

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 666**  
**94TH GENERAL ASSEMBLY**

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Reported from the Special Committee on Veterans April 17, 2007 with recommendation that House Committee Substitute for Senate Bill No. 666 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

2483L.02C

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**AN ACT**

To repeal sections 41.950 and 302.171, RSMo, and to enact in lieu thereof two new sections relating to license renewals for military.

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

Section A. Sections 41.950 and 302.171, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 41.950 and 302.171, to read as follows:

41.950. 1. Any resident of this state who is a member of the national guard or of any  
2 reserve component of the armed forces of the United States or who is a member of the United  
3 States Army, the United States Navy, the United States Air Force, the United States Marine  
4 Corps, the United States Coast Guard or an officer of the United States Public Health Service  
5 detailed by proper authority for duty with any branch of the United States armed forces described  
6 in this section and who is engaged in the performance of active duty in the military service of the  
7 United States in a military conflict in which reserve components have been called to active duty  
8 under the authority of 10 U.S.C. 672(d) or 10 U.S.C. 673b or any such subsequent call or order  
9 by the President or Congress for any period of thirty days or more shall be relieved from certain  
10 provisions of state law, as follows:

11 (1) No person performing such military service who owns a motor vehicle shall be  
12 required to maintain financial responsibility on such motor vehicle as required under section  
13 303.025, RSMo, until such time as that person completes such military service, unless any

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.

14 person shall be operating such motor vehicle while the vehicle owner is performing such military  
15 service;

16 (2) No person failing to renew his driver's license while performing such military service  
17 shall be required to take a complete examination as required under section 302.173, RSMo, when  
18 renewing his license within sixty days after completing such military service;

19 (3) Any motor vehicle registration required under chapter 301, RSMo, that expires for  
20 any person performing such military service may be renewed by such person within sixty days  
21 of completing such military service without being required to pay a delinquent registration fee;  
22 however, such motor vehicle shall not be operated while the person is performing such military  
23 service unless the motor vehicle registration is renewed;

24 (4) Any person enrolled by the supreme court of Missouri or licensed, registered or  
25 certified under chapter 168, 256, 289, 317, **324**, 325, 326, 327, 328, 329, 330, 331, 332, 333,  
26 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 375, 640 or 644, RSMo, **and**  
27 **interpreters licensed under sections 209.319 to 209.339, RSMo**, whose license, registration  
28 or certification expires while performing such military service, may renew such license,  
29 registration or certification within sixty days of completing such military service without penalty;

30 (5) In the case of annual reports, franchise tax reports or other reports required to be filed  
31 with the office of secretary of state, where the filing of such report would be delayed because of  
32 a person performing such military service, such reports shall be filed without penalty within one  
33 hundred twenty days of the completion of such military service;

34 (6) No person performing such military service who is subject to a criminal summons  
35 for a traffic violation shall be subject to nonappearance sanctions for such violation until after  
36 one hundred eighty days after the completion of such military service;

37 (7) No person performing such military service who is required under state law to file  
38 financial disclosure reports shall be required to file such reports while performing such military  
39 service; however, such reports covering that period of time that such military service is  
40 performed shall be filed within one hundred eighty days after the completion of such military  
41 service;

42 (8) Any person with an indebtedness, liability or obligation for state income tax or  
43 property tax on personal or real property who is performing such military service or a spouse of  
44 such person filing a combined return or owning property jointly shall be granted an extension  
45 to file any papers or to pay any obligation until one hundred eighty days after the completion of  
46 such military service or continuous hospitalization as a result of such military service  
47 notwithstanding the provisions of section 143.991, RSMo, to the contrary and shall be allowed  
48 to pay such tax without penalty or interest if paid within the one-hundred-eighty-day period;

49 (9) Notwithstanding other provisions of the law to the contrary, for the purposes of this  
50 section, interest shall be allowed and paid on any overpayment of tax imposed by sections  
51 143.011 to 143.998, RSMo, at the rate of six percent per annum from the original due date of the  
52 return or the date the tax was paid, whichever is later;

53 (10) No state agency, board, commission or administrative tribunal shall take any  
54 administrative action against any person performing such military service for that person's failure  
55 to take any required action or meet any required obligation not already provided for in  
56 subdivisions (1) to (8) of this subsection until one hundred eighty days after the completion of  
57 such military service, except that any agency, board, commission or administrative tribunal  
58 affected by this subdivision may, in its discretion, extend the time required to take such action  
59 or meet such obligation beyond the one-hundred-eighty-day period;

60 (11) Any disciplinary or administrative action or proceeding before any state agency,  
61 board, commission or administrative tribunal where the person performing such military service  
62 is a necessary party, which occurs during such period of military service, shall be stayed by the  
63 administrative entity before which it is pending until sixty days after the end of such military  
64 service.

65 2. Upon completing such military service, the person shall provide the appropriate  
66 agency, board, commission or administrative tribunal an official order from the appropriate  
67 military authority as evidence of such military service.

68 3. The provisions of this section shall apply to any individual defined in subsection 1 of  
69 this section who performs such military service on or after August 2, 1990.

302.171. 1. Beginning July 1, 2005, the director shall verify that an applicant for a  
2 driver's license is lawfully present in the United States before accepting the application. The  
3 director shall not issue a driver's license for a period that exceeds an applicant's lawful presence  
4 in the United States. The director may establish procedures to verify the lawful presence of the  
5 applicant and establish the duration of any driver's license issued under this section. An  
6 application for a license shall be made upon an approved form furnished by the director. Every  
7 application shall state the full name, Social Security number, age, height, weight, color of eyes,  
8 sex, residence, mailing address of the applicant, and the classification for which the applicant  
9 has been licensed, and, if so, when and by what state, and whether or not such license has ever  
10 been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and  
11 reason for such suspension, revocation or disqualification and whether the applicant is making  
12 a one dollar donation to promote an organ donation program as prescribed in subsection 2 of this  
13 section. A driver's license, nondriver's license, or instruction permit issued under this chapter  
14 shall contain the applicant's legal name as it appears on a birth certificate or as legally changed  
15 through marriage or court order. No name change by common usage based on common law shall

16 be permitted. The application shall also contain such information as the director may require to  
17 enable the director to determine the applicant's qualification for driving a motor vehicle; and  
18 shall state whether or not the applicant has been convicted in this or any other state for violating  
19 the laws of this or any other state or any ordinance of any municipality, relating to driving  
20 without a license, careless driving, or driving while intoxicated, or failing to stop after an  
21 accident and disclosing the applicant's identity, or driving a motor vehicle without the owner's  
22 consent. The application shall contain a certification by the applicant as to the truth of the facts  
23 stated therein. Every person who applies for a license to operate a motor vehicle who is less than  
24 twenty-one years of age shall be provided with educational materials relating to the hazards of  
25 driving while intoxicated, including information on penalties imposed by law for violation of the  
26 intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is less than  
27 eighteen years of age, the applicant must comply with all requirements for the issuance of an  
28 intermediate driver's license pursuant to section 302.178. **For persons mobilized and deployed**  
29 **with the United States Armed Forces, an application under this subsection shall be**  
30 **considered satisfactory by the department of revenue if it is signed by a person who holds**  
31 **general power of attorney executed by the person deployed, provided the applicant meets**  
32 **all other requirements set by the director.**

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

52 address, date of birth, race, gender and a unique personal identifier in the registry established in  
53 subsection 1 of section 194.304, RSMo.

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

65 4. Beginning July 1, 2005, the director shall deny the driving privilege of any person who  
66 commits fraud or deception during the examination process or who makes application for an  
67 instruction permit, driver's license, or nondriver's license which contains or is substantiated with  
68 false or fraudulent information or documentation, or who knowingly conceals a material fact or  
69 otherwise commits a fraud in any such application. The period of denial shall be one year from  
70 the effective date of the denial notice sent by the director. The denial shall become effective ten  
71 days after the date the denial notice is mailed to the person. The notice shall be mailed to the  
72 person at the last known address shown on the person's driving record. The notice shall be  
73 deemed received three days after mailing unless returned by the postal authorities. No such  
74 individual shall reapply for a driver's examination, instruction permit, driver's license, or  
75 nondriver's license until the period of denial is completed. No individual who is denied the  
76 driving privilege under this section shall be eligible for a limited driving privilege issued under  
77 section 302.309.

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

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

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

84 8. Notwithstanding any provisions of this chapter that requires an applicant to provide  
85 proof of lawful presence for renewal of a noncommercial driver's license, noncommercial  
86 instruction permit, or nondriver's license, an applicant who is sixty-five years and older and who

87 was previously issued a Missouri noncommercial driver's license, noncommercial instruction  
88 permit, or Missouri nondriver's license is exempt from showing proof of lawful presence.

89 9. Notwithstanding any other provision of this chapter, if an applicant does not meet the  
90 requirements of subsection 8 of this section and does not have the required documents to prove  
91 lawful presence, the department may issue a one-year driver's license renewal. This one-time  
92 renewal shall only be issued to an applicant who previously has held a Missouri noncommercial  
93 driver's license, noncommercial instruction permit, or nondriver's license for a period of fifteen  
94 years or more and who does not have the required documents to prove lawful presence. After  
95 the expiration of the one-year period, no further renewal shall be provided without the applicant  
96 producing proof of lawful presence.

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