

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 22, Section  
2 301.010, Line 301, by inserting after all of said section and line the following:  
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4 "301.030. 1. The director shall provide for the retention of license plates by the owners of motor  
5 vehicles, other than commercial motor vehicles, and shall establish a system of registration on a monthly  
6 series basis to distribute the work of registering motor vehicles as uniformly as practicable throughout the  
7 twelve months of the calendar year. For the purpose of assigning license plate numbers, each type of motor  
8 vehicle shall be considered a separate class. Commencing July 1, 1949, motor vehicles, other than  
9 commercial motor vehicles, shall be registered for a period of twelve consecutive calendar months. There are  
10 established twelve registration periods, each of which shall start on the first day of each calendar month of  
11 the year and shall end on the last date of the twelfth month from the date of beginning.

12 2. Motor vehicles, other than commercial motor vehicles, operated for the first time upon the public  
13 highways of this state, to and including the fifteenth day of any given month, shall be subject to registration  
14 and payment of a fee for the twelve-month period commencing the first day of the month of such operation;  
15 motor vehicles, other than commercial motor vehicles, operated for the first time on the public highways of  
16 this state after the fifteenth day of any given month shall be subject to registration and payment of a fee for  
17 the twelve-month period commencing the first day of the next following calendar month.

18 3. All commercial motor vehicles and trailers, except those licensed under section 301.035 and those  
19 operated under agreements as provided for in sections 301.271 to 301.279, shall be registered either on a  
20 calendar year basis or on a prorated basis as provided in this section. The fees for commercial motor  
21 vehicles, trailers, semitrailers, and driveaway vehicles, other than those to be operated under agreements as  
22 provided for in sections 301.271 to 301.279 shall be payable not later than the last day of February of each  
23 year, except when such vehicle is licensed between April first and July first the fee shall be three-fourths the  
24 annual fee, when licensed between July first and October first the fee shall be one-half the annual fee and  
25 when licensed on or after October first the fee shall be one-fourth the annual fee. Such license plates shall be  
26 made with fully reflective material with a common color scheme and design, shall be clearly visible at night,  
27 and shall be aesthetically attractive, as prescribed by section 301.130. Local commercial motor vehicle  
28 license plates may also be so stamped, marked or designed as to indicate they are to be used only on local  
29 commercial motor vehicles and, in addition to such stamp, mark or design, the letter "F" shall also be  
30 displayed on local commercial motor vehicle license plates issued to motor vehicles used for farm or farming  
31 transportation operations as defined in section 301.010 in the manner prescribed by the advisory committee  
32 established in section 301.129. In addition, all commercial motor vehicle license plates may be so stamped  
33 or marked with a letter, figure or other emblem as to indicate the gross weight for which issued.

34 4. The director shall, upon application, issue registration and license plates for nine thousand pounds  
35 gross weight for property-carrying commercial motor vehicles referred to herein, upon payment of the fees  
36 prescribed for twelve thousand pounds gross weight as provided in section 301.057.

37 5. Notwithstanding any other provision of law to the contrary, any motorcycle or motortricycle  
38 registration issued by the Missouri department of revenue shall expire biennially on June 30."; and  
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Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Further amend said bill, Page 26, Section 301.140, Line 102, by deleting all of said line and inserting in lieu thereof the following:

~~"[8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.]"~~; and

Further amend said bill and section, by renumbering subsequent subsections accordingly; and

Further amend said bill, Page 27, Section 301.145, Line 17, by inserting after all of said section and line the following:

"302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person under eighteen years of age who is operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion; except that, any person eighteen years of age or older operating any motorcycle or motortricycle who has been issued an instruction permit shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director.

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class D misdemeanor. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class A misdemeanor. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class E felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable as a class D misdemeanor, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021.

302.026. 1. Any qualified motorcycle operator who is eighteen years of age or older may operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear if he or she has medical payment insurance in addition to maintaining proof of financial responsibility in accordance with chapter 303 and he or she is covered by a health insurance policy or other form of insurance providing medical payment benefits in the minimum amount of one million dollars for injuries incurred as a result of an accident while operating a motorcycle or motortricycle.

2. Proof of coverage required by subsection 1 of this section shall be provided, upon request by authorized law enforcement, by showing a copy of the qualified operator's insurance card."; and

Further amend said bill, Page 39, Section 304.190, Line 86, by inserting after all of said section and line the

1 following:

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3 "304.232. 1. The Missouri state highway patrol shall approve procedures for the certification of  
4 municipal police officers, sheriffs, deputy sheriffs, and other law enforcement officials that enforce sections  
5 304.170 to 304.230.

6 2. The certification procedures shall meet the requirements of the memorandum of understanding  
7 between the state of Missouri and the commercial vehicle safety alliance or any successor organization, as  
8 periodically adopted or amended.

9 3. Commercial motor vehicle safety data collection, management, and distribution by law  
10 enforcement officials shall be compatible with the information systems of the Missouri state highway patrol.

11 4. The Missouri state highway patrol shall establish reasonable fees sufficient to recover the cost of  
12 training, recurring training, data collection and management, certifying, and additional administrative  
13 functions for law enforcement officials approved under this section.

14 5. The agencies for which law enforcement officials approved under this section shall adhere to the  
15 Motor Carrier Safety Assistance Program requirements under 49 Code of Federal Regulations Part 350 of the  
16 Federal Motor Carrier Safety Regulations.

17 6. The agencies for which law enforcement officials approved under this section shall be subject to  
18 periodic program reviews and be required to submit a commercial vehicle safety plan that is consistent with  
19 and incorporated into the statewide enforcement plan.

20 7. Beginning January 1, 2009, no local law enforcement officer may conduct a random commercial  
21 motor vehicle roadside inspection to determine compliance with the provisions of sections 304.170 to  
22 304.230 unless the law enforcement officer has satisfactorily completed, as a part of his or her training, the  
23 basic course of instruction developed by the commercial vehicle safety alliance and has been approved by the  
24 Missouri state highway patrol under this section. Law enforcement officers authorized to enforce the  
25 provisions of sections 304.170 to 304.230 shall annually receive in-service training related to commercial  
26 motor vehicle operations, including but not limited to training in current federal motor carrier safety  
27 regulations, safety inspection procedures, and out-of-service criteria. The annual training requirements shall  
28 be approved by the superintendent of the state highway patrol.

29 8. Law enforcement officers who have received commercial vehicle safety alliance certification prior  
30 to January 1, 2009, shall be exempt from the provisions of this section and such officers shall be qualified to  
31 conduct random roadside inspections described under this section and section 304.230.

32 9. No safety inspection shall be performed on the shoulder of any highway with a posted speed limit  
33 in excess of forty miles per hour, except that safety inspections may be permitted on the shoulder at any  
34 entrance or exit of such highway where there is adequate space on the shoulder to safely perform such  
35 inspection.

36 10. The superintendent of the state highway patrol shall promulgate rules and regulations necessary  
37 to administer the certification procedures and any other provisions of this section. Any rule or portion of a  
38 rule, as that term is defined in section 536.010, that is created under the authority delegated in this section  
39 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if  
40 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested  
41 with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and  
42 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule  
43 proposed or adopted after August 28, 2008, shall be invalid and void."; and

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45 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.