

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND Senate Substitute for Senate Bill No. 1298, Page 1, Section A, Line 3, by inserting after all  
2 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]~~ nine  
12 dollars and ~~[twelve]~~ eighteen dollars for those licenses sold or biennially renewed pursuant to  
13 section 301.147;

14 (2) For each application or transfer of title, ~~[six]~~ nine dollars;

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

18 (4) For each notice of lien processed, ~~[six]~~ nine dollars;

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

20 2. The director of revenue shall award fee office contracts under this section through a  
21 competitive bidding process. The competitive bidding process shall ~~[give priority]~~ provide at least  
22 five percent of evaluation credit to organizations and entities that are exempt from taxation under  
23 Section 501(c)(3), 501(c)(6), or 501(c)(4), except those civic organizations that would be considered  
24 action organizations under 26 C.F.R. Section 1.501 (c)(3)-1(c)(3), of the Internal Revenue Code of  
25 1986, as amended, with ~~[special consideration]~~ at least five percent of evaluation credit given to  
26 those organizations and entities that reinvest a minimum of seventy-five percent of the net proceeds  
27 to charitable organizations in Missouri, and political subdivisions, including but not limited to,  
28 municipalities, counties, and fire protection districts. Notwithstanding any law to the contrary, the  
29 director of revenue shall not award any fee office contract under this section to any entity affiliated  
30 in any manner with a current employee of the department of revenue or with a former employee of

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1 the department of revenue for the one-year period following the former employee's termination of  
2 employment with the department. For purposes of this subsection, "affiliated in any manner"  
3 includes owning the entity that is applying for a fee office contract, or serving as an officer or board  
4 member of such entity. The director of the department of revenue may promulgate rules and  
5 regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as  
6 that term is defined in section 536.010, that is created under the authority delegated in this  
7 subsection shall become effective only if it complies with and is subject to all of the provisions of  
8 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and  
9 if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the  
10 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the  
11 grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be  
12 invalid and void.

13 3. Except as otherwise provided in subsection 9 of this section, all fees authorized under this  
14 section collected by a ~~tax-exempt organization~~ contract fee office may be retained and used by the  
15 ~~organization~~ entity operating the contract fee office, and all fees authorized under this section  
16 collected by a fee office operated by the department of revenue shall be considered state revenue.

17 4. All fees charged shall not exceed those in this section. The fees ~~imposed by~~ authorized  
18 under this section shall be collected by all ~~permanent~~ contract fee offices and shall be collected by  
19 all full-time or temporary offices ~~maintained~~ operated by the department of revenue.

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

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

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

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

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

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

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

2           9. Notwithstanding any other provision of law to the contrary, one dollar of any fee  
3 authorized and charged under subdivision (1), (2), (3), or (4) of subsection 1 of this section by a fee  
4 office not operated by the department of revenue shall be remitted to the license office distribution  
5 fund established under subsection 10 of this section. Moneys remitted to the license office  
6 distribution fund under this subsection shall be held in trust for the entities awarded fee office  
7 contracts under this section and shall not be considered state revenue. In the event a court of  
8 competent jurisdiction issues a final judgment specifying that moneys remitted under this subsection  
9 are subject to Article IV, Section 30(b) of the Missouri Constitution, the provisions of this  
10 subsection shall be null and void.

11           10. (1) There is hereby created in the state treasury the "License Office Distribution Fund",  
12 which shall consist of moneys collected as provided under subsection 9 of this section. The state  
13 treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state  
14 treasurer may approve disbursements. The fund shall be a dedicated fund and shall be used solely  
15 for the purposes specified in this subsection.

16           (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining  
17 in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

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

20           (4) Beginning after December 31, 2025, but no later than February 15, 2026, quarterly  
21 disbursements shall be made from the fund to the fee offices awarded contracts under this section.  
22 Except as otherwise specified in subdivision (5) of this subsection, the disbursement to each fee  
23 office shall be equal. The total funds disbursed following each quarter shall be equal to the amount  
24 of funds received by the fund under subsection 9 of this section during the quarter.

25           (5) Quarterly disbursements under this subsection shall be distributed to the entity holding  
26 each fee office contract when the quarterly disbursement occurs; provided that, in the case that a  
27 contract fee office transitions between two contractors during the quarter, the disbursement for that  
28 fee office shall be divided between the contractors in proportion to the number of transactions the  
29 office processed under each contractor during the quarter for which the transfer is taking place.

30           (6) Quarterly disbursements under this subsection shall be made as follows:

31           (a) Disbursements for transactions occurring from January first to March thirty-first shall  
32 occur no later than May fifteenth of each year;

33           (b) Disbursements for transactions occurring from April first to June thirtieth shall occur no  
34 later than August fifteenth of each year;

35           (c) Disbursements for transactions occurring from July first to September thirtieth shall  
36 occur no later than November fifteenth of each year; and

37           (d) Disbursements for transactions occurring from October first to December thirty-first  
38 shall occur no later than February fifteenth of the following calendar year each year."; and  
39

1 Further amend said bill, Page 17, Section 301.010, Line 492, by inserting after all of said section  
2 and line the following:

3  
4 "302.178. 1. Any person between the ages of sixteen and eighteen years who is qualified to  
5 obtain a license pursuant to sections 302.010 to 302.340 may apply for, and the director shall issue,  
6 an intermediate driver's license entitling the applicant, while having such license in his or her  
7 possession, to operate a motor vehicle of the appropriate class upon the highways of this state in  
8 conjunction with the requirements of this section. An intermediate driver's license shall be readily  
9 distinguishable from a license issued to those over the age of eighteen. All applicants for an  
10 intermediate driver's license shall:

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

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

13 (3) Have had a temporary instruction permit issued pursuant to subsection 1 of section  
14 302.130 for at least a six-month period or a valid license from another state; and

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

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

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

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

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

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

29 (f) Qualifies as a homeless child or homeless youth, as defined in subsection 1 of section  
30 167.020, or as an unaccompanied youth as defined in 42 U.S.C. Section 11434a(6), and whose status  
31 as such is verified as provided under subsection 10 of this section;

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

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

36 2. An intermediate driver's license grants the licensee the same privileges to operate that  
37 classification of motor vehicle as a license issued pursuant to section 302.177, except that no person  
38 shall operate a motor vehicle on the highways of this state under such an intermediate driver's  
39 license between the hours of 1:00 a.m. and 5:00 a.m. unless accompanied by a person described in

1 subsection 1 of section 302.130; except the licensee may operate a motor vehicle without being  
2 accompanied if the travel is to or from a school or educational program or activity, a regular place of  
3 employment or in emergency situations as defined by the director by regulation.

4 3. Each intermediate driver's license shall be restricted by requiring that the driver and all  
5 passengers in the licensee's vehicle wear safety belts at all times. This safety belt restriction shall  
6 not apply to a person operating a motorcycle. For the first six months after issuance of the  
7 intermediate driver's license, the holder of the license shall not operate a motor vehicle with more  
8 than one passenger who is under the age of nineteen who is not a member of the holder's immediate  
9 family. As used in this subsection, an intermediate driver's license holder's immediate family shall  
10 include brothers, sisters, stepbrothers or stepsisters of the driver, including adopted or foster children  
11 residing in the same household of the intermediate driver's license holder. After the expiration of  
12 the first six months, the holder of an intermediate driver's license shall not operate a motor vehicle  
13 with more than three passengers who are under nineteen years of age and who are not members of  
14 the holder's immediate family. The passenger restrictions of this subsection shall not be applicable  
15 to any intermediate driver's license holder who is operating a motor vehicle being used in  
16 agricultural work-related activities.

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

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

25 6. (1) An intermediate driver's licensee who has, for the preceding twelve-month period,  
26 had no alcohol-related enforcement contacts, as defined in section 302.525 and no traffic  
27 convictions for which points are assessed, upon reaching the age of eighteen years or within the  
28 thirty days immediately preceding their eighteenth birthday may apply for and receive without  
29 further examination, other than a vision test as prescribed by section 302.173, a license issued  
30 pursuant to this chapter granting full driving privileges. Such person shall pay the required fee for  
31 such license as prescribed in section 302.177.

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

38 (3) The director of revenue shall deny an application for a full driver's license until the  
39 person has had no traffic convictions for which points are assessed for a period of twelve months

1 prior to the date of application for license or until the person is eligible to apply for a six-year  
2 driver's license as provided for in section 302.177, provided the applicant is otherwise eligible for  
3 full driving privileges. An intermediate driver's license shall expire when the licensee is eligible and  
4 receives a full driver's license as prescribed in subdivision (1) of this section.

5 7. No person upon reaching the age of eighteen years whose intermediate driver's license  
6 and driving privilege is denied, suspended, cancelled or revoked in this state or any other state for  
7 any reason may apply for a full driver's license until such license or driving privilege is fully  
8 reinstated. Any such person whose intermediate driver's license has been revoked pursuant to the  
9 provisions of sections 302.010 to 302.540 shall, upon receipt of reinstatement of the revocation from  
10 the director, pass the complete driver examination, apply for a new license, and pay the proper fee  
11 before again operating a motor vehicle upon the highways of this state.

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

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

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

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

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

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

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

33 302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340  
34 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or  
35 other comparable material. All licenses shall be manufactured of materials and processes that will  
36 prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any  
37 license without ready detection. The license shall also bear the expiration date of the license, the  
38 classification of the license, the name, date of birth, residence address including the county of  
39 residence or a code number corresponding to such county established by the department, and brief

1 description and colored digitized image of the licensee, and a facsimile of the signature of the  
2 licensee. The director shall provide by administrative rule the procedure and format for a licensee to  
3 indicate on the back of the license together with the designation for an anatomical gift as provided in  
4 section 194.240 the name and address of the person designated pursuant to sections 404.800 to  
5 404.865 as the licensee's attorney in fact for the purposes of a durable power of attorney for health  
6 care decisions. No license shall be valid until it has been so signed by the licensee. If any portion  
7 of the license is prepared by a private firm, any contract with such firm shall be made in accordance  
8 with the competitive purchasing procedures as established by the state director of the division of  
9 purchasing.

10         2. All digital images produced for licenses shall become the property of the department of  
11 revenue.

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

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

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

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

1 card issued under this subsection. Such person's status as a homeless child or youth or  
2 unaccompanied youth shall be verified by a letter signed by one of the following persons:

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

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

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

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

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

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

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

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

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

35 10. (1) Notwithstanding any biometric data restrictions contained in section 302.170, the  
36 department of revenue is hereby authorized to design and implement a secure digital driver's license  
37 program that allows applicants applying for a driver's license in accordance with this chapter to  
38 obtain a secure digital driver's license in addition to the physical card-based license specified in this  
39 section.



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

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

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

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

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

13           11. The director of the department of revenue may promulgate rules as necessary for the  
14 implementation of this section. Any rule or portion of a rule, as that term is defined in section  
15 536.010 that is created under the authority delegated in this section shall become effective only if it  
16 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
17 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the  
18 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and  
19 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any  
20 rule proposed or adopted after August 28, 2020, shall be invalid and void."; and

21  
22 Further amend said bill by amending the title, enacting clause, and intersectional references  
23 accordingly.