

# HOUSE SUBSTITUTE SENATE BILL 38 (0965H.03C)

## Relating to transportation

Section	Original Bill	Status As of 4/27/21	Description
300.010, 301.010, 302.010, 304.001, 307.025, 307.180, 307.188, 307.193, 307.194, 365.020, 407.560, 407.815, 407.1025, RSMo	SB 38 Bernskoetter  Language replaced with HB 307 Perfected Language Griesheimer	Emerging Issues	<p>This bill creates a definition for electric bicycles of three classifications, and excludes electric bicycles from definitions for other types of vehicles.</p> <p>The bill exempts electric bicycles from certain vehicle lighting requirements. Electric bicycles operated by a person under the age of 17 may be impounded in the same manner as bicycles and motorized bicycles.</p> <p>Except as otherwise specifically provided by law, electric bicycles shall not be subject to provisions applicable to motor vehicles, all-terrain vehicles, or utility vehicles, including with regard to vehicle registration, certificates of ownership, driver's licenses, the Motor Vehicle Financial Responsibility Law, vehicle rentals, or vehicle dealers or franchises, and electric bicycles shall be subject to state and local laws applicable to conventional bicycles.</p> <p>On and after August 28, 2021, manufacturers or distributors of electric bicycles shall apply to each electric bicycle a label that is permanently affixed in a prominent location, and that bears certain vehicle information as specified in the bill. No person shall modify an electric bicycles' capabilities unless the required label is replaced accordingly.</p> <p>Electric bicycles shall comply with equipment and manufacturing requirements under the federal law applicable to bicycles and shall operate in a manner such that the electric motor does not function when the rider stops pedaling or applies the brakes.</p> <p>Electric bicycles may be operated in any place where bicycles are permitted to travel, provided that political subdivisions may regulate the operation of electric bicycles as provided in the bill, and that these provisions shall not apply to a natural surface trail or other path designated as nonmotorized.</p> <p>The operation of a class 3 electric bicycle, as defined in the bill, shall be limited to persons at least 16 years of age. Persons under the age of 16 may ride as a passenger, provided the electric bicycle is designed to accommodate passengers. Operators and passengers on class 3 electric bicycles under the age of 18 shall wear a helmet meeting standards specified in the bill, and all class 3 electric bicycles shall be equipped with a speedometer.</p> <p>The bill also exempts electric bicycles from the prohibition against licensed vehicle dealers, distributors, and manufacturers operating a place of business for the sale or exchange of vehicles on Sunday.</p>

9.315	HB 639 Morse	Referred to Rules Legislative Oversight	This bill designates May 10 of each year as "School Bus Drivers' Appreciation Day" and encourages citizens to recognize the day with events and activities to express appreciation for the dedicated bus drivers who transport children safely to school every day.
32.300	SB 580 Rehder	Referred to Senate Transportation, Infrastructure and Public Safety	This bill authorizes the Department of Revenue or any fee office to design and implement, or to contract with a third-party vendor for, a remote system that can be used through the internet or a self-service terminal for motor vehicle and watercraft transactions such as titling and registration.
68.075	HB 249 Ruth	Reported Do Pass out of Senate Economic Development	Currently, no Advanced Industrial Manufacturing (AIM) Zone may be established after August 28, 2023. This bill extends the date to August 28, 2031.
115.151, 115.160, 115.960, 301.558, 306.030, 307.380,	Similar to SS SB 46 Perfected Hough  Includes HB 687	House Emerging Issues	<p>VOTER REGISTRATION THROUGH THE DEPARTMENT OF REVENUE (Sections 115.151, 115.160, and 115.960)</p> <p>This bill requires the use of electronic voter registration application forms by the Director of Revenue. The Director must additionally provide for the secure electronic transfer of voter registration information to election authorities in the manner described in the bill. Election authorities are required to accept and process such records. All voter registration information sent electronically to the election authorities shall be printed out by the election authorities and retained for a period of at least two years.</p> <p>The bill requires the Division of Motor Vehicle and Drivers Licensing to transmit voter registration application forms to the appropriate election authority not later than 3, rather than 5, business days after the form is completed by the applicant.</p> <p>These provisions are the same as SB 587 (2021), and similar to HB 372 (2021) and provisions in HS HCS HB 738 (2021).</p> <p>ADMINISTRATIVE FEES CHARGED BY VEHICLE DEALERS IN CONNECTION WITH THE SALE OR LEASE OF A VEHICLE (Section 301.558)</p> <p>This bill creates the Motor Vehicle Administration Technology Fund, to which 10% of administrative fees charged by motor vehicle dealers shall be remitted for purposes of developing a modernized, integrated system for the titling of vehicles, the issuance and renewal of vehicle registrations, driver's licenses, and identification cards, and the perfection and release of liens and encumbrances on vehicles. Following establishment of the system, the percentage of the fees required to be remitted is reduced to 1%. These provisions shall expire on January 1, 2037 (Section 301.558.3).</p> <p>Additionally, this bill increases, from less than \$200 to \$500 or less, the maximum</p>

			<p>administrative fee a motor vehicle, boat, or powersport dealer licensed by the Department of Revenue may charge for document storage or other administrative or clerical services without being deemed to be engaged in the unauthorized practice of law. The maximum administrative fee specified in the bill shall be increased annually by the greater of the Consumer Price Index for All Urban Consumers, or by zero, whichever is greater. (Section 301.558.4).</p> <p>The bill provides that the same administrative fee need not be charged to all retail customers if the dealer's franchise agreement limits the fee to certain classes of customers. (Section 301.558.5).</p> <p>These provisions are similar to SB 195 (2021) and SB 1046 (2020).</p> <p>PERMANENT VESSEL REGISTRATION (Section 306.030)</p> <p>This bill provides that vessels may be issued a permanent certificate of number upon payment of three times the amount required for a three-year certificate of number and three times any processing fee applicable to a three-year certificate of number. Permanent certificates of number shall not be transferred to any other person or vessel, or displayed on any vessel other than the vessel for which it was issued, and shall continue in force and effect until terminated or discontinued as provided by law (Section 306.030.6).</p> <p>These provisions are similar to provisions in the perfected SCS SB 49 (2021).</p> <p>NEW MOTOR VEHICLE SAFETY INSPECTIONS (Section 307.380)</p> <p>This bill exempts new motor vehicles from the requirement that motor vehicles receive a safety inspection immediately prior to their sale regardless of any current certificate of inspection and approval.</p>
300.155, 304.281	HB 570 Perfected Basye	Informal Third Reading Calendar	This bill allows drivers, when following certain criteria, to turn left after stopping at a red light on a one-way street.
300.347			Authorizes a bicycle to operate upon any sidewalk or crosswalk of any county or municipality in this state.
301.010	HB 92 Taylor	Perfection Calendar Informal	This bill removes from the definition of "autocycle" the provision that it is designed to be controlled with a steering wheel and pedals.
301.010, 304.240	HCS HB 1270 Copeland	Referred to Rules Legislative Oversight	This bill modifies the definition of "local log truck" and "local log truck tractor" to specify weight distribution and a total maximum weight for each truck, and updates weight and distance limits. In addition, the bill also sets fines for load-limit violations involving a local log truck or a local log truck tractor.

301.010, 301.033, 301.192, 301.280, 302.755, 307.128, 407.526, 407.556	HB 661 Perfected Ruth  Includes HB 153 & HB 996	Reported Do Pass out of Senate Transportation, Infrastructure and Public Safety	This bill requires the Department of Revenue to establish a system in which persons who own multiple farm vehicles can elect to have the vehicles placed on the same registration renewal schedule. All farm vehicles included in the fleet of a registered farm vehicle fleet owner shall be registered during April or on a prorated basis, as specified in the bill. The bill allows the owner of a farm vehicle fleet to add a farm vehicle or transfer plates to a fleet vehicle. The owner must pay a transfer fee of \$2 for each vehicle transferred. Farm vehicles registered under this provision shall be issued a special license plate with the phrase "Farm Fleet Vehicle" and be issued multiyear license plates that do not require a renewal tab. The Director of Revenue shall issue a registration certificate or other proof of payment of the annual or biennial fee that must be carried in the vehicle for which it is issued. This bill disqualifies any person from driving a commercial motor vehicle for life if they are convicted of using a commercial motor vehicle in the commission of a felony involving severe forms of trafficking in persons. The bill also changes various laws in which a motor vehicle odometer reading certification is or is not required. Currently, the first time a certificate of ownership is sought for a vehicle that is at least seven years old at the time of application and the value of which is less than \$3,000, the certificate may be issued if the application is accompanied by certain documents, including an odometer reading certification if the vehicle is less than 10 years old. The bill changes the requirement for the odometer reading certification from 10 to 20 years old. Motor vehicle dealers are required to make a monthly report to the Department of Revenue regarding vehicles or trailers sold, taxes collected, etc., which includes an odometer reading for vehicles that are less than 10 years old. This bill changes this provision to require an odometer reading for any vehicle that is less than 20 years old. The crime of odometer fraud in the third degree is changed to occur upon the operation of a motor vehicle less than 20 years old, increased from 10 years old. The provisions of Sections 407.511 to 407.556, RSMo, regarding odometer fraud, currently do not apply to a motor vehicle that is 10 or more years old. The bill now limits that exception to motor vehicles that are 20 or more years old. This bill authorizes the use of any color illumination for auxiliary lighting on a motorcycle. Currently, only amber and white illumination is authorized.
301.144			Currently, there is a prohibition against personalized license plates containing, letters, number or combination of letters and numbers which are obscene, profane, patently offensive or contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present an unreasonable danger to the health or safety. This repeals that prohibition and replaces it with language that says the director shall not violate the Missouri Constitution or United States Constitution as interpreted by the courts.
301.147, 307.350, 643.315 Section 1	HB 578 Perfected Bromley  Similar in part to SCS HB 578	Referred to Senate Government Accountability and Fiscal Oversight	This bill repeals the provision of law which requires that vehicles manufactured as an even-numbered model year must be renewed each even-numbered calendar year and that vehicles manufactured as an odd-numbered model year must be renewed each odd-numbered calendar year. The act accordingly modifies certain vehicle safety and emissions inspection statutes to refer to biennial registration generally. The bill also provides that any motor vehicle not

			equipped with a front license plate bracket will not be required to display a front license plate. At the time of initial or renewal registration, the owner must surrender the front license plate to the Department of Revenue and notify the Department that the vehicle is not equipped with a front license plate bracket.
301.192, 301.280, 407.526, 407.536, 407.556	Similar to HB 664 Ruth	Referred to Rules Administrative Oversight	This bill changes various laws in which a motor vehicle odometer reading certification is or is not required. Currently, the first time a certificate of ownership is sought for a vehicle that is at least seven years old at the time of application and the value of which is less than \$3,000, the certificate may be issued if the application is accompanied by certain documents, including an odometer reading certification if the vehicle is less than 10 years old. The bill changes the requirement for the odometer reading certification from 10 to 20 years old. Motor vehicle dealers are required to make a monthly report to the Department of Revenue regarding vehicles or trailers sold, taxes collected, etc., which includes an odometer reading for vehicles that are less than 10 years old. This bill changes this provision to require an odometer reading for any vehicle that is less than 20 years old. The crime of odometer fraud in the third degree is changed to occur upon the operation of a motor vehicle less than 20 years old, increased from 10 years old. The provisions of Sections 407.511 to 407.556, RSMo, regarding odometer fraud, currently do not apply to a motor vehicle that is 10 or more years old. The bill now limits that exception to motor vehicles that are 20 or more years old.
301.3083	HB 569 Basye	Referred to Rules Legislative Oversight	This bill allows for the issuance of a "cancer awareness" specialty license plate upon the annual payment of a \$25 contribution to support cancer awareness activities conducted by the Department of Health and Senior Services, in addition to the \$15 registration fee.
301.3139	HB 660 Perfection O'Donnell	Referred to Senate Transportation, Infrastructure and Public Safety	Currently, an organization is required to send a list of at least 200 potential applicants who plan to purchase a specialty plate before such a specialty plate will be issued. This bill removes this requirement for Boy Scouts of America specialty license plates.
301.3179	HB 100 Perfected Sharp	Senate Third Read Consent Calendar	This bill allows for the issuance of a "Negro Leagues Baseball Museum" specialty license plate upon making a \$10 contribution to the Negro Leagues Baseball Museum, and a \$15 fee in addition to the regular registration fee.
302.174	HB 1150 West	Reported Do Pass out of Rules Legislative Oversight	Currently, persons who are deaf or hard of hearing can apply for a deaf or hard of hearing notation on their drivers' licenses. This bill would allow those persons to get an optional deaf or hard of hearing license plate sticker for the rear license plate of their motor vehicles.
304.050	HB 257 Perfected Evans	Public Hearing Scheduled Senate Education	This bill provides that a certified Head Start school bus is subject to all provisions that a certified school bus is subject, except for the requirement of a crossing control arm.

307.175, 304.022	Similar to HB 380 Perfected Walsh  Included in HCS HB 307 Perfected	Public Hearing Held Senate Transportation, Infrastructure and Public Safety	This bill adds vehicles and equipment owned, leased, or operated by a coroner, medical examiner, or forensic investigator of the County's Medical Examiner's Office, when responding to a crime scene, motor vehicle accident, workplace accident, or any location at which the services of those professionals have been requested by a law enforcement officer, to the list of vehicles authorized to use or display fixed, flashing, or rotating red or red and blue lights.
307.182			Authorizes a bicycle to operate on any sidewalk or crosswalk of any county or municipality.
407.005			Defines “digital electronic equipment” for the purposes of Chapter 407 as any product that depends for its functioning on digital electronic embedded in or attached to the product. However, it shall not include any motor vehicle manufacturer, manufacturer of motor vehicle equipment, or motor vehicle dealer, or any product or service of a motor vehicle manufacturer, manufacturer of motor vehicle equipment, or motor vehicle dealer acting in that capacity.
407.300, 570.030	HCS HB 1153 Mayhew	Referred to Rules Legislative Oversight	This bill requires scrap metal dealers and others regulated under Section 407.300, RSMo, to require proof that the seller of a catalytic converter is a bona fide automobile repair shop or sign an affidavit that the converter was lawfully acquired. The make, model, year, and vehicle identification number of the vehicle from which the converter originated will be required and maintained for four years. Records will be submitted to the Department of Public Safety in either a paper or electronic format as specified in the bill. Transactions involving catalytic converters must occur at the primary place of business of the scrap metal dealer or person regulated under Section 407.300. Such individuals must possess the catalytic converter for five days before modifying it in any way. A violation of the bill will be a fine from \$5000 for the first violation, \$10,000 for the second violation and a business license revocation for the third violation as described under Section 301.218. The bill adds unlawfully acquiring a catalytic converter to the offense of stealing. Anyone unlawfully acquiring a catalytic converter will be charged with a class A misdemeanor unless the person has been found guilty of the same offense within the last 10 years or if the person unlawfully acquired and is in possession of two or more catalytic converters the offense shall be a class E felony.
21.795, 304.153	HCA 4 Hicks  Similar to HCS HB 389 and SCS SB 387		This bill requires the Joint Committee on Transportation Oversight ensure towing companies charge fair, equitable, and reasonable rates for services rendered in connection with the towing of commercial motor vehicles, and: (1) Establish a process for complaints against a towing company regarding the towing of a commercial vehicle; (2) Establish factors used in determining whether a rate charged in connection with the towing of a commercial motor vehicle is fair, equitable, and reasonable; (3) Establish a process for suspending or removing a towing company from a tow list with regard to the towing of commercial motor vehicles; and (4) Establish information required to be included on invoices or notices associated with the towing of a commercial motor vehicle. The Committee will meet as necessary for the implementation of these provisions, and the meetings may be held concurrently with existing meetings required of the Committee. If the Committee determines a violation may have

			<p>occurred, the complaint must be referred to the "Commercial Motor Vehicle Towing Adjudicative Board", established in the bill. If the Board determines a violation has occurred, the towing company that committed the violation will be removed from the Highway Patrol's tow list for six months for a first violation, 12 months for a second violation, and permanently for a third violation. The Committee may make recommendations to the Governor and General Assembly regarding statutes governing the nonconsensual towing of commercial motor vehicles.</p>
304.900	HCA 3 Fitzwater HCS HB 592		<p>This bill sets out the requirements for and prohibitions against the operation and use of a personal delivery device. A "personal delivery device" is defined as a powered device operated primarily on sidewalks and crosswalks and intended primarily for the transport of property on public rights-of-way, and is capable of navigating with or without the active control or monitoring of a natural person. The bill allows a personal delivery device to operate on any county or municipal sidewalk, crosswalk or roadway as long as the device does not interfere with motor vehicles, traffic, or block a public right-of-way. A personal delivery device shall have all of the rights and responsibilities as a pedestrian, must display a unique identifying number, and be equipped to identify the personal delivery device operator. When operating on a sidewalk or crosswalk the device's maximum speed is 10 miles per hour and must be equipped with front and rear lighting. The bill requires each personal delivery device operator to maintain a general liability coverage insurance policy of at least \$100,000 for damages arising from the combined operations of personal delivery devices under a personal delivery device operator's control. A personal delivery device shall not transport hazardous material as specified in the bill. The bill does not restrict a local government from regulating the use of personal delivery devices on highways or pedestrian areas. The bill also prevents a personal delivery device operator from selling or disclosing a personally identifiable likeness, as defined in the bill, to a third party for monetary compensation. The operator may use a personally identifiable likeness to improve products or services. The likeness may also be disclosed to law enforcement with a lawful subpoena.</p>
578.120	HCA 1		<p>Amends section 578.120 to clarify that the section does not apply to the sale of electric bicycles.</p>