

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE NO. 2 FOR
HOUSE BILL NO. 661
101ST GENERAL ASSEMBLY

1581S.06T

2021

AN ACT

To repeal sections 21.795, 142.869, 300.010, 301.010, 301.062, 301.131, 301.147, 301.192, 301.280, 301.558, 302.010, 302.755, 303.020, 303.025, 303.041, 304.001, 304.050, 304.153, 304.180, 304.240, 307.025, 307.128, 307.180, 307.188, 307.193, 307.350, 307.380, 365.020, 385.220, 385.320, 407.300, 407.526, 407.536, 407.556, 407.560, 407.815, 407.1025, 570.030, 578.120, 643.310, and 643.315, RSMo, and to enact in lieu thereof fifty-six new sections relating to transportation, with penalty provisions, and a delayed effective date for a certain section.

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

Section A. Sections 21.795, 142.869, 300.010, 301.010, 301.062, 301.131, 301.147,
2 301.192, 301.280, 301.558, 302.010, 302.755, 303.020, 303.025, 303.041, 304.001, 304.050,
3 304.153, 304.180, 304.240, 307.025, 307.128, 307.180, 307.188, 307.193, 307.350, 307.380,
4 365.020, 385.220, 385.320, 407.300, 407.526, 407.536, 407.556, 407.560, 407.815, 407.1025,
5 570.030, 578.120, 643.310, and 643.315, RSMo, are repealed and fifty-six new sections enacted
6 in lieu thereof, to be known as sections 21.795, 43.253, 142.869, 142.1000, 162.066, 227.101,
7 300.010, 301.010, 301.033, 301.062, 301.131, 301.147, 301.192, 301.280, 301.558, 302.010,
8 302.755, 303.020, 303.025, 303.041, 303.420, 303.422, 303.425, 303.430, 303.440, 304.001,
9 304.050, 304.153, 304.180, 304.240, 304.900, 307.025, 307.128, 307.180, 307.188, 307.193,
10 307.194, 307.350, 307.380, 365.020, 385.220, 385.320, 385.450, 407.005, 407.300, 407.526,
11 407.536, 407.556, 407.560, 407.815, 407.1025, 570.030, 578.120, 643.310, 643.315, and 1, to
12 read as follows:

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.

21.795. 1. There is established a permanent joint committee of the general assembly to be known as the "Joint Committee on Transportation Oversight" to be composed of seven members of the standing transportation committees of both the senate and the house of representatives and three nonvoting ex officio members. Of the fourteen members to be appointed to the joint committee, the seven senate members of the joint committee shall be appointed by the president pro tem of the senate and minority leader of the senate and the seven house members shall be appointed by the speaker of the house of representatives and the minority floor leader of the house of representatives. The seven senate members shall be composed, as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the senate bears to the total membership of the senate. No major party shall be represented by more than four members from the house of representatives. The ex officio members shall be the state auditor, the director of the oversight division of the committee on legislative research, and the commissioner of the office of administration or the designee of such auditor, director or commissioner. The joint committee shall be chaired jointly by both chairs of the senate and house transportation committees. A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members, other than the ex officio members, shall be required for the determination of any matter within the committee's duties.

2. The department of transportation shall submit a written report prior to December thirty-first of each year to the governor and the lieutenant governor. The report shall be posted to the department's internet website so that general assembly members may elect to access a copy of the report electronically. The written report shall contain the following:

(1) A comprehensive financial report of all funds for the preceding state fiscal year which shall include a report by independent certified public accountants, selected by the commissioner of the office of administration, attesting that the financial statements present fairly the financial position of the department in conformity with generally accepted government accounting principles;

(2) A copy of the department's most current and annual publication titled "Citizen's Guide to Transportation Funding in Missouri";

(3) A copy of the department's most current and annual publication titled "Financial Snapshot - An appendix to the Citizen's Guide to Transportation Funding in Missouri";

(4) A copy of the department's most current and annual publication titled "MoDOT Results: Accountability. Innovation. Efficiency.".

3. Prior to February fifteenth of each year, the committee shall hold an annual meeting and call before its members, officials or employees of the state highways and transportation commission or department of transportation, as determined by the committee, for the [sole]

37 purpose of receiving and examining the report required pursuant to subsection 2 of this section.
38 The committee shall not have the power to modify projects or priorities of the state highways and
39 transportation commission or department of transportation. The committee may make
40 recommendations to the state highways and transportation commission or the department of
41 transportation. Disposition of those recommendations shall be reported by the commission or
42 the department to the joint committee on transportation oversight.

43 4. In addition to the annual meeting required by subsection 3 of this section, the
44 committee shall meet two times each year. The co-chairs of the committee shall establish an
45 agenda for each meeting that may include, but not be limited to, the following items to be
46 discussed with the committee members throughout the year during the scheduled meeting:

47 (1) Presentation of a prioritized plan for all modes of transportation;

48 (2) Discussion of department efficiencies and expenditure of cost-savings within the
49 department;

50 (3) Presentation of a status report on department of transportation revenues and
51 expenditures, including a detailed summary of projects funded by new state revenue as provided
52 in paragraph (a) of subdivision (1) of subsection 2 of this section; and

53 (4) Implementation of any actions as may be deemed necessary by the committee as
54 authorized by law. The co-chairs of the committee may call special meetings of the committee
55 with ten days' notice to the members of the committee, the director of the department of
56 transportation, and the department of transportation.

57 5. **(1) The committee shall ensure towing companies charge fair, equitable, and**
58 **reasonable rates for services rendered in connection with the towing of commercial motor**
59 **vehicles, and shall:**

60 **(a) Establish a process the committee shall use to receive, investigate, and**
61 **adjudicate complaints against a towing company regarding the towing of a commercial**
62 **motor vehicle, and a process the commercial motor vehicle towing adjudicative board**
63 **established in subdivision (4) of this subsection shall use to investigate and adjudicate any**
64 **complaints referred to it by the committee;**

65 **(b) Establish factors the committee and the commercial motor vehicle towing**
66 **adjudication board shall consider in determining whether a charge levied by a towing**
67 **company in connection with the towing of a commercial motor vehicle is fair, equitable,**
68 **and reasonable;**

69 **(c) Establish a process law enforcement agencies in the state may use to suspend or**
70 **remove a towing company from their towing rotation with regard to the towing of**
71 **commercial motor vehicles; and**

72 (d) Establish information required to be included on any invoice associated with
73 the towing of a commercial motor vehicle.

74 (2) The committee shall, in consultation with the department of transportation and
75 the department of public safety, promulgate rules as necessary for the implementation of
76 this subsection. Any rule or portion of a rule, as that term is defined in section 536.010,
77 that is created under the authority delegated in this section shall become effective only if
78 it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
79 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
80 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
81 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
82 grant of rulemaking authority and any rule proposed or adopted after August 28, 2021,
83 shall be invalid and void.

84 (3) The committee shall meet as necessary to carry out the requirements of this
85 subsection and the requirements of any rules promulgated in accordance with this
86 subsection. The meetings required under this subsection may be held concurrently with
87 the meetings held in accordance with subsections 3 or 4 of this section.

88 (4) If the committee determines a violation of the rules promulgated in accordance
89 with this subsection may have occurred, the complaint shall be referred to the
90 "Commercial Motor Vehicle Towing Adjudicative Board" for adjudication. The
91 commercial motor vehicle towing adjudicative board shall consist of the chair and vice
92 chair of the committee, the two ranking minority members of the committee, the director
93 of the department of transportation or his or her designee, the director of the department
94 of public safety or his or her designee, and the director of the department of revenue or his
95 or her designee, provided that the committee shall specify by rule a recusal process through
96 which members of the adjudicative board who may have a conflict of interest may be
97 temporarily removed or replaced by another member of the committee. No fewer than five
98 members of the commercial motor vehicle towing adjudicative board shall be present when
99 the board makes a determination in accordance with this subdivision, and determinations
100 shall be made by majority vote of the members present. If the commercial motor vehicle
101 towing adjudicative board determines that a violation of the rules promulgated in
102 accordance with this subsection has occurred, the towing company that committed the
103 violation shall not be contacted by any law enforcement agency for a nonconsensual tow
104 for a period of six months for a first violation, a period of twelve months for a second
105 violation, and permanently for a third violation.

106 (5) The committee shall keep and maintain a record of any proceedings that occur
107 as a result of this subsection.

(6) The committee may, at the discretion of the committee, make recommendations to the governor or the general assembly regarding statutes governing the nonconsensual towing of commercial motor vehicles.

(7) As used in this subsection, the following terms shall mean:

(a) "Commercial motor vehicle", the same meaning as defined in section 301.010;

(b) "Nonconsensual tow", the towing or recovery of a commercial motor vehicle which was authorized, requested, or dispatched by any law enforcement agency in the state. When an owner or operator of a commercial motor vehicle requests a law enforcement officer or other public agency to initiate a tow, the tow shall be considered a nonconsensual tow;

(c) "Towing company", the same meaning as defined in section 304.153.

6. The committee shall also review all applications for the development of specialty plates submitted to it by the department of revenue. The committee shall approve such application by a majority vote. The committee shall approve any application unless the committee receives:

(1) A signed petition from five house members or two senators that they are opposed to the approval of the proposed license plate and the reason for such opposition;

(2) Notification that the organization seeking authorization to establish a new specialty license plate has not met all the requirements of section 301.3150;

(3) A proposed new specialty license plate containing objectionable language or design;

(4) A proposed license plate not meeting the requirements of any reason promulgated by rule.

The committee shall notify the director of the department of revenue upon approval or denial of an application for the development of a specialty plate.

[6-] 7. The committee shall submit records of its meetings to the secretary of the senate and the chief clerk of the house of representatives in accordance with sections 610.020 and 610.023.

43.253. 1. Notwithstanding any other provision of law to the contrary, a minimum fee of five dollars may be charged by the Missouri state highway patrol for any records request where there are allowable fees of less than five dollars under this chapter or chapter 610. Such five-dollar fee shall be in place of any allowable fee of less than five dollars.

2. The superintendent of the Missouri state highway patrol may increase the minimum fee described in this section by no more than one dollar every other year

8 **beginning August 28, 2022; however, the minimum fee described in this section shall not**
9 **exceed ten dollars.**

10 **3. A request for public records under chapter 43 or chapter 610 shall be considered**
11 **withdrawn if the requester fails to remit all fees within thirty days of a request for payment**
12 **of the fees by the Missouri state highway patrol.**

142.869. 1. (1) The tax imposed by this chapter shall not apply to passenger motor
2 vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this
3 state which are powered by alternative fuel, and for which a valid decal has been acquired as
4 provided in this section, provided that sales made to alternative fueled vehicles powered by
5 propane, compressed natural gas, or liquefied natural gas that do not meet the requirements of
6 subsection 3 of this section shall be taxed exclusively pursuant to subdivisions (4) to (7) of
7 subsection 1 of section 142.803, respectively. The owners or operators of such motor vehicles,
8 except plug-in electric hybrids, shall, in lieu of the tax imposed by section 142.803, pay an
9 annual alternative fuel decal fee as follows: seventy-five dollars on each passenger motor
10 vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed
11 gross vehicle weight of eighteen thousand pounds or less; one hundred dollars on each motor
12 vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than
13 thirty-six thousand pounds used for farm or farming transportation operations and registered with
14 a license plate designated with the letter "F"; one hundred fifty dollars on each motor vehicle
15 with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal
16 to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the
17 registration fee provided in sections 301.059, 301.061 and 301.063; two hundred fifty dollars on
18 each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for
19 farm or farming transportation operations and registered with a license plate designated with the
20 letter "F"; and one thousand dollars on each motor vehicle with a licensed gross vehicle weight
21 in excess of thirty-six thousand pounds. Owners or operators of plug-in electric hybrids shall
22 pay one-half of the stated annual alternative fuel decal fee. Notwithstanding provisions of this
23 section to the contrary, motor vehicles licensed as historic under section 301.131 which are
24 powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the
25 alternative fuel decal requirements of this section. For the purposes of this section, a plug-in
26 electric hybrid shall be any hybrid vehicle made by a manufacturer with a model year of 2018
27 or newer, that has not been modified from the original manufacturer specifications, with an
28 internal combustion engine and batteries that can be recharged by connecting a plug to an electric
29 power source.

30 **(2) Notwithstanding the provisions of subdivision (1) of this subsection to the**
31 **contrary, the director shall provide owners of vehicles required to purchase an alternative**

32 **fuel decal under subdivision (1) of this subsection, the option of purchasing a biennial**
33 **alternative fuel decal for a fee of twice the annual alternative fuel decal fee stated in**
34 **subdivision (1) of this subsection.**

35 2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as
36 defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles
37 registered outside this state which are powered by alternative fuel other than propane,
38 compressed natural gas, and liquefied natural gas, and for which a valid temporary alternative
39 fuel decal has been acquired as provided in this section. The owners or operators of such motor
40 vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel
41 decal fee of eight dollars on each such vehicle. Such decals shall be valid for a period of fifteen
42 days from the date of issuance and shall be attached to the lower right-hand corner of the front
43 windshield on the motor vehicle for which it was issued. Such decal and fee shall not be
44 transferable. All proceeds from such decal fees shall be deposited as specified in section
45 142.345. Alternative fuel dealers selling such decals in accordance with rules and regulations
46 prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted
47 to the director.

48 3. Owners or operators of passenger motor vehicles, buses as defined in section 301.010,
49 or commercial motor vehicles registered in this state which are powered by compressed natural
50 gas or liquefied natural gas who have installed a compressed natural gas fueling station or
51 liquefied natural gas fueling station used solely to fuel the motor vehicles they own or operate
52 as of December 31, 2015, may continue to apply for and use the alternative fuel decal in lieu of
53 paying the tax imposed under subdivisions (4) and (5) of subsection 1 of section 142.803.
54 Owners or operators of compressed natural gas fueling stations or liquefied natural gas fueling
55 stations whose vehicles bear an alternative fuel decal shall be prohibited from selling or
56 providing compressed natural gas or liquefied natural gas to any motor vehicle they do not own
57 or operate. Owners or operators of motor vehicles powered by compressed natural gas or
58 liquefied natural gas bearing an alternative fuel decal after January 1, 2016, that decline to renew
59 the alternative fuel decals for such motor vehicles shall no longer be eligible to apply for and use
60 alternative fuel decals under this subsection. Any compressed natural gas or liquefied natural
61 gas obtained at any fueling station not owned by the owner or operator of the motor vehicle
62 bearing an alternative fuel decal shall be subject to the tax under subdivisions (4) and (5) of
63 subsection 1 of section 142.803.

64 4. An owner or operator of a motor vehicle powered by propane may continue to apply
65 for and use the alternative fuel decal in lieu of paying the tax imposed under subdivision (6) of
66 subsection 1 of section 142.803. If the appropriate motor fuel tax under subdivision (6) of
67 subsection 1 of section 142.803 is collected at the time of fueling, an operator of a propane

68 fueling station that uses quick-connect fueling nozzles may sell propane as a motor fuel without
69 verifying the application of a valid Missouri alternative fuel decal. If an owner or operator of
70 a motor vehicle powered by propane that bears an alternative fuel decal refuels at an unattended
71 propane refueling station, such owner or operator shall not be eligible for a refund of the motor
72 fuel tax paid at such refueling.

73 5. The director shall annually **or biennially**, on or before January thirty-first of each
74 year, collect or cause to be collected from owners or operators of the motor vehicles specified
75 in subsection 1 of this section the annual **or biennial** decal fee. Applications for such decals
76 shall be supplied by the department of revenue. In the case of a motor vehicle which is not in
77 operation by January thirty-first of any year, a decal may be purchased for a fractional period of
78 such year, **or a fractional period of such year and a whole year**, and the amount of the decal
79 fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the
80 beginning of such year. This subsection shall not apply to an owner or operator of a motor
81 vehicle powered by propane who fuels such vehicle exclusively at unattended fueling stations
82 that collect the motor fuel tax.

83 6. Upon the payment of the fee required by subsection 1 of this section, the director shall
84 issue a decal, which shall be valid for the current calendar year, **or the current calendar year**
85 **and the subsequent calendar year in the case of a biennial alternative fuel decal**, and shall
86 be attached to the lower right-hand corner of the front windshield on the motor vehicle for which
87 it was issued.

88 7. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall
89 be transferable upon a change of ownership of the motor vehicle and, if the LP gas or natural gas
90 equipment is removed from a motor vehicle upon a change of ownership and is reinstalled in
91 another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in
92 accordance with rules and regulations promulgated by the director.

93 8. It shall be unlawful for any person to operate a motor vehicle required to have an
94 alternative fuel decal upon the highways of this state without a valid decal unless the motor
95 vehicle is exclusively fueled at propane, compressed natural gas, or liquefied natural gas fueling
96 stations that collect the motor fuel tax.

97 9. No person shall cause to be put, or put, any alternative fuel into the fuel supply
98 receptacle or battery of a motor vehicle required to have an alternative fuel decal unless the
99 motor vehicle either has a valid decal attached to it or the appropriate motor fuel tax is collected
100 at the time of such fueling.

101 10. Any person violating any provision of this section is guilty of an infraction and shall,
102 upon conviction thereof, be fined five hundred dollars.

103 11. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing
104 and reporting requirements of this chapter.

142.1000. 1. There is hereby created within the department of revenue the
2 **"Electric Vehicle Task Force" to consist of the following members:**

3 **(1) The director of the department of revenue, or his or her designee, who shall**
4 **serve as chair;**

5 **(2) The chairman of the public service commission, or his or her designee, who shall**
6 **serve as vice chair;**

7 **(3) The director of the department of transportation, or his or her designee;**

8 **(4) The director of the division of energy of the department of natural resources,**
9 **or his or her designee;**

10 **(5) Two members of the senate, to be appointed by the president pro tempore of the**
11 **senate;**

12 **(6) Two members of the house of representatives, to be appointed by the speaker**
13 **of the house of representatives;**

14 **(7) One member of the senate committee with jurisdiction over transportation**
15 **matters, to be appointed by the minority floor leader of the senate;**

16 **(8) One member of the house of representatives committee with jurisdiction over**
17 **transportation matters, to be appointed by the minority floor leader of the house of**
18 **representatives;**

19 **(9) One representative of the trucking or heavy vehicle industry, to be appointed**
20 **by the president pro tempore of the senate;**

21 **(10) One representative of electric vehicle manufacturers or dealers, to be**
22 **appointed by the speaker of the house of representatives;**

23 **(11) One representative of conventional motor vehicle manufacturers or dealers,**
24 **to be appointed by the president pro tempore of the senate;**

25 **(12) One representative of the petroleum industry or convenience stores, to be**
26 **appointed by the speaker of the house of representatives;**

27 **(13) One representative of electric vehicle charging station manufacturers or**
28 **operators, to be appointed by the president pro tempore of the senate; and**

29 **(14) One representative of electric utilities, to be appointed by the speaker of the**
30 **house of representatives.**

31 **2. The task force shall analyze the following in the context of transportation**
32 **funding, and make recommendations as to any actions the state should take to fund**
33 **transportation infrastructure in anticipation of more widespread adoption of electric**
34 **vehicles:**

- 35 (1) Removal or mitigation of barriers to electric vehicle charging, including
36 strategies, such as time-of-use rates, to reduce operating costs for current and future
37 electric vehicle owners without shifting costs to electric ratepayers who do not own or
38 operate electric vehicles;
- 39 (2) Strategies for managing the impact of electric vehicles on, and services provided
40 for electric vehicles by, the electricity transmission and distribution system;
- 41 (3) Electric system benefits and costs of electric vehicle charging, electric utility
42 planning for electric vehicle charging, and rate design for electric vehicle charging;
- 43 (4) The appropriate role of electric utilities with regard to the deployment and
44 operation of electric vehicle charging systems;
- 45 (5) How and on what terms, including quantity, pricing, and time of day, charging
46 stations owned or operated by entities other than electric utilities will obtain electricity to
47 provide to electric vehicles;
- 48 (6) What safety standards should apply to the charging of electric vehicles;
- 49 (7) The recommended scope of the jurisdiction of the public service commission,
50 the department of revenue, and other state agencies over charging stations owned or
51 operated by entities other than electric utilities;
- 52 (8) Whether charging stations owned or operated by entities other than electric
53 utilities will be free to set the rates or prices at which they provide electricity to electric
54 vehicles, and any other issues relevant to the appropriate oversight of the rates and prices
55 charged by such stations, including transparency to the consumer of those rates and prices;
56 and
- 57 (9) The recommended billing and complaint procedures for charging stations;
- 58 (10) Options to address how electric vehicle users pay toward the cost of
59 maintaining the state's transportation infrastructure, including methods to assess the
60 impact of electric vehicles on that infrastructure and how to calculate a charge based on
61 that impact, the potential assessment of a charge to electric vehicles as a rate per kilowatt
62 hour delivered to an electric vehicle, varying such per-kilowatt-hour charge by size and
63 type of electric vehicle, and phasing in such per-kilowatt-hour charge;
- 64 (11) The accuracy of electric metering and submetering technology for charging
65 electric vehicles;
- 66 (12) Strategies to encourage electric vehicle usage without shifting costs to electric
67 ratepayers who do not own or charge electric vehicles; and
- 68 (13) Any other issues the task force considers relevant.
- 69 3. The department of revenue shall provide such research, clerical, technical, and
70 other services as the task force may require in the performance of its duties.

71 4. The task force may hold public meetings at which it may invite testimony from
72 experts, or it may solicit information from any party it deems may have information
73 relevant to its duties under this section.

74 5. No later than December 31, 2022, the task force shall provide to the general
75 assembly and the governor a written report detailing its findings and recommendations,
76 including identifying any recommendations that may require enabling legislation.

77 6. Members shall serve on the task force without compensation, but may, at the
78 discretion of the director of the department of revenue, be reimbursed for actual and
79 necessary expenses incurred in the performance of their official duties as members of the
80 task force.

81 7. The task force shall expire on December 31, 2022.

 162.066. 1. There is hereby established the "Joint Task Force on School Bus
2 Safety" to study school bus transportation safety in public schools. The task force
3 members shall be appointed as follows:

4 (1) Two members of the house of representatives appointed by the speaker of the
5 house of representatives;

6 (2) Two members of the senate appointed by the president pro tempore of the
7 senate;

8 (3) The commissioner of education or his or her designee;

9 (4) The director of the department of transportation or his or her designee; and

10 (5) The director of the department of public safety or his or her designee.

11 2. The members of the task force shall meet within thirty days after its creation to
12 organize and select one member to serve as chair.

13 3. Beginning January 1, 2022, the task force shall meet at least three times annually
14 to complete its consideration of its objectives under the provisions of this section. Members
15 of the task force shall serve without compensation, but shall be entitled to reimbursement
16 for actual and necessary expenses incurred in the performance of their official duties.

17 4. The task force shall develop an annual report analyzing school bus
18 transportation safety in public schools, including:

19 (1) Entrance and exit safety;

20 (2) Effectiveness of seat belts; and

21 (3) Other school bus transportation safety issues deemed worthy by the chair.

22 5. Beginning January 1, 2022, the task force shall submit its report to the governor
23 and general assembly by December thirty-first annually.

 227.101. The commission shall publish on the department of transportation's
2 official public website its cost estimate and project completion date for any construction,

3 **maintenance, or repair work on the state highway system at the time bidding on a contract**
4 **for the work first closes.**

300.010. The following words and phrases when used in this ordinance mean:

2 (1) "Alley" or "alleyway", any street with a roadway of less than twenty feet in width;

3 (2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
4 off-highway use, with an unladen dry weight of one thousand five hundred pounds or less,
5 traveling on three, four or more nonhighway tires, with either:

6 (a) A seat designed to be straddled by the operator, and handlebars for steering control,
7 **but excluding an electric bicycle; or**

8 (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire
9 rim, regardless of seating or steering arrangement;

10 (3) "Authorized emergency vehicle", a vehicle publicly owned and operated as an
11 ambulance, or a vehicle publicly owned and operated by the state highway patrol, police or fire
12 department, sheriff or constable or deputy sheriff, traffic officer or any privately owned vehicle
13 operated as an ambulance when responding to emergency calls;

14 (4) "Business district", the territory contiguous to and including a highway when within
15 any six hundred feet along the highway there are buildings in use for business or industrial
16 purposes, including but not limited to hotels, banks, or office buildings, railroad stations and
17 public buildings which occupy at least three hundred feet of frontage on one side or three
18 hundred feet collectively on both sides of the highway;

19 (5) "Central business (or traffic) district", all streets and portions of streets within the
20 area described by city ordinance as such;

21 (6) "Commercial vehicle", every vehicle designed, maintained, or used primarily for the
22 transportation of property;

23 (7) "Controlled access highway", every highway, street or roadway in respect to which
24 owners or occupants of abutting lands and other persons have no legal right of access to or from
25 the same except at such points only and in such manner as may be determined by the public
26 authority having jurisdiction over the highway, street or roadway;

27 (8) "Crosswalk",

28 (a) That part of a roadway at an intersection included within the connections of the
29 lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the
30 absence of curbs from the edges of the traversable roadway;

31 (b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for
32 pedestrian crossing by lines or other markings on the surface;

33 (9) "Curb loading zone", a space adjacent to a curb reserved for the exclusive use of
34 vehicles during the loading or unloading of passengers or materials;

35 (10) "Driver", every person who drives or is in actual physical control of a vehicle;

36 (11) **"Electric bicycle", a bicycle equipped with fully operable pedals, a saddle or**
37 **seat for the rider, and an electric motor of less than 750 watts that meets the requirements**
38 **of one of the following three classes:**

39 (a) **"Class 1 electric bicycle", an electric bicycle equipped with a motor that**
40 **provides assistance only when the rider is pedaling and that ceases to provide assistance**
41 **when the bicycle reaches the speed of twenty miles per hour;**

42 (b) **"Class 2 electric bicycle", an electric bicycle equipped with a motor that may**
43 **be used exclusively to propel the bicycle and that is not capable of providing assistance**
44 **when the bicycle reaches the speed of twenty miles per hour; or**

45 (c) **"Class 3 electric bicycle", an electric bicycle equipped with a motor that**
46 **provides assistance only when the rider is pedaling and that ceases to provide assistance**
47 **when the bicycle reaches the speed of twenty-eight miles per hour;**

48 (12) "Freight curb loading zone", a space adjacent to a curb for the exclusive use of
49 vehicles during the loading or unloading of freight (or passengers);

50 [(12)] (13) "Highway", the entire width between the boundary lines of every way
51 publicly maintained when any part thereof is open to the use of the public for purposes of
52 vehicular travel;

53 [(13)] (14) "Intersection",

54 (a) The area embraced within the prolongation or connection of the lateral curb lines, or,
55 if none, then the lateral boundary lines of the roadways of two highways which join one another
56 at, or approximately at, right angles, or the area within which vehicles traveling upon different
57 highways joining at any other angle may come in conflict;

58 (b) Where a highway includes two roadways thirty feet or more apart, then every
59 crossing of each roadway of such divided highway by an intersecting highway shall be regarded
60 as a separate intersection. In the event such intersecting highway also includes two roadways
61 thirty feet or more apart, then every crossing of two roadways of such highways shall be regarded
62 as a separate intersection;

63 [(14)] (15) "Laned roadway", a roadway which is divided into two or more clearly
64 marked lanes for vehicular traffic;

65 [(15)] (16) "Motor vehicle", any self-propelled vehicle not operated exclusively upon
66 tracks, except farm tractors, **electric bicycles**, and motorized bicycles;

67 [(16)] (17) "Motorcycle", every motor vehicle having a seat or saddle for the use of the
68 rider and designed to travel on not more than three wheels in contact with the ground, but
69 excluding **an electric bicycle and a tractor**;

70 ~~[(17)]~~ **(18)** "Motorized bicycle", any two-wheeled or three-wheeled device having an
71 automatic transmission and a motor with a cylinder capacity of not more than fifty cubic
72 centimeters, which produces less than three gross brake horsepower, and is capable of propelling
73 the device at a maximum speed of not more than thirty miles per hour on level ground, **but**
74 **excluding an electric bicycle;**

75 ~~[(18)]~~ **(19)** "Official time standard", whenever certain hours are named herein they shall
76 mean standard time or daylight-saving time as may be in current use in the city;

77 ~~[(19)]~~ **(20)** "Official traffic control devices", all signs, signals, markings and devices not
78 inconsistent with this ordinance placed or erected by authority of a public body or official having
79 jurisdiction, for the purpose of regulating, warning or guiding traffic;

80 ~~[(20)]~~ **(21)** "Park" or "parking", the standing of a vehicle, whether occupied or not,
81 otherwise than temporarily for the purpose of and while actually engaged in loading or unloading
82 merchandise or passengers;

83 ~~[(21)]~~ **(22)** "Passenger curb loading zone", a place adjacent to a curb reserved for the
84 exclusive use of vehicles during the loading or unloading of passengers;

85 ~~[(22)]~~ **(23)** "Pedestrian", any person afoot;

86 ~~[(23)]~~ **(24)** "Person", every natural person, firm, copartnership, association or
87 corporation;

88 ~~[(24)]~~ **(25)** "Police officer", every officer of the municipal police department or any
89 officer authorized to direct or regulate traffic or to make arrests for violations of traffic
90 regulations;

91 ~~[(25)]~~ **(26)** "Private road" or "driveway", every way or place in private ownership and
92 used for vehicular travel by the owner and those having express or implied permission from the
93 owner, but not by other persons;

94 ~~[(26)]~~ **(27)** "Railroad", a carrier of persons or property upon cars, other than streetcars,
95 operated upon stationary rails;

96 ~~[(27)]~~ **(28)** "Railroad train", a steam engine, electric or other motor, with or without cars
97 coupled thereto, operated upon rails, except streetcars;

98 ~~[(28)]~~ **(29)** "Residence district", the territory contiguous to and including a highway not
99 comprising a business district when the property on such highway for a distance of three hundred
100 feet or more is in the main improved with residences or residences and buildings in use for
101 business;

102 ~~[(29)]~~ **(30)** "Right-of-way", the right of one vehicle or pedestrian to proceed in a lawful
103 manner in preference to another vehicle or pedestrian approaching under such circumstances of
104 direction, speed and proximity as to give rise to danger of collision unless one grants precedence
105 to the other;

106 ~~[(30)]~~ (31) "Roadway", that portion of a highway improved, designed or ordinarily used
107 for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or
108 more separate roadways the term "roadway" as used herein shall refer to any such roadway
109 separately but not to all such roadways collectively;

110 ~~[(31)]~~ (32) "Safety zone", the area or space officially set apart within a roadway for the
111 exclusive use of pedestrians and which is protected or is so marked or indicated by adequate
112 signs as to be plainly visible at all times while set apart as a safety zone;

113 ~~[(32)]~~ (33) "Sidewalk", that portion of a street between the curb lines, or the lateral lines
114 of a roadway, and the adjacent property lines, intended for use of pedestrians;

115 ~~[(33)]~~ (34) "Stand" or "standing", the halting of a vehicle, whether occupied or not,
116 otherwise than for the purpose of and while actually engaged in receiving or discharging
117 passengers;

118 ~~[(34)]~~ (35) "Stop", when required, complete cessation from movement;

119 ~~[(35)]~~ (36) "Stop" or "stopping", when prohibited, any halting even momentarily of a
120 vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or
121 in compliance with the directions of a police officer or traffic control sign or signal;

122 ~~[(36)]~~ (37) "Street" or "highway", the entire width between the lines of every way
123 publicly maintained when any part thereof is open to the uses of the public for purposes of
124 vehicular travel. "State highway", a highway maintained by the state of Missouri as a part of the
125 state highway system;

126 ~~[(37)]~~ (38) "Through highway", every highway or portion thereof on which vehicular
127 traffic is given preferential rights-of-way, and at the entrances to which vehicular traffic from
128 intersecting highways is required by law to yield rights-of-way to vehicles on such through
129 highway in obedience to either a stop sign or a yield sign, when such signs are erected as
130 provided in this ordinance;

131 ~~[(38)]~~ (39) "Traffic", pedestrians, ridden or herded animals, vehicles, streetcars and other
132 conveyances either singly or together while using any highway for purposes of travel;

133 ~~[(39)]~~ (40) "Traffic control signal", any device, whether manually, electrically or
134 mechanically operated, by which traffic is alternately directed to stop and to proceed;

135 ~~[(40)]~~ (41) "Traffic division", the traffic division of the police department of the city, or
136 in the event a traffic division is not established, then said term whenever used herein shall be
137 deemed to refer to the police department of the city;

138 ~~[(41)]~~ (42) "Vehicle", any mechanical device on wheels, designed primarily for use, or
139 used, on highways, except motorized bicycles, **electric bicycles**, vehicles propelled or drawn by
140 horses or human power, or vehicles used exclusively on fixed rails or tracks, cotton trailers or
141 motorized wheelchairs operated by handicapped persons.

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

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with either:

(a) A seat designed to be straddled by the operator, and handlebars for steering control, **but excluding an electric bicycle**; or

(b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement;

(2) "Autocycle", a three-wheeled motor vehicle which the drivers and passengers ride in a partially or completely enclosed nonstraddle seating area~~], that is designed to be controlled with a steering wheel and pedals,~~ and that has met applicable Department of Transportation National Highway Traffic Safety Administration requirements or federal motorcycle safety standards;

(3) "Automobile transporter", any vehicle combination capable of carrying cargo on the power unit and designed and used for the transport of assembled motor vehicles, including truck camper units;

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

(5) "Backhaul", the return trip of a vehicle transporting cargo or general freight, especially when carrying goods back over all or part of the same route;

(6) "Boat transporter", any vehicle combination capable of carrying cargo on the power unit and designed and used specifically to transport assembled boats and boat hulls. Boats may be partially disassembled to facilitate transporting;

(7) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(8) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(9) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(10) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

36 (11) "Dealer", any person, firm, corporation, association, agent or subagent engaged in
37 the sale or exchange of new, used or reconstructed motor vehicles or trailers;

38 (12) "Director" or "director of revenue", the director of the department of revenue;

39 (13) "Driveaway operation":

40 (a) The movement of a motor vehicle or trailer by any person or motor carrier other than
41 a dealer over any public highway, under its own power singly, or in a fixed combination of two
42 or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

43 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting
44 the commodity being transported, by a person engaged in the business of furnishing drivers and
45 operators for the purpose of transporting vehicles in transit from one place to another by the
46 driveaway or towaway methods; or

47 (c) The movement of a motor vehicle by any person who is lawfully engaged in the
48 business of transporting or delivering vehicles that are not the person's own and vehicles of a
49 type otherwise required to be registered, by the driveaway or towaway methods, from a point of
50 manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent
51 of a manufacturer or to any consignee designated by the shipper or consignor;

52 (14) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth
53 wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor
54 equipped with a dromedary may carry part of a load when operating independently or in a
55 combination with a semitrailer;

56 (15) **"Electric bicycle", a bicycle equipped with fully operable pedals, a saddle or**
57 **seat for the rider, and an electric motor of less than 750 watts that meets the requirements**
58 **of one of the following three classes:**

59 (a) **"Class 1 electric bicycle", an electric bicycle equipped with a motor that**
60 **provides assistance only when the rider is pedaling and that ceases to provide assistance**
61 **when the bicycle reaches the speed of twenty miles per hour;**

62 (b) **"Class 2 electric bicycle", an electric bicycle equipped with a motor that may**
63 **be used exclusively to propel the bicycle and that is not capable of providing assistance**
64 **when the bicycle reaches the speed of twenty miles per hour; or**

65 (c) **"Class 3 electric bicycle", an electric bicycle equipped with a motor that**
66 **provides assistance only when the rider is pedaling and that ceases to provide assistance**
67 **when the bicycle reaches the speed of twenty-eight miles per hour;**

68 (16) "Farm tractor", a tractor used exclusively for agricultural purposes;

69 ~~[(16)]~~ (17) "Fleet", any group of ten or more motor vehicles owned by the same owner;

70 ~~[(17)]~~ (18) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

71 ~~[(18)]~~ **(19)** "Fullmount", a vehicle mounted completely on the frame of either the first
72 or last vehicle in a saddlemount combination;

73 ~~[(19)]~~ **(20)** "Gross weight", the weight of vehicle and/or vehicle combination without
74 load, plus the weight of any load thereon;

75 ~~[(20)]~~ **(21)** "Hail-damaged vehicle", any vehicle, the body of which has become dented
76 as the result of the impact of hail;

77 ~~[(21)]~~ **(22)** "Highway", any public thoroughfare for vehicles, including state roads,
78 county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

79 ~~[(22)]~~ **(23)** "Improved highway", a highway which has been paved with gravel,
80 macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard,
81 smooth surface;

82 ~~[(23)]~~ **(24)** "Intersecting highway", any highway which joins another, whether or not it
83 crosses the same;

84 ~~[(24)]~~ **(25)** "Junk vehicle", a vehicle which:

85 (a) Is incapable of operation or use upon the highways and has no resale value except as
86 a source of parts or scrap; or

87 (b) Has been designated as junk or a substantially equivalent designation by this state
88 or any other state;

89 ~~[(25)]~~ **(26)** "Kit vehicle", a motor vehicle assembled by a person other than a generally
90 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
91 an authorized manufacturer and accompanied by a manufacturer's statement of origin;

92 ~~[(26)]~~ **(27)** "Land improvement contractors' commercial motor vehicle", any not-for-hire
93 commercial motor vehicle the operation of which is confined to:

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

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

101

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

104 ~~[(27)]~~ **(28)** "Local commercial motor vehicle", a commercial motor vehicle whose
105 operations are confined to a municipality and that area extending not more than fifty miles
106 therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely

107 to the transportation of property owned by any person who is the owner or operator of such
108 vehicle to or from a farm owned by such person or under the person's control by virtue of a
109 landlord and tenant lease; provided that any such property transported to any such farm is for use
110 in the operation of such farm;

111 ~~[(28)]~~ (29) "Local log truck", a commercial motor vehicle which is registered pursuant
112 to this chapter to operate as a motor vehicle on the public highways of this state[;]; used
113 exclusively in this state[;]; used to transport harvested forest products[;]; operated solely at a
114 forested site and in an area extending not more than a one hundred **fifty** mile radius from such
115 site[~~carries a load with dimensions not in excess of twenty-five cubic yards per two axles with~~
116 ~~dual wheels~~]; and when operated on the national system of interstate and defense highways
117 described in 23 U.S.C. Section 103, as amended, or outside the one hundred **fifty** mile radius
118 from such site with an extended distance local log truck permit, ~~[such vehicle shall not exceed~~
119 ~~the weight limits of section 304.180,]~~ does not have more than four axles, and does not pull a
120 trailer which has more than three axles. Harvesting equipment which is used specifically for
121 cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and
122 stacking may be transported on a local log truck[~~. A local log truck may not exceed the limits~~
123 ~~required by law, however, if the truck does exceed such limits as determined by the inspecting~~
124 ~~officer, then notwithstanding any other provisions of law to the contrary, such truck shall be~~
125 ~~subject to the weight limits required by such sections as licensed for eighty thousand pounds]~~;

126 ~~[(29)]~~ (30) "Local log truck tractor", a commercial motor vehicle which is registered
127 under this chapter to operate as a motor vehicle on the public highways of this state[;]; used
128 exclusively in this state[;]; used to transport harvested forest products[;]; operated at a forested
129 site and in an area extending not more than a one hundred **fifty** mile radius from such site[;
130 ~~operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or~~
131 ~~with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle~~]; and
132 when operated on the national system of interstate and defense highways described in 23 U.S.C.
133 Section 103, as amended, or outside the one hundred **fifty** mile radius from such site with an
134 extended distance local log truck permit, ~~[such vehicle does not exceed the weight limits~~
135 ~~contained in section 304.180, and]~~ does not have more than three axles, and does not pull a
136 trailer which has more than three axles[~~. Violations of axle weight limitations shall be subject~~
137 ~~to the load limit penalty as described for in sections 304.180 to 304.220]~~;

138 ~~[(30)]~~ (31) "Local transit bus", a bus whose operations are confined wholly within a
139 municipal corporation, or wholly within a municipal corporation and a commercial zone, as
140 defined in section 390.020, adjacent thereto, forming a part of a public transportation system
141 within such municipal corporation and such municipal corporation and adjacent commercial
142 zone;

143 ~~[(31)]~~ (32) "Log truck", a vehicle which is not a local log truck or local log truck tractor
144 and is used exclusively to transport harvested forest products to and from forested sites which
145 is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this
146 state for the transportation of harvested forest products;

147 ~~[(32)]~~ (33) "Major component parts", the rear clip, cowl, frame, body, cab, front-end
148 assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules
149 and regulations or by illustrations;

150 ~~[(33)]~~ (34) "Manufacturer", any person, firm, corporation or association engaged in the
151 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

152 ~~[(34)]~~ (35) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
153 receives a new, rebuilt or used engine, and which used the number stamped on the original
154 engine as the vehicle identification number;

155 ~~[(35)]~~ (36) "Motor vehicle", any self-propelled vehicle not operated exclusively upon
156 tracks, except farm tractors **and electric bicycles**;

157 ~~[(36)]~~ (37) "Motor vehicle primarily for business use", any vehicle other than a
158 recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed
159 for over twelve thousand pounds:

160 (a) Offered for hire or lease; or

161 (b) The owner of which also owns ten or more such motor vehicles;

162 ~~[(37)]~~ (38) "Motorcycle", a motor vehicle operated on two wheels;

163 ~~[(38)]~~ (39) "Motorized bicycle", any two-wheeled or three-wheeled device having an
164 automatic transmission and a motor with a cylinder capacity of not more than fifty cubic
165 centimeters, which produces less than three gross brake horsepower, and is capable of propelling
166 the device at a maximum speed of not more than thirty miles per hour on level ground, **but**
167 **excluding an electric bicycle**;

168 ~~[(39)]~~ (40) "Motortricycle", a motor vehicle upon which the operator straddles or sits
169 astride that is designed to be controlled by handle bars and is operated on three wheels, including
170 a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of
171 a third wheel, **but excluding an electric bicycle**. A motortricycle shall not be included in the
172 definition of all-terrain vehicle;

173 ~~[(40)]~~ (41) "Municipality", any city, town or village, whether incorporated or not;

174 ~~[(41)]~~ (42) "Nonresident", a resident of a state or country other than the state of Missouri;

175 ~~[(42)]~~ (43) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured
176 in compliance with United States emissions or safety standards;

177 ~~[(43)]~~ (44) "Operator", any person who operates or drives a motor vehicle;

178 ~~[(44)]~~(45) "Owner", any person, firm, corporation or association, who holds the legal
179 title to a vehicle or who has executed a buyer's order or retail installment sales contract with a
180 motor vehicle dealer licensed under sections 301.550 to 301.580 for the purchase of a vehicle
181 with an immediate right of possession vested in the transferee, or in the event a vehicle is the
182 subject of an agreement for the conditional sale or lease thereof with the right of purchase upon
183 performance of the conditions stated in the agreement and with an immediate right of possession
184 vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to
185 possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner;

186 ~~[(45)]~~ (46) "Public garage", a place of business where motor vehicles are housed, stored,
187 repaired, reconstructed or repainted for persons other than the owners or operators of such place
188 of business;

189 ~~[(46)]~~ (47) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the
190 rebuilder, but does not include certificated common or contract carriers of persons or property;

191 ~~[(47)]~~ (48) "Reconstructed motor vehicle", a vehicle that is altered from its original
192 construction by the addition or substitution of two or more new or used major component parts,
193 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

194 ~~[(48)]~~ (49) "Recreational motor vehicle", any motor vehicle designed, constructed or
195 substantially modified so that it may be used and is used for the purposes of temporary housing
196 quarters, including therein sleeping and eating facilities which are either permanently attached
197 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.
198 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor
199 vehicle if the motor vehicle could otherwise be so registered;

200 ~~[(49)]~~ (50) "Recreational off-highway vehicle", any motorized vehicle manufactured and
201 used exclusively for off-highway use which is more than fifty inches but no more than eighty
202 inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry
203 weight of three thousand five hundred pounds or less, traveling on four or more nonhighway tires
204 and which may have access to ATV trails;

205 ~~[(50)]~~ (51) "Recreational trailer", any trailer designed, constructed, or substantially
206 modified so that it may be used and is used for the purpose of temporary housing quarters,
207 including therein sleeping or eating facilities, which can be temporarily attached to a motor
208 vehicle or attached to a unit which is securely attached to a motor vehicle;

209 ~~[(51)]~~ (52) "Rollback or car carrier", any vehicle specifically designed to transport
210 wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected
211 to a wrecker or towing service;

212 ~~[(52)]~~ (53) "Saddlemount combination", a combination of vehicles in which a truck or
213 truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame

214 or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front
215 axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a
216 fifth wheel kingpin connection. When two vehicles are towed in this manner the combination
217 is called a "double saddlemount combination". When three vehicles are towed in this manner,
218 the combination is called a "triple saddlemount combination";

219 ~~[(53)]~~ **(54)** "Salvage dealer and dismantler", a business that dismantles used motor
220 vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and
221 accessories;

222 ~~[(54)]~~ **(55)** "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

223 (a) Was damaged during a year that is no more than six years after the manufacturer's
224 model year designation for such vehicle to the extent that the total cost of repairs to rebuild or
225 reconstruct the vehicle to its condition immediately before it was damaged for legal operation
226 on the roads or highways exceeds eighty percent of the fair market value of the vehicle
227 immediately preceding the time it was damaged;

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

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

233 (d) Ownership of which is evidenced by a salvage title; or

234 (e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157
235 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild
236 or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling
237 inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on
238 parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair
239 market value" means the retail value of a motor vehicle as:

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

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

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

248 ~~[(55)]~~ **(56)** "School bus", any motor vehicle used solely to transport students to or from
249 school or to transport students to or from any place for educational purposes;

250 ~~[(56)]~~ **(57)** "Scrap processor", a business that, through the use of fixed or mobile
251 equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing
252 or transportation to a shredder or scrap metal operator for recycling;

253 ~~[(57)]~~ **(58)** "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
254 corporation as an incidental service to transport patrons or customers of the regular business of
255 such person, firm, or corporation to and from the place of business of the person, firm, or
256 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
257 buses or as commercial motor vehicles;

258 ~~[(58)]~~ **(59)** "Special mobile equipment", every self-propelled vehicle not designed or
259 used primarily for the transportation of persons or property and incidentally operated or moved
260 over the highways, including farm equipment, implements of husbandry, road construction or
261 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,
262 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt
263 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
264 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump
265 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and
266 shall not operate to exclude other such vehicles which are within the general terms of this
267 section;

268 ~~[(59)]~~ **(60)** "Specially constructed motor vehicle", a motor vehicle which shall not have
269 been originally constructed under a distinctive name, make, model or type by a manufacturer of
270 motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

271 ~~[(60)]~~ **(61)** "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth
272 wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

273 ~~[(61)]~~ **(62)** "Tandem axle", a group of two or more axles, arranged one behind another,
274 the distance between the extremes of which is more than forty inches and not more than ninety-
275 six inches apart;

276 ~~[(62)]~~ **(63)** "Towaway trailer transporter combination", a combination of vehicles
277 consisting of a trailer transporter towing unit and two trailers or semitrailers, with a total weight
278 that does not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry
279 no property and constitute inventory property of a manufacturer, distributor, or dealer of such
280 trailers or semitrailers;

281 ~~[(63)]~~ **(64)** "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle
282 designed for drawing other vehicles, but not for the carriage of any load when operating
283 independently. When attached to a semitrailer, it supports a part of the weight thereof;

284 ~~[(64)]~~ **(65)** "Trailer", any vehicle without motive power designed for carrying property
285 or passengers on its own structure and for being drawn by a self-propelled vehicle, except those

286 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
287 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
288 rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers
289 as defined in this section and shall not include manufactured homes as defined in section
290 700.010;

291 ~~[(65)]~~ **(66)** "Trailer transporter towing unit", a power unit that is not used to carry
292 property when operating in a towaway trailer transporter combination;

293 ~~[(66)]~~ **(67)** "Truck", a motor vehicle designed, used, or maintained for the transportation
294 of property;

295 ~~[(67)]~~ **(68)** "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the
296 two trailing units are connected with a B-train assembly which is a rigid frame extension
297 attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point
298 for the second semitrailer and has one less articulation point than the conventional A-dolly
299 connected truck-tractor semitrailer-trailer combination;

300 ~~[(68)]~~ **(69)** "Truck-trailer boat transporter combination", a boat transporter combination
301 consisting of a straight truck towing a trailer using typically a ball and socket connection with
302 the trailer axle located substantially at the trailer center of gravity rather than the rear of the
303 trailer but so as to maintain a downward force on the trailer tongue;

304 ~~[(69)]~~ **(70)** "Used parts dealer", a business that buys and sells used motor vehicle parts
305 or accessories, but not including a business that sells only new, remanufactured or rebuilt parts.
306 Business does not include isolated sales at a swap meet of less than three days;

307 ~~[(70)]~~ **(71)** "Utility vehicle", any motorized vehicle manufactured and used exclusively
308 for off-highway use which is more than fifty inches but no more than eighty inches in width,
309 measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three
310 thousand five hundred pounds or less, traveling on four or six wheels, to be used primarily for
311 landscaping, lawn care, or maintenance purposes;

312 ~~[(71)]~~ **(72)** "Vanpool", any van or other motor vehicle used or maintained by any person,
313 group, firm, corporation, association, city, county or state agency, or any member thereof, for the
314 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
315 and from their place of employment; however, a vanpool shall not be included in the definition
316 of the term bus or commercial motor vehicle as defined in this section, nor shall a vanpool driver
317 be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool
318 vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an
319 unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-
320 sharing arrangement;

321 ~~[(72)]~~ (73) "Vehicle", any mechanical device on wheels, designed primarily for use, or
322 used, on highways, except motorized bicycles, **electric bicycles**, vehicles propelled or drawn by
323 horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers
324 or motorized wheelchairs operated by handicapped persons;

325 ~~[(73)]~~ (74) "Wrecker" or "tow truck", any emergency commercial vehicle equipped,
326 designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from
327 a highway, road, street or highway rights-of-way to a point of storage or repair, including towing
328 a replacement vehicle to replace a disabled or wrecked vehicle;

329 ~~[(74)]~~ (75) "Wrecker or towing service", the act of transporting, towing or recovering
330 with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the
331 wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives
332 compensation or other personal gain.

301.033. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the
2 **contrary, the director of revenue shall establish a system of registration on a calendar year**
3 **basis of all farm vehicles, as defined in section 302.700, owned or purchased by a farm**
4 **vehicle fleet owner registered under this section. The director of revenue shall prescribe**
5 **the forms for such farm vehicle fleet registration and the forms and procedures for the**
6 **registration updates prescribed in this section. Any owner of more than one farm vehicle**
7 **which is required to be registered under this chapter may, at his or her option, register a**
8 **fleet of farm vehicles on a calendar year or biennial basis under this section in lieu of the**
9 **registration periods provided in sections 301.030, 301.035, and 301.147. The director shall**
10 **issue an identification number to each registered owner of a fleet of farm vehicles**
11 **registered under this section.**

12 **2. All farm vehicles included in the fleet of a registered farm vehicle fleet owner**
13 **shall be registered during April of the corresponding year or on a prorated basis as**
14 **provided in subsection 3 of this section. Fees of all vehicles in the farm vehicle fleet to be**
15 **registered on a calendar year basis or on a biennial basis shall be payable not later than**
16 **the last day of April of the corresponding year, with two years' fees due for biennially-**
17 **registered vehicles. Notwithstanding the provisions of section 307.355, an application for**
18 **registration of a farm vehicle fleet shall be accompanied by a certificate of inspection and**
19 **approval issued no more than one hundred twenty days prior to the date of application.**
20 **The fees for vehicles added to the farm vehicle fleet which are required to be licensed at**
21 **the time of registration shall be payable at the time of registration, except that when such**
22 **vehicle is licensed between July first and September thirtieth the fee shall be three-fourths**
23 **the annual fee, when licensed between October first and December thirty-first the fee shall**
24 **be one-half the annual fee, and when licensed on or after January first the fee shall be one-**

25 **fourth the annual fee. If biennial registration is sought for vehicles added to a farm vehicle**
26 **fleet, an additional year's annual fee shall be added to the partial year's prorated fee.**

27 **3. At any time during the calendar year in which an owner of a farm vehicle fleet**
28 **purchases or otherwise acquires a farm vehicle which is to be added to the farm vehicle**
29 **fleet or transfers plates to a fleet vehicle, the owner shall present to the director of revenue**
30 **the identification number as a fleet number and may register the vehicle for the partial**
31 **year as provided in subsection 2 of this section. The farm vehicle fleet owner shall also be**
32 **charged a transfer fee of two dollars for each vehicle so transferred under this subsection.**

33 **4. Except as specifically provided in this subsection, all farm vehicles registered**
34 **under this section shall be issued a special license plate which shall have the words "Farm**
35 **Fleet Vehicle" and shall meet the requirements prescribed by section 301.130. Farm fleet**
36 **vehicles shall be issued multiyear license plates as provided in this section which shall not**
37 **require issuance of a renewal tab. Upon payment of appropriate registration fees, the**
38 **director of revenue shall issue a registration certificate or other suitable evidence of**
39 **payment of the annual or biennial fee, and such evidence of payment shall be carried at all**
40 **times in the vehicle for which it is issued.**

41 **5. The director shall make all necessary rules and regulations for the**
42 **administration of this section and shall design all necessary forms required by this section.**
43 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**
44 **under the authority delegated in this section shall become effective only if it complies with**
45 **and is subject to all the provisions of chapter 536 and, if applicable, section 536.028. This**
46 **section and chapter 536 are nonseverable, and if any of the powers vested with the general**
47 **assembly under chapter 536 to review, to delay the effective date, or to disapprove and**
48 **annul a rule are subsequently held unconstitutional, then the grant of rulemaking**
49 **authority and any rule proposed or adopted after August 28, 2021, shall be invalid and**
50 **void.**

301.062. 1. The annual registration fee for a local log truck, registered pursuant to this
2 chapter, is three hundred dollars.

3 2. A local log truck may receive an extended distance local log truck permit for an
4 additional fee of three hundred dollars. A local log truck with an extended distance local log
5 truck permit shall be allowed to transport harvested or processed forest products outside of the
6 ~~[one hundred mile]~~ radius from the forested site **specified in section 301.010** at the weight limits
7 for commercial vehicles specified in section 304.180. For the purposes of this section,
8 "processed forest products" shall mean wood products that are produced from the initial
9 processing of a round log and have received no additional manufacturing or packaging to prepare

10 the material for any retail market including, but not limited to, sawdust, wood chips, bark, slabs,
11 and green square edged lumber products.

301.131. 1. Any motor vehicle over twenty-five years old which is owned solely as a
2 collector's item and which is used and intended to be used for exhibition and educational
3 purposes shall be permanently registered upon payment of a registration fee of twenty-five
4 dollars. Upon the transfer of the title to any such vehicle the registration shall be cancelled and
5 the license plates issued therefor shall be returned to the director of revenue.

6 2. The owner of any such vehicle shall file an application in a form prescribed by the
7 director, if such vehicle meets the requirements of this section, and a certificate of registration
8 shall be issued therefor. Such certificate need not specify the horsepower of the motor vehicle.

9 3. The director shall issue to the owner of any motor vehicle registered pursuant to this
10 section the same number of license plates which would be issued with a regular annual
11 registration, containing the number assigned to the registration certificate issued by the director
12 of revenue. Such license plates shall be made with fully reflective material with a common color
13 scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as
14 prescribed by section 301.130.

15 4. ~~[Historic vehicles may be driven to and from repair facilities one hundred miles from~~
16 ~~the vehicle's location, and in addition may be driven up to one thousand miles per year for~~
17 ~~personal use. The owner of the historic vehicle shall be responsible for keeping a log of the~~
18 ~~miles driven for personal use each calendar year. Such log must be kept in the historic vehicle~~
19 ~~when the vehicle is driven on any state road. The historic vehicle's mileage driven in an antique~~
20 ~~auto tour or event and mileage driven to and from such a tour or event shall not be considered~~
21 ~~mileage driven for the purpose of the mileage limitations in this section. Violation of this section~~
22 ~~shall be punishable under section 301.440 and in addition to any other penalties prescribed by~~
23 ~~law, upon plea or finding of guilt thereof, the director of revenue shall revoke the historic motor~~
24 ~~vehicle license plates of such violator which were issued pursuant to this section.~~

25 ~~5.]~~ Notwithstanding any provisions of this section to the contrary, any person possessing
26 a license plate issued by the state of Missouri that is over twenty-five years old, in which the year
27 of the issuance of such plate is consistent with the year of the manufacture of the vehicle, the
28 owner of the vehicle may register such plate as an historic vehicle plate as set forth in
29 subsections 1 and 2 of this section, provided that the configuration of letters, numbers or
30 combination of letters and numbers of such plate are not identical to the configuration of letters,
31 numbers or combination of letters and numbers of any plates already issued to an owner by the
32 director. Such license plate shall not be required to possess the characteristic features of
33 reflective material and common color scheme and design as prescribed in section 301.130. The
34 owner of the historic vehicle registered pursuant to this subsection shall keep the certificate of

35 registration in the vehicle at all times. The certificate of registration shall be prima facie
36 evidence that the vehicle has been properly registered with the director and that all fees have
37 been paid.

301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary,
2 beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than
3 commercial motor vehicles licensed in excess of fifty-four thousand pounds gross weight, the
4 option of biennially registering motor vehicles[~~: Any vehicle manufactured as an even-numbered~~
5 ~~model year vehicle shall be renewed each even-numbered calendar year and any such vehicle~~
6 ~~manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered~~
7 ~~calendar year~~], subject to the following requirements:

8 (1) The fee collected at the time of biennial registration shall include the annual
9 registration fee plus a pro rata amount for the additional twelve months of the biennial
10 registration;

11 (2) Presentation of all documentation otherwise required by law for vehicle registration
12 including, but not limited to, a personal property tax receipt or certified statement for the
13 preceding year that no such taxes were due as set forth in section 301.025, proof of a motor
14 vehicle safety inspection and any applicable emission inspection conducted within sixty days
15 prior to the date of application and proof of insurance as required by section 303.026.

16 2. The director of revenue may prescribe rules and regulations for the effective
17 administration of this section. The director is authorized to adopt those rules that are reasonable
18 and necessary to accomplish the limited duties specifically delegated within this section. Any
19 rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant
20 to the authority delegated in this section shall become effective only if it has been promulgated
21 pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and
22 if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay
23 the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then
24 the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be
25 invalid and void.

26 3. The director of revenue shall have the authority to stagger the registration period of
27 motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand
28 pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial
29 registration, such registration must be maintained for the full twenty-four month period.

301.192. 1. In addition to any other requirements of section 301.190, when application
2 is made for a certificate of ownership for a motor vehicle or trailer seven years old or older and
3 the value of vehicle does not exceed three thousand dollars, for which no record of any prior
4 application for a certificate of ownership exists in the records of the director of revenue or for

5 which the records of the director of revenue reflect incomplete or conflicting documentation of
6 ownership, the director of revenue may issue a certificate of ownership, not less than thirty days
7 after receiving the completed application, provided it is accompanied by:

- 8 (1) An affidavit explaining how the motor vehicle or trailer was acquired and the reasons
9 a valid certificate of ownership cannot be furnished;
- 10 (2) Presentation of all evidence of ownership in the applicant's possession;
- 11 (3) Title verification from a state in which the vehicle was previously titled or registered
12 if known, provided the vehicle was so previously titled or registered;
- 13 (4) A notarized lien release from any lienholder of record;
- 14 (5) A vehicle examination certificate issued by the Missouri state highway patrol, or
15 other law enforcement agency as authorized by the director of revenue. The vehicle examination
16 shall include a verification of the vehicle's identification number and a determination that the
17 vehicle has not been reported stolen in Missouri or any other state. The fee for the vehicle
18 examination certificate shall be twenty-five dollars and shall be collected by the director of
19 revenue at the time of the request for the application;
- 20 (6) A statement certifying the odometer reading of the motor vehicle if **the motor**
21 **vehicle has a model year of 2011 or newer and is** less than ~~ten~~ **twenty** years of age; and
- 22 (7) A surety bond or a suitable financial security instrument in a form prescribed by the
23 director of revenue and executed by the applicant and a person authorized to conduct surety
24 business in this state. The bond shall be an amount equal to two times the value of the vehicle
25 as determined by the Kelly Blue Book, NADA Used Car Guide or two appraisals from a licensed
26 motor vehicle dealer. The bond shall be for a minimum of one hundred dollars and conditioned
27 to indemnify any prior owner or lienholder and any subsequent purchaser of the vehicle or person
28 acquiring any security interest in it, and their respective successors in interest, against any
29 expense, loss or damage including reasonable attorneys fees, by reason of the issuance of the
30 certificate of ownership of the vehicle or on account of any defect in or undisclosed security
31 interest upon the right, title and interest of the applicant in and to the vehicle. Any such
32 interested person has a right of action to recover on the bond for any breach of its conditions, but
33 the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The
34 bond shall be returned at the end of three years, unless the department has been notified of the
35 pendency of an action to recover on the bond.

36 2. Upon satisfaction with the genuineness of the application and supporting documents,
37 the director of revenue shall issue a new certificate of ownership. The certificate of ownership
38 shall appropriately be designated with the words "BONDED VEHICLE".

301.280. 1. Every motor vehicle dealer and boat dealer shall make a monthly report to
2 the department of revenue, on blanks to be prescribed by the department of revenue, giving the

3 following information: date of the sale of each motor vehicle, boat, trailer and all-terrain vehicle
4 sold; the name and address of the buyer; the name of the manufacturer; year of manufacture;
5 model of vehicle; vehicle identification number; style of vehicle; odometer setting; and it shall
6 also state whether the motor vehicle, boat, trailer or all-terrain vehicle is new or secondhand.
7 Each monthly sales report filed by a motor vehicle dealer who collects sales tax under subsection
8 10 of section 144.070 shall also include the amount of state and local sales tax collected for each
9 motor vehicle sold if sales tax was due. The odometer reading is not required when reporting
10 the sale of any motor vehicle **with a model year prior to 2011, any motor vehicle** that is ~~ten~~
11 **twenty** years old or older, any motor vehicle having a gross vehicle weight rating of more than
12 sixteen thousand pounds, new vehicles that are transferred on a manufacturer's statement of
13 origin between one franchised motor vehicle dealer and another, or boats, all-terrain vehicles or
14 trailers. The sale of all temporary permits shall be recorded in the appropriate space on the
15 dealer's monthly sales report, unless the sale of the temporary permit is already recorded by
16 electronic means as determined by the department. The monthly sales report shall include a
17 statement of motor vehicles or trailers sold during the month under subsection 5 of section
18 301.210. The monthly sales report shall be completed in full and signed by an officer, partner,
19 or owner of the dealership, and actually received by the department of revenue on or before the
20 fifteenth day of the month succeeding the month for which the sales are being reported. If no
21 sales occur in any given month, a report shall be submitted for that month indicating no sales.
22 Any vehicle dealer who fails to file a monthly report or who fails to file a timely report shall be
23 subject to disciplinary action as prescribed in section 301.562 or a penalty assessed by the
24 director not to exceed three hundred dollars per violation. Every motor vehicle and boat dealer
25 shall retain copies of the monthly sales report as part of the records to be maintained at the
26 dealership location and shall hold them available for inspection by appropriate law enforcement
27 officials and officials of the department of revenue. Every vehicle dealer selling twenty or more
28 vehicles a month shall file the monthly sales report with the department in an electronic format.
29 Any dealer filing a monthly sales report in an electronic format shall be exempt from filing the
30 notice of transfer required by section 301.196. For any dealer not filing electronically, the notice
31 of transfer required by section 301.196 shall be submitted with the monthly sales report as
32 prescribed by the director.

33 2. Every dealer and every person operating a public garage shall keep a correct record
34 of the vehicle identification number, odometer setting, manufacturer's name of all motor vehicles
35 or trailers accepted by him for the purpose of sale, rental, storage, repair or repainting, together
36 with the name and address of the person delivering such motor vehicle or trailer to the dealer or
37 public garage keeper, and the person delivering such motor vehicle or trailer shall record such
38 information in a file kept by the dealer or garage keeper. The record shall be kept for five years

39 and be open for inspection by law enforcement officials, members or authorized or designated
40 employees of the Missouri highway patrol, and persons, agencies and officials designated by the
41 director of revenue.

42 3. Every dealer and every person operating a public garage in which a motor vehicle
43 remains unclaimed for a period of fifteen days shall, within five days after the expiration of that
44 period, report the motor vehicle as unclaimed to the director of revenue. Such report shall be on
45 a form prescribed by the director of revenue. A motor vehicle left by its owner whose name and
46 address are known to the dealer or his employee or person operating a public garage or his
47 employee is not considered unclaimed. Any dealer or person operating a public garage who fails
48 to report a motor vehicle as unclaimed as herein required forfeits all claims and liens for its
49 garaging, parking or storing.

50 4. The director of revenue shall maintain appropriately indexed cumulative records of
51 unclaimed vehicles reported to the director. Such records shall be kept open to public inspection
52 during reasonable business hours.

53 5. The alteration or obliteration of the vehicle identification number on any such motor
54 vehicle shall be prima facie evidence of larceny, and the dealer or person operating such public
55 garage shall upon the discovery of such obliteration or alteration immediately notify the highway
56 patrol, sheriff, marshal, constable or chief of police of the municipality where the dealer or
57 garage keeper has his place of business, and shall hold such motor vehicle or trailer for a period
58 of forty-eight hours for the purpose of an investigation by the officer so notified.

59 6. Any person who knowingly makes a false statement or omission of a material fact in
60 a monthly sales report to the department of revenue, as described in subsection 1 of this section,
61 shall be deemed guilty of a class A misdemeanor.

301.558. 1. A motor vehicle dealer, boat dealer, or powersport dealer may fill in the
2 blanks on standardized forms in connection with the sale or lease of a new or used motor vehicle,
3 vessel, or vessel trailer if the motor vehicle dealer, boat dealer, or powersport dealer does not
4 charge for the services of filling in the blanks or otherwise charge for preparing documents.

5 2. A motor vehicle dealer, boat dealer, or powersport dealer may charge an
6 administrative fee in connection with the sale or lease of a new or used motor vehicle, vessel,
7 or vessel trailer for the storage of documents or any other administrative or clerical services not
8 prohibited by this section. A portion of the administrative fee may result in profit to the motor
9 vehicle dealer, boat dealer, or powersport dealer.

10 3. **(1) Ten percent of any fee authorized under this section and charged by motor**
11 **vehicle dealers shall be remitted to the motor vehicle administration technology fund**
12 **established in this subsection, for the development of the system specified in this**
13 **subsection. Following the development of the system specified in this subsection, the**

14 **director of the department of revenue shall notify motor vehicle dealers and implement the**
15 **system, and the percentage of any fee authorized under this section required to be remitted**
16 **to the fund shall be reduced to one percent, which shall be used for maintenance of the**
17 **system. This subsection shall expire on January 1, 2037.**

18 **(2) There is hereby created in the state treasury the "Motor Vehicle Administration**
19 **Technology Fund", which shall consist of money collected as specified in this subsection.**
20 **The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and**
21 **30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund**
22 **and money in the fund shall be used solely by the department of revenue for the purpose**
23 **of development and maintenance of a modernized, integrated system for the titling of**
24 **vehicles, issuance and renewal of vehicle registrations, issuance and renewal of driver's**
25 **licenses and identification cards, and perfection and release of liens and encumbrances on**
26 **vehicles.**

27 **(3) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
28 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
29 **general revenue fund.**

30 **(4) The state treasurer shall invest moneys in the fund in the same manner as other**
31 **funds are invested. Any interest and moneys earned on such investments shall be credited**
32 **to the fund.**

33 **4. No motor vehicle dealer, boat dealer, or powersport dealer that sells or leases new or**
34 **used motor vehicles, vessels, or vessel trailers and imposes an administrative fee of [~~less than~~**
35 **~~two~~] five hundred dollars or less in connection with the sale or lease of a new or used vehicle,**
36 **vessel, or vessel trailer for the storage of documents or any other administrative or clerical**
37 **services shall be deemed to be engaging in the unauthorized practice of law. The maximum**
38 **administrative fee permitted under this subsection shall be increased annually by an**
39 **amount equal to the percentage change in the annual average of the Consumer Price Index**
40 **for All Urban Consumers or its successor index, as reported by the federal Bureau of**
41 **Labor Statistics or its successor agency, or by zero, whichever is greater. The director of**
42 **the department of revenue shall annually furnish the maximum administrative fee**
43 **determined under this section to the secretary of state, who shall publish such value in the**
44 **Missouri register as soon as practicable after January fourteenth of each year.**

45 **[4-] 5. If an administrative fee is charged under this section, the same administrative fee**
46 **shall be charged to all retail customers [~~and~~] unless the fee is limited by the dealer's franchise**
47 **agreement to certain classes of customers. The fee shall be disclosed on the retail buyer's**
48 **order form as a separate itemized charge.**

49 ~~[5-]~~ 6. A preliminary worksheet on which a sale price is computed and that is shown to
50 the purchaser, a retail buyer's order form from the purchaser, or a retail installment contract shall
51 include, in reasonable proximity to the place on the document where the administrative fee
52 authorized by this section is disclosed, the amount of the administrative fee and the following
53 notice in type that is boldfaced, capitalized, underlined, or otherwise conspicuously set out from
54 the surrounding written material:

55 "AN ADMINISTRATIVE FEE IS NOT AN OFFICIAL FEE AND IS NOT REQUIRED BY
56 LAW BUT MAY BE CHARGED BY A DEALER. THIS ADMINISTRATIVE FEE MAY
57 RESULT IN A PROFIT TO DEALER. NO PORTION OF THIS ADMINISTRATIVE FEE IS
58 FOR THE DRAFTING, PREPARATION, OR COMPLETION OF DOCUMENTS OR THE
59 PROVIDING OF LEGAL ADVICE. THIS NOTICE IS REQUIRED BY LAW."

60 ~~[6-]~~ 7. The general assembly believes that an administrative fee charged in compliance
61 with this section is not the unauthorized practice of law or the unauthorized business of law so
62 long as the activity or service for which the fee is charged is in compliance with the provisions
63 of this section and does not result in the waiver of any rights or remedies. Recognizing,
64 however, that the judiciary is the sole arbitrator of what constitutes the practice of law, in the
65 event that a court determines that an administrative fee charged in compliance with this section,
66 and that does not waive any rights or remedies of the buyer, is the unauthorized practice of law
67 or the unauthorized business of law, then no person who paid that administrative fee may recover
68 said fee or treble damages, as permitted under section 484.020, and no person who charged that
69 fee shall be guilty of a misdemeanor, as provided under section 484.020.

302.010. Except where otherwise provided, when used in this chapter, the following
2 words and phrases mean:

3 (1) "Circuit court", each circuit court in the state;

4 (2) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying
5 freight and merchandise, or more than fifteen passengers;

6 (3) "Conviction", any final conviction; also a forfeiture of bail or collateral deposited to
7 secure a defendant's appearance in court, which forfeiture has not been vacated, shall be
8 equivalent to a conviction, except that when any conviction as a result of which points are
9 assessed pursuant to section 302.302 is appealed, the term "conviction" means the original
10 judgment of conviction for the purpose of determining the assessment of points, and the date of
11 final judgment affirming the conviction shall be the date determining the beginning of any
12 license suspension or revocation pursuant to section 302.304;

13 (4) "Criminal history check", a search of criminal records, including criminal history
14 record information as defined in section 43.500, maintained by the Missouri state highway patrol
15 in the Missouri criminal records repository or by the Federal Bureau of Investigation as part of

16 its criminal history records, including, but not limited to, any record of conviction, plea of guilty
17 or nolo contendere, or finding of guilty in any state for any offense related to alcohol, controlled
18 substances, or drugs;

19 (5) "Director", the director of revenue acting directly or through the director's authorized
20 officers and agents;

21 (6) "Farm tractor", every motor vehicle designed and used primarily as a farm implement
22 for drawing plows, mowing machines and other implements of husbandry;

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

25 (8) "Incompetent to drive a motor vehicle", a person who has become physically
26 incapable of meeting the prescribed requirements of an examination for an operator's license, or
27 who has been adjudged by a probate division of the circuit court in a capacity hearing of being
28 incapacitated;

29 (9) "License", a license issued by a state to a person which authorizes a person to operate
30 a motor vehicle;

31 (10) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks
32 except motorized bicycles, as defined in section 307.180 **and electric bicycles, as defined in**
33 **section 301.010;**

34 (11) "Motorcycle", a motor vehicle operated on two wheels; however, this definition
35 shall not include motorized bicycles **or electric bicycles** as **such terms are** defined in section
36 301.010;

37 (12) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle
38 operated with any conveyance, temporary or otherwise, requiring the use of a third wheel, **but**
39 **excluding an electric bicycle as defined in section 301.010;**

40 (13) "Moving violation", that character of traffic violation where at the time of violation
41 the motor vehicle involved is in motion, except that the term does not include the driving of a
42 motor vehicle without a valid motor vehicle registration license, or violations of sections 304.170
43 to 304.240, inclusive, relating to sizes and weights of vehicles;

44 (14) "Municipal court", every division of the circuit court having original jurisdiction
45 to try persons for violations of city ordinances;

46 (15) "Nonresident", every person who is not a resident of this state;

47 (16) "Operator", every person who is in actual physical control of a motor vehicle upon
48 a highway;

49 (17) "Owner", a person who holds the legal title of a vehicle or in the event a vehicle is
50 the subject of an agreement for the conditional sale or lease thereof with the right of purchase
51 upon performance of the conditions stated in the agreement and with an immediate right of

52 possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle
53 is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed
54 the owner for the purpose of sections 302.010 to 302.540;

55 (18) "Record" includes, but is not limited to, papers, documents, facsimile information,
56 microphotographic process, electronically generated or electronically recorded information,
57 digitized images, deposited or filed with the department of revenue;

58 (19) "Residence address", "residence", or "resident address" shall be the location at
59 which a person has been physically present, and that the person regards as home. A residence
60 address is a person's true, fixed, principal, and permanent home, to which a person intends to
61 return and remain, even though currently residing elsewhere;

62 (20) "Restricted driving privilege", a sixty-day driving privilege issued by the director
63 of revenue following a suspension of driving privileges for the limited purpose of driving in
64 connection with the driver's business, occupation, employment, formal program of secondary,
65 postsecondary or higher education, or for an alcohol education or treatment program or certified
66 ignition interlock provider, or a ninety-day interlock restricted privilege issued by the director
67 of revenue for the limited purpose of driving in connection with the driver's business, occupation,
68 employment, seeking medical treatment for such driver or a dependent family member, attending
69 school or other institution of higher education, attending alcohol- or drug-treatment programs,
70 seeking the required services of a certified ignition interlock provider, fulfilling court obligations,
71 including required appearances and probation and parole obligations, religious services, the care
72 of a child or children, including scheduled visitation or custodial obligations pursuant to a court
73 order, fueling requirements for any vehicle utilized, and seeking basic nutritional requirements;

74 (21) "School bus", when used in sections 302.010 to 302.540, means any motor vehicle,
75 either publicly or privately owned, used to transport students to and from school, or to transport
76 pupils properly chaperoned to and from any place within the state for educational purposes. The
77 term "school bus" shall not include a bus operated by a public utility, municipal corporation or
78 common carrier authorized to conduct local or interstate transportation of passengers when such
79 bus is not traveling a specific school bus route but is:

80 (a) On a regularly scheduled route for the transportation of fare-paying passengers; or

81 (b) Furnishing charter service for the transportation of persons enrolled as students on
82 field trips or other special trips or in connection with other special events;

83 (22) "School bus operator", an operator who operates a school bus as defined in
84 subdivision (21) of this section in the transportation of any schoolchildren and who receives
85 compensation for such service. The term "school bus operator" shall not include any person who
86 transports schoolchildren as an incident to employment with a school or school district, such as

87 a teacher, coach, administrator, secretary, school nurse, or janitor unless such person is under
88 contract with or employed by a school or school district as a school bus operator;

89 (23) "Signature", any method determined by the director of revenue for the signing,
90 subscribing or verifying of a record, report, application, driver's license, or other related
91 document that shall have the same validity and consequences as the actual signing by the person
92 providing the record, report, application, driver's license or related document;

93 (24) "Substance abuse traffic offender program", a program certified by the division of
94 alcohol and drug abuse of the department of mental health to provide education or rehabilitation
95 services pursuant to a professional assessment screening to identify the individual needs of the
96 person who has been referred to the program as the result of an alcohol- or drug-related traffic
97 offense. Successful completion of such a program includes participation in any education or
98 rehabilitation program required to meet the needs identified in the assessment screening. The
99 assignment recommendations based upon such assessment shall be subject to judicial review as
100 provided in subsection 14 of section 302.304 and subsections 1 and 5 of section 302.540;

101 (25) "Vehicle", any mechanical device on wheels, designed primarily for use, or used
102 on highways, except motorized bicycles, **electric bicycles**, vehicles propelled or drawn by horses
103 or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or
104 motorized wheelchairs operated by handicapped persons.

302.755. 1. A person is disqualified from driving a commercial motor vehicle for a
2 period of not less than one year if convicted of a first violation of:

3 (1) Driving a motor vehicle under the influence of alcohol or a controlled substance, or
4 of an alcohol-related enforcement contact as defined in subsection 3 of section 302.525;

5 (2) Driving a commercial motor vehicle which causes a fatality through the negligent
6 operation of the commercial motor vehicle, including but not limited to the offenses of vehicular
7 manslaughter, homicide by motor vehicle, and negligent homicide;

8 (3) Driving a commercial motor vehicle while revoked pursuant to section 302.727;

9 (4) Leaving the scene of an accident involving a commercial or noncommercial motor
10 vehicle operated by the person;

11 (5) Using a commercial or noncommercial motor vehicle in the commission of any
12 felony, as defined in section 302.700, except a felony as provided in subsection 4 of this section.

13 2. If any of the violations described in subsection 1 of this section occur while
14 transporting a hazardous material the person is disqualified for a period of not less than three
15 years.

16 3. Any person is disqualified from operating a commercial motor vehicle for life if
17 convicted of two or more violations of any of the offenses specified in subsection 1 of this
18 section, or any combination of those offenses, arising from two or more separate incidents. The

19 director may issue rules and regulations, in accordance with guidelines established by the
20 Secretary, under which a disqualification for life under this section may be reduced to a period
21 of not less than ten years.

22 4. Any person is disqualified from driving a commercial motor vehicle for life who uses
23 a commercial or noncommercial motor vehicle in the commission of any felony involving the
24 manufacture, distribution, or dispensing of a controlled substance, or possession with intent to
25 manufacture, distribute, or dispense a controlled substance.

26 5. Any person is disqualified from operating a commercial motor vehicle for a period
27 of not less than sixty days if convicted of two serious traffic violations or one hundred twenty
28 days if convicted of three serious traffic violations, arising from separate incidents occurring
29 within a three-year period.

30 6. Any person found to be operating a commercial motor vehicle while having any
31 measurable alcohol concentration shall immediately be issued a continuous twenty-four-hour
32 out-of-service order by a law enforcement officer in this state.

33 7. Any person who is convicted of operating a commercial motor vehicle beginning at
34 the time of issuance of the out-of-service order until its expiration is guilty of a class A
35 misdemeanor.

36 8. Any person convicted for the first time of driving while out of service shall be
37 disqualified from driving a commercial motor vehicle in the manner prescribed in 49 CFR 383,
38 or as amended by the Secretary.

39 9. Any person convicted of driving while out of service on a second occasion during any
40 ten-year period, involving separate incidents, shall be disqualified in the manner prescribed in
41 49 CFR 383, or as amended by the Secretary.

42 10. Any person convicted of driving while out of service on a third or subsequent
43 occasion during any ten-year period, involving separate incidents, shall be disqualified for a
44 period of three years.

45 11. Any person convicted of a first violation of an out-of-service order while transporting
46 hazardous materials or while operating a motor vehicle designed to transport sixteen or more
47 passengers, including the driver, is disqualified for a period of one hundred eighty days.

48 12. Any person convicted of any subsequent violation of an out-of-service order in a
49 separate incident within ten years after a previous violation, while transporting hazardous
50 materials or while operating a motor vehicle designed to transport fifteen passengers, including
51 the driver, is disqualified for a period of three years.

52 13. Any person convicted of any other offense as specified by regulations promulgated
53 by the Secretary of Transportation shall be disqualified in accordance with such regulations.

54 14. After suspending, revoking, cancelling, or disqualifying a driver, the director shall
55 update records to reflect such action and notify a nonresident's licensing authority and the
56 commercial driver's license information system within ten days in the manner prescribed in 49
57 CFR 384, or as amended by the Secretary.

58 15. Any person disqualified from operating a commercial motor vehicle pursuant to
59 subsection 1, 2, 3 or 4 of this section shall have such commercial driver's license cancelled, and
60 upon conclusion of the period of disqualification shall take the written and driving tests and meet
61 all other requirements of sections 302.700 to 302.780. Such disqualification and cancellation
62 shall not be withdrawn by the director until such person reapplies for a commercial driver's
63 license in this or any other state after meeting all requirements of sections 302.700 to 302.780.

64 16. The director shall disqualify a driver upon receipt of notification that the Secretary
65 has determined a driver to be an imminent hazard pursuant to 49 CFR 383.52. Due process of
66 a disqualification determined by the Secretary pursuant to this section shall be held in accordance
67 with regulations promulgated by the Secretary. The period of disqualification determined by the
68 Secretary pursuant to this section shall be served concurrently to any other period of
69 disqualification which may be imposed by the director pursuant to this section. Both
70 disqualifications shall appear on the driving record of the driver.

71 17. The director shall disqualify a commercial license holder or operator of a commercial
72 motor vehicle from operation of any commercial motor vehicle upon receipt of a conviction for
73 an offense of failure to appear or pay, and such disqualification shall remain in effect until the
74 director receives notice that the person has complied with the requirement to appear or pay.

75 18. The disqualification period must be in addition to any other previous periods of
76 disqualification in the manner prescribed in 49 CFR 383, or as amended by the Secretary, except
77 when the major or serious violations are a result of the same incident.

78 **19. Any person is disqualified from driving a commercial motor vehicle for life if**
79 **convicted of using a commercial motor vehicle in the commission of a felony involving an**
80 **act or practice of severe forms of trafficking in persons, as defined in 22 U.S.C. Section**
81 **7102 (11). A disqualification for life under this subsection shall not be reduced.**

303.020. As used in this chapter the following words and phrases shall mean:

2 (1) "Chauffeur", a person who is employed for the principal purpose of operating a motor
3 vehicle or any person who drives a motor vehicle while in use as a public or common carrier of
4 persons or property for hire;

5 (2) "Director", director of revenue of the state of Missouri, acting directly or through his
6 authorized officers and agents;

7 (3) "Judgment", a final judgment by a court of competent jurisdiction of any state or of
8 the United States, upon a claim for relief for damages, including damages for care and loss of

9 services, because of bodily injury to or death of any person, or for damages because of injury to
10 or destruction of property, including the loss of use thereof, or upon a claim for relief on any
11 agreement or settlement for such damages arising out of the ownership, maintenance or use of
12 any motor vehicle;

13 (4) "License", an operator's or driver's license, temporary instruction permit, chauffeur's
14 or registered operator's license issued under the laws of this state;

15 (5) "Motor vehicle", a self-propelled vehicle which is designed for use upon a highway,
16 except trailers designed for use with such vehicles, traction engines, road rollers, farm tractors,
17 tractor cranes, power shovels, well drillers ~~[and]~~, motorized bicycles~~[-]~~ as defined in section
18 307.180, **electric bicycles as defined in section 301.010**, and every vehicle which is propelled
19 by electric power obtained from overhead wires but not operated upon rails;

20 (6) "Nonresident", a person not a resident of the state of Missouri;

21 (7) "Nonresident's operating privilege", the privilege conferred upon a nonresident by
22 the laws of this state pertaining to the operation by him of a motor vehicle, or the use of a motor
23 vehicle owned by him in this state;

24 (8) "Operator", a person who is in actual physical control of a motor vehicle;

25 (9) "Owner", a person who holds the legal title to a motor vehicle; or in the event a motor
26 vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of
27 purchase upon performance of the conditions stated in the agreement and with an immediate
28 right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a
29 motor vehicle is entitled to possession thereof, then such conditional vendee or lessee or
30 mortgagor;

31 (10) "Proof of financial responsibility", proof of ability to respond in damages for
32 liability, on account of accidents occurring subsequent to the effective date of said proof, arising
33 out of the ownership, maintenance or use of a motor vehicle, in the amount of twenty-five
34 thousand dollars because of bodily injury to or death of one person in any one accident, and,
35 subject to said limit for one person, in the amount of fifty thousand dollars because of bodily
36 injury to or death of two or more persons in any one accident, and in the amount of twenty-five
37 thousand dollars because of injury to or destruction of property of others in any one accident;

38 (11) "Registration", registration certificate or certificates and registration plates issued
39 under the laws of this state pertaining to the registration of motor vehicles;

40 (12) "State", any state, territory or possession of the United States, the District of
41 Columbia, or any province of the Dominion of Canada;

42 (13) "Street" or "highway", the entire width between property lines of every way or place
43 of whatever nature when any part thereof is open to the use of the public, as a matter of right, for
44 purposes of vehicular traffic.

303.025. 1. No owner of a motor vehicle registered in this state, or required to be registered in this state, shall operate, register or maintain registration of a motor vehicle, or permit another person to operate such vehicle, unless the owner maintains the financial responsibility which conforms to the requirements of the laws of this state. No nonresident shall operate or permit another person to operate in this state a motor vehicle registered to such nonresident unless the nonresident maintains the financial responsibility which conforms to the requirements of the laws of the nonresident's state of residence. Furthermore, no person shall operate a motor vehicle owned by another with the knowledge that the owner has not maintained financial responsibility unless such person has financial responsibility which covers the person's operation of the other's vehicle; however, no owner or nonresident shall be in violation of this subsection if he or she fails to maintain financial responsibility on a motor vehicle which is inoperable or being stored and not in operation. **The director of the department of revenue shall establish by rule a process for voluntary suspension of motor vehicle registration for vehicles which are inoperable or being stored and not in operation. The owner or nonresident shall not further operate the vehicle until the owner or nonresident notifies the department of revenue that the vehicle will be in use, and the department shall reinstate the motor vehicle registration upon receipt of proof of financial responsibility. Owners or nonresidents who operate a motor vehicle during a period of inoperability or storage claimed under this subsection shall be guilty of a class B misdemeanor and may additionally be guilty of a violation of this subsection. Notwithstanding any provision of law to the contrary, the department of revenue may verify motor vehicle financial responsibility as provided by law, but shall not otherwise take legal or administrative action to enforce the requirements of this section unless, in the discretion of the director, the motor vehicle is determined to have been operated in violation of this section, a motor vehicle registration is applied for in violation of this section, or the motor vehicle on two separate occasions thirty days apart is determined to have its registration maintained in violation of this section.** The director may prescribe rules and regulations for the implementation of this section.

2. A motor vehicle owner shall maintain the owner's financial responsibility in a manner provided for in section 303.160, or with a motor vehicle liability policy which conforms to the requirements of the laws of this state. A nonresident motor vehicle owner shall maintain the owner's financial responsibility which conforms to the requirements of the laws of the nonresident's state of residence.

3. Any person who violates this section is guilty of a misdemeanor. A first violation of this section shall be punishable as a class D misdemeanor. A second or subsequent violation of this section ~~shall~~ **may be [punishable] punished** by imprisonment in the county jail for a term

37 not to exceed fifteen days ~~[and/or]~~ **and shall be punished by a fine not less than two hundred**
38 **dollars but** not to exceed five hundred dollars. Prior pleas of guilty and prior findings of guilty
39 shall be pleaded and proven in the same manner as required by section 558.021. However, no
40 person shall be found guilty of violating this section if the operator demonstrates to the court that
41 he or she met the financial responsibility requirements of this section at the time the peace
42 officer, commercial vehicle enforcement officer or commercial vehicle inspector wrote the
43 citation. In addition to any other authorized punishment, the court shall notify the director of
44 revenue of any person convicted pursuant to this section and shall do one of the following:

45 (1) Enter an order suspending the driving privilege as of the date of the court order. If
46 the court orders the suspension of the driving privilege, the court shall require the defendant to
47 surrender to it any driver's license then held by such person. The length of the suspension shall
48 be as prescribed in subsection 2 of section 303.042. The court shall forward to the director of
49 revenue the order of suspension of driving privilege and any license surrendered within ten days;

50 (2) Forward the record of the conviction for an assessment of four points;

51 (3) In lieu of an assessment of points, render an order of supervision as provided in
52 section 302.303. An order of supervision shall not be used in lieu of points more than one time
53 in any thirty-six-month period. Every court having jurisdiction pursuant to the provisions of this
54 section shall forward a record of conviction to the Missouri state highway patrol, or at the written
55 direction of the Missouri state highway patrol, to the department of revenue, in a manner
56 approved by the director of the department of public safety. The director shall establish
57 procedures for the record keeping and administration of this section; or

58 (4) For a nonresident, suspend the nonresident's driving privileges in this state in
59 accordance with section 303.030 and notify the official in charge of the issuance of licenses and
60 registration certificates in the state in which such nonresident resides in accordance with section
61 303.080.

62 4. Nothing in sections 303.010 to 303.050, 303.060, 303.140, 303.220, 303.290, 303.330
63 and 303.370 shall be construed as prohibiting the department of commerce and insurance from
64 approving or authorizing those exclusions and limitations which are contained in automobile
65 liability insurance policies and the uninsured motorist provisions of automobile liability
66 insurance policies.

67 5. If a court enters an order of suspension, the offender may appeal such order directly
68 pursuant to chapter 512 and the provisions of section 302.311 shall not apply.

69 **6. Any fines owed to the state pursuant to this section may be eligible for payment**
70 **in installments. The director shall promulgate rules for the application of payment plans,**
71 **which shall take into account individuals' ability to pay.**

303.041. 1. **Except as otherwise provided in subsection 7 of section 303.425**, if the director determines ~~[that as a result of a verification sample or accident report that the owner of a motor vehicle has not maintained financial responsibility, or if the director determines as a result of an order of supervision]~~ that the **owner or** operator of a motor vehicle has not maintained the financial responsibility as required in this chapter, the director shall thirty-three days after mailing notice, suspend the driving privilege of the owner or operator and/or the registration of the vehicle failing to meet such requirement. The notice of suspension shall be mailed to the person at the last known address shown on the department's records. The notice of suspension is deemed received three days after mailing. The notice of suspension shall clearly specify the reason and statutory grounds for the suspension and the effective date of the suspension, the right of the person to request a hearing, the procedure for requesting a hearing, and the date by which that request for a hearing must be made. If the request for a hearing is received by the department prior to the effective date of the suspension, the effective date of the suspension will be stayed until a final order is issued following the hearing.

2. **Except as otherwise provided by law**, neither the fact that subsequent to the date of verification or conviction, the owner acquired the required liability insurance policy nor the fact that the owner terminated ownership of the motor vehicle, shall have any bearing upon the director's decision to suspend. Until it is terminated, the suspension shall remain in force after the registration is renewed or a new registration is acquired for the motor vehicle. The suspension also shall apply to any motor vehicle to which the owner transfers the registration. Effective January 1, 2000, the department shall not extend any suspension for failure to pay a delinquent late surrender fee pursuant to this subsection.

303.420. 1. As used in sections 303.420 to 303.440, unless the context requires otherwise, the following terms shall mean:

(1) "Law enforcement agency", the department of revenue, the Missouri state highway patrol, the prosecuting attorney or sheriff's office of any county or city not within a county, the chiefs of police of any city or municipality, or any other authorized law enforcement agency recognized by the state;

(2) "Program", the motor vehicle financial responsibility enforcement and compliance incentive program established under section 303.425;

(3) "System" or "verification system", the web-based resource established under section 303.430 for online verification of motor vehicle financial responsibility.

303.422. 1. There is hereby created in the state treasury the "Motor Vehicle Financial Responsibility Verification and Enforcement Fund", which shall consist of money collected under sections 303.420 to 303.440. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may

5 approve disbursements. The fund shall be a dedicated fund and money in the fund shall
6 be used solely by the department of revenue for the administration of sections 303.420 to
7 303.440.

8 2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys
9 remaining in the fund at the end of the biennium shall not revert to the credit of the
10 general revenue fund.

11 3. The state treasurer shall invest moneys in the fund in the same manner as other
12 funds are invested. Any interest and moneys earned on such investments shall be credited
13 to the fund.

303.425. 1. There is hereby created within the department of revenue the motor
2 vehicle financial responsibility enforcement and compliance incentive program. The
3 department of revenue may enter into contractual agreements with third-party vendors
4 to facilitate the necessary technology and equipment, maintenance thereof, and associated
5 program management services. The department of revenue or its third-party vendor shall
6 utilize technology to compare vehicle registration information with the financial
7 responsibility information accessible through the system. The department of revenue shall
8 utilize this information to identify motorists who are in violation of the motor vehicle
9 financial responsibility law. All fees paid to or collected by such third-party vendors may
10 come from violator diversion fees generated by the pretrial diversion option established
11 under this section. The department of revenue may offer offenders under this program the
12 option of pretrial diversion as an alternative to statutory fines or reinstatement fees
13 prescribed under the motor vehicle financial responsibility law as a method of encouraging
14 compliance and discouraging recidivism.

15 2. The department of revenue may authorize law enforcement agencies or third-
16 party vendors to use technology to collect data for the investigation, detection, analysis, and
17 enforcement of the motor vehicle financial responsibility law.

18 3. The department of revenue may authorize traffic enforcement officers or third-
19 party vendors to administer the processing and issuance of notices of violation, and the
20 collection of fees for a violation of the motor vehicle financial responsibility law, under the
21 program.

22 4. Access to the system shall be restricted to authorized law enforcement agency
23 users in the program, the department of revenue, and the third-party vendors with which
24 the department of revenue contracts for purposes of the program, provided that any third-
25 party vendor with which a contract is executed to provide necessary technology,
26 equipment, or maintenance for the program shall be authorized as necessary to collaborate
27 for required updates and maintenance of system software.

28 5. For purposes of the program, any data collected and matched to a corresponding
29 vehicle insurance record as verified through the system, and any Missouri vehicle
30 registration database, may be used to identify violations of the motor vehicle financial
31 responsibility law. Such images and corresponding data shall constitute evidence of the
32 violations.

33 6. Except as otherwise provided in this section, the department of revenue shall
34 suspend, in accordance with section 303.041, the registration of any motor vehicle that is
35 determined under the program to be in violation of the motor vehicle financial
36 responsibility law.

37 7. The department of revenue shall send to an owner whose vehicle is identified
38 under the program as being in violation of the motor vehicle financial responsibility law
39 a notice that the vehicle's registration may be suspended unless the owner, within thirty
40 days, provides proof of financial responsibility for the vehicle or proof, in a form specified
41 by the department of revenue, that the owner has a pending criminal charge for a violation
42 of the motor vehicle financial responsibility law. The notice shall include information on
43 steps an individual may take to obtain proof of financial responsibility and a web address
44 to a page on the department of revenue's website where information on obtaining proof of
45 financial responsibility shall be provided. If proof of financial responsibility or a pending
46 criminal charge is not provided within the time allotted, the department of revenue shall
47 provide a notice of suspension and suspend the vehicle's registration in accordance with
48 section 303.041, or shall send a notice of vehicle registration suspension, clearly specifying
49 the reason and statutory grounds for the suspension and the effective date of the
50 suspension, the right of the vehicle owner to request a hearing, the procedure for
51 requesting a hearing, and the date by which that request for a hearing must be made, as
52 well as informing the owner that the matter will be referred for prosecution if a
53 satisfactory response is not received in the time allotted, informing the owner that the
54 minimum penalty for the violation is three hundred dollars and four license points, and
55 offering the owner participation in a pretrial diversion option to preclude referral for
56 prosecution and registration suspension under sections 303.420 to 303.440. The notice of
57 vehicle registration suspension shall give a period of thirty-three days from mailing for the
58 vehicle owner to respond, and shall be deemed received three days after mailing. If no
59 request for a hearing or agreement to participate in the diversion option is received by the
60 department of revenue prior to the date provided on the notice of vehicle registration
61 suspension, the director shall suspend the vehicle's registration, effective immediately, and
62 refer the case to the appropriate prosecuting attorney. If an agreement by the vehicle
63 owner to participate in the diversion option is received by the department of revenue prior

64 to the effective date provided on the notice of vehicle registration suspension, then upon
65 payment of a diversion participation fee not to exceed two hundred dollars, agreement to
66 secure proof of financial responsibility within the time provided on the notice of
67 suspension, and agreement that such financial responsibility shall be maintained for a
68 minimum of two years, no points shall be assessed to the vehicle owner's driver's license
69 under section 302.302 and the department of revenue shall not take further action against
70 the vehicle owner under sections 303.420 to 303.440, subject to compliance with the terms
71 of the pretrial diversion option. The department of revenue shall suspend the vehicle
72 registration of, and shall refer the case to the appropriate prosecuting attorney for
73 prosecution of, participating vehicle owners who violate the terms of the pretrial diversion
74 option. If a request for hearing is received by the department of revenue prior to the
75 effective date provided on the notice of vehicle registration suspension, then for all
76 purposes other than eligibility for participation in the diversion option, the effective date
77 of the suspension shall be stayed until a final order is issued following the hearing. The
78 department of revenue shall suspend the registration of vehicles determined under the final
79 order to have violated the motor vehicle financial responsibility law, and shall refer the
80 case to the appropriate prosecuting attorney for prosecution. Notices under this subsection
81 shall be mailed to the vehicle owner at the last known address shown on the department
82 of revenue's records. The department of revenue or its third-party vendor shall issue
83 receipts for the collection of diversion participation fees. All such fees received by the
84 department of revenue or its third-party vendor shall be deposited into the motor vehicle
85 financial responsibility verification and enforcement fund established in section 303.422.
86 A vehicle owner whose registration has been suspended under sections 303.420 to 303.440
87 may obtain reinstatement of the registration upon providing proof of financial
88 responsibility and payment to the department of revenue of a nonrefundable reinstatement
89 fee equal to the fee that would be applicable under subsection 2 of section 303.042 if the
90 registration had been suspended under section 303.041.

91 8. Data collected or retained under the program shall not be used by any entity for
92 purposes other than enforcement of the motor vehicle financial responsibility law. Data
93 collected and stored by law enforcement under the program shall be considered evidence
94 if noncompliance with the motor vehicle financial responsibility law is confirmed. The
95 evidence, and an affidavit stating that the evidence and system have identified a particular
96 vehicle as being in violation of the motor vehicle financial responsibility law, shall
97 constitute probable cause for prosecution and shall be forwarded in accordance with
98 subsection 7 of this section to the appropriate prosecuting attorney.

99 **9. Owners of vehicles identified under the program as being in violation of the**
100 **motor vehicle financial responsibility law shall be provided with options for disputing such**
101 **claims which do not require appearance at any state or local court of law, or administrative**
102 **facility. Any person who presents timely proof that he or she was in compliance with the**
103 **motor vehicle financial responsibility law at the time of the alleged violation shall be**
104 **entitled to dismissal of the charge with no assessment of fees or fines. Proof provided by**
105 **a vehicle owner to the department of revenue that the vehicle was in compliance at the time**
106 **of the suspected violation of the motor vehicle financial responsibility law shall be recorded**
107 **in the system established by the department of revenue under section 303.430.**

108 **10. The collection of data or use of any technology pursuant to this section shall be**
109 **done in a manner that prohibits any bias towards a specific community, race, gender, or**
110 **socioeconomic status of vehicle owner.**

111 **11. Law enforcement agencies, third-party vendors, or other entities authorized to**
112 **operate under the program shall not sell data collected or retained under the program for**
113 **any purpose or share it for any purpose not expressly authorized in this section. All data**
114 **shall be secured and any third-party vendor may be liable for any data security breach.**

115 **12. The department of revenue shall not take action under sections 303.420 to**
116 **303.440 against vehicles registered as fleet vehicles under section 301.032, or against**
117 **vehicles known to the department of revenue to be insured under a policy of commercial**
118 **auto coverage, as such term is defined in subdivision (10) of subsection 2 of section 303.430.**

119 **13. Following one year after the implementation of the program, and every year**
120 **thereafter, the department of revenue shall provide a report to the president pro tempore**
121 **of the senate, the speaker of the house of representatives, the chairs of the house and senate**
122 **committees with jurisdictions over insurance or transportation matters, and the chairs of**
123 **the house budget and senate appropriations committees. The report shall include an**
124 **evaluation of program operations, information as to the costs of the program incurred by**
125 **the department of revenue, insurers, and the public, information as to the effectiveness of**
126 **the program in reducing the number of uninsured motor vehicles, and anonymized**
127 **demographic information including the race and zip code of vehicle owners identified**
128 **under the program as being in violation of the motor vehicle financial responsibility law,**
129 **and may include any additional information and recommendations for improvement of the**
130 **program deemed appropriate by the department of revenue. The department of revenue**
131 **may, by rule, require the state, counties, and municipalities to provide information in order**
132 **to complete the report.**

303.430. 1. The department of revenue shall establish and maintain a web-based
2 **system for the verification of motor vehicle financial responsibility, shall provide access to**

3 insurance reporting data and vehicle registration and financial responsibility data, and
4 shall require motor vehicle insurers to establish functionality for the verification system,
5 as provided in sections 303.420 to 303.440. The verification system, including any
6 exceptions as provided for in sections 303.420 to 303.440 or in the implementation guide
7 developed to support the program, shall supersede any existing verification system, and
8 shall be the sole system used for the purpose of verifying financial responsibility required
9 under this chapter.

10 2. The system established pursuant to subsection 1 of this section shall be subject
11 to the following:

12 (1) The verification system shall transmit requests to insurers for verification of
13 motor vehicle insurance coverage via web services established by the insurers through the
14 internet in compliance with the specifications and standards of the Insurance Industry
15 Committee on Motor Vehicle Administration, or "IICMVA". Insurance company systems
16 shall respond to each request with a prescribed response upon evaluation of the data
17 provided in the request. The system shall include appropriate protections to secure its data
18 against unauthorized access, and the department of revenue shall maintain a historical
19 record of the system data for a period of no more than twelve months from the date of all
20 requests and responses. The system shall be used for verification of the financial
21 responsibility required under this chapter. The system shall be accessible to authorized
22 personnel of the department of revenue, the courts, law enforcement personnel, and other
23 entities authorized by the state as permitted by state or federal privacy laws, and it shall
24 be interfaced, wherever appropriate, with existing state systems. The system shall include
25 information enabling the department of revenue to submit inquiries to insurers regarding
26 motor vehicle insurance which are consistent with insurance industry and IICMVA
27 recommendations, specifications, and standards by using the following data elements for
28 greater matching accuracy: insurer National Association of Insurance Commissioners, or
29 "NAIC", company code; vehicle identification number; policy number; verification date;
30 or as otherwise described in the specifications and standards of the IICMVA. The
31 department of revenue shall promulgate rules to offer insurers who insure one thousand
32 or fewer vehicles within this state an alternative method for verifying motor vehicle
33 insurance coverage in lieu of web services, and to provide for the verification of financial
34 responsibility when financial responsibility is proven to the department to be maintained
35 by means other than a policy of motor vehicle insurance. Insurers shall not be required
36 to verify insurance coverage for vehicles registered in other jurisdictions;

37 (2) The verification system shall respond to each request within a time period
38 established by the department of revenue. An insurer's system shall respond within the

39 time period prescribed by the IICMVA's specifications and standards. Insurer systems
40 shall be permitted reasonable system downtime for maintenance and other work with
41 advance notice to the department of revenue. Insurers shall not be subject to enforcement
42 fees or other sanctions under such circumstances, or when systems are not available
43 because of emergency, outside attack, or other unexpected outages not planned by the
44 insurer and reasonably outside its control;

45 (3) The system shall assist in identifying violations of the motor vehicle financial
46 responsibility law in the most effective way possible. Responses to individual insurance
47 verification requests shall have no bearing on whether insurance coverage is determined
48 to be in force at the time of a claim. Claims shall be individually investigated to determine
49 the existence of coverage. Nothing in sections 303.420 to 303.440 shall prohibit the
50 department of revenue from contracting with a third-party vendor or vendors who have
51 successfully implemented similar systems in other states to assist in establishing and
52 maintaining this verification system;

53 (4) The department of revenue shall consult with representatives of the insurance
54 industry and may consult with third-party vendors to determine the objectives, details, and
55 deadlines related to the system by establishment of an advisory council. The advisory
56 council shall consist of voting members comprised of:

57 (a) The director of the department of commerce and insurance, or his or her
58 designee, who shall serve as chair;

59 (b) Two representatives of the department of revenue, to be appointed by the
60 director of the department of revenue;

61 (c) One representative of the department of commerce and insurance, to be
62 appointed by the director of the department of commerce and insurance;

63 (d) Three representatives of insurance companies, to be appointed by the director
64 of the department of commerce and insurance;

65 (e) One representative from the Missouri Insurance Coalition;

66 (f) One representative chosen by the National Association of Mutual Insurance
67 Companies;

68 (g) One representative chosen by the American Property and Casualty Insurance
69 Association;

70 (h) One representative chosen by the Missouri Independent Agents Association;
71 and

72 (i) Such other representatives as may be appointed by the director of the
73 department of commerce and insurance;

74 (5) The department of revenue shall publish for comment, and then issue, a detailed
75 implementation guide for its online verification system;

76 (6) The department of revenue and its third-party vendors, if any, shall each
77 maintain a contact person for insurers during the establishment, implementation, and
78 operation of the system;

79 (7) If the department of revenue has reason to believe a vehicle owner does not
80 maintain financial responsibility as required under this chapter, it may also request an
81 insurer to verify the existence of such financial responsibility in a form approved by the
82 department of revenue. In addition, insurers shall cooperate with the department of
83 revenue in establishing and maintaining the verification system established under this
84 section, and shall provide motor vehicle insurance policy status information as provided
85 in the rules promulgated by the department of revenue;

86 (8) Every property and casualty insurance company licensed to issue motor vehicle
87 insurance or authorized to do business in this state shall comply with sections 303.420 to
88 303.440, and corresponding rules promulgated by the department of revenue, for the
89 verification of such insurance for every vehicle insured by that company in this state;

90 (9) Insurers shall maintain a historical record of insurance data for a minimum
91 period of six months from the date of policy inception or policy change for the purpose of
92 historical verification inquiries;

93 (10) For the purposes of this section, "commercial auto coverage" shall mean any
94 coverage provided to an insured, regardless of number of vehicles or entities covered,
95 under a commercial coverage form and rated from a commercial manual approved by the
96 department of commerce and insurance. Sections 303.420 to 303.440 shall not apply to
97 vehicles insured under commercial auto coverage; however, insurers of such vehicles may
98 participate on a voluntary basis, and vehicle owners may provide proof at or subsequent
99 to the time of vehicle registration that a vehicle is insured under commercial auto coverage,
100 which the department of revenue shall record in the system;

101 (11) Insurers shall provide commercial or fleet automobile customers with evidence
102 reflecting that the vehicle is insured under a commercial or fleet automobile liability policy.
103 Sufficient evidence shall include an insurance identification card clearly marked with a
104 suitable identifier such as "commercial auto insurance identification card", "fleet auto
105 insurance identification card", or other clear identification that the vehicle is insured
106 under a fleet or commercial policy;

107 (12) Insurers shall be immune from civil and administrative liability for good faith
108 efforts to comply with the terms of sections 303.420 to 303.440;

109 **(13) Nothing in this section shall prohibit an insurer from using the services of a**
110 **third-party vendor for facilitating the verification system required under sections 303.420**
111 **to 303.440.**

112 **3. The department of revenue shall promulgate rules as necessary for the**
113 **implementation of sections 303.420 to 303.440. Any rule or portion of a rule, as that term**
114 **is defined in section 536.010, that is created under the authority delegated in this section**
115 **shall become effective only if it complies with and is subject to all of the provisions of**
116 **chapter 536 and, if applicable, section 536.028. This section and chapter 536 are**
117 **nonseverable and if any of the powers vested with the general assembly pursuant to**
118 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**
119 **subsequently held unconstitutional, then the grant of rule making authority and any rule**
120 **proposed or adopted after August 28, 2021, shall be invalid and void.**

303.440. The verification system established under section 303.430 shall be installed
2 **and fully operational by January 1, 2023, following an appropriate testing or pilot period**
3 **of not less than nine months. Until the successful completion of the testing or pilot period**
4 **in the judgment of the director of the department of revenue, no enforcement action shall**
5 **be taken based on the system, including but not limited to action taken under the program**
6 **established under section 303.425.**

 304.001. As used in this chapter and chapter 307, the following terms shall mean:

2 (1) "Abandoned property", any unattended motor vehicle, trailer, all-terrain vehicle,
3 outboard motor or vessel removed or subject to removal from public or private property as
4 provided in sections 304.155 and 304.157, whether or not operational. For any vehicle towed
5 from the scene of an accident at the request of law enforcement and not retrieved by the vehicle's
6 owner within five days of the accident, the agency requesting the tow shall be required to write
7 an abandoned property report or a crime inquiry and inspection report;

8 (2) "Commercial vehicle enforcement officers", employees of the Missouri state highway
9 patrol who are not members of the patrol but who are appointed by the superintendent of the
10 highway patrol to enforce the laws, rules, and regulations pertaining to commercial vehicles,
11 trailers, special mobile equipment and drivers of such vehicles;

12 (3) "Commercial vehicle inspectors", employees of the Missouri state highway patrol
13 who are not members of the patrol but who are appointed by the superintendent of the highway
14 patrol to supervise or operate permanent or portable weigh stations in the enforcement of
15 commercial vehicle laws;

16 (4) "Commission", the state highways and transportation commission;

17 (5) "Department", the state transportation department;

18 (6) "Freeway", a divided state highway with four or more lanes, with no access to the
19 throughways except the established interchanges and with no at-grade crossings;

20 (7) "Interstate highway", a state highway included in the national system of interstate
21 highways located within the boundaries of Missouri, as officially designated or as may be
22 hereafter designated by the state highways and transportation commission with the approval of
23 the Secretary of Transportation, pursuant to Title 23, U.S.C., as amended;

24 (8) "Members of the patrol", the superintendent, lieutenant colonel, majors, captains,
25 director of radio, lieutenants, sergeants, corporals and patrolmen of the Missouri state highway
26 patrol;

27 (9) "Off-road vehicle", any vehicle designed for or capable of cross-country travel on or
28 immediately over land, water, ice, snow, marsh, swampland, or other natural terrain without
29 benefit of a road or trail:

30 (a) Including, without limitation, the following:

31 a. Jeeps;

32 b. All-terrain vehicles;

33 c. Dune buggies;

34 d. Multiwheel drive or low-pressure tire vehicles;

35 e. Vehicle using an endless belt, or tread or treads, or a combination of tread and low-
36 pressure tires;

37 f. Motorcycles, trail bikes, minibikes and related vehicles;

38 g. Any other means of transportation deriving power from any source other than muscle
39 or wind; and

40 (b) Excluding the following:

41 a. Registered motorboats;

42 b. Aircraft;

43 c. Any military, fire or law enforcement vehicle;

44 d. Farm-type tractors and other self-propelled equipment for harvesting and transporting
45 farm or forest products;

46 e. Any vehicle being used for farm purposes, earth moving, or construction while being
47 used for such purposes on the work site;

48 f. Self-propelled lawnmowers, or lawn or garden tractors, or golf carts, while being used
49 exclusively for their designed purpose; and

50 g. Any vehicle being used for the purpose of transporting a handicapped person;

51 **h. Electric bicycles, as defined in section 301.010;**

52 (10) "Person", any natural person, corporation, or other legal entity;

53 (11) "Right-of-way", the entire width of land between the boundary lines of a state
54 highway, including any roadway;

55 (12) "Roadway", that portion of a state highway ordinarily used for vehicular travel,
56 exclusive of the berm or shoulder;

57 (13) "State highway", a highway constructed or maintained by the state highways and
58 transportation commission with the aid of state funds or United States government funds, or any
59 highway included by authority of law in the state highway system, including all right-of-way;

60 (14) "Towing company", any person or entity which tows, removes or stores abandoned
61 property;

62 (15) "Urbanized area", an area with a population of fifty thousand or more designated
63 by the Bureau of the Census, within boundaries to be fixed by the state highways and
64 transportation commission and local officials in cooperation with each other and approved by
65 the Secretary of Transportation. The boundary of an urbanized area shall, at a minimum,
66 encompass the entire urbanized area as designed by the Bureau of the Census.

304.050. 1. **(1)** The driver of a vehicle upon a highway upon meeting or overtaking
2 from either direction any school bus which has stopped on the highway for the purpose of
3 receiving or discharging any school children and whose driver has in the manner prescribed by
4 law given the signal to stop, shall stop the vehicle before reaching such school bus and shall not
5 proceed until such school bus resumes motion, or until signaled by its driver to proceed.

6 **(2) School buses under the provisions of subsections 1, 2, 5, 6, 7, 8, and 9 of this**
7 **section shall include Head Start buses that have been certified by the Missouri highway**
8 **patrol as meeting the provisions of section 307.375, are operated by a holder of a valid**
9 **school bus endorsed commercial driver's license, and who meet the equivalent medical**
10 **requirements prescribed in section 162.064, and which are transporting Head Start**
11 **students to and from Head Start.**

12 2. Every bus used for the transportation of school children shall bear upon the front and
13 rear thereon a plainly visible sign containing the words "school bus" in letters not less than eight
14 inches in height. Each bus shall have lettered on the rear in plain and distinct type the following:
15 "State Law: Stop while bus is loading and unloading". Each school bus subject to the provisions
16 of sections 304.050 to 304.070 shall be equipped with a mechanical and electrical signaling
17 device approved by the state board of education, which will display a signal plainly visible from
18 the front and rear and indicating intention to stop.

19 3. Every school bus operated to transport students in the public school system which has
20 a gross vehicle weight rating of more than ten thousand pounds, which has the engine mounted
21 entirely in front of the windshield and the entrance door behind the front wheels, and which is
22 used for the transportation of school children shall be equipped no later than August 1, 1998,

23 with a crossing control arm. The crossing control arm, when activated, shall extend a minimum
24 of five feet six inches from the face of the front bumper. The crossing control arm shall be
25 attached on the right side of the front bumper and shall be activated by the same controls which
26 activate the mechanical and electrical signaling devices described in subsection 2 of this section.
27 This subsection may be cited as "Jessica's Law" in commemoration of Jessica Leicht and all
28 other Missouri schoolchildren who have been injured or killed during the operation of a school
29 bus.

30 4. Except as otherwise provided in this section, the driver of a school bus in the process
31 of loading or unloading students upon a street or highway shall activate the mechanical and
32 electrical signaling devices, in the manner prescribed by the state board of education, to
33 communicate to drivers of other vehicles that students are loading or unloading. A public school
34 district shall have the authority pursuant to this section to adopt a policy which provides that the
35 driver of a school bus in the process of loading or unloading students upon a divided highway
36 of four or more lanes may pull off of the main roadway and load or unload students without
37 activating the mechanical and electrical signaling devices in a manner which gives the signal for
38 other drivers to stop and may use the amber signaling devices to alert motorists that the school
39 bus is slowing to a stop; provided that the passengers are not required to cross any traffic lanes
40 and also provided that the emergency flashing signal lights are activated in a manner which
41 indicates that drivers should proceed with caution, and in such case, the driver of a vehicle may
42 proceed past the school bus with due caution.

43 5. No driver of a school bus shall take on or discharge passengers at any location upon
44 a highway consisting of four or more lanes of traffic, whether or not divided by a median or
45 barrier, in such manner as to require the passengers to cross more than two lanes of traffic; nor
46 shall any passengers be taken on or discharged while the vehicle is upon the road or highway
47 proper unless the vehicle so stopped is plainly visible for at least five hundred feet in each
48 direction to drivers of other vehicles in the case of a highway with no shoulder and a speed limit
49 greater than sixty miles per hour and at least three hundred feet in each direction to drivers of
50 other vehicles upon other highways, and on all highways, only for such time as is actually
51 necessary to take on and discharge passengers.

52 ~~[5-]~~ 6. The driver of a vehicle upon a highway with separate roadways need not stop
53 upon meeting or overtaking a school bus which is on a different roadway, or which is proceeding
54 in the opposite direction on a highway containing four or more lanes of traffic, or which is
55 stopped in a loading zone constituting a part of, or adjacent to, a limited or controlled access
56 highway at a point where pedestrians are not permitted to cross the roadway.

57 ~~[6-]~~ 7. The driver of any school bus driving upon the highways of this state after loading
58 or unloading school children, shall remain stopped if the bus is followed by three or more

59 vehicles, until such vehicles have been permitted to pass the school bus, if the conditions
60 prevailing make it safe to do so.

61 [7-] 8. If any vehicle is witnessed by a peace officer or the driver of a school bus to have
62 violated the provisions of this section and the identity of the operator is not otherwise apparent,
63 it shall be a rebuttable presumption that the person in whose name such vehicle is registered
64 committed the violation. In the event that charges are filed against multiple owners of a motor
65 vehicle, only one of the owners may be convicted and court costs may be assessed against only
66 one of the owners. If the vehicle which is involved in the violation is registered in the name of
67 a rental or leasing company and the vehicle is rented or leased to another person at the time of
68 the violation, the rental or leasing company may rebut the presumption by providing the peace
69 officer or prosecuting authority with a copy of the rental or lease agreement in effect at the time
70 of the violation. No prosecuting authority may bring any legal proceedings against a rental or
71 leasing company under this section unless prior written notice of the violation has been given to
72 that rental or leasing company by registered mail at the address appearing on the registration and
73 the rental or leasing company has failed to provide the rental or lease agreement copy within
74 fifteen days of receipt of such notice.

75 [8-] 9. Notwithstanding the provisions in section 301.130, every school bus shall be
76 required to have two license plates.

304.153. 1. As used in this section, the following terms shall mean:

2 (1) "Law enforcement officer", any public servant, other than a patrol officer, who is
3 defined as a law enforcement officer under section 556.061;

4 (2) "Motor club", ~~[an organization which motor vehicle drivers and owners may join that~~
5 ~~provide certain benefits relating to driving a motor vehicle]~~ **a legal entity that, in consideration**
6 **of dues, assessments, or periodic payments of money, promises to provide motor club**
7 **services to its members or subscribers in accordance with section 385.450;**

8 (3) "Patrol officer", a Missouri state highway patrol officer;

9 (4) "Tow list", a list of approved towing companies compiled, maintained, and utilized
10 by the Missouri state highway patrol or its designee;

11 (5) "Tow management company", any sole proprietorship, partnership, corporation,
12 fiduciary, association, or other business entity that manages towing logistics for government
13 agencies or motor clubs;

14 (6) "Tow truck", a rollback or car carrier, wrecker, or tow truck as defined under section
15 301.010;

16 (7) "Towing", moving or removing, or the preparation therefor, of a vehicle by another
17 vehicle for which a service charge is made, either directly or indirectly, including any dues or
18 other charges of clubs or associations which provide towing services;

19 (8) "Towing company", any person, partnership, corporation, fiduciary, association, or
20 other entity that operates a wrecker or towing service as defined under section 301.010.

21 2. In authorizing a towing company to perform services, any patrol officer or law
22 enforcement officer within the officer's jurisdiction, or Missouri department of transportation
23 employee, may utilize the services of a tow management company or tow list, provided:

24 (1) The Missouri state highway patrol is under no obligation to include or retain the
25 services of any towing company in any contract or agreement with a tow management company
26 or any tow list established pursuant to this section. A towing company is subject to removal
27 from a tow list at any time;

28 (2) Notwithstanding any other provision of law or any regulation established pursuant
29 to this section, an owner or operator's request for a specific towing company shall be honored
30 by the Missouri state highway patrol unless:

31 (a) The requested towing company cannot or does not respond in a reasonable time, as
32 determined by a law enforcement officer; or

33 (b) The vehicle to be towed poses an immediate traffic hazard, as determined by a law
34 enforcement officer.

35 3. A patrol officer shall not use a towing company located outside of Missouri under this
36 section except under the following circumstances:

37 (1) A state or federal emergency has been declared; or

38 (2) The driver or owner of the vehicle, or a motor club of which the driver or owner is
39 a member, requests a specific out-of-state towing company.

40 4. A towing company shall not tow a vehicle to a location outside of Missouri without
41 the consent of the driver or owner of the motor vehicle, or without the consent of a motor club
42 of which the driver or owner of the motor vehicle is a member.

43 5. Any towing company or tow truck arriving at the scene of an accident that has not
44 been called by a patrol officer, a law enforcement officer, a Missouri department of
45 transportation employee, the driver or owner of the motor vehicle or his or her authorized agent,
46 including a motor club of which the driver or owner is a member, shall be prohibited from
47 towing the vehicle from the scene of the accident, unless the towing company or tow truck
48 operator is rendering emergency aid in the interest of public safety, or is operating during a
49 declared state of emergency under section 44.100.

50 6. A tow truck operator that stops and tows a vehicle from the scene of an accident in
51 violation of subsection 5 of this section shall be guilty of a class D misdemeanor upon conviction
52 or pleading guilty for the first violation, and such tow truck shall be subject to impounding. The
53 penalty for a second violation shall be a class A misdemeanor, and the penalty for any third or

subsequent violation shall be a class D felony. A violation of this section shall not preclude the tow truck operator from being charged with tampering under chapter 569.

7. The provisions of this section shall also apply to motor vehicles towed under section 304.155 or 304.157.

8. The provisions of this section shall not apply to counties of the third or fourth classification.

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

18

19 Distance in feet between the extremes of any group
of two or more consecutive axles, measured to the
nearest foot, except where indicated otherwise

20

21

22

23

24

25

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30

Maximum load in pounds					
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			

31	12	40,000	45,000	50,000		
32	13	40,000	45,500	50,500		
33	14	40,000	46,500	51,500		
34	15	40,000	47,000	52,000		
35	16	40,000	48,000	52,500	58,000	
36	17	40,000	48,500	53,500	58,500	
37	18	40,000	49,500	54,000	59,000	
38	19	40,000	50,000	54,500	60,000	
39	20	40,000	51,000	55,500	60,500	66,000
40	21	40,000	51,500	56,000	61,000	66,500
41	22	40,000	52,500	56,500	61,500	67,000
42	23	40,000	53,000	57,500	62,500	68,000
43	24	40,000	54,000	58,000	63,000	68,500
44	25	40,000	54,500	58,500	63,500	69,000
45	26	40,000	55,500	59,500	64,000	69,500
46	27	40,000	56,000	60,000	65,000	70,000
47	28	40,000	57,000	60,500	65,500	71,000
48	29	40,000	57,500	61,500	66,000	71,500
49	30	40,000	58,500	62,000	66,500	72,000
50	31	40,000	59,000	62,500	67,500	72,500
51	32	40,000	60,000	63,500	68,000	73,000
52	33	40,000	60,000	64,000	68,500	74,000
53	34	40,000	60,000	64,500	69,000	74,500
54	35	40,000	60,000	65,500	70,000	75,000
55	36		60,000	66,000	70,500	75,500
56	37		60,000	66,500	71,000	76,000
57	38		60,000	67,500	72,000	77,000
58	39		60,000	68,000	72,500	77,500
59	40		60,000	68,500	73,000	78,000
60	41		60,000	69,500	73,500	78,500
61	42		60,000	70,000	74,000	79,000
62	43		60,000	70,500	75,000	80,000
63	44		60,000	71,500	75,500	80,000
64	45		60,000	72,000	76,000	80,000
65	46		60,000	72,500	76,500	80,000
66	47		60,000	73,500	77,500	80,000
67	48		60,000	74,000	78,000	80,000
68	49		60,000	74,500	78,500	80,000
69	50		60,000	75,500	79,000	80,000
70	51		60,000	76,000	80,000	80,000
71	52		60,000	76,500	80,000	80,000
72	53		60,000	77,500	80,000	80,000
73	54		60,000	78,000	80,000	80,000

74	55		60,000	78,500	80,000	80,000
75	56		60,000	79,500	80,000	80,000
76	57		60,000	80,000	80,000	80,000

77

78 Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load
 79 of thirty-four thousand pounds each if the overall distance between the first and last axles of such
 80 consecutive sets of tandem axles is thirty-six feet or more.

81 4. Whenever the state highways and transportation commission finds that any state
 82 highway bridge in the state is in such a condition that use of such bridge by vehicles of the
 83 weights specified in subsection 3 of this section will endanger the bridge, or the users of the
 84 bridge, the commission may establish maximum weight limits and speed limits for vehicles using
 85 such bridge. The governing body of any city or county may grant authority by act or ordinance
 86 to the commission to enact the limitations established in this section on those roadways within
 87 the purview of such city or county. Notice of the weight limits and speed limits established by
 88 the commission shall be given by posting signs at a conspicuous place at each end of any such
 89 bridge.

90 5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle
 91 loads or gross loads in excess of those permitted under the provisions of P.L. 97-424 codified
 92 in Title 23 of the United States Code (23 U.S.C. Section 101, et al.), as amended.

93 6. Notwithstanding the weight limitations contained in this section, any vehicle or
 94 combination of vehicles operating on highways other than the interstate highway system may
 95 exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two
 96 thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except
 97 as provided in subsections 9, 10, 12, ~~and~~ 13, **and 14** of this section.

98 7. Notwithstanding any provision of this section to the contrary, the commission shall
 99 issue a single-use special permit, or upon request of the owner of the truck or equipment shall
 100 issue an annual permit, for the transporting of any crane or concrete pump truck or well-drillers'
 101 equipment. The commission shall set fees for the issuance of permits and parameters for the
 102 transport of cranes pursuant to this subsection. Notwithstanding the provisions of section
 103 301.133, cranes, concrete pump trucks, or well-drillers' equipment may be operated on state-
 104 maintained roads and highways at any time on any day.

105 8. Notwithstanding the provision of this section to the contrary, the maximum gross
 106 vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an
 107 idle reduction technology may be increased by a quantity necessary to compensate for the
 108 additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as
 109 amended. In no case shall the additional weight increase allowed by this subsection be greater
 110 than five hundred fifty pounds. Upon request by an appropriate law enforcement officer, the

111 vehicle operator shall provide proof that the idle reduction technology is fully functional at all
112 times and that the gross weight increase is not used for any purpose other than for the use of idle
113 reduction technology.

114 9. Notwithstanding any provision of this section or any other law to the contrary, the
115 total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a
116 processing facility or livestock may be as much as, but shall not exceed, eighty-five thousand
117 five hundred pounds while operating on highways other than the interstate highway system. The
118 provisions of this subsection shall not apply to vehicles operated and operating on the Dwight
119 D. Eisenhower System of Interstate and Defense Highways.

120 10. Notwithstanding any provision of this section or any other law to the contrary, any
121 vehicle or combination of vehicles hauling grain or grain coproducts during times of harvest may
122 be as much as, but not exceeding, ten percent over the maximum weight limitation allowable
123 under subsection 3 of this section while operating on highways other than the interstate highway
124 system. The provisions of this subsection shall not apply to vehicles operated and operating on
125 the Dwight D. Eisenhower System of Interstate and Defense Highways.

126 11. Notwithstanding any provision of this section or any other law to the contrary, the
127 commission shall issue emergency utility response permits for the transporting of utility wires
128 or cables, poles, and equipment needed for repair work immediately following a disaster where
129 utility service has been disrupted. Under exigent circumstances, verbal approval of such
130 operation may be made either by the department of transportation motor carrier compliance
131 supervisor or other designated motor carrier services representative. Utility vehicles and
132 equipment used to assist utility companies granted special permits under this subsection may be
133 operated and transported on state-maintained roads and highways at any time on any day. The
134 commission shall promulgate all necessary rules and regulations for the administration of this
135 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
136 under the authority delegated in this section shall become effective only if it complies with and
137 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
138 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
139 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule
140 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
141 proposed or adopted after August 28, 2014, shall be invalid and void.

142 12. Notwithstanding any provision of this section to the contrary, emergency vehicles
143 designed to be used under emergency conditions to transport personnel and equipment and to
144 support the suppression of fires and mitigate hazardous situations may have a maximum gross
145 vehicle weight of eighty-six thousand pounds inclusive of twenty-four thousand pounds on a
146 single steering axle; thirty-three thousand five hundred pounds on a single drive axle; sixty-two

147 thousand pounds on a tandem axle; or fifty-two thousand pounds on a tandem rear-drive steer
148 axle; except that, such emergency vehicles shall only operate on the Dwight D. Eisenhower
149 National System of Interstate and Defense Highways.

150 13. Notwithstanding any provision of this section to the contrary, a vehicle operated by
151 an engine fueled primarily by natural gas may operate upon the public highways of this state in
152 excess of the vehicle weight limits set forth in this section by an amount that is equal to the
153 difference between the weight of the vehicle attributable to the natural gas tank and fueling
154 system carried by that vehicle and the weight of a comparable diesel tank and fueling system.
155 In no event shall the maximum gross vehicle weight of the vehicle operating with a natural gas
156 engine exceed eighty-two thousand pounds.

157 **14. Notwithstanding any provision of law to the contrary, local log trucks and local**
158 **log truck tractors, as defined in section 301.010, may be operated with a weight not**
159 **exceeding twenty-two thousand four hundred pounds on one axle or a weight not exceeding**
160 **forty-four thousand eight hundred pounds on any tandem axle, except the front steering**
161 **axle shall not exceed fifteen thousand pounds or the gross vehicle weight rating set by the**
162 **manufacturer, and may have a total weight of up to one hundred five thousand pounds.**
163 **Provided however, when operating on the national system of interstate and defense**
164 **highways described in 23 U.S.C. Section 103, as amended, or outside the radius from the**
165 **forested site specified in section 301.010 with an extended distance local log truck permit,**
166 **the vehicle shall not exceed the weight limits otherwise specified in this section.**

304.240. 1. Any person, firm, corporation, partnership or association violating any of
2 the provisions of sections 304.170 to 304.230 shall be deemed guilty of a misdemeanor and upon
3 conviction thereof shall be punished by a fine of not less than five dollars or by confinement in
4 a county jail for not more than twelve months, or by both the fine and confinement; provided,
5 however, that where load limits as defined in sections 304.180 to 304.220 have been violated,
6 the fine shall be two cents for each pound of excess weight up to and including five hundred, and
7 five cents for each pound of excess weight above five hundred and not exceeding one thousand,
8 and ten cents for each pound in excess weight above one thousand; provided that, when any
9 vehicle is being operated under a special permit as provided in section 304.200, the term "excess
10 weight" means only weight in excess of the amount permitted in the permit as issued. The court
11 may, in its discretion, cause to be impounded the motor vehicle operated by any person violating
12 the provisions of this section until such time as the fine and cost assessed by the court under this
13 section is paid.

14 **2. Notwithstanding subsection 1 of this section, the fine for a load-limit violation**
15 **under sections 304.180 to 304.220 involving a local log truck or a local log truck tractor,**
16 **as such terms are defined in section 301.010, shall be as follows:**

17 (1) If the weight exceeds the limit by one pound to four thousand nine hundred
18 ninety-nine pounds, the fine shall be ten cents for each pound of excess weight;

19 (2) If the weight exceeds the limit by five thousand pounds to nine thousand nine
20 hundred ninety-nine pounds, the fine shall be twenty cents for each pound of excess
21 weight; and

22 (3) If the weight exceeds the limit by ten thousand pounds or more, the fine shall
23 be fifty cents for each pound of excess weight.

304.900. 1. As used in this section, the following terms mean:

2 (1) "Agent", a person given the responsibility, by an entity, of navigating and
3 operating a personal delivery device;

4 (2) "Personal delivery device", a powered device operated primarily on sidewalks
5 and crosswalks, intended primarily for the transport of property on public rights-of-way,
6 and capable of navigating with or without the active control or monitoring of a natural
7 person. Notwithstanding any other provision of law, a "personal delivery device" shall not
8 be defined as a motor vehicle or a vehicle;

9 (3) "Personal delivery device operator", an entity or its agent that exercises
10 physical control or monitoring over the navigation system and operation of a personal
11 delivery device. A "personal delivery device operator" does not include an entity or person
12 that requests or receives the services of a personal delivery device for the purpose of
13 transporting property or an entity or person who merely arranges for and dispatches the
14 requested services of a personal delivery device.

15 2. Notwithstanding any other provision of law, a personal delivery device is
16 authorized to operate in this state:

17 (1) On any sidewalk or crosswalk of any county or municipality in the state; and

18 (2) On any roadway of any county or municipality in the state, provided that the
19 personal delivery device shall not unreasonably interfere with motor vehicles or traffic.

20 3. A personal delivery device shall:

21 (1) Not block public rights-of-way;

22 (2) Obey all traffic and pedestrian control signals and devices;

23 (3) Operate at a speed that does not exceed a maximum speed of ten miles per hour
24 on a sidewalk or crosswalk;

25 (4) Contain a unique identifying number that is displayed on the device;

26 (5) Include a means of identifying the personal delivery device operator; and

27 (6) Be equipped with a system that enables the personal delivery device to come to
28 a controlled stop.

29 **4. Subject to the requirements of this section, a personal delivery device operating**
30 **on a sidewalk or crosswalk shall have all the responsibilities applicable to a pedestrian**
31 **under the same circumstances.**

32 **5. A personal delivery device shall be exempt from motor vehicle registration**
33 **requirements.**

34 **6. A personal delivery device operator shall maintain an insurance policy that**
35 **provides general liability coverage of at least one hundred thousand dollars for damages**
36 **arising from the combined operations of personal delivery devices under a personal**
37 **delivery device operator's control.**

38 **7. If the personal delivery device is being operated between sunset and sunrise, it**
39 **shall be equipped with lighting on both the front and rear of the personal delivery device**
40 **visible in clear weather from a distance of at least five hundred feet to the front and rear**
41 **of the personal delivery device.**

42 **8. A personal delivery device shall not be used for the transportation of hazardous**
43 **material regulated under the Hazardous Materials Transportation Act, 49 USC Section**
44 **5103, and required to be placarded under 49 CFR Part 172, Subpart F.**

45 **9. Nothing in this section shall prohibit a political subdivision from regulating the**
46 **operation of personal delivery devices on a highway or pedestrian area to insure the**
47 **welfare and safety of its residents. However, political subdivisions shall not regulate the**
48 **design, manufacture and maintenance of a personal delivery device nor the types of**
49 **property that may be transported by a personal delivery device. Additionally, no political**
50 **subdivision shall treat personal delivery devices differently for the purposes of assessment**
51 **and taxation or other charges from personal property that is similar in nature.**

52 **10. A personal delivery device operator may not sell or disclose a personally**
53 **identifiable likeness to a third party in exchange for monetary compensation. For purposes**
54 **of this section, a personally identifiable likeness includes photographic images, videos,**
55 **digital image files, or other digital data that can be used to either directly or indirectly**
56 **identify an individual. "Personally identifiable likeness" does not include aggregated or**
57 **anonymized data. The use of any personally identifiable likeness by a personal delivery**
58 **device operator to improve their products and services is allowed under this section.**
59 **Information that would otherwise be protected under this section as confidential shall only**
60 **be provided to a law enforcement entity with a properly executed, lawful subpoena.**

 307.025. The subsequent provisions of this chapter with respect to equipment and lights
2 on vehicles shall not apply to agricultural machinery and implements, road machinery, road
3 rollers, traction engines, motorized bicycles, **electric bicycles as defined in section 301.010**, or
4 farm tractors except as in this chapter made applicable.

307.128. 1. A headlamp on a motorcycle may be wired to modulate either the upper beam or the lower beam from its maximum intensity to a lesser intensity provided that:

(1) The rate of modulation shall be two hundred forty plus or minus forty cycles per minute;

(2) The headlamp shall be operated at a maximum power for fifty to seventy percent of each cycle;

(3) The lowest intensity at any test point shall not be less than seventeen percent of the maximum intensity measured at the same point;

(4) The modulator switch shall be wired in the power lead of the beam filament being modulated and not in the ground side of the circuit;

(5) Means shall be provided so that both the lower beam and the upper beam remain operable in the event of a modulation failure;

(6) The system shall include a sensor mounted with the axis of its sensing element perpendicular to a horizontal plane. Headlamp modulation shall cease whenever the level of light emitted by a tungsten filament operating at three thousand degrees kelvin is either less than two hundred seventy lux of direct light for upward pointing sensors or less than sixty lux of reflected light for downward pointing sensors. The light is measured by a silicon cell type light meter that is located at the sensor and pointing in the same direction as the sensor. A photo gray card is placed at ground level to simulate the road surface in testing downward pointing sensors;

(7) Means shall be provided so that both the lower and upper beam function at design voltage when the headlamp control switch is in either the lower or upper beam position when the modulator is off.

2. Each motorcycle headlamp modulator not intended as original equipment, or its container, shall be labeled with the maximum wattage, and the minimum wattage appropriate for its use. Additionally, each such modulator shall comply with the provisions of subdivisions (1) to (7) of subsection 1 of this section when connected to a headlamp of the maximum-rated power and headlamp of the minimum-rated power, and shall provide means so that the modulated beam functions at design voltage when the modulator is off. Instructions, with a diagram, shall be provided for mounting the light sensor including location on the motorcycle, distance above the road surface, and orientation with respect to the light.

3. Notwithstanding any other provision of law, subject to the requirements of subsection 4 of this section, a motorcycle may be equipped with, and an operator of a motorcycle may use, the following auxiliary lighting:

(1) ~~[Amber and white illumination]~~ **Any color illumination;**

(2) Standard bulb running lights; or

(3) Light-emitting diode pods and strips.

37 4. Lighting under subsection 3 of this section shall be:

38 (1) Nonblinking;

39 (2) Nonflashing;

40 (3) Nonoscillating; and

41 (4) Directed toward the engine and the drive train of the motorcycle to prevent
42 interference with the driver's operation of the vehicle.

307.180. As used in sections 307.180 to 307.193:

2 (1) The word "bicycle" shall mean every vehicle propelled solely by human power upon
3 which any person may ride, having two tandem wheels, or two parallel wheels and one or two
4 forward or rear wheels, all of which are more than fourteen inches in diameter, except scooters
5 and similar devices;

6 (2) The term "motorized bicycle" shall mean any two- or three-wheeled device having
7 an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic
8 centimeters, which produces less than three gross brake horsepower, and is capable of propelling
9 the device at a maximum speed of not more than thirty miles per hour on level ground, **but**
10 **excluding an electric bicycle, as defined in section 301.010.** A motorized bicycle shall be
11 considered a motor vehicle for purposes of any homeowners' or renters' insurance policy.

307.188. Every person riding a bicycle, **electric bicycle**, or motorized bicycle upon a
2 street or highway shall be granted all of the rights and shall be subject to all of the duties
3 applicable to the driver of a vehicle as provided by chapter 304, except as to special regulations
4 in sections 307.180 to 307.193 and except as to those provisions of chapter 304 which by their
5 nature can have no application.

307.193. Any person seventeen years of age or older who violates any provision of
2 sections 307.180 to ~~[307.193]~~ **307.194** is guilty of an infraction and, upon conviction thereof,
3 shall be punished by a fine of not less than five dollars nor more than twenty-five dollars. Such
4 an infraction does not constitute a crime and conviction shall not give rise to any disability or
5 legal disadvantage based on conviction of a criminal offense. If any person under seventeen
6 years of age violates any provision of sections 307.180 to ~~[307.193]~~ **307.194** in the presence of
7 a peace officer possessing the duty and power of arrest for violation of the general criminal laws
8 of the state or for violation of ordinances of counties or municipalities of the state, said officer
9 may impound the bicycle or motorized bicycle involved for a period not to exceed five days upon
10 issuance of a receipt to the child riding it or to its owner.

307.194. 1. Except as otherwise provided in this section, every person riding an
2 **electric bicycle shall be granted all of the rights and shall be subject to all of the duties**
3 **applicable to the operator of a bicycle. An electric bicycle shall be considered a vehicle to**
4 **the same extent as a bicycle.**

5 2. An electric bicycle or a person operating an electric bicycle is not subject to
6 provisions of law that are applicable to motor vehicles, all-terrain vehicles, off-road
7 vehicles, off-highway vehicles, motor vehicle rentals, motor vehicle dealers or franchises,
8 or motorcycle dealers or franchises, including vehicle registration, certificates of title,
9 drivers' licenses, and financial responsibility.

10 3. Beginning August 28, 2021, manufacturers and distributors of electric bicycles
11 shall apply a permanent label to each electric bicycle. The label, which shall be affixed to
12 the electric bicycle in a prominent location, shall contain the classification number, top
13 assisted speed, and motor wattage of the electric bicycle. The text on the label shall be arial
14 font and in at least nine-point type.

15 4. No person shall tamper with or modify an electric bicycle so as to change the
16 motor-powered speed capability or engagement of an electric bicycle unless he or she
17 replaces the label required under subsection 3 of this section with a new label indicating
18 the new classification.

19 5. An electric bicycle shall comply with the equipment and manufacturing
20 requirements for bicycles adopted by the United States Consumer Product Safety
21 Commission, 16 CFR 1512.

22 6. An electric bicycle shall operate in a manner so that the electric motor is
23 disengaged or ceases to function when the rider stops pedaling or when the brakes are
24 applied.

25 7. An electric bicycle may be ridden where bicycles are permitted to travel, subject
26 to the following provisions:

27 (1) An electric bicycle may be ridden on bicycle or multi-use paths where bicycles
28 are permitted;

29 (2) Following notice and a public hearing, a municipality, local authority, or state
30 agency having jurisdiction over a bicycle or multi-use path may prohibit the operation of
31 a class 1 electric bicycle or class 2 electric bicycle on that path if it finds that such a
32 restriction is needed for safety reasons or compliance with other laws or legal obligations;

33 (3) A municipality, local authority, or state agency having jurisdiction over a
34 bicycle or multi-use path may prohibit the operation of a class 3 electric bicycle on that
35 path; and

36 (4) The provisions of this subsection shall not apply to a trail that is specifically
37 designated as nonmotorized and that has a natural surface tread that is made by clearing
38 and grading the native soil with no added surfacing materials. A local authority or agency
39 of the state having jurisdiction over a trail described in this subsection may regulate the
40 use of an electric bicycle on that trail.

41 **8. The use of class 3 electric bicycles shall be subject to the following provisions:**

42 **(1) No person under sixteen years of age shall operate a class 3 electric bicycle. A**
43 **person under sixteen years of age may ride as a passenger on a class 3 electric bicycle that**
44 **is designed to accommodate passengers; and**

45 **(2) All class 3 electric bicycles shall be equipped with a speedometer that is capable**
46 **of displaying the speed an electric bicycle is traveling in miles per hour.**

307.350. 1. The owner of every motor vehicle as defined in section 301.010 which is
2 required to be registered in this state, except:

3 (1) Motor vehicles having less than one hundred fifty thousand miles, for the ten-year
4 period following their model year of manufacture, excluding prior salvage vehicles immediately
5 following a rebuilding process and vehicles subject to the provisions of section 307.380;

6 (2) Those motor vehicles which are engaged in interstate commerce and are
7 proportionately registered in this state with the Missouri highway reciprocity commission,
8 although the owner may request that such vehicle be inspected by an official inspection station,
9 and a peace officer may stop and inspect such vehicles to determine whether the mechanical
10 condition is in compliance with the safety regulations established by the United States
11 Department of Transportation; and

12 (3) Historic motor vehicles registered pursuant to section 301.131;

13 (4) Vehicles registered in excess of twenty-four thousand pounds for a period of less than
14 twelve months;

15
16 shall submit such vehicles to a biennial inspection of their mechanism and equipment in
17 accordance with the provisions of sections 307.350 to 307.390 and obtain a certificate of
18 inspection and approval and a sticker, seal, or other device from a duly authorized official
19 inspection station. The inspection, except the inspection of school buses which shall be made
20 at the time provided in section 307.375, shall be made at the time prescribed in the rules and
21 regulations issued by the superintendent of the Missouri state highway patrol; but the inspection
22 of a vehicle shall not be made more than sixty days prior to the date of application for
23 registration or within sixty days of when a vehicle's registration is transferred; however, if a
24 vehicle was purchased from a motor vehicle dealer and a valid inspection had been made within
25 sixty days of the purchase date, the new owner shall be able to utilize an inspection performed
26 within ninety days prior to the application for registration or transfer. ~~[Any vehicle manufactured~~
27 ~~as an even-numbered model year vehicle shall be inspected and approved pursuant to the safety~~
28 ~~inspection program established pursuant to sections 307.350 to 307.390 in each even-numbered~~
29 ~~calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall~~
30 ~~be inspected and approved pursuant to sections 307.350 to 307.390 in each odd-numbered year.]~~

31 The certificate of inspection and approval shall be a sticker, seal, or other device or combination
32 thereof, as the superintendent of the Missouri state highway patrol prescribes by regulation and
33 shall be displayed upon the motor vehicle or trailer as prescribed by the regulations established
34 by him. The replacement of certificates of inspection and approval which are lost or destroyed
35 shall be made by the superintendent of the Missouri state highway patrol under regulations
36 prescribed by him.

37 2. For the purpose of obtaining an inspection only, it shall be lawful to operate a vehicle
38 over the most direct route between the owner's usual place of residence and an inspection station
39 of such owner's choice, notwithstanding the fact that the vehicle does not have a current state
40 registration license. It shall also be lawful to operate such a vehicle from an inspection station
41 to another place where repairs may be made and to return the vehicle to the inspection station
42 notwithstanding the absence of a current state registration license.

43 3. No person whose motor vehicle was duly inspected and approved as provided in this
44 section shall be required to have the same motor vehicle again inspected and approved for the
45 sole reason that such person wishes to obtain a set of any special personalized license plates
46 available pursuant to section 301.144 or a set of any license plates available pursuant to section
47 301.142, prior to the expiration date of such motor vehicle's current registration.

48 4. Notwithstanding the provisions of section 307.390, violation of this section shall be
49 deemed an infraction.

307.380. 1. Every vehicle of the type required to be inspected upon having been
2 involved in an accident and when so directed by a police officer must be inspected and an official
3 certificate of inspection and approval, sticker, seal or other device be obtained for such vehicle
4 before it is again operated on the highways of this state. At the seller's expense every **used**
5 **motor** vehicle of the type required to be inspected by section 307.350~~[, whether new or used,]~~
6 shall immediately prior to sale be fully inspected regardless of any current certificate of
7 inspection and approval, and an appropriate new certificate of inspection and approval, sticker,
8 seal or other device shall be obtained.

9 2. Nothing contained in the provisions of this section shall be construed to prohibit a
10 dealer or any other person from selling a vehicle without a certificate of inspection and approval
11 if the vehicle is sold for junk, salvage, or for rebuilding, or for vehicles sold at public auction or
12 from dealer to dealer. The purchaser of any vehicle which is purchased for junk, salvage, or for
13 rebuilding, shall give to the seller an affidavit, on a form prescribed by the superintendent of the
14 Missouri state highway patrol, stating that the vehicle is being purchased for one of the reasons
15 stated herein. No vehicle of the type required to be inspected by section 307.350 which is
16 purchased as junk, salvage, or for rebuilding shall again be registered in this state until the owner

17 has submitted the vehicle for inspection and obtained an official certificate of inspection and
18 approval, sticker, seal or other device for such vehicle.

19 3. Notwithstanding the provisions of section 307.390, violation of this section shall be
20 deemed an infraction.

365.020. Unless otherwise clearly indicated by the context, the following words and
2 phrases have the meanings indicated:

3 (1) "Cash sale price", the price stated in a retail installment contract for which the seller
4 would have sold to the buyer, and the buyer would have bought from the seller, the motor vehicle
5 which is the subject matter of the retail installment contract, if the sale had been a sale for cash
6 or at a cash price instead of a retail installment transaction at a time sale price. The cash sale
7 price may include any taxes, registration, certificate of title, license and other fees and charges
8 for accessories and their installment and for delivery, servicing, repairing or improving the motor
9 vehicle;

10 (2) "Director", the office of the director of the division of finance;

11 (3) "Holder" of a retail installment contract, the retail seller of the motor vehicle under
12 the contract or, if the contract is purchased by a sales finance company or other assignee, the
13 sales finance company or other assignee;

14 (4) "Insurance company", any form of lawfully authorized insurer in this state;

15 (5) "Motor vehicle", any new or used automobile, mobile home, manufactured home as
16 defined in section 700.010, excluding a manufactured home with respect to which the
17 requirements of subsections 1 to 3 of section 700.111, as applicable, have been satisfied,
18 motorcycle, all-terrain vehicle, motorized bicycle, **electric bicycle as defined in section**
19 **301.010**, moped, motortricycle, truck, trailer, semitrailer, truck tractor, or bus primarily designed
20 or used to transport persons or property on a public highway, road or street;

21 (6) "Official fees", the fees prescribed by law for filing, recording or otherwise perfecting
22 and releasing or satisfying any title or lien retained or taken by a seller in connection with a retail
23 installment transaction;

24 (7) "Person", an individual, partnership, corporation, association, and any other group
25 however organized;

26 (8) "Principal balance", the cash sale price of the motor vehicle which is the subject
27 matter of the retail installment transaction plus the amounts, if any, included in the sale, if a
28 separate identified charge is made therefor and stated in the contract, for insurance and other
29 benefits, including any amounts paid or to be paid by the seller pursuant to an agreement with
30 the buyer to discharge a security interest, lien, or lease interest on property traded in and official
31 fees, minus the amount of the buyer's down payment in money or goods. Notwithstanding any
32 law to the contrary, any amount actually paid by the seller pursuant to an agreement with the

33 buyer to discharge a security interest, lien or lease on property traded in which was included in
34 a contract prior to August 28, 1999, is valid and legal;

35 (9) "Retail buyer" or "buyer", a person who buys a motor vehicle from a retail seller in
36 a retail installment transaction under a retail installment contract;

37 (10) "Retail installment contract" or "contract", an agreement evidencing a retail
38 installment transaction entered into in this state pursuant to which the title to or a lien upon the
39 motor vehicle, which is the subject matter of the retail installment transaction is retained or taken
40 by the seller from the buyer as security for the buyer's obligation. The term includes a chattel
41 mortgage or a conditional sales contract;

42 (11) "Retail installment transaction", a sale of a motor vehicle by a retail seller to a retail
43 buyer on time under a retail installment contract for a time sale price payable in one or more
44 deferred installments;

45 (12) "Retail seller" or "seller", a person who sells a motor vehicle, not principally for
46 resale, to a retail buyer under a retail installment contract;

47 (13) "Sales finance company", a person engaged, in whole or in part, in the business of
48 purchasing retail installment contracts from one or more sellers. The term includes but is not
49 limited to a bank, trust company, loan and investment company, savings and loan association,
50 financing institution, or registrant pursuant to sections 367.100 to 367.200, if so engaged. The
51 term shall not include a person who makes only isolated purchases of retail installment contracts,
52 which purchases are not being made in the course of repeated or successive purchases of retail
53 installment contracts from the same seller;

54 (14) "Time price differential", the amount, however denominated or expressed, as
55 limited by section 365.120, in addition to the principal balance to be paid by the buyer for the
56 privilege of purchasing the motor vehicle on time to be paid for by the buyer in one or more
57 deferred installments;

58 (15) "Time sale price", the total of the cash sale price of the motor vehicle and the
59 amount, if any, included for insurance and other benefits if a separate identified charge is made
60 therefor and the amounts of the official fees and time price differential.

385.220. 1. The provisions of sections 385.200 to 385.220 shall not apply to:

2 (1) Warranties;

3 (2) Maintenance agreements;

4 (3) Commercial transactions; ~~and~~

5 (4) Service contracts sold or offered for sale to persons other than consumers; **or**

6 **(5) Motor club contracts, as defined in section 385.450.**

7 2. Manufacturer's contracts on the manufacturer's products need only comply with the
8 provisions of sections 385.206, 385.208, and 385.216.

385.320. 1. Sections 385.300 to 385.320 shall not apply to:

- 2 (1) Warranties;
- 3 (2) Maintenance agreements;
- 4 (3) Warranties, service contracts, or maintenance agreements offered by public utilities
- 5 on their transmission devices to the extent they are regulated under the laws of this state;
- 6 (4) Service contracts sold or offered for sale to persons other than consumers;
- 7 (5) Service contracts sold or offered to nonresidents of this state regardless of whether
- 8 the entity selling or offering such contracts is located or doing business in this state;
- 9 (6) Motor vehicle extended service contracts, as defined in section 385.200; ~~and~~
- 10 (7) **Motor club contracts, as defined in section 385.450; or**
- 11 (8) Agreements or warranties which provide for the service, repair, replacement, or
- 12 maintenance of the systems, appliances, and structural components of residential or commercial
- 13 real property.

14 2. Manufacturer's service contracts on the manufacturer's products need only comply

15 with the provisions of sections 385.306, 385.308, and 385.316.

385.450. 1. As used in this section, the following terms shall mean:

- 2 (1) **"Motor club", a legal entity that, in consideration of dues, assessments, or**
- 3 **periodic payments of money, promises to provide motor club services to its members or**
- 4 **subscribers;**
- 5 (2) **"Motor club contract", an agreement whereby a motor club promises to render,**
- 6 **furnish, or procure motor club services to or for its members or subscribers;**
- 7 (3) **"Motor club services", services that assist a member or subscriber of a motor**
- 8 **club in matters relating to motor travel or the operation, use, or maintenance of a motor**
- 9 **vehicle by supplying services that may include, but are not limited to, towing service,**
- 10 **emergency road service, bail and guaranteed arrest bond certificate service, discount**
- 11 **service, theft service, map service, touring service, legal fee reimbursement service in the**
- 12 **defense of traffic offenses, and participation in an accident and sickness or accidental death**
- 13 **insurance benefit program issued by an insurance company authorized to do business in**
- 14 **this state.**

15 2. Fees collected from the sale of motor club contracts shall not be subject to

16 taxation of premiums under chapter 148.

17 3. Motor clubs complying with the provisions of this section shall not be required

18 to comply with the provisions of chapter 374 or 375, or any other provisions governing

19 insurance companies, except as specifically provided.

2 **407.005. As used in this chapter, unless the context clearly requires otherwise, the**

term **"digital electronic equipment"** shall mean any product that depends for its

3 **functioning, in whole or in part, on digital electronics embedded in or attached to the**
4 **product; provided however, that such term shall not include any motor vehicle**
5 **manufacturer, manufacturer of motor vehicle equipment, or motor vehicle dealer, or any**
6 **product or service of a motor vehicle manufacturer, manufacturer of motor vehicle**
7 **equipment, or motor vehicle dealer acting in that capacity.**

2 407.300. 1. Every purchaser or collector of, or dealer in, junk, scrap metal, or any
3 secondhand property **who obtains items for resale or profit** shall keep a register containing a
4 written or electronic record for each purchase or trade in which each type of material subject to
5 the provisions of this section is obtained for value. There shall be a separate record for each
6 transaction involving any:

- 6 (1) Copper, brass, or bronze;
- 7 (2) Aluminum wire, cable, pipe, tubing, bar, ingot, rod, fitting, or fastener;
- 8 (3) Material containing copper or aluminum that is knowingly used for farming purposes
9 as farming is defined in section 350.010; whatever may be the condition or length of such metal;
- 10 (4) **Detached** catalytic converter; or
- 11 (5) Motor vehicle, heavy equipment, or tractor battery.

12 2. The record required by this section shall contain the following data:

- 13 (1) A copy of the driver's license or photo identification issued by the state or by the
14 United States government or agency thereof ~~[to]~~ **of** the person from whom the material is
15 obtained;
- 16 (2) The current address, gender, birth date, and a **color** photograph of the person from
17 whom the material is obtained if not included or are different from the identification required in
18 subdivision (1) of this subsection;
- 19 (3) The date, time, and place of the transaction;
- 20 (4) The license plate number of the vehicle used by the seller during the transaction; **and**
- 21 (5) A full description of the material, including the weight and purchase price.

22 3. The records required under this section shall be maintained for a minimum of ~~[twenty-~~
23 ~~four]~~ **thirty-six** months from when such material is obtained and shall be available for inspection
24 by any law enforcement officer.

25 4. ~~[Anyone convicted of violating this section shall be guilty of a class B misdemeanor.]~~
26 **No transaction that includes a detached catalytic converter shall occur at any location**
27 **other than the fixed place of business of the purchaser or collector of, or dealer in, junk,**
28 **scrap metal, or any secondhand property. No detached catalytic converter shall be altered,**
29 **modified, disassembled, or destroyed until it has been in the purchaser's, collector's, or**
30 **dealer's possession for five business days.**

31 5. **Anyone licensed under section 301.218 who knowingly purchases a stolen**
32 **detached catalytic converter shall be subject to the following penalties:**

33 **(1) For a first violation, a fine in the amount of five-thousand dollars;**

34 **(2) For a second violation, a fine in the amount of ten-thousand dollars; and**

35 **(3) For a third violation, revocation of the license for a business described under**
36 **section 301.218.**

37 6. This section shall not apply to ~~[any]~~ **either** of the following transactions:

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

40 ~~———(2)]~~ Any transaction for which the seller~~[-, including a farm or farmer,]~~ has an existing
41 business relationship with the scrap metal dealer and is known to the scrap metal dealer making
42 the purchase to be an established business or political subdivision that operates a business with
43 a fixed location that can be reasonably expected to generate regulated scrap metal and can be
44 reasonably identified as such a business, **and for which the seller is paid by check or by**
45 **electronic funds transfer, or the seller produces an acceptable identification, which shall**
46 **be a copy of the driver's license or photo identification issued by the state or by the United**
47 **States government or agency thereof, and a copy is retained by the purchaser; or**

48 ~~[(3)]~~ (2) Any transaction for which the type of metal subject to subsection 1 of this
49 section is a minor part of a larger item, except for equipment used in the generation and
50 transmission of electrical power or telecommunications.

 407.526. 1. A person commits the crime of odometer fraud in the third degree if, with
2 the intent to defraud, he operates a motor vehicle less than ~~[ten]~~ **twenty** years old **with a model**
3 **year of 2011 or newer** on any street or highway knowing that the odometer of the motor vehicle
4 is disconnected or not functioning.

5 2. Odometer fraud in the third degree is a class C misdemeanor.

 407.536. 1. Any person transferring ownership of a motor vehicle previously titled in
2 this or any other state shall do so by assignment of title and shall place the mileage registered on
3 the odometer at the time of transfer above the signature of the transferor. The signature of the
4 transferor below the mileage shall constitute an odometer mileage statement. The transferee
5 shall sign such odometer mileage statement before an application for certificate of ownership
6 may be made. If the true mileage is known to the transferor to be different from the number of
7 miles shown on the odometer or the true mileage is unknown, a statement from the transferor
8 shall accompany the assignment of title which shall contain all facts known by the transferor
9 concerning the true mileage of the motor vehicle. That statement shall become a part of the
10 permanent record of the motor vehicle with the Missouri department of revenue. The department

11 of revenue shall place on all new titles issued after September 28, 1977, a box titled "mileage at
12 the time of transfer".

13 2. Any person transferring the ownership of a motor vehicle previously untitled in this
14 or any other state to another person shall give an odometer mileage statement to the transferee.
15 The statement shall include above the signature of the transferor and transferee the cumulative
16 mileage registered on the odometer at the time of transfer. If the true mileage is known to the
17 transferor to be different from the number of miles shown on the odometer or the true mileage
18 is unknown, a statement from the transferor shall accompany the assignment of title which shall
19 contain all facts known by the transferor concerning the true mileage of the motor vehicle. That
20 statement shall become a permanent part of the records of the Missouri department of revenue.

21 3. If, upon receiving an application for registration or for a certificate of ownership of
22 a motor vehicle, the director of revenue has credible evidence that the odometer reading provided
23 by a transferor is materially inaccurate, he may place an asterisk on the face of the title document
24 issued by the Missouri department of revenue, provided that the process required thereby does
25 not interfere with his obligations under subdivision (2) of subsection 3 of section 301.190. The
26 asterisk shall refer to a statement on the face and at the bottom of the title document which shall
27 read as follows: "This may not be the true and accurate mileage of this motor vehicle. Consult
28 the documents on file with the Missouri department of revenue for an explanation of the
29 inaccuracy.". Nothing in this section shall prevent any person from challenging the
30 determination by the director of revenue in the circuit courts of the state of Missouri. The burden
31 of proof shall be on the director of the department of revenue in all such proceedings.

32 4. The mileage disclosed by the odometer mileage statement for a new or used motor
33 vehicle as described in subsections 1 and 2 of this section shall be placed by the transferor on any
34 title or document evidencing ownership. Additional statements shall be placed on the title
35 document as follows:

36 (1) If the transferor states that to the best of his knowledge the mileage disclosed is the
37 actual mileage of the motor vehicle, an asterisk shall follow the mileage on the face of the title
38 or document of ownership issued by the Missouri department of revenue. The asterisk shall
39 reference to a statement on the face and bottom of the title document which shall read as follows:
40 "Actual Mileage";

41 (2) Where the transferor has submitted an explanation why this mileage is incorrect, an
42 asterisk shall follow the mileage on the face of the title or document of ownership issued by the
43 Missouri department of revenue. The asterisk shall reference to a statement on the face and at
44 the bottom of the title document which shall read as follows: "This is not the true and accurate
45 mileage of this motor vehicle. Consult the documents on file with the Missouri department of
46 revenue for an explanation of the inaccuracy.". Further wording shall be included as follows:

47 (a) If the transferor states that the odometer reflects the amount of mileage in excess of
48 the designed mechanical odometer limit, the above statement on the face of the title document
49 shall be followed by the words: "Mileage exceeds the mechanical limits";

50 (b) If the transferor states that the odometer reading differs from the mileage and that the
51 difference is greater than that caused by odometer calibration error and the odometer reading
52 does not reflect the actual mileage and should not be relied upon, the above statement on the face
53 of the title document shall be preceded by the words: "Warning Odometer Discrepancy".

54 5. The department of revenue shall notify all motor vehicle ownership transferees of the
55 civil and criminal penalties involving odometer fraud.

56 6. Any person defacing or obscuring or otherwise falsifying any odometer reading on any
57 document required by this section shall be guilty of a class E felony.

58 7. The granting or creation of a security interest or lien shall not be considered a change
59 of ownership for the purpose of this section, and the grantor of such lien or security interest shall
60 not be required to make an odometer mileage statement. The release of a lien by a mortgage
61 holder shall not be considered a change of ownership of the motor vehicle for the purposes of
62 this section. The mortgage holder or lienholder shall not be required to make an odometer
63 disclosure statement or state the current odometer setting at the time of the release of the lien
64 where there is no change of ownership.

65 8. For the purposes of the mileage disclosure requirements of this section, if a certificate
66 of ownership is held by a lienholder, if the transferor makes application for a duplicate certificate
67 of ownership, or as otherwise provided in the federal Motor Vehicle Information and Cost
68 Savings Act and related federal regulations, the transferor may execute a written power of
69 attorney authorizing a transfer of ownership. The person granted such power of attorney shall
70 restate exactly on the assignment of title the actual mileage disclosed at the time of transfer. The
71 power of attorney shall accompany the certificate of ownership and the original power of
72 attorney and a copy of the certificate of ownership shall be returned to the issuing state in the
73 manner prescribed by the director of revenue, unless otherwise provided by federal law, rule or
74 regulation. The department of revenue may prescribe a secure document for use in executing a
75 written power of attorney, **and may allow electronic signatures on such document.** The
76 department shall collect a fee for each form issued, not to exceed the cost of procuring the form.

407.556. 1. A violation of the provisions of sections 407.511 to 407.556 by any person
2 licensed or registered as a manufacturer or dealer pursuant to the provisions of chapter 301, shall
3 be considered a violation of the provisions of that chapter, subjecting that person to revocation
4 or suspension of any license issued pursuant to the provisions of that chapter.

5 2. The provisions of sections 407.511 to 407.556 do not apply to the following motor
6 vehicles:

7 (1) Any motor vehicle having a gross vehicle weight rating of more than sixteen
8 thousand pounds;

9 (2) Any motor vehicle **with a model year prior to 2011, or any motor vehicle** that is
10 ~~[ten]~~ **twenty** years old or older;

11 (3) Any motor vehicle sold directly by the manufacturer to any agency of the United
12 States in conformity with contractual specifications; or

13 (4) Any new vehicle prior to its first transfer for purposes other than resale.

407.560. As used in sections 407.560 to 407.579, the following terms mean:

2 (1) "Collateral charges", those additional charges to a consumer not directly attributable
3 to a manufacturer's suggested retail price label for the new motor vehicle. For the purposes of
4 sections 407.560 to 407.579, "collateral charges" includes all sales tax, license fees, registration
5 fees, title fees and motor vehicle inspections;

6 (2) "Comparable motor vehicle", an identical or reasonably equivalent motor vehicle;

7 (3) "Consumer", the purchaser, other than for the purposes of resale, of a new motor
8 vehicle, primarily used for personal, family, or household purposes, and any person to whom
9 such new motor vehicle is transferred for the same purposes during the duration of an express
10 warranty applicable to such new motor vehicle, and any other person entitled by the terms of
11 such warranty to enforce the obligations of the warranty;

12 (4) "Express warranty", any written affirmation of the fact or promise made by a
13 manufacturer to a consumer in connection with the sale of new motor vehicles which relates to
14 the nature of the material or workmanship or will meet a specified level of performance over a
15 specified period of time;

16 (5) "Manufacturer", any person engaged in the manufacturing or assembling of new
17 motor vehicles as a regular business;

18 (6) "New motor vehicle", any motor vehicle being transferred for the first time from a
19 manufacturer, distributor or new vehicle dealer, which has not been registered or titled in this
20 state or any other state and which is offered for sale, barter or exchange by a dealer who is
21 franchised to sell, barter or exchange that particular make of new motor vehicle. The term "new
22 motor vehicle" shall include only those vehicles propelled by power other than muscular power,
23 but the term shall not include vehicles used as a commercial motor vehicle, off-road vehicles,
24 mopeds, **electric bicycles as defined in section 300.010**, motorcycles or recreational motor
25 vehicles as defined in section 301.010, except for the chassis, engine, powertrain and component
26 parts of recreational motor vehicles. The term "new motor vehicle" shall also include
27 demonstrators or lease-purchase vehicles as long as a manufacturer's warranty was issued as a
28 condition of sale.

407.815. As used in sections 407.810 to 407.835, unless the context otherwise requires, the following terms mean:

(1) "Administrative hearing commission", the body established in chapter 621 to conduct administrative hearings;

(2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with either:

(a) A seat designed to be straddled by the operator, and handlebars for steering control, **but excluding an electric bicycle as defined in section 301.010**; or

(b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement;

(3) "Coerce", to compel or attempt to compel a person to act in a given manner by pressure, intimidation, or threat of harm, damage, or breach of contract, but shall not include the following:

(a) Good faith recommendations, exposition, argument, persuasion or attempts at persuasion without unreasonable conditions;

(b) Notice given in good faith to any franchisee of such franchisee's violation of terms or provisions of such franchise or contractual agreement; or

(c) Any conduct set forth in sections 407.810 to 407.835 that is permitted of the franchisor;

(4) "Common entity", a person:

(a) Who is either controlled or owned, beneficially or of record, by one or more persons who also control or own more than forty percent of the voting equity interest of a franchisor; or

(b) Who shares directors or officers or partners with a franchisor;

(5) "Control", to possess, directly or indirectly, the power to direct or cause the direction of the management or policies of a person, whether through the ownership of voting securities, by contract, or otherwise; except that "control" does not include the relationship between a franchisor and a franchisee under a franchise agreement;

(6) "Dealer-operator", the individual who works at the established place of business of a dealer and who is responsible for and in charge of day-to-day operations of that place of business;

(7) "Distributor", a person, resident or nonresident, who, in whole or in part, sells or distributes new motor vehicles to motor vehicle dealers in this state;

(8) "Franchise" or "franchise agreement", a written arrangement or contract for a definite or indefinite period, in which a person grants to another person a license to use, or the right to grant to others a license to use, a trade name, trademark, service mark, or related characteristics,

37 in which there is a community of interest in the marketing of goods or services, or both, at
38 wholesale or retail, by agreement, lease or otherwise, and in which the operation of the
39 franchisee's business with respect to such franchise is substantially reliant on the franchisor for
40 the continued supply of franchised new motor vehicles, parts and accessories for sale at
41 wholesale or retail. The franchise includes all portions of all agreements between a franchisor
42 and a franchisee, including but not limited to a contract, new motor vehicle franchise, sales and
43 service agreement, or dealer agreement, regardless of the terminology used to describe the
44 agreement or relationship between the franchisor and franchisee, and also includes all provisions,
45 schedules, attachments, exhibits and agreements incorporated by reference therein;

46 (9) "Franchisee", a person to whom a franchise is granted;

47 (10) "Franchisor", a person who grants a franchise to another person;

48 (11) "Good faith", the duty of each party to any franchise and all officers, employees, or
49 agents thereof, to act in a fair and equitable manner toward each other so as to guarantee the one
50 party freedom from coercion, intimidation, or threat of coercion or intimidation from the other
51 party;

52 (12) "Importer", a person who has written authorization from a foreign manufacturer of
53 a line-make of motor vehicles to grant a franchise to a motor vehicle dealer in this state with
54 respect to that line-make;

55 (13) "Line-make", a collection of models, series, or groups of motor vehicles
56 manufactured by or for a particular manufacturer, distributor or importer offered for sale, lease
57 or distribution pursuant to a common brand name or mark; provided, however:

58 (a) Multiple brand names or marks may constitute a single line-make, but only when
59 included in a common dealer agreement and the manufacturer, distributor or importer offers such
60 vehicles bearing the multiple names or marks together only, and not separately, to its authorized
61 dealers; and

62 (b) Motor vehicles bearing a common brand name or mark may constitute separate line-
63 makes when pertaining to motor vehicles subject to separate dealer agreements or when such
64 vehicles are intended for different types of use;

65 (14) "Manufacturer", any person, whether a resident or nonresident of this state, who
66 manufactures or assembles motor vehicles or who manufactures or installs on previously
67 assembled truck chassis special bodies or equipment which, when installed, form an integral part
68 of the motor vehicle and which constitute a major manufacturing alteration. The term
69 "manufacturer" includes a central or principal sales corporation or other entity, other than a
70 franchisee, through which, by contractual agreement or otherwise, it distributes its products;

71 (15) "Motor vehicle", for the purposes of sections 407.810 to 407.835, any motor-driven
72 vehicle required to be registered pursuant to the provisions of chapter 301, except that,

73 motorcycles, **electric bicycles**, and all-terrain vehicles as defined in section 301.010 shall not
74 be included. The term "motor vehicle" shall also include any engine, transmission, or rear axle,
75 regardless of whether attached to a vehicle chassis, that is manufactured for the installation in
76 any motor-driven vehicle with a gross vehicle weight rating of more than sixteen thousand
77 pounds that is registered for the operations on the highways of this state under chapter 301;

78 (16) "New", when referring to motor vehicles or parts, means those motor vehicles or
79 parts which have not been held except as inventory, as that term is defined in subdivision (4) of
80 section 400.9-109;

81 (17) "Person", a natural person, sole proprietor, partnership, corporation, or any other
82 form of business entity or organization;

83 (18) "Principal investor", the owner of the majority interest of any franchisee;

84 (19) "Reasonable", shall be based on the circumstances of a franchisee in the market
85 served by the franchisee;

86 (20) "Require", to impose upon a franchisee a provision not required by law or
87 previously agreed to by a franchisee in a franchise agreement;

88 (21) "Successor manufacturer", any manufacturer that succeeds, or assumes any part of
89 the business of, another manufacturer, referred to as the "predecessor manufacturer", as the result
90 of:

91 (a) A change in ownership, operation, or control of the predecessor manufacturer by sale
92 or transfer of assets, corporate stock, or other equity interest, assignment, merger, consolidation,
93 combination, joint venture, redemption, court-approved sale, operation of law, or otherwise;

94 (b) The termination, suspension or cessation of a part or all of the business operations
95 of the predecessor manufacturer;

96 (c) The noncontinuation of the sale of the product line; or

97 (d) A change in distribution system by the predecessor manufacturer, whether through
98 a change in distributor or the predecessor manufacturer's decision to cease conducting business
99 through a distributor altogether.

407.1025. As used in sections 407.1025 to 407.1049, unless the context otherwise
2 requires, the following terms mean:

3 (1) "Administrative hearing commission", the body established in chapter 621 to conduct
4 administrative hearings;

5 (2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
6 off-highway use, with an unladen dry weight of one thousand five hundred pounds or less,
7 traveling on three, four or more nonhighway tires, with either:

8 (a) A seat designed to be straddled by the operator, and handlebars for steering control,
9 **but excluding an electric bicycle as defined in section 301.010;** or

10 (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire
11 rim, regardless of seating or steering arrangement;

12 (3) "Coerce", to force a person to act in a given manner or to compel by pressure or
13 threat but shall not be construed to include the following:

14 (a) Good faith recommendations, exposition, argument, persuasion or attempts at
15 persuasion;

16 (b) Notice given in good faith to any franchisee of such franchisee's violation of terms
17 or provisions of such franchise or contractual agreement;

18 (c) Any other conduct set forth in section 407.1043 as a defense to an action brought
19 pursuant to sections 407.1025 to 407.1049; or

20 (d) Any other conduct set forth in sections 407.1025 to 407.1049 that is permitted of the
21 franchisor or is expressly excluded from coercion or a violation of sections 407.1025 to
22 407.1049;

23 (4) "Franchise", a written arrangement or contract for a definite or indefinite period, in
24 which a person grants to another person a license to use, or the right to grant to others a license
25 to use, a trade name, trademark, service mark, or related characteristics, in which there is a
26 community of interest in the marketing of goods or services, or both, at wholesale or retail, by
27 agreement, lease or otherwise, and in which the operation of the franchisee's business with
28 respect to such franchise is substantially reliant on the franchisor for the continued supply of
29 franchised new motorcycles or all-terrain vehicles, parts and accessories for sale at wholesale or
30 retail;

31 (5) "Franchisee", a person to whom a franchise is granted;

32 (6) "Franchisor", a person who grants a franchise to another person;

33 (7) "Motorcycle", a motor vehicle operated on two wheels, **but excluding an electric**
34 **bicycle as defined in section 301.010;**

35 (8) "New", when referring to motorcycles or all-terrain vehicles or parts, means those
36 motorcycles or all-terrain vehicles or parts which have not been held except as inventory, as that
37 term is defined in subdivision (4) of section 400.9-109;

38 (9) "Person", a sole proprietor, partnership, corporation, or any other form of business
39 organization.

570.030. 1. A person commits the offense of stealing if he or she:

2 (1) Appropriates property or services of another with the purpose to deprive him or her
3 thereof, either without his or her consent or by means of deceit or coercion;

4 (2) Attempts to appropriate anhydrous ammonia or liquid nitrogen of another with the
5 purpose to deprive him or her thereof, either without his or her consent or by means of deceit or
6 coercion; or

7 (3) For the purpose of depriving the owner of a lawful interest therein, receives, retains
8 or disposes of property of another knowing that it has been stolen, or believing that it has been
9 stolen.

10 2. The offense of stealing is a class A felony if the property appropriated consists of any
11 of the following containing any amount of anhydrous ammonia: a tank truck, tank trailer, rail
12 tank car, bulk storage tank, field nurse, field tank or field applicator.

13 3. The offense of stealing is a class B felony if:

14 (1) The property appropriated or attempted to be appropriated consists of any amount
15 of anhydrous ammonia or liquid nitrogen;

16 (2) The property consists of any animal considered livestock as the term livestock is
17 defined in section 144.010, or any captive wildlife held under permit issued by the conservation
18 commission, and the value of the animal or animals appropriated exceeds three thousand dollars
19 and that person has previously been found guilty of appropriating any animal considered
20 livestock or captive wildlife held under permit issued by the conservation commission.
21 Notwithstanding any provision of law to the contrary, such person shall serve a minimum prison
22 term of not less than eighty percent of his or her sentence before he or she is eligible for
23 probation, parole, conditional release, or other early release by the department of corrections;

24 (3) A person appropriates property consisting of a motor vehicle, watercraft, or aircraft,
25 and that person has previously been found guilty of two stealing-related offenses committed on
26 two separate occasions where such offenses occurred within ten years of the date of occurrence
27 of the present offense;

28 (4) The property appropriated or attempted to be appropriated consists of any animal
29 considered livestock as the term is defined in section 144.010 if the value of the livestock
30 exceeds ten thousand dollars; or

31 (5) The property appropriated or attempted to be appropriated is owned by or in the
32 custody of a financial institution and the property is taken or attempted to be taken physically
33 from an individual person to deprive the owner or custodian of the property.

34 4. The offense of stealing is a class C felony if the value of the property or services
35 appropriated is twenty-five thousand dollars or more.

36 5. The offense of stealing is a class D felony if:

37 (1) The value of the property or services appropriated is seven hundred fifty dollars or
38 more;

39 (2) The offender physically takes the property appropriated from the person of the
40 victim; or

41 (3) The property appropriated consists of:

42 (a) Any motor vehicle, watercraft or aircraft;

- 43 (b) Any will or unrecorded deed affecting real property;
44 (c) Any credit device, debit device or letter of credit;
45 (d) Any firearms;
46 (e) Any explosive weapon as defined in section 571.010;
47 (f) Any United States national flag designed, intended and used for display on buildings
48 or stationary flagstaffs in the open;
49 (g) Any original copy of an act, bill or resolution, introduced or acted upon by the
50 legislature of the state of Missouri;
51 (h) Any pleading, notice, judgment or any other record or entry of any court of this state,
52 any other state or of the United States;
53 (i) Any book of registration or list of voters required by chapter 115;
54 (j) Any animal considered livestock as that term is defined in section 144.010;
55 (k) Any live fish raised for commercial sale with a value of seventy-five dollars or more;
56 (l) Any captive wildlife held under permit issued by the conservation commission;
57 (m) Any controlled substance as defined by section 195.010;
58 (n) Ammonium nitrate;
59 (o) Any wire, electrical transformer, or metallic wire associated with transmitting
60 telecommunications, video, internet, or voice over internet protocol service, or any other device
61 or pipe that is associated with conducting electricity or transporting natural gas or other
62 combustible fuels; or
63 (p) Any material appropriated with the intent to use such material to manufacture,
64 compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their
65 analogues.
- 66 6. The offense of stealing is a class E felony if:
67 (1) The property appropriated is an animal; ~~or~~
68 (2) **The property is a catalytic converter; or**
69 (3) A person has previously been found guilty of three stealing-related offenses
70 committed on three separate occasions where such offenses occurred within ten years of the date
71 of occurrence of the present offense.
- 72 7. The offense of stealing is a class D misdemeanor if the property is not of a type listed
73 in subsection 2, 3, 5, or 6 of this section, the property appropriated has a value of less than one
74 hundred fifty dollars, and the person has no previous findings of guilt for a stealing-related
75 offense.
- 76 8. The offense of stealing is a class A misdemeanor if no other penalty is specified in this
77 section.

78 9. If a violation of this section is subject to enhanced punishment based on prior findings
79 of guilt, such findings of guilt shall be pleaded and proven in the same manner as required by
80 section 558.021.

81 10. The appropriation of any property or services of a type listed in subsection 2, 3, 5,
82 or 6 of this section or of a value of seven hundred fifty dollars or more may be considered a
83 separate felony and may be charged in separate counts.

84 11. The value of property or services appropriated pursuant to one scheme or course of
85 conduct, whether from the same or several owners and whether at the same or different times,
86 constitutes a single criminal episode and may be aggregated in determining the grade of the
87 offense, except as set forth in subsection 10 of this section.

 578.120. 1. Notwithstanding any provision in this chapter to the contrary, no dealer,
2 distributor or manufacturer licensed under section 301.559 may keep open, operate, or assist in
3 keeping open or operating any established place of business for the purpose of buying, selling,
4 bartering or exchanging, or offering for sale, barter or exchange, any motor vehicle, whether new
5 or used, on Sunday. However, this section does not apply to the sale of manufactured housing;
6 the sale of recreational motor vehicles; the sale of motorcycles as that term is defined in section
7 301.010; the sale of motortricycles, motorized bicycles, **electric bicycles as defined in section**
8 **300.010**, all-terrain vehicles, recreational off-highway vehicles, utility vehicles, personal
9 watercraft, or other motorized vehicles customarily sold by powersports dealers licensed
10 pursuant to sections 301.550 to 301.560; washing, towing, wrecking or repairing operations; the
11 sale of petroleum products, tires, and repair parts and accessories; or new vehicle shows or
12 displays participated in by five or more franchised dealers or in towns or cities with five or fewer
13 dealers, a majority.

14 2. No association consisting of motor vehicle dealers, distributors or manufacturers
15 licensed under section 301.559 shall be in violation of antitrust or restraint of trade statutes under
16 chapter 416 or regulation promulgated thereunder solely because it encourages its members not
17 to open or operate on Sunday a place of business for the purpose of buying, selling, bartering or
18 exchanging any motor vehicle.

19 3. Any person who violates the provisions of this section shall be guilty of a class C
20 misdemeanor.

 643.310. 1. The commission may, by rule, establish a decentralized motor vehicle
2 emissions inspection program pursuant to sections 643.300 to 643.355 for any portion of a
3 nonattainment area located within the area described in subsection 1 of section 643.305, **except**
4 **that no decentralized motor vehicle emissions inspection program shall be established in**
5 **any county with a charter form of government and with more than three hundred**
6 **thousand but fewer than four hundred fifty thousand inhabitants or any county of the first**

7 **classification with more than one hundred one thousand but fewer than one hundred**
8 **fifteen thousand inhabitants or any county with a charter form of government and with**
9 **more than two hundred thousand but fewer than three hundred fifty thousand inhabitants.**

10 The decentralized motor vehicle emissions inspection program shall be implemented and applied
11 in the same manner throughout every portion of a nonattainment area located within the area
12 described in subsection 1 of section 643.305 **except any county with a charter form of**
13 **government and with more than three hundred thousand but fewer than four hundred fifty**
14 **thousand inhabitants or any county of the first classification with more than one hundred**
15 **one thousand but fewer than one hundred fifteen thousand inhabitants or any county with**
16 **a charter form of government and with more than two hundred thousand but fewer than**
17 **three hundred fifty thousand inhabitants.** The commission shall ensure that, for each
18 nonattainment area, the state implementation plan established pursuant to subsection 1 of section
19 643.305 incorporates and receives all applicable credits allowed by the United States
20 Environmental Protection Agency for emission reduction programs in other nonattainment areas
21 of like designation in other states. The commission shall ensure that emission reduction amounts
22 established pursuant to subsection 2 of section 643.305 shall be consistent with and not exceed
23 the emissions reduction amounts required by the United States Environmental Protection Agency
24 for other nonattainment areas of like designation in other states. No motor vehicle emissions
25 inspection program shall be required to comply with subsection 1 of section 643.305 unless the
26 plan established thereunder takes full advantage of any changes in requirements or any
27 agreements made or entered into by the United States Environmental Protection Agency and any
28 entity or entities on behalf of a nonattainment area concerning compliance with National
29 Ambient Air Quality Standards of the federal Clean Air Act, as amended, 42 U.S.C. Section
30 7401, et seq., and the regulations promulgated thereunder. **If the exception of certain counties**
31 **from provisions of this subsection has the effect of placing the state of Missouri in**
32 **noncompliance with any federal constitutional, statutory, or regulatory provision that**
33 **results in the loss of any federal funds to the state, the exception of certain counties shall**
34 **expire three years from the date the state is deemed to be in noncompliance.**

35 2. (1) The department, with the cooperation and approval of the commissioner of
36 administration, shall select a person or persons to operate an inspection facility or inspection
37 program pursuant to sections 643.300 to 643.355, under a bid procedure or under a negotiated
38 process or a combination thereof based on criteria and expectations established by the
39 department. This process may use either a licensing arrangement or contractual arrangement
40 with the selected party or parties. The selection of persons to operate inspection facilities or
41 inspection programs shall be exempt from the provisions of all site procurement laws. Each

42 person who is authorized to operate a station pursuant to this section shall be capable of
43 providing adequate and cost-effective service to customers.

44 (2) Service management, coordination and data processing may be provided by the
45 department or by another person, including a contractor or licensee, based upon the most cost-
46 effective proposal for service.

47 (3) A license or contract shall be for a period of up to seven years, consistent with the
48 provisions of Article IV, Section 28 of the Missouri Constitution, and licenses or contracts shall
49 be annually reviewed. A license or contract may be suspended or revoked if the licensee or
50 contractor is not meeting the conditions of sections 643.300 to 643.355, all applicable rules, the
51 license agreement or contract as determined by the department. A licensee or contractor found
52 to have violated sections 643.300 to 643.355, applicable rules or the conditions of the license
53 agreement or contract shall be in violation of section 643.151 and subject to the penalties
54 provided thereunder.

55 3. The commission, the department of economic development and the office of
56 administration shall, in cooperation with the minority business advocacy commission, select the
57 contractor or contractors to provide an inspection program which satisfies the minimum
58 requirements of this section in accordance with the requirements of section 37.014 and chapter
59 34. The commission, the office of administration and the department of economic development,
60 in cooperation with the minority business advocacy commission, shall ensure adequate minority
61 business participation in the selection of the contractor or contractors to provide an inspection
62 program pursuant to this section. The commission, the office of administration and the
63 department of economic development shall ensure adequate participation of Missouri businesses
64 in the selection of the contractor or contractors to provide an inspection program pursuant to this
65 section.

66 4. With approval of the commission and pursuant to rules adopted by the commission,
67 an organization whose members are motor vehicle dealers or leasing companies may establish
68 one or more additional emissions inspection facilities, which may be either mobile or stationary,
69 to be used solely to inspect motor vehicles owned and held for sale or lease by the members of
70 the organization. With approval of the commission and pursuant to rules adopted by the
71 commission, any person operating a fleet of motor vehicles may establish one or more additional
72 emissions inspection facilities, which may be either mobile or stationary, to be used solely to
73 inspect motor vehicles owned or leased and operated by the person establishing the facility. The
74 inspections performed in facilities established pursuant to this subsection shall be performed by
75 a contractor selected by the commission pursuant to this section and the contractor performing
76 such inspections shall be responsible solely to the department and shall satisfy all applicable
77 requirements of sections 643.300 to 643.355.

78 5. If the governor applies to the administrator of the Environmental Protection Agency
79 to require federal reformulated gasoline in nonattainment areas, nothing in sections 643.300 to
80 643.355 shall prevent the storage of conventional gasoline in nonattainment areas which is
81 intended for sale to agricultural, commercial or retail customers outside said nonattainment areas
82 subject to reformulated gasoline.

 643.315. 1. Except as provided in sections 643.300 to 643.355, all motor vehicles which
2 are domiciled, registered or primarily operated in an area for which the commission has
3 established a motor vehicle emissions inspection program pursuant to sections 643.300 to
4 643.355 shall be inspected and approved prior to sale or transfer; provided that, if such vehicle
5 is inspected and approved prior to sale or transfer, such vehicle shall not be subject to another
6 emissions inspection for ninety days after the date of sale or transfer of such vehicle. ~~In~~
7 ~~addition, any such vehicle manufactured as an even-numbered model year vehicle shall be~~
8 ~~inspected and approved under the emissions inspection program established pursuant to sections~~
9 ~~643.300 to 643.355 in each even-numbered calendar year and any such vehicle manufactured as~~
10 ~~an odd-numbered model year vehicle shall be inspected and approved under the emissions~~
11 ~~inspection program established pursuant to sections 643.300 to 643.355 in each odd-numbered~~
12 ~~calendar year.]~~ All motor vehicles subject to the inspection requirements of sections 643.300
13 to 643.355 shall display a valid emissions inspection sticker, and when applicable, a valid
14 emissions inspection certificate shall be presented at the time of registration, or **at least**
15 **biennially for** registration renewal, of such motor vehicle. The department of revenue shall
16 require evidence of the safety and emission inspection and approval required by this section in
17 issuing the motor vehicle ~~annual~~ registration in conformity with the procedure required by
18 sections 307.350 to 307.390 and sections 643.300 to 643.355. The director of revenue may
19 verify that a successful safety and emissions inspection was completed via electronic means.

20 2. The inspection requirement of subsection 1 of this section shall apply to all motor
21 vehicles except:

22 (1) Motor vehicles with a manufacturer's gross vehicle weight rating in excess of eight
23 thousand five hundred pounds;

24 (2) Motorcycles and motortricycles if such vehicles are exempted from the motor vehicle
25 emissions inspection under federal regulation and approved by the commission by rule;

26 (3) Model year vehicles manufactured prior to 1996;

27 (4) Vehicles which are powered exclusively by electric or hydrogen power or by fuels
28 other than gasoline which are exempted from the motor vehicle emissions inspection under
29 federal regulation and approved by the commission by rule;

30 (5) Motor vehicles registered in an area subject to the inspection requirements of sections
31 643.300 to 643.355 which are domiciled and operated exclusively in an area of the state not

32 subject to the inspection requirements of sections 643.300 to 643.355, but only if the owner of
33 such vehicle presents to the department an affidavit that the vehicle will be operated exclusively
34 in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355
35 for the next twenty-four months, and the owner applies for and receives a waiver which shall be
36 presented at the time of registration or registration renewal;

37 (6) New and unused motor vehicles, of model years of the current calendar year and of
38 any calendar year within two years of such calendar year, which have an odometer reading of less
39 than six thousand miles at the time of original sale by a motor vehicle manufacturer or licensed
40 motor vehicle dealer to the first user;

41 (7) Historic motor vehicles registered pursuant to section 301.131;

42 (8) School buses;

43 (9) Heavy-duty diesel-powered vehicles with a gross vehicle weight rating in excess of
44 eight thousand five hundred pounds;

45 (10) New motor vehicles that have not been previously titled and registered, for the four-
46 year period following their model year of manufacture, provided the odometer reading for such
47 motor vehicles are under forty thousand miles at their first required biennial safety inspection
48 conducted under sections 307.350 to 307.390; otherwise such motor vehicles shall be subject to
49 the emissions inspection requirements of subsection 1 of this section during the same period that
50 the biennial safety inspection is conducted;

51 (11) Motor vehicles that are driven fewer than twelve thousand miles between biennial
52 safety inspections; and

53 (12) Qualified plug-in electric drive vehicles. For the purposes of this section, "qualified
54 plug-in electric drive vehicle" shall mean a plug-in electric drive vehicle that is made by a
55 manufacturer, has not been modified from original manufacturer specifications, and can operate
56 solely on electric power and is capable of recharging its battery from an on-board generation
57 source and an off-board electricity source.

58 3. The commission may, by rule, allow inspection reciprocity with other states having
59 equivalent or more stringent testing and waiver requirements than those established pursuant to
60 sections 643.300 to 643.355.

61 4. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.550,
62 may choose to sell a motor vehicle subject to the inspection requirements of sections 643.300
63 to 643.355 either:

64 (a) With prior inspection and approval as provided in subdivision (2) of this subsection;
65 or

66 (b) Without prior inspection and approval as provided in subdivision (3) of this
67 subsection.

68 (2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer
69 shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the
70 emissions standards established pursuant to sections 643.300 to 643.355 or by obtaining a waiver
71 pursuant to section 643.335. A vehicle sold pursuant to this subdivision by a licensed motor
72 vehicle dealer shall be inspected and approved within the one hundred twenty days immediately
73 preceding the date of sale, and, for the purpose of registration of such vehicle, such inspection
74 shall be considered timely.

75 (3) If the dealer chooses to sell the vehicle without prior inspection and approval, the
76 purchaser may return the vehicle within ten days of the date of purchase, provided that the
77 vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails,
78 upon inspection, to meet the emissions standards specified by the commission and the dealer
79 shall have the vehicle inspected and approved without the option for a waiver of the emissions
80 standard and return the vehicle to the purchaser with a valid emissions certificate and sticker
81 within five working days or the purchaser and dealer may enter into any other mutually
82 acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and
83 approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the
84 purchaser has the option to return the vehicle within ten days, provided that the vehicle has no
85 more than one thousand additional miles since the time of sale, to have the dealer repair the
86 vehicle and provide an emissions certificate and sticker within five working days if the vehicle
87 fails, upon inspection, to meet the emissions standards established by the commission, or enter
88 into any mutually acceptable agreement with the dealer. A violation of this subdivision shall be
89 an unlawful practice as defined in section 407.020. No emissions inspection shall be required
90 pursuant to sections 643.300 to 643.360 for the sale of any motor vehicle which may be sold
91 without a certificate of inspection and approval, as provided pursuant to subsection 2 of section
92 307.380.

**Section 1. No business located within five hundred feet of real property owned or
2 leased by a hospital shall offer overnight parking for commercial motor vehicles, as defined
3 in section 301.010, unless a public hearing is held by the city council of the municipality in
4 which the business is located and all owners and lessors of real property located within five
5 hundred feet of the business property have been timely notified of such public hearing and
6 given an opportunity to be heard at such public hearing.**

Section B. The repeal and reenactment of section 303.025 of this act shall become
2 effective on January 1, 2023.

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