

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 982,
2 Page 2, Section 43.400, Line 29, by inserting after all of said section and line the following:

3
4 "136.055. 1. Except as provided in subsection 8 of this section, any person who is selected
5 or appointed by the state director of revenue as provided in subsection 2 of this section to act as an
6 agent of the department of revenue, whose duties shall be the processing of motor vehicle title and
7 registration transactions and the collection of sales and use taxes when required under sections
8 144.070 and 144.440, and who receives no salary from the department of revenue, shall be
9 authorized to collect from the party requiring such services additional fees as compensation in full
10 and for all services rendered on the following basis:

11 (1) For each motor vehicle or trailer registration issued, renewed or transferred, six dollars
12 and twelve dollars for those licenses sold or biennially renewed pursuant to section 301.147;

13 (2) For each application or transfer of title, six dollars;

14 (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license
15 issued for a period of three years or less, six dollars and twelve dollars for licenses or instruction
16 permits issued or renewed for a period exceeding three years;

17 (4) For each notice of lien processed, six dollars;

18 (5) Notary fee or electronic transmission per processing, two dollars.

19 2. The director of revenue shall award fee office contracts under this section through a
20 competitive bidding process. The competitive bidding process shall give priority to organizations
21 and entities that are exempt from taxation under Section 501(c)(3), 501(c)(6), or 501(c)(4), except
22 those civic organizations that would be considered action organizations under 26 C.F.R. Section
23 1.501 (c)(3)-1(c)(3), of the Internal Revenue Code of 1986, as amended, with special consideration
24 given to those organizations and entities that reinvest a minimum of seventy-five percent of the net
25 proceeds to charitable organizations in Missouri, and political subdivisions, including but not
26 limited to, municipalities, counties, and fire protection districts. The director of the department of
27 revenue may promulgate rules and regulations necessary to carry out the provisions of this
28 subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
29 under the authority delegated in this subsection shall become effective only if it complies with and is
30 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and

Action Taken _____ Date _____

chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 10 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.

8. The fees described in subsection 1 of this section shall not be collected from any person who qualifies as a homeless child or homeless youth, as defined in subsection 1 of section 167.020, or as an unaccompanied youth as defined in 42 U.S.C. Section 11434a(6). Such person's status as a homeless child or youth or unaccompanied youth shall be verified by a letter signed by one of the following persons:

(1) A director or designee of a governmental or nonprofit agency that receives public or private funding to provide services to homeless persons;

(2) A local education agency liaison for homeless children and youth designated under 42 U.S.C. Section 11432(g)(1)(J)(ii);

(3) A licensed attorney representing the minor in any legal matter; or

(4) A school social worker or counselor."; and

Further amend said bill, Page 46, Section 211.081, Line 27, by inserting after all of said section and line the following:

"302.178. 1. Any person between the ages of sixteen and eighteen years who is qualified to obtain a license pursuant to sections 302.010 to 302.340 may apply for, and the director shall issue, an intermediate driver's license entitling the applicant, while having such license in his or her possession, to operate a motor vehicle of the appropriate class upon the highways of this state in

1 conjunction with the requirements of this section. An intermediate driver's license shall be readily
2 distinguishable from a license issued to those over the age of eighteen. All applicants for an
3 intermediate driver's license shall:

- 4 (1) Successfully complete the examination required by section 302.173;
- 5 (2) Pay the fee required by subsection 4 of this section;
- 6 (3) Have had a temporary instruction permit issued pursuant to subsection 1 of section
7 302.130 for at least a six-month period or a valid license from another state; and
- 8 (4) Have a parent, grandparent, legal guardian, or, if the applicant is a participant in a
9 federal residential job training program, a driving instructor employed by a federal residential job
10 training program, sign the application stating that the applicant has completed at least forty hours of
11 supervised driving experience under a temporary instruction permit issued pursuant to subsection 1
12 of section 302.130, or, if the applicant is an emancipated minor, the person over twenty-one years of
13 age who supervised such driving. For purposes of this section, the term "emancipated minor" means
14 a person who is at least sixteen years of age, but less than eighteen years of age, who:
 - 15 (a) Marries with the consent of the legal custodial parent or legal guardian pursuant to
16 section 451.080;
 - 17 (b) Has been declared emancipated by a court of competent jurisdiction;
 - 18 (c) Enters active duty in the Armed Forces;
 - 19 (d) Has written consent to the emancipation from the custodial parent or legal guardian; ~~[or]~~
 - 20 (e) Through employment or other means provides for such person's own food, shelter and
21 other cost-of-living expenses; or
 - 22 (f) Qualifies as a homeless child or homeless youth, as defined in subsection 1 of section
23 167.020, or as an unaccompanied youth as defined in 42 U.S.C. Section 11434a(6), and whose status
24 as such is verified as provided under subsection 10 of this section;
- 25 (5) Have had no alcohol-related enforcement contacts as defined in section 302.525 during
26 the preceding twelve months; and
- 27 (6) Have no nonalcoholic traffic convictions for which points are assessed pursuant to
28 section 302.302, within the preceding six months.

29 2. An intermediate driver's license grants the licensee the same privileges to operate that
30 classification of motor vehicle as a license issued pursuant to section 302.177, except that no person
31 shall operate a motor vehicle on the highways of this state under such an intermediate driver's
32 license between the hours of 1:00 a.m. and 5:00 a.m. unless accompanied by a person described in
33 subsection 1 of section 302.130; except the licensee may operate a motor vehicle without being
34 accompanied if the travel is to or from a school or educational program or activity, a regular place of
35 employment or in emergency situations as defined by the director by regulation.

36 3. Each intermediate driver's license shall be restricted by requiring that the driver and all
37 passengers in the licensee's vehicle wear safety belts at all times. This safety belt restriction shall
38 not apply to a person operating a motorcycle. For the first six months after issuance of the
39 intermediate driver's license, the holder of the license shall not operate a motor vehicle with more

1 than one passenger who is under the age of nineteen who is not a member of the holder's immediate
2 family. As used in this subsection, an intermediate driver's license holder's immediate family shall
3 include brothers, sisters, stepbrothers or stepsisters of the driver, including adopted or foster children
4 residing in the same household of the intermediate driver's license holder. After the expiration of
5 the first six months, the holder of an intermediate driver's license shall not operate a motor vehicle
6 with more than three passengers who are under nineteen years of age and who are not members of
7 the holder's immediate family. The passenger restrictions of this subsection shall not be applicable
8 to any intermediate driver's license holder who is operating a motor vehicle being used in
9 agricultural work-related activities.

10 4. Notwithstanding the provisions of section 302.177 to the contrary, the fee for an
11 intermediate driver's license shall be five dollars and such license shall be valid for a period of two
12 years. Such fee shall be waived for any person qualifying as an emancipated minor under
13 subdivision (4) of subsection 1 of this section.

14 5. Any intermediate driver's licensee accumulating six or more points in a twelve-month
15 period may be required to participate in and successfully complete a driver-improvement program
16 approved by the state highways and transportation commission. The driver-improvement program
17 ordered by the director of revenue shall not be used in lieu of point assessment.

18 6. (1) An intermediate driver's licensee who has, for the preceding twelve-month period,
19 had no alcohol-related enforcement contacts, as defined in section 302.525 and no traffic
20 convictions for which points are assessed, upon reaching the age of eighteen years or within the
21 thirty days immediately preceding their eighteenth birthday may apply for and receive without
22 further examination, other than a vision test as prescribed by section 302.173, a license issued
23 pursuant to this chapter granting full driving privileges. Such person shall pay the required fee for
24 such license as prescribed in section 302.177.

25 (2) If an intermediate driver's license expires on a Saturday, Sunday, or legal holiday, such
26 license shall remain valid for the five business days immediately following the expiration date. In
27 no case shall a licensee whose intermediate driver's license expires on a Saturday, Sunday, or legal
28 holiday be guilty of an offense of driving with an expired or invalid driver's license if such offense
29 occurred within five business days immediately following an expiration date that occurs on a
30 Saturday, Sunday, or legal holiday.

31 (3) The director of revenue shall deny an application for a full driver's license until the
32 person has had no traffic convictions for which points are assessed for a period of twelve months
33 prior to the date of application for license or until the person is eligible to apply for a six-year
34 driver's license as provided for in section 302.177, provided the applicant is otherwise eligible for
35 full driving privileges. An intermediate driver's license shall expire when the licensee is eligible and
36 receives a full driver's license as prescribed in subdivision (1) of this section.

37 7. No person upon reaching the age of eighteen years whose intermediate driver's license
38 and driving privilege is denied, suspended, cancelled or revoked in this state or any other state for
39 any reason may apply for a full driver's license until such license or driving privilege is fully

1 reinstated. Any such person whose intermediate driver's license has been revoked pursuant to the
 2 provisions of sections 302.010 to 302.540 shall, upon receipt of reinstatement of the revocation from
 3 the director, pass the complete driver examination, apply for a new license, and pay the proper fee
 4 before again operating a motor vehicle upon the highways of this state.

5 8. A person shall be exempt from the intermediate licensing requirements if the person has
 6 reached the age of eighteen years and meets all other licensing requirements.

7 9. Any person who violates any of the provisions of this section relating to intermediate
 8 drivers' licenses or the provisions of section 302.130 relating to temporary instruction permits is
 9 guilty of an infraction, and no points shall be assessed to his or her driving record for any such
 10 violation.

11 10. A person's status as a homeless child or youth or unaccompanied youth under paragraph
 12 (f) of subdivision (4) of subsection 1 of this section shall be verified by a letter signed by one of the
 13 following persons:

14 (1) A director or designee of a governmental or nonprofit agency that receives public or
 15 private funding to provide services to homeless persons;

16 (2) A local education agency liaison for homeless children and youth designated under 42
 17 U.S.C. Section 11432(g)(1)(J)(ii);

18 (3) A licensed attorney representing the minor in any legal matter; or

19 (4) A school social worker or counselor.

20 11. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
 21 under the authority delegated in this section shall become effective only if it complies with and is
 22 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
 23 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
 24 chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently
 25 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
 26 August 28, 2000, shall be invalid and void.

27 302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340
 28 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or
 29 other comparable material. All licenses shall be manufactured of materials and processes that will
 30 prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any
 31 license without ready detection. The license shall also bear the expiration date of the license, the
 32 classification of the license, the name, date of birth, residence address including the county of
 33 residence or a code number corresponding to such county established by the department, and brief
 34 description and colored digitized image of the licensee, and a facsimile of the signature of the
 35 licensee. The director shall provide by administrative rule the procedure and format for a licensee to
 36 indicate on the back of the license together with the designation for an anatomical gift as provided in
 37 section 194.240 the name and address of the person designated pursuant to sections 404.800 to
 38 404.865 as the licensee's attorney in fact for the purposes of a durable power of attorney for health
 39 care decisions. No license shall be valid until it has been so signed by the licensee. If any portion

1 of the license is prepared by a private firm, any contract with such firm shall be made in accordance
2 with the competitive purchasing procedures as established by the state director of the division of
3 purchasing.

4 2. All digital images produced for licenses shall become the property of the department of
5 revenue.

6 3. The license issued shall be carried at all times by the holder thereof while driving a motor
7 vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police
8 officer or peace officer, or any other duly authorized person, for inspection when demand is made
9 therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any duly
10 authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

11 4. The director of revenue shall not issue a license without a facial digital image of the
12 license applicant, except as provided pursuant to subsection 7 of this section. A digital image of the
13 applicant's full facial features shall be taken in a manner prescribed by the director. No digital
14 image shall be taken wearing anything which cloaks the facial features of the individual.

15 5. The department of revenue may issue a temporary license or a full license without the
16 photograph or with the last photograph or digital image in the department's records to members of
17 the Armed Forces, except that where such temporary license is issued it shall be valid only until the
18 applicant shall have had time to appear and have his or her picture taken and a license with his or
19 her photograph issued.

20 6. The department of revenue shall issue upon request a nondriver's license card containing
21 essentially the same information and photograph or digital image, except as provided pursuant to
22 subsection 7 of this section, as the driver's license upon payment of six dollars. All nondriver's
23 licenses shall expire on the applicant's birthday in the sixth year after issuance. A person who has
24 passed his or her seventieth birthday shall upon application be issued a nonexpiring nondriver's
25 license card. Notwithstanding any other provision of this chapter, a nondriver's license containing a
26 concealed carry endorsement shall expire three years from the date the certificate of qualification
27 was issued pursuant to section 571.101, as section 571.101 existed prior to August 28, 2013. The
28 fee for nondriver's licenses issued for a period exceeding three years is six dollars or three dollars
29 for nondriver's licenses issued for a period of three years or less. The nondriver's license card shall
30 be used for identification purposes only and shall not be valid as a license. No fee shall be required
31 or collected from a homeless child or homeless youth, as defined in subsection 1 of section 167.020,
32 or unaccompanied youth, as defined in 42 U.S.C. Section 11434a(6), for a first nondriver's license
33 card issued under this subsection. Such person's status as a homeless child or youth or
34 unaccompanied youth shall be verified by a letter signed by one of the following persons:

35 (1) A director or designee of a governmental or nonprofit agency that receives public or
36 private funding to provide services to homeless persons;

37 (2) A local education agency liaison for homeless children and youth designated under 42
38 U.S.C. Section 11432(g)(1)(J)(ii);

39 (3) A licensed attorney representing the minor in any legal matter; or

1 (4) A school social worker or counselor.

2 7. If otherwise eligible, an applicant may receive a driver's license or nondriver's license
3 without a photograph or digital image of the applicant's full facial features except that such
4 applicant's photograph or digital image shall be taken and maintained by the director and not printed
5 on such license. In order to qualify for a license without a photograph or digital image pursuant to
6 this section the applicant must:

7 (1) Present a form provided by the department of revenue requesting the applicant's
8 photograph be omitted from the license or nondriver's license due to religious affiliations. The form
9 shall be signed by the applicant and another member of the religious tenant verifying the photograph
10 or digital image exemption on the license or nondriver's license is required as part of their religious
11 affiliation. The required signatures on the prescribed form shall be properly notarized;

12 (2) Provide satisfactory proof to the director that the applicant has been a United States
13 citizen for at least five years and a resident of this state for at least one year, except that an applicant
14 moving to this state possessing a valid driver's license from another state without a photograph shall
15 be exempt from the one-year state residency requirement. The director may establish rules
16 necessary to determine satisfactory proof of citizenship and residency pursuant to this section;

17 (3) Applications for a driver's license or nondriver's license without a photograph or digital
18 image must be made in person at a license office determined by the director. The director is
19 authorized to limit the number of offices that may issue a driver's or nondriver's license without a
20 photograph or digital image pursuant to this section.

21 8. The department of revenue shall make available, at one or more locations within the state,
22 an opportunity for individuals to have their full facial photograph taken by an employee of the
23 department of revenue, or their designee, who is of the same sex as the individual being
24 photographed, in a segregated location.

25 9. Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's
26 license for a period that exceeds an applicant's lawful presence in the United States. The director
27 may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and
28 establish the duration of any driver's license or nondriver's license issued under this section.

29 10. (1) Notwithstanding any biometric data restrictions contained in section 302.170, the
30 department of revenue is hereby authorized to design and implement a secure digital driver's license
31 program that allows applicants applying for a driver's license in accordance with this chapter to
32 obtain a secure digital driver's license in addition to the physical card-based license specified in this
33 section.

34 (2) A digital driver's license as described in this subsection shall be accepted for all
35 purposes for which a license, as defined in section 302.010, is used.

36 (3) The department may contract with one or more entities to develop the secure digital
37 driver's license system. The department or entity may develop a mobile software application
38 capable of being utilized through a person's electronic device to access the person's secure digital
39 driver's license.

1 (4) The department shall suspend, disable, or terminate a person's participation in the secure
2 digital driver's license program if:

3 (a) The person's driving privilege is suspended, revoked, denied, withdrawn, or cancelled as
4 provided in this chapter; or

5 (b) The person reports that the person's electronic device has been lost, stolen, or
6 compromised.

7 11. The director of the department of revenue may promulgate rules as necessary for the
8 implementation of this section. Any rule or portion of a rule, as that term is defined in section
9 536.010 that is created under the authority delegated in this section shall become effective only if it
10 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
11 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
12 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
13 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any
14 rule proposed or adopted after August 28, 2020, shall be invalid and void."; and

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