

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
**HOUSE BILL NOS. 591, 210, 377,
760 & 777**
93RD GENERAL ASSEMBLY

Reported from the Committee on Transportation April 7, 2005, with recommendation that House Committee Substitute for House Bill Nos. 591, 210, 377, 760 & 777 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

1610L.11C

AN ACT

To repeal sections 43.530, 136.055, 144.025, 168.133, 260.218, 301.020, 301.129, 301.190, 301.215, 301.290, 302.080, 302.177, 302.735, RSMo; and section 301.130 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session and section 301.130 as enacted by senate committee substitute for house bill no. 491, ninety-second general assembly, first regular session; and section 302.272 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1453 merged with conference committee substitute for house substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 968 and senate substitute for senate bill no. 969 merged with house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session and section 302.272 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1453 merged with conference committee substitute for house substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 968 and senate substitute for senate bill no. 969, ninety-second general assembly, second regular session, and to enact in lieu thereof twenty new sections relating to transportation, with an emergency clause for certain sections and penalty provisions.

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 **bold-face** type in the above bill is proposed language.

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

Section A. 43.530, 136.055, 144.025, 168.133, 260.218, 301.020, 301.129, 301.190, 2 301.215, 301.290, 302.080, 302.177, 302.735, RSMo; and section 301.130 as enacted by house 3 substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 4 1043, ninety-second general assembly, second regular session and section 301.130 as enacted 5 by senate committee substitute for house bill no. 491, ninety-second general assembly, first 6 regular session; and section 302.272 as enacted by conference committee substitute for senate 7 substitute for senate committee substitute for house substitute for house committee substitute for 8 house bill no. 1453 merged with conference committee substitute for house substitute for house 9 committee substitute for senate substitute for senate committee substitute for senate bill no. 968 10 and senate substitute for senate bill no. 969 merged with house substitute for senate substitute 11 for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general 12 assembly, second regular session and section 302.272 as enacted by conference committee 13 substitute for senate substitute for senate committee substitute for house substitute for house 14 committee substitute for house bill no. 1453 merged with conference committee substitute for 15 house substitute for house committee substitute for senate substitute for senate committee 16 substitute for senate bill no. 968 and senate substitute for senate bill no. 969, ninety-second 17 general assembly, second regular session, are repealed and twenty new sections enacted in lieu 18 thereof, to be known as sections 43.530, 136.055, 144.025, 168.133, 227.361, 227.371, 301.020, 19 301.129, 301.130, 301.190, 301.215, 301.290, 302.080, 302.177, 302.272, 302.735, 304.184, 20 622.560, 1, and 2, to read as follows:

43.530. [1.] For each request requiring the payment of a fee received by the central 2 repository, the requesting entity shall pay a fee of not more than five dollars per request for 3 criminal history record information not based on a fingerprint search when the requesting entity 4 is required to obtain such information by any provision of state or federal law and pay a fee of 5 not more than fourteen dollars per request for criminal history record information based on a 6 fingerprint search when the requesting entity is required to obtain such information by any 7 provision of state or federal law; provided that, when the requesting entity is not required to 8 obtain such information by law, the requesting entity shall pay a fee of not more than ten dollars 9 per request for criminal history record information not based on a fingerprint search and pay a 10 fee of not more than twenty dollars per request for criminal history record information based on 11 a fingerprint search. Each such request shall be limited to check and search on one individual. 12 Each request shall be accompanied by a check, warrant, voucher, money order, or electronic

13 payment payable to the state of Missouri-criminal record system or payment shall be made in a
14 manner approved by the highway patrol. The highway patrol may establish procedures for
15 receiving requests for criminal history record information for classification and search for
16 fingerprints, from courts and other entities, and for the payment of such requests. There is
17 hereby established by the treasurer of the state of Missouri a fund to be entitled as the "Criminal
18 Record System Fund". Notwithstanding the provisions of section 33.080, RSMo, to the contrary,
19 if the moneys collected and deposited into this fund are not totally expended annually for the
20 purposes set forth in sections 43.500 to 43.543, the unexpended moneys in such fund shall
21 remain in the fund and the balance shall be kept in the fund to accumulate from year to year.

22 [2. For purposes of obtaining criminal records prior to issuance of a school bus operator's
23 permit pursuant to section 302.272, RSMo, and for determining eligibility for such permit, the
24 applicant for such permit shall submit two sets of fingerprints to the director of revenue when
25 applying for the permit. The fingerprints shall be collected in a manner approved by the
26 superintendent of the highway patrol. The school bus permit applicant shall pay the appropriate
27 fee described in this section and pay the appropriate fee determined by the Federal Bureau of
28 Investigation for the federal criminal history record when he or she applies for the school bus
29 permit. Collections for records described in this subsection shall be deposited in the criminal
30 record system fund.]

136.055. 1. Any person who is selected or appointed by the state director of revenue to
2 act as an agent of the department of revenue, whose duties shall be the sale of motor vehicle
3 licenses and the collection of motor vehicle sales and use taxes under the provisions of section
4 144.440, RSMo, and who receives no salary from the department of revenue, shall be authorized
5 to collect from the party requiring such services additional fees as compensation in full and for
6 all services rendered on the following basis:

7 (1) For each motor vehicle or trailer license sold, renewed or transferred--two dollars and
8 fifty cents beginning January 1, 1998; and four dollars beginning July 1, 2000; and five dollars
9 beginning August 28, 2002, for those licenses biennially renewed pursuant to section 301.147,
10 RSMo. Beginning July 1, 2003, for each motor vehicle or trailer license sold, renewed or
11 transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially
12 renewed pursuant to section 301.147, RSMo;

13 (2) For each application or transfer of title--two dollars and fifty cents beginning January
14 1, 1998;

15 (3) For each **instruction permit, nondriver's license**, chauffeur's, operator's, or driver's
16 license **issued for a period of three years or less**--two dollars and fifty cents [beginning January
17 1, 1998; and four dollars beginning July 1, 2000;], and five dollars [beginning July 1, 2003,] for
18 [six-year] licenses **or instruction permits** issued or renewed **for a period exceeding three**

19 **years;**

20 (4) For each notice of lien processed--two dollars and fifty cents beginning August 28,
21 2000;

22 (5) No notary fee or other fee or additional charge shall be paid or collected except for
23 electronic telephone transmission reception--two dollars.

24 2. All fees charged shall not exceed those in this section. Beginning July 1, 2003, the
25 fees imposed by this section shall be collected by all permanent branch offices and all full-time
26 or temporary offices maintained by the department of revenue.

27 3. Any person acting as agent of the department of revenue for the sale and issuance of
28 licenses and other documents related to motor vehicles shall have an insurable interest in all
29 license plates, licenses, tabs, forms and other documents held on behalf of the department.

30 4. The fee increases authorized by this section and approved by the general assembly
31 were requested by the fee agents. All fee agent offices shall display a three foot by four foot sign
32 with black letters of at least three inches in height on a white background which states:

33 The increased fees approved by the
34 Missouri Legislature and charged by
35 this fee office were requested by the
36 fee agents.

144.025. 1. Notwithstanding any other provisions of law to the contrary, in any retail
2 sale other than retail sales governed by subsections 4 and 5 of this section, where any article on
3 which sales or use tax has been paid, credited, or otherwise satisfied or which was exempted or
4 excluded from sales or use tax is taken in trade as a credit or part payment on the purchase price
5 of the article being sold, the tax imposed by sections 144.020 and 144.440 shall be computed
6 only on that portion of the purchase price which exceeds the actual allowance made for the
7 article traded in or exchanged, if there is a bill of sale or other record showing the actual
8 allowance made for the article traded in or exchanged. Where the purchaser of a motor vehicle,
9 trailer, boat or outboard motor receives a rebate from the seller or manufacturer, the tax imposed
10 by sections 144.020 and 144.440 shall be computed only on that portion of the purchase price
11 which exceeds the amount of the rebate, if there is a bill of sale or other record showing the
12 actual rebate given by the seller or manufacturer. Where the trade-in or exchange allowance plus
13 any applicable rebate exceeds the purchase price of the purchased article there shall be no sales
14 or use tax owed. This section shall also apply to motor vehicles, trailers, boats, and outboard
15 motors sold by the owner or holder of the properly assigned certificate of ownership if the seller
16 purchases or contracts to purchase a subsequent motor vehicle, trailer, boat, or outboard motor
17 within one hundred eighty days before or after the date of the sale of the original article and a
18 [notarized] bill of sale showing the paid sale price is presented to the department of revenue at

19 the time of licensing. A copy of the bill of sale shall be left with the licensing office. Where the
20 subsequent motor vehicle, trailer, boat, or outboard motor is titled more than one hundred eighty
21 days after the sale of the original motor vehicle, trailer, boat, or outboard motor, the allowance
22 pursuant to this section shall be made if the person titling such article establishes that the
23 purchase or contract to purchase was finalized prior to the expiration of the one hundred
24 eighty-day period.

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

27 3. As used in this section, the term "motor vehicle" includes motor vehicles as defined
28 in section 301.010, RSMo, recreational vehicles as defined in section 700.010, RSMo, or a
29 combination of a truck as defined in section 301.010, RSMo, and a trailer as defined in section
30 301.010, RSMo.

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

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

168.133. 1. The school district shall ensure that a criminal background check is
2 conducted on any person employed after January 1, 2005, authorized to have contact with pupils
3 and prior to the individual having contact with any pupil. Such persons include, but are not
4 limited to, administrators, teachers, aides, paraprofessionals, assistants, secretaries, custodians,
5 cooks, and nurses. **The school district shall also ensure that a criminal background check
6 is conducted for school bus drivers. The district may allow such drivers to operate buses
7 pending the result of the criminal background check.** For bus drivers, the background check
8 **shall be** conducted [by the department of revenue for the issuance or renewal of a school bus
9 permit under section 302.272, RSMo, shall satisfy the background check requirements of this
10 section] **on drivers employed by the school district or employed by a pupil transportation
11 company under contract with the school district.**

12 2. In order to facilitate the criminal history background check on any person employed
13 after January 1, 2005, the applicant shall submit two sets of fingerprints collected pursuant to
14 standards determined by the Missouri highway patrol. One set of fingerprints shall be used by
15 the highway patrol to search the criminal history repository and the family care safety registry
16 pursuant to sections 210.900 to 210.936, RSMo, and the second set shall be forwarded to the

17 Federal Bureau of Investigation for searching the federal criminal history files.

18 3. The applicant shall pay the fee for the state criminal history record information
19 pursuant to section 43.530, RSMo, and sections 210.900 to 210.936, RSMo, and pay the
20 appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history
21 record when he or she applies for a position authorized to have contact with pupils pursuant to
22 this section. The department shall distribute the fees collected for the state and federal criminal
23 histories to the Missouri highway patrol.

24 4. The school district may adopt a policy to provide for reimbursement of expenses
25 incurred by an employee for state and federal criminal history information pursuant to section
26 43.530, RSMo.

27 5. If, as a result of the criminal history background check mandated by this section, it is
28 determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty or
29 nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, RSMo,
30 or a similar crime or offense committed in another state, the United States, or any other country,
31 regardless of imposition of sentence, such information shall be reported to the department of
32 elementary and secondary education.

33 6. Any school official making a report to the department of elementary and secondary
34 education in conformity with this section shall not be subject to civil liability for such action.

35 7. Nothing in this section shall be construed to alter the standards for suspension, denial,
36 or revocation of a certificate issued pursuant to this chapter.

37 8. The state board of education may promulgate rules for criminal history background
38 checks made pursuant to this section. Any rule or portion of a rule, as that term is defined in
39 section 536.010, RSMo, that is created under the authority delegated in this section shall become
40 effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo,
41 and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are
42 nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536,
43 RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently
44 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
45 after January 1, 2005, shall be invalid and void.

46 [9. The provisions of this section shall become effective January 1, 2005.]

**227.361. The portion of Highway 58 in Johnson County from the intersection with
2 Highway U, west to Highway 131, shall be designated the "Veterans Memorial Parkway".
3 All appropriate signage shall be paid for, erected, and maintained by the City of Holden
4 Veterans of Foreign Wars.**

**227.371. The portion of U.S. highway 61 from the intersection of Missouri route B
2 south of La Grange to the intersection of Missouri route B north of Canton, in Lewis**

3 **County, shall be designated the "Students of Missouri Assisting Rural Transportation**
4 **(S.M.A.R.T.) Memorial Highway". This eleven-mile stretch of roadway shall be dedicated**
5 **to these students and their efforts to improve transportation in the area. The department**
6 **of transportation shall erect and maintain appropriate signs commemorating such portion**
7 **of highway 61 at its discretion, and the students of Missouri assisting rural transportation**
8 **shall pay for all such signs.**

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

5 (1) A brief description of the motor vehicle or trailer to be registered, including the name
6 of the manufacturer, the vehicle identification number, the amount of motive power of the motor
7 vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a
8 motor vehicle primarily for business use as defined in section 301.010;

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

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

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

19 (1) The application for the vehicle's certificate of ownership was submitted after July 1,
20 1989; and

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

22 3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business
23 use, a recreational motor vehicle, motorcycle, motortricycle, bus or any commercial motor
24 vehicle licensed for over twelve thousand pounds and if such motor vehicle is five years of age
25 or less, the director of revenue shall retain the odometer information provided in the vehicle
26 inspection report, and provide for prompt access to such information, together with the vehicle
27 identification number for the motor vehicle to which such information pertains, for a period of
28 five years after the receipt of such information. This subsection shall not apply unless:

29 (1) The application for the vehicle's certificate of ownership was submitted after July 1,
30 1990; and

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

32 4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle,
33 specially constructed motor vehicle, non-USA-std motor vehicle, as defined in section 301.010,
34 or prior salvage as referenced in section 301.573, the owner or lienholder shall surrender the
35 certificate of ownership. The owner shall make an application for a new certificate of ownership,
36 pay the required title fee, and obtain the vehicle examination certificate required pursuant to
37 **subsection 9 of section 301.190. If an insurance company which pays a claim on a salvage**
38 **vehicle as defined in section 301.010 and the insured is retaining ownership of the vehicle,**
39 **as prior salvage, the vehicle shall only be required to meet the examination requirements**
40 **under subsection 10 of section 301.190.** Notarized bills of sale along with a copy of the front
41 and back of the certificate of ownership for all major component parts installed on the vehicle
42 and invoices for all essential parts which are not defined as major component parts shall
43 accompany the application for a new certificate of ownership. If the vehicle is a specially
44 constructed motor vehicle, as defined in section 301.010, two pictures of the vehicle shall be
45 submitted with the application. If the vehicle is a kit vehicle, the applicant shall submit the
46 invoice and the manufacturer's statement of origin on the kit. If the vehicle requires the issuance
47 of a special number by the director of revenue or a replacement vehicle identification number,
48 the applicant shall submit the required application and application fee. All applications required
49 under this subsection shall be submitted with any applicable taxes which may be due on the
50 purchase of the vehicle or parts. The director of revenue shall appropriately designate
51 "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or
52 "Specially Constructed Motor Vehicle" on the current and all subsequent issues of the certificate
53 of ownership of such vehicle.

54 5. Every insurance company which pays a claim for repair of a motor vehicle which as
55 the result of such repairs becomes a reconstructed motor vehicle as defined in section 301.010
56 or which pays a claim on a salvage vehicle as defined in section 301.010 and the insured is
57 retaining ownership of the vehicle, shall in writing notify the claimant, if he is the owner of the
58 vehicle, and the lienholder if a lien is in effect, that he is required to surrender the certificate of
59 ownership, and the documents and fees required pursuant to subsection 4 of this section to obtain
60 a [reconstructed] **prior salvage** motor vehicle certificate of ownership or documents and fees as
61 otherwise required by law to obtain a salvage certificate of ownership, from the director of
62 revenue. The insurance company shall within thirty days of the payment of such claims report
63 to the director of revenue the name and address of such claimant, the year, make, model, vehicle
64 identification number, and license plate number of the vehicle, and the date of loss and payment.

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

67 7. An applicant for registration may make a donation of one dollar to promote a
68 blindness education, screening and treatment program. The director of revenue shall collect the
69 donations and deposit all such donations in the state treasury to the credit of the blindness
70 education, screening and treatment program fund established in section 192.935, RSMo. Moneys
71 in the blindness education, screening and treatment program fund shall be used solely for the
72 purposes established in section 192.935, RSMo, except that the department of revenue shall
73 retain no more than one percent for its administrative costs. The donation prescribed in this
74 subsection is voluntary and may be refused by the applicant for registration at the time of
75 issuance or renewal. The director shall inquire of each applicant at the time the applicant
76 presents the completed application to the director whether the applicant is interested in making
77 the one-dollar donation prescribed in this subsection.

78 8. An applicant for registration may make a donation of one dollar to promote an organ
79 donor program. The director of revenue shall collect the donations and deposit all such
80 donations in the state treasury to the credit of the organ donor program fund as established in
81 sections 194.297 to 194.304, RSMo. Moneys in the organ donor fund shall be used solely for
82 the purposes established in sections 194.297 to 194.304, RSMo, except that the department of
83 revenue shall retain no more than one percent for its administrative costs. The donation
84 prescribed in this subsection is voluntary and may be refused by the applicant for registration at
85 the time of issuance or renewal. The director shall inquire of each applicant at the time the
86 applicant presents the completed application to the director whether the applicant is interested
87 in making the one-dollar donation prescribed in this subsection.

301.129. There is established in this section an advisory committee for the department
2 of revenue, which shall exist solely to develop uniform designs and common colors for motor
3 vehicle license plates issued under this chapter and to determine appropriate license plate
4 parameters for all license plates issued under this chapter. The advisory committee may adopt
5 more than one type of design and color scheme for license plates issued under this chapter;
6 however, each license plate of a distinct type shall be uniform in design and color scheme with
7 all other license plates of that distinct type. The specifications for the fully reflective material
8 used for the plates, as required by section 301.130, shall be determined by the committee. Such
9 plates shall meet any specific requirements prescribed in this chapter. The advisory committee
10 shall consist of the director of revenue, the superintendent of the highway patrol, the correctional
11 enterprises administrator, and the respective chairpersons of both the senate and house of
12 representatives transportation committees. Notwithstanding section 226.200, RSMo, to the
13 contrary, the general assembly may appropriate state highways and transportation department
14 funds for the requirements of section 301.130 and this section. Prior to [April 1, 2006] **January**
15 **1, 2008**, the committee shall meet, select a chairman from among their members, and develop

16 uniform design and license plate parameters for the motor vehicle license plates issued under this
17 chapter. Prior to determining the final design of the plates, the committee shall hold at least three
18 public meetings in different areas of the state to invite public input on the final design. Members
19 of the committee shall be reimbursed for their actual and necessary expenses incurred in the
20 performance of their duties under this section out of funds appropriated for that purpose. The
21 committee shall direct the director of revenue to implement its final design of the uniform motor
22 vehicle license plates and any specific parameters for all license plates developed by the
23 committee not later than [April 1, 2006] **January 1, 2008**. The committee shall be dissolved
24 upon completion of its duties under this section.

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

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

17 3. All property-carrying commercial motor vehicles to be registered at a gross weight in
18 excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local
19 transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and
20 driveaway vehicles shall be registered with the director of revenue as provided for in subsection
21 3 of section 301.030, or with the state highways and transportation commission as otherwise
22 provided in this chapter, but only one license plate shall be issued for each such vehicle except
23 as provided in this subsection. The applicant for registration of any property-carrying
24 commercial motor vehicle may request and be issued two license plates for such vehicle, and if
25 such plates are issued the director of revenue may assess and collect an additional charge from
26 the applicant in an amount not to exceed the fee prescribed for personalized license plates in
27 subsection 1 of section 301.144.

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

31 5. No motor vehicle or trailer shall be operated on any highway of this state unless it
32 shall have displayed thereon the license plate or set of license plates issued by the director of
33 revenue or the state highways and transportation commission and authorized by section 301.140.
34 Each such plate shall be securely fastened to the motor vehicle in a manner so that all parts
35 thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not
36 impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck
37 tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of
38 such vehicles not less than eight nor more than forty-eight inches above the ground, with the
39 letters and numbers thereon right side up. The license plates on trailers, motorcycles,
40 motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters
41 and numbers thereon right side up. The license plate on buses, other than school buses, and on
42 trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall
43 be displayed on the front of such vehicles not less than eight nor more than forty-eight inches
44 above the ground, with the letters and numbers thereon right side up or if two plates are issued
45 for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front
46 and rear of such vehicles. The license plate or plates authorized by section 301.140, when
47 properly attached, shall be prima facie evidence that the required fees have been paid.

48 6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as
49 provided by law as evidence of the annual payment of registration fees and the current
50 registration of a vehicle in lieu of the set of plates. Beginning January 1, [2009] **2011**, the
51 [numbers] **the director may prescribe any additional information** recorded on the tab or tabs
52 [must be the same numbers that appear on] **to ensure that the tab or tabs positively correlate**
53 **with** the license plate or plates issued by the department of revenue [that are displayed on the]
54 **for such** vehicle. Such tabs shall be produced in each license bureau office.

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

57 (3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in
58 the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has
59 been paid.

60 (4) Except as otherwise provided in this section, the director of revenue shall issue plates
61 for a period of at least six years.

62 (5) For those commercial motor vehicles and trailers registered pursuant to section
63 301.041, the plate issued by the highways and transportation commission shall be a permanent

64 nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve
65 the owner of any vehicle permanently registered pursuant to this section from the obligation to
66 pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall
67 be returned to the highways and transportation commission upon the sale or disposal of the
68 vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may
69 be transferred to a replacement commercial motor vehicle when the owner files a supplemental
70 application with the Missouri highways and transportation commission for the registration of
71 such replacement commercial motor vehicle. Upon payment of the annual registration fee, the
72 highways and transportation commission shall issue a certificate of registration or other suitable
73 evidence of payment of the annual fee, and such evidence of payment shall be carried at all times
74 in the vehicle for which it is issued.

75 (6) Upon the sale or disposal of any vehicle permanently registered under this section,
76 or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued
77 for such vehicle shall be returned to the highways and transportation commission and shall not
78 be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle
79 when the owner files a supplemental application with the Missouri highways and transportation
80 commission for the registration of such replacement vehicle. If a vehicle which is permanently
81 registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated,
82 the registrant shall be given credit for any unused portion of the annual registration fee when the
83 vehicle is replaced by the purchase or lease of another vehicle during the registration year.

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

88 8. Notwithstanding the provisions of any other law to the contrary, owners of motor
89 vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess
90 of eighteen thousand pounds gross weight may apply for special personalized license plates.
91 Vehicles licensed for eighteen thousand pounds that display special personalized license plates
92 shall be subject to the provisions of subsections 1 and 2 of section 301.030.

93 9. Commencing January 1, [2007] **2010**, the director of revenue shall cause to be
94 reissued new license plates of such design as directed by the director consistent with the terms,
95 conditions, and provisions of this section and this chapter. Except as otherwise provided in this
96 section, in addition to all other fees required by law, applicants for registration of vehicles with
97 license plates that expire between January 1, [2007] **2010**, and December 31, [2009] **2012**,
98 applicants for registration of trailers or semitrailers with license plates that expire between
99 January 1, [2007] **2010**, and December 31, [2009] **2012**, and applicants for registration of

100 vehicles that are to be issued new license plates shall pay an additional fee [of up to two dollars
101 and fifty cents], based on the actual cost of the reissuance, to cover the cost of the newly reissued
102 plates required by this subsection. [The additional fee, based on the actual cost, prescribed by
103 this subsection shall only be one dollar and twenty-five cents for issuance of one new plate for
104 vehicles requiring only one license plate pursuant to this section.] The additional fee [of two
105 dollars and fifty cents] prescribed in this subsection shall not be charged to persons receiving
106 special license plates issued under section 301.073 or 301.443. Historic motor vehicle license
107 plates registered pursuant to section 301.131 and specialized license plates are exempt from the
108 provisions of this subsection.

2 [301.130. 1. The director of revenue, upon receipt of a proper application
3 for registration, required fees and any other information which may be required
4 by law, shall issue to the applicant a certificate of registration in such manner and
5 form as the director of revenue may prescribe and a set of license plates, or other
6 evidence of registration, as provided by this section. Each set of license plates
7 shall bear the name or abbreviated name of this state, the words "SHOW-ME
8 STATE", the month and year in which the registration shall expire, and an
9 arrangement of numbers or letters, or both, as shall be assigned from year to year
10 by the director of revenue. The plates shall also contain fully reflective material
11 with a common color scheme and design for each type of license plate issued
12 pursuant to this chapter. The plates shall be clearly visible at night, and shall be
13 aesthetically attractive. Special plates for qualified disabled veterans will have
14 the "DISABLED VETERAN" wording on the license plates in preference to the
15 words "SHOW-ME STATE" and special plates for members of the national
16 guard will have the "NATIONAL GUARD" wording in preference to the words
17 "SHOW-ME STATE".

18 2. The arrangement of letters and numbers of license plates shall be
19 uniform throughout each classification of registration. The director may provide
20 for the arrangement of the numbers in groups or otherwise, and for other
21 distinguishing marks on the plates.

22 3. All property-carrying commercial motor vehicles to be registered at a
23 gross weight in excess of twelve thousand pounds, all passenger-carrying
24 commercial motor vehicles, local transit buses, school buses, trailers,
25 semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles
26 shall be registered with the director of revenue as provided for in subsection 3 of
27 section 301.030, but only one license plate shall be issued for each such vehicle
28 except as provided in this subsection. The applicant for registration of any
29 property-carrying commercial motor vehicle may request and be issued two
30 license plates for such vehicle, and if such plates are issued the director of
31 revenue may assess and collect an additional charge from the applicant in an
32 amount not to exceed the fee prescribed for personalized license plates in
subsection 1 of section 301.144.

33 4. The plates issued to manufacturers and dealers shall bear the letter "D"
34 preceding the number, and the director may place upon the plates other letters or
35 marks to distinguish commercial motor vehicles and trailers and other types of
36 motor vehicles.

37 5. No motor vehicle or trailer shall be operated on any highway of this
38 state unless it shall have displayed thereon the license plate or set of license
39 plates issued by the director of revenue and authorized by section 301.140. Each
40 such plate shall be securely fastened to the motor vehicle in a manner so that all
41 parts thereof shall be plainly visible and reasonably clean so that the reflective
42 qualities thereof are not impaired. License plates shall be fastened to all motor
43 vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess
44 of twelve thousand pounds on the front and rear of such vehicles not less than
45 eight nor more than forty-eight inches above the ground, with the letters and
46 numbers thereon right side up. The license plates on trailers, motorcycles,
47 motortricycles and motorscooters shall be displayed on the rear of such vehicles,
48 with the letters and numbers thereon right side up. The license plate on buses,
49 other than school buses, and on trucks, tractors, truck tractors or truck-tractors
50 licensed in excess of twelve thousand pounds shall be displayed on the front of
51 such vehicles not less than eight nor more than forty-eight inches above the
52 ground, with the letters and numbers thereon right side up or if two plates are
53 issued for the vehicle pursuant to subsection 5 of this section, displayed in the
54 same manner on the front and rear of such vehicles. The license plate or plates
55 authorized by section 301.140, when properly attached, shall be prima facie
56 evidence that the required fees have been paid.

57 6. (1) The director of revenue shall issue annually a tab or set of tabs as
58 evidence of the annual payment of registration fees and the current registration
59 of a vehicle in lieu of the set of plates.

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

63 (3) A tab or set of tabs issued by the director when attached to a vehicle
64 in the prescribed manner shall be prima facie evidence that the registration fee for
65 such vehicle has been paid.

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

68 (5) For those commercial motor vehicles and trailers registered pursuant
69 to section 301.041, the plate issued by the director of revenue shall be a
70 permanent nonexpiring license plate for which no tabs shall be issued. Nothing
71 in this section shall relieve the owner of any vehicle permanently registered
72 pursuant to this section from the obligation to pay the annual registration fee due
73 for the vehicle. The permanent nonexpiring license plate shall be returned to the
74 director of revenue upon the sale or disposal of the vehicle by the owner to whom
75 the permanent nonexpiring license plate is issued, or the plate may be transferred

76 to a replacement commercial motor vehicle when the owner files a supplemental
77 application with the Missouri highway reciprocity commission for the registration
78 of such replacement commercial motor vehicle. Upon payment of the annual
79 registration fee, the director of revenue shall issue a certificate of registration or
80 other suitable evidence of payment of the annual fee, and such evidence of
81 payment shall be carried at all times in the vehicle for which it is issued.

82 (6) Upon the sale or disposal of any vehicle permanently registered under
83 this section, or upon the termination of a lease of any such vehicle, the permanent
84 nonexpiring plate issued for such vehicle shall be returned to the director and
85 shall not be valid for operation of such vehicle, or the plate may be transferred
86 to a replacement vehicle when the owner files a supplemental application with
87 the Missouri highway reciprocity commission for the registration of such
88 replacement vehicle. If a vehicle which is permanently registered under this
89 section is sold, wrecked or otherwise disposed of, or the lease terminated, the
90 registrant shall be given credit for any unused portion of the annual registration
91 fee when the vehicle is replaced by the purchase or lease of another vehicle
92 during the registration year.

93 7. The director of revenue may prescribe rules and regulations for the
94 effective administration of this section. No rule or portion of a rule promulgated
95 under the authority of this section shall become effective unless it has been
96 promulgated pursuant to the provisions of section 536.024, RSMo.

97 8. Notwithstanding the provisions of any other law to the contrary,
98 owners of motor vehicles other than apportioned motor vehicles or commercial
99 motor vehicles licensed in excess of eighteen thousand pounds gross weight may
100 apply for special personalized license plates. Vehicles licensed for eighteen
101 thousand pounds that display special personalized license plates shall be subject
102 to the provisions of subsections 1 and 2 of section 301.030.]

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

13 2. The director of revenue shall use reasonable diligence in ascertaining whether the facts
14 stated in such application are true and shall, to the extent possible without substantially delaying

15 processing of the application, review any odometer information pertaining to such motor vehicle
16 that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of
17 such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the
18 director shall thereupon issue an appropriate certificate over his signature and sealed with the
19 seal of his office, procured and used for such purpose. The certificate shall contain on its face
20 a complete description, vehicle identification number, and other evidence of identification of the
21 motor vehicle or trailer, as the director of revenue may deem necessary, together with the
22 odometer information required to be put on the face of the certificate pursuant to section
23 407.536, RSMo, a statement of any liens or encumbrances which the application may show to
24 be thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing
25 the transferor's title and whether the transferor's odometer mileage statement executed pursuant
26 to section 407.536, RSMo, indicated that the true mileage is materially different from the number
27 of miles shown on the odometer, or is unknown.

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

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

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

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

46 5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in
47 addition to the fee for registration of such motor vehicle or trailer. If application for the
48 certificate is not made within thirty days after the vehicle is acquired by the applicant, a
49 delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and
50 twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of one

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

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

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

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

81 9. Each application for an original Missouri certificate of ownership for a vehicle which
82 is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle,
83 motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director
84 of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state
85 highway patrol, or other law enforcement agency as authorized by the director of revenue. The
86 vehicle examination shall include a verification of vehicle identification numbers and a

87 determination of the classification of the vehicle. The owner of a vehicle which requires a
88 vehicle examination certificate shall present the vehicle for examination and obtain a completed
89 vehicle examination certificate prior to submitting an application for a certificate of ownership
90 to the director of revenue. The fee for the vehicle examination application shall be twenty-five
91 dollars and shall be collected by the director of revenue at the time of the request for the
92 application and shall be deposited in the state treasury to the credit of the state highways and
93 transportation department fund.

94 10. When an application is made for an original Missouri certificate of ownership for a
95 motor vehicle previously registered or titled in a state other than Missouri **or as required by**
96 **section 301.020**, it shall be accompanied by a current inspection form certified by a duly
97 authorized official inspection station as described in chapter 307, RSMo. The completed form
98 shall certify that the manufacturer's identification number for the vehicle has been inspected, that
99 it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the
100 time of inspection. The inspection station shall collect the same fee as authorized in section
101 307.365, RSMo, for making the inspection, and the fee shall be deposited in the same manner
102 as provided in section 307.365, RSMo. If the vehicle is also to be registered in Missouri, the
103 safety and emissions inspections required in chapter 307, RSMo, shall be completed and only
104 the fees required by sections 307.365 and 307.366, RSMo, shall be charged to the owner. This
105 section shall not apply to vehicles being transferred on a manufacturer's statement of origin.

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

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

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

123 issues of the certificate of ownership the words "Non-USA-Std Motor Vehicle".

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

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

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

132 (2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the source
133 of all major component parts used to rebuild the vehicle;

134 (3) A fee of one hundred fifty dollars in addition to the fees described in subsection 5
135 of this section. Such fee shall be deposited in the state treasury to the credit of the state highways
136 and transportation department fund; and

137 (4) An inspection certificate, other than a motor vehicle examination certificate required
138 under subsection 9 of this section, completed and issued by the Missouri state highway patrol,
139 or other law enforcement agency as authorized by the director of revenue. The inspection
140 performed by the highway patrol or other authorized local law enforcement agency shall include
141 a check for stolen vehicles.

142

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

301.215. 1. When the holder of any indebtedness secured by a security agreement or
2 other contract for security covering a motor vehicle or trailer repossesses the motor vehicle or
3 trailer either by legal process or in accordance with the terms of a contract authorizing the
4 repossession of the vehicle without legal process, the holder may obtain a certificate of
5 ownership from the director of revenue upon presentation of (1) an application which shall be
6 upon a blank form furnished by the director of revenue and shall contain a full description of the
7 motor vehicle or trailer and the manufacturer's or other identifying number; (2) an affidavit of
8 the holder, **certified under penalties of perjury for making a false statement to a public**
9 **official**, that the debtor defaulted in payment of the debt, and that the holder repossessed the
10 motor vehicle or trailer either by legal process or in accordance with the terms of the contract,
11 and the specific address where the vehicle or trailer is held; and (3) the original or a conformed

12 or photostatic copy of the original of the security agreement or other contract for security and the
13 instrument or instruments evidencing the indebtedness secured by the security agreement or other
14 contract for security. The director may by regulation prescribe for the inclusion in either or both
15 the application or affidavit any other information that he from time to time deems necessary or
16 advisable and may prescribe that the affidavit be part of the application]. **Such affidavit shall**
17 **also state that the lienholder has the written consent from all owners or lienholders of**
18 **record to repossess the vehicle or has provided all of the owners or lienholders with written**
19 **notice of the repossession. The lienholder shall first give ten days' written notice by first**
20 **class United States mail postage prepaid to each of the owners and other lienholders, if any,**
21 **of the motor vehicle or trailer at each of their last known mailing addresses as shown by**
22 **the last prior certificate of ownership, if any, issued on the motor vehicle or trailer, that an**
23 **application for a repossessed title will be made.**

24 2. Upon the holder's presentation of the papers and payment of a fee of ten dollars, the
25 director of revenue, if he is satisfied with the genuineness of the papers, shall issue and deliver
26 to the holder a certificate of ownership which shall be in its usual form except it shall be clearly
27 captioned "Repossessed Title"[; provided, however, that unless the application is accompanied
28 by the written consent, acknowledged before an officer authorized to take acknowledgments, of
29 the owners and other lienholders, if any, of the motor vehicle or trailer as shown by the last prior
30 certificate of ownership, if any, issued on the motor vehicle or trailer, for the issuance of a
31 repossessed title to the applicant, no such repossessed title may be issued by the director of
32 revenue unless the director shall first give ten days' written notice by first class United States
33 mail postage prepaid to each of the owners and other lienholders, if any, of the motor vehicle or
34 trailer at each of their last mailing addresses as shown by the last prior certificate of ownership,
35 if any, issued on the motor vehicle or trailer, that an application for a repossessed title has been
36 made and the date the repossessed title will be issued, and the notice shall be accompanied by
37 a copy, photostatic or otherwise, of each the application and affidavit. The application for
38 repossessed title may be withdrawn by the applicant at any time before the granting thereof].
39 Each repossessed title so issued shall for all purposes be treated as an original certificate of
40 ownership and shall supersede the outstanding certificate of ownership, if any, and duplicates
41 thereof, if any, on the motor vehicle or trailer, all of which shall become null and void.

42 3. In any case where there is no certificate of ownership or duplicate thereof outstanding
43 in the name of the debtor on the repossessed motor vehicle or trailer, the director of revenue shall
44 issue a repossessed title to the holder and shall proceed to collect all unpaid fees, taxes, charges
45 and penalties from the debtor as provided in section 301.190.

46 **4. The director of revenue may prescribe rules and regulations for the effective**
47 **administration of this section. Any rule or portion of a rule, as that term is defined in**

48 **section 536.010, RSMo, that is created under the authority delegated in this section shall**
49 **become effective only if it complies with and is subject to all of the provisions of chapter**
50 **536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536,**
51 **RSMo, are nonseverable and if any of the powers vested with the general assembly**
52 **pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and**
53 **annul a rule are subsequently held unconstitutional, then the grant of rulemaking**
54 **authority and any rule proposed or adopted after August 28, 2005, shall be invalid and**
55 **void.**

301.290. 1. Correctional enterprises of the department of corrections shall purchase,
2 erect and maintain all of the machinery and equipment necessary for the manufacture of the
3 license plates and tabs issued by the director of revenue, and of signs used by the state
4 transportation department. Beginning on January 1, [2009] **2011**, correctional enterprises shall
5 no longer erect and maintain tabs for the department of revenue.

6 2. The director of revenue shall procure all plates issued by him, and the state
7 transportation department shall procure all signs used by it from correctional enterprises, unless
8 an emergency arises and correctional enterprises cannot furnish the plates, tabs or signs.

9 3. Correctional enterprises shall furnish the plates and signs at such a price as will not
10 exceed the price at which such plates and signs may be obtained upon the open market, but in
11 no event shall such price be less than the cost of manufacture, including labor and materials.

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

302.080. The following persons are exempt from license hereunder:

2 (1) Any person while operating any farm tractor or implement of husbandry temporarily
3 operated or moved on a highway;

4 (2) A nonresident who is at least sixteen years of age and who has in his immediate
5 possession a valid license issued to him in his home state or country;

6 (3) A nonresident who is at least eighteen years of age and who has in his immediate
7 possession a valid license issued to him in his home state or country which allows such person
8 to operate a motor vehicle in the transportation of persons or property as classified in section
9 302.015;

10 (4) Convicted offenders of the department of corrections who have not been convicted
11 of a motor vehicle felony as follows--driving while intoxicated, failing to stop after an accident
12 and disclosing his or her identity, or driving a motor vehicle without the owner's consent--may
13 operate state-owned trucks for the benefit of the correctional facilities, provided that such
14 offender shall be accompanied by a correctional officer or other staff person in such truck;

15 **(5) Any member of the military service in an active duty status stationed outside**
16 **the United States whose driver's license expired during the period of such active duty**
17 **status. This exemption shall also apply to such person's spouse stationed outside the**
18 **United States and only apply for the ninety-day period immediately following the military**
19 **member's discharge or the date on which the person returns to this state, whichever occurs**
20 **first.**

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

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

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

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

23 5. To all other applicants for a license or renewal less than twenty-one years of age or
24 greater than sixty-nine years of age who submit a satisfactory application and meet the
25 requirements set forth in sections 302.010 to 302.605, the director shall issue or renew a license
26 upon the payment of a fee of seven dollars and fifty cents. All licenses issued pursuant to this
27 subsection and subsection 4 of this section or, beginning September 30, 2005, to an applicant for
28 a license to transport persons or property which contains a school bus endorsement issued
29 pursuant to section 302.272, shall expire on the applicant's birthday in the third year after
30 issuance.

31 6.] To all applicants for a license or renewal to transport persons or property
32 classified in section 302.015 who are at least twenty-one years of age and under the age of
33 seventy, and who submit a satisfactory application and meet the requirements of sections
34 302.010 to 302.605, the director shall issue or renew such license; except that no license
35 shall be issued if an applicant's license is currently suspended, canceled, revoked,
36 disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's
37 birthday in the sixth year of issuance, unless the license must be issued for a shorter period
38 due to other requirements of law or for transition or staggering of work as determined by
39 the director. The license must be renewed on or before the date of expiration, which date
40 shall be shown on the license.

41 2. To all applicants for a license or renewal to transport persons or property
42 classified in section 302.015 who are less than twenty-one years of age or greater than sixty-
43 nine years of age, and who submit a satisfactory application and meet the requirements of
44 sections 302.010 to 302.605, the director shall issue or renew such license; except that no
45 license shall be issued if an applicant's license is currently suspended, canceled, revoked,
46 disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's
47 birthday in the third year of issuance, unless the license must be issued for a shorter period
48 due to other requirements of law or for transition or staggering of work as determined by
49 the director. The license must be renewed on or before the date of expiration, which date
50 shall be shown on the license. A license issued under this section to an applicant who is
51 over the age of sixty-nine and contains a school bus endorsement shall not be issued for a
52 period that exceeds one year.

53 3. To all other applicants for a license or renewal of a license who are at least
54 twenty-one years of age and under the age of seventy, and who submit a satisfactory
55 application and meet the requirements of sections 302.010 to 302.605, the director shall
56 issue or renew such license; except that no license shall be issued if an applicant's license
57 is currently suspended, canceled, revoked, disqualified, or deposited in lieu of bail. Such
58 license shall expire on the applicant's birthday in the sixth year of issuance, unless the
59 license must be issued for a shorter period due to other requirements of law or for
60 transition or staggering of work as determined by the director. The license shall be
61 renewed on or before the date of expiration, which date shall be shown on the license.

62 4. To all other applicants for a license or renewal of a license who are less than
63 twenty-one years of age or greater than sixty-nine years of age, and who submit a
64 satisfactory application and meet the requirements of sections 302.010 to 302.605, the
65 director shall issue or renew such license; except that no license shall be issued if an
66 applicant's license is currently suspended, canceled, revoked, disqualified, or deposited in

67 lieu of bail. Such license shall expire on the applicant's birthday in the third year of
68 issuance, unless the license must be issued for a shorter period due to other requirements
69 of law or for transition or staggering of work as determined by the director. The license
70 must be renewed on or before the date of expiration, which date shall be shown on the
71 license.

72 **5. The fee for a license issued for a period which exceeds three years under**
73 **subsection 1 of this section shall be thirty dollars.**

74 **6. The fee for a license issued for a period of three years or less under subsection**
75 **2 of this section shall be fifteen dollars, except that the fee for a license issued for one year**
76 **or less which contains a school bus endorsement shall be five dollars.**

77 **7. The fee for a license issued for a period which exceeds three years under**
78 **subsection 3 of this section shall be fifteen dollars.**

79 **8. The fee for a license issued for a period of three years or less under subsection**
80 **4 of this section shall be seven dollars and fifty cents.**

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

85 [7.] **10.** The director of revenue may adopt any rules and regulations necessary to carry
86 out the provisions of this section. No rule or portion of a rule promulgated pursuant to the
87 authority of this section shall become effective unless it has been promulgated pursuant to the
88 provisions of chapter 536, RSMo.

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

8 (1) The applicant has a valid state license issued under this chapter [or has a license valid
9 in any other state];

10 (2) The applicant is at least twenty-one years of age; **and**

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

14 (4)] The applicant has successfully passed an examination for the operation of a school

15 bus as prescribed by the director of revenue. The examination shall include[, but need not be
16 limited to, a written skills examination of applicable laws, rules and procedures, including] any
17 examinations prescribed by the secretary of the United States Department of Transportation, and
18 a driving test in the type of vehicle to be operated. The test shall be completed in the appropriate
19 class of vehicle to be driven. For purposes of this section classes of school buses shall comply
20 with the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570). **For**
21 **drivers who are at least seventy years of age, such examination shall be completed**
22 **annually.**

23 2. [Except as otherwise provided in this section, a school bus endorsement shall be
24 renewed every three years and shall require the applicant to provide a medical examination as
25 specified in subdivision (3) of subsection 1 of this section and to successfully pass a written
26 skills examination as prescribed by the director of revenue in consultation with the department
27 of elementary and secondary education. If the applicant is at least seventy years of age, the
28 school bus endorsement shall be renewed annually, and the applicant shall successfully pass the
29 examination prescribed in subdivision (4) of subsection 1 of this section prior to receiving the
30 renewed endorsement, provided that the background check, as contemplated by subsections 5
31 and 6 of this section, shall continue to be conducted on a renewing applicant's previously
32 established three-year renewal schedule. The director may waive the written skills examination
33 on renewal of a school bus endorsement upon verification of the applicant's successful
34 completion within the preceding twelve months of a training program which has been approved
35 by the director in consultation with the department of elementary and secondary education and
36 which is at least eight hours in duration with special instruction in school bus driving.

37 3. The fee for a new or renewed school bus endorsement shall be three dollars.

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

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

44 (1)] whose driving record shows that such applicant's privilege to operate a motor
45 vehicle has been suspended, revoked or disqualified or whose driving record shows a history of
46 moving vehicle violations[;

47 (2) Who has pled guilty to or been found guilty of any felony or misdemeanor for
48 violation of drug regulations as defined in chapter 195, RSMo; of any felony for an offense
49 against the person as defined by chapter 565, RSMo, or any other offense against the person
50 involving child abuse or the endangerment of a child as prescribed by law; of any misdemeanor

51 or felony for a sexual offense as defined by chapter 566, RSMo; of any misdemeanor or for
52 prostitution as defined by chapter 567, RSMo; of any misdemeanor or felony for an offense
53 against the family as defined in chapter 568, RSMo; of any felony or misdemeanor for a weapons
54 offense as defined by chapter 571, RSMo; of any misdemeanor or felony for pornography or
55 related offense as defined by chapter 573, RSMo; or of any similar crime in any federal, state,
56 municipal or other court of similar jurisdiction of which the director has knowledge;

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

61 (4) Who is listed on the child abuse and neglect registry.

62 6. The Missouri highway patrol shall provide a record of clearance or denial of clearance
63 for any applicant for a school bus endorsement for the offenses specified in subdivisions (2) and
64 (3) of subsection 5 of this section. The Missouri highway patrol in providing the record of
65 clearance or denial of clearance for any such applicant is authorized to obtain from the Federal
66 Bureau of Investigation any information which might aid the Missouri highway patrol in
67 providing such record of clearance or denial of clearance. The Missouri highway patrol shall
68 provide the record of clearance or denial of clearance within thirty days of the date requested,
69 relying on information available at that time, except that the Missouri highway patrol shall
70 provide any information subsequently discovered to the department of revenue.

71 7. For purposes of obtaining the record of clearance or denial for convictions specified
72 in subdivisions (2) and (3) of subsection 5 of this section, the applicant for a school bus
73 endorsement shall submit two sets of fingerprints. Beginning January 1, 2005, the director shall
74 request that the department of social services determine whether the applicant is listed on the
75 child abuse and neglect registry and shall require the applicant to submit two sets of fingerprints.
76 One set of fingerprints shall be used by the highway patrol in order to search the criminal history
77 repository and the second set shall be forwarded to the Federal Bureau of Investigation for
78 searching the federal criminal history files.

79 8. The applicant shall pay the fee for the state criminal history information pursuant to
80 section 43.530, RSMo, and pay the appropriate fee determined by the Federal Bureau of
81 Investigation for the federal criminal history record when he or she applies for the school bus
82 endorsement or permit pursuant to this section. The director shall distribute the fees collected
83 for the state and federal criminal histories to the highway patrol.

84 9. If, as a result of the criminal history background check and the check of the child
85 abuse and neglect registry required by this section, it is determined that an applicant has pled
86 guilty or nolo contendere to, or been found guilty of an offense listed in subdivisions (2) and (3)

87 of subsection 5 of this section, or a similar offense if committed in any other state, the United
88 States, or any other country, regardless of imposition of sentence, or the applicant's name appears
89 on the child abuse and neglect registry the director of revenue shall not issue or renew a school
90 bus permit to such applicant].

91 [10.] **3.** The director may adopt any rules and regulations necessary to carry out the
92 provisions of this section. Any rule or portion of a rule, as that term is defined in section
93 536.010, RSMo, that is created under the authority delegated in this section shall become
94 effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo,
95 and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are
96 nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536,
97 RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently
98 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
99 after August 28, 2004, shall be invalid and void.

100 [11. Except as otherwise provided in this section,]

101 **4. Notwithstanding the requirements of this section,** an applicant who **resides in**
102 **another state and** possesses a valid driver's license from [another] **his or her state of residence**
103 with a valid school bus endorsement [and who is otherwise qualified to receive a school bus
104 endorsement in this state shall be issued a school bus permit. The requirements to obtain and
105 retain such permit shall be identical to those requirements for a school bus endorsement issued
106 pursuant to this section] **for the type of vehicle being operated shall not be required to obtain**
107 **a Missouri driver's license with a school bus endorsement.**

2 [302.272. 1. No person shall operate any school bus owned by or under
3 contract with a public school or the state board of education unless such driver
4 has qualified for a school bus permit under this section and complied with the
5 pertinent rules and regulations of the department of revenue. A school bus permit
6 shall be issued to any applicant who meets the following qualifications:

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

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

10 (3) The applicant has passed a medical examination, including vision and
11 hearing tests, as prescribed by the director of revenue and, if the applicant is at
12 least seventy years of age, the applicant shall pass the medical examination
13 annually to maintain or renew the permit; and

14 (4) The applicant has successfully passed an examination for the
15 operation of a school bus as prescribed by the director of revenue. The
16 examination shall include, but need not be limited to, a written skills examination
17 of applicable laws, rules and procedures, and a driving test in the type of vehicle
to be operated. The test shall be completed in the appropriate class of vehicle to

18 be driven. For purposes of this section classes of school buses shall comply with
19 the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law
20 99-570).

21 2. Except as otherwise provided in this section, a school bus permit shall
22 be renewed every three years and shall require the applicant to provide a medical
23 examination as specified in subdivision (3) of subsection 1 of this section and to
24 successfully pass a written skills examination as prescribed by the director of
25 revenue in consultation with the department of elementary and secondary
26 education. If the applicant is at least seventy years of age, the school bus permit
27 shall be renewed annually, and the applicant shall successfully pass the
28 examination prescribed in subdivision (4) of subsection 1 of this section prior to
29 receiving the renewed permit, provided that the background check, as
30 contemplated by subsections 5 and 6 of this section, shall continue to be
31 conducted on a renewing applicant's previously established three-year renewal
32 schedule. The director may waive the written skills examination on renewal of
33 a school bus permit upon verification of the applicant's successful completion
34 within the preceding twelve months of a training program which has been
35 approved by the director in consultation with the department of elementary and
36 secondary education and which is at least eight hours in duration with special
37 instruction in school bus driving.

38 3. The fee for a new or renewed school bus permit shall be three dollars.

39 4. Upon the applicant's completion of the requirements of subsections 1,
40 2, and 3 of this section, the director of revenue shall issue a temporary school bus
41 permit to the applicant until such time as a permanent school bus permit shall be
42 issued following the record clearance as provided in subsection 6 of this section.

43 5. The director of revenue, to the best of the director's knowledge, shall
44 not issue or renew a school bus permit to any applicant:

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

48 (2) Who has pled guilty to or been found guilty of any felony or
49 misdemeanor for violation of drug regulations as defined in chapter 195, RSMo;
50 of any felony for an offense against the person as defined by chapter 565, RSMo,
51 or any other offense against the person involving child abuse or the endangerment
52 of a child as prescribed by law; of any misdemeanor or felony for a sexual
53 offense as defined by chapter 566, RSMo; of any misdemeanor or felony for
54 prostitution as defined by chapter 567, RSMo; of any misdemeanor or felony for
55 an offense against the family as defined in chapter 568, RSMo; of any felony or
56 misdemeanor for a weapons offense as defined by chapter 571, RSMo; of any
57 misdemeanor or felony for pornography or related offense as defined by chapter
58 573, RSMo; or of any similar crime in any federal, state, municipal or other court
59 of similar jurisdiction of which the director has knowledge;

60 (3) Who has pled guilty to or been found guilty of any felony involving

61 robbery, arson, burglary or a related offense as defined by chapter 569, RSMo;
62 or any similar crime in any federal, state, municipal or other court of similar
63 jurisdiction within the preceding ten years of which the director has knowledge;

64 (4) Who is listed on the child abuse and neglect registry.

65 6. The Missouri highway patrol shall provide a record of clearance or
66 denial of clearance for any applicant for a school bus permit for the offenses
67 specified in subdivisions (2) and (3) of subsection 5 of this section. The Missouri
68 highway patrol in providing the record of clearance or denial of clearance for any
69 such applicant is authorized to obtain from the Federal Bureau of Investigation
70 any information which might aid the Missouri highway patrol in providing such
71 record of clearance or denial of clearance. The Missouri highway patrol shall
72 provide the record of clearance or denial of clearance within thirty days of the
73 date requested, relying on information available at that time, except that the
74 Missouri highway patrol shall provide any information subsequently discovered
75 to the department of revenue.

76 7. Beginning January 1, 2005, the director shall request that the
77 department of social services determine whether the applicant is listed on the
78 child abuse and neglect registry and shall require the applicant to submit two sets
79 of fingerprints. One set of fingerprints shall be used by the highway patrol in
80 order to search the criminal history repository and the second set shall be
81 forwarded to the Federal Bureau of Investigation for searching the federal
82 criminal history files.

83 8. The applicant shall pay the fee for the state criminal history
84 information pursuant to section 43.530, RSMo, and pay the appropriate fee
85 determined by the Federal Bureau of Investigation for the federal criminal history
86 record when he or she applies for the school bus permit pursuant to this section.
87 The director shall distribute the fees collected for the state and federal criminal
88 histories to the highway patrol.

89 9. If, as a result of the criminal history background check and the check
90 of the child abuse and neglect registry required by this section, it is determined
91 that an applicant has pled guilty or nolo contendere to, or been found guilty of an
92 offense listed in subdivisions (2) and (3) of subsection 5 of this section, or a
93 similar offense if committed in any other state, the United States, or any other
94 country, regardless of imposition of sentence, or the applicant's name appears on
95 the child abuse and neglect registry the director of revenue shall not issue or
96 renew a school bus permit to such applicant.

97 10. The director may adopt any rules and regulations necessary to carry
98 out the provisions of this section. Any rule or portion of a rule, as that term is
99 defined in section 536.010, RSMo, that is created under the authority delegated
100 in this section shall become effective only if it complies with and is subject to all
101 of the provisions of chapter 536, RSMo, and, if applicable, section 536.028,
102 RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the
103 powers vested with the general assembly pursuant to chapter 536, RSMo, to

104 review, to delay the effective date, or to disapprove and annul a rule are
105 subsequently held unconstitutional, then the grant of rulemaking authority and
106 any rule proposed or adopted after August 28, 2004, shall be invalid and void.]

302.735. 1. An application shall not be taken from a nonresident after September 30,
2 2005. The application for a commercial driver's license shall include, but not be limited to, the
3 applicant's legal name, mailing and residence address, if different, a physical description of the
4 person, including sex, height, weight and eye color, the person's Social Security number, date
5 of birth and any other information deemed appropriate by the director. The application shall also
6 require, beginning September 30, 2005, the applicant to provide the names of all states where
7 the applicant has been previously licensed to drive any type of motor vehicle during the
8 preceding ten years.

9 2. [The application for a commercial driver's license or renewal shall be accompanied
10 by the payment of a fee of forty dollars. The fee for a duplicate commercial driver's license shall
11 be twenty dollars.] A commercial driver's license shall expire on the applicant's birthday in the
12 sixth year after issuance, **unless the license must be issued for a shorter period due to other**
13 **requirements of law or for transition or staggering of work as determined by the director,**
14 and must be renewed on or before the date of expiration. [The director shall have the authority
15 to stagger the issuance or renewal of commercial driver's license applicants over a six-year
16 period.] When a person changes such person's name an application for a duplicate license shall
17 be made to the director of revenue. When a person changes such person's mailing address or
18 residence the applicant shall notify the director of revenue of said change, however, no
19 application for a duplicate license is required. [To all applicants for a commercial license or
20 renewal who are between eighteen and twenty-one years of age and seventy years of age and
21 older, the application shall be accompanied by a fee of twenty dollars.] A commercial license
22 issued pursuant to this section to an applicant less than twenty-one years of age and seventy years
23 of age and older [or, beginning September 30, 2005, to an applicant for a commercial driver's
24 license containing a school bus or hazardous materials endorsement] shall expire on the
25 applicant's birthday in the third year after issuance, **unless the license must be issued for a**
26 **shorter period as determined by the director.**

27 3. **A commercial driver's license containing a hazardous materials endorsement**
28 **issued to an applicant who is between the age of twenty-one and sixty-nine shall not be**
29 **issued for a period exceeding five years from the approval date of the security threat**
30 **assessment as determined by the Transportation Security Administration.**

31 4. **The director shall issue an annual commercial driver's license containing a**
32 **school bus endorsement to an applicant who is seventy years of age or older. The fee for**
33 **such license shall be seven dollars and fifty cents.**

34 5. **A commercial driver's license containing a hazardous materials endorsement**

35 issued to an applicant who is seventy years of age or older shall not be issued for a period
36 exceeding three years. The director shall not require such drivers to obtain a security
37 threat assessment more frequently than such assessment is required by the Transportation
38 Security Administration under the Uniting and Strengthening America by Providing
39 Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT
40 ACT) of 2001.

41 **6. The fee for a commercial driver's license or renewal commercial driver's license**
42 **issued for a period greater than three years shall be forty dollars.**

43 **7. The fee for a commercial driver's license or renewal commercial driver's license**
44 **issued for a period of three years or less shall be twenty dollars.**

45 **8. The fee for a duplicate commercial driver's license shall be twenty dollars.**

46 **9. In order for the director to properly transition driver's license requirements**
47 **under the Motor Carrier Safety Improvement Act of 1999 and the Uniting and**
48 **Strengthening America by Providing Appropriate Tools Required to Intercept and**
49 **Obstruct Terrorism Act (USA PATRIOT ACT) of 2001, the director is authorized to**
50 **stagger expiration dates and make adjustments for any fees, including driver examination**
51 **fees that are incurred by the driver as a result of the initial issuance of a transitional license**
52 **required to comply with such acts.**

53 [3.] **10.** Within thirty days after moving to this state, the holder of a commercial driver's
54 license shall apply for a commercial driver's license in this state. The applicant shall meet all
55 other requirements of sections 302.700 to 302.780, except that the director may waive the driving
56 test for a commercial driver's license as required in section 302.720 if the applicant for a
57 commercial driver's license has a valid commercial driver's license from a state which has
58 requirements for issuance of such license comparable to those in this state.

59 [4.] **11.** Any person who falsifies any information in an application or test for a
60 commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the
61 person's commercial driver's license shall be canceled, for a period of one year after the director
62 discovers such falsification.

63 [5.] **12.** Beginning July 1, 2005, the director shall not issue a commercial driver's license
64 under this section unless the director verifies that the applicant is lawfully present in the United
65 States before accepting the application. If lawful presence is granted for a temporary period, no
66 commercial driver's license shall be issued. The director may, by rule or regulation, establish
67 procedures to verify the lawful presence of the applicant and establish the duration of any
68 commercial driver's license issued under this section. No rule or portion of a rule promulgated
69 pursuant to the authority of this section shall become effective unless it has been promulgated
70 pursuant to chapter 536, RSMo.

304.184. Notwithstanding any other provision of law to the contrary, any truck, tractor-trailer, or other combination engaged in transporting solid waste, as defined by section 260.200, RSMo, between any city and a solid waste disposal area or solid waste processing facility approved by the department of natural resources or department of health and senior services, may operate with a weight not to exceed twenty-two thousand four hundred pounds on one axle or a weight not to exceed forty-four thousand eight hundred pounds on any tandem axle; but nothing in this section shall be construed to permit the operation of any motor vehicle on the interstate highway system in excess of the weight limits imposed by federal statute; and no such truck, tractor-trailer, or other combination shall exceed the width and length limitations provided in section 304.190.

622.560. 1. Whenever the federal motor carrier safety administration, the United States Department of Transportation, or the state highways and transportation commission issues an out-of-service order against a motor carrier, as those terms are defined in Title 49, Section 390.5, Code of Federal Regulations, as those regulations have been and periodically may be amended, the commission may immediately, without hearing, order the suspension, revocation, cancellation, confiscation, or any of these, of every license, registration, certificate, permit, and other credential issued to the motor carrier by the commission's authority under section 226.008, RSMo, and every motor vehicle license plate issued under any provision of chapter 301, RSMo, which authorizes the operation of motor vehicles in intrastate or interstate commerce by that motor carrier. This section is applicable to out-of-service orders placing a motor carrier's entire operation out of service, but does not apply to any out-of-service order placing an individual driver or individual vehicle out of service.

(1) The commission shall immediately serve notice of its order upon the affected motor carrier, and upon the director of revenue, in the manner authorized by section 622.410 or any other manner authorized by law for the service of notice of the commission's orders. The notice or order shall state a specific effective date for the commission's action or, in the commission's discretion, that its action shall become effective immediately upon the service of the notice or order upon the motor carrier. The order shall remain in force until otherwise ordered by the commission, or by a court having proper jurisdiction.

(2) Whenever an order of the commission issued under this subsection is in force, a motor carrier who is prohibited by the order from operating commercial motor vehicles shall not operate any commercial motor vehicles and shall not allow any employee, agent, lessor, or other person acting under the motor carrier's authority or control to operate any commercial motor vehicles in intrastate or interstate commerce within this state. Upon

27 receiving notice of the commission's order, the motor carrier shall immediately surrender
28 all license plates, motor carrier licenses, registrations, permits, and other credentials, as
29 directed by the commission's order. While the out-of-service order is in force, the
30 commission may dismiss or deny every application for the issuance of any of these
31 credentials to that motor carrier.

32 (3) After the commission has issued an order under this subsection, the out-of-
33 service motor carrier shall not be eligible to apply for the issuance or reinstatement of, and
34 the commission shall not issue or reinstate, any license plate, motor carrier license,
35 registration, permit, certificate, or other credential described in the commission's order,
36 until the out-of-service order and any commission orders issued under this subsection have
37 been rescinded by the agency that issued these orders, or the orders have been set aside by
38 a court having proper jurisdiction.

39 2. In any commission or court proceeding relating to this section, a copy of any
40 federal or state order described in subsection 1 of this section shall be admissible and shall
41 constitute prima facie evidence that the motor carrier violated Title 49, of the Code of
42 Federal Regulations, or that the motor carrier's operation of commercial motor vehicles
43 poses an imminent hazard to safety, or both, as stated in that order.

44 3. Any person who is aggrieved by an order of the highways and transportation
45 commission issued under this section, or by any out-of-service order issued by commission
46 enforcement personnel under section 390.201, RSMo, or subsection 3 of section 307.400,
47 RSMo, may apply to the circuit court for a hearing and review of that order. Venue of
48 such judicial review shall lie within the county of the first classification with more than
49 seventy-one thousand three hundred but fewer than seventy-one thousand four hundred
50 inhabitants or in the county where the out-of-service order was issued to the motor carrier.
51 The right to a hearing and judicial review of the commission's order under this section
52 shall be waived, unless an aggrieved person files a petition for review with the clerk of the
53 circuit court in the proper venue, not later than thirty days following the issuance of the
54 order to be reviewed. Except as otherwise provided in this section, sections 622.430 to
55 622.450, shall govern the judicial review of orders issued by the commission or its
56 personnel as described in this section. In addition to any other interested parties, the
57 commission shall have the right to appear in all hearing and review proceedings under this
58 section and may, in its discretion, defend any order or notice issued and any action taken
59 by any public agency or officer acting in good faith under the provisions of this section.
60 This section shall not be construed as conferring any jurisdiction to review, amend, vacate
61 or set aside any orders issued by a federal agency or federal officer.

62 4. Notwithstanding any provision of law, the highways and transportation

63 commission may receive and disclose any data, information, or evidence relating to any
64 out-of-service motor carrier as provided in this section. Except as otherwise provided in
65 this section, this data may include, but is not limited to, the identity and location of any
66 persons known or reasonably believed to have leased motor vehicles with or without driver
67 to the out-of-service carrier, any persons known or reasonably believed to be operating
68 commercial motor vehicles under the authority or control of the out-of-service motor
69 carrier, and any motor vehicles owned, operated by, or leased to the out-of-service motor
70 carrier or those persons, including the vehicle identification numbers. The commission,
71 in its discretion, may disclose this data to the following entities, which are hereby
72 authorized to receive such data from and to disclose such data to the commission:

73 (1) The federal motor carrier safety administration, and other relevant officials of
74 the United States Department of Transportation;

75 (2) The department of revenue;

76 (3) The Missouri state highway patrol, and any other peace officers authorized to
77 exercise police powers within the state;

78 (4) Similarly authorized law enforcement agencies of any other state, of the United
79 States government, or of any foreign government having legal authority to promote or
80 enforce motor carrier safety; and

81 (5) Any liability insurer or surety that provides, or has an interest in providing,
82 automobile liability insurance coverage for the out-of-service motor carrier, or for any
83 person who leases, or proposes to lease, motor vehicles to be operated by or under the
84 authority or control of the out-of-service motor carrier.

85 5. Upon receiving notice of any order issued by the highways and transportation
86 commission under subsection 1 of this section, together with any additional information
87 reasonably required by the director of revenue, the director of revenue may immediately,
88 without hearing, update the director's records to reflect the suspension, revocation, or
89 cancellation of all motor vehicle license plates, registrations, and other credentials issued
90 to the out-of-service motor carrier by the director of revenue, or by the department of
91 revenue. The director of revenue shall immediately notify the motor carrier, and the
92 commission, of all actions taken under the commission's order. The motor carrier shall
93 have the right to seek judicial review of the commission's order, including the suspension,
94 revocation, or cancellation of motor vehicle license plates and registrations under the
95 commission's order, as provided in subsection 3 of this section. The motor carrier shall not
96 be entitled to any separate appeal or review of the director of revenue's notice of
97 suspension, revocation, or cancellation of motor vehicle licenses or registrations or any
98 other actions taken by the director of revenue under the commission's order.

99 **6. The commission may authorize any of its personnel to enforce any provision of**
100 **this section, or any out-of-service orders described in this section, in the same manner**
101 **provided by law for other orders of the commission authorized under section 226.008,**
102 **RSMo. The Missouri state highway patrol and other peace officers within this state may**
103 **enforce the requirements of this section and of any orders issued under this section. If so**
104 **authorized by the commission's order under this section, in addition to any other remedies**
105 **provided by law, personnel of the state department of transportation and the state highway**
106 **patrol may confiscate any license plates, motor carrier licenses, registrations, certificates,**
107 **permits, and other credentials issued to the motor carrier by the commission, the director**
108 **of revenue, the department of revenue, or all of these.**

109 **7. Notwithstanding any provision of law, the state of Missouri, the highways and**
110 **transportation commission, the department of revenue, the state highway patrol, and any**
111 **peace officers or other public officers acting in good faith under the authority of this**
112 **section, shall not be held liable or required to pay any refund of any fees, taxes,**
113 **assessments, penalties, fines, forfeitures, or other payments that may be charged to,**
114 **received, or collected from the out-of-service motor carrier, or from persons whose motor**
115 **vehicles are leased to or operated under the control of that motor carrier, in relation to any**
116 **license plate, motor carrier license, registration, permit, certificate or other credential that**
117 **is suspended, revoked, cancelled, or confiscated under any provisions of this section.**

118 **8. Any act or omission by a state agency that this section authorizes or requires**
119 **with reference to an out-of-service motor carrier, or with reference to motor vehicles**
120 **operated by an out-of-service motor carrier, is likewise authorized or required with**
121 **reference to:**

122 **(1) Any person who operates motor vehicles under the actual control of that motor**
123 **carrier, and any person who operates motor vehicles that are leased to that motor carrier,**
124 **with or without driver; and**

125 **(2) Any motor vehicles operated under the actual control of that motor carrier and**
126 **any motor vehicles that are leased to that motor carrier, with or without driver.**

Section 1. Each district shall have on file a statement from a medical examiner
2 **which indicates that the driver is physically qualified to operate a school bus for the**
3 **purpose of transporting pupils. Such statement shall be made on an annual basis. The**
4 **term medical examiner includes, but is not limited to, doctors of medicine, doctors of**
5 **osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic.**
6 **For new drivers, such statement shall be on file prior to the driver's initial operation of a**
7 **school bus. This section shall apply to drivers employed by the school district or under**
8 **contract with the school district.**

**Section 2. On an annual basis, each school district shall provide training in at least
2 eight hours of duration to each school bus driver employed by the school district or under
3 contract with the school district. Such training shall provide special instruction in school
4 bus driving.**

[260.218. Notwithstanding any other provision of law to the contrary, any
2 truck, tractor-trailer or other combination engaged in transporting solid waste, as
3 defined by section 260.200, between any city and a solid waste disposal area or
4 solid waste processing facility approved by the department of natural resources
5 or department of health and senior services, may operate with a weight not to
6 exceed twenty-two thousand four hundred pounds on one axle or a weight not to
7 exceed forty-four thousand eight hundred pounds on any tandem axle; but
8 nothing in this section shall be construed to permit the operation of any motor
9 vehicle on the interstate highway system in excess of the weight limits imposed
10 by federal statute; and no such truck, tractor-trailer or other combination shall
11 exceed the width and length limitations provided in section 304.190, RSMo.]

12
Section B. Because immediate action is necessary to ensure the safety of children
2 receiving pupil transportation services and to ensure the safe transportation of hazardous
3 materials on the streets and highways of this state, the repeal and reenactment of sections 43.530,
4 136.055, 168.133, 302.177, 302.272, 302.735, 1 and 2 of section A of this act is deemed
5 necessary for the immediate preservation of the public health, welfare, peace, and safety, and is
6 hereby declared to be an emergency act within the meaning of the constitution, and the repeal
7 and reenactment of sections 43.530, 136.055, 168.133, 302.177, 302.272, 302.735, 1 and 2 of
8 section A of this act shall be in full force and effect upon its passage and approval.