

SECOND REGULAR SESSION

# HOUSE BILL NO. 2253

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ST. ONGE.

Read 1st time February 21, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4081L.03I

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### AN ACT

To repeal sections 301.010, 301.130, 306.016, 306.535, and 430.082, RSMo, and to enact in lieu thereof seven new sections relating to transportation.

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

Section A. Sections 301.010, 301.130, 306.016, 306.535, and 430.082, RSMo, are  
2 repealed and seven new sections enacted in lieu thereof, to be known as sections 301.010,  
3 301.015, 301.130, 306.011, 306.016, 306.535, and 430.082, to read as follows:

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

3 (1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for  
4 off-highway use which is fifty inches or less in width, with an unladen dry weight of one  
5 thousand pounds or less, traveling on three, four or more low pressure tires, with a seat designed  
6 to be straddled by the operator, or with a seat designed to carry more than one person, and  
7 handlebars for steering control;

8 (2) "Automobile transporter", any vehicle combination designed and used specifically  
9 for the transport of assembled motor vehicles;

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

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

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.

- 15           (5) "Body shop", a business that repairs physical damage on motor vehicles that are not  
16 owned by the shop or its officers or employees by mending, straightening, replacing body parts,  
17 or painting;
- 18           (6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more  
19 passengers but not including shuttle buses;
- 20           (7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying  
21 freight and merchandise, or more than eight passengers but not including vanpools or shuttle  
22 buses;
- 23           (8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at  
24 speeds less than forty miles per hour from field to field or from field to market and return;
- 25           (9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in  
26 the sale or exchange of new, used or reconstructed motor vehicles or trailers;
- 27           (10) "Director" or "director of revenue", the director of the department of revenue;
- 28           (11) "Driveaway operation":  
29           (a) The movement of a motor vehicle or trailer by any person or motor carrier other than  
30 a dealer over any public highway, under its own power singly, or in a fixed combination of two  
31 or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;  
32           (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting  
33 the commodity being transported, by a person engaged in the business of furnishing drivers and  
34 operators for the purpose of transporting vehicles in transit from one place to another by the  
35 driveaway or towaway methods; or  
36           (c) The movement of a motor vehicle by any person who is lawfully engaged in the  
37 business of transporting or delivering vehicles that are not the person's own and vehicles of a  
38 type otherwise required to be registered, by the driveaway or towaway methods, from a point of  
39 manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent  
40 of a manufacturer or to any consignee designated by the shipper or consignor;
- 41           (12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth  
42 wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor  
43 equipped with a dromedary may carry part of a load when operating independently or in a  
44 combination with a semitrailer;
- 45           (13) "Farm tractor", a tractor used exclusively for agricultural purposes;
- 46           (14) "Fleet", any group of ten or more motor vehicles owned by the same owner;
- 47           (15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;
- 48           (16) "Fullmount", a vehicle mounted completely on the frame of either the first or last  
49 vehicle in a saddlemount combination;

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

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

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

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

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

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

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

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

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

71 (b) An area that extends not more than a radius of fifty miles from its home base of  
72 operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from  
73 projects not involving soil and water conservation.

74

75 Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered  
76 as a commercial motor vehicle or local commercial motor vehicle;

77 (25) "Local commercial motor vehicle", a commercial motor vehicle whose operations  
78 are confined solely to a municipality and that area extending not more than fifty miles therefrom,  
79 or a commercial motor vehicle whose property-carrying operations are confined solely to the  
80 transportation of property owned by any person who is the owner or operator of such vehicle to  
81 or from a farm owned by such person or under the person's control by virtue of a landlord and  
82 tenant lease; provided that any such property transported to any such farm is for use in the  
83 operation of such farm;

84 (26) "Local log truck", a commercial motor vehicle which is registered pursuant to this  
85 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this

86 state, used to transport harvested forest products, operated solely at a forested site and in an area  
87 extending not more than a one hundred-mile radius from such site, carries a load with  
88 dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when  
89 operated on the national system of interstate and defense highways described in Title 23, Section  
90 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section  
91 304.180, RSMo, does not have more than four axles, and does not pull a trailer which has more  
92 than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming,  
93 delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported  
94 on a local log truck. A local log truck may not exceed the limits required by law, however, if the  
95 truck does exceed such limits as determined by the inspecting officer, then notwithstanding any  
96 other provisions of law to the contrary, such truck shall be subject to the weight limits required  
97 by such sections as licensed for eighty thousand pounds;

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

109 (28) "Local transit bus", a bus whose operations are confined wholly within a municipal  
110 corporation, or wholly within a municipal corporation and a commercial zone, as defined in  
111 section 390.020, RSMo, adjacent thereto, forming a part of a public transportation system within  
112 such municipal corporation and such municipal corporation and adjacent commercial zone;

113 (29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and  
114 is used exclusively to transport harvested forest products to and from forested sites which is  
115 registered pursuant to this chapter to operate as a motor vehicle on the public highways of this  
116 state for the transportation of harvested forest products;

117 (30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly,  
118 and front clip, as those terms are defined by the director of revenue pursuant to rules and  
119 regulations or by illustrations;

120 (31) "Manufacturer", any person, firm, corporation or association engaged in the  
121 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

- 122           (32) "Mobile scrap processor", a business located in Missouri or any other state that  
123 comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder  
124 or scrap metal operator for recycling;
- 125           (33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which  
126 receives a new, rebuilt or used engine, and which used the number stamped on the original  
127 engine as the vehicle identification number;
- 128           (34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,  
129 except farm tractors;
- 130           (35) "Motor vehicle primarily for business use", any vehicle other than a recreational  
131 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over  
132 twelve thousand pounds:
- 133           (a) Offered for hire or lease; or
- 134           (b) The owner of which also owns ten or more such motor vehicles;
- 135           (36) "Motorcycle", a motor vehicle operated on two wheels;
- 136           (37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic  
137 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which  
138 produces less than three gross brake horsepower, and is capable of propelling the device at a  
139 maximum speed of not more than thirty miles per hour on level ground;
- 140           (38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle  
141 while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel.  
142 A motortricycle shall not be included in the definition of all-terrain vehicle;
- 143           (39) "Municipality", any city, town or village, whether incorporated or not;
- 144           (40) "Nonresident", a resident of a state or country other than the state of Missouri;
- 145           (41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in  
146 compliance with United States emissions or safety standards;
- 147           (42) "Operator", any person who operates or drives a motor vehicle;
- 148           (43) "Owner", any person, firm, corporation or association, who holds the legal title to  
149 a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease  
150 thereof with the right of purchase upon performance of the conditions stated in the agreement  
151 and with an immediate right of possession vested in the conditional vendee or lessee, or in the  
152 event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee  
153 or mortgagor shall be deemed the owner for the purpose of this law;
- 154           (44) "Public garage", a place of business where motor vehicles are housed, stored,  
155 repaired, reconstructed or repainted for persons other than the owners or operators of such place  
156 of business;

157 (45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the  
158 rebuilder, but does not include certificated common or contract carriers of persons or property;

159 (46) "Reconstructed motor vehicle", a vehicle that is altered from its original  
160 construction by the addition or substitution of two or more new or used major component parts,  
161 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

162 (47) "Recreational motor vehicle", any motor vehicle designed, constructed or  
163 substantially modified so that it may be used and is used for the purposes of temporary housing  
164 quarters, including therein sleeping and eating facilities which are either permanently attached  
165 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.  
166 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor  
167 vehicle if the motor vehicle could otherwise be so registered;

168 (48) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,  
169 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a  
170 wrecker or towing service;

171 (49) "Saddlemount combination", a combination of vehicles in which a truck or truck  
172 tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth  
173 wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of  
174 the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth  
175 wheel kingpin connection. When two vehicles are towed in this manner the combination is  
176 called a "double saddlemount combination". When three vehicles are towed in this manner, the  
177 combination is called a "triple saddlemount combination";

178 (50) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for  
179 the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

180 (51) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

181 (a) Was damaged [during a year that is no more than six years after the manufacturer's  
182 model year designation for such vehicle] to the extent that the total cost of repairs to rebuild or  
183 reconstruct the vehicle to its condition immediately before it was damaged for legal operation  
184 on the roads or highways exceeds eighty percent of the fair market value of the vehicle  
185 immediately preceding the time it was damaged **and that such vehicle was purchased during**  
186 **a year that is no more than six years after the manufacturer's model year designation for**  
187 **such vehicle;**

188 (b) By reason of condition or circumstance, has been declared salvage, either by its  
189 owner, or by a person, firm, corporation, or other legal entity exercising the right of security  
190 interest in it;

191 (c) Has been declared salvage by an insurance company as a result of settlement of a  
192 claim;

(d) Ownership of which is evidenced by a salvage title; or  
(e) Is abandoned property which is titled pursuant to section 304.155, RSMo, or section 304.157, RSMo, and designated with the words "salvage/abandoned property".

The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

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

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

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

(52) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

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

(54) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

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

229 (56) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel  
230 is located on a drop frame located behind and below the rearmost axle of the power unit;

231 (57) "Tandem axle", a group of two or more axles, arranged one behind another, the  
232 distance between the extremes of which is more than forty inches and not more than ninety-six  
233 inches apart;

234 (58) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed  
235 for drawing other vehicles, but not for the carriage of any load when operating independently.  
236 When attached to a semitrailer, it supports a part of the weight thereof;

237 (59) "Trailer", any vehicle without motive power designed for carrying property or  
238 passengers on its own structure and for being drawn by a self-propelled vehicle, except those  
239 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed  
240 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight  
241 rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton  
242 trailers as defined in subdivision (8) of this section and shall not include manufactured homes  
243 as defined in section 700.010, RSMo;

244 (60) "Truck", a motor vehicle designed, used, or maintained for the transportation of  
245 property;

246 (61) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two  
247 trailing units are connected with a B-train assembly which is a rigid frame extension attached to  
248 the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second  
249 semitrailer and has one less articulation point than the conventional "A dolly" connected  
250 truck-tractor semitrailer-trailer combination;

251 (62) "Truck-trailer boat transporter combination", a boat transporter combination  
252 consisting of a straight truck towing a trailer using typically a ball and socket connection with  
253 the trailer axle located substantially at the trailer center of gravity rather than the rear of the  
254 trailer but so as to maintain a downward force on the trailer tongue;

255 (63) "Used parts dealer", a business that buys and sells used motor vehicle parts or  
256 accessories, but not including a business that sells only new, remanufactured or rebuilt parts.  
257 "Business" does not include isolated sales at a swap meet of less than three days;

258 (64) "Vanpool", any van or other motor vehicle used or maintained by any person, group,  
259 firm, corporation, association, city, county or state agency, or any member thereof, for the  
260 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to  
261 and from their place of employment; however, a vanpool shall not be included in the definition  
262 of the term "bus" or "commercial motor vehicle" as defined by subdivisions (6) and (7) of this  
263 section, nor shall a vanpool driver be deemed a "chauffeur" as that term is defined by section  
264 302.010, RSMo; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational,



265 personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for  
266 monetary profit other than for use in a ride-sharing arrangement;

267 (65) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,  
268 on highways, except **improperly imported vehicles**, motorized bicycles, vehicles propelled or  
269 drawn by horses or human power, [or] vehicles used exclusively on fixed rails or tracks, [or]  
270 cotton trailers, or motorized wheelchairs operated by handicapped persons;

271 (66) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed  
272 and used to assist or render aid and transport or tow disabled or wrecked vehicles from a  
273 highway, road, street or highway rights-of-way to a point of storage or repair, including towing  
274 a replacement vehicle to replace a disabled or wrecked vehicle;

275 (67) "Wrecker or towing service", the act of transporting, towing or recovering with a  
276 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker,  
277 tow truck, rollback or car carrier for which the operator directly or indirectly receives  
278 compensation or other personal gain.

**301.015. For purposes of this chapter, "affidavit" means a written declaration  
2 made under oath before a notary public or authorized official which is required when  
3 prescribed by the director of revenue.**

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] **shall** be issued two license plates for such vehicle[,  
25 and if such plates are issued the director of revenue may assess and collect an additional charge  
26 from the applicant in an amount not to exceed the fee prescribed for personalized license plates  
27 in subsection 1 of section 301.144].

28 4. The plates issued to manufacturers and dealers shall bear the letters and numbers as  
29 prescribed by section 301.560, and the director may place upon the plates other letters or marks  
30 to distinguish 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 or trailer in a manner so that all  
35 parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof  
36 are not impaired. Each such plate may be encased in a transparent cover so long as the plate is  
37 plainly visible and its reflective qualities are not impaired. License plates shall be fastened to  
38 all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of  
39 twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than  
40 forty-eight inches above the ground, with the letters and numbers thereon right side up. The  
41 license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on  
42 the rear of such vehicles, with the letters and numbers thereon right side up. The license plate  
43 on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed  
44 in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than  
45 eight nor more than forty-eight inches above the ground, with the letters and numbers thereon  
46 right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section,  
47 displayed in the same manner on the front and rear of such vehicles. The license plate or plates  
48 authorized by section 301.140, when properly attached, shall be prima facie evidence that the  
49 required fees have been paid.

50 6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as  
51 provided by law as evidence of the annual payment of registration fees and the current  
52 registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may  
53 prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs  
54 positively correlate with the license plate or plates issued by the department of revenue for such  
55 vehicle. Such tabs shall be produced in each license bureau office.

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

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

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

63           (5) For those commercial motor vehicles and trailers registered pursuant to section  
64 301.041, the plate issued by the highways and transportation commission shall be a permanent  
65 nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve  
66 the owner of any vehicle permanently registered pursuant to this section from the obligation to  
67 pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall  
68 be returned to the highways and transportation commission upon the sale or disposal of the  
69 vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may  
70 be transferred to a replacement commercial motor vehicle when the owner files a supplemental  
71 application with the Missouri highways and transportation commission for the registration of  
72 such replacement commercial motor vehicle. Upon payment of the annual registration fee, the  
73 highways and transportation commission shall issue a certificate of registration or other suitable  
74 evidence of payment of the annual fee, and such evidence of payment shall be carried at all times  
75 in the vehicle for which it is issued.

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

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

89           8. Notwithstanding the provisions of any other law to the contrary, owners of motor  
90 vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess  
91 of eighteen thousand pounds gross weight may apply for special personalized license plates.

92 Vehicles licensed for eighteen thousand pounds that display special personalized license plates  
93 shall be subject to the provisions of subsections 1 and 2 of section 301.030.

94 9. No later than January 1, 2009, the director of revenue shall commence the reissuance  
95 of new license plates of such design as directed by the director consistent with the terms,  
96 conditions, and provisions of this section and this chapter. Except as otherwise provided in this  
97 section, in addition to all other fees required by law, applicants for registration of vehicles with  
98 license plates that expire during the period of reissuance, applicants for registration of trailers  
99 or semitrailers with license plates that expire during the period of reissuance and applicants for  
100 registration of vehicles that are to be issued new license plates during the period of reissuance  
101 shall pay the cost of the plates required by this subsection. The additional cost prescribed in this  
102 subsection shall not be charged to persons receiving special license plates issued under section  
103 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131  
104 and specialized license plates are exempt from the provisions of this subsection.

**306.011. For purposes of this chapter, "affidavit" means a written declaration  
2 made under oath before a notary public or authorized official which is required when  
3 prescribed by the director of revenue.**

306.016. 1. By January 1, 1995, the owner of any vessel documented by the United  
2 States Coast Guard on August 28, 1994, and the new owner of any vessel purchased after August  
3 28, 1994, who upon the sale or transfer of the vessel desires to document the vessel with the  
4 United States Coast Guard, shall apply for a vessel certificate of registration and pay a  
5 certification fee of seven dollars and fifty cents, an initial registration fee in an amount equal to  
6 the amount required for a certificate of number under section 306.030 and all applicable state and  
7 local or in lieu watercraft taxes as provided by law in effect on the date the vessel was  
8 documented or submit proof that all applicable registration fees have been paid to the department  
9 of revenue and all applicable taxes or in lieu watercraft taxes have been paid in this or another  
10 state. Such application shall include the county in which such vessel will be normally  
11 maintained by the new owner. A certificate of registration and a set of registration decals in a  
12 form the director shall prescribe shall be issued for a documented vessel. A Missouri resident  
13 shall make application for a vessel certificate of registration within thirty days of acquiring or  
14 bringing the vessel into this state. A nonresident shall make application for a vessel certificate  
15 of registration within sixty days after acquiring a vessel in this state or bringing a vessel into this  
16 state if the vessel will be kept in this state for a period in excess of sixty consecutive days. A  
17 delinquency penalty fee of ten dollars shall be imposed for each thirty days of delinquency, not  
18 to exceed a total of thirty dollars. If the director of revenue learns that any person has failed to  
19 make application for a vessel certificate of registration in accordance with this section or has sold  
20 a vessel documented by the United States Coast Guard without obtaining a certificate of

21 registration as provided in this section, the director shall cancel the registration of all vessels and  
 22 outboard motors registered in the name of the person, either as sole owner or a co-owner, and  
 23 shall notify the person that the cancellation will remain in force until the person pays the  
 24 delinquency penalty fee together with all fees, charges, and payments which the person should  
 25 have paid in connection with the vessel certificate of registration.

26         2. A boat or vessel documented by the United States Coast Guard or other agency of the  
 27 federal government and operated on the waters of this state shall not be liable for the payment  
 28 of any state or local sales or use tax on the purchase, but shall be liable for the payment of an  
 29 in-lieu watercraft tax, which is hereby imposed. The fee in lieu of tax imposed pursuant to this  
 30 section shall not apply to United States Coast Guard registered vessels purchased for purposes  
 31 of marine construction including, but not limited to, barges, dredges, marine cranes, and other  
 32 marine equipment utilized for construction or dredging of waterways. The in-lieu watercraft tax  
 33 shall be collected by the director of revenue and deposited in the state treasury to the credit of  
 34 general revenue and shall be appropriated for use by the Missouri state water patrol. Watercraft  
 35 dealers in this state shall report to the director of revenue on forms furnished by the director the  
 36 sale of each watercraft sold to a resident of this state. If the watercraft is registered and licensed  
 37 pursuant to the provisions of this chapter and all applicable sales taxes have been paid, the  
 38 director shall not collect the in-lieu tax imposed by this subsection. If the watercraft is registered  
 39 with the United States Coast Guard or other agency of the federal government and not under the  
 40 provisions of this chapter the director shall bill the purchaser of the watercraft for the in-lieu tax  
 41 imposed by this subsection. Any person who fails to pay the in-lieu tax due under this section,  
 42 within thirty days after receipt of the bill from the director of revenue, shall be liable to the same  
 43 penalties imposed by law for failure to pay sales and use taxes due the state.

44 The in-lieu tax shall be determined as follows:

45 PURCHASE PRICE OF WATERCRAFT	45 TAX DUE
46         Less than \$15,000	46         \$ 500.00
47         \$15,001 to \$30,000	47         650.00
48         \$30,001 to \$50,000	48         1,000.00
49         \$50,001 to \$100,000	49         1,400.00
50         \$100,001 to \$150,000	50         2,000.00
51         \$150,001 to \$200,000	51         3,000.00
52         \$200,001 to \$250,000	52         4,000.00
53         \$250,001 to \$300,000	53         5,000.00
54         \$300,001 to \$350,000	54         5,500.00
55         \$350,001 to \$400,000	55         6,000.00
56         \$400,001 to \$450,000	56         6,500.00

57	\$450,001 to \$500,000	7,500.00
58	\$500,001 to \$550,000	8,500.00
59	\$550,001 to \$650,000	9,500.00
60	\$650,001 to \$750,000	10,500.00
61	\$750,001 and above	add an additional 1,500.00
62		for each \$100,000 increment

63        3. The registration decals for any vessel documented by the United States Coast Guard  
64 shall be in force and effect for a period of three years so long as the vessel is owned or held by  
65 the original holder of the certificate of registration and shall be renewed upon application and  
66 payment of a registration renewal fee equal to the amount required for a certificate of number  
67 under section 306.030. The owner shall attach the registration decals to both sides of the forward  
68 half of the bow of the documented vessel in a place that is fully visible.

69        4. The department of revenue, **or its designees**, may issue a temporary vessel certificate  
70 of registration authorizing the operation of a vessel to be documented by the United States Coast  
71 Guard for not more than sixty days. The temporary registration shall be made available by the  
72 department of revenue and may be purchased from the department [of revenue] , **its designees**,  
73 or from a dealer upon proof of purchase of a vessel. The department shall make temporary  
74 certificates of registration available to **its designees or** registered dealers in this state in sets of  
75 ten. The fee for the temporary certificates of registration shall be five dollars each. No dealer  
76 **or designees** shall charge more than five dollars for each temporary certificate of registration  
77 issued, **except as provided in section 136.055, RSMo**. The temporary registration shall be valid  
78 for a period of sixty days from the date of issuance by the department of revenue **or its designees**  
79 to the purchaser of the vessel or from the date of sale of the vessel by a dealer from which the  
80 purchaser obtains a certificate of registration. The temporary certificate of registration shall be  
81 issued on a form prescribed by the department of revenue and issued only for the purchaser's use  
82 in the operation of the vessel purchased to enable the purchaser to legally operate the vessel  
83 while a certificate of registration is being obtained, and shall be displayed on no other vessel.  
84 Temporary certificates of registration issued under this section shall not be transferable or  
85 renewable and shall not be valid upon issuance of a proper certificate of registration. The dealer  
86 or authorized [agent] **designees** shall insert the date of issuance and expiration date, year, make  
87 and the manufacturer's identification number of the vessel on the temporary registration when  
88 issued to the purchaser. The dealer **or designees** shall complete the information on the  
89 temporary registration in full. Every dealer **or designee** that issues a temporary certificate of  
90 registration shall keep, for inspection by authorized officers, a correct record of each temporary  
91 certificate of registration issued by the dealer **or designees** by recording the registration number,

92 purchaser's name and address, year, make and manufacturer's identification number of the vessel  
93 on which the temporary certificate of registration is to be used and the date of issuance.

94         5. Upon the sale or transfer of any vessel documented by the United States Coast Guard  
95 for which a certificate of registration has been issued, the registration shall be terminated. If the  
96 new owner elects to have the vessel documented by the United States Coast Guard, the new  
97 owner shall submit, in addition to the properly assigned certificate of registration, proof of  
98 release from the documentation provided by the United States Coast Guard and shall comply  
99 with the provisions of this section. If the new owner elects not to document the vessel with the  
100 United States Coast Guard, the owner shall comply with the applicable provisions of this chapter.

101         6. The certificate of registration shall be available at all times for inspection on the vessel  
102 for which it is issued, whenever the vessel is in operation.

306.535. 1. Applications shall be made on forms prescribed and furnished to the  
2 applicant, upon demand, by the director of revenue.

3         2. The application shall contain a brief description of the outboard motor to be registered,  
4 the name of manufacturer, the factory number or serial number, the type and color of the  
5 outboard motor, the amount of motive power stated in figures of horsepower, and the name and  
6 address, including county, of the owner; and a declaration and affidavit of ownership, showing  
7 the date and from whom purchased.

8         3. The fee for registering and issuing a license shall be two dollars, and the fee for a  
9 certificate of title shall be five dollars, both of which fees shall be paid to the director of revenue  
10 at the time of making the application.

11         4. If application for the certificate of title is not made within sixty days after the outboard  
12 motor is acquired or brought into the state by the applicant, a delinquency penalty fee of [ten]  
13 **twenty-five** dollars for each thirty days of delinquency, not to exceed a total of [thirty] **two**  
14 **hundred** dollars, shall be imposed. If the director of revenue learns that any person has failed  
15 to make application for a certificate of title within sixty days after acquiring or bringing into the  
16 state an outboard motor or has sold an outboard motor without obtaining a certificate of title, he  
17 shall cancel the registration of all outboard motors registered in the name of the person, either  
18 as sole owner or as a co-owner, and shall notify the person that the cancellation shall remain in  
19 force until the person pays the delinquency penalty fee provided in this subsection together with  
20 all fees, charges and payments which he should have paid in connection with the certificate of  
21 title and registration of the outboard motor.

430.082. 1. Every person expending labor, services, skill or material upon any motor  
2 vehicle or trailer, as defined in chapter 301, RSMo, vessel, as defined in chapter 306, RSMo,  
3 outboard motor or aircraft at a written request of its owner, authorized agent of the owner, or  
4 person in lawful possession thereof, or who provides storage for a motor vehicle, trailer,

5 outboard motor or vessel, at the written request of its owner, authorized agent of the owner, or  
6 person in lawful possession thereof, or at the written request of a peace officer in lieu of the  
7 owner or owner's agent, where such owner or agent is not available to request storage thereof,  
8 shall, where the maximum amount to be charged for labor, services, skill or material has been  
9 stated as part of the written request or the daily charge for storage has been stated as part of the  
10 written request, have a lien upon the chattel beginning upon the date of commencement of the  
11 expenditure of labor, services, skill, materials or storage for the actual value of all the  
12 expenditure of labor, services, skill, materials or storage until the possession of that chattel is  
13 voluntarily relinquished to the owner, authorized agent, or one entitled to possession thereof.  
14 The person furnishing labor, services, skill or material may retain the lien after surrendering  
15 possession of the aircraft or part or equipment thereof by filing a statement in the office of the  
16 county recorder of the county where the owner of the aircraft or part or equipment thereof  
17 resides, if known to the claimant, and in the office of the county recorder of the county where  
18 the claimant performed the services. Such statement shall be filed within thirty days after  
19 surrendering possession of the aircraft or part or equipment thereof and shall state the claimant's  
20 name and address, the items on account, the name of the owner and a description of the property,  
21 and shall not bind a bona fide purchaser unless the lien has also been filed with the Federal  
22 Aviation Administration Aircraft Registry.

23         2. If the chattel is not redeemed within three months of the completion of the requested  
24 labor, services, skill or material, the lienholder may apply to the director of revenue for a  
25 certificate of ownership or certificate of title.

26         3. If the charges are for storage or the service of towing the motor vehicle, trailer,  
27 outboard motor or vessel, and the chattel has not been redeemed three months after the charges  
28 for storage commenced, the lienholder shall notify by certified mail, postage prepaid, the owner  
29 and any lienholders of record other than the person making the notification, at the person's last  
30 known address that application for a lien title will be made unless the owner or lienholder within  
31 forty-five days makes satisfactory arrangements with the person holding the chattel for payment  
32 of storage or service towing charges, if any, or makes satisfactory arrangements with the  
33 lienholder for paying such charges or for continued storage of the chattel if desired. Forty-five  
34 days after the notification has been mailed and the chattel is unredeemed, **or the notice has been**  
35 **returned marked "not forwardable" or "addressee unknown"**, and no satisfactory  
36 arrangement has been made with the lienholder for payment or continued storage, the lienholder  
37 may apply to the director of revenue for a certificate of ownership or certificate of title as  
38 provided in this section.

39         4. The application shall be accompanied by:



40 (1) The original or a conformed or photostatic copy of the written request of the owner  
41 or the owner's agent or of a peace officer with the maximum amount to be charged stated therein;

42 (2) An affidavit [of] **from the lienholder that written notice was provided to all**  
43 **owners and lienholders of the applicant's intent to apply for a certificate of ownership and**  
44 **that the owner has defaulted on payment of labor, services, skill or material and that payment is**  
45 **three months past due, or that owner has defaulted on payment or has failed to make satisfactory**  
46 **arrangements for continued storage of the chattel for forty-five days since notification of intent**  
47 **to make application for a certificate of ownership or certificate of title. The affidavit shall be**  
48 **accompanied by a copy of the forty-five day notice given by certified mail to any owner and**  
49 **person holding a valid security interest and a copy of the certified mail receipt indicating**  
50 **that the owner and lienholder of record was sent a notice as required in this section;**

51 (3) A statement of the actual value of the expenditure of labor, services, skill or material,  
52 or the amount of storage due on the date of application for a certificate of ownership or  
53 certificate of title, and the amount which is unpaid; and

54 (4) A fee of ten dollars.

55 5. If the director is satisfied with the genuineness of the application and supporting  
56 documents[, the director shall notify by certified mail, postage prepaid, the owner and any  
57 lienholders of record, other than the applicant, at their last known address that application has  
58 been made for a lien title on the chattel.

59 6. Thirty days after notification of the owner and lienholders,] **and** if no lienholder or  
60 the owner has redeemed the chattel or no satisfactory arrangement has been made concerning  
61 payment or continuation of storage [and the application has not been withdrawn], and if no  
62 owner or lienholder has informed the director that the owner or lienholder demands a hearing  
63 [and enforcement of the lien] as provided in [section 430.160] **this section**, the director shall  
64 issue, in the same manner as a repossessed title is issued, a certificate of ownership or certificate  
65 of title to the applicant which shall clearly be captioned "Lien Title".

66 **6. The owner or lienholder of any motor vehicle or trailer, as defined in chapter**  
67 **301, RSMo; vessel, as defined in chapter 306, RSMo; outboard motor; or aircraft, may,**  
68 **within ten days of receiving notification under this section, file a petition in the associate**  
69 **circuit court of the county where the motor vehicle, trailer, vessel, outboard motor, or**  
70 **aircraft is stored to determine if the motor vehicle, trailer, vessel, outboard motor, or**  
71 **aircraft was wrongfully taken or withheld from the owner. The petition shall name the**  
72 **person expending labor, services, skill, or material among the defendants. The director of**  
73 **revenue shall not be a party to such petition but a copy of the petition shall be served on**  
74 **the director of revenue who shall not issue title to such motor vehicle, trailer, vessel,**  
75 **outboard motor, or aircraft under this section until the petition is finally decided.**

76           7. Upon receipt of a lien title, the holder shall within ten days begin proceedings to sell  
77 the chattel as prescribed in section 430.100.

78           8. The provisions of section 430.110 shall apply to the disposition of proceeds, and the  
79 lienholder shall also be entitled to any actual and necessary expenses incurred in obtaining the  
80 lien title, including, but not limited to, court costs and reasonable attorney's fees.

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