
17 new application and paying a new fee to retain an amateur radio
18 plate may request a replacement plate with the words "AMATEUR
19 RADIO" in place of the words "SHOW-ME STATE". If application is
20 made to retain a plate that is three years old or older, the
21 replacement plate shall be issued upon the payment of required
22 fees.

23 [5.] 6. Notwithstanding any other provision to the
24 contrary, any business that repossesses motor vehicles or
25 trailers and sells or otherwise disposes of them shall be issued

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

8 [6.] 7. Notwithstanding any provision of law to the
9 contrary, any person who has retired from any branch of the
10 United States armed forces or reserves, the United States Coast
11 Guard or reserve, the United States Merchant Marines or reserve,
12 the National Guard, or any subdivision of any such services shall
13 be exempt from the additional fee required for personalized
14 license plates issued pursuant to section 301.441. As used in
15 this subsection, "retired" means having served twenty or more
16 years in the appropriate branch of service and having received an
17 honorable discharge.

18 301.190. 1. No certificate of registration of any motor
19 vehicle or trailer, or number plate therefor, shall be issued by
20 the director of revenue unless the applicant therefor shall make
21 application for and be granted a certificate of ownership of such
22 motor vehicle or trailer, or shall present satisfactory evidence
23 that such certificate has been previously issued to the applicant
24 for such motor vehicle or trailer. Application shall be made
25 within thirty days after the applicant acquires the motor vehicle

1 or trailer upon a blank form furnished by the director of revenue
2 and shall contain the applicant's identification number, a full
3 description of the motor vehicle or trailer, the vehicle
4 identification number, and the mileage registered on the odometer
5 at the time of transfer of ownership, as required by section
6 407.536, RSMo, together with a statement of the applicant's
7 source of title and of any liens or encumbrances on the motor
8 vehicle or trailer, provided that for good cause shown the
9 director of revenue may extend the period of time for making such
10 application.

11 2. The director of revenue shall use reasonable diligence
12 in ascertaining whether the facts stated in such application are
13 true and shall, to the extent possible without substantially
14 delaying processing of the application, review any odometer
15 information pertaining to such motor vehicle that is accessible
16 to the director of revenue. If satisfied that the applicant is
17 the lawful owner of such motor vehicle or trailer, or otherwise
18 entitled to have the same registered in his name, the director
19 shall thereupon issue an appropriate certificate over his
20 signature and sealed with the seal of his office, procured and
21 used for such purpose. The certificate shall contain on its face
22 a complete description, vehicle identification number, and other
23 evidence of identification of the motor vehicle or trailer, as
24 the director of revenue may deem necessary, together with the
25 odometer information required to be put on the face of the

1 certificate pursuant to section 407.536, RSMo, a statement of any
2 liens or encumbrances which the application may show to be
3 thereon, and, if ownership of the vehicle has been transferred,
4 the name of the state issuing the transferor's title and whether
5 the transferor's odometer mileage statement executed pursuant to
6 section 407.536, RSMo, indicated that the true mileage is
7 materially different from the number of miles shown on the
8 odometer, or is unknown.

9 3. The director of revenue shall appropriately designate on
10 the current and all subsequent issues of the certificate the
11 words "Reconstructed Motor Vehicle", "Motor Change Vehicle",
12 "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor
13 Vehicle", as defined in section 301.010. Effective July 1, 1990,
14 on all original and all subsequent issues of the certificate for
15 motor vehicles as referenced in subsections 2 and 3 of section
16 301.020, the director shall print on the face thereof the
17 following designation: "Annual odometer updates may be available
18 from the department of revenue.". On any duplicate certificate,
19 the director of revenue shall reprint on the face thereof the
20 most recent of either:

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

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

1 information.

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

11 5. The fee for each original certificate so issued shall be
12 eight dollars and fifty cents, in addition to the fee for
13 registration of such motor vehicle or trailer. If application for
14 the certificate is not made within thirty days after the vehicle
15 is acquired by the applicant, a delinquency penalty fee of
16 twenty-five dollars for the first thirty days of delinquency and
17 twenty-five dollars for each thirty days of delinquency
18 thereafter, not to exceed a total of one hundred dollars before
19 November 1, 2003, and not to exceed a total of two hundred
20 dollars on or after November 1, 2003, shall be imposed, but such
21 penalty may be waived by the director for a good cause shown. If
22 the director of revenue learns that any person has failed to
23 obtain a certificate within thirty days after acquiring a motor
24 vehicle or trailer or has sold a vehicle without obtaining a
25 certificate, he shall cancel the registration of all vehicles

1 registered in the name of the person, either as sole owner or as
2 a co-owner, and shall notify the person that the cancellation
3 will remain in force until the person pays the delinquency
4 penalty fee provided in this section, together with all fees,
5 charges and payments which he should have paid in connection with
6 the certificate of ownership and registration of the vehicle.
7 The certificate shall be good for the life of the motor vehicle
8 or trailer so long as the same is owned or held by the original
9 holder of the certificate and shall not have to be renewed
10 annually.

11 6. Any applicant for a certificate of ownership requesting
12 the department of revenue to process an application for a
13 certificate of ownership in an expeditious manner requiring
14 special handling shall pay a fee of five dollars in addition to
15 the regular certificate of ownership fee.

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

20 8. Before an original Missouri certificate of ownership is
21 issued, an inspection of the vehicle and a verification of
22 vehicle identification numbers shall be made by the Missouri
23 state highway patrol on vehicles for which there is a current
24 title issued by another state if a Missouri salvage certificate
25 of title has been issued for the same vehicle but no prior

1 inspection and verification has been made in this state, except
2 that if such vehicle has been inspected in another state by a law
3 enforcement officer in a manner comparable to the inspection
4 process in this state and the vehicle identification numbers have
5 been so verified, the applicant shall not be liable for the
6 twenty-five dollar inspection fee if such applicant submits proof
7 of inspection and vehicle identification number verification to
8 the director of revenue at the time of the application. The
9 applicant, who has such a title for a vehicle on which no prior
10 inspection and verification have been made, shall pay a fee of
11 twenty-five dollars for such verification and inspection, payable
12 to the director of revenue at the time of the request for the
13 application, which shall be deposited in the state treasury to
14 the credit of the state highway fund.

15 9. Each application for an original Missouri certificate of
16 ownership for a vehicle which is classified as a reconstructed
17 motor vehicle, specially constructed motor vehicle, kit vehicle,
18 motor change vehicle, non-USA-std motor vehicle, or other vehicle
19 as required by the director of revenue, shall be accompanied by a
20 vehicle examination certificate issued by the Missouri state
21 highway patrol, or other law enforcement agency as authorized by
22 the director of revenue. The vehicle examination shall include a
23 verification of vehicle identification numbers and a
24 determination of the classification of the vehicle. The owner of
25 a vehicle which requires a vehicle examination certificate shall

1 present the vehicle for examination and obtain a completed
2 vehicle examination certificate prior to submitting an
3 application for a certificate of ownership to the director of
4 revenue. The fee for the vehicle examination application shall
5 be twenty-five dollars and shall be collected by the director of
6 revenue at the time of the request for the application and shall
7 be deposited in the state treasury to the credit of the state
8 highway fund.

9 10. When an application is made for an original Missouri
10 certificate of ownership for a motor vehicle previously
11 registered or titled in a state other than Missouri, it shall be
12 accompanied by a current inspection form certified by a duly
13 authorized official inspection station as described in chapter
14 307, RSMo. The completed form shall certify that the
15 manufacturer's identification number for the vehicle has been
16 inspected, that it is correctly displayed on the vehicle and
17 shall certify the reading shown on the odometer at the time of
18 inspection. The inspection station shall collect the same fee as
19 authorized in section 307.365, RSMo, for making the inspection,
20 and the fee shall be deposited in the same manner as provided in
21 section 307.365, RSMo. If the vehicle is also to be registered
22 in Missouri, the safety and emissions inspections required in
23 chapter 307, RSMo, shall be completed and only the fees required
24 by sections 307.365 and 307.366, RSMo, shall be charged to the
25 owner. This section shall not apply to vehicles being

1 transferred on a manufacturer's statement of origin.

2 11. Motor vehicles brought into this state in a wrecked or
3 damaged condition or after being towed as an abandoned vehicle
4 pursuant to another state's abandoned motor vehicle procedures
5 shall, in lieu of the inspection required by subsection 10 of
6 this section, be inspected by the Missouri state highway patrol
7 in accordance with subsection 9 of this section. If the
8 inspection reveals the vehicle to be in a salvage or junk
9 condition, the director shall so indicate on any Missouri
10 certificate of ownership issued for such vehicle. Any salvage
11 designation shall be carried forward on all subsequently issued
12 certificates of title for the motor vehicle.

13 12. When an application is made for an original Missouri
14 certificate of ownership for a motor vehicle previously
15 registered or titled in a state other than Missouri, and the
16 certificate of ownership has been appropriately designated by the
17 issuing state as reconstructed motor vehicle, motor change
18 vehicle, specially constructed motor vehicle, the director of
19 revenue shall appropriately designate on the current Missouri and
20 all subsequent issues of the certificate of ownership the name of
21 the issuing state and such prior designation.

22 13. When an application is made for an original Missouri
23 certificate of ownership for a motor vehicle previously
24 registered or titled in a state other than Missouri, and the
25 certificate of ownership has been appropriately designated by the

1 issuing state as non-USA-std motor vehicle, the director of
2 revenue shall appropriately designate on the current Missouri and
3 all subsequent issues of the certificate of ownership the words
4 "Non-USA-Std Motor Vehicle".

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

8 15. Each application for an original Missouri certificate
9 of ownership for a vehicle which is classified as a reconstructed
10 motor vehicle, manufactured forty or more years prior to the
11 current model year, and which has a value of three thousand
12 dollars or less shall be accompanied by:

13 (1) A proper affidavit submitted by the owner explaining
14 how the motor vehicle or trailer was acquired and, if applicable,
15 the reasons a valid certificate of ownership cannot be furnished;

16 (2) Photo copies of receipts, bills of sale establishing
17 ownership, or titles, and the source of all major component parts
18 used to rebuild the vehicle;

19 (3) A fee of one hundred fifty dollars in addition to the
20 fees described in subsection 5 of this section. Such fee shall
21 be deposited in the state treasury to the credit of the state
22 highway fund; and

23 (4) An inspection certificate, other than a motor vehicle
24 examination certificate required under subsection 9 of this
25 section, completed and issued by the Missouri state highway

1 patrol, or other law enforcement agency as authorized by the
2 director of revenue. The inspection performed by the highway
3 patrol or other authorized local law enforcement agency shall
4 include a check for stolen vehicles.

5 The department of revenue shall issue the owner a certificate of
6 ownership designated with the words "Reconstructed Motor Vehicle"
7 and deliver such certificate of ownership in accordance with the
8 provisions of this chapter. Notwithstanding subsection 9 of this
9 section, no owner of a reconstructed motor vehicle described in
10 this subsection shall be required to obtain a vehicle examination
11 certificate issued by the Missouri state highway patrol.

12 301.193. 1. Any person who purchases or is the owner of
13 real property on which vehicles, as defined in section 301.011,
14 vessels or watercraft, as defined in section 306.010, RSMo, or
15 outboard motors, as that term is used in section 306.530, RSMo,
16 have been abandoned, without the consent of said purchaser or
17 owner of the real property, may apply to the department of
18 revenue for a certificate of title. Any insurer which purchases
19 a vehicle through the claims adjustment process for which the
20 insurer is unable to obtain a negotiable title may make an
21 application to the department of revenue for a salvage
22 certificate of title pursuant to this section. Prior to making
23 application for a certificate of title on a vehicle under this
24 section, the insurer or owner of the real estate shall have the

1 vehicle inspected by law enforcement pursuant to subsection 9 of
2 section 301.190, and shall have law enforcement perform a check
3 in the national crime information center and any appropriate
4 statewide law enforcement computer to determine if the vehicle
5 has been reported stolen and the name and address of the person
6 to whom the vehicle was last titled and any lienholders of
7 record. The insurer or owner or purchaser of the real estate
8 shall, thirty days prior to making application for title, notify
9 any owners or lienholders of record for the vehicle by certified
10 mail that the owner intends to apply for a certificate of title
11 from the director for the abandoned vehicle. The application for
12 title shall be accompanied by:

13 (1) A statement explaining the circumstances by which the
14 [abandoned] property came into the insurer, owner or purchaser's
15 possession; a description of the [abandoned] property including
16 the year, make, model, vehicle identification number and any
17 decal or license plate that may be affixed to the vehicle; the
18 current location of the [abandoned] property; and the retail
19 value of the [abandoned] property;

20 (2) An inspection report of the [abandoned] property, if it
21 is a vehicle, by a law enforcement agency pursuant to subsection
22 9 of section 301.190; and

23 (3) A copy of the thirty-day notice and certified mail
24 receipt mailed to any owner and any person holding a valid
25 security interest of record.

1 2. Upon receipt of the application and supporting
2 documents, the director shall search the records of the
3 department of revenue, or initiate an inquiry with another state,
4 if the evidence presented indicated the [abandoned] property
5 described in the application was registered or titled in another
6 state, to verify the name and address of any owners and any
7 lienholders. If the latest owner or lienholder was not notified
8 the director shall inform the insurer, owner, or purchaser of the
9 real estate of the latest owner and lienholder information so
10 that notice may be given as required by subsection 1 of this
11 section. Any owner or lienholder receiving notification may
12 protest the issuance of title by, within the thirty-day notice
13 period and may file a petition to recover the vehicle, naming the
14 insurer or owner of the real estate and serving a copy of the
15 petition on the director of revenue. The director shall not be a
16 party to such petition but shall, upon receipt of the petition,
17 suspend the processing of any further certificate of title until
18 the rights of all parties to the vehicle are determined by the
19 court. Once all requirements are satisfied the director shall
20 issue one of the following:

21 (1) An original certificate of title if the vehicle
22 examination certificate, as provided in section 301.190,
23 indicates that the vehicle was not previously in a salvaged
24 condition or rebuilt;

25 (2) An original certificate of title designated as prior

1 salvage if the vehicle examination certificate as provided in
2 section 301.190 indicates the vehicle was previously in a
3 salvaged condition or rebuilt;

4 (3) A salvage certificate of title designated with the
5 words "salvage/abandoned property" or junking certificate based
6 on the condition of the [abandoned] property as stated in the
7 inspection report. An insurer purchasing a vehicle through the
8 claims adjustment process under this section shall only be
9 eligible to obtain a salvage certificate of title or junking
10 certificate.

11 301.196. 1. Beginning January 1, 2006, except as otherwise
12 provided in this section, the transferor of an interest in a
13 motor vehicle or trailer listed on the face of a Missouri title,
14 excluding salvage titles and junking certificates, shall notify
15 the department of revenue of the transfer within thirty days of
16 the date of transfer. The notice shall be in a form determined
17 by the department by rule and shall contain:

18 (1) A description of the motor vehicle or trailer
19 sufficient to identify it;

20 (2) The vehicle identification number of the motor vehicle
21 or trailer;

22 (3) The name and address of the transferee;

23 (4) The date of birth of the transferee, unless the
24 transferee is not a natural person;

25 (5) The date of the transfer or sale;

1 (6) The purchase price of the motor vehicle or trailer, if
2 applicable;

3 (7) The number of the transferee's drivers license, unless
4 the transferee does not have a drivers license;

5 (8) The printed name and signature of the transferee;

6 (9) Any other information required by the department by
7 rule.

8 2. For purposes of giving notice under this section, if the
9 transfer occurs by operation of law, the personal representative,
10 receiver, trustee, sheriff, or other representative or successor
11 in interest of the person whose interest is transferred shall be
12 considered the transferor. Repossession by a creditor shall not
13 be considered a transfer of ownership requiring such notice.

14 3. The requirements of this section shall not apply to
15 transfers when there is no complete change of ownership interest
16 or upon award of ownership of a motor vehicle or trailer made by
17 court order, or transfers of ownership of a motor vehicle or
18 trailer to or between vehicle dealers, or transfers of beneficial
19 ownership of a motor vehicle owned by a trust.

20 4. Notification under this section is only required for
21 transfers of ownership that would otherwise require registration
22 and an application for certificate of title in this state under
23 section 301.190, and is for informational purposes only and does
24 not constitute an assignment or release of any interest in the
25 vehicle.

1 5. Retail sales made by licensed dealers including sales of
2 new vehicles shall be reported pursuant to the provisions of
3 section 301.280.

4 301.197. 1. Beginning January 1, 2006, upon receipt of a
5 notification of transfer described in section 301.196, the
6 department shall make a notation on its records indicating that
7 it has received notification that an interest in the motor
8 vehicle or trailer has been transferred. The notation shall be
9 made whether or not the form submitted to the department contains
10 all the information required by section 301.196, so long as there
11 is sufficient information to identify the motor vehicle or
12 trailer and the name and address of the transferee. Thereafter,
13 until a new title is issued, when the department is asked or is
14 required by law to provide the name of the owner or lienholder of
15 a motor vehicle or trailer as shown on its records, the
16 department shall provide the name of the owner or lienholder
17 recorded on the latest title or lien perfection of record and
18 indicate that department records show a notification of transfer
19 but do not show a title transfer. The department shall also
20 provide the name of the transferee, if otherwise permitted by
21 law, if it is shown on the form submitted by the transferor
22 pursuant to section 301.196.

23 2. If the department does not receive an application for
24 title from the person named as transferee in a form submitted
25 pursuant to section 301.196 within sixty days of the receipt of

1 the form, the department shall notify the transferee to apply for
2 title. Notification shall be made as soon after the sixtieth day
3 after receipt of the form as is convenient for the department.
4 The provisions of this subsection shall be in addition to the
5 requirements of section 301.190.

6 3. The department may adopt rules for the implementation of
7 section 301.196 and this section. Any rule or portion of a rule,
8 as that term is defined in section 536.010, RSMo, that is created
9 under the authority delegated in this section shall become
10 effective only if it complies with and is subject to all of the
11 provisions of chapter 536, RSMo, and, if applicable, section
12 536.028, RSMo. This section and chapter 536, RSMo, are
13 nonseverable and if any of the powers vested with the general
14 assembly pursuant to chapter 536, RSMo, to review, to delay the
15 effective date, or to disapprove and annul a rule are
16 subsequently held unconstitutional, then the grant of rulemaking
17 authority and any rule proposed or adopted after August 28, 2004,
18 shall be invalid and void. Notwithstanding section 226.200,
19 RSMo, to the contrary the general assembly may appropriate state
20 highways and transportation department funds for the requirements
21 of sections 301.196, 301.198, and 301.280, and this section.

22 301.198. 1. Beginning January 1, 2006, a person commits
23 the offense of knowingly submitting false information about
24 transfer of a vehicle if the person submits a notice of transfer
25 of an interest in a motor vehicle or trailer as described in

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

6 2. Any person who fails to submit the required notice
7 pursuant to section 301.196 shall be guilty of an infraction. If
8 the failure to submit the required notice was done to assist the
9 transferee to avoid applying for title, paying applicable
10 registration fees or other fraudulent purposes, then the person
11 shall be guilty of a class C misdemeanor.

12 301.217. 1. As used in sections 301.217 to 301.229, the
13 following words and phrases mean:

14 (1) "Purchaser", the buyer of a salvage vehicle, including
15 an insurance company for purposes of sections 301.217 to 301.229;

16 (2) "Salvage certificate of title", the title issued by the
17 department of revenue as proof of ownership for a salvaged
18 vehicle, and it shall not be acceptable for the purpose of
19 registering a motor vehicle. The salvage title shall be
20 negotiable with one reassignment on back by registered dealers or
21 insurance companies only. The redeemed title shall be returned
22 in its original form;

23 (3) "Salvage pool" or "salvage disposal sale", a scheduled
24 sale at auction or by private bid of wrecked or repairable motor
25 vehicles or trailers by insurance companies, underwriters, or

1 dealers, either at retail or wholesale.

2 2. The department of revenue may issue a certificate of
3 title for a salvaged motor vehicle at least twenty-five years old
4 and if, in the judgment of the department of revenue it may be
5 needed, require the applicant to file with the department of
6 revenue a corporate surety bond in the form prescribed by the
7 department and executed by the applicant, and executed by a
8 person authorized to conduct a surety business in this state.
9 The bond shall be in an amount equal to one and one-half times
10 the value of the vehicle as determined by the department and
11 conditioned to indemnify any prior owner and lienholder and any
12 subsequent purchaser of the vehicle or person acquiring any
13 security interest in it, and their respective successors in
14 interest, against any expense, loss or damage, including
15 reasonable attorney's fees, by reason of the issuance of the
16 certificate of title of the vehicle or on account of any defect
17 in or undisclosed security interest upon the right, title and
18 interest of the applicant in and to the vehicle. Any such
19 interested person has a right of action to recover on the bond
20 for any breach of its conditions, but the aggregate liability of
21 the surety to all persons shall not exceed the amount of the
22 bond. The bond shall be returned at the end of three years or
23 prior thereto if the vehicle is no longer registered in this
24 state and the currently valid certificate of title is surrendered
25 to the department, unless the department has been notified of the

1 pendency of an action to recover on the bond.

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

22 301.221. 1. The department shall file each application
23 received by it with the required fee, and when satisfied that the
24 applicant, if an individual, or each of the partners or principal
25 officers of the applicant, if a partnership or a corporation, is

1 of good moral character and that the applicant, so far as can be
2 ascertained, has complied and will comply with the provisions of
3 sections 301.217 to 301.229 and the laws of this state relating
4 to registration of and certificates of title of vehicles, shall
5 issue to the applicant a license to carry on and conduct the kind
6 of businesses, enumerated in section 301.218, specified in the
7 application at the address therein specified, until [July first
8 next following the date on which] the next license [is issued]
9 renewal date.

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

- 22 (1) Selling used parts of or used accessories for vehicles;
23 or
24 (2) Salvaging, wrecking or dismantling vehicles for resale
25 of the parts thereof; or

1 (3) Rebuilding and repairing wrecked or dismantled
2 vehicles; or

3 (4) Processing scrapped vehicles or vehicle parts.

4 3. The applicant's place of business shall be a place
5 wherein the public may contact the owner or operator, in person
6 or by telephone, at any reasonable time, and wherein shall be
7 kept and maintained the books, records, files, tools, equipment
8 and other matters required and necessary to conduct the business.

9 4. The application shall include a photograph, not to
10 exceed eight inches by ten inches, showing the building and
11 business premises and shall accompany the initial application but
12 will not be required for subsequent renewals unless substantial
13 changes have been made to the building or business premises.

14 301.227. 1. Whenever a vehicle is sold for salvage,
15 dismantling or rebuilding, the purchaser shall forward to the
16 director of revenue within ten days the certificate of ownership
17 or salvage certificate of title and the proper application and
18 fee of eight dollars and fifty cents, and the director shall
19 issue a negotiable salvage certificate of title to the purchaser
20 of the salvaged vehicle. On vehicles not more than seven years
21 old, it shall be mandatory that the purchaser apply for a salvage
22 title, but on vehicles over seven years old, application for a
23 salvage title shall be optional on the part of the purchaser.
24 Whenever a vehicle is sold for destruction and a salvage
25 certificate of title, junking certificate, or certificate of

1 ownership exists, the seller, if licensed under sections 301.217
2 to 301.221, shall forward the certificate to the director of
3 revenue within ten days, with the notation of the date sold for
4 destruction and the name of the purchaser clearly shown on the
5 face of the certificate.

6 2. Whenever a vehicle is classified as "junk", as defined
7 in section 301.010, the purchaser may forward to the director of
8 revenue the salvage certificate of title or certificate of
9 ownership and the director shall issue a negotiable junking
10 certificate to the purchaser of the vehicle. The director may
11 also issue a junking certificate to a possessor of a vehicle [of
12 a 1954 model or older] manufactured twenty-six years or more
13 prior to the current model year who has a bill of sale for said
14 vehicle but does not possess a certificate of ownership, provided
15 no claim of theft has been made on the vehicle and the highway
16 patrol has by letter stated the vehicle is not listed as stolen
17 after checking the registration number through its nationwide
18 computer system. Such certificate may be granted within thirty
19 days of the submission of a request.

20 3. Upon receipt of a properly completed application for a
21 junking certificate, the director of revenue shall issue to the
22 applicant a junking certificate which shall authorize the holder
23 to possess, transport, or, by assignment, transfer ownership in
24 such parts, scrap or junk, and a certificate of title shall not
25 again be issued for such vehicle; except that, the initial

1 purchaser shall, within ninety days, be allowed to rescind his
2 application for a junking certificate by surrendering the junking
3 certificate and apply for a salvage certificate of title in his
4 name. The seller of a vehicle for which a junking certificate
5 has been applied for or issued shall disclose such fact in
6 writing to any prospective buyers before sale of such vehicle;
7 otherwise the sale shall be voidable at the option of the buyer.

8 4. No scrap metal operator shall acquire or purchase a
9 motor vehicle or parts thereof without, at the time of such
10 acquisition, receiving the original certificate of title or
11 salvage certificate of title or junking certificate from the
12 seller of the vehicle or parts, unless the seller is a licensee
13 under sections 301.219 to 301.221.

14 5. All titles and certificates required to be received by
15 scrap metal operators from nonlicensees shall be forwarded by the
16 operator to the director of revenue within ten days of the
17 receipt of the vehicle or parts.

18 6. The scrap metal operator shall keep a record, for three
19 years, of the seller's name and address, the salvage business
20 license number of the licensee, date of purchase, and any vehicle
21 or parts identification numbers open for inspection as provided
22 in section 301.225.

23 7. Notwithstanding any other provision of this section, a
24 motor vehicle dealer as defined in section 301.550 and licensed
25 under the provisions of sections 301.550 to 301.572 may negotiate

1 one reassignment of a salvage certificate of title on the back
2 thereof.

3 8. Notwithstanding the provisions of subsection 1 of this
4 section, an insurance company which settles a claim for a stolen
5 vehicle shall be issued a negotiable salvage certificate of title
6 without the payment of any fee upon proper application within
7 thirty days after settlement of the claim for such stolen
8 vehicle. However, if the insurance company upon recovery of a
9 stolen vehicle determines that the stolen vehicle has not
10 sustained damage to the extent that the vehicle would have
11 otherwise been declared a salvage vehicle pursuant to subdivision
12 (50) of section 301.010, then the insurance company may have the
13 vehicle inspected by the Missouri state highway patrol, or other
14 law enforcement agency authorized by the director of revenue, in
15 accordance with the inspection provisions of subsection 9 of
16 section 301.190. Upon receipt of title application, applicable
17 fee, the completed inspection, and the return of any previously
18 issued negotiable salvage certificate, the director shall issue
19 an original title with no salvage designation. Upon the issuance
20 of an original title the director shall remove any indication of
21 the negotiable salvage title previously issued to the insurance
22 company from the department's electronic records.

23 301.280. 1. Every motor vehicle dealer and boat dealer
24 shall make a monthly report to the department of revenue, on
25 blanks to be prescribed by the department of revenue, giving the

1 following information: Date of the sale of each motor vehicle,
2 boat, trailer and all-terrain vehicle sold; the name and address
3 of the buyer; the name of the manufacturer; year of manufacture;
4 model of vehicle; vehicle identification number; style of
5 vehicle; odometer setting; and it shall also state whether the
6 motor vehicle, boat, trailer or all-terrain vehicle is new or
7 secondhand. The odometer reading is not required when reporting
8 the sale of any motor vehicle that is ten years old or older, any
9 motor vehicle having a gross vehicle weight rating of more than
10 sixteen thousand pounds, new vehicles that are transferred on a
11 manufacturer's statement of origin between one franchised motor
12 vehicle dealer and another, or boats, all-terrain vehicles or
13 trailers. The sale of all [twenty-day] thirty-day temporary
14 permits, without exception, shall be recorded in the appropriate
15 space on the dealer's monthly sales report by recording the
16 complete permit number issued on the motor vehicle or trailer
17 sale listed. The monthly sales report shall be completed in full
18 and signed by an officer, partner, or owner of the dealership,
19 and actually received by the department of revenue on or before
20 the fifteenth day of the month succeeding the month for which the
21 sales are being reported. If no sales occur in any given month,
22 a report shall be submitted for that month indicating no sales.
23 Any vehicle dealer who fails to file a monthly report or who
24 fails to file a timely report shall be subject to disciplinary
25 action as prescribed in section 301.562 or a penalty assessed by

1 the director not to exceed three hundred dollars per violation.

2 Every motor vehicle and boat dealer shall retain copies of the
3 monthly sales report as part of the records to be maintained at
4 the dealership location and shall hold them available for
5 inspection by appropriate law enforcement officials and officials
6 of the department of revenue. Beginning January 1, 2006, the
7 monthly sales report required by this subsection may be filed
8 electronically. Beginning January 1, 2007, every vehicle dealer
9 selling twenty or more vehicles a month shall file the monthly
10 sales report with the department in an electronic format. Any
11 dealer filing a monthly sales report in an electronic format
12 shall be exempt from filing the notice of transfer required by
13 section 301.196. For any dealer not filing electronically, the
14 notice of transfer required by section 301.196 shall be submitted
15 with the monthly sales report as prescribed by the director.

16 2. Every dealer and every person operating a public garage
17 shall keep a correct record of the vehicle identification number,
18 odometer setting, manufacturer's name of all motor vehicles or
19 trailers accepted by him for the purpose of sale, rental,
20 storage, repair or repainting, together with the name and address
21 of the person delivering such motor vehicle or trailer to the
22 dealer or public garage keeper, and the person delivering such
23 motor vehicle or trailer shall record such information in a file
24 kept by the dealer or garage keeper. The record shall be kept
25 for three years and be open for inspection by law enforcement

1 officials and persons, agencies and officials designated by the
2 director of revenue.

3 3. Every dealer and every person operating a public garage
4 in which a motor vehicle remains unclaimed for a period of
5 fifteen days shall, within five days after the expiration of that
6 period, report the motor vehicle as unclaimed to the director of
7 revenue. Such report shall be on a form prescribed by the
8 director of revenue. A motor vehicle left by its owner whose
9 name and address are known to the dealer or his employee or
10 person operating a public garage or his employee is not
11 considered unclaimed. Any dealer or person operating a public
12 garage who fails to report a motor vehicle as unclaimed as herein
13 required forfeits all claims and liens for its garaging, parking
14 or storing.

15 4. The director of revenue shall maintain appropriately
16 indexed cumulative records of unclaimed vehicles reported to the
17 director. Such records shall be kept open to public inspection
18 during reasonable business hours.

19 5. The alteration or obliteration of the vehicle
20 identification number on any such motor vehicle shall be prima
21 facie evidence of larceny, and the dealer or person operating
22 such public garage shall upon the discovery of such obliteration
23 or alteration immediately notify the highway patrol, sheriff,
24 marshal, constable or chief of police of the municipality where
25 the dealer or garage keeper has his place of business, and shall

1 hold such motor vehicle or trailer for a period of forty-eight
2 hours for the purpose of an investigation by the officer so
3 notified.

4 301.290. 1. Correctional enterprises of the department of
5 corrections shall purchase, erect and maintain all of the
6 machinery and equipment necessary for the manufacture of the
7 license plates and tabs issued by the director of revenue, and of
8 signs used by the state transportation department. Beginning on
9 January 1, 2009, correctional enterprises shall no longer erect
10 and maintain tabs for the department of revenue.

11 2. The director of revenue shall procure all plates [and
12 tabs] issued by him, and the state transportation department
13 shall procure all signs used by it from correctional enterprises,
14 unless an emergency arises and correctional enterprises cannot
15 furnish the plates, tabs or signs.

16 3. Correctional enterprises shall furnish the plates[,
17 tabs] and signs at such a price as will not exceed the price at
18 which such plates[, tabs] and signs may be obtained upon the open
19 market, but in no event shall such price be less than the cost of
20 manufacture, including labor and materials.

21 4. All moneys derived from the sale of the plates, tabs and
22 signs shall be paid into the state treasury to the credit of the
23 working capital revolving fund as provided in section 217.595,
24 RSMo.

25 301.444. [1. Owners or a joint owner of motor vehicles who

1 are residents of the state of Missouri, and who are directors of
2 a fire protection district or who are compensated, partially
3 compensated or volunteer members of any fire department, fire
4 protection district or voluntary fire protection association in
5 this state, upon application accompanied by affidavit as
6 prescribed in this section, complying with the state motor
7 vehicle laws relating to registration and licensing of motor
8 vehicles, and upon payment of a fee as prescribed in this
9 section, shall be issued a set of license plates for
10 noncommercial vehicles or a commercial motor vehicle licensed for
11 no more than twelve thousand pounds. The license plates shall be
12 inscribed with a variation of the Maltese cross that signifies
13 the universally recognized symbol for firefighters. In addition,
14 upon such set of license plates shall be inscribed, in lieu of
15 the words "Show-me State", the word "FIREFIGHTER" in addition to
16 a combination of letters and numbers in a form prescribed by the
17 advisory committee established in section 301.129. Such license
18 plates shall be made with fully reflective material, shall be
19 clearly visible at night, and shall be aesthetically attractive,
20 as prescribed by section 301.130.

21 2. Applications for license plates issued under this
22 section shall be made to the director of revenue and shall be
23 accompanied by an affidavit stating that the applicant is a
24 person described in subsection 1 of this section. Any person who
25 is lawfully in possession of such plates who resigns, is removed,

1 or otherwise terminates or is terminated from his association
2 with such fire department, fire protection district or voluntary
3 fire protection association shall return such special plates to
4 the director within fifteen days.

5 3. An additional annual fee equal to that charged for
6 personalized license plates in section 301.144 shall be paid to
7 the director of revenue for the issuance of the license plates
8 provided for in this section.] 1. Any person, as defined in
9 subsection 3 of this section, may apply for special license
10 plates for any motor vehicle such person owns, either solely or
11 jointly, other than an apportioned motor vehicle or a commercial
12 motor vehicle licensed in excess of eighteen thousand pounds
13 gross weight. The Firefighter Memorial Foundation of Missouri
14 hereby authorizes the use of its official emblem to be affixed on
15 multi-year personalized license plates as provided in this
16 section.

17 2. Upon application and payment of a one time twenty-five
18 dollar emblem-use contribution to the Firefighter Memorial
19 Foundation of Missouri, the foundation shall issue to the vehicle
20 owner, without further charge, an emblem-use authorization
21 statement, which shall be presented to the department of revenue
22 at the time of registration of a motor vehicle.

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

24 (1) A director of a fire protection district;

25 (2) Persons compensated, partially compensated, or

1 volunteer members of any fire department, fire protection
2 district, or voluntary fire protection association of this state;

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

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

8 4. Upon presentation of the emblem-use authorization
9 statement and payment of a fifteen dollar fee in addition to the
10 regular registration fees and presentation of other documents
11 which may be required by law, the department of revenue shall
12 issue a personalized license plate to the vehicle owner, which
13 shall bear the emblem of the Firefighter Memorial Foundation of
14 Missouri and the word "FIREFIGHTER" in place of the words "SHOW-
15 ME STATE". Such license plates shall be made with fully
16 reflective material with a common color scheme and design, shall
17 be clearly visible at night, and shall be aesthetically
18 attractive, as prescribed by section 301.130. Notwithstanding
19 the provisions of section 301.144, no additional fee shall be
20 charged for the personalization of license plates pursuant to
21 this section.

22 4. The director of revenue may promulgate rules and
23 regulations for the administration of this section. Any rule or
24 portion of a rule, as that term is defined in section 536.010,
25 RSMo, that is created under the authority delegated in this

1 section shall become effective only if it complies with and is
2 subject to all of the provisions of chapter 536, RSMo, and, if
3 applicable, section 536.028, RSMo. This section and chapter 536,
4 RSMo, are nonseverable and if any of the powers vested with the
5 general assembly pursuant to chapter 536, RSMo, to review, to
6 delay the effective date, or to disapprove and annul a rule are
7 subsequently held unconstitutional, then the grant of rulemaking
8 authority and any rule proposed or adopted after August 28, 2004,
9 shall be invalid and void.

10 301.463. 1. The children's trust fund board established in
11 section 210.170, RSMo, may authorize the use of their logo to be
12 incorporated on [multiyear personalized] motor vehicle license
13 plates [as provided in this section] for any motor vehicle the
14 person owns, either solely or jointly, other than an apportioned
15 motor vehicle or a commercial motor vehicle licensed in excess of
16 eighteen thousand pounds gross weight. The license plate shall
17 contain an emblem designed by the board depicting two handprints
18 of a child and the words "Children's Trust Fund" and the
19 children's trust fund logo in preference to the words "SHOW-ME
20 STATE". The license plates shall have a common background and
21 shall bear as many letters and numbers as will fit on the plate
22 without damaging the plate's aesthetic appearance as determined
23 by the director of revenue. Any vehicle owner may annually apply
24 to the board or director for the use of the logo. Upon annual
25 application and payment of a twenty-five dollar logo use

1 contribution to the board, the board shall issue to the vehicle
2 owner, without further charge, a "logo use authorization
3 statement", which shall be presented by the vehicle owner to the
4 department of revenue at the time of registration. Application
5 for use of the logo and payment of the twenty-five dollar
6 contribution may also be made at the time of registration to the
7 director, who shall deposit such contribution in the state
8 treasury to the credit of the children's trust fund. Upon
9 presentation of the annual statement [and], payment of [the fee
10 required for personalized license plates in section 301.144, and
11 other] a fifteen dollar fee in addition to the regular
12 registration fees and presentation of documents which may be
13 required by law, the department of revenue shall issue a
14 [personalized] license plate described in this section to the
15 vehicle owner. Notwithstanding the provisions of section
16 301.144, no additional fee shall be charged for the
17 personalization of license plates issued pursuant to this
18 section. There shall be no limit on the number of license plates
19 any person qualified pursuant to this section may obtain so long
20 as each set of plates issued pursuant to this section is issued
21 for vehicles owned solely or jointly by such person. The license
22 plate authorized by this section shall be issued with a design
23 approved by both the board and the director of revenue. The
24 bidding process used to select a vendor for the material to
25 manufacture the license plates authorized by this section shall

1 consider the aesthetic appearance of the plate. A vehicle owner,
2 who was previously issued a plate with [an emblem] a logo
3 authorized by this section and who does not provide [an emblem] a
4 logo use authorization statement at a subsequent time of
5 registration, shall be issued a new plate which does not bear the
6 [emblem] logo, as otherwise provided by law. Any contribution to
7 the board derived from this section shall be deposited in the
8 state treasury to the credit of the children's trust fund
9 established in section 210.173, RSMo.

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

20 301.469. 1. Any vehicle owner may receive license plates
21 as prescribed in this section, for any motor vehicle such person
22 owns, either solely or jointly, other than an apportioned motor
23 vehicle or a commercial motor vehicle licensed in excess of
24 eighteen thousand pounds gross weight, after an annual payment of
25 an emblem-use authorization fee to the Missouri conservation

1 heritage foundation. The foundation hereby authorizes the use of
2 its official emblems to be affixed on multiyear [personalized]
3 license plates as provided in this section. Any vehicle owner
4 may annually apply for the use of the emblems.

5 2. Upon annual application and payment of a twenty-five
6 dollar emblem-use authorization fee to the Missouri conservation
7 heritage foundation, the foundation shall issue to the vehicle
8 owner, without further charge, an emblem-use authorization
9 statement, which shall be presented to the director of the
10 department of revenue at the time of registration of a motor
11 vehicle.

12 3. Upon presentation of the annual statement, payment of a
13 fifteen dollar fee in addition to the regular registration fees
14 and documents which may be required by law, the director of the
15 department of revenue shall issue a [personalized] license plate,
16 which shall bear an emblem of the Missouri conservation heritage
17 foundation in a form prescribed by the director, to the vehicle
18 owner. Such license plates shall be made with fully reflective
19 material with a common color scheme and design, shall be clearly
20 visible at night, and shall be aesthetically attractive, as
21 prescribed by section 301.130. Notwithstanding the provisions of
22 section 301.144, no additional fee shall be charged for the
23 personalization of license plates pursuant to this section.

24 4. A vehicle owner, who was previously issued a plate with
25 a Missouri conservation heritage foundation emblem authorized by

1 this section but who does not provide an emblem-use authorization
2 statement at a subsequent time of registration, shall be issued a
3 new plate which does not bear the foundation emblem, as otherwise
4 provided by law.

5 5. The director of the department of revenue may promulgate
6 rules and regulations for the administration of this section.

7 Any rule or portion of a rule, as that term is defined in section
8 536.010, RSMo, that is promulgated under the authority delegated
9 in this section shall become effective only if it has been
10 promulgated pursuant to the provisions of chapter 536, RSMo. All
11 rulemaking authority delegated prior to August 28, 1999, is of no
12 force and effect; however, nothing in this section shall be
13 interpreted to repeal or affect the validity of any rule filed or
14 adopted prior to August 28, 1999, if it fully complied with the
15 provisions of chapter 536, RSMo. This section and chapter 536,
16 RSMo, are nonseverable and if any of the powers vested with the
17 general assembly pursuant to chapter 536, RSMo, to review, to
18 delay the effective date or to disapprove and annul a rule are
19 subsequently held unconstitutional, then the grant of rulemaking
20 authority and any rule proposed or adopted after August 28, 1999,
21 shall be invalid and void.

22 301.562. 1. The department may refuse to issue or renew
23 any license required pursuant to sections 301.550 to 301.573 for
24 any one or any combination of causes stated in subsection 2 of
25 this section. The department shall notify the applicant or

1 licensee in writing at his last known address of the reasons for
2 the refusal to issue or renew the license and shall advise the
3 applicant or licensee of his right to appeal the decision of the
4 department as provided in chapter 536, RSMo.

5 2. The department may take such disciplinary action as
6 provided in subsection 3 of this section upon a written notice
7 and an opportunity to be heard in substantially the same manner
8 as provided in chapter 536, RSMo, against any holder of any
9 license issued under sections 301.550 to 301.573 for any one or
10 any combination of the following causes:

11 (1) The applicant or license holder was previously the
12 holder of a license issued under sections 301.550 to 301.573,
13 which license was revoked for cause and never reissued by the
14 department, or which license was suspended for cause and the
15 terms of suspension have not been fulfilled;

16 (2) The applicant or license holder was previously a
17 partner, stockholder, director or officer controlling or managing
18 a partnership or corporation whose license issued under sections
19 301.550 to 301.573 was revoked for cause and never reissued or
20 was suspended for cause and the terms of suspension have not been
21 fulfilled;

22 (3) The applicant or license holder has, within ten years
23 prior to the date of the application, been finally adjudicated
24 and found guilty, or entered a plea of guilty or nolo contendere,
25 in a [criminal] prosecution under the laws of any state or of the

1 United States, for any offense reasonably related to the
2 qualifications, functions or duties of any business licensed
3 under sections 301.550 to 301.573; for any offense, an essential
4 element of which is fraud, dishonesty or an act of violence; or
5 for any offense involving moral turpitude, whether or not
6 sentence is imposed;

7 (4) Use of fraud, deception, misrepresentation or bribery
8 in securing any license issued pursuant to sections 301.550 to
9 301.573;

10 (5) Obtaining or attempting to obtain any money,
11 commission, fee, barter, exchange or other compensation by fraud,
12 deception or misrepresentation;

13 (6) Violation of, or assisting or enabling any person to
14 violate any provisions of [sections 301.550 to 301.573] this
15 chapter and chapters 306, 307, 407, 578, and 643, RSMo, or of any
16 lawful rule or regulation adopted pursuant to [sections 301.550
17 to 301.573] this chapter and chapters 306, 307, 407, 578, and
18 643, RSMo;

19 (7) The applicant or license holder has filed an
20 application for a license which, as of its effective date, was
21 incomplete in any material respect or contained any statement
22 which was, in light of the circumstances under which it was made,
23 false or misleading with respect to any material fact;

24 (8) The applicant or license holder has failed to pay the
25 proper application or license fee or other fees required pursuant

1 to this chapter or chapter 306, RSMo, or fails to establish or
2 maintain a bona fide place of business;

3 (9) Uses or permits the use of any special license or
4 license plate assigned to him for any purpose other than those
5 permitted by law;

6 (10) The applicant or license holder is finally adjudged
7 insane or incompetent by a court of competent jurisdiction;

8 (11) Use of any advertisement or solicitation which is
9 false;

10 (12) Violations of sections [301.550 to 301.573 or
11 violations of this chapter, sections] 407.511 to 407.556, RSMo,
12 section 578.120, RSMo, which resulted in a [felony] conviction or
13 finding of guilt or violation of any federal motor vehicle laws
14 which result in a [felony] conviction or finding of guilt.

15 3. Upon a finding by the department that the grounds,
16 provided in subsection 2 of this section, for disciplinary action
17 are met, the department may refuse to issue the person a license,
18 issue a private reprimand, place the person on probation on such
19 terms and conditions as the department deems appropriate for a
20 period of one day to five years, suspend the person's license
21 from one day to six days, or revoke the person's license for such
22 period as the department deems appropriate. The applicant or
23 licensee shall have the right to appeal the decision of the
24 department in the manner provided in chapter 536, RSMo.

25 4. Upon the suspension or revocation of any person's

1 license issued under sections 301.550 to 301.573, the department
2 shall recall any distinctive number plates that were issued to
3 that licensee.

4 301.566. 1. A motor vehicle dealer may participate in any
5 motor vehicle show or sale and conduct sales of motor vehicles
6 away from the dealer's usual, licensed place of business if
7 either the requirements of subsection 2 or 3 of this section are
8 met or the event is conducted for not more than ten days, and if
9 a majority of the motor vehicle dealers within a class of dealers
10 described pursuant to subsection 3 of section 301.550 in a city
11 or town participate or are invited and have the opportunity to
12 participate in the event, except that a recreational motor
13 vehicle dealer classified in subdivision (5) of subsection 3 of
14 section 301.550 may participate in such a show or sale even if a
15 majority of recreational motor vehicle dealers in a city or town
16 do not participate in the event. The department shall consider
17 such events to be proper in all respects and as if each dealer
18 participant was conducting business at the dealer's usual
19 business location. Nothing contained in this section shall be
20 construed as applying to the sale of motor vehicles or trailers
21 through either a wholesale motor vehicle auction or public motor
22 vehicle auction.

23 2. Any person, partnership, corporation or association
24 disposing of vehicles used and titled solely in its ordinary
25 course of business as provided in section 301.570 may sell at

1 retail such vehicles away from that person's bona fide
2 established place of business, thus constituting an off-site
3 sale, by adhering to each of the following conditions with regard
4 to each and every off-site sale conducted:

5 (1) Have in effect a valid license, pursuant to sections
6 301.550 to 301.575, from the department for the sale of used
7 motor vehicles;

8 (2) No off-site sale may exceed ten days in duration, and
9 only one sale may be held per year, per county, in counties of
10 the third and fourth classification;

11 (3) Pay to the motor vehicle commission fund, pursuant to
12 section 301.560, a permit fee of two hundred fifty dollars for
13 each off-site sale event;

14 (4) Advise the department, at least ten days prior to the
15 sale, of the date, location and duration of each off-site sale;

16 (5) The sale of vehicles at off-site sales shall be limited
17 to sales by a seller of vehicles used and titled solely in its
18 ordinary course of business, and such sales shall be held in
19 conjunction with a credit union and limited to members of the
20 credit union, thus constituting a private sale to be advertised
21 to members only;

22 (6) Off-site sales by a seller of vehicles used and titled
23 solely in its ordinary course of business may also be held in
24 conjunction with other financial institutions provided that any
25 such sale event shall be held on the premises of the financial

1 institution, and sales shall be limited to persons who were
2 customers of the financial institution prior to the date of the
3 sale event. Off-site sales held with such other financial
4 institutions shall be limited to one sale per year per
5 institution;

6 (7) The sale of motor vehicles which have the designation
7 of the current model year, except discontinued models, is
8 prohibited at off-site sales until subsequent model year
9 designated vehicles of the same manufacture and model are offered
10 for sale to the public.

11 3. A recreational vehicle dealer, as that term is defined
12 in section 700.010, RSMo, who is licensed in another state may
13 participate in recreational vehicle shows or exhibits with
14 recreational vehicles within this state, in which less than fifty
15 dealers participate as exhibitors with permission of the dealer's
16 licensed manufacturer if all of the following conditions exist:

17 (1) The show or exhibition has a minimum of ten
18 recreational vehicle dealers licensed as motor vehicle dealers in
19 this state;

20 (2) More than fifty percent of the participating
21 recreational vehicle dealers are licensed motor vehicle dealers
22 in this state; and

23 (3) The state in which the recreational vehicle is licensed
24 is a state contiguous to Missouri and the state permits
25 recreational vehicle dealers licensed in Missouri to participate

1 in recreational vehicle shows in such state pursuant to
2 conditions substantially equivalent to the conditions which are
3 imposed on dealers from such state who participate in
4 recreational vehicle shows in Missouri.

5 4. A recreational vehicle dealer licensed in another state
6 may participate in a vehicle show or exhibition in Missouri which
7 has, when it opens to the public, at least fifty dealers
8 displaying recreational vehicles if the show or exhibition is
9 trade-oriented and is predominantly funded by recreational
10 vehicle manufacturers. All of the participating dealers who are
11 not licensed in Missouri shall be licensed as recreational
12 vehicle dealers by the state of their residence.

13 5. A recreational vehicle dealer licensed in another state
14 who intends to participate in a vehicle show or exhibition in
15 this state, shall send written notification of such intended
16 participation to the department of revenue at least thirty days
17 prior to the vehicle show or exhibition. Upon receipt of such
18 written notification, the department of revenue shall make a
19 determination regarding compliance with the provisions of this
20 section. If such recreational vehicle dealer would be unable to
21 participate in the vehicle show or exhibition in this state
22 pursuant to this section, the department of revenue shall notify
23 the recreational vehicle dealer at least fifteen days prior to
24 the vehicle show or exhibition of the inability to participate in
25 the vehicle show or exhibition in this state.

1 6. The department of revenue may assess a fine of up to one
2 thousand dollars for any violation of this section.

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

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

23 3. A certificate of ownership issued in beneficiary form
24 shall include after the name of the owner, or after the names of
25 multiple owners, the words "transfer on death to" or the

1 abbreviation "TOD" followed by the name of the beneficiary or
2 beneficiaries.

3 4. (1) During the lifetime of a sole owner and during the
4 lifetime of all multiple owners, the signature or consent of the
5 beneficiary or beneficiaries shall not be required for any
6 transaction relating to the motor vehicle or trailer for which a
7 certificate of ownership in beneficiary form has been issued.

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

12 (a) By a sale of the motor vehicle or trailer with proper
13 assignment and delivery of the certificate of ownership to
14 another person; or

15 (b) By filing an application to reissue the certificate of
16 ownership with no designation of a beneficiary or with the
17 designation of a different beneficiary or beneficiaries with the
18 director of revenue in proper form and accompanied by the payment
19 of the fee for an original certificate of ownership.

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

25 (4) The designation of a beneficiary or beneficiaries in a

1 certificate of ownership issued in beneficiary form may not be
2 changed or revoked by a will, any other instrument, or a change
3 in circumstances, or otherwise be changed or revoked except as
4 provided by subdivision (2) of this subsection.

5 5. (1) On proof of death of one of the owners of two or
6 more multiple owners, or of a sole owner, surrender of the
7 outstanding certificate of ownership, and on application and
8 payment of the fee for an original certificate of ownership, the
9 director of revenue shall issue a new certificate of ownership
10 for the motor vehicle or trailer to the surviving owner or owners
11 or, if none, to the surviving beneficiary or beneficiaries,
12 subject to any outstanding security interest; and the current
13 valid certificate of number shall be so transferred. If the
14 surviving beneficiary or beneficiaries make a request of the
15 director of revenue, the director may allow the beneficiary or
16 beneficiaries to make one assignment of title.

17 (2) The director of revenue may rely on a death certificate
18 or record or report that constitutes prima facie proof or
19 evidence of death under subdivisions (1) and (2) of section
20 472.290, RSMo.

21 (3) The transfer of a motor vehicle or trailer at death
22 pursuant to this section is effective by reason of sections
23 301.675 to 301.682 and sections 306.455 to 306.465, RSMo, and is
24 not to be considered as testamentary, or to be subject to the
25 requirements of section 473.087, RSMo, or section 474.320, RSMo.

1 301.2999. 1. No specialized license plate shall be issued
2 after January 1, 2002, by the director of revenue which proposes
3 to raise revenue or funds for an organization which authorizes
4 the use of its emblem for a fee unless such organization:

5 (1) Is a governmental entity; or

6 (2) Is an organization registered pursuant to section
7 501(c) of the 1986 Internal Revenue Code, as amended, or an
8 equivalent law which applies to such not-for-profit entity.

9 2. Any organization which raises revenues or funds through
10 the sponsorship of specialized license plates issued pursuant to
11 the provisions of this chapter enacted prior to January 1, 2002,
12 shall have until January 1, 2004, to comply with the provisions
13 of this section. The director shall verify that all
14 organizations that are paid fees for the use of their emblems for
15 specialized license plates are complying with the provisions of
16 this section. The director shall require all organizations which
17 receive revenues for or funds for the use of their emblems to
18 verify their status as a governmental entity or a qualified
19 not-for-profit organization as provided in subsection 1 of this
20 section, in a format prescribed by the director. Any specialized
21 license plates issued prior to January 1, 2004, shall remain
22 valid for the period in which they were registered, regardless of
23 the status of the sponsoring organization.

24 3. Any moneys received by an organization authorizing the
25 use of its emblem or insignia for a specialized license plate

1 shall only be used by such organization to carry out the
2 organization's charitable mission. Such moneys shall not be used
3 for salaries or any administrative costs of the organization. No
4 individual member of any organization authorizing the use of its
5 emblem or insignia for a specialized license plate shall derive
6 any personal pecuniary gain from any fees the organization
7 collects.

8 4. The director of revenue shall not authorize the
9 manufacture of the material to produce such specialized license
10 plates with the individual seal, logo, or emblem until such time
11 the director has received [one] two hundred applications for such
12 plates[. An organization shall be exempt from the provisions of
13 this subsection if it] and the organization deposits with the
14 department of revenue [the actual cost of producing the initial
15 issuance of such plates and the director receives at least ten
16 applications for such plates] a fee of up to five thousand
17 dollars to defray the cost for issuing, developing and
18 programming the implementation of the specialty plate.

19 5. The provisions of this section shall not apply to any
20 special license plates which bears the emblem or insignia of a
21 branch of the U.S. military or a military organization.

22 301.3032. 1. Any person, after an annual payment of an
23 emblem-use authorization fee to a Missouri chapter of the March
24 of Dimes, may receive special license plates for any vehicle the
25 member owns, either solely or jointly, other than an apportioned

1 motor vehicle or a commercial motor vehicle licensed in excess of
2 eighteen thousand pounds gross weight. The March of Dimes hereby
3 authorizes the use of its official emblem to be affixed on
4 multiyear personalized license plates within the plate area
5 prescribed by the director of revenue and as provided in this
6 section. Any contribution to a Missouri chapter of the March of
7 Dimes derived from this section, except reasonable administrative
8 costs, shall be used solely for the purposes of the March of
9 Dimes. Any person may annually apply for the use of the emblem.

10 2. Upon annual application and payment of a twenty-five
11 dollar emblem-use contribution to a Missouri chapter of the March
12 of Dimes, the March of Dimes shall issue to the vehicle owner,
13 without further charge, an "emblem-use authorization statement",
14 which shall be presented by the vehicle owner to the director of
15 revenue at the time of registration. Upon presentation of the
16 annual statement and payment of a fifteen dollar fee in addition
17 to the regular registration fees, and presentation of any
18 documents which may be required by law, the director of revenue
19 shall issue to the vehicle owner a special license plate which
20 shall bear the emblem of the March of Dimes and the words "MARCH
21 OF DIMES" in place of the words "SHOW-ME STATE". Such license
22 plates shall be made with fully reflective material with a common
23 color scheme and design of the standard license plate, shall be
24 clearly visible at night, shall have a reflective white
25 background in the area of the plate configuration, and shall be

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

5 3. A vehicle owner who was previously issued a plate with
6 the March of Dimes emblem authorized by this section, but who
7 does not provide an emblem-use authorization statement at a
8 subsequent time of registration, shall be issued a new plate
9 which does not bear the March of Dimes emblem, as otherwise
10 provided by law. The director of revenue shall make necessary
11 rules and regulations for the enforcement of this section, and
12 shall design all necessary forms required by this section.

13 301.3074. 1. Any member of the National Association for
14 the Advancement of Colored People, after an annual payment of an
15 emblem-use authorization fee to any branch office of the National
16 Association for the Advancement of Colored People located within
17 Missouri, may receive special license plates for any vehicle the
18 member owns, either solely or jointly, other than an apportioned
19 motor vehicle or a commercial motor vehicle licensed in excess of
20 eighteen thousand pounds gross weight. The National Association
21 for the Advancement of Colored People hereby authorizes the use
22 of its official emblem to be affixed on multiyear personalized
23 license plates within the plate area prescribed by the director
24 of revenue and as provided in this section. Any contribution to
25 the National Association for the Advancement of Colored People

1 derived from this section, except reasonable administrative
2 costs, shall be used solely for the purposes of the National
3 Association for the Advancement of Colored People. Any member of
4 the National Association for the Advancement of Colored People
5 may annually apply for the use of the emblem.

6 2. Upon annual application and payment of a twenty-five
7 dollar emblem-use contribution to any branch office of the
8 National Association for the Advancement of Colored People
9 located within Missouri, the National Association for the
10 Advancement of Colored People shall issue to the vehicle owner,
11 without further charge, an "emblem-use authorization statement",
12 which shall be presented by the vehicle owner to the director of
13 revenue at the time of registration. Upon presentation of the
14 annual statement and payment of a fifteen dollar fee in addition
15 to the regular registration fees, and presentation of any
16 documents which may be required by law, the director of revenue
17 shall issue to the vehicle owner a special license plate which
18 shall bear the emblem of the National Association for the
19 Advancement of Colored People and the letters "NAACP" in place
20 of the words "SHOW-ME STATE". Such license plates shall be made
21 with fully reflective material with a common color scheme and
22 design of the standard license plate, shall be clearly visible at
23 night, shall have a reflective white background in the area of
24 the plate configuration, and shall be aesthetically attractive,
25 as prescribed by section 301.130. Notwithstanding the provisions

1 of section 301.144, no additional fee shall be charged for the
2 personalization of license plates pursuant to this section.

3 3. A vehicle owner who was previously issued a plate with
4 the National Association for the Advancement of Colored People
5 emblem authorized by this section, but who does not provide an
6 emblem-use authorization statement at a subsequent time of
7 registration, shall be issued a new plate which does not bear the
8 National Association for the Advancement of Colored People
9 emblem, as otherwise provided by law. The director of revenue
10 shall make necessary rules and regulations for the enforcement of
11 this section, and shall design all necessary forms required by
12 this section.

13 301.3079. 1. Any person, after an annual payment of an
14 emblem-use authorization fee to the Missouri Farm Bureau, may
15 receive special license plates for any vehicle the member owns,
16 either solely or jointly, other than an apportioned motor vehicle
17 or a commercial motor vehicle licensed in excess of eighteen
18 thousand pounds gross weight. The Missouri Farm Bureau hereby
19 authorizes the use of the Missouri "Agriculture in the Classroom"
20 official emblem to be affixed on multiyear personalized license
21 plates within the plate area prescribed by the director of
22 revenue and as provided in this section. All moneys received by
23 the Missouri Farm Bureau pursuant to this section shall be used
24 solely to fund Missouri's Agriculture in the Classroom program
25 and to further the mission of such program. Any person may

1 annually apply for the use of the emblem.

2 2. Upon annual application and payment of a twenty-five
3 dollar emblem-use contribution to Missouri Farm Bureau, the
4 Missouri Farm Bureau shall issue to the vehicle owner, without
5 further charge, an "emblem-use authorization statement", which
6 shall be presented by the vehicle owner to the director of
7 revenue at the time of registration. Upon presentation of the
8 annual statement and payment of a fifteen dollar fee in addition
9 to the regular registration fees, and presentation of any
10 documents which may be required by law, the director of revenue
11 shall issue to the vehicle owner a special license plate which
12 shall bear the emblem of the Missouri Agriculture in the
13 Classroom program and the words "MISSOURI AGRICULTURE" in place
14 of the words "SHOW-ME STATE". Such license plates shall be made
15 with fully reflective material with a common color scheme and
16 design of the standard license plate, shall be clearly visible at
17 night, shall have a reflective white background in the area of
18 the plate configuration, and shall be aesthetically attractive,
19 as prescribed by section 301.130. Notwithstanding the provisions
20 of section 301.144, no additional fee shall be charged for the
21 personalization of license plates pursuant to this section.

22 3. A vehicle owner who was previously issued a plate with
23 an emblem authorized by this section, but who does not provide an
24 emblem-use authorization statement at a subsequent time of
25 registration, shall be issued a new plate which does not bear

1 such emblem, as otherwise provided by law. The director of
2 revenue shall make necessary rules and regulations for the
3 enforcement of this section, and shall design all necessary forms
4 required by this section.

5 301.3098. 1. Any member of the Kingdom of Calontir may
6 receive special license plates as prescribed by this section, for
7 any motor vehicle such person owns, either solely or jointly,
8 other than an apportioned motor vehicle or a commercial motor
9 vehicle licensed in excess of eighteen thousand pounds gross
10 weight, after an annual payment of an emblem-use authorization
11 fee to the Kingdom of Calontir, a subdivision of the Society for
12 Creative Anachronism, of which the person is a member. The
13 Kingdom of Calontir hereby authorizes the use of its official
14 emblem to be affixed on multiyear personalized license plates as
15 provided in this section. Any contribution to the Kingdom of
16 Calontir derived from this section, except reasonable
17 administrative costs, shall be used solely for the purposes of
18 the Kingdom of Calontir. Any member of the Kingdom of Calontir
19 may annually apply for the use of the emblem.

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

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

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

25 301.3106. 1. Any individual who is a former legislator of

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

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

22 3. No more than two sets of license plates shall be issued
23 pursuant to this section to a qualified applicant. License
24 plates issued pursuant to this section shall not be transferable
25 to any other person except that any registered co-owner of the

1 motor vehicle shall be entitled to operate the motor vehicle with
2 such plates for the duration of the year licensed in the event of
3 the death of the qualified person. The director of revenue shall
4 make necessary rules and regulations for the administration of
5 this section, and shall design all necessary forms required by
6 this section. Any rule or portion of a rule, as that term is
7 defined in section 536.010, RSMo, that is created under the
8 authority delegated in this section shall become effective only
9 if it complies with and is subject to all of the provisions of
10 chapter 536, RSMo, and, if applicable, section 536.028, RSMo.
11 This section and chapter 536, RSMo, are nonseverable and if any
12 of the powers vested with the general assembly pursuant to
13 chapter 536, RSMo, to review, to delay the effective date, or to
14 disapprove and annul a rule are subsequently held
15 unconstitutional, then the grant of rulemaking authority and any
16 rule proposed or adopted after August 28, 2004, shall be invalid
17 and void.

18 301.3122. 1. Any person may receive special license plates
19 as prescribed by this section, for any motor vehicle such person
20 owns, either solely or jointly, other than an apportioned motor
21 vehicle or a commercial motor vehicle licensed in excess of
22 eighteen thousand pounds gross weight, after an annual
23 contribution of an emblem-use authorization fee to the Friends of
24 Kids with Cancer. The Friends of Kids with Cancer hereby
25 authorizes the use of its official emblem to be affixed on multi-

1 year personalized license plates as provided in this section.

2 Any person may annually apply for the use of the emblem.

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

22 3. A vehicle owner, who was previously issued a plate with
23 the Friends of Kids with Cancer emblem authorized by this section
24 but who does not provide an emblem-use authorization statement at
25 a subsequent time of registration, shall be issued a new plate

1 which does not bear the Friends of Kids with Cancer emblem, as
2 otherwise provided by law.

3 4. The director of revenue shall make necessary rules and
4 regulations for the administration of this section, and shall
5 design all necessary forms required by this section. Any rule or
6 portion of a rule, as that term is defined in section 536.010,
7 RSMo, that is created under the authority delegated in this
8 section shall become effective only if it complies with and is
9 subject to all of the provisions of chapter 536, RSMo, and, if
10 applicable, section 536.028, RSMo. This section and chapter 536,
11 RSMo, are nonseverable and if any of the powers vested with the
12 general assembly pursuant to chapter 536, RSMo, to review, to
13 delay the effective date, or to disapprove and annul a rule are
14 subsequently held unconstitutional, then the grant of rulemaking
15 authority and any rule proposed or adopted after August 28, 2004,
16 shall be invalid and void.

17 301.3124. 1. Any person may receive special license plates
18 as prescribed by this section for any motor vehicle such person
19 owns, either solely or jointly, other than an apportioned motor
20 vehicle or a commercial motor vehicle licensed in excess of
21 eighteen thousand pounds gross weight, after an annual payment of
22 an emblem-use authorization fee to Special Olympics Missouri.
23 Special Olympics Missouri hereby authorizes the use of its
24 official emblem to be affixed on multiyear personalized license
25 plates as provided in this section.

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

21 3. A vehicle owner, who was previously issued a plate with
22 the Special Olympics Missouri emblem authorized by this section
23 but who does not provide an emblem-use authorization statement at
24 a subsequent time of registration, shall be issued a new plate
25 which does not bear the Special Olympics Missouri emblem, as

1 otherwise provided by law. The director of revenue shall make
2 necessary rules and regulations for the administration of this
3 section, and shall design all necessary forms required by this
4 section. Any rule or portion of a rule, as that term is defined
5 in section 536.010, RSMo, that is created under the authority
6 delegated in this section shall become effective only if it
7 complies with and is subject to all of the provisions of chapter
8 536, RSMo, and, if applicable, section 536.028, RSMo. This
9 section and chapter 536, RSMo, are nonseverable and if any of the
10 powers vested with the general assembly pursuant to chapter 536,
11 RSMo, to review, to delay the effective date, or to disapprove
12 and annul a rule are subsequently held unconstitutional, then the
13 grant of rulemaking authority and any rule proposed or adopted
14 after August 28, 2004, shall be invalid and void.

15 301.3125. 1. Any vehicle owner may apply for "Be An Organ
16 Donor" special personalized license plates for any motor vehicle
17 the person owns, either solely or jointly, other than an
18 apportioned motor vehicle or a commercial motor vehicle licensed
19 in excess of eighteen thousand pounds gross weight. Upon making
20 a twenty-five dollar annual contribution to the Organ Donor
21 Program Fund, established pursuant to section 194.297, RSMo, the
22 vehicle owner may apply for the "Be An Organ Donor" plate. If
23 the contribution is made directly to the state treasurer, the
24 state treasurer shall issue the individual making the
25 contribution a receipt, verifying the contribution, that may be

1 used to apply for the "Be An Organ Donor" license plate. If the
2 contribution is made directly to the director of revenue, the
3 director shall note the contribution and the owner may then apply
4 for the "Be An Organ Donor" plate. The applicant for such plate
5 must pay a fifteen dollar fee in addition to the regular
6 registration fees and present any other documentation required by
7 law for each set of "Be An Organ Donor" plates issued pursuant to
8 this section. Notwithstanding the provisions of section 301.144,
9 no additional fee shall be charged for the personalization of
10 license plates issued pursuant to this section.

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

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

22 4. A vehicle owner, who was previously issued a plate with
23 the words "BE AN ORGAN DONOR" authorized by this section but who
24 does not present a contribution receipt or make a contribution to
25 the Organ Donor Program Fund at a subsequent time of

1 registration, shall be issued a new plate which does not bear the
2 words "BE AN ORGAN DONOR", as otherwise provided by law.

3 5. The director of revenue may promulgate rules and
4 regulations for the administration of this section. Any rule or
5 portion of a rule, as that term is defined in section 536.010,
6 RSMo, that is created under the authority delegated in this
7 section shall become effective only if it complies with and is
8 subject to all of the provisions of chapter 536, RSMo, and, if
9 applicable, section 536.028, RSMo. This section and chapter 536,
10 RSMo, are nonseverable and if any of the powers vested with the
11 general assembly pursuant to chapter 536, RSMo, to review, to
12 delay the effective date, or to disapprove and annul a rule are
13 subsequently held unconstitutional, then the grant of rulemaking
14 authority and any rule proposed or adopted after August 28, 2004,
15 shall be invalid and void.

16 301.3126. 1. Any member of the Missouri Foxtrotting Horse
17 Breed Association may receive special license plates as
18 prescribed by this section, for any motor vehicle such person
19 owns, either solely or jointly, other than an apportioned motor
20 vehicle or a commercial motor vehicle licensed in excess of
21 eighteen thousand pounds gross weight, after an annual payment of
22 an emblem-use authorization fee to the Missouri Foxtrotting Horse
23 Breed Association of which the person is a member. The Missouri
24 Foxtrotting Horse Breed Association hereby authorizes the use of
25 its official emblem to be affixed on multiyear personalized

1 license plates as provided in this section. Any contribution to
2 the Missouri Foxtrotting Horse Breed Association derived from
3 this section, except reasonable administrative costs, shall be
4 used solely for the purposes of the Missouri Foxtrotting Horse
5 Breed Association. Any member of the Missouri Foxtrotting Horse
6 Breed Association may annually apply for the use of the emblem.

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

1 3. A vehicle owner, who was previously issued a plate with
2 the Missouri Foxtrotting Horse Breed Association emblem
3 authorized by this section but who does not provide an emblem-use
4 authorization statement at a subsequent time of registration,
5 shall be issued a new plate which does not bear the Missouri
6 Foxtrotting Horse Breed Association emblem, as otherwise provided
7 by law. The director of revenue shall make necessary rules and
8 regulations for the administration of this section, and shall
9 design all necessary forms required by this section. Any rule or
10 portion of a rule, as that term is defined in section 536.010,
11 RSMo, that is created under the authority delegated in this
12 section shall become effective only if it complies with and is
13 subject to all of the provisions of chapter 536, RSMo, and, if
14 applicable, section 536.028, RSMo. This section and chapter 536,
15 RSMo, are nonseverable and if any of the powers vested with the
16 general assembly pursuant to chapter 536, RSMo, to review, to
17 delay the effective date, or to disapprove and annul a rule are
18 subsequently held unconstitutional, then the grant of rulemaking
19 authority and any rule proposed or adopted after August 28, 2004,
20 shall be invalid and void.

21 301.3128. 1. Any person, as defined by subsection 3 of
22 this section, may apply for special license plates for any motor
23 vehicle such person owns, either solely or jointly, other than an
24 apportioned motor vehicle or a commercial motor vehicle licensed
25 in excess of eighteen thousand pounds gross weight. Any person

1 desiring a special license plate as provided by this section
2 shall make an application for the special license plates on a
3 form provided by the director of revenue and furnish proof of
4 eligibility as the director may require.

5 2. Upon payment of a fifteen dollar fee in addition to the
6 registration fee and other documents which may be required by
7 law, the department of revenue shall issue to the vehicle owner a
8 personalized license plate which shall bear an insignia depicting
9 a yellow rose superimposed over the outline of a badge and shall
10 bear the words "TO PROTECT AND SERVE" in the place of the words
11 "SHOW-ME STATE". Such license plates shall be made with fully
12 reflective material with a common color scheme and design, shall
13 be clearly visible at night, and shall be aesthetically
14 attractive, as prescribed by section 301.130. Notwithstanding
15 the provisions of section 301.144, no additional fee shall be
16 charged for the personalization of license plates pursuant to
17 this section.

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

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

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

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

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

5 6. The director of revenue shall make necessary rules and
6 regulations for the administration of this section, and shall
7 design all necessary forms required by this section. Any rule or
8 portion of a rule, as that term is defined in section 536.010,
9 RSMo, that is created under the authority delegated in this
10 section shall become effective only if it complies with and is
11 subject to all of the provisions of chapter 536, RSMo, and, if
12 applicable, section 536.028, RSMo. This section and chapter 536,
13 RSMo, are nonseverable and if any of the powers vested with the
14 general assembly pursuant to chapter 536, RSMo, to review, to
15 delay the effective date, or to disapprove and annul a rule are
16 subsequently held unconstitutional, then the grant of rulemaking
17 authority and any rule proposed or adopted after August 28, 2004,
18 shall be invalid and void.

19 301.3130. 1. Any member of the Missouri Association of
20 State Troopers Emergency Relief Society, after an annual payment
21 of an emblem-use authorization fee to the Missouri Association of
22 State Troopers Emergency Relief Society, may receive special
23 license plates for any vehicle the member owns, either solely or
24 jointly, other than an apportioned motor vehicle or a commercial
25 motor vehicle licensed in excess of eighteen thousand pounds

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

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

1 license plates shall be made with fully reflective material with
2 a common color scheme and design of the standard license plate,
3 shall be clearly visible at night, shall have a reflective white
4 background in the area of the plate configuration, and shall be
5 aesthetically attractive, as prescribed by section 301.130.
6 Notwithstanding the provisions of section 301.144, no additional
7 fee shall be charged for the personalization of license plates
8 pursuant to this section.

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

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

1 delay the effective date, or to disapprove and annul a rule are
2 subsequently held unconstitutional, then the grant of rulemaking
3 authority and any rule proposed or adopted after August 28, 2004,
4 shall be invalid and void.

5 301.3131. 1. Any member of Optimist International may
6 receive special license plates as prescribed by this section, for
7 any motor vehicle such person owns, either solely or jointly,
8 other than an apportioned motor vehicle or a commercial motor
9 vehicle licensed in excess of eighteen thousand pounds gross
10 weight, after an annual payment of an emblem-use authorization
11 fee to Optimist International of which the person is a member.
12 Optimist International hereby authorizes the use of its official
13 emblem to be affixed on multiyear personalized license plates as
14 provided in this section. Any contribution to Optimist
15 International derived from this section, except reasonable
16 administrative costs, shall be used solely for the purposes of
17 Optimist International. Any member of Optimist International may
18 annually apply for the use of the emblem.

19 2. Upon annual application and payment of a twenty-five
20 dollar emblem-use contribution to Optimist International, the
21 organization shall issue to the vehicle owner, without further
22 charge, an emblem-use authorization statement, which shall be
23 presented by the owner to the department of revenue at the time
24 of registration of a motor vehicle. Upon presentation of the
25 annual statement, payment of a fifteen dollar fee in addition to

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

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

24 301.3132. 1. Any member designated by the Missouri Society
25 of Professional Engineers may receive special license plates as

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

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

1 department of revenue shall issue to the vehicle owner a
2 personalized license plate which shall bear the emblem of the
3 Missouri Society of Professional Engineers and the words
4 "MISSOURI SOCIETY OF PROFESSIONAL ENGINEERS" in place of "SHOW-ME
5 STATE". Such license plates shall be made with fully reflective
6 material with a common color scheme and design, shall be clearly
7 visible at night, and shall be aesthetically attractive, as
8 prescribed by section 301.130. Notwithstanding the provisions of
9 section 301.144, no additional fee shall be added for the
10 personalization of license plates issued pursuant to this
11 section.

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

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

1 536, RSMo, and, if applicable, section 536.028, RSMo. This
2 section and chapter 536, RSMo, are nonseverable and if any of the
3 powers vested with the general assembly pursuant to chapter 536,
4 RSMo, to review, to delay the effective date, or to disapprove
5 and annul a rule are subsequently held unconstitutional, then the
6 grant of rulemaking authority and any rule proposed or adopted
7 after August 28, 2004, shall be invalid and void.

8 301.3133. 1. Any vehicle owner, after an annual
9 contribution to the Missouri Travel Council, may receive special
10 license plates commemorating the bicentennial anniversary of the
11 Lewis and Clark expedition for any vehicle the member owns,
12 either solely or jointly, other than an apportioned motor vehicle
13 or a commercial motor vehicle licensed in excess of eighteen
14 thousand pounds gross weight. The Missouri Travel Council, in
15 conjunction with the department of revenue, shall design the
16 Lewis and Clark bicentennial special license plate. The
17 background of the plate shall depict a full-color image, covering
18 the entire plate, and lightened across two-thirds of the area so
19 as not to hinder the readability of the license plate
20 registration number. Such license plates shall be made with
21 fully reflective material, shall be clearly visible at night, and
22 shall be aesthetically attractive, as prescribed by section
23 301.130.

24 2. Upon making a twenty-five dollar contribution to the
25 Missouri Travel Council, the motor vehicle owner may apply for

1 the special license plate commemorating the bicentennial
2 anniversary of the Lewis and Clark expedition. If the
3 contribution is made directly to the Missouri Travel Council, the
4 Missouri Travel Council shall issue the individual making the
5 contribution a receipt, verifying the contribution, that may be
6 used to apply for the Lewis and Clark special license plate. If
7 the contribution is made directly to the director of revenue, the
8 director shall note the contribution and the owner may then apply
9 for the Lewis and Clark plate. The applicant for such special
10 license plate must pay a fifteen dollar fee in addition to the
11 regular registration fees and present any other documentation
12 required by law for each set of Lewis and Clark plates issued
13 pursuant to this section. Notwithstanding the provisions of
14 section 301.144, no additional fee shall be charged for the
15 personalization of license plates issued pursuant to this
16 section.

17 3. The director of revenue may promulgate rules and
18 regulations for the administration of this section. Any rule or
19 portion of a rule, as that term is defined in section 536.010,
20 RSMo, that is created under the authority delegated in this
21 section shall become effective only if it complies with and is
22 subject to all of the provisions of chapter 536, RSMo, and, if
23 applicable, section 536.028, RSMo. This section and chapter 536,
24 RSMo, are nonseverable, and if any of the powers vested with the
25 general assembly pursuant to chapter 536, RSMo, to review, to

1 delay the effective date, or to disapprove and annul a rule are
2 subsequently held unconstitutional, then the grant of rulemaking
3 authority and any rule proposed or adopted after August 28, 2004,
4 shall be invalid and void.

5 4. A vehicle owner who was previously issued a Lewis and
6 Clark special license plate pursuant to this section, but does
7 not provide a receipt evidencing a contribution to the Missouri
8 Travel Council or make a contribution directly to the department
9 of revenue at a subsequent time of registration, shall be issued
10 a new license plate which does not commemorate the bicentennial
11 anniversary of the Lewis and Clark expedition. The director of
12 revenue shall make necessary rules and regulations for the
13 enforcement of this section, and shall design all necessary forms
14 required by this section.

15 301.3137. 1. Any current member or alumnus of the Alpha
16 Phi Omega organizations at any college or university within this
17 state may apply for special motor vehicle license plates for any
18 vehicle such person owns, either solely or jointly, other than an
19 apportioned motor vehicle or a commercial motor vehicle licensed
20 in excess of eighteen thousand pounds gross weight, after an
21 annual payment of an emblem-use authorization fee to Alpha Phi
22 Omega. Alpha Phi Omega hereby authorizes the use of their
23 official emblem to be affixed on multiyear personalized license
24 plates as provided in this section. Any contribution to Alpha
25 Phi Omega derived from this section, except reasonable

1 administrative costs, shall be used solely for the purposes of
2 that organization. Any member or alumnus of Alpha Phi Omega may
3 annually apply for the use of the organization's emblem.

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

22 3. A vehicle owner, who was previously issued a plate with
23 the Alpha Phi Omega emblem authorized by this section but who
24 does not provide an emblem-use authorization statement at a
25 subsequent time of registration, shall be issued a new plate

1 which does not bear the Alpha Phi Omega emblem, as otherwise
2 provided by law. The director of revenue shall make necessary
3 rules and regulations for the administration of this section, and
4 shall design all necessary forms required by this section. Any
5 rule or portion of a rule, as that term is defined in section
6 536.010, RSMo, that is created under the authority delegated in
7 this section shall become effective only if it complies with and
8 is subject to all of the provisions of chapter 536, RSMo, and, if
9 applicable, section 536.028, RSMo. This section and chapter 536,
10 RSMo, are nonseverable and if any of the powers vested with the
11 general assembly pursuant to chapter 536, RSMo, to review, to
12 delay the effective date, or to disapprove and annul a rule are
13 subsequently held unconstitutional, then the grant of rulemaking
14 authority and any rule proposed or adopted after August 28, 2004,
15 shall be invalid and void.

16 301.3139. 1. Any Boy Scout of appropriate age as
17 prescribed by law or parent of a Boy Scout may receive special
18 license plates as prescribed by this section, for any motor
19 vehicle such person owns, either solely or jointly, other than an
20 apportioned motor vehicle or a commercial motor vehicle licensed
21 in excess of eighteen thousand pounds gross weight, after an
22 annual payment of an emblem-use authorization fee to the Boy
23 Scouts of America Council of which the person is a member or the
24 parent of a member. The Boy Scouts of America hereby authorizes
25 the use of its official emblem to be affixed on multiyear

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

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

1 3. A vehicle owner, who was previously issued a plate with
2 the Boy Scouts of America emblem authorized by this section but
3 who does not provide an emblem-use authorization statement at a
4 subsequent time of registration, shall be issued a new plate
5 which does not bear the Boy Scouts of America emblem, as
6 otherwise provided by law. The director of revenue shall make
7 necessary rules and regulations for the administration of this
8 section, and shall design all necessary forms required by this
9 section. Any rule or portion of a rule, as that term is defined
10 in section 536.010, RSMo, that is created under the authority
11 delegated in this section shall become effective only if it
12 complies with and is subject to all of the provisions of chapter
13 536, RSMo, and, if applicable, section 536.028, RSMo. This
14 section and chapter 536, RSMo, are nonseverable and if any of the
15 powers vested with the general assembly pursuant to chapter 536,
16 RSMo, to review, to delay the effective date, or to disapprove
17 and annul a rule are subsequently held unconstitutional, then the
18 grant of rulemaking authority and any rule proposed or adopted
19 after August 28, 2004, shall be invalid and void.

20 301.3142. 1. Any immediate family member, including step-
21 siblings or step-children, who wishes to pay tribute to a member
22 of the United States military who was a resident of this state
23 and who was killed in the line of duty may receive special
24 license plates as prescribed by this section, for any motor
25 vehicle such person owns, either solely or jointly, other than an

1 apportioned motor vehicle or a commercial motor vehicle licensed
2 in excess of eighteen thousand pounds gross weight.

3 2. Upon annual application payment of a fifteen dollar fee
4 in addition to the registration fee, and presentation of any
5 other documents which may be required by law or upon biennial
6 application, payment of a thirty dollar fee in addition to the
7 registration fee and presentation of proof of eligibility for
8 such plates, and presentation of any other documents which may be
9 required by law, the department of revenue may issue to the
10 vehicle owner a personalized license plate which shall bear the
11 initials of the member of the United States military killed while
12 in the line of duty, a gold star on the left side of the plates,
13 followed by a three-letter description of the relative's relation
14 to the veteran, provided such license plate configuration is not
15 currently in use, and which shall bear the words "WE SHALL NOT
16 FORGET" in place of the words "SHOW-ME STATE". Such license
17 plates shall be made with fully reflective material with a common
18 color scheme and design, shall be clearly visible at night, and
19 shall be aesthetically attractive, as prescribed by section
20 301.130. Notwithstanding the provisions of section 301.144, no
21 additional fee shall be charged for the personalization of
22 license plates pursuant to this section.

23 3. License plates issued pursuant to the provisions of this
24 section shall not be transferable to any other person except that
25 any registered co-owner of the motor vehicle shall be entitled to

1 operate the motor vehicle with such plates for the duration of
2 the year licensed in the event of the death of the qualified
3 person. The director of revenue shall make necessary rules and
4 regulations for the administration of this section, and shall
5 design all necessary forms required by this section. Any rule or
6 portion of a rule, as that term is defined in section 536.010,
7 RSMo, that is created under the authority delegated in this
8 section shall become effective only if it complies with and is
9 subject to all of the provisions of chapter 536, RSMo, and, if
10 applicable, section 536.028, RSMo. This section and chapter 536,
11 RSMo, are nonseverable and if any of the powers vested with the
12 general assembly pursuant to chapter 536, RSMo, to review, to
13 delay the effective date, or to disapprove and annul a rule are
14 subsequently held unconstitutional, then the grant of rulemaking
15 authority and any rule proposed or adopted after August 28, 2004,
16 shall be invalid and void.

17 301.3143. 1. Any current member or alumnus of the Delta
18 Tau Delta organization at any college or university within this
19 state may apply for special motor vehicle license plates for any
20 vehicle such person owns, either solely or jointly, other than an
21 apportioned motor vehicle or a commercial motor vehicle licensed
22 in excess of eighteen thousand pounds gross weight, after an
23 annual payment of an emblem-use authorization fee to the
24 appropriate organization. Delta Tau Delta hereby authorizes the
25 use of their official emblem to be affixed on multiyear

1 personalized license plates as provided in this section. Any
2 contribution to Delta Tau Delta derived from this section, except
3 reasonable administrative costs, shall be used solely for the
4 purposes of the organization. Any member of Delta Tau Delta may
5 annually apply for the use of the organization's emblem.

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

24 3. A vehicle owner, who was previously issued a plate with
25 the Delta Tau Delta emblem authorized by this section but who

1 does not provide an emblem-use authorization statement at a
2 subsequent time of registration, shall be issued a new plate
3 which does not bear the Delta Tau Delta emblem, as otherwise
4 provided by law. The director of revenue shall make necessary
5 rules and regulations for the administration of this section, and
6 shall design all necessary forms required by this section. Any
7 rule or portion of a rule, as that term is defined in section
8 536.010, RSMo, that is created under the authority delegated in
9 this section shall become effective only if it complies with and
10 is subject to all of the provisions of chapter 536, RSMo, and, if
11 applicable, section 536.028, RSMo. This section and chapter 536,
12 RSMo, are nonseverable and if any of the powers vested with the
13 general assembly pursuant to chapter 536, RSMo, to review, to
14 delay the effective date, or to disapprove and annul a rule are
15 subsequently held unconstitutional, then the grant of rulemaking
16 authority and any rule proposed or adopted after August 28, 2004,
17 shall be invalid and void.

18 301.3144. 1. Any person may receive special license plates
19 as prescribed by this section, for any motor vehicle such person
20 owns, either solely or jointly, other than an apportioned motor
21 vehicle or a commercial motor vehicle licensed in excess of
22 eighteen thousand pounds gross weight, after an annual
23 contribution of an emblem-use authorization fee to Camp Quality
24 of Missouri. Any contribution given pursuant to this section
25 shall be designated for the sole use of providing scholarships to

1 children with cancer who are residents of the state of Missouri
2 for attendance at any summer camp conducted by Camp Quality in
3 the state of Missouri. Camp Quality of Missouri hereby
4 authorizes the use of its official emblem to be affixed on
5 single-year or multiyear personalized license plates as provided
6 in this section. Any person may annually or biannually apply for
7 the use of the emblem.

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

1 pursuant to this section.

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

8 4. The director of the department of revenue shall make
9 necessary rules and regulations for the administration of this
10 section, and shall design all necessary forms required by this
11 section. Any rule or portion of a rule, as that term is defined
12 in section 536.010, RSMo, that is created under the authority
13 delegated in this section shall become effective only if it
14 complies with and is subject to all of the provisions of chapter
15 536, RSMo, and, if applicable, section 536.028, RSMo. This
16 section and chapter 536, RSMo, are nonseverable and if any of the
17 powers vested with the general assembly pursuant to chapter 536,
18 RSMo, to review, to delay the effective date, or to disapprove
19 and annul a rule are subsequently held unconstitutional, then the
20 grant of rulemaking authority and any rule proposed or adopted
21 after August 28, 2004, shall be invalid and void.

22 301.3146. 1. Any member of the search and rescue council
23 of Missouri, after an annual payment of an emblem-use
24 authorization fee to the search and rescue council of Missouri,
25 may receive special license plates for any vehicle the member

owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The search and rescue council of Missouri hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the search and rescue council of Missouri derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the search and rescue council of Missouri. Any member of the search and rescue council of Missouri may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the search and rescue council of Missouri, the search and rescue council of Missouri shall issue to the vehicle owner, without further charge, an "emblem-use authorization statement", which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual statement and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a special license plate which shall bear the emblem of the search and rescue council of Missouri and the words "SEARCH AND RESCUE" in place of the words "SHOW-ME-STATE". Such

1 license plates shall be made with fully reflective material with
2 a common color scheme and design of the standard license plate,
3 shall be clearly visible at night, shall have a reflective white
4 background in the area of the plate configuration, and shall be
5 aesthetically attractive, as prescribed by section 301.130.
6 Notwithstanding the provisions of section 301.144, no additional
7 fee shall be charged for the personalization of license plates
8 pursuant to this section.

9 3. A vehicle owner who was previously issued a plate with
10 the search and rescue council of Missouri emblem authorized by
11 this section, but who does not provide an emblem-use
12 authorization statement at a subsequent time of registration,
13 shall be issued a new plate which does not bear the search and
14 rescue council of Missouri emblem, as otherwise provided by law.
15 The director of revenue shall make necessary rules and
16 regulations for the enforcement of this section, and shall design
17 all necessary forms required by this section.

18 301.3147. 1. Any current undergraduate or alumnus member
19 of any chapter of Theta Chi Fraternity may apply for special
20 motor vehicle license plates for any vehicle such person owns,
21 either solely or jointly, other than an apportioned motor vehicle
22 or a commercial motor vehicle licensed in excess of eighteen
23 thousand pounds gross weight, after an annual contribution of at
24 least twenty-five dollars to the Foundation Chapter of Theta Chi
25 Fraternity, Inc. Theta Chi Fraternity, Inc. hereby authorizes

1 the use of their official emblem to be affixed on multiyear
2 personalized license plates as provided in this section. Any
3 contribution to Theta Chi Fraternity, Inc. derived from this
4 section, except reasonable administrative costs, shall be used
5 solely for the purposes of that organization. Any undergraduate
6 or alumnus member of Theta Chi Fraternity, Inc. may annually
7 apply for the use of the organization's emblem.

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

1 3. A vehicle owner, who has previously, issued a plate with
2 the Theta Chi Fraternity, Inc. emblem authorized by this section
3 but who does not provide an emblem-use authorization statement at
4 a subsequent time of registration, shall be issued a new plate
5 which does not bear the Theta Chi Fraternity, Inc. emblem, as
6 otherwise provided by law. The director of revenue shall make
7 necessary rules and regulations for the administration of this
8 section, and shall design all necessary forms required by this
9 section. Any rule or portion of a rule, as that term is defined
10 in section 536.010, RSMo, that is created under the authority
11 delegated in this section shall become effective only if it
12 complies with and is subject to all of the provisions of chapter
13 536, RSMo, and, if applicable, section 536.028, RSMo. This
14 section and chapter 536, RSMo, are nonseverable and if any of the
15 powers vested with the general assembly pursuant to chapter 536,
16 RSMo, to review, to delay the effective date, or to disapprove
17 and annul a rule are subsequently held unconstitutional, then the
18 grant of rulemaking authority and any rule proposed or adopted
19 after August 28, 2004, shall be invalid and void.

20 301.3150. 1. An organization, other than an organization
21 seeking a special military license plate, that seeks
22 authorization to establish a new specialty license plate shall
23 initially petition the department of revenue by submitting the
24 following:

25 (1) An application in a form prescribed by the director for

1 the particular specialty license plate being sought, describing
2 the proposed specialty license plate in general terms and have a
3 sponsor of at least one current member of the general assembly.
4 The application may contain written testimony for support of this
5 specialty plate;

6 (2) Each application submitted pursuant to this section
7 shall be accompanied by a list of at least two hundred potential
8 applicants who plan to purchase the specialty plate if the
9 specialty plate is approved pursuant to this section;

10 (3) An application fee, not to exceed five thousand
11 dollars, to defray the department's cost for issuing, developing
12 and programming the implementation of the specialty plate, if
13 authorized; and

14 (4) All moneys received by the department of revenue, for
15 the reviewing and development of specialty plates shall be
16 deposited in the state treasury to the credit of the "Department
17 of Revenue Specialty Plate Fund" which is hereby created. The
18 state treasurer shall be custodian of the fund and shall make
19 disbursements from the funds requested by the Missouri director
20 of revenue for personal services, expenses, and equipment
21 required to prepare, review, develop, and disseminate a new
22 specialty plate and process the two hundred applications to be
23 submitted once the plate is approved and to refund deposits for
24 the application of such specialty plate, if the application is

1 not approved by the joint committee on transportation oversight
2 and for no other purpose.

3 2. At the end of each state fiscal year, the director of
4 revenue shall:

5 (1) Determine the amount of all moneys deposited into the
6 department of revenue specialty plate fund;

7 (2) Determine the amount of disbursements from the
8 department of revenue specialty plate fund which were made to
9 produce the specialty plate and process the two hundred
10 applications; and

11 (3) Subtract the amount of disbursements from the income
12 figure referred to in subdivision (1) of this subsection and
13 deliver this figure to the state treasurer.

14 3. The state treasurer shall transfer an amount of money
15 equal to the figure provided by the director of revenue from the
16 department of revenue specialty plate fund to the state highway
17 department fund. An unexpended balance in the department of
18 revenue specialty plate fund at the end of the biennium not
19 exceeding twenty-five thousand dollars shall be exempt from the
20 provisions of section 33.080, RSMo, relating to transfer of
21 unexpended balances to the general revenue fund.

22 4. The documents and fees required pursuant to this section
23 shall be submitted to the department of revenue by July first
24 prior to the next regular session of the general assembly to be
25 approved or denied by the joint committee on transportation

1 oversight during that legislative session.

2 5. The department of revenue shall give notice of any
3 proposed specialty plate in a manner reasonably calculated to
4 advise the public of such proposal. Reasonable notice shall
5 include posting the proposal for the specialty plate on the
6 department's official public web site, and making available
7 copies of the specialty plate application to any representative
8 of the news media or public upon request and posting the
9 application on a bulletin board or other prominent public place
10 which is easily accessible to the public and clearly designated
11 for that purpose at the principal office.

12 6. Adequate notice conforming with all the requirements of
13 subsection 5 of this section shall be given not less than four
14 weeks, exclusive of weekends and holidays when the facility is
15 closed, after the submission of the application by the
16 organization to the department of revenue. Written or electronic
17 testimony in support or opposition of the proposed specialty
18 plate shall be submitted to the department of revenue by November
19 thirtieth of the year of filing of the original proposal. All
20 written testimony shall contain the printed name, signature,
21 address, phone number, and e-mail address, if applicable, of the
22 individual giving the testimony.

23 7. The department of revenue shall submit for approval all
24 applications for the development of specialty plates to the joint
25 committee on transportation oversight during a regular session of

1 the general assembly for approval.

2 8. If the specialty license plate requested by an
3 organization is approved by the joint committee on transportation
4 oversight, the organization shall submit the proposed art design
5 for the specialty license plate to the department as soon as
6 practicable, but no later than sixty days after the approval of
7 the specialty license plate. If the specialty license plate
8 requested by the organization is not approved by the joint
9 committee on transportation oversight, ninety-seven percent of
10 the application fee shall be refunded to the requesting
11 organization.

12 9. An emblem-use authorization fee may be charged by the
13 organization prior to the issuance of an approved specialty
14 plate. The organization's specialty plate proposal approved by
15 the joint committee on transportation oversight shall state what
16 fee is required to obtain such statement and if such fee is
17 required annually or biennially, if the applicant has a two-year
18 registration. An organization applying for specialty plates
19 shall authorize the use of its official emblem to be affixed on
20 multiyear personalized license plates within the plate area
21 prescribed by the director of revenue and as provided in this
22 section. Any contribution to the organization derived from the
23 emblem-use contribution, except reasonable administrative costs,
24 shall be used solely for the purposes of the organization. Any
25 member of the organization or nonmember, if applicable, may

1 annually apply for the use of the emblem, if applicable.

2 10. The department shall begin production and distribution
3 of each new specialty license plate within one year after
4 approval of the specialty license plate by the joint committee on
5 transportation oversight.

6 11. The department shall issue a specialty license plate to
7 the owner who meets the requirements for issuance of the
8 specialty plate for any motor vehicle such owner owns, either
9 solely or jointly, other than an apportioned motor vehicle or a
10 commercial motor vehicle licensed in excess of eighteen thousand
11 pounds gross weight.

12 12. Each new or renewed application for an approved
13 specialty license plate shall be made to the department of
14 revenue, accompanied by an additional fee of fifteen dollars and
15 the appropriate emblem-use authorization statement.

16 13. The appropriate registration fees, fifteen dollar
17 specialty plate fee, processing fees and documents otherwise
18 required for the issuance of registration of the motor vehicle as
19 set forth by law must be submitted at the time the specialty
20 plates are actually issued and renewed or as otherwise provided
21 by law. However, no additional fee for the personalization of
22 this plate shall be charged.

23 14. Once a specialty plate design is approved, a request
24 for such plate may be made any time during a registration period.
25 If a request is made for a specialty license plate to replace a

1 current valid license plate, all documentation, credits, and fees
2 provided for in this chapter when replacing a current license
3 plate shall apply.

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

10 16. Specialty license plates shall bear a design approved
11 by the organization submitting the original application for
12 approval by the joint committee on transportation oversight. The
13 design shall be within the plate area prescribed by the director
14 of revenue, and the designated organization's name or slogan
15 shall be in place of the words "SHOW-ME STATE". Such license
16 plates shall be made with fully reflective material with a common
17 color scheme, shall be clearly visible at night, shall have a
18 reflective white background in the area of the plate
19 configuration, and shall be aesthetically attractive, as
20 prescribed by section 301.130 and as provided in this section.
21 In addition to a design, the specialty license plates shall be in
22 accordance with criteria and plate design set forth in this
23 chapter.

24 17. The department is authorized to discontinue the
25 issuance and renewal of a specialty license plate if the

1 organization has stopped providing services and emblem-use
2 authorization statements are no longer being issued by the
3 organization. Such organizations shall notify the department
4 immediately to discontinue the issuance of a specialty plate.

5 18. The organization that requested the specialty license
6 plate shall not redesign the specialty personalized license plate
7 unless such organization pays the director in advance all
8 redesigned plate fees. All plate holders of such plates must pay
9 the replacement fees prescribed in section 301.300 for the
10 replacement of the existing specialty plate. All other
11 applicable license plate fees in accordance with this chapter
12 shall be required.

13 301.3152. Any person or organization who has received a
14 notice of denial of application for development of a specialty
15 plate may make a request to the joint committee on transportation
16 oversight within fifteen days of receipt of the notice for a
17 review of the committee's determination at a hearing before the
18 committee at a time deemed appropriate.

19 301.3154. Beginning January 1, 2005, the fee for any
20 special license plate approved under section 21.795, RSMo,
21 sections 301.3150 and 301.3152, and this section shall be fifteen
22 dollars for an annual registration and thirty dollars for a
23 biennial registration in addition to registration fees. The
24 provisions of this section shall not apply to special military
25 license plates. The fees for special military license plates

1 shall be assessed as provided for by the statute creating such
2 license plate except that no additional fee shall be charged for
3 personalized military plates.

4 301.3155. 1. Any supporter of the American Heart
5 Association of appropriate age as prescribed by law may receive
6 special license plates as prescribed by this section, for any
7 motor vehicle such person owns, either solely or jointly, other
8 than an apportioned motor vehicle or a commercial motor vehicle
9 licensed in excess of eighteen thousand pounds gross weight,
10 after an annual payment of an emblem-use authorization fee to the
11 American Heart Association of which the person is a supporter.
12 The American Heart Association hereby authorizes the use of its
13 official emblem Go Red For Women to be affixed on multi-year
14 personalized license plates as provided in this section. Any
15 contribution to the American Heart Association derived from this
16 section, except reasonable administrative costs, shall be used
17 solely for the purposes of the American Heart Association. Any
18 supporter of the American Heart Association may annually apply
19 for the use of the emblem and pay the twenty-five dollar emblem-
20 use authorization fee at any local district council in the state.

21 2. Upon annual application and payment of a twenty-five
22 dollar emblem-use contribution to the American Heart Association,
23 the organization shall issue to the vehicle owner, without
24 further charge, an emblem-use authorization statement, which
25 shall be presented by the owner to the department of revenue at

1 the time of registration of a motor vehicle. Upon presentation
2 of the annual statement, payment of a fifteen dollar fee in
3 addition to the registration fee and documents which may be
4 required by law, the department of revenue shall issue to the
5 vehicle owner a personalized license plate which shall bear the
6 emblem of the Go Red For Women on the left side of the plate and
7 the words "Go Red For Women" shall replace the words "SHOW-ME
8 STATE". The words "Winning Women" shall appear beneath the words
9 "GO RED FOR WOMEN". Such license plates shall be made with fully
10 reflective material with a common color scheme and design, shall
11 be clearly visible at night, and shall be aesthetically
12 attractive, as prescribed by section 301.130. Notwithstanding
13 the provisions of section 301.144, no additional fee shall be
14 charged for the personalization of license plates pursuant to
15 this section.

16 3. A vehicle owner, who was previously issued a plate with
17 the Go Red For Women emblem authorized by this section but who
18 does not provide an emblem-use authorization statement at a
19 subsequent time of registration, shall be issued a new plate
20 which does not bear the Go Red For Women emblem, as otherwise
21 provided by law. The director of revenue shall make necessary
22 rules and regulations for the administration of this section.
23 Any rule or portion of a rule, as that term is defined in section
24 536.010, RSMo, that is created under the authority delegated in
25 this section shall become effective only if it complies with and

1 is subject to all of the provisions of chapter 536, RSMo, and, if
2 applicable, section 536.028, RSMo. This section and chapter 536,
3 RSMo, are nonseverable and if any of the powers vested with the
4 general assembly pursuant to chapter 536, RSMo, to review, to
5 delay the effective date, or to disapprove and annul a rule are
6 subsequently held unconstitutional, then the grant of rulemaking
7 authority and any rule proposed or adopted after August 28, 2004,
8 shall be invalid and void.

9 301.3999. 1. Any person who served in the active military
10 service in a branch of the armed services of the United States
11 and was honorably discharged from such service may apply for
12 special personalized license plates for any vehicle other than an
13 apportioned motor vehicle or a commercial motor vehicle licensed
14 in excess of eighteen thousand pounds gross weight. Any such
15 person shall make application for the special license plates on a
16 form provided by the director of revenue and furnish such proof
17 of service and status as an honorably discharged veteran as the
18 director may require.

19 2. Upon presentation of proof of eligibility and payment of
20 a fifteen dollar fee in addition to the regular registration
21 fees, and presentation of any documents which may be required by
22 law, the director shall issue to the vehicle owner special
23 personalized license plates with the words "U.S. VET" in place of
24 the words "SHOW-ME STATE". Such license plates shall be made
25 with fully reflective material with a common color scheme and

1 design, shall be clearly visible at night, shall have a
2 reflective white background with a blue and red configuration in
3 the area of the plate configuration, and shall be aesthetically
4 attractive, as prescribed by section 301.130. Notwithstanding
5 the provisions of section 301.144, no additional fee shall be
6 charged for the personalization of license plates pursuant to
7 this section.

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

1 authority and any rule proposed or adopted after August 28, 2004,
2 shall be invalid and void.

3 302.130. 1. Any person at least fifteen years of age who,
4 except for age or lack of instruction in operating a motor
5 vehicle, would otherwise be qualified to obtain a license
6 pursuant to sections 302.010 to 302.340 may apply for and the
7 director shall issue a temporary instruction permit entitling the
8 applicant, while having such permit in the applicant's immediate
9 possession, to drive a motor vehicle of the appropriate class
10 upon the highways for a period of twelve months, but any such
11 person, except when operating a motorcycle or motortricycle, must
12 be accompanied by a licensed operator for the type of motor
13 vehicle being operated who is actually occupying a seat beside
14 the driver for the purpose of giving instruction in driving the
15 motor vehicle, who is at least twenty-one years of age, and in
16 the case of any driver under sixteen years of age, the licensed
17 operator occupying the seat beside the driver shall be a
18 grandparent, parent, guardian, a driver training instructor
19 holding a valid driver education endorsement on a teaching
20 certificate issued by the department of elementary and secondary
21 education or a qualified instructor of a private drivers'
22 education program who has a valid driver's license. Beginning
23 January 1, 2001, an applicant for a temporary instruction permit
24 shall successfully complete a vision test and a test of the
25 applicant's ability to understand highway signs which regulate,

1 warn or direct traffic and practical knowledge of the traffic
2 laws of this state, pursuant to section 302.173. In addition,
3 beginning January 1, 2001, no permit shall be granted pursuant to
4 this subsection unless a parent or legal guardian gives written
5 permission by signing the application and in so signing, state
6 they, or their designee as set forth in subsection 2 of this
7 section, will provide a minimum of twenty hours of
8 behind-the-wheel driving instruction. The twenty hours of
9 behind-the-wheel driving instruction that is completed pursuant
10 to this subsection may include any time that the holder of an
11 instruction permit has spent operating a motor vehicle in a
12 driver training program taught by a driver training instructor
13 holding a valid driver education endorsement on a teaching
14 certificate issued by the department of elementary and secondary
15 education or by a qualified instructor of a private drivers'
16 education program. If the applicant for a permit is enrolled in
17 a federal residential job training program, the instructor, as
18 defined in subsection 5 of this section, is authorized to sign
19 the application stating that the applicant will receive the
20 behind-the-wheel driving instruction required by this section.

21 2. In the event the parent, grandparent or guardian of the
22 person under sixteen years of age has a physical disability which
23 prohibits or disqualifies said parent, grandparent or guardian
24 from being a qualified licensed operator pursuant to this
25 section, said parent, grandparent or guardian may designate a

1 maximum of two individuals authorized to accompany the applicant
2 for the purpose of giving instruction in driving the motor
3 vehicle. An authorized designee must be a licensed operator for
4 the type of motor vehicle being operated and have attained
5 twenty-one years of age. At least one of the designees must
6 occupy the seat beside the applicant while giving instruction in
7 driving the motor vehicle. The name of the authorized designees
8 must be provided to the department of revenue by the parent,
9 grandparent or guardian at the time of application for the
10 temporary instruction permit. The name of each authorized
11 designee shall be printed on the temporary instruction permit,
12 however, the director may delay the time at which permits are
13 printed bearing such names until the inventories of blank permits
14 and related forms existing on August 28, 1998, are exhausted.

15 3. The director, upon proper application on a form
16 prescribed by the director, in his or her discretion, may issue a
17 restricted instruction permit effective for a school year or more
18 restricted period to an applicant who is enrolled in a high
19 school driver training program taught by a driver training
20 instructor holding a valid driver education endorsement on a
21 teaching certificate issued by the state department of elementary
22 and secondary education even though the applicant has not reached
23 the age of sixteen years but has passed the age of fifteen years.
24 Such instruction permit shall entitle the applicant, when the
25 applicant has such permit in his or her immediate possession, to

1 operate a motor vehicle on the highways, but only when a driver
2 training instructor holding a valid driver education endorsement
3 on a teaching certificate issued by the state department of
4 elementary and secondary education is occupying a seat beside the
5 driver.

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

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

22 6. A person at least fifteen years of age may operate a
23 motor vehicle as part of a driver training program taught by a
24 driver training instructor holding a valid driver education
25 endorsement on a teaching certificate issued by the department of

1 elementary and secondary education or a qualified instructor of a
2 private drivers' education program.

3 7. Beginning January 1, 2003, the director shall issue with
4 every temporary instruction permit issued pursuant to subsection
5 1 of this section a sticker or sign bearing the words "PERMIT
6 DRIVER". The design and size of such sticker or sign shall be
7 determined by the director by regulation. Every applicant issued
8 a temporary instruction permit and sticker on or after January 1,
9 2003, may display or affix the sticker or sign on the rear window
10 of the motor vehicle. Such sticker or sign may be displayed on
11 the rear window of the motor vehicle whenever the holder of the
12 instruction permit operates a motor vehicle during his or her
13 temporary permit licensure period.

14 8. Beginning July 1, 2005, the director shall verify that
15 an applicant for an instruction permit issued under this section
16 is lawfully present in the United States before accepting the
17 application. The director shall not issue an instruction permit
18 for a period that exceeds an applicant's lawful presence in the
19 United States. The director may establish procedures to verify
20 the lawful presence of the applicant and establish the duration
21 of any permit issued under this section.

22 9. The director may adopt rules and regulations necessary
23 to carry out the provisions of this section.

24 302.171. 1. Beginning July 1, 2005, the director shall
25 verify that an applicant for a driver's license is lawfully

1 present in the United States before accepting the application.
2 The director shall not issue a driver's license for a period that
3 exceeds an applicant's lawful presence in the United States. The
4 director may establish procedures to verify the lawful presence
5 of the applicant and establish the duration of any driver's
6 license issued under this section. An application for a license
7 shall be made upon an approved form furnished by the director.
8 Every application shall state the full name, Social Security
9 number, age, height, weight, color of eyes, sex, residence,
10 mailing address of the applicant, and the classification for
11 which the applicant has been licensed, and, if so, when and by
12 what state, and whether or not such license has ever been
13 suspended, revoked, or disqualified, and, if revoked, suspended
14 or disqualified, the date and reason for such suspension,
15 revocation or disqualification and whether the applicant is
16 making a one dollar donation to promote an organ donation program
17 as prescribed in subsection 2 of this section. A driver's
18 license, nondriver's license, or instruction permit issued under
19 this chapter shall contain the applicant's legal name as it
20 appears on a birth certificate or as legally changed through
21 marriage or court order. No name change by common usage based on
22 common law shall be permitted. The application shall also
23 contain such information as the director may require to enable
24 the director to determine the applicant's qualification for
25 driving a motor vehicle; and shall state whether or not the

1 applicant has been convicted in this or any other state for
2 violating the laws of this or any other state or any ordinance of
3 any municipality, relating to driving without a license, careless
4 driving, or driving while intoxicated, or failing to stop after
5 an accident and disclosing the applicant's identity, or driving a
6 motor vehicle without the owner's consent. The application shall
7 contain a certification by the applicant as to the truth of the
8 facts stated therein. Every person who applies for a license to
9 operate a motor vehicle who is less than twenty-one years of age
10 shall be provided with educational materials relating to the
11 hazards of driving while intoxicated, including information on
12 penalties imposed by law for violation of the
13 intoxication-related offenses of the state. Beginning January 1,
14 2001, if the applicant is less than eighteen years of age, the
15 applicant must comply with all requirements for the issuance of
16 an intermediate driver's license pursuant to section 302.178.

17 2. An applicant for a license may make a donation of one
18 dollar to promote an organ donor program. The director of
19 revenue shall collect the donations and deposit all such
20 donations in the state treasury to the credit of the organ donor
21 program fund established in sections 194.297 to 194.304, RSMo.
22 Moneys in the organ donor program fund shall be used solely for
23 the purposes established in sections 194.297 to 194.304, RSMo,
24 except that the department of revenue shall retain no more than
25 one percent for its administrative costs. The donation

1 prescribed in this subsection is voluntary and may be refused by
2 the applicant for the license at the time of issuance or renewal
3 of the license. The director shall make available an
4 informational booklet or other informational sources on the
5 importance of organ donations to applicants for licensure as
6 designed by the organ donation advisory committee established in
7 sections 194.297 to 194.304, RSMo. The director shall inquire of
8 each applicant at the time the licensee presents the completed
9 application to the director whether the applicant is interested
10 in making the one dollar donation prescribed in this subsection
11 and whether the applicant is interested in inclusion in the organ
12 donor registry and shall also specifically inform the licensee of
13 the ability to consent to organ donation by completing the form
14 on the reverse of the license that the applicant will receive in
15 the manner prescribed by subsection 6 of section 194.240, RSMo.
16 The director shall notify the department of health and senior
17 services of information obtained from applicants who indicate to
18 the director that they are interested in registry participation,
19 and the department of health and senior services shall enter the
20 complete name, address, date of birth, race, gender and a unique
21 personal identifier in the registry established in subsection 1
22 of section 194.304, RSMo.

23 3. An applicant for a license may make a donation of one
24 dollar to promote a blindness education, screening and treatment
25 program. The director of revenue shall collect the donations and

1 deposit all such donations in the state treasury to the credit of
2 the blindness education, screening and treatment program fund
3 established in section 192.935, RSMo. Moneys in the blindness
4 education, screening and treatment program fund shall be used
5 solely for the purposes established in section 192.935, RSMo,
6 except that the department of revenue shall retain no more than
7 one percent for its administrative costs. The donation
8 prescribed in this subsection is voluntary and may be refused by
9 the applicant for the license at the time of issuance or renewal
10 of the license. The director shall inquire of each applicant at
11 the time the licensee presents the completed application to the
12 director whether the applicant is interested in making the one
13 dollar donation prescribed in this subsection.

14 4. Beginning July 1, 2005, the director shall deny the
15 driving privilege of any person who commits fraud or deception
16 during the examination process or who makes application for an
17 instruction permit, driver's license, or nondriver's license
18 which contains or is substantiated with false or fraudulent
19 information or documentation, or who knowingly conceals a
20 material fact or otherwise commits a fraud in any such
21 application. The period of denial shall be one year from the
22 effective date of the denial notice sent by the director. The
23 denial shall become effective ten days after the date the denial
24 notice is mailed to the person. The notice shall be mailed to
25 the person at the last known address shown on the person's

1 driving record. The notice shall be deemed received three days
2 after mailing unless returned by the postal authorities. No such
3 individual shall reapply for a driver's examination, instruction
4 permit, driver's license, or nondriver's license until the period
5 of denial is completed. No individual who is denied the driving
6 privilege under this section shall be eligible for a limited
7 driving privilege issued under section 302.309.

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

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

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

18 302.173. 1. Any applicant for a license, who does not
19 possess a valid license issued pursuant to the laws of this
20 state, another state, or a country which has a reciprocal
21 agreement with the state of Missouri regarding the exchange of
22 licenses pursuant to section 302.172 shall be examined as herein
23 provided. Any person who has failed to renew such person's
24 license on or before the date of its expiration or within six
25 months thereafter must take the complete examination. Any active

1 member of the armed forces, their adult dependents or any active
2 member of the peace corps may apply for a renewal license without
3 examination of any kind, unless otherwise required by sections
4 302.700 to 302.780, provided the renewal application shows that
5 the previous license had not been suspended or revoked. Any
6 person honorably discharged from the armed forces of the United
7 States who held a valid license prior to being inducted may apply
8 for a renewal license within sixty days after such person's
9 honorable discharge without submitting to any examination of such
10 person's ability to safely operate a motor vehicle over the
11 highways of this state unless otherwise required by sections
12 302.700 to 302.780, other than the vision test provided in
13 section 302.175, unless the facts set out in the renewal
14 application or record of convictions on the expiring license, or
15 the records of the director show that there is good cause to
16 authorize the director to require the applicant to submit to the
17 complete examination. No applicant for a renewal license shall
18 be required to submit to any examination of his or her ability to
19 safely operate a motor vehicle over the highways of this state
20 unless otherwise required by sections 302.700 to 302.780 or
21 regulations promulgated thereunder, other than a test of the
22 applicant's ability to understand highway signs regulating,
23 warning or directing traffic and the vision test provided in
24 section 302.175, unless the facts set out in the renewal
25 application or record of convictions on the expiring license, or

1 the records of the director show that there is good cause to
2 authorize the director to require the applicant to submit to the
3 complete examination. The examination shall be made available in
4 each county. Reasonable notice of the time and place of the
5 examination shall be given the applicant by the person or officer
6 designated to conduct it. The complete examination shall include
7 a test of the applicant's natural or corrected vision as
8 prescribed in section 302.175, the applicant's ability to
9 understand highway signs regulating, warning or directing
10 traffic, the applicant's practical knowledge of the traffic laws
11 of this state, and an actual demonstration of ability to exercise
12 due care in the operation of a motor vehicle of the
13 classification for which the license is sought. When an
14 applicant for a license has a license from a state which has
15 requirements for issuance of a license comparable to the Missouri
16 requirements or a license from a country which has a reciprocal
17 agreement with the state of Missouri regarding the exchange of
18 licenses pursuant to section 302.172 and such license has not
19 expired more than six months prior to the date of application for
20 the Missouri license, the director may waive the test of the
21 applicant's practical knowledge of the traffic laws of this
22 state, and the requirement of actual demonstration of ability to
23 exercise due care in the operation of a motor vehicle. If the
24 director has reasonable grounds to believe that an applicant is
25 suffering from some known physical or mental ailment which

1 ordinarily would interfere with the applicant's fitness to
2 operate a motor vehicle safely upon the highways, the director
3 may require that the examination include a physical or mental
4 examination by a licensed physician of the applicant's choice, at
5 the applicant's expense, to determine the fact. The director
6 shall prescribe regulations to ensure uniformity in the
7 examinations and in the grading thereof and shall prescribe and
8 furnish all forms to the members of the highway patrol and to
9 other persons authorized to conduct examinations as may be
10 necessary to enable the officer or person to properly conduct the
11 examination. The records of the examination shall be forwarded
12 to the director who shall not issue any license hereunder if in
13 the director's opinion the applicant is not qualified to operate
14 a motor vehicle safely upon the highways of this state.

15 2. Beginning July 1, 2005, when the examiner has reasonable
16 grounds to believe that an individual has committed fraud or
17 deception during the examination process, the license examiner
18 shall immediately forward to the director all information
19 relevant to any fraud or deception, including but not limited to,
20 a statement of the examiner's grounds for belief that the person
21 committed or attempted to commit fraud or deception in the
22 written, skills, or vision examination.

23 3. The director of revenue shall delegate the power to
24 conduct the examinations required for a license or permit to any
25 member of the highway patrol or any person employed by the

1 highway patrol. The powers delegated to any examiner may be
2 revoked at any time by the director of revenue upon notice.

3 [3.] 4. Notwithstanding the requirements of subsections 1
4 and [2] 3 of this section, the successful completion of a
5 motorcycle rider training course approved pursuant to sections
6 302.133 to [302.138] 302.137 shall constitute an actual
7 demonstration of the person's ability to exercise due care in the
8 operation of a motorcycle or motortricycle, and no further
9 driving test shall be required to obtain a motorcycle or
10 motortricycle license or endorsement.

11 302.177. 1. To all applicants for a license or renewal to
12 transport persons or property classified in section 302.015 who
13 are at least twenty-one years of age and under the age of
14 seventy, and who submit a satisfactory application and meet the
15 requirements set forth in sections 302.010 to 302.605, the
16 director shall issue or renew a license upon the payment of a fee
17 of thirty dollars; except that, no license shall be issued if an
18 applicant's license is currently suspended, taken up, canceled,
19 revoked, or deposited in lieu of bail.

20 2. To all applicants for a license or renewal who are
21 between twenty-one and sixty-nine years of age, and who submit a
22 satisfactory application and meet the requirements set forth in
23 sections 302.010 to 302.605, the director shall issue or renew a
24 license upon the payment of a fee of fifteen dollars; except
25 that, no license shall be issued if an applicant's license is

1 currently suspended, taken up, canceled, revoked, or deposited in
2 lieu of bail.

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

10 4. To all applicants for a license or renewal to transport
11 persons or property classified in section 302.015 who are between
12 eighteen and twenty-one years of age or greater than sixty-nine
13 years of age, or, beginning September 30, 2005, to an applicant
14 for such license containing a school bus endorsement issued
15 pursuant to section 302.272, and who submit a satisfactory
16 application and meet the requirements set forth in sections
17 302.010 to 302.605, the director shall issue or renew a license
18 upon the payment of a fee of fifteen dollars.

19 5. To all other applicants for a license or renewal less
20 than twenty-one years of age or greater than sixty-nine years of
21 age who submit a satisfactory application and meet the
22 requirements set forth in sections 302.010 to 302.605, the
23 director shall issue or renew a license upon the payment of a fee
24 of seven dollars and fifty cents. All licenses issued pursuant
25 to this subsection and subsection 4 of this section or, beginning

1 September 30, 2005, to an applicant for a license to transport
2 persons or property which contains a school bus endorsement
3 issued pursuant to section 302.272, shall expire on the
4 applicant's birthday in the third year after issuance.

5 6. Beginning July 1, 2005, the director shall not issue a
6 driver's license for a period that exceeds an applicant's lawful
7 presence in the United States. The director may establish
8 procedures to verify the lawful presence of the applicant and
9 establish the duration of any driver's license issued under this
10 section.

11 7. The director of revenue may adopt any rules and
12 regulations necessary to carry out the provisions of this
13 section. No rule or portion of a rule promulgated pursuant to
14 the authority of this section shall become effective unless it
15 has been promulgated pursuant to the provisions of chapter 536,
16 RSMo.

17 302.181. 1. The license issued pursuant to the provisions
18 of sections 302.010 to 302.340 shall be in such form as the
19 director shall prescribe, but the license shall be a card made of
20 plastic or other comparable material. All licenses shall be
21 manufactured of materials and processes that will prohibit, as
22 nearly as possible, the ability to reproduce, alter, counterfeit,
23 forge, or duplicate any license without ready detection. All
24 licenses shall bear the licensee's Social Security number, if the
25 licensee has one, and if not, a notarized affidavit must be

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

1 Social Security number in accordance with subsection 4 of this
2 section, the director shall issue a license number for the
3 licensee and such number shall also include an indicator showing
4 that the number is not a Social Security number.

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

7 3. The license issued shall be carried at all times by the
8 holder thereof while driving a motor vehicle, and shall be
9 displayed upon demand of any officer of the highway patrol, or
10 any police officer or peace officer, or any other duly authorized
11 person, for inspection when demand is made therefor. Failure of
12 any operator of a motor vehicle to exhibit his or her license to
13 any duly authorized officer shall be presumptive evidence that
14 such person is not a duly licensed operator.

15 4. The director of revenue shall issue a commercial or
16 noncommercial driver's license without a Social Security number
17 to an applicant therefor, who is otherwise qualified to be
18 licensed, upon presentation to the director of a certified
19 statement that the applicant objects to the display of the Social
20 Security number on the license. The director shall assign an
21 identification number, that is not based on a Social Security
22 number, to the applicant which shall be displayed on the license
23 in lieu of the Social Security number.

24 5. The director of revenue shall not issue a license
25 without [the] a facial photograph [to an applicant therefor, who

1 is otherwise qualified to be licensed, upon presentation to the
2 director of a statement on forms prescribed and made available by
3 the department of revenue which states that the applicant is a
4 member of a specified religious denomination which prohibits
5 photographs of members as being contrary to its religious tenets.
6 The license shall state thereon that no photograph is required
7 because of the religious affiliation of the licensee. The
8 director of revenue shall establish guidelines and furnish to
9 each circuit court such forms as the director deems necessary to
10 comply with this subsection. The circuit court shall not charge
11 or receive any fee or court cost for the performance of any duty
12 or act pursuant to this subsection] or digital image of the
13 license applicant, except as provided pursuant to subsection 8 of
14 this section. A photograph or digital image of the applicant's
15 full facial features shall be taken in a manner prescribed by the
16 director. No photograph or digital image will be taken wearing
17 anything which cloaks the facial features of the individual.

18 6. The department of revenue may issue a temporary license
19 or a full license without the photograph or with the last
20 photograph or digital image in the department's records to
21 [out-of-state applicants and] members of the armed forces, except
22 that where such temporary license is issued it shall be valid
23 only until the applicant shall have had time to appear and have
24 his or her picture taken and a license with his or her photograph
25 issued.

1 7. The department of revenue shall issue upon request a
2 nondriver's license card containing essentially the same
3 information and photograph or digital image, except as provided
4 pursuant to subsection 8 of this section, as the driver's license
5 upon payment of six dollars [if the applicant is under the age of
6 sixty-five. An applicant who is sixty-five years of age or older
7 may purchase a nondriver's license card without a photograph for
8 one dollar or a nondriver's license card with a photograph for
9 six dollars]. All nondriver's licenses shall expire on the
10 applicant's birthday in the sixth year after issuance. A person
11 who has passed his or her seventieth birthday shall upon
12 application be issued a nonexpiring nondriver's license card.
13 The nondriver's license card shall be used for identification
14 purposes only and shall not be valid as a license.

15 8. If otherwise eligible, an applicant may receive a
16 driver's license or nondriver's license without a photograph or
17 digital image of the applicant's full facial features except that
18 such applicant's photograph or digital image shall be taken and
19 maintained by the director and not printed on such license. In
20 order to qualify for a license without a photograph or digital
21 image pursuant to this section the applicant must:

22 (1) Present a form provided by the department of revenue
23 requesting the applicant's photograph be omitted from the license
24 or nondriver's license due to religious affiliations. The form
25 shall be signed by the applicant and another member of the

1 religious tenant verifying the photograph or digital image
2 exemption on the license or nondriver's license is required as
3 part of their religious affiliation. The required signatures on
4 the prescribed form shall be properly notarized.

5 (2) Provide satisfactory proof to the director that the
6 applicant has been a U.S. citizen for at least five years and a
7 resident of this state for at least one year, except that an
8 applicant moving to this state possessing a valid drivers license
9 from another state without a photograph, shall be exempt from the
10 one year state residency requirement. The director may establish
11 rules necessary to determine satisfactory proof of citizenship
12 and residency pursuant to this section.

13 (3) Applications for a driver's license or nondriver's
14 license without a photograph or digital image must be made in
15 person at a license office determined by the director. The
16 director is authorized to limit the number of offices that may
17 issue a driver's or nondriver's license without a photograph or
18 digital image pursuant to this section.

19 9. The department of revenue shall make available, at one
20 or more locations within the state, an opportunity for
21 individuals to have their full facial photograph taken by an
22 employee of the department of revenue, or their designee, who is
23 of the same sex as the individual being photographed, in a
24 segregated location.

25 [8.] 10. Beginning July 1, 2005, the director shall not

1 issue a driver's license or a nondriver's license for a period
2 that exceeds an applicant's lawful presence in the United States.
3 The director may, by rule or regulation, establish procedures to
4 verify the lawful presence of the applicant and establish the
5 duration of any driver's license or nondriver's license issued
6 under this section.

7 11. No rule or portion of a rule promulgated pursuant to
8 the authority of this chapter shall become effective unless it is
9 promulgated pursuant to the provisions of chapter 536, RSMo.

10 302.225. 1. Every court having jurisdiction over offenses
11 committed under sections 302.010 to 302.780, or any other law of
12 this state, or county or municipal ordinance, regulating the
13 operation of vehicles on highways or any other offense in which
14 the commission of such offense involves the use of a motor
15 vehicle, including felony convictions, shall, within [ten] seven
16 days thereafter, forward to the [Missouri state highway patrol,
17 or at the written direction of the Missouri state highway patrol,
18 to the] department of revenue, in a manner approved by the
19 director of the department of public safety a record of any plea
20 or finding of guilty of any person in the court for a violation
21 of sections 302.010 to 302.780 or for any moving traffic
22 violation under the laws of this state or county or municipal
23 ordinances. The record related to offenses involving alcohol,
24 controlled substances, or drugs shall be entered in the Missouri
25 uniform law enforcement system records. The director of revenue

1 shall enter the conviction information into the appropriate
2 computer systems and transmit the conviction information as
3 required in 49 CFR Part 384, or as amended by the Secretary of
4 the United States Department of Transportation. The record of
5 all convictions involving the assessment of points as provided in
6 section 302.302 and convictions involving a commercial motor
7 vehicle as defined in section 302.700 furnished by a court to the
8 [highway patrol and not to the] department of revenue shall be
9 forwarded by the [highway patrol] department of revenue within
10 fifteen days of receipt to the [director of revenue] Missouri
11 state highway patrol. The record related to offenses involving
12 alcohol, controlled substances, or drugs, or in which the
13 Missouri state highway patrol was the arresting agency shall be
14 entered into the Missouri uniform law enforcement system records.

15 2. Whenever any person is convicted of any offense or
16 series of offenses for which sections 302.010 to 302.340 makes
17 mandatory the suspension or revocation of the license of such
18 person by the director of revenue, the circuit court in which
19 such conviction is had shall require the surrender to it of all
20 licenses, then held by the person so convicted, and the court
21 shall within [ten] seven days thereafter forward the same,
22 together with a record of the conviction, to the director of
23 revenue.

24 3. No municipal judge or municipal official shall have
25 power to revoke any license.

1 302.230. Any person who makes a false unsworn statement or
2 affidavit or knowingly swears or affirms falsely as to any matter
3 or thing required by sections 302.010 to 302.540 shall be deemed
4 guilty of a class A misdemeanor [and punishable only by a fine].
5 No person who pleads guilty or nolo contendere, or is found
6 guilty of making a false statement or affidavit shall be licensed
7 to operate a motor vehicle for a period of one year after such
8 plea, finding or conviction.

9 302.233. 1. Notwithstanding any other provision of law,
10 any person who commits or assists another individual in
11 committing fraud or deception during any examination process
12 required by sections 302.010 to 302.782, or who knowingly
13 conceals a material fact or provides information which contains
14 or is substantiated with false or fraudulent information or
15 documentation, or otherwise commits a fraud in an application for
16 an instruction permit, driver's license, nondriver's license, or
17 commercial driver's license or permit is guilty of a class A
18 misdemeanor.

19 2. An applicant who pleads guilty or nolo contendere to, or
20 is found guilty of a violation of this section shall not be
21 licensed to operate a motor vehicle or commercial motor vehicle
22 for a period of one year after such plea, finding, or conviction.

23 3. Any person assisting an applicant who pleads guilty or
24 nolo contendere to, or is found guilty of a violation of this
25 section shall have his or her existing motor vehicle or

1 commercial motor vehicle license revoked and lose all driving
2 privileges for a period of one year after such plea, finding, or
3 conviction.

4 302.272. 1. No person shall operate any school bus owned
5 by or under contract with a public school or the state board of
6 education unless such driver has qualified for a school bus
7 [permit] endorsement under this section and complied with the
8 pertinent rules and regulations of the department of revenue and
9 any final rule issued by the secretary of the United States
10 Department of Transportation or has a valid school bus
11 endorsement on a valid commercial driver's license issued by
12 another state. A school bus [permit] endorsement shall be issued
13 to any applicant who meets the following qualifications:

14 (1) The applicant has a valid state license issued under
15 this chapter or has a license valid in any other state;

16 (2) The applicant is at least twenty-one years of age;

17 (3) The applicant has passed a medical examination,
18 including vision and hearing tests, as prescribed by the director
19 of revenue and, if the applicant is at least seventy years of
20 age, the applicant shall pass the medical examination annually to
21 maintain or renew the [permit] endorsement; and

22 (4) The applicant has successfully passed an examination
23 for the operation of a school bus as prescribed by the director
24 of revenue. The examination shall include, but need not be
25 limited to, a written skills examination of applicable laws,

1 rules and procedures, including any examinations prescribed by
2 the secretary of the United States Department of Transportation,
3 and a driving test in the type of vehicle to be operated. The
4 test shall be completed in the appropriate class of vehicle to be
5 driven. For purposes of this section classes of school buses
6 shall comply with the Commercial Motor Vehicle Safety Act of 1986
7 (Title XII of Pub. Law 99-570).

8 2. Except as otherwise provided in this section, a school
9 bus [permit] endorsement shall be renewed every three years and
10 shall require the applicant to provide a medical examination as
11 specified in subdivision (3) of subsection 1 of this section and
12 to successfully pass a written skills examination as prescribed
13 by the director of revenue in consultation with the department of
14 elementary and secondary education. If the applicant is at least
15 seventy years of age, the school bus [permit] endorsement shall
16 be renewed annually, and the applicant shall successfully pass
17 the examination prescribed in subdivision (4) of subsection 1 of
18 this section prior to receiving the renewed [permit] endorsement.
19 The director may waive the written skills examination on renewal
20 of a school bus [permit] endorsement upon verification of the
21 applicant's successful completion within the preceding twelve
22 months of a training program which has been approved by the
23 director in consultation with the department of elementary and
24 secondary education and which is at least eight hours in duration
25 with special instruction in school bus driving.

1 3. The fee for a new or renewed school bus [permit]
2 endorsement shall be three dollars.

3 4. Upon the applicant's completion of the requirements of
4 subsections 1, 2 and 3 of this section, the director of revenue
5 [shall] may issue a temporary school bus permit to the applicant
6 until such time as a [permanent] school bus [permit] endorsement
7 shall be issued following the record clearance as provided in
8 subsection 6 of this section.

9 5. The director of revenue, to the best of the director's
10 knowledge, shall not issue or renew a school bus [permit]
11 endorsement to any applicant:

12 (1) Whose driving record shows that such applicant's
13 privilege to operate a motor vehicle has been suspended, revoked
14 or disqualified or whose driving record shows a history of moving
15 vehicle violations;

16 (2) Who has pled guilty to or been found guilty of any
17 felony or misdemeanor for violation of drug regulations as
18 defined in chapter 195, RSMo; of any felony for an offense
19 against the person as defined by chapter 565, RSMo, or any other
20 offense against the person involving the endangerment of a child
21 as prescribed by law; of any misdemeanor or felony for a sexual
22 offense as defined by chapter 566, RSMo; of any misdemeanor or
23 felony for prostitution as defined by chapter 567, RSMo; of any
24 misdemeanor or felony for an offense against the family as
25 defined in chapter 568, RSMo; of any felony or misdemeanor for a

1 weapons offense as defined by chapter 571, RSMo; of any
2 misdemeanor or felony for pornography or related offense as
3 defined by chapter 573, RSMo; or of any similar crime in any
4 federal, state, municipal or other court of similar jurisdiction
5 of which the director has knowledge;

6 (3) Who has pled guilty to or been found guilty of any
7 felony involving robbery, arson, burglary or a related offense as
8 defined by chapter 569, RSMo; or any similar crime in any
9 federal, state, municipal or other court of similar jurisdiction
10 within the preceding ten years of which the director has
11 knowledge.

12 6. The [department of social services or the] Missouri
13 highway patrol[, whichever has access to applicable records,]
14 shall provide a record of clearance or denial of clearance for
15 any applicant for a school bus [permit] endorsement for the
16 convictions specified in subdivisions (2) and (3) of subsection 5
17 of this section. The Missouri highway patrol in providing the
18 record of clearance or denial of clearance for any such applicant
19 is authorized to obtain from the Federal Bureau of Investigation
20 any information which might aid the Missouri highway patrol in
21 providing such record of clearance or denial of clearance. The
22 [department of social services or the] Missouri highway patrol
23 shall provide the record of clearance or denial of clearance
24 within thirty days of the date requested, relying on information
25 available at that time, except that the [department of social

1 services or the] Missouri highway patrol shall provide any
2 information subsequently discovered to the department of revenue.

3 7. For purposes of obtaining the record of clearance or
4 denial for convictions specified in subdivisions (2) and (3) of
5 subsection 5 of this section, the applicant for a school bus
6 endorsement shall submit two sets of fingerprints. One set of
7 fingerprints shall be used by the highway patrol in order to
8 search the criminal history repository and the second set shall
9 be forwarded to the Federal Bureau of Investigation for searching
10 the federal criminal history files.

11 8. The applicant shall pay the fee for the state criminal
12 history information pursuant to section 43.530, RSMo, and pay the
13 appropriate fee determined by the Federal Bureau of Investigation
14 for the federal criminal history record when he or she applies
15 for the school bus endorsement pursuant to this section. The
16 director shall distribute the fees collected for the state and
17 federal criminal histories to the highway patrol.

18 9. The director may adopt any rules and regulations
19 necessary to carry out the provisions of this section. Any rule
20 or portion of a rule, as that term is defined in section 536.010,
21 RSMo, that is created under the authority delegated in this
22 section shall become effective only if it complies with and is
23 subject to all of the provisions of chapter 536, RSMo, and, if
24 applicable, section 536.028, RSMo. This section and chapter 536,
25 RSMo, are nonseverable and if any of the powers vested with the

1 general assembly pursuant to chapter 536, RSMo, to review, to
2 delay the effective date, or to disapprove and annul a rule are
3 subsequently held unconstitutional, then the grant of rulemaking
4 authority and any rule proposed or adopted after August 28, 2004,
5 shall be invalid and void.

6 10. Except as otherwise provided in this section, an
7 applicant who possesses a valid driver's license from another
8 state with a valid school bus endorsement and who is otherwise
9 qualified to receive a school bus endorsement in this state,
10 shall be issued a school bus permit. The requirements to obtain
11 and retain such permit shall be identical to those requirements
12 for a school bus endorsement issued pursuant to this section.

13 302.273. 1. Notwithstanding any provisions of section
14 302.272, any individual who operates a school bus as that term is
15 defined in 49 CFR Part 383, section 383.5, shall meet the
16 requirements for and be issued a school bus endorsement as
17 required by the secretary pursuant to 49 CFR, part 383, section
18 383.123.

19 2. The director is authorized to promulgate any rules and
20 regulations necessary to carry out the provisions of this
21 section. Any rule or portion of a rule, as that term is defined
22 in section 536.010, RSMo, that is created under the authority
23 delegated in this section shall become effective only if it
24 complies with and is subject to all of the provisions of chapter
25 536, RSMo, and, if applicable, section 536.028, RSMo. This

section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 2 points
(except any violation of municipal stop sign ordinance where no accident is involved 1 point)

(2) Speeding
In violation of a state law 3 points
In violation of a county or municipal ordinance 2 points

(3) Leaving the scene of an accident in violation of section 577.060, RSMo 12 points
In violation of any county or municipal ordinance 6 points

(4) Careless and imprudent driving in
 violation of subsection 4 of section 304.016, RSMo . . . 4 points
 In violation of a county or municipal ordinance 2 points
 (5) Operating without a valid license in
 violation of subdivision (1) or (2) of subsection 1
 of section 302.020:
 (a) For the first conviction 2 points
 (b) For the second conviction 4 points
 (c) For the third conviction 6 points
 (6) Operating with a suspended or
 revoked license prior to restoration of operating
 privileges 12 points
 (7) Obtaining a license by misrepresentation . . . 12 points
 (8) For the first conviction of driving
 while in an intoxicated condition or under the
 influence of controlled substances or drugs 8 points
 (9) For the second or subsequent
 conviction of any of the following offenses however
 combined: driving while in an intoxicated condition,
 driving under the influence of controlled substances
 or drugs or driving with a blood alcohol content
 of eight-hundredths of one percent or more by weight . . 12 points
 (10) For the first conviction for driving
 with blood alcohol content eight-hundredths of
 one percent or more by weight

1 In violation of state law 8 points

2 In violation of a county or municipal ordinance
3 or federal law or regulation 8 points

4 (11) Any felony involving the use of a motor
5 vehicle 12 points

6 (12) Knowingly permitting unlicensed operator
7 to operate a motor vehicle 4 points

8 (13) For a conviction for failure to maintain
9 financial responsibility pursuant to county or municipal
10 ordinance or pursuant to section 303.025, RSMo 4 points

11 2. The director shall, as provided in subdivision (5) of
12 subsection 1 of this section, assess an operator points for a
13 conviction pursuant to subdivision (1) or (2) of subsection 1 of
14 section 302.020, when the director issues such operator a license
15 or permit pursuant to the provisions of sections 302.010 to
16 302.340.

17 3. An additional two points shall be assessed when personal
18 injury or property damage results from any violation listed in
19 subsection 1 of this section and if found to be warranted and
20 certified by the reporting court.

21 4. When any of the acts listed in subdivision (2), (3), (4)
22 or (8) of subsection 1 of this section constitutes both a
23 violation of a state law and a violation of a county or municipal
24 ordinance, points may be assessed for either violation but not
25 for both. Notwithstanding that an offense arising out of the

1 same occurrence could be construed to be a violation of
2 subdivisions (8), (9) and (10) of subsection 1 of this section,
3 no person shall be tried or convicted for more than one offense
4 pursuant to subdivisions (8), (9) and (10) of subsection 1 of
5 this section for offenses arising out of the same occurrence.

6 5. The director of revenue shall put into effect a system
7 for staying the assessment of points against an operator. The
8 system shall provide that the satisfactory completion of a
9 driver-improvement program or, in the case of violations
10 committed while operating a motorcycle, a motorcycle-rider
11 training course approved by the director of the department of
12 public safety, by an operator, when so ordered and verified by
13 any court having jurisdiction over any law of this state or
14 county or municipal ordinance, regulating motor vehicles, other
15 than a violation committed in a commercial motor vehicle as
16 defined in section 302.700 or a violation committed by an
17 individual who has been issued a commercial driver's license or
18 is required to obtain a commercial driver's license in this state
19 or any other state, shall be accepted by the director in lieu of
20 the assessment of points for a violation pursuant to subdivision
21 (1), (2) or (4) of subsection 1 of this section or pursuant to
22 subsection 3 of this section. For the purposes of this
23 subsection, the driver-improvement program shall meet or exceed
24 the standards of the National Safety Council's eight-hour
25 "Defensive Driving Course" or, in the case of a violation which

1 occurred during the operation of a motorcycle, the program shall
2 meet the standards established by the director of the department
3 of public safety pursuant to sections 302.133 to 302.138. The
4 completion of a driver-improvement program or a motorcycle-rider
5 training course shall not be accepted in lieu of points more than
6 one time in any thirty-six-month period and shall be completed
7 within sixty days of the date of conviction in order to be
8 accepted in lieu of the assessment of points. Every court having
9 jurisdiction pursuant to the provisions of this subsection shall,
10 within fifteen days after completion of the driver-improvement
11 program or motorcycle-rider training course by an operator,
12 forward a record of the completion to the director, all other
13 provisions of the law to the contrary notwithstanding. The
14 director shall establish procedures for record keeping and the
15 administration of this subsection.

16 302.309. 1. Whenever any license is suspended pursuant to
17 sections 302.302 to 302.309, the director of revenue shall return
18 the license to the operator immediately upon the termination of
19 the period of suspension and upon compliance with the
20 requirements of chapter 303, RSMo.

21 2. Any operator whose license is revoked pursuant to these
22 sections, upon the termination of the period of revocation, shall
23 apply for a new license in the manner prescribed by law.

24 3. (1) All circuit courts or the director of revenue shall
25 have jurisdiction to hear applications and make eligibility

1 determinations granting limited driving privileges. Any
2 application may be made in writing to the director of revenue and
3 the person's reasons for requesting the limited driving privilege
4 shall be made therein.

5 (2) When any court of record having jurisdiction or the
6 director of revenue finds that an operator is required to operate
7 a motor vehicle in connection with any of the following:

8 (a) A business, occupation, or employment;

9 (b) Seeking medical treatment for such operator;

10 (c) Attending school or other institution of higher
11 education;

12 (d) Attending alcohol or drug treatment programs; or

13 (e) Any other circumstance the court or director finds
14 would create an undue hardship on the operator;

15 the court or director may grant such limited driving privilege as
16 the circumstances of the case justify if the court or director
17 finds undue hardship would result to the individual, and while so
18 operating a motor vehicle within the restrictions and limitations
19 of the limited driving privilege the driver shall not be guilty
20 of operating a motor vehicle without a valid license.

21 (3) An operator may make application to the proper court in
22 the county in which such operator resides or in the county in
23 which is located the operator's principal place of business or
24 employment. Any application for a limited driving privilege made
25 to a circuit court shall name the director as a party defendant

1 and shall be served upon the director prior to the grant of any
2 limited privilege, and shall be accompanied by a copy of the
3 applicant's driving record as certified by the director. Any
4 applicant for a limited driving privilege shall have on file with
5 the department of revenue proof of financial responsibility as
6 required by chapter 303, RSMo. Any application by a person who
7 transports persons or property as classified in section 302.015
8 may be accompanied by proof of financial responsibility as
9 required by chapter 303, RSMo, but if proof of financial
10 responsibility does not accompany the application, or if the
11 applicant does not have on file with the department of revenue
12 proof of financial responsibility, the court or the director has
13 discretion to grant the limited driving privilege to the person
14 solely for the purpose of operating a vehicle whose owner has
15 complied with chapter 303, RSMo, for that vehicle, and the
16 limited driving privilege must state such restriction. When
17 operating such vehicle under such restriction the person shall
18 carry proof that the owner has complied with chapter 303, RSMo,
19 for that vehicle.

20 (4) The court order or the director's grant of the limited
21 driving privilege shall indicate the termination date of the
22 privilege, which shall be not later than the end of the period of
23 suspension or revocation. A copy of any court order shall be
24 sent by the clerk of the court to the director, and a copy shall
25 be given to the driver which shall be carried by the driver

1 whenever such driver operates a motor vehicle. The director of
2 revenue upon granting a limited driving privilege shall give a
3 copy of the limited driving privilege to the applicant. The
4 applicant shall carry a copy of the limited driving privilege
5 while operating a motor vehicle. A conviction which results in
6 the assessment of points pursuant to section 302.302, other than
7 a violation of a municipal stop sign ordinance where no accident
8 is involved, against a driver who is operating a vehicle pursuant
9 to a limited driving privilege terminates the privilege, as of
10 the date the points are assessed to the person's driving record.
11 If the date of arrest is prior to the issuance of the limited
12 driving privilege, the privilege shall not be terminated. The
13 director shall notify by ordinary mail the driver whose privilege
14 is so terminated.

15 (5) Except as provided in subdivision (6) of this
16 subsection, no person is eligible to receive a limited driving
17 privilege who at the time of application for a limited driving
18 privilege has previously been granted such a privilege within the
19 immediately preceding five years, or whose license has been
20 suspended or revoked for the following reasons:

21 (a) A conviction of violating the provisions of section
22 577.010 or 577.012, RSMo, or any similar provision of any federal
23 or state law, or a municipal or county law where the judge in
24 such case was an attorney and the defendant was represented by or
25 waived the right to an attorney in writing, until the person has

1 completed the first thirty days of a suspension or revocation
2 imposed pursuant to this chapter;

3 (b) A conviction of any felony in the commission of which a
4 motor vehicle was used;

5 (c) Ineligibility for a license because of the provisions
6 of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or
7 (11) of section 302.060;

8 (d) Because of operating a motor vehicle under the
9 influence of narcotic drugs, a controlled substance as defined in
10 chapter 195, RSMo, or having left the scene of an accident as
11 provided in section 577.060, RSMo;

12 (e) Due to a revocation for the first time for failure to
13 submit to a chemical test pursuant to section 577.041, RSMo, or
14 due to a refusal to submit to a chemical test in any other state,
15 if such person has not completed the first ninety days of such
16 revocation;

17 (f) Violation more than once of the provisions of section
18 577.041, RSMo, or a similar implied consent law of any other
19 state; or

20 (g) [Disqualification of a commercial driver's license
21 pursuant to sections 302.700 to 302.780, however, nothing in this
22 subsection shall prevent a person holding a commercial driver's
23 license who is suspended or revoked as a result of an action
24 occurring while not driving a commercial motor vehicle or driving
25 for pay, but while driving in an individual capacity as an

1 operator of a personal vehicle from applying for a limited
2 driving privilege to operate a commercial vehicle, if otherwise
3 eligible for such limited privilege; or

4 (h)] Due to a suspension pursuant to subsection 2 of section
5 302.525 and who has not completed the first thirty days of such
6 suspension, provided the person is not otherwise ineligible for a
7 limited driving privilege; or due to a revocation pursuant to
8 subsection 2 of section 302.525 if such person has not completed
9 such revocation.

10 (6) No person who possesses a commercial driver's license
11 shall receive a limited driving privilege issued for the purpose
12 of operating a commercial motor vehicle if such person's driving
13 privilege is suspended, revoked, canceled, denied, or
14 disqualified. Nothing in this section shall prohibit the
15 issuance of a limited driving privilege for the purpose of
16 operating a noncommercial motor vehicle provided that pursuant to
17 the provisions of this section, the applicant is not otherwise
18 ineligible for a limited driving privilege.

19 (7) (a) Provided that pursuant to the provisions of this
20 section, the applicant is not otherwise ineligible for a limited
21 driving privilege, a circuit court or the director may, in the
22 manner prescribed in this subsection, allow a person who has had
23 such person's license to operate a motor vehicle revoked where
24 that person cannot obtain a new license for a period of ten
25 years, as prescribed in subdivision (9) of section 302.060, to

1 apply for a limited driving privilege pursuant to this subsection
2 if such person has served at least three years of such
3 disqualification or revocation. Such person shall present
4 evidence satisfactory to the court or the director that such
5 person has not been convicted of any offense related to alcohol,
6 controlled substances or drugs during the preceding three years
7 and that the person's habits and conduct show that the person no
8 longer poses a threat to the public safety of this state.

9 (b) Provided that pursuant to the provisions of this
10 section, the applicant is not otherwise ineligible for a limited
11 driving privilege or convicted of involuntary manslaughter while
12 operating a motor vehicle in an intoxicated condition, a circuit
13 court or the director may, in the manner prescribed in this
14 subsection, allow a person who has had such person's license to
15 operate a motor vehicle revoked where that person cannot obtain a
16 new license for a period of five years because of two convictions
17 of driving while intoxicated, as prescribed in subdivision (10)
18 of section 302.060, to apply for a limited driving privilege
19 pursuant to this subsection if such person has served at least
20 two years of such disqualification or revocation. Such person
21 shall present evidence satisfactory to the court or the director
22 that such person has not been convicted of any offense related to
23 alcohol, controlled substances or drugs during the preceding two
24 years and that the person's habits and conduct show that the
25 person no longer poses a threat to the public safety of this

1 state. Any person who is denied a license permanently in this
2 state because of an alcohol-related conviction subsequent to a
3 restoration of such person's driving privileges pursuant to
4 subdivision (9) of section 302.060 shall not be eligible for
5 limited driving privilege pursuant to the provisions of this
6 subdivision.

7 4. Any person who has received notice of denial of a
8 request of limited driving privilege by the director of revenue
9 may make a request for a review of the director's determination
10 in the circuit court of the county in which the person resides or
11 the county in which is located the person's principal place of
12 business or employment within thirty days of the date of mailing
13 of the notice of denial. Such review shall be based upon the
14 records of the department of revenue and other competent evidence
15 and shall be limited to a review of whether the applicant was
16 statutorily entitled to the limited driving privilege.

17 5. The director of revenue shall promulgate rules and
18 regulations necessary to carry out the provisions of this
19 section. Any rule or portion of a rule, as that term is defined
20 in section 536.010, RSMo, that is created under the authority
21 delegated in this section shall become effective only if it
22 complies with and is subject to all of the provisions of chapter
23 536, RSMo, and, if applicable, section 536.028, RSMo. This
24 section and chapter 536, RSMo, are nonseverable and if any of the
25 powers vested with the general assembly pursuant to chapter 536,

1 RSMo, to review, to delay the effective date or to disapprove and
2 annul a rule are subsequently held unconstitutional, then the
3 grant of rulemaking authority and any rule proposed or adopted
4 after August 28, 2001, shall be invalid and void.

5 302.345. Notwithstanding any other provision of law, no
6 federal, state, county, municipal, or local court shall defer
7 imposition of judgment, suspend imposition of sentence, or allow
8 an individual who possesses a commercial driver's license or is
9 required to possess a commercial driver's license issued pursuant
10 to chapter 302, RSMo, or the laws of another state, to enter into
11 a diversion program that would prevent a conviction for any
12 violation, in any type of motor vehicle, of a federal, state,
13 county, municipal, or local traffic control law from appearing on
14 the driver's record maintained by the director of revenue.

15 302.347. The director of revenue shall adopt the materials
16 incorporated by reference and record keeping requirements as
17 prescribed in 49 CFR Part 384, or as amended by the secretary.

18 302.700. 1. Sections 302.700 to 302.780 may be cited as
19 the "Uniform Commercial Driver's License Act".

20 2. When used in sections 302.700 to 302.780, the following
21 words and phrases mean:

22 (1) "Alcohol", any substance containing any form of
23 alcohol, including, but not limited to, ethanol, methanol,
24 propanol and isopropanol;

25 (2) "Alcohol concentration", the number of grams of alcohol

1 per one hundred milliliters of blood or the number of grams of
2 alcohol per two hundred ten liters of breath or the number of
3 grams of alcohol per sixty-seven milliliters of urine;

4 (3) "Commercial driver's instruction permit", a permit
5 issued pursuant to section 302.720;

6 (4) "Commercial driver's license", a license issued by this
7 state to an individual which authorizes the individual to operate
8 a commercial motor vehicle;

9 (5) "Commercial driver's license information system", the
10 information system established pursuant to the Commercial Motor
11 Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) to
12 serve as a clearinghouse for locating information related to the
13 licensing and identification of commercial motor vehicle drivers;

14 (6) "Commercial motor vehicle", a motor vehicle designed or
15 used to transport passengers or property:

16 (a) If the vehicle has a gross combination weight rating of
17 twenty-six thousand one or more pounds inclusive of a towed unit
18 which has a gross vehicle weight rating of ten thousand one
19 pounds or more;

20 (b) If the vehicle has a gross vehicle weight rating of
21 twenty-six thousand one or more pounds or such lesser rating as
22 determined by federal regulation;

23 (c) If the vehicle is designed to transport [more than
24 fifteen] sixteen or more passengers, including the driver; or

25 (d) If the vehicle is transporting hazardous materials and

1 is required to be placarded under the Hazardous Materials
2 Transportation Act (46 U.S.C. 1801 et seq.);

3 (7) "Controlled substance", any substance so classified
4 under Section 102(6) of the Controlled Substances Act (21 U.S.C.
5 802(6)), and includes all substances listed in schedules I
6 through V of 21 CFR part 1308, as they may be revised from time
7 to time;

8 (8) "Conviction", an unvacated adjudication of guilt,
9 including pleas of guilt and nolo contendere, or a determination
10 that a person has violated or failed to comply with the law in a
11 court of original jurisdiction or an authorized administrative
12 proceeding, an unvacated forfeiture of bail or collateral
13 deposited to secure the person's appearance in court, the payment
14 of a fine or court cost, or violation of a condition of release
15 without bail, regardless of whether the penalty is rebated,
16 suspended or prorated;

17 (9) "Director", the director of revenue or his authorized
18 representative;

19 (10) "Disqualification", [a withdrawal of the privilege to
20 drive a commercial motor vehicle;] means any of the following
21 three actions:

22 (a) The suspension, revocation, or cancellation of a
23 commercial driver's license;

24 (b) Any withdrawal of a person's privileges to drive a
25 commercial motor vehicle by a state as the result of a violation

1 of federal, state, county, municipal, or local law relating to
2 motor vehicle traffic control or violations committed through the
3 operation of motor vehicles, other than parking, vehicle weight,
4 or vehicle defect violations;

5 (c) A determination by the Federal Motor Carrier Safety
6 Administration that a person is not qualified to operate a
7 commercial motor vehicle under 49 CFR Part 383.52 or Part 391;

8 (11) "Drive", to drive, operate or be in physical control
9 of a commercial motor vehicle;

10 (12) "Driver", any person who drives, operates, or is in
11 physical control of a [commercial] motor vehicle, or who is
12 required to hold a commercial driver's license;

13 (13) "Driving under the influence of alcohol", the
14 commission of any one or more of the following acts [in a
15 commercial motor vehicle]:

16 (a) Driving a commercial motor vehicle with the alcohol
17 concentration of four one-hundredths of a percent or more as
18 prescribed by the secretary or such other alcohol concentration
19 as may be later determined by the secretary by regulation;

20 (b) Driving a commercial or noncommercial motor vehicle
21 while intoxicated in violation of any federal or state law, or in
22 violation of a county or municipal ordinance;

23 (c) Driving a commercial or noncommercial motor vehicle
24 with excessive blood alcohol content in violation of any federal
25 or state law, or in violation of a county or municipal ordinance;

1 (d) Refusing to submit to a chemical test in violation of
2 section 577.041, RSMo, section 302.750, any federal or state law,
3 or a county or municipal ordinance; or

4 (e) Having any state, county or municipal alcohol-related
5 enforcement contact, as defined in subsection 3 of section
6 302.525; provided that any suspension or revocation pursuant to
7 section 302.505, committed in a noncommercial motor vehicle by an
8 individual twenty-one years of age or older shall have been
9 committed by the person with an alcohol concentration of at least
10 eight-hundredths of one percent or more, or in the case of an
11 individual who is less than twenty-one years of age, shall have
12 been committed by the person with an alcohol concentration of at
13 least two-hundredths of one percent or more, and if committed in
14 a commercial motor vehicle, a concentration of four-hundredths of
15 one percent or more;

16 (14) "Driving under the influence of a controlled
17 substance", the commission of any one or more of the following
18 acts in a commercial or noncommercial motor vehicle:

19 (a) Driving a commercial or noncommercial motor vehicle
20 while under the influence of any substance so classified under
21 Section 102(6) of the Controlled Substances Act (21 U.S.C.
22 802(6)), including any substance listed in schedules I through V
23 of 21 CFR part 1308, as they may be revised from time to time;

24 (b) Driving a commercial or noncommercial motor vehicle
25 while in a drugged condition in violation of any federal or state

1 law or in violation of a county or municipal ordinance; or

2 (c) Refusing to submit to a chemical test in violation of
3 section 577.041, RSMo, section 302.750, any federal or state law,
4 or a county or municipal ordinance;

5 (15) "Employer", any person, including the United States, a
6 state, or a political subdivision of a state, who owns or leases
7 a commercial motor vehicle or assigns a driver to operate such a
8 vehicle;

9 (16) "Farm vehicle", a commercial motor vehicle controlled
10 and operated by a farmer used exclusively for the transportation
11 of agricultural products, farm machinery, farm supplies, or a
12 combination of these, within one hundred fifty miles of the farm,
13 other than one which requires placarding for hazardous materials
14 as defined in this section, or used in the operation of a common
15 or contract motor carrier, except that a farm vehicle shall not
16 be a commercial motor vehicle when the total combined gross
17 weight rating does not exceed twenty-six thousand one pounds when
18 transporting fertilizers as defined in subdivision (20) of this
19 subsection;

20 (17) "Fatality", the death of a person as a result of a
21 motor vehicle accident;

22 (18) "Felony", any offense under state or federal law that
23 is punishable by death or imprisonment for a term exceeding one
24 year;

25 [(18)] (19) "Gross combination weight rating" or "GCWR",

1 the value specified by the manufacturer as the loaded weight of a
2 combination (articulated) vehicle. In the absence of a value
3 specified by the manufacturer, GCWR will be determined by adding
4 the GVWR of the power unit and the total weight of the towed unit
5 and any load thereon;

6 [(19)] (20) "Gross vehicle weight rating" or "GVWR", the
7 value specified by the manufacturer as the loaded weight of a
8 single vehicle;

9 [(20)] (21) "Hazardous materials", hazardous materials as
10 specified in Section 103 of the Hazardous Materials
11 Transportation Act (49 U.S.C. 1801 et seq.). Fertilizers,
12 including but not limited to ammonium nitrate, phosphate,
13 nitrogen, anhydrous ammonia, lime, potash, motor fuel or special
14 fuel, shall not be considered hazardous materials when
15 transported by a farm vehicle provided all other provisions of
16 this definition are followed;

17 (22) "Imminent hazard", the existence of a condition that
18 presents a substantial likelihood that death, serious illness,
19 severe personal injury, or a substantial endangerment to health,
20 property, or the environment may occur before the reasonably
21 foreseeable completion date of a formal proceeding begins to
22 lessen the risk of that death, illness, injury, or endangerment;

23 (23) "Issuance", the initial licensure, license transfers,
24 license renewals, and license upgrades;

25 [(21)] (24) "Motor vehicle", any self-propelled vehicle not

1 operated exclusively upon tracks;

2 (25) "Noncommercial motor vehicle", a motor vehicle or
3 combination of motor vehicles not defined by the term "commercial
4 motor vehicle" in this section;

5 ~~[(22)]~~ (26) "Out of service", a temporary prohibition
6 against the operation of a commercial motor vehicle by a
7 particular driver, or the operation of a particular commercial
8 motor vehicle, or the operation of a particular motor carrier;

9 ~~[(23)]~~ (27) "Out-of-service order", a declaration by the
10 Federal Highway Administration, or any authorized enforcement
11 officer of a federal, state, Commonwealth of Puerto Rico,
12 Canadian, Mexican or any local jurisdiction, that a driver, or a
13 commercial motor vehicle, or a motor carrier operation, is out of
14 service;

15 (28) "School bus", a commercial motor vehicle used to
16 transport preprimary, primary, or secondary school students from
17 home to school, from school to home, or to and from school-
18 sponsored events. School bus does not include a bus used as a
19 common carrier as defined by the secretary;

20 ~~[(24)]~~ (29) "Secretary", the Secretary of Transportation of
21 the United States;

22 ~~[(25)]~~ (30) "Serious traffic violation", driving a
23 commercial motor vehicle in such a manner that the driver
24 receives a conviction for the following offenses or driving a
25 noncommercial motor vehicle when the driver receives a conviction

1 for the following offenses and the conviction results in the
2 suspension or revocation of the driver's license or noncommercial
3 motor vehicle driving privilege:

4 (a) Excessive speeding, as defined by the secretary by
5 regulation;

6 (b) Careless, reckless or imprudent driving which includes,
7 but shall not be limited to, any violation of section 304.016,
8 RSMo, any violation of section 304.010, RSMo, or any other
9 violation of federal or state law, or any county or municipal
10 ordinance while driving a commercial motor vehicle in a willful
11 or wanton disregard for the safety of persons or property, or
12 improper or erratic traffic lane changes, or following the
13 vehicle ahead too closely, but shall not include careless and
14 imprudent driving by excessive speed;

15 (c) A violation of any federal or state law or county or
16 municipal ordinance regulating the operation of motor vehicles
17 arising out of an accident or collision which resulted in death
18 to any person, other than a parking violation; [or]

19 (d) Driving a commercial motor vehicle without obtaining a
20 commercial driver's license in violation of any federal or state
21 or county or municipal ordinance;

22 (e) Driving a commercial motor vehicle without a commercial
23 driver's license in the driver's possession in violation of any
24 federal or state or county or municipal ordinance. Any
25 individual who provides proof to the court which has jurisdiction

1 over the issued citation that the individual held a valid
2 commercial driver's license on the date that the citation was
3 issued, shall not be guilty of this offense;

4 (f) Driving a commercial motor vehicle without the proper
5 commercial driver's license class or endorsement for the specific
6 vehicle group being operated or for the passengers or type of
7 cargo being transported in violation of any federal or state law
8 or county or municipal ordinance; or

9 (g) Any other violation of a federal or state law or county
10 or municipal ordinance regulating the operation of motor
11 vehicles, other than a parking violation, as prescribed by the
12 secretary by regulation;

13 [(26)] (31) "State", a state, territory or possession of
14 the United States, the District of Columbia, the Commonwealth of
15 Puerto Rico, Mexico, and any province of Canada;

16 [(27)] (32) "United States", the fifty states and the
17 District of Columbia.

18 302.720. 1. Except when operating under an instruction
19 permit as described in this section, no person may drive a
20 commercial motor vehicle unless the person has been issued a
21 commercial driver's license with applicable endorsements valid
22 for the type of vehicle being operated as specified in sections
23 302.700 to 302.780. A commercial driver's instruction permit
24 shall allow the holder of a valid license to operate a commercial
25 motor vehicle when accompanied by the holder of a commercial

1 driver's license valid for the vehicle being operated and who
2 occupies a seat beside the individual, or reasonably near the
3 individual in the case of buses, for the purpose of giving
4 instruction in driving the commercial motor vehicle. A
5 commercial driver's instruction permit shall be valid for the
6 vehicle being operated for a period of not more than six months,
7 and shall not be issued until the permit holder has met all other
8 requirements of sections 302.700 to 302.780, except for the
9 driving test. A permit holder, unless otherwise disqualified,
10 may be granted one six-month renewal within a one-year period.
11 The fee for such permit or renewal shall be five dollars. In the
12 alternative, a commercial driver's instruction permit shall be
13 issued for a thirty-day period to allow the holder of a valid
14 driver's license to operate a commercial motor vehicle if the
15 applicant has completed all other requirements except the driving
16 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
18 dollars.

19 2. No person may be issued a commercial driver's license
20 until he has passed written and driving tests for the operation
21 of a commercial motor vehicle which complies with the minimum
22 federal standards established by the secretary and has satisfied
23 all other requirements of the Commercial Motor Vehicle Safety Act
24 of 1986 (Title XII of Pub. Law 99-570), as well as any other
25 requirements imposed by state law. Applicants for a hazardous

1 materials endorsement must also meet the requirements of the U.S.
2 Patriot Act of 2001 (Title X of Public Law 107-56) as specified
3 and required by regulations promulgated by the secretary.

4 Nothing contained in this subsection shall be construed as
5 prohibiting the director from establishing alternate testing
6 formats for those who are functionally illiterate; provided,
7 however, that any such alternate test must comply with the
8 minimum requirements of the Commercial Motor Vehicle Safety Act
9 of 1986 (Title XII of Pub. Law 99-570) as established by the
10 secretary.

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

19 (2) The director shall adopt and promulgate rules and
20 regulations governing the certification of third-party testers by
21 the department of revenue. Such rules and regulations shall
22 substantially comply with the requirements of 49 CFR Part 383,
23 Section 383.75. A certification to conduct third-party testing
24 shall be valid for one year, and the department shall charge a
25 fee of one hundred dollars to issue or renew the certification of

1 any third-party tester. Any third-party tester who violates any
2 of the rules and regulations adopted and promulgated pursuant to
3 this section shall be subject to having his certification revoked
4 by the department. The department shall provide written notice
5 and an opportunity for the third-party tester to be heard in
6 substantially the same manner as provided in chapter 536, RSMo.
7 If any applicant submits evidence that he has successfully
8 completed a test administered by a third-party tester, the actual
9 driving test for a commercial driver's license may then be
10 waived.

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

20 3. A commercial driver's license may not be issued to a
21 person while the person is disqualified from driving a commercial
22 motor vehicle, when a disqualification is pending in any state or
23 while the person's driver's license is suspended, revoked, or
24 canceled in any state; nor may a commercial driver's license be
25 issued unless the person first surrenders in a manner prescribed

1 by the director any commercial driver's license issued by another
2 state, which license shall be returned to the issuing state for
3 cancellation.

4 4. Beginning July 1, 2005, the director shall not issue an
5 instruction permit under this section unless the director
6 verifies that the applicant is lawfully present in the United
7 States before accepting the application. The director may, by
8 rule or regulation, establish procedures to verify the lawful
9 presence of the applicant under this section. No rule or portion
10 of a rule promulgated pursuant to the authority of this section
11 shall become effective unless it has been promulgated pursuant to
12 chapter 536, RSMo.

13 302.725. Any person who drives a commercial motor vehicle
14 without the proper class of license or applicable endorsements
15 valid for the type of vehicle being operated, or a commercial
16 driver's instruction permit, or a receipt which indicates the
17 driver is qualified to drive a commercial motor vehicle, [or
18 while driving privileges are suspended, revoked, or canceled, or
19 while disqualified from operating a commercial motor vehicle,] or
20 who violates license restrictions in any state, or driving a
21 commercial motor vehicle without a commercial driver's license in
22 his or her possession shall be guilty of a class A misdemeanor.
23 Any individual who provides proof to the court which has
24 jurisdiction over the issued citation by the date the individual
25 must appear in court or pay any fine for such a violation that

1 the individual held a valid commercial driver's license on the
2 date the citation was issued shall not be guilty of this offense.
3 No court shall suspend the imposition of sentence as to such
4 person nor sentence such person to a fine in lieu of a term of
5 imprisonment, nor shall such person be eligible for parole or
6 probation until he has served a minimum of forty-eight
7 consecutive hours of imprisonment, unless as a condition of such
8 parole or probation, such person performs at least ten days
9 involving at least forty hours of community service under the
10 supervision of the court in those jurisdictions which have a
11 recognized program for community service. Upon receipt of such
12 conviction the director shall [revoke] disqualify such person's
13 privilege to drive a commercial motor vehicle [for a period of
14 two years] pursuant to section 302.755.

15 302.727. 1. A person commits the crime of driving a
16 commercial motor vehicle while revoked if such person operates a
17 commercial motor vehicle when, as a result of prior violations
18 committed operating a commercial motor vehicle, the driver's
19 commercial driver license is revoked, suspended, or canceled, or
20 the driver is disqualified from operating a commercial motor
21 vehicle.

22 2. Any person convicted of driving a commercial motor
23 vehicle while revoked is guilty of a class A misdemeanor. Any
24 person with no prior alcohol-related enforcement contacts as
25 defined in section 302.525, convicted a fourth or subsequent time

1 of driving a commercial motor vehicle while revoked or a county
2 or municipal ordinance of driving a commercial motor vehicle
3 while suspended or revoked where the judge in such case was an
4 attorney and the defendant was represented by or waived the right
5 to an attorney in writing, and where the prior three driving a
6 commercial motor vehicle while revoked offenses occurred within
7 ten years of the date of occurrence of the present offense and
8 where the person received and served a sentence of ten days or
9 more on such previous offenses; and any person with a prior
10 alcohol-related enforcement contact as defined in section
11 302.525, convicted a third or subsequent time of driving a
12 commercial motor vehicle while revoked or a county or municipal
13 ordinance of driving a commercial motor vehicle while suspended
14 or revoked where the judge in such case was an attorney and the
15 defendant was represented by or waived the right to an attorney
16 in writing, and where the prior two driving a commercial motor
17 vehicle while revoked offenses occurred within ten years of the
18 date of occurrence of the present offense and where the person
19 received and served a sentence of ten days or more on such
20 previous offenses is guilty of a class D felony. No court shall
21 suspend the imposition of sentence as to such a person nor
22 sentence such person to pay a fine in lieu of a term of
23 imprisonment, nor shall such person be eligible for parole or
24 probation until he or she has served a minimum of forty-eight
25 consecutive hours of imprisonment, unless as a condition of such

1 parole or probation, such person performs at least ten days
2 involving at least forty hours of community service under the
3 supervision of the court in those jurisdictions which have a
4 recognized program for community service. Driving a commercial
5 motor vehicle while revoked is a class D felony on the second or
6 subsequent conviction pursuant to section 577.010, RSMo, or a
7 fourth or subsequent conviction for any other offense.

8 302.735. 1. An application shall not be taken from a
9 nonresident after September 30, 2005. The application for a
10 commercial driver's license shall include, but not be limited to,
11 the applicant's legal name, mailing and residence address, if
12 different, a physical description of the person, including sex,
13 height, weight and eye color, the person's Social Security
14 number, date of birth and any other information deemed
15 appropriate by the director. The application shall also require,
16 beginning September 30, 2005, the applicant to provide the names
17 of all states where the applicant has been previously licensed to
18 drive any type of motor vehicle during the preceding ten years.

19 2. The application for a commercial driver's license or
20 renewal shall be accompanied by the payment of a fee of forty
21 dollars. The fee for a duplicate commercial driver's license
22 shall be twenty dollars. A commercial driver's license shall
23 expire on the applicant's birthday in the sixth year after
24 issuance and must be renewed on or before the date of expiration.
25 The director shall have the authority to stagger the issuance or

1 renewal of commercial driver's license applicants over a six-year
2 period. When a person changes such person's name an application
3 for a duplicate license shall be made to the director of revenue.
4 When a person changes such person's mailing address or residence
5 the applicant shall notify the director of revenue of said
6 change, however, no application for a duplicate license is
7 required. To all applicants for a commercial license or renewal
8 who are between eighteen and twenty-one years of age and seventy
9 years of age and older, the application shall be accompanied by a
10 fee of twenty dollars. A commercial license issued pursuant to
11 this section to an applicant less than twenty-one years of age
12 and seventy years of age and older or, beginning September 30,
13 2005, to an applicant for a commercial driver's license
14 containing a school bus or hazardous materials endorsement shall
15 expire on the applicant's birthday in the third year after
16 issuance.

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

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

7 5. Beginning July 1, 2005, the director shall not issue a
8 commercial driver's license under this section unless the
9 director verifies that the applicant is lawfully present in the
10 United States before accepting the application. If lawful
11 presence is granted for a temporary period, no commercial
12 driver's license shall be issued. The director may, by rule or
13 regulation, establish procedures to verify the lawful presence of
14 the applicant and establish the duration of any commercial
15 driver's license issued under this section. No rule or portion
16 of a rule promulgated pursuant to the authority of this section
17 shall become effective unless it has been promulgated pursuant to
18 chapter 536, RSMo.

19 302.740. 1. The commercial driver's license shall be
20 manufactured of materials and processes that will prohibit as
21 nearly as possible, the ability to reproduce, alter, counterfeit,
22 forge, or duplicate any license without ready detection. Such
23 license shall include, but not be limited to, the following
24 information: a colored photograph of the person, the legal name
25 and address of the person, a physical description of the person,

1 including sex, height, weight and eye color, the person's Social
2 Security number or such other number or identifier deemed
3 appropriate by the director or the secretary, the date of birth,
4 class or type of commercial motor vehicle or vehicles which the
5 person is authorized to drive, the name of this state, and the
6 words "COMMERCIAL DRIVER'S LICENSE" or "CDL", the dates of
7 issuance and expiration, the person's signature and such other
8 information as the director prescribes.

9 2. Before issuing a commercial driver's license, the
10 director shall obtain driving record information from sources
11 including, but not limited to, the national driver's register
12 [or], the commercial driver's license information system [of],
13 and any state driver's licensing system in which the person has
14 been licensed; except that the director shall only be required to
15 obtain the complete driving record from each state the person has
16 ever been licensed in when such person is issued an initial
17 commercial driver's license or renews his or her commercial
18 driver's license for the first time. The director shall maintain
19 a notation in the driving record system of the date when he or
20 she has obtained the driving records from all other states which
21 the person has been licensed.

22 3. Within ten days after issuing a commercial driver's
23 license, the director shall notify the commercial driver's
24 license information system of such fact, providing all
25 information required to ensure identification of the person. For

1 the purpose of this subsection, the date of issuance shall be the
2 date the commercial driver's license is mailed to the applicant.

3 4. The commercial driver's license shall indicate the class
4 of vehicle the person may drive and any applicable endorsements
5 or restrictions. Commercial driver's license classifications,
6 endorsements and restrictions shall be in compliance with the
7 Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub.
8 Law 99-570) and those prescribed by the director. The commercial
9 driver's license driving record shall contain a complete history
10 of the driver, including information and convictions from
11 previous states of licensure.

12 302.755. 1. A person is disqualified from driving a
13 commercial motor vehicle for a period of not less than one year
14 if convicted of a first violation of:

15 (1) Driving a [commercial] motor vehicle under the
16 influence of alcohol or a controlled substance;

17 (2) Driving a commercial motor vehicle which causes a
18 fatality through the negligent operation of the commercial motor
19 vehicle, including but not limited to the crimes of vehicular
20 manslaughter, homicide by motor vehicle, and negligent homicide;

21 (3) Driving a commercial motor vehicle while revoked
22 pursuant to section 302.727;

23 (4) Leaving the scene of an accident involving a commercial
24 or noncommercial motor vehicle operated by the person;

25 [(3)] (5) Using a commercial or noncommercial motor vehicle

1 in the commission of any felony, as defined in section 302.700,
2 except a felony as provided in subsection 4 of this section.

3 2. If any of the violations described in subsection 1 of
4 this section occur while transporting a hazardous material the
5 person is disqualified for a period of not less than three years.

6 3. Any person is disqualified from operating a commercial
7 motor vehicle for life if convicted of two or more violations of
8 any of the offenses specified in subsection 1 of this section, or
9 any combination of those offenses, arising from two or more
10 separate incidents. The director may issue rules and
11 regulations, in accordance with guidelines established by the
12 secretary, under which a disqualification for life under this
13 section may be reduced to a period of not less than ten years.

14 4. Any person is disqualified from driving a commercial
15 motor vehicle for life who uses a commercial or noncommercial
16 motor vehicle in the commission of any felony involving the
17 manufacture, distribution, or dispensing of a controlled
18 substance, or possession with intent to manufacture, distribute,
19 or dispense a controlled substance.

20 5. Any person is disqualified from operating a commercial
21 motor vehicle for a period of not less than sixty days if
22 convicted of two serious traffic violations or one hundred twenty
23 days if convicted of three serious traffic violations, [committed
24 in a commercial motor vehicle] arising from separate incidents
25 occurring within a three-year period.

1 6. Any person found to be operating a commercial motor
2 vehicle while having any measurable alcohol concentration shall
3 immediately be issued a continuous twenty-four-hour
4 out-of-service order by a law enforcement officer in this state.

5 7. Any person who is convicted of operating a commercial
6 motor vehicle [during a continuous twenty-four-hour period]
7 beginning at the time of issuance of the out-of-service order
8 until its expiration is guilty of a class A misdemeanor.

9 8. Any person convicted for the first time of driving while
10 out of service shall be disqualified from driving a commercial
11 motor vehicle for a period of ninety days.

12 9. Any person convicted of driving while out of service on
13 a second occasion during any ten-year period, involving separate
14 incidents, shall be disqualified for a period of one year.

15 10. Any person convicted of driving while out of service on
16 a third or subsequent occasion during any ten-year period,
17 involving separate incidents, shall be disqualified for a period
18 of three years.

19 11. Any person convicted of a first violation of an
20 out-of-service order while transporting hazardous materials or
21 while operating a motor vehicle designed to transport [more than
22 fifteen] sixteen or more passengers, including the driver, is
23 disqualified for a period of one hundred eighty days.

24 12. Any person convicted of any subsequent violation of an
25 out-of-service order in a separate incident within ten years

1 after a previous violation, while transporting hazardous
2 materials or while operating a motor vehicle designed to
3 transport fifteen passengers, including the driver, is
4 disqualified for a period of three years.

5 13. Any person convicted of any other offense as specified
6 by regulations promulgated by the Secretary of Transportation
7 shall be disqualified in accordance with such regulations.

8 14. After suspending, revoking, canceling or disqualifying
9 a driver, the director shall update records to reflect such
10 action and notify a nonresident's licensing authority and the
11 commercial driver's license information system within ten days in
12 the manner prescribed in 49 CFR Part 384, or as amended by the
13 secretary.

14 15. Any person disqualified from operating a commercial
15 motor vehicle pursuant to subsection 1, 2, 3 or 4 of this section
16 shall have such commercial driver's license canceled, and upon
17 conclusion of the period of disqualification shall take the
18 written and driving tests and meet all other requirements of
19 sections 302.700 to 302.780. Such disqualification and
20 cancellation shall not be withdrawn by the director until such
21 person reapplies for a commercial driver's license in this or any
22 other state after meeting all requirements of sections 302.700 to
23 302.780.

24 16. The director shall disqualify a driver upon receipt of
25 notification that the secretary has determined a driver to be an

1 imminent hazard pursuant to 49 CFR, Part 383.52. Due process of
2 a disqualification determined by the secretary pursuant to this
3 section shall be held in accordance with regulations promulgated
4 by the secretary. The period of disqualification determined by
5 the secretary pursuant to this section shall be served
6 concurrently to any other period of disqualification which may be
7 imposed by the director pursuant to this section. Both
8 disqualifications shall appear on the driving record of the
9 driver.

10 302.756. 1. Notwithstanding any other provision of law to
11 the contrary, any driver who violates or fails to comply with an
12 out-of-service order is subject to a civil penalty [of one
13 thousand dollars] not to exceed an amount as determined by the
14 secretary pursuant to 49 CFR Part 383, or as amended by the
15 secretary, in addition to disqualification as provided by law.
16 Any civil penalty established in this section shall not become
17 effective and enforced until October 1, 1996.

18 2. Any employer who violates an out-of-service order, or
19 who knowingly requires or permits or authorizes a driver to
20 violate or fail to comply with an out-of-service order or to
21 commit a railroad crossing violation, is subject to a civil
22 penalty [of two thousand five hundred dollars] not to exceed an
23 amount as determined by the secretary pursuant to 49 CFR Part
24 383, or as amended by the secretary.

25 3. The [general] chief counsel to the [division of motor

1 carrier and railroad safety within the department of economic
2 development] state highways and transportation commission shall
3 bring an action in accordance with the procedures under section
4 390.156, RSMo, to recover a civil penalty under this section
5 against a driver who violates or fails to comply with an
6 out-of-service order, or against an employer who violates an
7 out-of-service order or knowingly requires or permits a driver to
8 violate or fail to comply with an out-of-service order, or both.

9 4. In addition to any other remedies under this section,
10 actions under this section may be brought against a driver or
11 employer who violates or fails to comply with an out-of-service
12 order with reference to a motor vehicle or combination of motor
13 vehicles used in intrastate commerce which has a capacity of more
14 than five passengers, excluding the driver.

15 302.760. Within ten days after conviction, suspension,
16 revocation, cancellation or disqualification of any nonresident
17 holder of a commercial driver's license or any nonresident who is
18 required to possess a commercial driver's license for any
19 violation committed in a [commercial motor] vehicle of state law
20 or any county or municipal ordinance regulating the operation of
21 motor vehicles, other than parking violations, the director shall
22 notify the driver's licensing authority in the licensing state of
23 such action in the manner prescribed in 49 CFR Part 384, or as
24 amended by the secretary.

25 304.013. 1. No person shall operate an all-terrain

1 vehicle, as defined in section 301.010, RSMo, upon the highways
2 of this state, except as follows:

3 (1) All-terrain vehicles owned and operated by a
4 governmental entity for official use;

5 (2) All-terrain vehicles operated for agricultural purposes
6 or industrial on-premises purposes between the official sunrise
7 and sunset on the day of operation;

8 (3) All-terrain vehicles operated by handicapped persons
9 for short distances occasionally only on the state's secondary
10 roads when operated between the hours of sunrise and sunset;

11 (4) Governing bodies of cities may issue special permits to
12 licensed drivers for special uses of all-terrain vehicles on
13 highways within the city limits. Fees of fifteen dollars may be
14 collected and retained by cities for such permits;

15 (5) Governing bodies of counties may issue special permits
16 to licensed drivers for special uses of all-terrain vehicles on
17 county roads within the county. Fees of fifteen dollars may be
18 collected and retained by the counties for such permits.

19 2. No person shall operate an off-road vehicle within any
20 stream or river in this state, except that off-road vehicles may
21 be operated within waterways which flow within the boundaries of
22 land which an off-road vehicle operator owns, or for agricultural
23 purposes within the boundaries of land which an off-road vehicle
24 operator owns or has permission to be upon, or for the purpose of
25 fording such stream or river of this state at such road crossings

1 as are customary or part of the highway system. All law
2 enforcement officials or peace officers of this state and its
3 political subdivisions or department of conservation agents or
4 department of natural resources park rangers shall enforce the
5 provisions of this subsection within the geographic area of their
6 jurisdiction.

7 3. A person operating an all-terrain vehicle on a highway
8 pursuant to an exception covered in this section shall have a
9 valid operator's or chauffeur's license, except that a
10 handicapped person operating such vehicle pursuant to subdivision
11 (3) of subsection 1 of this section, but shall not be required to
12 have passed an examination for the operation of a motorcycle, and
13 the vehicle shall be operated at speeds of less than thirty miles
14 per hour. When operated on a highway, an all-terrain vehicle
15 shall have a bicycle safety flag, which extends not less than
16 seven feet above the ground, attached to the rear of the vehicle.
17 The bicycle safety flag shall be triangular in shape with an area
18 of not less than thirty square inches and shall be day-glow in
19 color.

20 4. No persons shall operate an all-terrain vehicle:

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

23 (2) While under the influence of alcohol or any controlled
24 substance;

25 (3) Without a securely fastened safety helmet on the head

1 of an individual who operates an all-terrain vehicle or who is
2 being towed or otherwise propelled by an all-terrain vehicle,
3 unless the individual is at least eighteen years of age.

4 5. No operator of an all-terrain vehicle shall carry a
5 passenger, except for agricultural purposes. The provisions of
6 this subsection shall not apply to any all-terrain vehicle in
7 which the seat of such vehicle is designed to carry more than one
8 person.

9 6. A violation of this section shall be a class C
10 misdemeanor. In addition to other legal remedies, the attorney
11 general or county prosecuting attorney may institute a civil
12 action in a court of competent jurisdiction for injunctive relief
13 to prevent such violation or future violations and for the
14 assessment of a civil penalty not to exceed one thousand dollars
15 per day of violation.

16 304.029. 1. Notwithstanding any other law to the contrary,
17 a low-speed vehicle may be operated upon a highway in the state
18 if it meets the requirements of this section. Every person
19 operating a low-speed vehicle shall be granted all the rights and
20 shall be subject to all the duties applicable to the driver of
21 any other motor vehicle except as to the special regulations in
22 this section and except as to those provisions which by their
23 nature can have no application.

24 2. The operator of a low-speed vehicle shall observe all
25 traffic laws and local ordinances regarding the rules of the

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

6 3. A low-speed vehicle shall be exempt from the
7 requirements of sections 307.350 to 307.402, RSMo, for purposes
8 of titling and registration. Low-speed vehicles shall comply
9 with the standards in 49 CFR 571.500, as amended.

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

14 5. Each person operating a low-speed vehicle on a highway
15 in this state shall possess a valid driver's license issued
16 pursuant to chapter 302, RSMo.

17 6. For purposes of this section a "low-speed vehicle" shall
18 have the meaning ascribed to it in 49 CFR, section 571.3, as
19 amended.

20 7. All low-speed vehicles shall be manufactured in
21 compliance with the National Highway Traffic Safety
22 Administration standards for low-speed vehicles in 49 CFR
23 571.500, as amended.

24 8. Nothing in this section shall prevent county or
25 municipal governments from adopting more stringent local

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

8 304.031. 1. As used in this section, "Traffic Signal
9 Preemption System (TSPS)" shall mean a traffic-control system
10 designated for use by emergency vehicles, as defined in section
11 304.031, to improve traffic movement by temporarily controlling
12 signalized intersections.

13 2. The owner of a traffic control signal may authorize use
14 of a TSPS by the following persons for the following purposes:

15 (1) An authorized operator in an authorized emergency
16 vehicle, or an authorized person who is an employee or member of
17 an agency or entity which operates emergency vehicles, who may
18 activate a TSPS from a station where the entity's emergency
19 vehicles are based to control a traffic signal near that station,
20 in order to improve the safety and efficiency of emergency
21 response operations;

22 (2) An authorized operator in a bus, in order to interrupt
23 the cycle of the traffic control signal in such a way as to keep
24 the green light showing for longer than it otherwise would;

25 (3) An authorized operator in a traffic signal maintenance

1 vehicle, in order to facilitate traffic signal maintenance
2 activities.

3 3. A TSPS used by an authorized person in an emergency
4 vehicle or at a station where emergency vehicles are stationed
5 shall preempt and override a device operated by any other person.

6 4. A traffic control signal operating device used as
7 authorized under this section must operate in such a way that the
8 device does not continue to control the signal once the vehicle
9 containing the device has arrived at the intersection, regardless
10 of whether the vehicle remains at the intersection. No motor
11 vehicle driver shall be convicted of any traffic violation if
12 there is evidence that TSPS has been used by a government
13 official to improperly change the sequence of the traffic
14 signals.

15 5. It shall be unlawful for any person not approved herein
16 to use a TSPS to control traffic.

17 6. Violation of this section shall be deemed a class B
18 misdemeanor.

19 304.035. 1. When any person driving a vehicle approaches a
20 railroad grade crossing, the driver of the vehicle shall operate
21 the vehicle in a manner so he will be able to stop, and he shall
22 stop the vehicle not less than fifteen feet and not more than
23 fifty feet from the nearest rail of the railroad track and shall
24 not proceed until he can safely do so if:

25 (1) A clearly visible electric or mechanical signal device

1 warns of the approach of a railroad train; or

2 (2) A crossing gate is lowered or when a human flagman
3 gives or continues to give a signal or warning of the approach or
4 passage of a railroad train; or

5 (3) An approaching railroad train is visible and is in
6 hazardous proximity to such crossing; or

7 (4) Any other traffic sign, device or any other act, rule,
8 regulation or statute requires a vehicle to stop at a railroad
9 grade crossing.

10 2. No person shall drive any vehicle through, around or
11 under any crossing gate or barrier at a railroad crossing when a
12 train is approaching while such gate or barrier is closed or is
13 being opened or closed.

14 3. No person shall drive a vehicle through a railroad
15 crossing when there is not sufficient space to drive completely
16 through the crossing.

17 4. No person shall drive a vehicle through a railroad
18 crossing unless such vehicle has sufficient undercarriage
19 clearance necessary to prevent the undercarriage of the vehicle
20 from contacting the railroad crossing.

21 5. Every commercial motor vehicle as defined in section
22 302.700, RSMo, shall, upon approaching a railroad grade crossing,
23 be driven at a rate of speed which will permit said commercial
24 motor vehicle to be stopped before reaching the nearest rail of
25 such crossing and shall not be driven upon or over such crossing

1 until due caution has been taken to ascertain that the course is
2 clear. This section does not apply to vehicles which are
3 required to stop at railroad crossings pursuant to section
4 304.030.

5 6. Any person violating the provisions of this section is
6 guilty of a class C misdemeanor.

7 304.070. 1. Any person who violates any of the provisions
8 of subsections 1, 3, and 6 of section 304.050 is guilty of a
9 class A misdemeanor. In addition, beginning July 1, 2005, the
10 court may suspend the driver's license of any person who violates
11 the provision of subsection 1 of section 304.050. If ordered by
12 the court, the director shall suspend the driver's license for
13 ninety days for a first offense of subsection 1 of section
14 304.050, and one hundred twenty days for a second or subsequent
15 offense of subsection 1 of section 304.050.

16 2. Any appeal of a suspension imposed under subsection 1 of
17 this section shall be a direct appeal of the court order and
18 subject to review by the presiding judge of the circuit court or
19 another judge within the circuit other than the judge who issued
20 the original order to suspend the driver's license. The director
21 of revenue's entry of the court ordered suspension on the driving
22 record is not a decision subject to review pursuant to section
23 302.311, RSMo. Any suspension of the driver's license ordered by
24 the court under this section shall be in addition to any other
25 suspension that may occur as a result of the conviction pursuant

1 to other provisions of law.

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

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

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

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

12 (4) Maintain a valid insurance policy issued by an insurer
13 authorized to do business in this state, or a bond or other
14 acceptable surety providing coverage for the death of, or injury
15 to, persons and damage to property for each accident or
16 occurrence in the amount of at least five hundred thousand
17 dollars per incident;

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

21 (6) Maintain current motor vehicle registrations on all tow
22 trucks currently operated within the towing company fleet.

23 2. Counties may adopt ordinances with respect to towing
24 company standards in addition to the minimum standards contained
25 in this section. A towing company located in a county of the

1 second, third, and fourth classification is exempt from the
2 provisions of this section.

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

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

8 (a) Any interstate highway or freeway in an urbanized area,
9 left unattended for ten hours, or after four hours if a law
10 enforcement officer determines that the abandoned property is a
11 serious hazard to other motorists, provided that commercial motor
12 vehicles not hauling materials designated as hazardous under 49
13 U.S.C. 5103(a) may only be removed under this subdivision to a
14 place of safety until the owner or owner's representative has had
15 a reasonable opportunity to contact a towing company of choice;

16 (b) Any interstate highway or freeway outside of an
17 urbanized area, left unattended for forty-eight hours, or after
18 four hours if a law enforcement officer determines that the
19 abandoned property is a serious hazard to other motorists,
20 provided that commercial motor vehicles not hauling materials
21 designated as hazardous under 49 U.S.C. 5103(a) may only be
22 removed under this subdivision to a place of safety until the
23 owner or owner's representative has had a reasonable opportunity
24 to contact a towing company of choice;

25 (c) Any state highway other than an interstate highway or

1 freeway in an urbanized area, left unattended for more than ten
2 hours; or

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

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

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

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

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

25 (6) Any abandoned property which due to any other state law

1 or local ordinance is subject to towing because of the owner's
2 outstanding traffic or parking violations;

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

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

12 2. The state transportation department may immediately
13 remove any abandoned, unattended, wrecked, burned or partially
14 dismantled property, spilled cargo or other personal property
15 from the roadway of any state highway if the abandoned property,
16 cargo or personal property is creating a traffic hazard because
17 of its position in relation to the state highway. In the event
18 the property creating a traffic hazard is a commercial motor
19 vehicle, as defined in section 302.700, RSMo, the department's
20 authority under this subsection shall be limited to authorizing a
21 towing company to remove the commercial motor vehicle to a place
22 of safety, except that the owner of the commercial motor vehicle
23 or the owner's designated representative shall have a reasonable
24 opportunity to contact a towing company of choice. The
25 provisions of this subsection shall not apply to vehicles

1 transporting any material which has been designated as hazardous
2 under Section 5103(a) of Title 49, U.S.C.

3 3. Any law enforcement agency authorizing a tow pursuant to
4 this section in which the abandoned property is moved from the
5 immediate vicinity shall complete a crime inquiry and inspection
6 report. Any state or federal government agency other than a law
7 enforcement agency authorizing a tow pursuant to this section in
8 which the abandoned property is moved away from the immediate
9 vicinity in which it was abandoned shall report the towing to the
10 state highway patrol or water patrol within two hours of the tow
11 along with a crime inquiry and inspection report as required in
12 this section. Any local government agency, other than a law
13 enforcement agency, authorizing a tow pursuant to this section
14 where property is towed away from the immediate vicinity shall
15 report the tow to the local law enforcement agency within two
16 hours along with a crime inquiry and inspection report.

17 4. Neither the law enforcement officer, government agency
18 official nor anyone having custody of abandoned property under
19 his direction shall be liable for any damage to such abandoned
20 property occasioned by a removal authorized by this section or by
21 ordinance of a county or municipality licensing and regulating
22 the sale of abandoned property by the municipality, other than
23 damages occasioned by negligence or by willful or wanton acts or
24 omissions.

25 5. The owner of abandoned property removed as provided in

1 this section or in section 304.157 shall be responsible for
2 payment of all reasonable charges for towing and storage of such
3 abandoned property as provided in section 304.158.

4 6. Upon the towing of any abandoned property pursuant to
5 this section or under authority of a law enforcement officer or
6 local government agency pursuant to section 304.157, the law
7 enforcement agency that authorized such towing or was properly
8 notified by another government agency of such towing shall
9 promptly make an inquiry with the national crime information
10 center and any statewide Missouri law enforcement computer system
11 to determine if the abandoned property has been reported as
12 stolen and shall enter the information pertaining to the towed
13 property into the statewide law enforcement computer system. If
14 the abandoned property is not claimed within ten working days of
15 the towing, the tower who has online access to the department of
16 revenue's records shall make an inquiry to determine the
17 abandoned property owner and lienholder, if any, of record. In
18 the event that the records of the department of revenue fail to
19 disclose the name of the owner or any lienholder of record, the
20 tower shall comply with the requirements of subsection 3 of
21 section 304.156. If the tower does not have online access, the
22 law enforcement agency shall submit a crime inquiry and
23 inspection report to the director of revenue. A towing company
24 that does not have online access to the department's records and
25 that is in possession of abandoned property after ten working

1 days shall report such fact to the law enforcement agency with
2 which the crime inquiry and inspection report was filed. The
3 crime inquiry and inspection report shall be designed by the
4 director of revenue and shall include the following:

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

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

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

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

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

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

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

23 (8) The signature and printed name of the officer
24 authorizing the tow [and the towing operator]; and

25 (9) The name of the towing company, the signature and

1 printed name of the towing operator, and an indicator disclosing
2 whether the tower has online access to the department's records;

3 (10) Any additional information the director of revenue
4 deems appropriate.

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

11 8. The owner of such abandoned property, or the holder of a
12 valid security interest of record, may reclaim it from the towing
13 company upon proof of ownership or valid security interest of
14 record and payment of all reasonable charges for the towing and
15 storage of the abandoned property.

16 9. Any person who removes abandoned property at the
17 direction of a law enforcement officer or an officer of a
18 government agency where that agency's real property is concerned
19 as provided in this section shall have a lien for all reasonable
20 charges for the towing and storage of the abandoned property
21 until possession of the abandoned property is voluntarily
22 relinquished to the owner of the abandoned property or to the
23 holder of a valid security interest of record. Any personal
24 property within the abandoned property need not be released to
25 the owner thereof until the reasonable or agreed charges for such

1 recovery, transportation or safekeeping have been paid or
2 satisfactory arrangements for payment have been made, except that
3 any medication prescribed by a physician shall be released to the
4 owner thereof upon request. The company holding or storing the
5 abandoned property shall either release the personal property to
6 the owner of the abandoned property or allow the owner to inspect
7 the property and provide an itemized receipt for the contents.
8 The company holding or storing the property shall be strictly
9 liable for the condition and safe return of the personal
10 property. Such lien shall be enforced in the manner provided
11 under section 304.156.

12 10. Towing companies shall keep a record for three years on
13 any abandoned property towed and not reclaimed by the owner of
14 the abandoned property. Such record shall contain information
15 regarding the authorization to tow, copies of all correspondence
16 with the department of revenue concerning the abandoned property,
17 including copies of any online records of the towing company
18 accessed and information concerning the final disposition of the
19 possession of the abandoned property.

20 11. If a lienholder repossesses any motor vehicle, trailer,
21 all-terrain vehicle, outboard motor or vessel without the
22 knowledge or cooperation of the owner, then the reposessor shall
23 notify the local law enforcement agency where the repossession
24 occurred within two hours of the repossession and shall further
25 provide the local law enforcement agency with any additional

1 information the agency deems appropriate. The local law
2 enforcement agency shall make an inquiry with the national crime
3 information center and the Missouri statewide law enforcement
4 computer system and shall enter the repossessed vehicle into the
5 statewide law enforcement computer system.

6 12. Notwithstanding the provisions of section 301.227,
7 RSMo, any towing company who has complied with the notification
8 provisions in section 304.156, including notice that any property
9 remaining unredeemed after thirty days may be sold as scrap
10 property may then dispose of such property as provided in this
11 subsection. Such sale shall only occur if at least thirty days
12 has passed since the date of such notification, the abandoned
13 property remains unredeemed with no satisfactory arrangements
14 made with the towing company for continued storage, and the owner
15 or holder of a security agreement has not requested a hearing as
16 provided in section 304.156. The towing company may dispose of
17 such abandoned property by selling the property on a bill of sale
18 as prescribed by the director of revenue to a scrap metal
19 operator or licensed salvage dealer for destruction purposes
20 only. The towing company shall forward a copy of the bill of
21 sale provided by the scrap metal operator or licensed salvage
22 dealer to the director of revenue within two weeks of the date of
23 such sale. The towing company shall keep a record of each such
24 vehicle sold for destruction for three years that shall be
25 available for inspection by law enforcement and authorized

1 department of revenue officials. The record shall contain the
2 year, make, identification number of the property, date of sale,
3 and name of the purchasing scrap metal operator or licensed
4 salvage dealer and copies of all notifications issued by the
5 towing company as required in this chapter. Scrap metal
6 operators or licensed salvage dealers shall keep a record of the
7 purchase of such property as provided in section 301.227, RSMo.
8 Scrap metal operators and licensed salvage dealers may obtain a
9 junk certificate as provided in 301.227, RSMo, on vehicles
10 purchased on a bill of sale pursuant to this section.

11 304.156. 1. Within five working days of receipt of the
12 crime inquiry and inspection report under section 304.155 or the
13 abandoned property report under section 304.157, the director of
14 revenue shall search the records of the department of revenue, or
15 initiate an inquiry with another state, if the evidence presented
16 indicated the abandoned property was registered or titled in
17 another state, to determine the name and address of the owner and
18 lienholder, if any. After ascertaining the name and address of
19 the owner and lienholder, if any, the department shall, within
20 fifteen working days, notify the towing company. Any towing
21 company which comes into possession of abandoned property
22 pursuant to section 304.155 or 304.157 and who claims a lien for
23 recovering, towing or storing abandoned property shall give
24 notice to the title owner and to all persons claiming a lien
25 thereon, as disclosed by the records of the department of revenue

1 or of a corresponding agency in any other state. The towing
2 company shall notify the owner and any lienholder within ten
3 business days of the date of mailing indicated on the notice sent
4 by the department of revenue, by certified mail, return receipt
5 requested. The notice shall contain the following:

6 (1) The name, address and telephone number of the storage
7 facility;

8 (2) The date, reason and place from which the abandoned
9 property was removed;

10 (3) A statement that the amount of the accrued towing,
11 storage and administrative costs are the responsibility of the
12 owner, and that storage and/or administrative costs will continue
13 to accrue as a legal liability of the owner until the abandoned
14 property is redeemed;

15 (4) A statement that the storage firm claims a possessory
16 lien for all such charges;

17 (5) A statement that the owner or holder of a valid
18 security interest of record may retake possession of the
19 abandoned property at any time during business hours by proving
20 ownership or rights to a secured interest and paying all towing
21 and storage charges;

22 (6) A statement that, should the owner consider that the
23 towing or removal was improper or not legally justified, the
24 owner has a right to request a hearing as provided in this
25 section to contest the propriety of such towing or removal;

1 (7) A statement that if the abandoned property remains
2 unclaimed for thirty days from the date of mailing the notice,
3 title to the abandoned property will be transferred to the person
4 or firm in possession of the abandoned property free of all prior
5 liens; and

6 (8) A statement that any charges in excess of the value of
7 the abandoned property at the time of such transfer shall remain
8 a liability of the owner.

9 2. A towing company may only assess reasonable storage
10 charges for abandoned property towed without the consent of the
11 owner. Reasonable storage charges shall not exceed the charges
12 for vehicles which have been towed with the consent of the owner
13 on a negotiated basis. Storage charges may be assessed only for
14 the time in which the towing company complies with the procedural
15 requirements of sections 304.155 to 304.158.

16 3. In the event that the records of the department of
17 revenue fail to disclose the name of the owner or any lienholder
18 of record, the department shall notify the towing company which
19 shall attempt to locate documents or other evidence of ownership
20 on or within the abandoned property itself. The towing company
21 must certify that a physical search of the abandoned property
22 disclosed that no ownership documents were found and a good faith
23 effort has been made. For purposes of this section, "good faith
24 effort" means that the following checks have been performed by
25 the company to establish the prior state of registration and

1 title:

2 (1) Check of the abandoned property for any type of license
3 plates, license plate record, temporary permit, inspection
4 sticker, decal or other evidence which may indicate a state of
5 possible registration and title;

6 (2) Check the law enforcement report for a license plate
7 number or registration number if the abandoned property was towed
8 at the request of a law enforcement agency;

9 (3) Check the tow ticket/report of the tow truck operator
10 to see if a license plate was on the abandoned property at the
11 beginning of the tow, if a private tow; and

12 (4) If there is no address of the owner on the impound
13 report, check the law enforcement report to see if an
14 out-of-state address is indicated on the driver license
15 information.

16 4. If no ownership information is discovered, the director
17 of revenue shall be notified in writing and title obtained in
18 accordance with subsection 7 of this section.

19 5. (1) The owner of the abandoned property removed
20 pursuant to the provisions of section 304.155 or 304.157 or any
21 person claiming a lien, other than the towing company, within ten
22 days after the receipt of notification from the towing company
23 pursuant to subsection 1 of this section may file a petition in
24 the associate circuit court in the county where the abandoned
25 property is stored to determine if the abandoned property was

1 wrongfully taken or withheld from the owner. The petition shall
2 name the towing company among the defendants. The petition may
3 also name the agency ordering the tow or the owner, lessee or
4 agent of the real property from which the abandoned property was
5 removed. The director of revenue shall not be a party to such
6 petition but a copy of the petition shall be served on the
7 director of revenue who shall not issue title to such abandoned
8 property pursuant to this section until the petition is finally
9 decided.

10 (2) Upon filing of a petition in the associate circuit
11 court, the owner or lienholder may have the abandoned property
12 released upon posting with the court a cash or surety bond or
13 other adequate security equal to the amount of the charges for
14 towing and storage to ensure the payment of such charges in the
15 event he does not prevail. Upon the posting of the bond and the
16 payment of the applicable fees, the court shall issue an order
17 notifying the towing company of the posting of the bond and
18 directing the towing company to release the abandoned property.
19 At the time of such release, after reasonable inspection, the
20 owner or lienholder shall give a receipt to the towing company
21 reciting any claims for loss or damage to the abandoned property
22 or the contents thereof.

23 (3) Upon determining the respective rights of the parties,
24 the final order of the court shall provide for immediate payment
25 in full of recovery, towing, and storage fees by the abandoned

1 property owner or lienholder or the owner, lessee, or agent
2 thereof of the real property from which the abandoned property
3 was removed.

4 6. A towing and storage lien shall be enforced as provided
5 in subsection 7 of this section.

6 7. Thirty days after the notification form has been mailed
7 to the abandoned property owner and holder of a security
8 agreement and the property is unredeemed and no satisfactory
9 arrangement has been made with the lienholder in possession for
10 continued storage, and the owner or holder of a security
11 agreement has not requested a hearing as provided in subsection 5
12 of this section, the lienholder in possession may apply to the
13 director of revenue for a certificate. The application for title
14 shall be accompanied by:

15 (1) An affidavit from the lienholder in possession that he
16 has been in possession of the abandoned property for at least
17 thirty days and the owner of the abandoned property or holder of
18 a security agreement has not made arrangements for payment of
19 towing and storage charges;

20 (2) An affidavit that the lienholder in possession has not
21 been notified of any application for hearing as provided in this
22 section;

23 (3) A copy of the abandoned property report or crime
24 inquiry and inspection report;

25 (4) A copy of the thirty-day notice given by certified mail

1 to any owner and person holding a valid security interest and a
2 copy of the certified mail receipt indicating that the owner and
3 lienholder of record was sent a notice as required in this
4 section; and

5 (5) A copy of the envelope or mailing container showing the
6 address and postal markings indicating that the notice was "not
7 forwardable" or "address unknown".

8 8. If notice to the owner and holder of a security
9 agreement has been returned marked "not forwardable" or
10 "addressee unknown", the lienholder in possession shall comply
11 with subsection 3 of this section.

12 9. Any municipality or county may adopt an ordinance
13 regulating the removal and sale of abandoned property provided
14 such ordinance is consistent with sections 304.155 to 304.158,
15 and, for a home rule city with more than four hundred thousand
16 inhabitants and located in more than one county, includes the
17 following provisions:

18 (1) That the department of revenue records must be searched
19 to determine the registered owner or lienholder of the abandoned
20 property;

21 (2) That if a registered owner or lienholder is disclosed
22 in the records, that the owner and lienholder or owner or
23 lienholder are mailed a notice by the local governmental agency,
24 by U.S. mail, advising of the towing and impoundment;

25 (3) That if the vehicle is older than six years and more

1 than fifty percent damaged by collision, fire, or decay, and has
2 a fair market value of less than two hundred dollars as
3 determined by using any nationally recognized appraisal book or
4 method, it must be held no less than ten days after the notice is
5 sent pursuant to this section before being sold to a licensed
6 salvage or scrap business; provided however where a title is
7 required under this chapter an affidavit from a certified
8 appraiser attesting that the value of the vehicle is less than
9 two hundred dollars;

10 (4) That all other vehicles must be held no less than
11 thirty days after the notice is sent pursuant to this subsection
12 before they may be sold.

13 10. Any municipality or county which has physical
14 possession of the abandoned property and which sells abandoned
15 property in accordance with a local ordinance may transfer
16 ownership by means of a bill of sale signed by the municipal or
17 county clerk or deputy and sealed with the official municipal or
18 county seal. Such bill of sale shall contain the make and model
19 of the abandoned property, the complete abandoned property
20 identification number and the odometer reading of the abandoned
21 property if available and shall be lawful proof of ownership for
22 any dealer registered under the provisions of section 301.218,
23 RSMo, or section 301.560, RSMo, or for any other person. Any
24 dealer or other person purchasing such property from a
25 municipality or county shall apply within thirty days of purchase

1 for a certificate. Anyone convicted of a violation of this
2 section shall be guilty of an infraction.

3 11. Any persons who have towed abandoned property prior to
4 August 28, 1996, may, until January 1, 2000, apply to the
5 department of revenue for a certificate. The application shall
6 be accompanied by:

7 (1) A notarized affidavit explaining the circumstances by
8 which the abandoned property came into their possession,
9 including the name of the owner or possessor of real property
10 from which the abandoned property was removed;

11 (2) The date of the removal;

12 (3) The current location of the abandoned property;

13 (4) An inspection of the abandoned property as prescribed
14 by the director; and

15 (5) A copy of the thirty-day notice given by certified mail
16 to any owner and person holding a valid security interest of
17 record and a copy of the certified mail receipt.

18 12. If the director is satisfied with the genuineness of
19 the application and supporting documents submitted pursuant to
20 this section, the director shall issue one of the following:

21 (1) An original certificate of title if the vehicle owner
22 has obtained a vehicle examination certificate as provided in
23 section 301.190, RSMo, which indicates that the vehicle was not
24 previously in a salvaged condition or rebuilt;

25 (2) An original certificate of title designated as prior

1 salvage if the vehicle examination certificate as provided in
2 section 301.190, RSMo, indicates the vehicle was previously in a
3 salvage condition or rebuilt;

4 (3) A salvage certificate of title designated with the
5 words "salvage/abandoned property" or junking certificate based
6 on the condition of the abandoned property as stated in the
7 abandoned property report or crime inquiry and inspection report;

8 (4) Notwithstanding the provisions of section 301.573,
9 RSMo, to the contrary, if satisfied with the genuineness of the
10 application and supporting documents, the director shall issue an
11 original title to abandoned property previously issued a salvage
12 title as provided in this section, if the vehicle examination
13 certificate as provided in section 301.190, RSMo, does not
14 indicate the abandoned property was previously in a salvage
15 condition or rebuilt.

16 13. If abandoned property is insured and the insurer of
17 property regards the property as a total loss and the insurer
18 satisfies a claim by the owner for the property, then the insurer
19 or lienholder shall claim and remove the property from the
20 storage facility or make arrangements to transfer the title, and
21 such transfer of title subject to agreement shall be in complete
22 satisfaction of all claims for towing and storage, to the towing
23 company or storage facility. The owner of the abandoned vehicle,
24 lienholder or insurer, to the extent the vehicle owner's
25 insurance policy covers towing and storage charges, shall pay

1 reasonable fees assessed by the towing company and storage
2 facility. The property shall be claimed and removed or title
3 transferred to the towing company or storage facility within
4 thirty days of the date that the insurer paid a claim for the
5 total loss of the property or is notified as to the location of
6 the abandoned property, whichever is the later event. Upon
7 request, the insurer of the property shall supply the towing
8 company and storage facility with the name, address and phone
9 number of the insurance company and of the insured and with a
10 statement regarding which party is responsible for the payment of
11 towing and storage charges under the insurance policy.

12 304.157. 1. If a person abandons property, as defined in
13 section 304.001, on any real property owned by another without
14 the consent of the owner or person in possession of the property,
15 at the request of the person in possession of the real property,
16 any member of the state highway patrol, state water patrol,
17 sheriff, or other law enforcement officer within his jurisdiction
18 may authorize a towing company to remove such abandoned property
19 from the property in the following circumstances:

20 (1) The abandoned property is left unattended for more than
21 forty-eight hours; or

22 (2) In the judgment of a law enforcement officer, the
23 abandoned property constitutes a safety hazard or unreasonably
24 interferes with the use of the real property by the person in
25 possession.

1 2. A local government agency may also provide for the
2 towing of motor vehicles from real property under the authority
3 of any local ordinance providing for the towing of vehicles which
4 are derelict, junk, scrapped, disassembled or otherwise harmful
5 to the public health under the terms of the ordinance. Any local
6 government agency authorizing a tow under this subsection shall
7 report the tow to the local law enforcement agency within two
8 hours with a crime inquiry and inspection report pursuant to
9 section 304.155.

10 3. Neither the law enforcement officer, local government
11 agency nor anyone having custody of abandoned property under his
12 or her direction shall be liable for any damage to such abandoned
13 property occasioned by a removal authorized by this section other
14 than damages occasioned by negligence or by willful or wanton
15 acts or omissions.

16 4. The owner of real property or lessee in lawful
17 possession of the real property or the property or security
18 manager of the real property may authorize a towing company to
19 remove abandoned property or property parked in a restricted or
20 assigned area without authorization by a law enforcement officer
21 only when the owner, lessee or property or security manager of
22 the real property is present. A property or security manager
23 must be a full-time employee of a business entity. An
24 authorization to tow pursuant to this subsection may be made only
25 under any of the following circumstances:

1 (1) There is displayed, in plain view at all entrances to
2 the property, a sign not less than seventeen by twenty-two inches
3 in size, with lettering not less than one inch in height,
4 prohibiting public parking and indicating that unauthorized
5 abandoned property or property parked in a restricted or assigned
6 area will be removed at the owner's expense, disclosing the
7 maximum fee for all charges related to towing and storage, and
8 containing the telephone number of the local traffic law
9 enforcement agency where information can be obtained or a
10 twenty-four-hour staffed emergency information telephone number
11 by which the owner of the abandoned property or property parked
12 in a restricted or assigned area may call to receive information
13 regarding the location of such owner's property;

14 (2) The abandoned property is left unattended on
15 owner-occupied residential property with four residential units
16 or less, and the owner, lessee or agent of the real property in
17 lawful possession has notified the appropriate law enforcement
18 agency, and ten hours have elapsed since that notification; or

19 (3) The abandoned property is left unattended on private
20 property, and the owner, lessee or agent of the real property in
21 lawful possession of real property has notified the appropriate
22 law enforcement agency, and ninety-six hours have elapsed since
23 that notification.

24 5. Pursuant to this section, any owner or lessee in lawful
25 possession of real property that requests a towing company to tow

1 abandoned property without authorization from a law enforcement
2 officer shall at that time complete an abandoned property report
3 which shall be considered a legal declaration subject to criminal
4 penalty pursuant to section 575.060, RSMo. The report shall be
5 in the form designed, printed and distributed by the director of
6 revenue and shall contain the following:

7 (1) The year, model, make and abandoned property
8 identification number of the property and the owner and any
9 lienholders, if known;

10 (2) A description of any damage to the abandoned property
11 noted by owner, lessee or property or security manager in
12 possession of the real property;

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

15 (4) The physical location of the property and the reason
16 for requesting the property to be towed;

17 (5) The date the report is completed;

18 (6) The printed name, address and phone number of the
19 owner, lessee or property or security manager in possession of
20 the real property;

21 (7) The towing company's name and address;

22 (8) The signature of the towing operator;

23 (9) The signature of the owner, lessee or property or
24 security manager attesting to the facts that the property has
25 been abandoned for the time required by this section and that all

1 statements on the report are true and correct to the best of the
2 person's knowledge and belief and that the person is subject to
3 the penalties for making false statements;

4 (10) Space for the name of the law enforcement agency
5 notified of the towing of the abandoned property and for the
6 signature of the law enforcement official receiving the report;
7 and

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

10 6. Any towing company which tows abandoned property without
11 authorization from a law enforcement officer pursuant to
12 subsection 4 of this section shall deliver a copy of the
13 abandoned property report to the local law enforcement agency
14 having jurisdiction over the location from which the abandoned
15 property was towed. The copy may be produced and sent by
16 facsimile machine or other device which produces a near exact
17 likeness of the print and signatures required, but only if the
18 law enforcement agency receiving the report has the technological
19 capability of receiving such copy and has registered the towing
20 company for such purpose. The registration requirements shall
21 not apply to law enforcement agencies located in counties of the
22 third or fourth classification. The report shall be delivered
23 within two hours if the tow was made from a signed location
24 pursuant to subdivision (1) of subsection 4 of this section,
25 otherwise the report shall be delivered within twenty-four hours.

1 7. The law enforcement agency receiving such abandoned
2 property report must record the date on which the abandoned
3 property report is filed with such agency and shall promptly make
4 an inquiry into the national crime information center and any
5 statewide Missouri law enforcement computer system to determine
6 if the abandoned property has been reported as stolen. The law
7 enforcement agency shall enter the information pertaining to the
8 towed property into the statewide law enforcement computer
9 system, and an officer shall sign the abandoned property report
10 and provide the towing company with a signed copy. The
11 department of revenue may design and sell to towing companies
12 informational brochures outlining owner or lessee of real
13 property obligations pursuant to this section.

14 8. The law enforcement agency receiving notification that
15 abandoned property has been towed by a towing company shall
16 search the records of the department of revenue and provide the
17 towing company with the latest owner and lienholder information
18 on the abandoned property, and if the tower has online access to
19 the department of revenue's records, the tower shall comply with
20 the requirements of section 301.155, RSMo. If the abandoned
21 property is not claimed within ten working days, the towing
22 company shall send a copy of the abandoned property report signed
23 by a law enforcement officer to the department of revenue.

24 9. If any owner or lessee of real property knowingly
25 authorizes the removal of abandoned property in violation of this

1 section, then the owner or lessee shall be deemed guilty of a
2 class C misdemeanor.

3 304.170. 1. No vehicle operated upon the highways of this
4 state shall have a width, including load, in excess of ninety-six
5 inches, except clearance lights, rearview mirrors or other
6 accessories required by federal, state or city law or regulation;
7 except that, vehicles having a width, including load, not in
8 excess of one hundred two inches, exclusive of clearance lights,
9 rearview mirrors or other accessories required by law or
10 regulations, may be operated on the interstate highways and such
11 other highways as may be designated by the highways and
12 transportation commission for the operation of such vehicles plus
13 a distance not to exceed ten miles from such interstate or
14 designated highway. Provided however, a recreational vehicle as
15 defined in section 700.010, RSMo, may exceed the foregoing width
16 limits if the appurtenances on such recreational vehicle extend
17 no further than the rearview mirrors. Such mirrors may only
18 extend the distance necessary to provide the required field of
19 view before the appurtenances were attached.

20 2. No vehicle operated upon the interstate highway system
21 or upon any route designated by the chief engineer of the state
22 transportation department shall have a height, including load, in
23 excess of fourteen feet. On all other highways, no vehicle shall
24 have a height, including load, in excess of thirteen and one-half
25 feet, except that any vehicle or combination of vehicles

1 transporting automobiles or other motor vehicles may have a
2 height, including load, of not more than fourteen feet.

3 3. No single motor vehicle operated upon the highways of
4 this state shall have a length, including load, in excess of
5 forty-five feet, except as otherwise provided in this section.

6 4. No bus, recreational motor vehicle or trackless trolley
7 coach operated upon the highways of this state shall have a
8 length in excess of forty-five feet, except that such vehicles
9 may exceed the forty-five feet length when such excess length is
10 caused by the projection of a front safety bumper or a rear
11 safety bumper or both. Such safety bumper shall not cause the
12 length of the bus or recreational motor vehicle to exceed the
13 forty-five feet length limit by more than one foot in the front
14 and one foot in the rear. The term "safety bumper" means any
15 device which may be fitted on an existing bumper or which
16 replaces the bumper and is so constructed, treated, or
17 manufactured that it absorbs energy upon impact.

18 5. No combination of truck-tractor and semitrailer or
19 truck-tractor equipped with dromedary and semitrailer operated
20 upon the highways of this state shall have a length, including
21 load, in excess of sixty feet; except that in order to comply
22 with the provisions of Title 23 of the United States Code (Public
23 Law 97-424), no combination of truck-tractor and semitrailer or
24 truck-tractor equipped with dromedary and semitrailer operated
25 upon the interstate highway system of this state shall have an

1 overall length, including load, in excess of the length of the
2 truck-tractor plus the semitrailer or truck-tractor equipped with
3 dromedary and semitrailer, the length of such semitrailer shall
4 not exceed fifty-three feet.

5 6. In order to comply with the provisions of Title 23 of
6 the United States Code (Public Law 97-424), no combination of
7 truck-tractor, semitrailer and trailer operated upon the
8 interstate highway system of this state shall have an overall
9 length, including load, in excess of the length of the
10 truck-tractor plus the semitrailer and trailer, neither of which
11 semitrailer or trailer shall exceed twenty-eight feet in length,
12 except that any existing semitrailer or trailer up to
13 twenty-eight and one-half feet in length actually and lawfully
14 operated on December 1, 1982, within a sixty-five foot overall
15 length limit in any state, may continue to be operated upon the
16 interstate highways of this state. On those primary highways not
17 designated by the state highways and transportation commission as
18 provided in subsection 10 of this section, no combination of
19 truck-tractor, semitrailer and trailer shall have an overall
20 length, including load, in excess of sixty-five feet; provided,
21 however, the state highways and transportation commission may
22 designate additional routes for such sixty-five foot
23 combinations.

24 7. Automobile transporters, boat transporters,
25 truck-trailer boat transporter combinations, stinger-steered

1 combination automobile transporters and stinger-steered
2 combination boat transporters having a length not in excess of
3 seventy-five feet may be operated on the interstate highways of
4 this state and such other highways as may be designated by the
5 highways and transportation commission for the operation of such
6 vehicles plus a distance not to exceed ten miles from such
7 interstate or designated highway. All length provisions
8 regarding automobile or boat transporters, truck-trailer boat
9 transporter combinations and stinger-steered combinations shall
10 include a semitrailer length not to exceed fifty-three feet and
11 are exclusive of front and rear overhang, which shall be no
12 greater than a three-foot front overhang and no greater than a
13 four-foot rear overhang.

14 8. Driveaway saddlemount combinations having a length not
15 in excess of seventy-five feet may be operated on the interstate
16 highways of this state and such other highways as may be
17 designated by the highways and transportation commission for the
18 operation of such vehicles plus a distance not to exceed ten
19 miles from such interstate or designated highway. Saddlemount
20 combinations must comply with the safety requirements of Section
21 393.71 of Title 49 of the Code of Federal Regulations and may
22 contain no more than three saddlemounted vehicles and one
23 fullmount.

24 9. No truck-tractor semitrailer-semitrailer combination
25 vehicles operated upon the interstate and designated primary

1 highway system of this state shall have a semitrailer length in
2 excess of twenty-eight feet or twenty-eight and one-half feet if
3 the semitrailer was in actual and lawful operation in any state
4 on December 1, 1982, operating in a truck-tractor
5 semitrailer-semitrailer combination. The B-train assembly is
6 excluded from the measurement of semitrailer length when used
7 between the first and second semitrailer of a truck-tractor
8 semitrailer-semitrailer combination, except that when there is no
9 semitrailer mounted to the B-train assembly, it shall be included
10 in the length measurement of the semitrailer.

11 10. The highways and transportation commission is
12 authorized to designate routes on the state highway system other
13 than the interstate system over which those combinations of
14 vehicles of the lengths specified in subsections 5, 6, 7, 8 and 9
15 of this section may be operated. Combinations of vehicles
16 operated under the provisions of subsections 5, 6, 7, 8 and 9 of
17 this section may be operated at a distance not to exceed ten
18 miles from the interstate system and such routes as designated
19 under the provisions of this subsection.

20 11. Except as provided in subsections 5, 6, 7, 8, 9 and 10
21 of this section, no other combination of vehicles operated upon
22 the primary or interstate highways of this state plus a distance
23 of ten miles from a primary or interstate highway shall have an
24 overall length, unladen or with load, in excess of sixty-five
25 feet or in excess of fifty-five feet on any other highway, except

1 the state highways and transportation commission may designate
2 additional routes for use by sixty-five foot combinations,
3 seventy-five foot stinger-steered combinations or seventy-five
4 foot saddlemount combinations. Any vehicle or combination of
5 vehicles transporting automobiles, boats or other motor vehicles
6 may carry a load which extends no more than three feet beyond the
7 front and four feet beyond the rear of the transporting vehicle
8 or combination of vehicles.

9 12. (1) Except as hereinafter provided, these restrictions
10 shall not apply to agricultural implements operating occasionally
11 on the highways for short distances, or to self-propelled
12 hay-hauling equipment or to implements of husbandry, or to the
13 movement of farm products as defined in section 400.9-109, RSMo,
14 or to vehicles temporarily transporting agricultural implements
15 or implements of husbandry or roadmaking machinery, or road
16 materials or towing for repair purposes vehicles that have become
17 disabled upon the highways; or to implement dealers delivering or
18 moving farm machinery for repairs on any state highway other than
19 the interstate system.

20 (2) Implements of husbandry and vehicles transporting such
21 machinery or equipment and the movement of farm products as
22 defined in section 400.9.109, RSMo, may be operated occasionally
23 for short distances on state highways when operated between the
24 hours of sunrise and sunset by a driver licensed as an operator
25 or chauffeur.

1 13. As used in this chapter the term "implements of
2 husbandry" means all self-propelled machinery operated at speeds
3 of less than thirty miles per hour, specifically designed for, or
4 especially adapted to be capable of, incidental over-the-road and
5 primary offroad usage and used exclusively for the application of
6 commercial plant food materials or agricultural chemicals, and
7 not specifically designed or intended for transportation of such
8 chemicals and materials. [No implement of husbandry may exceed a
9 width of eleven feet, six inches.]

10 14. The purpose of this section is to permit a single trip
11 per day by the implement of husbandry from the source of supply
12 to a given farm.

13 15. Sludge disposal units may be operated on all state
14 highways other than the interstate system. Such units shall not
15 exceed one hundred thirty-eight inches in width and may be
16 equipped with over-width tires. Such units shall observe all
17 axle weight limits. The chief engineer of the state
18 transportation department shall issue special permits for the
19 movement of such disposal units and may by such permits restrict
20 the movements to specified routes, days and hours.

21 304.190. 1. No motor vehicle, unladen or with load,
22 operating exclusively within the corporate limits of cities
23 containing seventy-five thousand inhabitants or more or within
24 two miles of the corporate limits of the city or within the
25 commercial zone of the city shall exceed fifteen feet in height.

1 2. No motor vehicle operating exclusively within any said
2 area shall have a greater weight than twenty-two thousand four
3 hundred pounds on one axle.

4 3. The "commercial zone" of the city is defined to mean
5 that area within the city together with the territory extending
6 one mile beyond the corporate limits of the city and one mile
7 additional for each fifty thousand population or portion thereof
8 provided, however, the commercial zone surrounding a city not
9 within a county shall extend eighteen miles beyond the corporate
10 limits of any such city not located within a county and shall
11 also extend throughout any first class charter county which
12 adjoins that city; further, provided, however, the commercial
13 zone of a city with a population of at least four hundred
14 thousand inhabitants but not more than four hundred fifty
15 thousand inhabitants shall extend twelve miles beyond the
16 corporate limits of any such city; except that this zone shall
17 extend from the southern border of such city's limits, beginning
18 with the western-most freeway, following said freeway south to
19 the first intersection with a multilane undivided highway, where
20 the zone shall extend south along said freeway to include a city
21 of the fourth classification with more than eight thousand nine
22 hundred but less than nine thousand inhabitants, and shall extend
23 north from the intersection of said freeway and multilane
24 undivided highway along the multilane undivided highway to the
25 city limits of a city with a population of at least four hundred

1 thousand inhabitants but not more than four hundred fifty
2 thousand inhabitants. In no case shall the commercial zone of a
3 city be reduced due to a loss of population. The provisions of
4 this section shall not apply to motor vehicles operating on the
5 interstate highways in the area beyond two miles of a corporate
6 limit of the city unless the United States Department of
7 Transportation increases the allowable weight limits on the
8 interstate highway system within commercial zones. In such case,
9 the mileage limits established in this section shall be
10 automatically increased only in the commercial zones to conform
11 with those authorized by the United States Department of
12 Transportation.

13 4. Nothing in this section shall prevent a city, county, or
14 municipality, by ordinance, from designating the routes over
15 which such vehicles may be operated.

16 306.461. 1. A sole owner of an outboard motor or vessel,
17 and multiple owners of an outboard motor or vessel who hold their
18 interest as joint tenants with right of survivorship or as
19 tenants by the entirety, on application and payment of the fee
20 required for an original certificate of title, may request the
21 director of revenue to issue a certificate of title for the
22 outboard motor or vessel in beneficiary form which includes a
23 directive to the director of revenue to transfer the certificate
24 of title on death of the sole owner or on death of all multiple
25 owners to one beneficiary or to two or more beneficiaries as

1 joint tenants with right of survivorship or as tenants by the
2 entirety named on the face of the certificate.

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

6 3. A certificate of title issued in beneficiary form shall
7 include after the name of the owner, or after the names of
8 multiple owners, the words "transfer on death to" or the
9 abbreviation "TOD" followed by the name of the beneficiary or
10 beneficiaries.

11 4. (1) During the lifetime of a sole owner and during the
12 lifetime of all multiple owners, the signature or consent of the
13 beneficiary or beneficiaries shall not be required for any
14 transaction relating to the outboard motor or vessel for which a
15 certificate of title in beneficiary form has been issued.

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

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

23 (b) By surrender of the outstanding certificate of title
24 and filing an application to reissue the certificate of title
25 with no designation of a beneficiary or with the designation of a

1 different beneficiary or beneficiaries with the director of
2 revenue in proper form and accompanied by the payment of the fee
3 for an original certificate of title.

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

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

14 5. (1) On proof of death of one of the owners of two or
15 more multiple owners, or of a sole owner, surrender of the
16 outstanding certificate of title, and on application and payment
17 of the fee for an original certificate of title, the director of
18 revenue shall issue a new certificate of title for the outboard
19 motor or vessel to the surviving owner or owners or, if none, to
20 the surviving beneficiary or beneficiaries, subject to any
21 outstanding security interest; and the current valid certificate
22 of number shall be so transferred. If the surviving beneficiary
23 or beneficiaries makes a request of the director of revenue, the
24 director may allow the beneficiary or beneficiaries to make one
25 assignment of title.

1 (2) The director of revenue may rely on a death certificate
2 or record or report that constitutes prima facie proof or
3 evidence of death under subdivisions (1) and (2) of section
4 472.290, RSMo.

5 (3) The transfer of an outboard motor or vessel at death
6 pursuant to this section is effective by reason of sections
7 301.675 to 301.682, RSMo, and sections 306.455 to 306.465, and is
8 not to be considered testamentary, or to be subject to the
9 requirements of section 473.087, RSMo, or section 474.320, RSMo.

10 306.530. 1. The owner of an outboard motor kept within
11 this state shall cause it to be registered in the office of the
12 director of revenue who shall issue a certificate of title for
13 the same.

14 2. The owner of any outboard motor acquired or brought into
15 the state shall file his application for registration and pay the
16 fee within sixty days after it is acquired or brought into this
17 state. The director of revenue may grant extensions of time for
18 registration to any person in deserving cases.

19 3. Any make of outboard motor older than 1960 which is
20 owned solely as a collector's item and which is used and intended
21 to be used for exhibition and educational purposes only and will
22 not be used on the waterways of this state, will be exempt from
23 titling and registration pursuant to this chapter.

24 307.020. As used in sections 307.020 to 307.120, unless the
25 context requires another or different construction:

1 (1) "Approved" means approved by the director of revenue
2 and when applied to lamps and other illuminating devices means
3 that such lamps and devices must be in good working order;

4 (2) "Auxiliary lamp" means an additional lighting device on
5 a motor vehicle used primarily to supplement the headlamps in
6 providing general illumination ahead of a vehicle;

7 (3) "Headlamp" means a major lighting device capable of
8 providing general illumination ahead of a vehicle;

9 (4) "Mounting height" means the distance from the center of
10 the lamp to the surface on which the vehicle stands;

11 (5) "Multiple-beam headlamps" means headlamps or similar
12 devices arranged so as to permit the driver of the vehicle to use
13 one of two or more distributions of light on the road;

14 (6) "Reflector" means an approved device designed and used
15 to give an indication by reflected light;

16 (7) "Single-beam headlamps" means headlamps or similar
17 devices arranged so as to permit the driver of the vehicle to use
18 but one distribution of light on the road;

19 (8) "Vehicle" means every device in, upon or by which a
20 person or property is or may be transported upon a highway,
21 excepting devices moved by human power or used exclusively upon
22 stationary rails or tracks;

23 (9) "When lighted lamps are required" means at any time
24 from a half-hour after sunset to a half-hour before sunrise and
25 at any other time when there is not sufficient light to render

1 clearly discernible persons and vehicles on the highway at a
2 distance of five hundred feet ahead. Lighted lamps shall also be
3 required any time the weather conditions require usage of the
4 motor vehicle's windshield wipers to operate the vehicle in a
5 careful and prudent manner as defined in section 304.012, RSMo.
6 The provisions of this section shall be interpreted to require
7 lighted lamps during periods of fog even if usage of the
8 windshield wipers is not necessary to operate the vehicle in a
9 careful and prudent manner.

10 307.040. 1. No person shall drive, move, park or be in
11 custody of any vehicle or combination of vehicles on any street
12 or highway during the times when lighted lamps are required
13 unless such vehicle or combination of vehicles displays lighted
14 lamps and illuminating devices as hereinafter in this chapter
15 required. No person shall use on any vehicle any approved
16 electric lamp or similar device unless the light source of such
17 lamp or device complies with the conditions of approval as to
18 focus and rated candlepower.

19 2. Notwithstanding the provisions of section 307.120, or
20 any other provision of law, violation of this section shall be
21 deemed an infraction and any person who violates this section as
22 it relates to violations of the usage of lighted lamps required
23 due to weather conditions or fog shall only be fined ten dollars
24 and no court costs shall be assessed.

25 307.100. 1. Any lighted lamp or illuminating device upon a

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

17 2. Notwithstanding the provisions of section 307.120,
18 violation of this section is an infraction.

19 307.400. 1. It is unlawful for any person to operate any
20 commercial motor vehicle as defined in Title 49, Code of Federal
21 Regulations, Part 390.5, either singly or in combination with a
22 trailer, as both vehicles are defined in Title 49, Code of
23 Federal Regulations, Part 390.5, unless such vehicles are
24 equipped and operated as required by Parts 390 through 397, Title
25 49, Code of Federal Regulations, as such regulations have been

1 and may periodically be amended, whether intrastate
2 transportation or interstate transportation. Members of the
3 Missouri state highway patrol are authorized to enter the cargo
4 area of a commercial motor vehicle or trailer to inspect the
5 contents when reasonable grounds exist to cause belief that the
6 vehicle is transporting hazardous materials as defined by Title
7 49 of the Code of Federal Regulations. The director of the
8 department of public safety is hereby authorized to further
9 regulate the safety of commercial motor vehicles and trailers as
10 he deems necessary to govern and control their operation on the
11 public highways of this state by promulgating and publishing
12 rules and regulations consistent with this chapter. Any such
13 rules shall, in addition to any other provisions deemed necessary
14 by the director, require:

15 (1) Every commercial motor vehicle and trailer and all
16 parts thereof to be maintained in a safe condition at all times;

17 (2) Accidents arising from or in connection with the
18 operation of commercial motor vehicles and trailers to be
19 reported to the department of public safety in such detail and in
20 such manner as the director may require.

21 Except for the provisions of subdivisions (1) and (2) of this
22 subsection, the provisions of this section shall not apply to any
23 commercial motor vehicle operated in intrastate commerce and
24 licensed for a gross weight of sixty thousand pounds or less when

1 used exclusively for the transportation of solid waste or
2 forty-two thousand pounds or less when the license plate has been
3 designated for farm use by the letter "F" as authorized by the
4 Revised Statutes of Missouri, unless such vehicle is transporting
5 hazardous materials as defined in Title 49, Code of Federal
6 Regulations.

7 2. Notwithstanding the provisions of subsection 1 of this
8 section to the contrary, Part 391, Subpart E, Title 49, Code of
9 Federal Regulations, relating to the physical requirements of
10 drivers shall not be applicable to drivers in intrastate
11 commerce, provided such drivers were licensed by this state as
12 chauffeurs to operate commercial motor vehicles on May 13, 1988.
13 Persons who are otherwise qualified and licensed to operate a
14 commercial motor vehicle in this state may operate such vehicle
15 intrastate at the age of eighteen years or older, except that any
16 person transporting hazardous material must be at least
17 twenty-one years of age.

18 3. Commercial motor vehicles and drivers of such vehicles
19 may be placed out of service if the vehicles are not equipped and
20 operated according to the requirements of this section. Criteria
21 used for placing vehicles and drivers out of service are the
22 North American Uniform Out-of-Service Criteria adopted by the
23 Commercial Vehicle Safety Alliance and the United States
24 Department of Transportation, as such criteria have been and may
25 periodically be amended.

1 4. Notwithstanding the provisions of subsection 1 of this
2 section to the contrary, Part 395, Title 49, Code of Federal
3 Regulations, relating to the hours of drivers, shall not apply to
4 any vehicle owned or operated by any public utility, rural
5 electric cooperative or other public service organization, or to
6 the driver of such vehicle, while providing restoration of
7 essential utility services during emergencies and operating
8 intrastate. For the purposes of this subsection, the term
9 "essential utility services" means electric, gas, water,
10 telephone and sewer services.

11 5. Part 395, Title 49, Code of Federal Regulations,
12 relating to the hours of drivers, shall not apply to drivers
13 transporting agricultural commodities or farm supplies for
14 agricultural purposes in this state if such transportation:

15 (1) Is limited to an area within a one hundred air mile
16 radius from the source of the commodities or the distribution
17 point for the farm supplies; and

18 (2) Is conducted during the planting and harvesting season
19 within this state, as defined by the department of public safety
20 by regulation.

21 6. The provisions of Part 395.8, Title 49, Code of Federal
22 Regulations, relating to recording of a driver's duty status,
23 shall not apply to drivers engaged in agricultural operations
24 referred to in subsection 5 of this section, if the motor carrier
25 who employs the driver maintains and retains for a period of six

1 months accurate and true records showing:

2 (1) The total number of hours the driver is on duty each
3 day; and

4 (2) The time at which the driver reports for, and is
5 released from, duty each day.

6 7. Notwithstanding the provisions of subsection 1 of this
7 section to the contrary, Parts 390 through 397, Title 49, Code of
8 Federal Regulations shall not apply to commercial motor vehicles
9 operated in intrastate commerce to transport property, which have
10 a gross vehicle weight rating or gross combination weight rating
11 of twenty-six thousand pounds or less. The exception provided by
12 this subsection shall not apply to vehicles transporting
13 hazardous materials or to vehicles designed to transport sixteen
14 or more passengers including the driver as defined by Title 49 of
15 the Code of Federal Regulations. Nothing in this subsection
16 shall be construed to prohibit persons designated by the
17 department of public safety from inspecting vehicles defined in
18 this subsection.

19 8. Violation of any provision of this section or any rule
20 promulgated as authorized therein is a class B misdemeanor.

21 [8.] 9. No rule or portion of a rule promulgated under the
22 authority of this chapter shall become effective unless it has
23 been promulgated pursuant to the provisions of section 536.024,
24 RSMo.

25 365.020. Unless otherwise clearly indicated by the context,

1 the following words and phrases have the meanings indicated:

2 (1) "Cash sale price", the price stated in a retail
3 installment contract for which the seller would have sold to the
4 buyer, and the buyer would have bought from the seller, the motor
5 vehicle which is the subject matter of the retail installment
6 contract, if the sale had been a sale for cash or at a cash price
7 instead of a retail installment transaction at a time sale price.
8 The cash sale price may include any taxes, registration,
9 certificate of title, license and other fees and charges for
10 accessories and their installment and for delivery, servicing,
11 repairing or improving the motor vehicle;

12 (2) "Director", the office of the director of the division
13 of finance;

14 (3) "Holder" of a retail installment contract, the retail
15 seller of the motor vehicle under the contract or, if the
16 contract is purchased by a sales finance company or other
17 assignee, the sales finance company or other assignee;

18 (4) "Insurance company", any form of lawfully authorized
19 insurer in this state;

20 (5) "Motor vehicle", any new or used automobile, mobile
21 home, motorcycle, all-terrain vehicle, motorized bicycle, moped,
22 motortricycle, truck, trailer, semitrailer, truck tractor, or bus
23 [having a cash sale price of seven thousand five hundred dollars
24 or less] primarily designed or used to transport persons or
25 property on a public highway, road or street;

1 (6) "Official fees", the fees prescribed by law for filing,
2 recording or otherwise perfecting and releasing or satisfying any
3 title or lien retained or taken by a seller in connection with a
4 retail installment transaction;

5 (7) "Person", an individual, partnership, corporation,
6 association, and any other group however organized;

7 (8) "Principal balance", the cash sale price of the motor
8 vehicle which is the subject matter of the retail installment
9 transaction plus the amounts, if any, included in the sale, if a
10 separate identified charge is made therefor and stated in the
11 contract, for insurance and other benefits, including any amounts
12 paid or to be paid by the seller pursuant to an agreement with
13 the buyer to discharge a security interest, lien, or lease
14 interest on property traded in and official fees, minus the
15 amount of the buyer's down payment in money or goods.

16 Notwithstanding any law to the contrary, any amount actually paid
17 by the seller pursuant to an agreement with the buyer to
18 discharge a security interest, lien or lease on property traded
19 in which was included in a contract prior to August 28, 1999, is
20 valid and legal;

21 (9) "Retail buyer" or "buyer", a person who buys a motor
22 vehicle from a retail seller in a retail installment transaction
23 under a retail installment contract;

24 (10) "Retail installment contract" or "contract", an
25 agreement evidencing a retail installment transaction entered

1 into in this state pursuant to which the title to or a lien upon
2 the motor vehicle, which is the subject matter of the retail
3 installment transaction is retained or taken by the seller from
4 the buyer as security for the buyer's obligation. The term
5 includes a chattel mortgage or a conditional sales contract;

6 (11) "Retail installment transaction", a sale of a motor
7 vehicle by a retail seller to a retail buyer on time under a
8 retail installment contract for a time sale price payable in one
9 or more deferred installments;

10 (12) "Retail seller" or "seller", a person who sells a
11 motor vehicle, not principally for resale, to a retail buyer
12 under a retail installment contract;

13 (13) "Sales finance company", a person engaged, in whole or
14 in part, in the business of purchasing retail installment
15 contracts from one or more sellers. The term includes but is not
16 limited to a bank, trust company, loan and investment company,
17 savings and loan association, financing institution, or
18 registrant pursuant to sections 367.100 to 367.200, RSMo, if so
19 engaged. The term shall not include a person who makes only
20 isolated purchases of retail installment contracts, which
21 purchases are not being made in the course of repeated or
22 successive purchases of retail installment contracts from the
23 same seller;

24 (14) "Time price differential", the amount, however
25 denominated or expressed, as limited by section 365.120, in

1 addition to the principal balance to be paid by the buyer for the
2 privilege of purchasing the motor vehicle on time to be paid for
3 by the buyer in one or more deferred installments;

4 (15) "Time sale price", the total of the cash sale price of
5 the motor vehicle and the amount, if any, included for insurance
6 and other benefits if a separate identified charge is made
7 therefor and the amounts of the official fees and time price
8 differential.

9 365.080. 1. The amount, if any, included in any retail
10 installment transaction for insurance, if a separate identified
11 charge is made for the insurance, which insurance may be
12 purchased by the holder of the contract, shall not exceed the
13 applicable premiums chargeable in accordance with the rates
14 approved by the department of insurance of this state where the
15 rates are required by law to be approved by the department. All
16 insurance shall be written by an insurance company authorized to
17 do business in this state and all policies written in this state
18 shall be countersigned by a duly licensed resident agent
19 authorized to engage in the insurance business in this state,
20 unless otherwise provided by law. A buyer may be required to
21 provide insurance on the motor vehicle at his own cost for the
22 protection of the seller or holder, as well as the buyer, but the
23 insurance shall be limited to insurance against substantial risk
24 of loss, damage or destruction of the motor vehicle. Any other
25 insurance, including insurance providing involuntary unemployment

1 coverage, may be included in a retail installment transaction at
2 the buyer's expense only if contracted for voluntarily by the
3 buyer. If the insurance for which the identified charge is made
4 insures the safety or health of the buyer or his interest in the
5 motor vehicle and is purchased by the holder, it shall be subject
6 to the limitations provided for in the regulations promulgated
7 and issued by the director pursuant to the provision of
8 subsection 1 of section 365.060. The holder shall within thirty
9 days after the execution of the retail installment contract send
10 or cause to be sent to the buyer a policy or certificate of
11 insurance, clearly setting forth the amount of the cost of the
12 policy or certificate of insurance, the kinds of insurance, and,
13 if a policy, all the terms, exceptions, limitations, restrictions
14 and conditions of the contract of insurance, or, if a
15 certificate, a summary of the certificate. The seller shall not
16 decline existing insurance written by an insurance company
17 authorized to do business in this state and the buyer shall have
18 the privilege of purchasing insurance from an agent or broker of
19 his own selection and of selecting his insurance company; except,
20 that the insurance company shall be acceptable to the holder, and
21 further, that the inclusion of the cost of the insurance in the
22 retail installment contract when the buyer selects his agent,
23 broker or company, shall be optional with the seller.

24 2. If any insurance is canceled, or the premium adjusted,
25 any refund of the insurance premium received by the holder shall

1 be credited to the final maturing installments of the contract
2 except to the extent applied toward payment for similar insurance
3 protecting the interests of the buyer and the holder or either of
4 them.

5 3. The amount of any life insurance shall not exceed the
6 amount of the total unpaid balance from time to time; except,
7 that where the buyer's obligation is repayable in payments which
8 are not substantially equal in amount, the insurance may be level
9 term insurance in an amount which shall not exceed by more than
10 five dollars the time balance as determined under subsection 6 of
11 section 365.070.

12 4. Nothing in this chapter shall be construed to prohibit
13 the sale of a deficiency waiver addendum, guaranteed asset
14 protection, extended service contract, or other similar products
15 purchased at the time of sale, as part of a retail sale
16 transaction involving any motor vehicle, or including the cost
17 therefore within a retail installment transaction, provided the
18 requirements of section 365.070 are met.

19 365.100. For contracts entered into on or after August 28,
20 2005, if the contract so provides, the holder thereof may charge,
21 finance, and collect:

22 (1) A charge for late payment on each installment or
23 minimum payment in default for a period of not less than fifteen
24 days in an amount not to exceed five percent of each installment
25 due or the minimum payment due or twenty-five dollars, whichever

1 is less; except that, a minimum charge of ten dollars may be
2 made, or when the installment is for twenty-five dollars or less,
3 a charge for late payment for a period of not less than fifteen
4 days shall not exceed five dollars, provided, however, that a
5 minimum charge of one dollar may be made;

6 (2) Interest on each delinquent payment at a rate which
7 shall not exceed the highest lawful contract rate. In addition
8 to such charge, the contract may provide for the payment of
9 attorney fees not exceeding fifteen percent of the amount due and
10 payable under the contract where the contract is referred for
11 collection to any attorney not a salaried employee of the holder,
12 plus court costs; [and]

13 (3) A dishonored or insufficient funds check fee equal to
14 such fee as provided in section 408.653, RSMo, in addition to
15 fees charged by a bank for each check, draft, order or like
16 instrument which is returned unpaid; and

17 (4) All other reasonable expenses incurred in the
18 origination, servicing, and collection of the amount due under
19 the contract.

20 390.020. As used in this chapter, unless the context
21 clearly requires otherwise, the words and terms mean:

22 (1) "Agricultural commodities in bulk", commodities
23 conforming to the meaning of "commodities in bulk" as defined in
24 this section, which are agricultural, horticultural, viticultural
25 or forest products or any other products which are grown or

1 produced on a farm or in a forest, and which have not undergone
2 processing at any time since movement from the farm or forest, or
3 processed or unprocessed grain, feed, feed ingredients, or forest
4 products;

5 (2) "Certificate", a written document authorizing a common
6 carrier to engage in intrastate commerce and issued under the
7 provisions of this chapter;

8 (3) "Charter service", the transportation of a group of
9 persons who, pursuant to a common purpose and at a fixed charge
10 for the vehicle, have acquired the exclusive use of a
11 passenger-carrying motor vehicle to travel together as a group
12 from a point of origin to a specified destination or for a
13 particular itinerary, either agreed upon in advance or modified
14 by the chartering group after having left the place of origin;

15 (4) "Commercial zone", unless otherwise increased pursuant
16 to the provisions of subdivision (4) of section 390.041, any
17 municipality within this state together with that territory
18 either within or without the state of Missouri, extending one
19 mile beyond the corporate limits of such municipality and one
20 additional mile for each fifty thousand inhabitants or portion
21 thereof; however, any commercial zone of a city not within a
22 county shall extend eighteen miles beyond that city's corporate
23 limits and shall also extend throughout any first class charter
24 county which adjoins that zone;

25 (5) "Commodities in bulk", commodities, which are fungible,

1 flowable, capable of being poured or dumped, tendered for
2 transportation unpackaged, incapable of being counted, but are
3 weighed or measured by volume and which conform to the shape of
4 the vehicle transporting them;

5 (6) "Common carrier", any person which holds itself out to
6 the general public to engage in the transportation by motor
7 vehicle of passengers or property for hire or compensation upon
8 the public highways and airlines engaged in intrastate commerce;

9 (7) "Contract carrier", any person under individual
10 contracts or agreements which engage in transportation by motor
11 vehicles of passenger or property for hire or compensation upon
12 the public highways;

13 (8) "Corporate family", a group of corporations consisting
14 of a parent corporation and all subsidiaries in which the parent
15 corporation owns directly or indirectly a one hundred percent
16 interest;

17 (9) "Division", the division of motor carrier and railroad
18 safety of the department of economic development;

19 (10) "Driveaway operator"[,]:

20 (a) Any motor carrier who moves any commercial motor
21 vehicle or assembled automobile singly under its own power or in
22 any other combination of two or more vehicles under the power of
23 one of said vehicles upon any public highway for the purpose of
24 delivery for sale or for delivery either before or after sale;

25 (b) A person engaged in the business of furnishing drivers

1 and operators for the purpose of transporting vehicles in transit
2 from one place to another by the driveaway or towaway methods; or

3 (c) A person who is lawfully engaged in the business of
4 transporting or delivering vehicles that are not the person's own
5 and vehicles of a type otherwise required to be registered, by
6 the driveaway or towaway methods, from a point of manufacture,
7 assembly or distribution or from the owner of the vehicles to a
8 dealer or sales agent of a manufacturer or to any consignee
9 designated by the shipper or consignor;

10 (11) "Dump truck", any open-top vehicle, including dump
11 trailers, and those trailers commonly referred to as hopper
12 trailers and/or belly dump trailers, that discharges its load by
13 tipping or opening the body in such a manner that the load is
14 ejected or dumped by gravity but does not include tank or other
15 closed-top vehicles, or vehicles that discharge cargo by means of
16 an auger, conveyor belt, air pressure, pump or other mechanical
17 means;

18 (12) "Household goods", personal effects and property used
19 or to be used in a dwelling when a part of the equipment or
20 supply of such dwelling; new or used furniture; store or office
21 furniture or fixtures; equipment of museums, institutions,
22 hospitals and other establishments; and articles, which because
23 of their unusual nature or value require specialized handling and
24 equipment usually employed in moving household goods;

25 (13) "Interstate commerce", commerce between a point in

1 this state and a point outside this state, or between points
2 outside this state when such commerce moves through this state
3 whether such commerce moves wholly by motor vehicle or partly by
4 motor vehicle and partly by any other regulated means of
5 transportation where the commodity does not come to rest or
6 change its identity during the movement;

7 (14) "Intrastate commerce", commerce moving wholly between
8 points within this state, whether such commerce moves wholly by
9 motor vehicle or partly by motor vehicle and partly by any other
10 means of transportation;

11 (15) "Irregular route", the course or line of travel to be
12 used by a motor carrier's vehicle when not restricted to any
13 specific route or routes within the area the motor carrier is
14 authorized to serve;

15 (16) "Less-than-truckload lots", lots of freight, other
16 than a truckload lot, being transported on the motor vehicle at
17 one time;

18 (17) "Mobile home", house trailers, cabin trailers,
19 bungalow trailers, mobile homes and any other transportable
20 building unit designed to be used for residential, commercial,
21 industrial or recreational purposes, including special equipment,
22 wheels, tires, axles, springs, racks, undercarriages and
23 undersupports used or useful in connection with the
24 transportation of mobile homes when transported as part of the
25 transportation of mobile homes;

1 (18) "Motor carrier", any person engaged in the
2 transportation of property or passengers, or both, for
3 compensation or hire, over the public roads of this state by
4 motor vehicle. The term includes both common and contract
5 carriers;

6 (19) "Motor vehicle", any vehicle, truck, truck-tractor,
7 trailer, or semitrailer, motor bus or any self-propelled vehicle
8 used upon the highways of the state in the transportation of
9 property or passengers;

10 (20) "Party", any person admitted as a party to a division
11 proceeding or seeking and entitled as a matter of right to
12 admission to a division proceeding;

13 (21) "Permit", a permit issued under the provisions of this
14 chapter to a contract carrier to engage in intrastate or
15 interstate commerce or to a common carrier to engage in
16 interstate commerce;

17 (22) "Person", any individual or other legal entity,
18 whether such entity is a proprietorship, partnership,
19 corporation, company, association or joint-stock association,
20 including the partners, officers, employees, and agents of the
21 person, as well as any trustees, assignees, receivers, or
22 personal representatives of the person;

23 (23) "Private carrier", any person engaged in the
24 transportation of property or passengers by motor vehicle upon
25 public highways, but not as a common or contract carrier by motor

1 vehicle; and includes any person who transports property by motor
2 vehicle where such transportation is incidental to or in
3 furtherance of his commercial enterprises;

4 (24) "Public highway", every public street, road, highway
5 or thoroughfare of any kind used by the public, whether actually
6 dedicated to the public;

7 (25) "Regular route", a specific and determined course to
8 be traveled by a motor carrier's vehicle rendering service to,
9 from or between various points or localities in this state;

10 (26) "School bus", any motor vehicle while being used
11 solely to transport students to or from school or to transport
12 students to or from any place for educational purposes or school
13 purposes;

14 (27) "Taxicab", any motor vehicle performing a bona fide
15 for hire taxicab service having a capacity of not more than five
16 passengers, exclusive of the driver, and not operated on a
17 regular route or between fixed termini;

18 (28) "Truckload lot", a lot or lots of freight tendered to
19 a carrier by one consignor or one consignee for delivery at the
20 direction of the consignor or consignee with the lot or lots
21 being the only lot or lots transported on the motor vehicle at
22 any one time.

23 390.136. 1. No motor carrier, except as provided in
24 section 390.030, shall operate any motor vehicle unless such
25 vehicle shall be accompanied by an annual or seventy-two-hour,

1 regulatory license issued by the [motor carrier and railroad
2 safety division of the department of economic development] state
3 highways and transportation commission; provided that when a
4 motor carrier uses a truck-tractor for pulling trailers or
5 semitrailers, such motor carrier may elect to license either the
6 truck-tractor, trailer or semitrailer. The fee for each such
7 [annual] regulatory license shall be ten dollars per year and
8 shall be due and payable [on or before the last day of February
9 of each calendar year] as provided in this section. Such
10 [annual] license shall be issued [after October first of each
11 year] in such form and shall be used pursuant to such reasonable
12 rules and regulations as [the division of motor carrier and
13 railroad safety may, by general order or otherwise, prescribe]
14 may be prescribed by the commission.

15 2. Any [annual] regulatory license issued to a motor
16 carrier for use in driveaway operations, as defined in this
17 section, shall be issued to such motor carrier without reference
18 to any particular vehicle and may be used interchangeably by the
19 holder thereof on any motor vehicle or combinations thereof
20 moving in driveaway operations under such carrier's property
21 carrier registration, certificate, or permit.

22 3. In case of emergency, temporary, unusual or a peak
23 demand for transportation, additional vehicles as described in
24 subsection 1 of this section may be operated upon issuance [by
25 the division] of a seventy-two-hour license for each vehicle so

1 operated. The license fee for each such additional vehicle shall
2 be the sum of five dollars for each seventy-two consecutive
3 hours, or any portion thereof. Such licenses shall be issued,
4 renewed and staggered in such form and shall be used pursuant to
5 such reasonable rules and regulations as the [division may, by
6 general order or otherwise,] commission may prescribe. No such
7 additional vehicle which has been licensed pursuant to this
8 subsection shall be operated without being accompanied by such
9 license.

10 4. The [division, upon] commission shall collect the
11 applicable license fee prior to the issuance of such license or
12 licenses provided for in this section, and shall [notify the
13 director of revenue, who shall] receive the license fee or fees
14 and immediately deposit the same [with the state treasurer in] to
15 the credit of the state [highway] highways and transportation
16 department fund except as otherwise provided in section 622.095,
17 RSMo, or when an agreement has been negotiated with another
18 jurisdiction whereby prepayment is not required. In such cases,
19 section 622.095, RSMo, if applicable, or the [term] terms of the
20 agreement shall prevail.

21 5. Any person operating as a motor carrier who violates or
22 fails to comply with any of the provisions of this section shall
23 be adjudged guilty of a misdemeanor and, upon conviction thereof,
24 shall be punished by a fine of not more than one hundred dollars.

25 6. The [provisions of this section shall become effective

1 for the 1989 registration year, and the] regulatory license fee
2 provided in this section may be paid at any state weigh station.

3 7. The commission shall prescribe, for every regulatory
4 license issued pursuant to this section, an effective date and an
5 expiration date. Notwithstanding any provision of law to the
6 contrary, the commission may stagger the issuance of licenses
7 pursuant to this section to begin at quarterly intervals during
8 any calendar year. Not later than the expiration date of the
9 current license, or as otherwise prescribed, each motor carrier
10 shall pay the regulatory license fee for each vehicle that the
11 carrier will operate during the next yearly period. The
12 commission may issue partial or over one-year licenses during the
13 transition from an annual license, to accommodate motor carriers
14 in adding vehicles to their operations during the year, to
15 coordinate the dates for a single carrier's licensing of multiple
16 licenses, or for such other reasons as approved by the
17 commission.

18 407.567. 1. If the manufacturer, through its authorized
19 dealer or its agent, cannot conform the new motor vehicle to any
20 applicable express warranty by repairing or correcting any
21 default or condition which impairs the use, market value, or
22 safety of the new motor vehicle to the consumer after a
23 reasonable number of attempts, the manufacturer shall, at its
24 option, either replace the new motor vehicle with a comparable
25 new vehicle acceptable to the consumer, or take title of the

1 vehicle from the consumer and refund to the consumer the full
2 purchase price, including all reasonably incurred collateral
3 charges, less a reasonable allowance for the consumer's use of
4 the vehicle. The subtraction of a reasonable allowance for use
5 shall apply when either a replacement or refund of the new motor
6 vehicle occurs.

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

9 3. (1) Upon taking the title to a vehicle under this
10 section, the manufacturer may apply to the department of revenue
11 for a reimbursement equal to any amounts refunded to a consumer
12 for any sales tax, license fees, registration fees, and title
13 fees paid by the consumer as a result of purchasing the vehicle.
14 Upon the receipt of a written request for a refund, accompanied
15 by satisfactory proof that such sales tax and fees on the vehicle
16 were paid when or after the vehicle was purchased and that the
17 manufacturer has refunded such sales tax and fees to the
18 consumer, lienholder, or lessor of the vehicle, the department of
19 revenue shall refund to the manufacturer an amount equal to the
20 amounts refunded to a consumer for such sales tax and fees paid
21 by the consumer as a result of purchasing the vehicle.

22 (2) The manufacturer may, in lieu of applying to the
23 department of revenue for a reimbursement under this subsection,
24 direct the consumer to apply to the department of revenue for a
25 refund of any sales tax, license fees, registration fees, and

1 title fees paid by the consumer as a result of purchasing the
2 vehicle. The manufacturer shall provide the consumer with the
3 documentation required to prove that the consumer paid such sales
4 tax and fees to the manufacturer. Upon the receipt of a written
5 request by the consumer for a refund, accompanied by satisfactory
6 proof that such sales tax and fees on the vehicle were paid when
7 or after the vehicle was purchased, and a written statement from
8 the manufacturer that such sales tax and fees were not refunded
9 to the consumer, lienholder, or lessor of the vehicle, the
10 department of revenue shall refund to the consumer an amount
11 equal to the amounts for such sales tax and fees paid by the
12 consumer as a result of purchasing the vehicle.

13 407.730. As used in sections 407.730 to 407.748, the
14 following terms mean:

15 (1) "Authorized driver":

16 (a) The renter;

17 (b) The renter's spouse if the spouse is a licensed driver
18 and satisfies the car rental company's minimum age requirement;

19 (c) The renter's employee or co-worker if they are engaged
20 in business activity with the person to whom the vehicle is
21 rented, are licensed drivers, and satisfy the rental company's
22 minimum age requirements;

23 (d) Any person who operates the vehicle during an emergency
24 situation; and

25 (e) Any person expressly listed by the car rental company

1 on the renter's contract as an authorized driver;

2 (2) "Blackout date", any date on which an advertised price
3 is totally unavailable to the public;

4 (3) "Car rental company", any person or entity in the
5 business of renting private passenger vehicles to the public;

6 [(2)] (4) "Clear and conspicuous", that the statement,
7 representation or term being disclosed is of such size, color
8 contrast, and audibility and is so presented as to be readily
9 noticed and understood by the person to whom it is being
10 disclosed. All language and terms should be used in accordance
11 with their common or ordinary usage and meaning;

12 [(3)] (5) "Collision damage waiver", any product a consumer
13 purchases from a car rental company in order to waive all or part
14 of his [liability in the event of a collision, other damage to]
15 responsibility for damages, or loss [due to theft] of, a rental
16 vehicle;

17 [(4)] (6) "Limited time availability", that the advertised
18 rental price is only available for a specific period of time or
19 that the price is not available during certain blackout periods;

20 [(5)] (7) "Material restriction", a restriction, limitation
21 or other requirement which significantly affects the price of,
22 use of, or a consumer's financial responsibility for a rental
23 car;

24 [(6)] (8) "Mandatory charge", any charge, fee, or surcharge
25 consumers must generally pay in order to obtain or operate a

1 rental vehicle;

2 (9) "Car rental insurance", products and services that are
3 offered in connection with and incidental to the rental of a
4 motor vehicle under subdivision (10) of subsection 1 of section
5 375.786, RSMo. This definition of optional car rental insurance
6 or any other definition of insurance shall not include collision
7 damage waiver;

8 (10) "Rental agreement", any document or combination of
9 documents, which, when read together and incorporated by
10 reference to each other, relate to and establish the terms and
11 conditions of the rental of a motor vehicle by an individual; or
12 when such a combination of documents is entered into as part of
13 any written master, corporate, group or individual agreement
14 setting forth the terms and conditions governing the use of a
15 rental car rented by a car rental company;

16 (11) "Master rental agreement", those documents used by a
17 car rental company for expedited service to members in a program
18 sponsored by the car rental company in which renters establish a
19 profile and select preferences for rental needs which establish
20 the terms and conditions governing the use of a rental car rented
21 by a car rental company by a participant in a master rental
22 agreement;

23 [(7)] (12) "Advertisement", oral, written, graphic or
24 pictorial statements made in the course of solicitation of
25 business including, without limitation, any statement or

1 representation made in a newspaper, magazine, the car rental
2 company's proprietary web site, or other publication, or
3 contained in any notice, sign, poster, display, circular,
4 pamphlet, or letter which may collectively be called "print
5 advertisements", or on radio or television, which may be referred
6 to as "broadcast commercials".

7 407.735. 1. Any business practices utilized by car rental
8 companies in furtherance of their business of renting vehicles to
9 the public shall be nondeceptive, fair and shall not be
10 unconscionable.

11 2. Any collision damage waiver product offered for sale to
12 the public shall not contain any provisions that are deceptive,
13 unfair or unconscionable. It is deceptive, unfair, and
14 unconscionable to require a consumer to assume absolute liability
15 for damage or loss up to the total value of a rental vehicle
16 regardless of fault as a condition of the rental agreement, and
17 then not include as part of any collision damage waiver product,
18 a waiver of liability for any damage or loss which occurs as a
19 result of the consumer's ordinary negligence, except where:

20 (1) The damage is caused intentionally by an authorized
21 driver or as a result of his willful and wanton misconduct;

22 (2) The damage arises out of the authorized driver's
23 operation of the vehicle while intoxicated or under the influence
24 of any illegal or unauthorized drug;

25 (3) The rental transaction is based on fraudulent

1 information supplied by the renter;

2 (4) The damage arises out of the use of the vehicle while
3 committing or otherwise engaged in a criminal act in which the
4 automobile usage is substantially related to the nature of the
5 criminal activity;

6 (5) The damage arises out of the use of the vehicle to
7 carry persons or property for hire;

8 (6) The damage occurs while the vehicle is operated by a
9 person other than an authorized driver[. For the purposes of
10 this subsection, "authorized driver" means the person to whom the
11 vehicle is rented; the renter's spouse or other family members
12 who are licensed drivers and satisfy the rental company's minimum
13 age requirement; the renter's employer or co-worker if they are
14 engaged in business activity with the person to whom the vehicle
15 is rented, are licensed drivers, and satisfy the rental company's
16 minimum age requirement; any person who operates the vehicle
17 during an emergency situation or while parking the vehicle at a
18 commercial establishment; and any person expressly listed by the
19 rental company on the rental agreement as an authorized driver]
20 as defined in section 407.730;

21 (7) The damage arises out of the use of the vehicle outside
22 of the United States unless such use is specifically authorized
23 by the rental agreement;

24 (8) Towing or pushing anything or if operation of the
25 vehicle on an unpaved road has resulted in damage or loss which

1 is a direct result of the road or driving conditions;

2 (9) Loss due to the theft of the rental vehicle. However,
3 the renter shall be presumed to have no liability for any loss
4 due to theft if (A) an authorized driver has possession of the
5 ignition key furnished by the rental company or an authorized
6 driver establishes that the ignition key furnished by the car
7 rental company was not in the vehicle at the time of the theft,
8 and (B) an authorized driver files an official report of the
9 theft with the police or other law enforcement agency within
10 twenty-four hours of learning of the theft and reasonably
11 cooperates with the car rental company and the police or other
12 law enforcement agency in providing information concerning the
13 theft. The presumption set forth in this paragraph is a
14 presumption affecting the burden of proof which the car rental
15 company may rebut by establishing that an authorized driver
16 committed, or aided and abetted the commission of, the theft.

17 3. Any claim resulting from damage to or loss of a rental
18 vehicle shall be reasonably and rationally related to the actual
19 loss incurred. The car rental company shall not assert or
20 collect any claim for physical or mechanical damage to or loss of
21 a rental vehicle which exceeds: the actual cash value of the
22 vehicle immediately before the loss less any proceeds from the
23 vehicle's disposal after the loss, or the actual cost to repair
24 the damaged vehicle including all discounts or price reductions,
25 whichever is less. Such claim shall be based on an estimate of

1 damage or repair invoice made by an independent appraisal
2 company, an insurance company, or a repair facility that
3 completed or would complete the repairs. A car rental company's
4 charge for loss of use shall not exceed a reasonable estimate of
5 the actual income lost.

6 4. It is a deceptive and unfair practice for a car rental
7 company or employee to knowingly and intentionally misrepresent
8 any material element of a rental agreement transaction [or to
9 fail to disclose to consumers all material facts and restrictions
10 applicable to the rental of a vehicle or in the sale of optional
11 products or services] including the sale of collision damage
12 waiver and car rental insurance. The company shall disclose in
13 the rental agreement the extent of the consumer's liability for
14 the vehicle and applicable mileage limitations and charges. When
15 the consumer elects the collision damage waiver or car rental
16 insurance, the price for collision damage waiver and [applicable
17 mileage limitations and charges] car rental insurance shall
18 appear on the rental agreement. A car rental company shall not
19 require the purchase of collision damage waiver or car rental
20 insurance. No car rental company shall sell to a consumer or
21 offer to sell a consumer a collision damage waiver [product] or
22 car rental insurance as a part of the rental agreement unless the
23 car rental company [first] provides the consumer with the
24 following written notice:

25 [NOTICE: THIS CONTRACT OFFERS, FOR AN ADDITIONAL CHARGE, A

1 COLLISION DAMAGE WAIVER TO COVER YOUR RESPONSIBILITY FOR DAMAGE
2 TO THE VEHICLE. BEFORE YOU DECIDE WHETHER TO PURCHASE THE
3 COLLISION DAMAGE WAIVER PRODUCT, YOU MAY WISH TO DETERMINE
4 WHETHER YOUR OWN VEHICLE INSURANCE AFFORDS YOU COVERAGE FOR
5 DAMAGE TO THE RENTAL VEHICLE AND THE AMOUNT OF THE DEDUCTIBLE
6 UNDER YOUR OWN INSURANCE COVERAGE. THE PURCHASE OF THIS
7 COLLISION DAMAGE WAIVER PRODUCT IS NOT MANDATORY AND MAY BE
8 DECLINED.] COLLISION DAMAGE WAIVER AND CAR RENTAL INSURANCE
9 NOTICE: OUR CONTRACT OFFERS FOR AN ADDITIONAL CHARGE COLLISION
10 DAMAGE WAIVER AND CAR RENTAL INSURANCE PRODUCTS. BEFORE DECIDING
11 WHETHER TO PURCHASE ANY OF THESE OPTIONAL PRODUCTS, YOU MAY WISH
12 TO DETERMINE WHETHER YOUR PERSONAL INSURANCE OR CREDIT CARD
13 PROVIDES YOU COVERAGE DURING THE RENTAL PERIOD. THE PURCHASE OF
14 ANY OF THESE OPTIONAL PRODUCTS IS NOT REQUIRED TO RENT A VEHICLE.

15 Such notice shall be made on the face of the rental agreement as
16 part of the written contract[,] and shall be set apart in
17 boldface type and in no smaller print than 10-point type, and
18 shall include a space for the consumer to acknowledge his receipt
19 of this notice. This notice requirement shall be deemed
20 satisfied if this written notice appears in materials furnished
21 to a consumer during the enrollment process into a master rental
22 agreement. This notice provision is deemed complied with for all
23 consumers who have previously enrolled into a master rental
24 agreement prior to the effective date of this statute and no

1 further notice shall be required.

2 5. The car rental company shall provide a notice at the
3 rental office in the form of a sign, placard, or brochure that
4 informs the consumer of the following:

5 (1) The availability of collision damage waiver;

6 (2) The availability of car rental insurance;

7 (3) A statement that the purchase of collision damage
8 waiver and/or car rental insurance is not required in order to
9 rent.

10 The following language may be used to comply with the
11 requirements of this section, but shall not be considered the
12 exclusive language that may be used:

13 COLLISION DAMAGE WAIVER AND CAR RENTAL INSURANCE NOTICE:

14 Our contract offers for an additional charge optional
15 products which provide you protection during your rental,
16 including:

17 1. Collision Damage Waiver: You are responsible for all
18 damages to or loss of the rental vehicle. A Collision Damage
19 Waiver will relieve you of responsibility for all or part of the
20 damage to the rental vehicle that may occur during the rental
21 period.

22 2. Personal Accident Insurance: Personal Accident
23 Insurance provides accidental death and accident medical
24 insurance that protects you during the rental period in or out of

1 the rental vehicle and your passengers while in the rental
2 vehicle.

3 3. Personal Effects Coverage: Personal Effects Coverage
4 protects your possessions from loss or damage during the rental
5 period.

6 4. Liability Insurance: Liability Insurance provides
7 protection to cover injuries or death to third parties or damage
8 to a third party's property if you are at fault in an accident
9 with the rental vehicle during the rental period.

10 Before deciding to purchase any of these optional products,
11 you may wish to determine whether your personal insurance or
12 credit card provides you coverage during the rental period.

13 The purchase of any of these products is not required to
14 rent a vehicle.

15 6. Car rental companies shall not place a hold against a
16 consumer's credit limit or charge a consumer's credit card in a
17 deceptive or unfair manner, and without full and complete
18 disclosure of such practice.

19 7. The remedies for any violation by a car rental company
20 of any provision of sections 407.730 to 407.735, or for any
21 conduct, act, or practice prescribed by any provisions of
22 sections 407.730 to 407.735, shall be injunctive relief and
23 monetary damages in an amount not to exceed fifty dollars for
24 each violation. The aggregate amount of monetary damages which
25 may be assessed against a car rental company for violations of

1 any provisions of sections 407.730 to 407.735, or for any
2 conduct, act, or practice prescribed by any provisions of
3 sections 407.730 to 407.735, shall not exceed the sum of one
4 hundred thousand dollars in the aggregate during any calendar
5 year.

6 407.1200. As used in sections 407.1200 to 407.1227, the
7 following terms shall mean:

8 (1) "Administrator", the person who is responsible for the
9 administration of the service contracts or the service contracts
10 plan and who is responsible for any filings required by sections
11 407.1200 to 407.1227;

12 (2) "Consumer", a natural person who buys other than for
13 purposes of resale any motor vehicle that is distributed in
14 commerce and that is normally used for personal, family, or
15 household purposes and not for business or research purposes;

16 (3) "Director", the director of the department of
17 insurance;

18 (4) "Maintenance agreement", a contract of limited duration
19 that provides for scheduled maintenance only;

20 (5) "Manufacturer", a person that:

21 (a) Manufactures or produces the property and sells the
22 property under its own name or label;

23 (b) Is a wholly owned subsidiary of the person who
24 manufactures or produces the property;

25 (c) Is a corporation which owns one hundred percent of the

1 person who manufactures or produces the property;

2 (d) Does not manufacture or produce the property, but the
3 property is sold under its trade name label;

4 (e) Manufactures or produces the property and the property
5 is sold under the trade name or label of another person; or

6 (f) Does not manufacture or produce the property but,
7 pursuant to a written contract, licenses the use of its trade
8 name or label to another person that sells the property under the
9 licensor's trade name or label;

10 (6) "Mechanical breakdown insurance", a policy, contract,
11 or agreement issued by an authorized insurer that provides for
12 the repair, replacement, or maintenance of a motor vehicle or
13 indemnification for repair, replacement, or service, for the
14 operational or structural failure of a motor vehicle due to a
15 defect in materials or workmanship or to normal wear and tear;

16 (7) "Motor vehicle extended service contract" or "service
17 contract", a contract or agreement for a separately stated
18 consideration or for a specific duration to perform the repair,
19 replacement, or maintenance of a motor vehicle or indemnification
20 for repair, replacement, or maintenance, for the operational or
21 structural failure due to a defect in materials, workmanship, or
22 normal wear and tear, with or without additional provision for
23 incidental payment of indemnity under limited circumstances,
24 including, but not limited to, towing, rental, and emergency road
25 service, but does not include mechanical breakdown insurance or

1 maintenance agreements;

2 (8) "Nonoriginal manufacturer's parts", replacement parts
3 not made for or by the original manufacturer of the property,
4 commonly referred to as "after market parts";

5 (9) "Person", an individual, partnership, corporation,
6 incorporated or unincorporated association, joint stock company,
7 reciprocal, syndicate, or any similar entity or combination of
8 entities acting in concert;

9 (10) "Premium", the consideration paid to an insurer for a
10 reimbursement insurance policy;

11 (11) "Provider", a person who administers, issues, makes,
12 provides, sells, or offers to sell a motor vehicle extended
13 service contract, or who is contractually obligated to provide
14 service under a motor vehicle extended service contract such as
15 sellers, administrators, and other intermediaries;

16 (12) "Provider fee", the consideration paid for a service
17 contract in excess of the premium;

18 (13) "Reimbursement insurance policy", a policy of
19 insurance issued to a provider and pursuant to which the insurer
20 agrees, for the benefit of the service contract holders, to
21 discharge all of the obligations and liabilities of the provider
22 under the terms of the service contracts in the event of
23 nonperformance by the provider. All obligations and liabilities
24 include, but are not limited to, failure of the provider to
25 perform under the service contract and the return of the unearned

1 provider fee in the event of the provider's unwillingness or
2 inability to reimburse the unearned provider fee in the event of
3 termination of a service contract;

4 (14) "Service contract holder" or "contract holder", a
5 person who is the purchaser or holder of a services contract;

6 (15) "Warranty", a warranty made solely by the
7 manufacturer, importer, or seller of property or services without
8 charge, that is not negotiated or separated from the sale of the
9 product and is incidental to the sale of the product, that
10 guarantees indemnity for defective parts, mechanical or
11 electrical breakdown, labor, or other remedial measures, such as
12 repair or replacement of the property or repetition of services.

13 407.1203. 1. Service contracts shall not be issued, sold,
14 or offered for sale in this state unless the administrator or its
15 designee has:

16 (1) Provided a receipt for the purchase of the service
17 contract to the contract holder at the date of purchase;

18 (2) Provided a copy of the service contract to the service
19 contract holder within a reasonable period of time from the date
20 of purchase; and

21 (3) Complied with the provisions of sections 407.1200 to
22 407.1227.

23 2. All administrators of service contracts sold in this
24 state shall file a registration with the director on a form, at a
25 fee and at a frequency prescribed by the director.

1 3. In order to assure the faithful performance of a
2 provider's obligations to its contract holders, each provider who
3 is contractually obligated to provide service under a service
4 contract shall:

5 (1) Insure all service contracts under a reimbursement
6 insurance policy issued by an insurer authorized to transact
7 insurance in this state; or

8 (2) (a) Maintain a funded reserve account for its
9 obligation under its contracts issued and outstanding in this
10 state. The reserves shall not be less than forty percent of
11 gross consideration received, less claims paid, on the sale of
12 the service contract for all in-force contracts. The reserve
13 account shall be subject to examination and review by the
14 director; and

15 (b) Place in trust with the director a financial security
16 deposit, having a value of not less than five percent of the
17 gross consideration received, less claims paid, on the sale of
18 the service contract for all service contracts issued and in
19 force, but not less than twenty-five thousand dollars, consisting
20 of one of the following:

21 a. A surety bond issued by an authorized surety;
22 b. Securities of the type eligible for deposit by
23 authorized insurers in this state;

24 c. Cash;

25 d. A letter of credit issued by a qualified financial

1 institution; or

2 e. Another form of security prescribed by regulations
3 issued by the director; or

4 (3) (a) Maintain a net worth of one hundred million
5 dollars; and

6 (b) Upon request, provide the director with a copy of the
7 provider's or, if the provider's financial statements are
8 consolidated with those of its parent company, the provider's
9 parent company's most recent Form 10-K filed with the Securities
10 and Exchange Commission (SEC) within the last calendar year, or
11 if the company does not file with the SEC, a copy of the
12 company's audited financial statements, which shows a net worth
13 of the provider or its parent company of at least one hundred
14 million dollars. If the provider's parent company's Form 10-K or
15 audited financial statements are filed to meet the provider's
16 financial stability requirement, then the parent company shall
17 agree to guarantee the obligations of the obligor relating to
18 service contracts sold by the provider in this state.

19 4. Provider fees collected on service contracts shall not
20 be subject to premium taxes. Premiums for reimbursement
21 insurance policies shall be subject to applicable premium taxes.

22 5. Except for the registration requirement in subsection 2
23 of this section, persons marketing, selling, or offering to sell
24 service contracts for providers that comply with sections
25 407.1200 to 407.1227 are exempt from this state's licensing

1 requirements.

2 6. Providers complying with the provisions of sections
3 407.1200 to 407.1227 are not required to comply with other
4 provisions of chapters 374 or 375, or any other provisions
5 governing insurance companies, except as specifically provided.

6 407.1206. Reimbursement insurance policies insuring service
7 contracts issued, sold, or offered for sale in this state shall
8 conspicuously state that, upon failure of the provider to perform
9 under the contract, such as failure to return the unearned
10 provider fee, the insurer that issued the policy shall pay on
11 behalf of the provider any sums the provider is legally obligated
12 to pay or shall provide the service which the provider is legally
13 obligated to perform according to the provider's contractual
14 obligations under the service contracts issued or sold by the
15 provider.

16 407.1209. 1. Service contracts issued, sold, or offered
17 for sale in this state shall be written in clear, understandable
18 language and the entire contract shall be printed or typed in
19 easy to read ten point type or larger and conspicuously disclose
20 the requirements in this section, as applicable.

21 2. Service contracts insured under a reimbursement
22 insurance policy pursuant to subsection 3 of section 407.1203
23 shall contain a statement in substantially the following form:
24 "Obligations of the provider under this service contract are
25 guaranteed under a service contract reimbursement insurance

1 policy. If the provider fails to pay or provide service on a
2 claim within sixty days after proof of loss has been filed, the
3 contract holder is entitled to make a claim directly against the
4 insurance company.". A claim against the provider shall also
5 include a claim for return of the unearned provider fee. The
6 service contract shall also conspicuously state the name and
7 address of the insurer.

8 3. Service contracts not insured under a reimbursement
9 insurance policy pursuant to subsection 3 of section 407.1203
10 shall contain a statement in substantially the following form:
11 "Obligations of the provider under this service contract are
12 backed only by the full faith and credit of the provider (issuer)
13 and are not guaranteed under a service contract reimbursement
14 insurance policy.". A claim against the provider shall also
15 include a claim for return of the unearned provider fee. The
16 service contract shall also conspicuously state the name and
17 address of the provider.

18 4. Service contracts shall identify any administrator, the
19 provider obligated to perform the service under the contract, the
20 service contract seller, and the service contract holder to the
21 extent that the name and address of the service contract holder
22 has been furnished by the service contract holder.

23 5. Service contracts shall conspicuously state the total
24 purchase price and the terms under which the service contract is
25 sold. The purchase price is not required to be pre-printed on

1 the service contract and may be negotiated at the time of sale
2 with the service contract holder.

3 6. If prior approval of repair work is required, the
4 service contracts shall conspicuously state the procedure for
5 obtaining prior approval and for making a claim, including a
6 toll-free telephone number for claim service and a procedure for
7 obtaining emergency repairs performed outside of normal business
8 hours.

9 7. Service contracts shall conspicuously state the
10 existence of any deductible amount.

11 8. Service contracts shall specify the merchandise and
12 services to be provided and any limitations, exceptions, and
13 exclusions.

14 9. Service contracts shall state the conditions upon which
15 the use of nonoriginal manufacturer's parts, or substitute
16 service, may be allowed. Conditions stated shall comply with
17 applicable state and federal laws.

18 10. Service contracts shall state any terms, restrictions,
19 or conditions governing the transferability of the service
20 contract.

21 11. Service contracts shall state the terms, restrictions,
22 or conditions governing termination of the service contract by
23 the service contract holder. The provider of the service
24 contract shall mail a written notice to the contract holder
25 within fifteen days of the date of termination.

1 12. Service contracts shall require every provider to
2 permit the service contract holder to return the contract within
3 at least twenty business days of the date of mailing of the
4 service contract or within at least ten days if the service
5 contract is delivered at the time of sale or within a longer time
6 period permitted under the contract. If no claim has been made
7 under the contract, the contract is void and the provider shall
8 refund to the contract holder the full purchase price of the
9 contract. A ten percent penalty per month shall be added to a
10 refund that is not paid within thirty days of return of the
11 contract to the provider. The applicable free-look time periods
12 on service contracts shall only apply to the original service
13 contract purchaser.

14 13. Service contracts shall set forth all of the
15 obligations and duties of the service contract holder, such as
16 the duty to protect against any further damage and the
17 requirement for certain service and maintenance.

18 14. Service contracts shall clearly state whether or not
19 the service contract provides for or excludes consequential
20 damages or preexisting conditions.

21 407.1212. 1. A provider shall not use in its name the
22 words insurance, casualty, guaranty, surety, mutual, or any other
23 words descriptive of the insurance, casualty, guaranty, or surety
24 business; or a name deceptively similar to the name or
25 description of any insurance or surety corporation, or any other

1 provider. This section shall not apply to a company that was
2 using any of the prohibited language in its name prior to August
3 28, 2004. However, a company using the prohibited language in
4 its name shall conspicuously disclose in its service contract the
5 following statement: "This agreement is not an insurance
6 contract.".

7 2. A provider or its representative shall not in its
8 service contracts or literature make, permit, or cause to be made
9 any false or misleading statement, or deliberately omit any
10 material statement that would be considered misleading if
11 omitted, in connection with the sale, offer to sell or
12 advertisement of a service contract.

13 3. A person, such as a bank, savings and loan association,
14 lending institution, manufacturer or seller of any product, shall
15 not require the purchase of a service contract as a condition of
16 a loan or a condition for the sale of any property.

17 407.1215. 1. An administrator, provider, or other
18 intermediary shall keep accurate accounts, books, and records
19 concerning transactions regulated by sections 407.1200 to
20 407.1227.

21 2. An administrator's, provider's, or other intermediary's
22 accounts, books, and records shall include:

23 (1) Copies of each type of service contract issued;

24 (2) The name and address of each service contract holder to
25 the extent that the name and address have been furnished by the

1 service contract holder;

2 (3) A list of the provider locations where service
3 contracts are marketed, sold, or offered for sale; and

4 (4) Claims files which shall contain at least the dates,
5 amounts, and description of all receipts, claims, and
6 expenditures related to the service contracts.

7 3. Except as provided in this section, an administrator
8 shall retain all records pertaining to each service contract
9 holder for at least three years after the specified period of
10 coverage has expired.

11 4. An administrator, provider, or other intermediary may
12 keep all records required pursuant to sections 407.1200 to
13 407.1227 on a computer disk or other similar technology. If an
14 administrator, provider, or other intermediary maintains records
15 in other than hard copy, records shall be accessible from a
16 computer terminal available to the director and be capable of
17 duplication to legible hard copy.

18 5. An administrator, provider, or other intermediary
19 discontinuing business in this state shall maintain its records
20 until it furnishes the director satisfactory proof that it has
21 discharged all obligations to contract holders in this state.

22 6. An administrator, provider, or other intermediary shall
23 make all accounts, books, and records concerning transactions
24 regulated pursuant to sections 407.1200 to 407.1227 or other
25 pertinent laws available to the director upon request.

1 407.1218. As applicable, an insurer that issued a
2 reimbursement insurance policy shall not terminate the policy
3 until a notice of termination, in a form and time frame
4 prescribed by the director, has been mailed or delivered to the
5 director. The termination of a reimbursement insurance policy
6 shall not reduce the issuer's responsibility for service
7 contracts issued by providers prior to the date of the
8 termination.

9 407.1221. 1. Providers are considered to be the agent of
10 the insurer that issued the reimbursement insurance policy. In
11 cases where a provider is acting as an administrator and enlists
12 other providers, the provider acting as the administrator shall
13 notify the insurer of the existence and identities of the other
14 providers.

15 2. The provisions of sections 407.1200 to 407.1227 shall
16 not prevent or limit the right of an insurer which issued a
17 reimbursement insurance policy to seek indemnification or
18 subrogation against a provider if the insurer pays or is
19 obligated to pay the service contract holder sums that the
20 provider was obligated to pay pursuant to the provisions of the
21 service contract or under a contractual agreement.

22 407.1224. 1. The director may conduct investigations or
23 examinations of providers, administrators, insurers, or other
24 persons to enforce the provisions of sections 407.1200 to
25 407.1227 and protect service contract holders in this state.

1 2. The director may take action that is necessary or
2 appropriate to enforce the provisions of sections 407.1200 to
3 407.1227 and the director's regulations and orders, and to
4 protect service contract holders in this state.

5 3. The director may order a service contract provider to
6 cease and desist from committing violations of sections 407.1200
7 to 407.1227 or the director's regulations or orders, may issue an
8 order prohibiting a service contract provider from selling or
9 offering for sale service contracts, or may issue an order
10 imposing a civil penalty, or any combination of these, if the
11 provider has violated the provisions of sections 407.1200 to
12 407.1227 or the director's regulations or orders.

13 4. A person aggrieved by an order pursuant to this section
14 may request a hearing before the director. The hearing request
15 shall be filed with the director within twenty days of the date
16 the director's order is effective.

17 5. Pending the hearing and the decision by the director,
18 the director shall suspend the effective date of the order. At
19 the hearing, the burden shall be on the director to show why the
20 order issued pursuant to this section is justified. Such hearing
21 shall be held in accordance with the provisions of chapter 536,
22 RSMo.

23 6. The director may bring an action in the circuit court of
24 Cole county for an injunction or other appropriate relief to
25 enjoin threatened or existing violations of sections 407.1200 to

1 407.1227 or of the director's orders or regulations. An action
2 filed pursuant to this section may also seek restitution on
3 behalf of persons aggrieved by a violation of sections 407.1200
4 to 407.1227 or orders or regulations of the director.

5 7. A person in violation of sections 407.1200 to 407.1227
6 or orders or regulation of the director may be assessed a civil
7 penalty not to exceed one thousand dollars per violation.

8 8. The authority of the director pursuant to this section
9 is in addition to other authority of the director.

10 407.1225. The director may promulgate rules to effectuate
11 sections 407.1200 to 407.1227. Any rule or portion of a rule, as
12 that term is defined in section 536.010, RSMo, that is created
13 under the authority delegated in this section shall become
14 effective only if it complies with and is subject to all of the
15 provisions of chapter 536, RSMo, and, if applicable, section
16 536.028, RSMo. This section and chapter 536, RSMo, are
17 nonseverable and if any of the powers vested with the general
18 assembly pursuant to chapter 536, RSMo, to review, to delay the
19 effective date, or to disapprove and annul a rule are
20 subsequently held unconstitutional, then the grant of rulemaking
21 authority and any rule proposed or adopted after August 28, 2004,
22 shall be invalid and void.

23 407.1227. 1. The provisions of sections 407.1200 to
24 407.1224 shall not apply to:

25 (1) Warranties;

1 (2) Maintenance agreements;
2 (3) Commercial transactions; and
3 (4) Service contracts sold or offered for sale to persons
4 other than consumers.

5 2. Manufacturer's contracts on the manufacturer's products
6 need only comply with the provisions of sections 407.1209,
7 407.1212, and 407.1224.

8 408.140. 1. No further or other charge or amount
9 whatsoever shall be directly or indirectly charged, contracted
10 for or received for interest, service charges or other fees as an
11 incident to any such extension of credit except as provided and
12 regulated by sections 367.100 to 367.200, RSMo, and except:

13 (1) On loans for thirty days or longer which are other than
14 "open-end credit" as such term is defined in the federal Consumer
15 Credit Protection Act and regulations thereunder, a fee, not to
16 exceed five percent of the principal amount loaned not to exceed
17 seventy-five dollars may be charged by the lender; however, no
18 such fee shall be permitted on any extension, refinance,
19 restructure or renewal of any such loan, unless any investigation
20 is made on the application to extend, refinance, restructure or
21 renew the loan;

22 (2) The lawful fees actually and necessarily paid out by
23 the lender to any public officer for filing, recording, or
24 releasing in any public office any instrument securing the loan,
25 which fees may be collected when the loan is made or at any time

1 thereafter; however, premiums for insurance in lieu of perfecting
2 a security interest required by the lender may be charged if the
3 premium does not exceed the fees which would otherwise be
4 payable;

5 (3) If the contract so provides, a charge for late payment
6 on each installment or minimum payment in default for a period of
7 not less than fifteen days in an amount not to exceed five
8 percent of each installment due or the minimum payment due or
9 fifteen dollars, whichever is greater, not to exceed fifty
10 dollars; except that, a minimum charge of ten dollars may be
11 made. If the contract so provides, a charge for late payment on
12 each twenty-five dollars or less installment in default for a
13 period of not less than fifteen days shall not exceed five
14 dollars;

15 (4) If the contract so provides, a charge for late payment
16 for a single payment note in default for a period of not less
17 than fifteen days in an amount not to exceed five percent of the
18 payment due; provided that, the late charge for a single payment
19 note shall not exceed fifty dollars;

20 (5) Charges or premiums for insurance written in connection
21 with any loan against loss of or damage to property or against
22 liability arising out of ownership or use of property as provided
23 in section 367.170, RSMo; however, notwithstanding any other
24 provision of law, with the consent of the borrower, such
25 insurance may cover property all or part of which is pledged as

1 security for the loan, and charges or premiums for insurance
2 providing life, health, accident, or involuntary unemployment
3 coverage;

4 (6) Reasonable towing costs and expenses of retaking,
5 holding, preparing for sale, and selling any personal property in
6 accordance with section 400.9, RSMo;

7 7. Charges assessed by any institution for processing a
8 refused instrument plus a handling fee of not more than
9 twenty-five dollars;

10 [(7)] (8) If the contract or promissory note, signed by the
11 borrower, provides for attorney fees, and if it is necessary to
12 bring suit, such attorney fees may not exceed fifteen percent of
13 the amount due and payable under such contract or promissory
14 note, together with any court costs assessed. The attorney fees
15 shall only be applicable where the contract or promissory note is
16 referred for collection to an attorney, and is not handled by a
17 salaried employee of the holder of the contract;

18 [(8)] (9) Provided the debtor agrees in writing, the lender
19 may collect a fee in advance for allowing the debtor to defer up
20 to three monthly loan payments, so long as the fee is no more
21 than the lesser of fifty dollars or ten percent of the loan
22 payments deferred, no extensions are made until the first loan
23 payment is collected and no more than one deferral in a
24 twelve-month period is agreed to and collected on any one loan;
25 this subdivision applies to nonprecomputed loans only and does

1 not affect any other subdivision;

2 [(9)] (10) If the open-end credit contract is tied to a
3 transaction account in a depository institution, such account is
4 in the institution's assets and such contract provides for loans
5 of thirty-one days or longer which are "open-end credit", as such
6 term is defined in the federal Consumer Credit Protection Act and
7 regulations thereunder, the creditor may charge a credit advance
8 fee of the lesser of twenty-five dollars or five percent of the
9 credit advanced from time to time from the line of credit; such
10 credit advance fee may be added to the open-end credit
11 outstanding along with any interest, and shall not be considered
12 the unlawful compounding of interest as that term is defined in
13 section 408.120.

14 2. Other provisions of law to the contrary notwithstanding,
15 an open-end credit contract under which a credit card is issued
16 by a company, financial institution, savings and loan or other
17 credit issuing company whose credit card operations are located
18 in Missouri may charge an annual fee, provided that no finance
19 charge shall be assessed on new purchases other than cash
20 advances if such purchases are paid for within twenty-five days
21 of the date of the periodic statement therefor.

22 3. Notwithstanding any other provision of law to the
23 contrary, in addition to charges allowed pursuant to section
24 408.100, an open-end credit contract provided by a company,
25 financial institution, savings and loan or other credit issuing

1 company which is regulated pursuant to this chapter may charge an
2 annual fee not to exceed fifty dollars.

3 577.054. 1. After a period of not less than ten years, an
4 individual who has pleaded guilty or has been convicted for a
5 first alcohol-related driving offense which is a misdemeanor or a
6 county or city ordinance violation and which is not a conviction
7 for driving a commercial motor vehicle while under the influence
8 of alcohol and who since such date has not been convicted of any
9 other alcohol-related driving offense may apply to the court in
10 which he or she pled guilty or was sentenced for an order to
11 expunge from all official records all recordations of his or her
12 arrest, plea, trial or conviction. If the court determines,
13 after hearing, that such person has not been convicted of any
14 alcohol-related driving offense in the ten years prior to the
15 date of the application for expungement, and has no other
16 alcohol-related enforcement contacts as defined in section
17 302.525, RSMo, during that ten-year period, the court shall enter
18 an order of expungement. The effect of such order shall be to
19 restore such person to the status he or she occupied prior to
20 such arrest, plea or conviction and as if such event had never
21 taken place. No person as to whom such order has been entered
22 shall be held thereafter under any provision of any law to be
23 guilty of perjury or otherwise giving a false statement by reason
24 of his or her failure to recite or acknowledge such arrest, plea,
25 trial, conviction or expungement in response to any inquiry made

1 of him or her for any purpose whatsoever and no such inquiry
2 shall be made for information relating to an expungement under
3 this section. A person shall only be entitled to one expungement
4 pursuant to this section. Nothing contained in this section
5 shall prevent the director from maintaining such records as to
6 ensure that an individual receives only one expungement pursuant
7 to this section for the purpose of informing the proper
8 authorities of the contents of any record maintained pursuant to
9 this section.

10 2. The provisions of this section shall not apply to any
11 individual who has been issued a commercial driver's license or
12 is required to possess a commercial driver's license issued by
13 this state or any other state.

14 577.080. 1. A person commits the crime of abandoning a
15 motor vehicle or trailer if he abandons any motor vehicle or
16 trailer on the right-of-way of any public road or state highway
17 or on or in any of the waters in this state or on the banks of
18 any stream, or on any land or water owned, operated or leased by
19 the state, any board, department, agency or commission thereof,
20 or any political subdivision thereof or on any land or water
21 owned, operated or leased by the federal government or on any
22 private real property owned by another without his consent.

23 2. For purposes of this section, the last owner of record
24 of a motor vehicle or trailer found abandoned and not shown to be
25 transferred pursuant to sections 301.196 and 301.197, RSMo, shall

1 be deemed prima facie to have been the owner of such motor
2 vehicle or trailer at the time it was abandoned and to have been
3 the person who abandoned the motor vehicle or trailer or caused
4 or procured its abandonment. The registered owner of the
5 abandoned motor vehicle or trailer shall not be subject to the
6 penalties provided by this section if the motor vehicle or
7 trailer was in the care, custody, or control of another person at
8 the time of the violation. In such instance, the owner shall
9 submit such evidence in an affidavit permitted by the court
10 setting forth the name, address, and other pertinent information
11 of the person who leased, rented, or otherwise had care, custody,
12 or control of the motor vehicle or trailer at the time of the
13 alleged violation. The affidavit submitted pursuant to this
14 subsection shall be admissible in a court proceeding adjudicating
15 the alleged violation and shall raise a rebuttable presumption
16 that the person identified in the affidavit was in actual control
17 of the motor vehicle or trailer. In such case, the court has the
18 authority to terminate the prosecution of the summons issued to
19 the owner and issue a summons to the person identified in the
20 affidavit as the operator. If the motor vehicle or trailer is
21 alleged to have been stolen, the owner of the motor vehicle or
22 trailer shall submit proof that a police report was filed in a
23 timely manner indicating that the vehicle was stolen at the time
24 of the alleged violation.

25 3. Abandoning a motor vehicle or trailer is a class A

1 misdemeanor.

2 4. Any person convicted pursuant to this section shall be
3 civilly liable for all reasonable towing, storage, and
4 administrative costs associated with the abandonment of the motor
5 vehicle or trailer. Any reasonable towing, storage, and
6 administrative costs in excess of the value of the abandoned
7 motor vehicle or trailer that exist at the time the motor vehicle
8 is transferred pursuant to section 304.156, RSMo, shall remain
9 the liability of the person convicted pursuant to this section so
10 long as the towing company, as defined in chapter 304, RSMo,
11 provided the title owner and lienholders, as ascertained by the
12 department of revenue records, a notice within the timeframe and
13 in the form as described in subsection 1 of section 304.156,
14 RSMo.

15 622.095. 1. In addition to its other powers, the [division
16 of motor carrier and railroad safety] state highways and
17 transportation commission may negotiate and enter into fair and
18 equitable cooperative agreements or contracts with other states,
19 the District of Columbia, territories and possessions of the
20 United States, foreign countries, and any of their officials,
21 agents or instrumentalities, to promote cooperative action and
22 mutual assistance between the participating jurisdictions with
23 regard to the uniform administration and registration, through a
24 single base jurisdiction for each registrant, of [interstate
25 commerce commission] Federal Motor Carrier Safety Administration

1 operating authority and exempt operations by motor vehicles
2 operated in interstate commerce. Notwithstanding any other
3 provision of law to the contrary, and in accordance with the
4 provisions of such agreements or contracts between participating
5 jurisdictions, the [division] commission may:

6 (1) Delegate to other participating jurisdictions the
7 authority and responsibility to collect and pay over [to the
8 division] statutory registration, administration or license fees;
9 to receive, approve and maintain the required proof of public
10 liability insurance coverage; to receive, process, maintain and
11 transmit registration information and documentation; to issue
12 evidence of proper registration in lieu of [interstate]
13 certificates, licenses, or permits [under section 390.071, RSMo;
14 to] which the commission may issue motor vehicle licenses or
15 identifiers in lieu of [annual] regulatory licenses under section
16 390.136, RSMo; and to suspend or revoke any credential, approval,
17 registration, certificate, permit, license, or identifier
18 referred to in this section, as agents on behalf of the
19 [division] commission with regard to motor vehicle operations by
20 persons having a base jurisdiction other than this state;

21 (2) Assume the authority and responsibility on behalf of
22 other jurisdictions participating in such agreements or contracts
23 to collect and direct the department of revenue to pay over to
24 the appropriate jurisdictions statutory registration,
25 administration or license fees, and to perform all other

1 activities described in subdivision (1) of this subsection, on
2 its own behalf or as an agent on behalf of other participating
3 jurisdictions, with regard to motor vehicle operations in
4 interstate commerce by persons having this state as their base
5 jurisdiction;

6 (3) Establish or modify dates for the payment of fees and
7 the issuance of annual motor vehicle licenses or identifiers in
8 conformity with such agreements or contracts, notwithstanding any
9 provisions of section 390.136, RSMo, to the contrary; and

10 (4) Modify, cancel or terminate any of the agreements or
11 contracts.

12 2. Notwithstanding the provisions of section 390.136, RSMo,
13 statutory registration, administration or license fees collected
14 by the [division] commission on behalf of other jurisdictions
15 under such agreements or contracts are hereby designated as
16 "nonstate funds" within the meaning of section 15, article IV,
17 Constitution of Missouri, and shall be immediately transmitted to
18 the department of revenue of the state for deposit to the credit
19 of a special fund which is hereby created and designated as the
20 "Base State Registration Fund". The [division] commission shall
21 [not less frequently than once each month] direct the payment of,
22 and the director of revenue shall pay, the fees so collected to
23 the appropriate other jurisdictions. All income derived from the
24 investment of the base state registration fund by the director of
25 revenue shall be credited to the [highway] state highways and

1 transportation department fund.

2 3. "Base jurisdiction", as used in this section, means the
3 jurisdiction participating in such agreements or contracts where
4 the registrant has its principal place of business.

5 4. Every person who has properly registered his or her
6 interstate [commerce commission] operating authority or exempt
7 operations with his or her base jurisdiction and maintains such
8 registration in force in accordance with such agreements or
9 contracts is authorized to operate in interstate commerce within
10 this state any motor vehicle which is accompanied by a valid
11 annual license or identifier issued by his base jurisdiction in
12 accordance with such agreements or contracts, notwithstanding any
13 provision of section 390.071, 390.126 or 390.136, RSMo, or rules
14 of the [division] commission to the contrary.

15 5. Notwithstanding any provision of law to the contrary,
16 the commission may stagger and prorate the payment and collection
17 of license fees pursuant to this section for the purposes of:

18 (1) Coordinating the issuance of regulatory licenses under
19 this section with issuance of other motor carrier credentials;
20 and

21 (2) Complying with any federal law or regulation.

22 700.320. 1. The owner of any new or used manufactured
23 home, as defined in section 700.010, shall make application to
24 the director of revenue for an official certificate of title to
25 such manufactured home in the manner prescribed by law for the

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

11 2. At the time the owner of any new manufactured home, as
12 defined in section 700.010, which was acquired in a transaction
13 subject to sales tax under the Missouri sales tax law makes
14 application to the director of revenue for an official
15 certificate of title for such manufactured home, he shall present
16 to the director of revenue evidence satisfactory to the director
17 of revenue showing the purchase price exclusive of any charge
18 incident to the extension of credit paid by or charged to the
19 applicant in the acquisition of the manufactured home, or that no
20 sales tax was incurred in its acquisition, and if sales tax was
21 incurred in its acquisition, the applicant shall pay or cause to
22 be paid to the director of revenue the sales tax provided by the
23 Missouri sales tax law in addition to the registration fees now
24 or hereafter required according to law, and the director of
25 revenue shall not issue a certificate of title for any new

1 manufactured home subject to sales tax as provided in the
2 Missouri sales tax law until the tax levied for the sale of the
3 same under sections 144.010 to 144.510, RSMo, has been paid as
4 provided in this section. As used in this subsection, the term
5 "purchase price" shall mean the total amount of the contract
6 price agreed upon between the seller and the applicant in the
7 acquisition of the new manufactured home regardless of the medium
8 of payment therefor. In the event that the purchase price is
9 unknown or undisclosed, or that the evidence thereof is not
10 satisfactory to the director of revenue, the same shall be fixed
11 by appraisement by the director. The director of the department
12 of revenue shall endorse upon the official certificate of title
13 issued by him upon such application an entry showing that such
14 sales tax has been paid or that the manufactured home represented
15 by the certificate is exempt from sales tax and state the ground
16 for such exemption.

17 3. A certificate of title for a manufactured home issued in
18 the names of two or more persons that does not show on the face
19 of the certificate that the persons hold their interest in the
20 manufactured home as tenants in common, on death of one of the
21 named persons, may be transferred to the surviving owner or
22 owners. On proof of death of one of the persons in whose names
23 the certificate was issued, surrender of the outstanding
24 certificate of title, and on application and payment of the fee
25 for an original certificate of title, the director of revenue

1 shall issue a new certificate of title for the manufactured home
2 to the surviving owner or owners; and the current valid
3 certificate of number shall be so transferred.

4 4. A certificate of title for a manufactured home issued in
5 the names of two or more persons that shows on its face that the
6 persons hold their interest in the manufactured home as tenants
7 in common, on death of one of the named persons, may be
8 transferred by the director of revenue on application by the
9 surviving owners and the personal representative or successors of
10 the deceased owner. Upon being presented proof of death of one
11 of the persons in whose names the certificate of title was
12 issued, surrender of the outstanding certificate of title, and on
13 application and payment of the fee for an original certificate of
14 title, the director of revenue shall issue a new certificate of
15 title for the manufactured home to the surviving owners and
16 personal representative or successors of the deceased owner; and
17 the current valid certificate of number shall be so transferred.

18 Section 1. 1. A sole owner of a manufactured home, and
19 multiple owners of a manufactured home who hold their interest as
20 joint tenants with right of survivorship or as tenants by the
21 entirety, on application and payment of the fee required for an
22 original certificate of ownership, may request the director of
23 revenue to issue a certificate of ownership for the manufactured
24 home in beneficiary form which includes a directive to the
25 director of revenue to transfer the certificate of ownership on

1 death of the sole owner or on death of all multiple owners to one
2 beneficiary or to two or more beneficiaries as joint tenants with
3 right of survivorship or as tenants by the entirety named on the
4 face of the certificate. The directive to the director of
5 revenue shall also permit the beneficiary or beneficiaries to
6 make one reassignment of the original certificate of ownership
7 upon the death of the owner to another owner without transferring
8 the certificate to the beneficiary or beneficiaries' name.

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

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

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

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

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

4 (b) By filing an application to reissue the certificate of
5 ownership with no designation of a beneficiary or with the
6 designation of a different beneficiary or beneficiaries with the
7 director of revenue in proper form and accompanied by the payment
8 of the fee for an original certificate of ownership.

9 (3) The beneficiary's or beneficiaries' interest in the
10 manufactured homes at death of the owner or surviving owner shall
11 be subject to any contract of sale, assignment of ownership or
12 security interest to which the owner or owners of the
13 manufactured home were subject during their lifetime.

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

19 5. (1) On proof of death of one of the owners of two or
20 more multiple owners, or of a sole owner, surrender of the
21 outstanding certificate of ownership, and on application and
22 payment of the fee for an original certificate of ownership, the
23 director of revenue shall issue a new certificate of ownership
24 for the manufactured home to the surviving owner or owners or, if
25 none, to the surviving beneficiary or beneficiaries, subject to

1 any outstanding security interest; and the current valid
2 certificate of number shall be so transferred. If the surviving
3 beneficiary or beneficiaries makes a request of the director of
4 revenue, the director may allow the beneficiary or beneficiaries
5 to make one assignment of title.

6 (2) The director of revenue may rely on a death certificate
7 or record or report that constitutes prima facie proof or
8 evidence of death under subdivisions (1) and (2) of section
9 472.290, RSMo.

10 (3) The transfer of a manufactured home at death pursuant
11 to this section is not to be considered as testamentary, or to be
12 subject to the requirements of section 473.087, RSMo, or section
13 474.320, RSMo.

14 [390.340. Notwithstanding any
15 provisions of section 390.136, to the
16 contrary, beginning with the first calendar
17 year after August 28, 1996, the annual
18 licenses required pursuant to section
19 390.136, with reference to motor vehicles
20 operated by motor carriers shall be effective
21 from January first to December thirty-first
22 of the year for which they are issued, and
23 the annual license fees for each calendar
24 year shall be due and payable on or before
25 the thirty-first day of December in the year
26 immediately preceding the year for which they
27 are issued. The division shall begin issuing
28 the annual licenses on August first of each
29 year for the succeeding calendar year, but
30 this shall not preclude the division from
31 continuing to issue the current year's
32 licenses as needed for the remainder of the
33 current calendar year.]

34 [622.618. Notwithstanding any
35 provisions of section 390.136, RSMo, to the
36 contrary, beginning with the first calendar

1 year after August 28, 1996, the annual
2 licenses required pursuant to section
3 390.136, RSMo, with reference to motor
4 vehicles operated by motor carriers shall be
5 effective from January first to December
6 thirty-first of the year for which they are
7 issued, and the annual license fees for each
8 calendar year shall be due and payable on or
9 before the thirty-first day of December in
10 the year immediately preceding the year for
11 which they are issued. The division shall
12 begin issuing the annual licenses on August
13 first of each year for the succeeding
14 calendar year, but this shall not preclude
15 the division from continuing to issue the
16 current year's licenses as needed for the
17 remainder of the current calendar year.]

18 Section B. Because immediate action is necessary to deter
19 the commission of fraud in the obtaining of driver's licenses in
20 this state, the repeal and reenactment of section 302.230 of
21 section A of this act and the enactment of section 302.233 of
22 section A of this act is deemed necessary for the immediate
23 preservation of the public health, welfare, peace and safety, and
24 is hereby declared to be an emergency act within the meaning of
25 the constitution, and the repeal and reenactment of section
26 302.230 of section A of this act and the enactment of section
27 302.233 of section A of this act shall be in full force and
28 effect upon its passage and approval.

29 Section C. The repeal and reenactment of sections 21.795,
30 67.1808, 301.132, 301.144, 301.190, and 301.444, and the
31 enactment of sections 67.1813, 301.134, 301.3032, 301.3074,
32 301.3079, 301.3098, 301.3106, 301.3122, 301.3124, 301.3125,
33 301.3126, 301.3128, 301.3130, 301.3131, 301.3132, 301.3133,

1 301.3137, 301.3139, 301.3142, 301.3143, 301.3144, 301.3146,
2 301.3147, 301.3150, 301.3152, 301.3154, 301.3155, 301.3999,
3 304.155, 304.156, and 304.157 of section A of this act shall
4 become effective January 1, 2005.

5 Section D. The repeal and reenactment of sections 365.020,
6 365.080, and 365.100 of section A of this act shall become
7 effective August 28, 2005.

8 Section E. The repeal and reenactment of sections 302.225,
9 302.272, 302.302, 302.309, 302.700, 302.725, 302.740, 302.755,
10 302.756, 302.760, and 577.054, and the enactment of sections
11 302.273, 302.345, 302.347, and 302.727 of section A of this act
12 shall become effective September 30, 2005.

13 Section F. The repeal and reenactment of sections 301.280
14 and 577.080 of section A of this act shall become effective
15 January 1, 2006.

16 Section G. The repeal and reenactment of sections 301.055,
17 301.057, 301.058, and 301.130, and the enactment of sections
18 407.1200, 407.1203, 407.1206, 407.1209, 407.1212, 407.1215,
19 407.1218, 407.1221, 407.1224, 407.1225, and 407.1227 of section A
20 of this act shall become effective January 1, 2007.