

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 2227, Page 1, Section A, Line 3, by
2 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 _____

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

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

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

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

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

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

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

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

28 (2) A local education agency liaison for homeless children and youth designated under 42
 29 U.S.C. Section 11432(g)(1)(J)(ii), or a school social worker or counselor; or

30 (3) A licensed attorney representing the minor in any legal matter."; and
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32 Further amend said bill, Page 4, Section 211.221, Line 7, by inserting after all of said section and
 33 line the following:
 34

35 "302.178. 1. Any person between the ages of sixteen and eighteen years who is qualified to
 36 obtain a license pursuant to sections 302.010 to 302.340 may apply for, and the director shall issue,
 37 an intermediate driver's license entitling the applicant, while having such license in his or her
 38 possession, to operate a motor vehicle of the appropriate class upon the highways of this state in
 39 conjunction with the requirements of this section. An intermediate driver's license shall be readily

1 distinguishable from a license issued to those over the age of eighteen. All applicants for an
2 intermediate driver's license shall:

3 (1) Successfully complete the examination required by section 302.173;

4 (2) Pay the fee required by subsection 4 of this section;

5 (3) Have had a temporary instruction permit issued pursuant to subsection 1 of section
6 302.130 for at least a six-month period or a valid license from another state; and

7 (4) Have a parent, grandparent, legal guardian, or, if the applicant is a participant in a
8 federal residential job training program, a driving instructor employed by a federal residential job
9 training program, sign the application stating that the applicant has completed at least forty hours of
10 supervised driving experience under a temporary instruction permit issued pursuant to subsection 1
11 of section 302.130, or, if the applicant is an emancipated minor, the person over twenty-one years of
12 age who supervised such driving. For purposes of this section, the term "emancipated minor" means
13 a person who is at least sixteen years of age, but less than eighteen years of age, who:

14 (a) Marries with the consent of the legal custodial parent or legal guardian pursuant to
15 section 451.080;

16 (b) Has been declared emancipated by a court of competent jurisdiction;

17 (c) Enters active duty in the Armed Forces;

18 (d) Has written consent to the emancipation from the custodial parent or legal guardian; ~~[or]~~

19 (e) Through employment or other means provides for such person's own food, shelter and
20 other cost-of-living expenses; or

21 (f) Qualifies as a homeless child or homeless youth, as defined in subsection 1 of section
22 167.020, or as an unaccompanied youth as defined in 42 U.S.C. Section 11434a(6), and whose status
23 as such is verified as provided under subsection 10 of this section;

24 (5) Have had no alcohol-related enforcement contacts as defined in section 302.525 during
25 the preceding twelve months; and

26 (6) Have no nonalcoholic traffic convictions for which points are assessed pursuant to
27 section 302.302, within the preceding six months.

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

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

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

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

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

17 6. (1) An intermediate driver's licensee who has, for the preceding twelve-month period,
18 had no alcohol-related enforcement contacts, as defined in section 302.525 and no traffic
19 convictions for which points are assessed, upon reaching the age of eighteen years or within the
20 thirty days immediately preceding their eighteenth birthday may apply for and receive without
21 further examination, other than a vision test as prescribed by section 302.173, a license issued
22 pursuant to this chapter granting full driving privileges. Such person shall pay the required fee for
23 such license as prescribed in section 302.177.

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

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

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

1 provisions of sections 302.010 to 302.540 shall, upon receipt of reinstatement of the revocation from
 2 the director, pass the complete driver examination, apply for a new license, and pay the proper fee
 3 before again operating a motor vehicle upon the highways of this state.

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

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

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

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

15 (2) A local education agency liaison for homeless children and youth designated under 42
 16 U.S.C. Section 11432(g)(1)(J)(ii), or a school social worker or counselor; or

17 (3) A licensed attorney representing the minor in any legal matter.

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

25 302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340
 26 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or
 27 other comparable material. All licenses shall be manufactured of materials and processes that will
 28 prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any
 29 license without ready detection. The license shall also bear the expiration date of the license, the
 30 classification of the license, the name, date of birth, residence address including the county of
 31 residence or a code number corresponding to such county established by the department, and brief
 32 description and colored digitized image of the licensee, and a facsimile of the signature of the
 33 licensee. The director shall provide by administrative rule the procedure and format for a licensee to
 34 indicate on the back of the license together with the designation for an anatomical gift as provided in
 35 section 194.240 the name and address of the person designated pursuant to sections 404.800 to
 36 404.865 as the licensee's attorney in fact for the purposes of a durable power of attorney for health
 37 care decisions. No license shall be valid until it has been so signed by the licensee. If any portion
 38 of the license is prepared by a private firm, any contract with such firm shall be made in accordance

1 with the competitive purchasing procedures as established by the state director of the division of
2 purchasing.

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

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

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

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

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

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

36 (2) A local education agency liaison for homeless children and youth designated under 42
37 U.S.C. Section 11432(g)(1)(J)(ii), or a school social worker or counselor; or

38 (3) A licensed attorney representing the minor in any legal matter.

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

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

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

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

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

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

28 10. (1) Notwithstanding any biometric data restrictions contained in section 302.170, the
29 department of revenue is hereby authorized to design and implement a secure digital driver's license
30 program that allows applicants applying for a driver's license in accordance with this chapter to
31 obtain a secure digital driver's license in addition to the physical card-based license specified in this
32 section.

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

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