

SECOND REGULAR SESSION

[TRULY AGREED TO AND FINALLY PASSED]

HOUSE BILL NO. 1245

97TH GENERAL ASSEMBLY

4436L.01T

2014

AN ACT

To repeal section 208.275 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 555 merged with senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session and section 208.275 as enacted by senate committee substitute for house committee substitute for house bill no. 464, ninety-sixth general assembly, first regular session, and section 301.580 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 301.3166 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3168 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3170 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 350.016 as enacted by house committee substitute for senate bill no. 84, eighty-seventh general assembly, first regular session, and section 390.280 as enacted by conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, ninety-sixth general assembly, second regular session, and section 407.300 as enacted by conference committee substitute for senate committee substitute for house bill no. 103, ninety-seventh general assembly, first regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, for the sole purpose of repealing multiple versions of statutes.

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. Section 208.275 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 555 merged with senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session and section 208.275 as enacted by senate committee substitute for house committee substitute for house bill no. 464, ninety-sixth general assembly, first regular session, and section 301.580 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 301.3166 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3168 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3170 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 350.016 as enacted by house committee substitute for senate bill no. 84, eighty-seventh general assembly, first regular session, and section 390.280 as enacted by conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, ninety-sixth general assembly, second regular session, and section 407.300 as enacted by conference committee substitute for senate committee substitute for house bill no. 103, ninety-seventh general assembly, first regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, RSMo, are repealed as follows:

[208.275. 1. As used in this section, unless the context otherwise indicates, the following terms mean:

- (1) "Elderly", any person who is sixty years of age or older;
- (2) "Person with a disability", any person having a physical or mental condition, either permanent or temporary, which would substantially impair ability to operate or utilize available transportation.

2. There is hereby created the "Coordinating Council on Special Transportation" within the Missouri department of transportation. The members of the council shall be: two members of the senate appointed by the president pro tem, who shall be from different political parties; two members of the house of representatives appointed by the speaker, who shall be from different political parties; the assistant for transportation of the Missouri department of

13 transportation, or his designee; the assistant commissioner of the department of
14 elementary and secondary education, responsible for special transportation, or his
15 designee; the director of the division of aging of the department of social
16 services, or his designee; the deputy director for developmental disabilities and
17 the deputy director for administration of the department of mental health, or their
18 designees; the executive secretary of the governor's committee on the
19 employment of the persons with a disability; and seven consumer representatives
20 appointed by the governor by and with the advice and consent of the senate, four
21 of the consumer representatives shall represent the elderly and three shall
22 represent persons with a disability. Two of such three members representing
23 persons with a disability shall represent those with physical disabilities.
24 Consumer representatives appointed by the governor shall serve for terms of
25 three years or until a successor is appointed and qualified. Of the members first
26 selected, two shall be selected for a term of three years, two shall be selected for
27 a term of two years, and three shall be selected for a term of one year. In the
28 event of the death or resignation of any member, his successor shall be appointed
29 to serve for the unexpired period of the term for which such member had been
30 appointed.

31 3. State agency personnel shall serve on the council without additional
32 appropriations or compensation. The consumer representatives shall serve
33 without compensation except for receiving reimbursement for the reasonable and
34 necessary expenses incurred in the performance of their duties on the council
35 from funds appropriated to the department of transportation. Legislative
36 members shall be reimbursed by their respective appointing bodies out of the
37 contingency fund for such body for necessary expenses incurred in the
38 performance of their duties.

39 4. Staff for the council shall be provided by the Missouri department of
40 transportation. The department shall designate a special transportation
41 coordinator who shall have had experience in the area of special transportation,
42 as well as such other staff as needed to enable the council to perform its duties.

43 5. The council shall meet at least quarterly each year and shall elect from
44 its members a chairman and a vice chairman.

45 6. The coordinating council on special transportation shall:

46 (1) Recommend and periodically review policies for the coordinated
47 planning and delivery of special transportation when appropriate;

48 (2) Identify special transportation needs and recommend agency funding
49 allocations and resources to meet these needs when appropriate;

50 (3) Identify legal and administrative barriers to effective service delivery;

51 (4) Review agency methods for distributing funds within the state and
52 make recommendations when appropriate;

53 (5) Review agency funding criteria and make recommendations when
54 appropriate;

(6) Review area transportation plans and make recommendations for plan format and content;

(7) Establish measurable objectives for the delivery of transportation services;

(8) Review annual performance data and make recommendations for improved service delivery, operating procedures or funding when appropriate;

(9) Review local disputes and conflicts on special transportation and recommend solutions.]

[208.275. 1. As used in this section, unless the context otherwise indicates, the following terms mean:

(1) "Elderly", any person who is sixty years of age or older;

(2) "Handicapped", any person having a physical or mental condition, either permanent or temporary, which would substantially impair ability to operate or utilize available transportation.

2. There is hereby created the "Coordinating Council on Special Transportation" within the Missouri department of transportation. The members of the council shall be: the assistant for transportation of the Missouri department of transportation, or his designee; the assistant commissioner of the department of elementary and secondary education, responsible for special transportation, or his designee; the director of the division of aging of the department of social services, or his designee; the deputy director for mental retardation/developmental disabilities and the deputy director for administration of the department of mental health, or their designees; the executive secretary of the governor's committee on the employment of the handicapped; and seven consumer representatives appointed by the governor by and with the advice and consent of the senate, four of the consumer representatives shall represent the elderly and three shall represent the handicapped. Two of such three members representing handicapped persons shall represent those with physical handicaps. Consumer representatives appointed by the governor shall serve for terms of three years or until a successor is appointed and qualified. Of the members first selected, two shall be selected for a term of three years, two shall be selected for a term of two years, and three shall be selected for a term of one year. In the event of the death or resignation of any member, his successor shall be appointed to serve for the unexpired period of the term for which such member had been appointed.

3. State agency personnel shall serve on the council without additional appropriations or compensation. The consumer representatives shall serve without compensation except for receiving reimbursement for the reasonable and necessary expenses incurred in the performance of their duties on the council from funds appropriated to the department of transportation.

4. Staff for the council shall be provided by the Missouri department of transportation. The department shall designate a special transportation

coordinator who shall have had experience in the area of special transportation, as well as such other staff as needed to enable the council to perform its duties.

5. The council shall meet at least quarterly each year and shall elect from its members a chairman and a vice chairman.

6. The coordinating council on special transportation shall:

(1) Recommend and periodically review policies for the coordinated planning and delivery of special transportation when appropriate;

(2) Identify special transportation needs and recommend agency funding allocations and resources to meet these needs when appropriate;

(3) Identify legal and administrative barriers to effective service delivery;

(4) Review agency methods for distributing funds within the state and make recommendations when appropriate;

(5) Review agency funding criteria and make recommendations when appropriate;

(6) Review area transportation plans and make recommendations for plan format and content;

(7) Establish measurable objectives for the delivery of transportation services;

(8) Review annual performance data and make recommendations for improved service delivery, operating procedures or funding when appropriate;

(9) Review local disputes and conflicts on special transportation and recommend solutions.

7. The provisions of this section shall expire on December 31, 2014.]

[301.580. 1. The department of revenue may issue special event motor vehicle auction licenses under the provisions of this section. For purposes of this section, a "special event motor vehicle auction" is a motor vehicle auction which:

(1) Ninety percent of the vehicles being auctioned are at least ten years old or older;

(2) The licensee shall auction no more than three percent of the total number of vehicles presented for auction which are owned and titled in the name of the licensee or its owners; and

(3) The duration is no more than three consecutive calendar days and is held no more than two times in a calendar year by a licensee.

2. A special event motor vehicle auction shall be considered a public motor vehicle auction for purposes of sections 301.559 and 301.564.

3. Special event motor vehicle auction licensees shall be exempt from the requirements of section 301.560, with the exception of subdivision (4) of subsection 1 of section 301.560.

4. An application for a special event motor vehicle auction license must be received by the department at least ninety days prior to the beginning of the special event auction.

19 5. Applicants for a special motor vehicle auction are limited to no more
20 than two special event auctions in any calendar year. A separate application is
21 required for each special event motor vehicle auction.

22 6. At least ninety percent of the vehicles being auctioned at a special
23 event motor vehicle auction shall be ten years old or older. The licensee shall,
24 within ten days of the conclusion of a special event motor vehicle auction, submit
25 a report in the form approved by the director to the department that includes the
26 make, model, year, and vehicle identification number of each vehicle included
27 in the auction. Every vehicle included in the special event auction shall be listed,
28 including those vehicles that were auctioned and sold and those vehicles that
29 were auctioned but did not sell. Violation of this subsection is a class A
30 misdemeanor.

31 7. The applicant for the special event motor vehicle auction shall be
32 responsible for ensuring that a sales tax license or special event sales tax license
33 is obtained for the event if one is required.

34 8. The fee for a special event motor vehicle auction license shall be one
35 thousand dollars. For every vehicle auctioned in violation of subsection 6 of this
36 section, an administrative fee of five hundred dollars shall be paid to the
37 department. Such fees shall be deposited in like manner as other license fees of
38 this section.

39 9. In addition to the causes set forth in section 301.562, the department
40 may promulgate rules that establish additional causes to refuse to issue or to
41 revoke a special event license.

42 10. A special motor vehicle auction shall last no more than three
43 consecutive days.

44 11. The applicant for a special event motor vehicle auction shall be
45 registered to conduct business in this state.

46 12. Every applicant for a special event motor vehicle auction license shall
47 furnish with the application a corporate surety bond or an irrevocable letter of
48 credit as defined in section 400.5-102 issued by any state or federal financial
49 institution in the penal sum of one hundred thousand dollars on a form approved
50 by the department. The bond or irrevocable letter of credit shall be conditioned
51 upon the applicant complying with the provisions of the statutes applicable to a
52 special event auction license holder and the bond shall be an indemnity for any
53 loss sustained by reason of the acts of the person bonded when such acts
54 constitute grounds for the revocation or denial of a special event auction license.
55 The bond shall be executed in the name of the state of Missouri for the benefit
56 of all aggrieved parties or the irrevocable letter of credit shall name the state of
57 Missouri as the beneficiary. The aggregate liability of the surety or financial
58 institution to the aggrieved parties shall not exceed the amount of the bond or
59 irrevocable letter of credit. The proceeds of the bond or irrevocable letter of
60 credit shall be paid upon receipt by the department of a final judgment from a

Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party.

13. No dealer, driveaway, auction, or wholesale plates, or temporary permit booklets, shall be issued in conjunction with a special event motor vehicle auction license.

14. Any person or entity who sells a vehicle at a special event motor vehicle auction shall provide, to the buyer, current contact information including, but not limited to, name, address, and telephone number.

15. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.]

[301.3166. 1. Notwithstanding any other provision of law, any member of the National Wild Turkey Federation, after an annual payment of an emblem-use fee to the National Wild Turkey Federation, may receive personalized specialty license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The National Wild Turkey Federation hereby authorizes the use of its official emblem to be affixed on multiyear personalized specialty license plates as provided in this section. Any contribution to the National Wild Turkey Federation derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the National Wild Turkey Federation. Any member of the National Wild Turkey Federation may annually apply for the use of the emblem.

2. Upon annual application and payment of a fifteen dollar emblem-use contribution to the National Wild Turkey Federation, the National Wild Turkey Federation shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a personalized specialty license plate which shall bear the emblem of the National Wild Turkey Federation. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, and prescribed by section 301.130. In addition, upon each set of license plates shall be inscribed, in lieu of

the words "SHOW-ME STATE", the words "National Wild Turkey Federation". Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalized specialty plates issued under this section.

3. A vehicle owner who was previously issued a plate with the National Wild Turkey Federation's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the National Wild Turkey Federation's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a National Wild Turkey Federation specialty plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such personalized specialty license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.]

[301.3168. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and

20 presentation of any documents which may be required by law, the director of
21 revenue shall issue to the vehicle owner a specialty personalized license plate
22 which shall bear the emblem of the Missouri Chapter of the American Red Cross,
23 and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner
24 prescribed by the director of revenue. Such license plates shall be made with
25 fully reflective material with a common color scheme and design of the standard
26 license plate, shall be clearly visible at night, shall have a reflective white
27 background in the area of the plate configuration, and shall be aesthetically
28 attractive, as prescribed by section 301.130. Notwithstanding the provisions of
29 section 301.144, no additional fee shall be charged for the personalization of
30 license plates issued under this section.

31 3. A vehicle owner who was previously issued a plate with the Missouri
32 Chapter of the American Red Cross' emblem authorized by this section, but who
33 does not provide an emblem-use authorization statement at a subsequent time of
34 registration, shall be issued a new plate which does not bear the Missouri Chapter
35 of the American Red Cross' emblem, as otherwise provided by law. The director
36 of revenue shall make necessary rules and regulations for the enforcement of this
37 section, and shall design all necessary forms required by this section.

38 4. Prior to the issuance of a Missouri Chapter of the American Red Cross
39 specialty personalized plate authorized under this section, the department of
40 revenue must be in receipt of an application, as prescribed by the director, which
41 shall be accompanied by a list of at least two hundred potential applicants who
42 plan to purchase the specialty personalized plate, the proposed art design for the
43 specialty license plate, and an application fee, not to exceed five thousand dollars,
44 to defray the department's cost for issuing, developing, and programming the
45 implementation of the specialty plate. Once the plate design is approved, the
46 director of revenue shall not authorize the manufacture of the material to produce
47 such specialized license plates with the individual seal, logo, or emblem until
48 such time as the director has received two hundred applications, the fifteen dollar
49 specialty plate fee per application, and emblem-use statements, if applicable, and
50 other required documents or fees for such plates.

51 5. The specialty personalized plate shall not be redesigned unless the
52 organization pays the director in advance for all redesigned plate fees for the plate
53 established in this section. If a member chooses to replace the specialty
54 personalized plate for the new design the member must pay the replacement fees
55 prescribed in section 301.300 for the replacement of the existing specialty
56 personalized plate. All other applicable license plate fees in accordance with this
57 chapter shall be required.]

58

2 [301.3170. 1. Any member of the National Rifle Association, after an
3 annual payment of an emblem-use authorization fee to the National Rifle
4 Association, may receive special license plates for any vehicle the member owns,
either solely or jointly, other than an apportioned motor vehicle or a commercial

5 motor vehicle licensed in excess of eighteen thousand pounds gross weight. The
6 National Rifle Association hereby authorizes the use of its official emblem to be
7 affixed on multiyear personalized license plates within the plate area prescribed
8 by the director of revenue and as provided in this section. Any contribution to
9 the National Rifle Association derived from this section, except reasonable
10 administrative costs, shall be used solely for the purposes of the National Rifle
11 Association. Any member of the National Rifle Association may annually apply
12 for the use of the emblem.

13 2. Upon annual application and payment of a twenty-five dollar
14 emblem-use contribution to the National Rifle Association, that organization
15 shall issue to the vehicle owner, without further charge, an emblem-use
16 authorization statement, which shall be presented by the vehicle owner to the
17 director of revenue at the time of registration. Upon presentation of the annual
18 statement and payment of a fifteen dollar fee in addition to the regular
19 registration fees, and presentation of any documents which may be required by
20 law, the director of revenue shall issue to the vehicle owner a special license plate
21 which shall bear the emblem of the National Rifle Association and the words
22 "National Rifle Association" in place of the words "SHOW-ME STATE". Such
23 license plates shall be made with fully reflective material with a common color
24 scheme and design of the standard license plate, shall be clearly visible at night,
25 shall have a reflective white background in the area of the plate configuration,
26 and shall be aesthetically attractive, as prescribed by section 301.130.
27 Notwithstanding the provisions of section 301.144, no additional fee shall be
28 charged for the personalization of license plates pursuant to this section.

29 3. A vehicle owner who was previously issued a plate with the National
30 Rifle Association emblem authorized by this section, but who does not provide
31 an emblem-use authorization statement at a subsequent time of registration, shall
32 be issued a new plate which does not bear the organization's emblem, as
33 otherwise provided by law. The director of revenue shall make necessary rules
34 and regulations for the enforcement of this section, and shall design all necessary
35 forms required by this section.]
36

2 [350.016. The restrictions set forth in section 350.015 shall not apply to
3 agricultural land in counties located north of the Missouri River and west of the
4 Chariton River and having a population of more than three thousand five hundred
5 and less than seven thousand inhabitants which border at least two other counties
6 having a population of more than three thousand five hundred and less than seven
7 thousand inhabitants which is used by a corporation or limited partnership for the
8 production of swine or swine products.]

2 [390.280. 1. Certificates or permits, or both, which were issued before
3 January 1, 1995, and which authorized a person to transport any property in
intrastate commerce by motor vehicle as a common carrier or contract carrier, or

4 both, are void, except that to the extent such certificates or permits, or portions
5 thereof, authorized a person to transport household goods over irregular routes
6 or passengers in intrastate commerce, or any property or passengers in interstate
7 commerce, those certificates or permits, or portions thereof, are exempt from the
8 provisions of this subsection.

9 2. Persons who owned certificates or permits, or both, that were in active
10 status with the division on December 31, 1994, and persons to whom the division
11 issued certificates and permits after December 31, 1994, pursuant to emergency
12 rules adopted by the division, are deemed to be qualified as registered property
13 carriers, unless the person's certificate or permit has been suspended, revoked or
14 transferred to another person as provided by law. A person deemed qualified
15 pursuant to this subsection is not required to file an application pursuant to
16 section 390.290 to continue providing intrastate transportation as a registered
17 property carrier, but rather, upon such person's compliance with the licensing and
18 insurance requirements of the division the person is deemed to have a property
19 carrier registration in force as required pursuant to section 390.270, authorizing
20 the person to transport property except household goods in intrastate commerce
21 on the public highways, unless the person's property carrier registration is
22 suspended, revoked or transferred to another person as provided by law. Within
23 a reasonable time after August 28, 1996, the division shall issue property carrier
24 registrations to all persons who are deemed to be qualified as registered property
25 carriers and deemed to have property carrier registrations in force pursuant to this
26 subsection.

27 3. Notwithstanding any provision of this section to the contrary, this
28 section shall not be construed as authorizing any person to transport any
29 hazardous material as designated in Title 49, Code of Federal Regulations, except
30 hazardous materials which that person was expressly authorized to transport in
31 intrastate commerce within this state on August 28, 1996. A person may file an
32 application for property carrier registration pursuant to section 390.290 to
33 transport additional hazardous materials. Nothing in this section shall be
34 construed to conflict with chapter 260, or of relieving an applicant of any duty to
35 obtain a license pursuant to chapter 260.

36 4. Notwithstanding any provision of the law, any geographic restriction
37 or provision limiting the carrier's scope of authority to particular routes within
38 this state contained in a certificate or permit, or both, authorizing the
39 transportation of household goods in intrastate commerce, which was issued prior
40 to August 28, 2012, and any similar provision contained in a carrier's tariff
41 schedule filed prior to such date, shall be deemed void. In lieu of the geographic
42 restrictions expressed in such certificates, permits, or tariff schedules, a motor
43 carrier shall be authorized to provide intrastate transportation of household goods
44 between all points and destinations within the state until such time the
45 certificates, permits, and tariff schedules are reissued or amended to reflect the
46 motor carrier's statewide operating authority. Nothing contained in the provisions

of sections 390.051 to 390.116 shall be construed to exempt or to alter the obligation of compliance by carriers transporting passengers point-to-point within the jurisdiction described in 67.1802 from the provisions of sections 67.1800 to 67.1822.]

[407.300. 1. Every purchaser or collector of, or dealer in, junk, scrap metal, or any secondhand property shall keep a register containing a written or electronic record for each purchase or trade in which each type of metal subject to the provisions of this section is obtained for value. There shall be a separate record for each transaction involving any:

- (1) Copper, brass, or bronze;
- (2) Aluminum wire, cable, pipe, tubing, bar, ingot, rod, fitting, or fastener;
- (3) Material containing copper or aluminum that is knowingly used for farming purposes as farming is defined in section 350.010; or
- (4) Catalytic converter;

whatever may be the condition or length of such metal. The record shall contain the following data: a copy of the driver's license or photo identification issued by the state or by the United States government or agency thereof to the person from whom the material is obtained, which shall contain a current address of the person from whom the material is obtained, and the date, time, and place of and a full description of each such purchase or trade including the quantity by weight thereof.

2. The records required under this section shall be maintained for a minimum of twenty-four months from when such material is obtained and shall be available for inspection by any law enforcement officer.

3. Anyone convicted of violating this section shall be guilty of a class A misdemeanor.

4. This section shall not apply to any of the following transactions:

(1) Any transaction for which the total amount paid for all regulated scrap metal purchased or sold does not exceed fifty dollars, unless the scrap metal is a catalytic converter;

(2) Any transaction for which the seller, including a farm or farmer, has an existing business relationship with the scrap metal dealer and is known to the scrap metal dealer making the purchase to be an established business or political subdivision that operates a business with a fixed location that can be reasonably expected to generate regulated scrap metal and can be reasonably identified as such a business; or

(3) Any transaction for which the type of metal subject to subsection 1 of this section is a minor part of a larger item, except for equipment used in the generation and transmission of electrical power or telecommunications.]

[476.055. 1. There is hereby established in the state treasury the "Statewide Court Automation Fund". All moneys collected pursuant to section 488.027, as well as gifts, contributions, devises, bequests, and grants received relating to automation of judicial record keeping, and moneys received by the judicial system for the dissemination of information and sales of publications developed relating to automation of judicial record keeping, shall be credited to the fund. Moneys credited to this fund may only be used for the purposes set forth in this section and as appropriated by the general assembly. Any unexpended balance remaining in the statewide court automation fund at the end of each biennium shall not be subject to the provisions of section 33.080 requiring the transfer of such unexpended balance to general revenue; except that, any unexpended balance remaining in the fund on September 1, 2015, shall be transferred to general revenue.

2. The statewide court automation fund shall be administered by a court automation committee consisting of the following: the chief justice of the supreme court, a judge from the court of appeals, four circuit judges, four associate circuit judges, four employees of the circuit court, the commissioner of administration, two members of the house of representatives appointed by the speaker of the house, two members of the senate appointed by the president pro tem of the senate and two members of the Missouri Bar. The judge members and employee members shall be appointed by the chief justice. The commissioner of administration shall serve ex officio. The members of the Missouri Bar shall be appointed by the board of governors of the Missouri Bar. Any member of the committee may designate another person to serve on the committee in place of the committee member.

3. The committee shall develop and implement a plan for a statewide court automation system. The committee shall have the authority to hire consultants, review systems in other jurisdictions and purchase goods and services to administer the provisions of this section. The committee may implement one or more pilot projects in the state for the purposes of determining the feasibility of developing and implementing such plan. The members of the committee shall be reimbursed from the court automation fund for their actual expenses in performing their official duties on the committee.

4. Any purchase of computer software or computer hardware that exceeds five thousand dollars shall be made pursuant to the requirements of the office of administration for lowest and best bid. Such bids shall be subject to acceptance by the office of administration. The court automation committee shall determine the specifications for such bids.

5. The court automation committee shall not require any circuit court to change any operating system in such court, unless the committee provides all necessary personnel, funds and equipment necessary to effectuate the required changes. No judicial circuit or county may be reimbursed for any costs incurred

pursuant to this subsection unless such judicial circuit or county has the approval of the court automation committee prior to incurring the specific cost.

6. Any court automation system, including any pilot project, shall be implemented, operated and maintained in accordance with strict standards for the security and privacy of confidential judicial records. Any person who knowingly releases information from a confidential judicial record is guilty of a class B misdemeanor. Any person who, knowing that a judicial record is confidential, uses information from such confidential record for financial gain is guilty of a class D felony.

7. On the first day of February, May, August and November of each year, the court automation committee shall file a report on the progress of the statewide automation system with the joint legislative committee on court automation. Such committee shall consist of the following:

- (1) The chair of the house budget committee;
- (2) The chair of the senate appropriations committee;
- (3) The chair of the house judiciary committee;
- (4) The chair of the senate judiciary committee;
- (5) One member of the minority party of the house appointed by the speaker of the house of representatives; and
- (6) One member of the minority party of the senate appointed by the president pro tempore of the senate.

8. The members of the joint legislative committee shall be reimbursed from the court automation fund for their actual expenses incurred in the performance of their official duties as members of the joint legislative committee on court automation.

9. Section 488.027 shall expire on September 1, 2015. The court automation committee established pursuant to this section may continue to function until completion of its duties prescribed by this section, but shall complete its duties prior to September 1, 2017.

10. This section shall expire on September 1, 2017.]

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Speaker of the House

President Pro Tem of the Senate

Governor