

HCS SS SB 89 -- TRANSPORTATION

SPONSOR: Wieland (Ruth)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Transportation by a vote of 12 to 0. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 8 to 2 with 1 voting Present.

The following is a summary of the House Committee Substitute for SB 89.

This bill modifies provisions relating to transportation.

SCHOOL BUS DRIVERS (Section 9.315, RSMo)

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.

AIM ZONES (Section 68.075)

Currently, no Advanced Industrial Manufacturing (AIM) Zone may be established after August 28, 2023. This bill extends the date to August 28, 2031.

ELECTRIC BICYCLES (Sections 300.010, 301.010, 303.020, 304.001, 307.025, 307.180, 307.188, 307.193, 307.194, 365.020, 407.560, 407.815, 407.1025, and 578.120)

As used in Chapters 300 and 301, RSMo, the bill defines "electric bicycle" as a bicycle with fully operable pedals, a seat for the rider, and an electric motor of less than 750 watts that meets the requirements of one of three classes:

- (1) "Class 1 electric bicycle", an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour;
- (2) "Class 2 electric bicycle", an electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour; or
- (3) "Class 3 electric bicycle", an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling

and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

Other definitions within those chapters are changed to either specifically include or exclude "electric bicycle".

As used in Chapters 302, 303, 307, 365 and 407 "electric bicycle" is defined in reference to its definition in Chapter 301, and other definitions within those chapters are changed to either specifically include or exclude "electric bicycle".

In Section 578.120, "electric bicycle" is specifically exempt from the prohibition on Sunday sales.

The bill also provides that every person riding an electric bicycle upon a street or highway shall be granted all of the rights and shall be subject to all of the duties applicable to the operator of a bicycle, or the driver of a vehicle as provided by Chapter 304, except as to special regulations in Sections 307.180 to 307.193 and except as to those provisions of Chapter 304 which by their nature can have no application.

Operation of an electric bicycle is not subject to provisions of law that are applicable to motor vehicles, all-terrain vehicles, off-road vehicles, off-highway vehicles, motor vehicle rentals, motor vehicle dealers or franchises, or motorcycle dealers or franchises, including vehicle registration, certificates of title, drivers' licenses, and financial responsibility.

Beginning August 28, 2021, manufacturers and distributors of electric bicycles are required to apply a permanent label to each electric bicycle in a prominent location, which must contain the classification number, top assisted speed, and motor wattage of the electric bicycle. The text on the label must be Arial font and in at least nine-point type. A person is prohibited from tampering with or modifying an electric bicycle in such a way that changes the motor-powered speed capability or engagement of the electric bicycle unless he or she replaces the required label with a new label indicating the new classification.

An electric bicycle must comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission, 16 CFR 1512. An electric bicycle must be operated so that the electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.

Electric bicycles can be ridden where bicycles are permitted, subject to certain provisions set out in the bill. The use of a

class 3 electric bicycle is subject to certain provisions set out in the bill, including the operator must be 16 years old, and be equipped with a speedometer;

LEFT TURNS ON RED LIGHTS (Sections 300.155 and 304.281)

This bill allows drivers, when following certain criteria, to turn left after stopping at a red light on a one-way street.

AUTOCYCLES (Section 301.010)

This bill removes from the definition of "autocycle" the provision that it is designed to be controlled with a steering wheel and pedals.

LOCAL LOG TRUCKS (Section 301.010 and 304.240)

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.

FARM VEHICLES REGISTRATION (Section 301.033)

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.

MOTOR VEHICLE REGISTRATION (Sections 301.147 and 1)

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 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

MOTOR VEHICLE ODOMETER READINGS (Sections 301.192, 301.280, 407.526, 407.536, and 407.556)

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;

DEPARTMENT OF REVENUE ADMINISTRATIVE FEES (Section 301.558)

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.

Additionally, this bill increases, from less than \$200 to \$500 or less, the maximum 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.

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.

CANCER AWARENESS LICENSE PLATE (Section 301.3083)

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.

BOY SCOUTS OF AMERICA LICENSE PLATE (Section 301.3139)

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.

NEGRO LEAGUES BASEBALL MUSEUM SPECIAL LICENSE PLATES (Section 301.3179)

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.

LICENSE PLATES FOR DEAF OR HARD-OF-HEARING PERSONS (Section 302.174)

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.

OPERATION OF A COMMERCIAL MOTOR VEHICLE (Section 302.755)

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.

HEAD START SCHOOL BUSES (Section 304.050)

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.

AUXILIARY LIGHTING FOR MOTORCYCLES (Section 307.128)

This bill authorizes the use of any color illumination for auxiliary lighting on a motorcycle. Currently, only amber and white illumination is authorized.

FLASHING LIGHTS ON MOTOR VEHICLES (Section 307.175 and 304.022)

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, are added to the list of vehicles authorized to use or display fixed, flashing, or rotating red or red and blue lights.

VEHICLE SAFETY AND EMISSIONS INSPECTIONS (Sections 307.350 and 643.315)

The bill modifies certain vehicle safety and emissions inspection statutes to refer to biennial registration generally;

MOTOR VEHICLE INSPECTIONS (Section 307.380)

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;

MOTOR CLUBS (Sections 304.153, 385.220, 385.320 and 385.450)

This bill modifies the existing definition of "motor club" in Section 304.153, RSMo, which relates to tow companies or tow lists utilized by law enforcement and state transportation employees, to

a legal entity that, in consideration of dues, assessments, or periodic payments of money, promises to provide motor club services to its members or subscribers. The fees collected from the sale of motor club contracts are not subject to premium tax. Motor clubs complying with the provisions of the bill will not be subject to provisions governing insurance companies in this state;

The provisions of law governing service contracts and motor vehicle extended service contracts do not apply to motor club contracts ;

Motor club services include services relating to motor travel, which may include but are not limited to towing services, emergency road services, bail bond services, discount services, theft services, map services, touring services, legal fee reimbursement services in the defense of traffic offenses, and participation in an accident and sickness or accidental death insurance benefit program..

CATALYTIC CONVERTER REGULATIONS (Sections 407.300 and 570.030)

This bill requires scrap metal dealers and others regulated under Section 407.300, 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.

The following is a summary of the public testimony from the committee hearing. The testimony was based on SS SB 89.

PROPONENTS: Supporters say that this bill provides an alternative service for motorists.

Testifying for the bill were Senator Wieland; and National Auto and Travel Organization.

OPPONENTS: There was no opposition voiced to the committee.