

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 1351, Page 1, Section A, Line 3, by inserting after all of said section and line the
3 following:
4

5 "68.080. 1. There is hereby established in the state treasury the "Waterways and Ports Trust
6 Fund". The fund shall consist of revenues appropriated to it by the general assembly.

7 2. The fund may also receive any gifts, contributions, grants, or bequests received from
8 federal, private, or other sources.

9 3. The fund shall be a revolving trust fund exempt from the provisions of section 33.080
10 relating to the transfer of unexpended balances by the state treasurer to the general revenue fund of
11 the state. All interest earned upon the balance in the fund shall be deposited to the credit of the
12 fund.

13 4. Moneys in the fund shall be withdrawn only at the request of a Missouri port authority for
14 statutorily permitted port purposes and upon appropriation by the general assembly, to be
15 administered by the state highways and transportation commission and the department of
16 transportation, in consultation with Missouri public ports, for the purposes in subsection 2 of section
17 68.035 and for no other purpose. To be eligible to receive an appropriation from the fund, a project
18 shall be:

19 (1) A capital improvement project implementing physical improvements designed to
20 improve commerce or terminal and transportation facilities on or adjacent to the navigable rivers of
21 this state;

22 (2) Located on land owned or held in long-term lease by a Missouri port authority, or on
23 land owned by a city not within a county and managed by a Missouri port authority, or within a
24 navigable river adjacent to such land, and within the boundaries of a port authority;

25 (3) Funded by alternate sources so that moneys from the fund comprise no more than eighty
26 percent of the cost of the project;

27 (4) Selected and approved by the highways and transportation commission, in consultation
28 with Missouri public ports, to support a statewide plan for waterborne commerce, in accordance
29 with subdivision (1) of section 68.065; and

30 (5) Capable of completion within two years of approval by the highways and transportation

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1 commission.

2 5. Appropriations made from the fund established in this section may be used as a local
3 share in applying for other grant programs.

4 6. The provisions of this section shall terminate on August 28, 2033, pending the discharge
5 of all warrants. On December 31, 2033, the fund shall be dissolved and the unencumbered balance
6 shall be transferred to the general revenue fund.

7 79.235. 1. Notwithstanding any law to the contrary and for any city of the fourth
8 classification with less than three thousand inhabitants, if a statute or ordinance authorizes the
9 mayor of a city of the fourth classification to appoint a member of a board or commission, any
10 requirement that the appointed person be a resident of the city shall be deemed satisfied if the person
11 owns real property or a business in the city, regardless of whether the position to which the
12 appointment is made is considered an officer of the city under section 79.250.

13 2. Notwithstanding any law to the contrary and for any city of the fourth classification with
14 less than three thousand inhabitants, if a statute or ordinance authorizes a mayor to appoint a
15 member of a board that manages a municipal utility of the city, any requirement that the appointed
16 person be a resident of the city shall be deemed satisfied if all of the following conditions are met:

17 (1) The board has no authority to set utility rates or to issue bonds;

18 (2) The person resides within five miles of the city limits;

19 (3) The person owns real property or a business in the city;

20 (4) The person or the person's business is a customer of a public utility, as described under
21 section 91.450, managed by the board; and

22 (5) The person has no pecuniary interest in, and is not an employee or board member of, any
23 utility or other entity that offers the same type of service as the utility managed by the board.

24 143.121. 1. The Missouri adjusted gross income of a resident individual shall be the
25 taxpayer's federal adjusted gross income subject to the modifications in this section.

26 2. There shall be added to the taxpayer's federal adjusted gross income:

27 (1) The amount of any federal income tax refund received for a prior year which resulted in
28 a Missouri income tax benefit. The amount added pursuant to this subdivision shall not include any
29 amount of a federal income tax refund attributable to a tax credit reducing a taxpayer's federal tax
30 liability pursuant to Public Law 116-136 or 116-260, enacted by the 116th United States Congress,
31 for the tax year beginning on or after January 1, 2020, and ending on or before December 31, 2020,
32 and deducted from Missouri adjusted gross income pursuant to section 143.171. The amount added
33 under this subdivision shall also not include any amount of a federal income tax refund attributable
34 to a tax credit reducing a taxpayer's federal tax liability under any other federal law that provides
35 direct economic impact payments to taxpayers to mitigate financial challenges related to the
36 COVID-19 pandemic, and deducted from Missouri adjusted gross income under section 143.171;

37 (2) Interest on certain governmental obligations excluded from federal gross income by 26
38 U.S.C. Section 103 of the Internal Revenue Code, as amended. The previous sentence shall not
39 apply to interest on obligations of the state of Missouri or any of its political subdivisions or
40 authorities and shall not apply to the interest described in subdivision (1) of subsection 3 of this

1 section. The amount added pursuant to this subdivision shall be reduced by the amounts applicable
2 to such interest that would have been deductible in computing the taxable income of the taxpayer
3 except only for the application of 26 U.S.C. Section 265 of the Internal Revenue Code, as amended.
4 The reduction shall only be made if it is at least five hundred dollars;

5 (3) The amount of any deduction that is included in the computation of federal taxable
6 income pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as amended by the Job
7 Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property
8 purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted
9 exceeds the amount that would have been deductible pursuant to 26 U.S.C. Section 168 of the
10 Internal Revenue Code of 1986 as in effect on January 1, 2002;

11 (4) The amount of any deduction that is included in the computation of federal taxable
12 income for net operating loss allowed by 26 U.S.C. Section 172 of the Internal Revenue Code of
13 1986, as amended, other than the deduction allowed by 26 U.S.C. Section 172(b)(1)(G) and 26
14 U.S.C. Section 172(i) of the Internal Revenue Code of 1986, as amended, for a net operating loss the
15 taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a
16 period of more than twenty years and carries backward for more than two years. Any amount of net
17 operating loss taken against federal taxable income but disallowed for Missouri income tax purposes
18 pursuant to this subdivision after June 18, 2002, may be carried forward and taken against any
19 income on the Missouri income tax return for a period of not more than twenty years from the year
20 of the initial loss; and

21 (5) For nonresident individuals in all taxable years ending on or after December 31, 2006,
22 the amount of any property taxes paid to another state or a political subdivision of another state for
23 which a deduction was allowed on such nonresident's federal return in the taxable year unless such
24 state, political subdivision of a state, or the District of Columbia allows a subtraction from income
25 for property taxes paid to this state for purposes of calculating income for the income tax for such
26 state, political subdivision of a state, or the District of Columbia;

27 (6) For all tax years beginning on or after January 1, 2018, any interest expense paid or
28 accrued in a previous taxable year, but allowed as a deduction under 26 U.S.C. Section 163, as
29 amended, in the current taxable year by reason of the carryforward of disallowed business interest
30 provisions of 26 U.S.C. Section 163(j), as amended. For the purposes of this subdivision, an interest
31 expense is considered paid or accrued only in the first taxable year the deduction would have been
32 allowable under 26 U.S.C. Section 163, as amended, if the limitation under 26 U.S.C. Section
33 163(j), as amended, did not exist.

34 3. There shall be subtracted from the taxpayer's federal adjusted gross income the following
35 amounts to the extent included in federal adjusted gross income:

36 (1) Interest received on deposits held at a federal reserve bank or interest or dividends on
37 obligations of the United States and its territories and possessions or of any authority, commission or
38 instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the
39 laws of the United States. The amount subtracted pursuant to this subdivision shall be reduced by

1 any interest on indebtedness incurred to carry the described obligations or securities and by any
2 expenses incurred in the production of interest or dividend income described in this subdivision.
3 The reduction in the previous sentence shall only apply to the extent that such expenses including
4 amortizable bond premiums are deducted in determining the taxpayer's federal adjusted gross
5 income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made
6 if the expenses total at least five hundred dollars;

7 (2) The portion of any gain, from the sale or other disposition of property having a higher
8 adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax
9 purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is
10 considered a long-term capital gain for federal income tax purposes, the modification shall be
11 limited to one-half of such portion of the gain;

12 (3) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or
13 other amount of income or gain which was properly included in income or gain and was taxed
14 pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a
15 decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or
16 to a trust or estate from which the taxpayer received the income or gain;

17 (4) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the
18 extent that the same are included in federal adjusted gross income;

19 (5) The amount of any state income tax refund for a prior year which was included in the
20 federal adjusted gross income;

21 (6) The portion of capital gain specified in section 135.357 that would otherwise be included
22 in federal adjusted gross income;

23 (7) The amount that would have been deducted in the computation of federal taxable income
24 pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to
25 the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003,
26 and to the extent that amount exceeds the amount actually deducted pursuant to 26 U.S.C. Section
27 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of
28 2002;

29 (8) For all tax years beginning on or after January 1, 2005, the amount of any income
30 received for military service while the taxpayer serves in a combat zone which is included in federal
31 adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat
32 zone" means any area which the President of the United States by Executive Order designates as an
33 area in which Armed Forces of the United States are or have engaged in combat. Service is
34 performed in a combat zone only if performed on or after the date designated by the President by
35 Executive Order as the date of the commencing of combat activities in such zone, and on or before
36 the date designated by the President by Executive Order as the date of the termination of combatant
37 activities in such zone;

38 (9) For all tax years ending on or after July 1, 2002, with respect to qualified property that is
39 sold or otherwise disposed of during a taxable year by a taxpayer and for which an additional

1 modification was made under subdivision (3) of subsection 2 of this section, the amount by which
2 additional modification made under subdivision (3) of subsection 2 of this section on qualified
3 property has not been recovered through the additional subtractions provided in subdivision (7) of
4 this subsection;

5 (10) For all tax years beginning on or after January 1, 2014, the amount of any income
6 received as payment from any program which provides compensation to agricultural producers who
7 have suffered a loss as the result of a disaster or emergency, including the:

8 (a) Livestock Forage Disaster Program;

9 (b) Livestock Indemnity Program;

10 (c) Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish;

11 (d) Emergency Conservation Program;

12 (e) Noninsured Crop Disaster Assistance Program;

13 (f) Pasture, Rangeland, Forage Pilot Insurance Program;

14 (g) Annual Forage Pilot Program;

15 (h) Livestock Risk Protection Insurance Plan;

16 (i) Livestock Gross Margin Insurance Plan;

17 (11) For all tax years beginning on or after January 1, 2018, any interest expense paid or
18 accrued in the current taxable year, but not deducted as a result of the limitation imposed under 26
19 U.S.C. Section 163(j), as amended. For the purposes of this subdivision, an interest expense is
20 considered paid or accrued only in the first taxable year the deduction would have been allowable
21 under 26 U.S.C. Section 163, as amended, if the limitation under 26 U.S.C. Section 163(j), as
22 amended, did not exist;

23 (12) One hundred percent of any retirement benefits received by any taxpayer as a result of
24 the taxpayer's service in the Armed Forces of the United States, including reserve components and
25 the National Guard of this state, as defined in 32 U.S.C. Sections 101(3) and 109, and any other
26 military force organized under the laws of this state; and

27 (13) For all tax years beginning on or after January 1, 2022, one hundred percent of any
28 federal, state, or local grant moneys received by the taxpayer if the grant money was disbursed for
29 the express purpose of providing or expanding access to broadband internet to areas of the state
30 deemed to be lacking such access.

31 4. There shall be added to or subtracted from the taxpayer's federal adjusted gross income
32 the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

33 5. There shall be added to or subtracted from the taxpayer's federal adjusted gross income
34 the modifications provided in section 143.411.

35 6. In addition to the modifications to a taxpayer's federal adjusted gross income in this
36 section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer's
37 federal adjusted gross income any gain recognized pursuant to 26 U.S.C. Section 1033 of the
38 Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of
39 property as a result of condemnation or the imminence thereof.

1 7. (1) As used in this subsection, "qualified health insurance premium" means the amount
2 paid during the tax year by such taxpayer for any insurance policy primarily providing health care
3 coverage for the taxpayer, the taxpayer's spouse, or the taxpayer's dependents.

4 (2) In addition to the subtractions in subsection 3 of this section, one hundred percent of the
5 amount of qualified health insurance premiums shall be subtracted from the taxpayer's federal
6 adjusted gross income to the extent the amount paid for such premiums is included in federal
7 taxable income. The taxpayer shall provide the department of revenue with proof of the amount of
8 qualified health insurance premiums paid.

9 8. (1) Beginning January 1, 2014, in addition to the subtractions provided in this section,
10 one hundred percent of the cost incurred by a taxpayer for a home energy audit conducted by an
11 entity certified by the department of natural resources under section 640.153 or the implementation
12 of any energy efficiency recommendations made in such an audit shall be subtracted from the
13 taxpayer's federal adjusted gross income to the extent the amount paid for any such activity is
14 included in federal taxable income. The taxpayer shall provide the department of revenue with a
15 summary of any recommendations made in a qualified home energy audit, the name and
16 certification number of the qualified home energy auditor who conducted the audit, and proof of the
17 amount paid for any activities under this subsection for which a deduction is claimed. The taxpayer
18 shall also provide a copy of the summary of any recommendations made in a qualified home energy
19 audit to the department of natural resources.

20 (2) At no time shall a deduction claimed under this subsection by an individual taxpayer or
21 taxpayers filing combined returns exceed one thousand dollars per year for individual taxpayers or
22 cumulatively exceed two thousand dollars per year for taxpayers filing combined returns.

23 (3) Any deduction claimed under this subsection shall be claimed for the tax year in which
24 the qualified home energy audit was conducted or in which the implementation of the energy
25 efficiency recommendations occurred. If implementation of the energy efficiency recommendations
26 occurred during more than one year, the deduction may be claimed in more than one year, subject to
27 the limitations provided under subdivision (2) of this subsection.

28 (4) A deduction shall not be claimed for any otherwise eligible activity under this subsection
29 if such activity qualified for and received any rebate or other incentive through a state-sponsored
30 energy program or through an electric corporation, gas corporation, electric cooperative, or
31 municipally owned utility.

32 9. The provisions of subsection 8 of this section shall expire on December 31, 2020.

33 10. (1) As used in this subsection, the following terms mean:

34 (a) "Beginning farmer", a taxpayer who:

35 a. Has filed at least one but not more than ten Internal Revenue Service Schedule F (Form
36 1040) Profit or Loss From Farming forms since turning eighteen years of age;

37 b. Is approved for a beginning farmer loan through the USDA Farm Service Agency
38 Beginning Farmer direct or guaranteed loan program;

1 c. Has a farming operation that is determined by the department of agriculture to be new
 2 production agriculture but is the principal operator of a farm and has substantial farming knowledge;
 3 or

4 d. Has been determined by the department of agriculture to be a qualified family member;

5 (b) "Farm owner", ~~[an individual]~~ a taxpayer who owns farmland and disposes of or
 6 relinquishes use of all or some portion of such farmland as follows:

7 a. A sale to a beginning farmer;

8 b. A lease or rental agreement not exceeding ten years with a beginning farmer; or

9 c. A crop-share arrangement not exceeding ten years with a beginning farmer;

10 (c) "Qualified family member", an individual who is related to a farm owner within the
 11 fourth degree by blood, marriage, or adoption and who is purchasing or leasing or is in a crop-share
 12 arrangement for land from all or a portion of such farm owner's farming operation;

13 (d) "Taxpayer", any individual, firm, partner in a firm, corporation, partnership, shareholder
 14 in an S corporation, or member of a limited liability company subject to the income tax imposed
 15 under this chapter, excluding withholding tax imposed under sections 143.191 to 143.265.

16 (2) (a) In addition to all other subtractions authorized in this section, a taxpayer who is a
 17 farm owner who sells all or a portion of such farmland to a beginning farmer may subtract from
 18 such taxpayer's Missouri adjusted gross income an amount to the extent included in federal adjusted
 19 gross income as provided in this subdivision.

20 (b) Subject to the limitations in paragraph (c) of this subdivision, the amount that may be
 21 subtracted shall be equal to the portion of capital gains received from the sale of such farmland that
 22 such taxpayer receives in the tax year for which such taxpayer subtracts such capital gain.

23 (c) A taxpayer may subtract the following amounts and percentages per tax year in total
 24 capital gains received from the sale of such farmland under this subdivision:

25 a. For the first two million dollars received, one hundred percent;

26 b. For the next one million dollars received, eighty percent;

27 c. For the next one million dollars received, sixty percent;

28 d. For the next one million dollars received, forty percent; and

29 e. For the next one million dollars received, twenty percent.

30 (d) The department of revenue shall prepare an annual report reviewing the costs and
 31 benefits and containing statistical information regarding the subtraction of capital gains authorized
 32 under this subdivision for the previous tax year including, but not limited to, the total amount of all
 33 capital gains subtracted and the number of taxpayers subtracting such capital gains. Such report
 34 shall be submitted before February first of each year to the committee on agriculture policy of the
 35 Missouri house of representatives and the committee on agriculture, food production and outdoor
 36 resources of the Missouri senate, or the successor committees.

37 (3) (a) In addition to all other subtractions authorized in this section, a taxpayer who is a
 38 farm owner who enters a lease or rental agreement for all or a portion of such farmland with a

beginning farmer may subtract from such taxpayer's Missouri adjusted gross income an amount to the extent included in federal adjusted gross income as provided in this subdivision.

(b) Subject to the limitation in paragraph (c) of this subdivision, the amount that may be subtracted shall be equal to the portion of cash rent income received from the lease or rental of such farmland that such taxpayer receives in the tax year for which such taxpayer subtracts such income.

(c) No taxpayer shall subtract more than twenty-five thousand dollars per tax year in total cash rent income received from the lease or rental of such farmland under this subdivision.

(4) (a) In addition to all other subtractions authorized in this section, a taxpayer who is a farm owner who enters a crop-share arrangement on all or a portion of such farmland with a beginning farmer may subtract from such taxpayer's Missouri adjusted gross income an amount to the extent included in federal adjusted gross income as provided in this subdivision.

(b) Subject to the limitation in paragraph (c) of this subdivision, the amount that may be subtracted shall be equal to the portion of income received from the crop-share arrangement on such farmland that such taxpayer receives in the tax year for which such taxpayer subtracts such income.

(c) No taxpayer shall subtract more than twenty-five thousand dollars per tax year in total income received from the lease or rental of such farmland under this subdivision.

(5) The department of agriculture shall, by rule, establish a process to verify that a taxpayer is a beginning farmer for purposes of this section and shall provide verification to the beginning farmer and farm seller of such farmer's and seller's certification and qualification for the exemption provided in this subsection."; and

Further amend said bill, Page 2, Section 256.410, Line 40, by inserting after all of said section and line the following:

"301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with either:

(a) A seat designed to be straddled by the operator, and handlebars for steering control, but excluding an electric bicycle; or

(b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement;

(2) "Autocycle", a three-wheeled motor vehicle which the drivers and passengers ride in a partially or completely enclosed nonstraddle seating area, that is designed to be controlled with a steering wheel and pedals, and that has met applicable Department of Transportation National Highway Traffic Safety Administration requirements or federal motorcycle safety standards;

(3) "Automobile transporter", any vehicle combination capable of carrying cargo on the power unit and designed and used for the transport of assembled motor vehicles, including truck

1 camper units;

2 (4) "Axle load", the total load transmitted to the road by all wheels whose centers are
3 included between two parallel transverse vertical planes forty inches apart, extending across the full
4 width of the vehicle;

5 (5) "Backhaul", the return trip of a vehicle transporting cargo or general freight, especially
6 when carrying goods back over all or part of the same route;

7 (6) "Boat transporter", any vehicle combination capable of carrying cargo on the power unit
8 and designed and used specifically to transport assembled boats and boat hulls. Boats may be
9 partially disassembled to facilitate transporting;

10 (7) "Body shop", a business that repairs physical damage on motor vehicles that are not
11 owned by the shop or its officers or employees by mending, straightening, replacing body parts, or
12 painting;

13 (8) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more
14 passengers but not including shuttle buses;

15 (9) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying
16 freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

17 (10) "Cotton trailer", a trailer designed [~~and used exclusively~~] for transporting cotton at
18 speeds less than ~~[forty]~~ sixty-five miles per hour from field to field or from field to market and
19 return;

20 (11) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the
21 sale or exchange of new, used or reconstructed motor vehicles or trailers;

22 (12) "Director" or "director of revenue", the director of the department of revenue;

23 (13) "Driveaway operation":

24 (a) The movement of a motor vehicle or trailer by any person or motor carrier other than a
25 dealer over any public highway, under its own power singly, or in a fixed combination of two or
26 more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

27 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the
28 commodity being transported, by a person engaged in the business of furnishing drivers and
29 operators for the purpose of transporting vehicles in transit from one place to another by the
30 driveaway or towaway methods; or

31 (c) The movement of a motor vehicle by any person who is lawfully engaged in the business
32 of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise
33 required to be registered, by the driveaway or towaway methods, from a point of manufacture,
34 assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a
35 manufacturer or to any consignee designated by the shipper or consignor;

36 (14) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth
37 wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor
38 equipped with a dromedary may carry part of a load when operating independently or in a
39 combination with a semitrailer;

1 (15) "Electric bicycle", a bicycle equipped with fully operable pedals, a saddle or seat for
2 the rider, and an electric motor of less than 750 watts that meets the requirements of one of the
3 following three classes:

4 (a) "Class 1 electric bicycle", an electric bicycle equipped with a motor that provides
5 assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle
6 reaches the speed of twenty miles per hour;

7 (b) "Class 2 electric bicycle", an electric bicycle equipped with a motor that may be used
8 exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle
9 reaches the speed of twenty miles per hour; or

10 (c) "Class 3 electric bicycle", an electric bicycle equipped with a motor that provides
11 assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle
12 reaches the speed of twenty-eight miles per hour;

13 (16) "Farm tractor", a tractor used exclusively for agricultural purposes;

14 (17) "Fleet", any group of ten or more motor vehicles owned by the same owner;

15 (18) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

16 (19) "Fullmount", a vehicle mounted completely on the frame of either the first or last
17 vehicle in a saddlemount combination;

18 (20) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the
19 weight of any load thereon;

20 (21) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the
21 result of the impact of hail;

22 (22) "Highway", any public thoroughfare for vehicles, including state roads, county roads
23 and public streets, avenues, boulevards, parkways or alleys in any municipality;

24 (23) "Improved highway", a highway which has been paved with gravel, macadam,
25 concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

26 (24) "Intersecting highway", any highway which joins another, whether or not it crosses the
27 same;

28 (25) "Junk vehicle", a vehicle which:

29 (a) Is incapable of operation or use upon the highways and has no resale value except as a
30 source of parts or scrap; or

31 (b) Has been designated as junk or a substantially equivalent designation by this state or any
32 other state;

33 (26) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized
34 manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized
35 manufacturer and accompanied by a manufacturer's statement of origin;

36 (27) "Land improvement contractors' commercial motor vehicle", any not-for-hire
37 commercial motor vehicle the operation of which is confined to:

38 (a) An area that extends not more than a radius of one hundred fifty miles from its home
39 base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or

1 from projects involving soil and water conservation, or to and from equipment dealers' maintenance
2 facilities for maintenance purposes; or

3 (b) An area that extends not more than a radius of fifty miles from its home base of
4 operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from
5 projects not involving soil and water conservation.

6
7 Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as
8 a commercial motor vehicle or local commercial motor vehicle;

9 (28) "Local commercial motor vehicle", a commercial motor vehicle whose operations are
10 confined to a municipality and that area extending not more than fifty miles therefrom, or a
11 commercial motor vehicle whose property-carrying operations are confined solely to the
12 transportation of property owned by any person who is the owner or operator of such vehicle to or
13 from a farm owned by such person or under the person's control by virtue of a landlord and tenant
14 lease; provided that any such property transported to any such farm is for use in the operation of
15 such farm;

16 (29) "Local log truck", a commercial motor vehicle which is registered pursuant to this
17 chapter to operate as a motor vehicle on the public highways of this state; used exclusively in this
18 state; used to transport harvested forest products; operated solely at a forested site and in an area
19 extending not more than a one hundred fifty mile radius from such site; and when operated on the
20 national system of interstate and defense highways described in 23 U.S.C. Section 103, as amended,
21 or outside the one hundred fifty mile radius from such site with an extended distance local log truck
22 permit, does not have more than four axles, and does not pull a trailer which has more than three
23 axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing,
24 debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log
25 truck;

26 (30) "Local log truck tractor", a commercial motor vehicle which is registered under this
27 chapter to operate as a motor vehicle on the public highways of this state; used exclusively in this
28 state; used to transport harvested forest products, operated at a forested site and in an area extending
29 not more than a one hundred fifty mile radius from such site; and when operated on the national
30 system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, or
31 outside the one hundred fifty mile radius from such site with an extended distance local log truck
32 permit, does not have more than three axles and does not pull a trailer which has more than three
33 axles;

34 (31) "Local transit bus", a bus whose operations are confined wholly within a municipal
35 corporation, or wholly within a municipal corporation and a commercial zone, as defined in section
36 390.020, adjacent thereto, forming a part of a public transportation system within such municipal
37 corporation and such municipal corporation and adjacent commercial zone;

38 (32) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is
39 used exclusively to transport harvested forest products to and from forested sites which is registered

1 pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the
2 transportation of harvested forest products;

3 (33) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and
4 front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or
5 by illustrations;

6 (34) "Manufacturer", any person, firm, corporation or association engaged in the business of
7 manufacturing or assembling motor vehicles, trailers or vessels for sale;

8 (35) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives
9 a new, rebuilt or used engine, and which used the number stamped on the original engine as the
10 vehicle identification number;

11 (36) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
12 except farm tractors and electric bicycles;

13 (37) "Motor vehicle primarily for business use", any vehicle other than a recreational motor
14 vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve
15 thousand pounds:

16 (a) Offered for hire or lease; or

17 (b) The owner of which also owns ten or more such motor vehicles;

18 (38) "Motorcycle", a motor vehicle operated on two wheels;

19 (39) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic
20 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which
21 produces less than three gross brake horsepower, and is capable of propelling the device at a
22 maximum speed of not more than thirty miles per hour on level ground, but excluding an electric
23 bicycle;

24 (40) "Motortricycle", a motor vehicle upon which the operator straddles or sits astride that is
25 designed to be controlled by handle bars and is operated on three wheels, including a motorcycle
26 while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel, but
27 excluding an electric bicycle. A motortricycle shall not be included in the definition of all-terrain
28 vehicle;

29 (41) "Municipality", any city, town or village, whether incorporated or not;

30 (42) "Nonresident", a resident of a state or country other than the state of Missouri;

31 (43) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in
32 compliance with United States emissions or safety standards;

33 (44) "Operator", any person who operates or drives a motor vehicle;

34 (45) "Owner", any person, firm, corporation or association, who holds the legal title to a
35 vehicle or who has executed a buyer's order or retail installment sales contract with a motor vehicle
36 dealer licensed under sections 301.550 to 301.580 for the purchase of a vehicle with an immediate
37 right of possession vested in the transferee, or in the event a vehicle is the subject of an agreement
38 for the conditional sale or lease thereof with the right of purchase upon performance of the
39 conditions stated in the agreement and with an immediate right of possession vested in the

1 conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then
2 such conditional vendee or lessee or mortgagor shall be deemed the owner;

3 (46) "Public garage", a place of business where motor vehicles are housed, stored, repaired,
4 reconstructed or repainted for persons other than the owners or operators of such place of business;

5 (47) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder,
6 but does not include certificated common or contract carriers of persons or property;

7 (48) "Reconstructed motor vehicle", a vehicle that is altered from its original construction
8 by the addition or substitution of two or more new or used major component parts, excluding motor
9 vehicles made from all new parts, and new multistage manufactured vehicles;

10 (49) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially
11 modified so that it may be used and is used for the purposes of temporary housing quarters,
12 including therein sleeping and eating facilities which are either permanently attached to the motor
13 vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall
14 prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle
15 could otherwise be so registered;

16 (50) "Recreational off-highway vehicle", any motorized vehicle manufactured and used
17 exclusively for off-highway use which is more than fifty inches but no more than eighty inches in
18 width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three
19 thousand five hundred pounds or less, traveling on four or more nonhighway tires and which may
20 have access to ATV trails;

21 (51) "Recreational trailer", any trailer designed, constructed, or substantially modified so
22 that it may be used and is used for the purpose of temporary housing quarters, including therein
23 sleeping or eating facilities, which can be temporarily attached to a motor vehicle or attached to a
24 unit which is securely attached to a motor vehicle;

25 (52) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,
26 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker
27 or towing service;

28 (53) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor
29 tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of
30 the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed
31 vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin
32 connection. When two vehicles are towed in this manner the combination is called a "double
33 saddlemount combination". When three vehicles are towed in this manner, the combination is called
34 a "triple saddlemount combination";

35 (54) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the
36 sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

37 (55) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

38 (a) Was damaged during a year that is no more than six years after the manufacturer's model
39 year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct

1 the vehicle to its condition immediately before it was damaged for legal operation on the roads or
2 highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the
3 time it was damaged;

4 (b) By reason of condition or circumstance, has been declared salvage, either by its owner,
5 or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

6 (c) Has been declared salvage by an insurance company as a result of settlement of a claim;

7 (d) Ownership of which is evidenced by a salvage title; or

8 (e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and
9 designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or
10 reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable
11 safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or
12 materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value"
13 means the retail value of a motor vehicle as:

14 a. Set forth in a current edition of any nationally recognized compilation of retail values,
15 including automated databases, or from publications commonly used by the automotive and
16 insurance industries to establish the values of motor vehicles;

17 b. Determined pursuant to a market survey of comparable vehicles with regard to condition
18 and equipment; and

19 c. Determined by an insurance company using any other procedure recognized by the
20 insurance industry, including market surveys, that is applied by the company in a uniform manner;

21 (56) "School bus", any motor vehicle used solely to transport students to or from school or
22 to transport students to or from any place for educational purposes;

23 (57) "Scrap processor", a business that, through the use of fixed or mobile equipment,
24 flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or
25 transportation to a shredder or scrap metal operator for recycling;

26 (58) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation
27 as an incidental service to transport patrons or customers of the regular business of such person,
28 firm, or corporation to and from the place of business of the person, firm, or corporation providing
29 the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial
30 motor vehicles;

31 (59) "Special mobile equipment", every self-propelled vehicle not designed or used
32 primarily for the transportation of persons or property and incidentally operated or moved over the
33 highways, including farm equipment, implements of husbandry, road construction or maintenance
34 machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders,
35 rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous
36 mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers,
37 scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and
38 earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude
39 other such vehicles which are within the general terms of this section;

1 (60) "Specially constructed motor vehicle", a motor vehicle which shall not have been
2 originally constructed under a distinctive name, make, model or type by a manufacturer of motor
3 vehicles. The term specially constructed motor vehicle includes kit vehicles;

4 (61) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is
5 located on a drop frame located behind and below the rearmost axle of the power unit;

6 (62) "Tandem axle", a group of two or more axles, arranged one behind another, the distance
7 between the extremes of which is more than forty inches and not more than ninety-six inches apart;

8 (63) "Towaway trailer transporter combination", a combination of vehicles consisting of a
9 trailer transporter towing unit and two trailers or semitrailers, with a total weight that does not
10 exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry no property and
11 constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers;

12 (64) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for
13 drawing other vehicles, but not for the carriage of any load when operating independently. When
14 attached to a semitrailer, it supports a part of the weight thereof;

15 (65) "Trailer", any vehicle without motive power designed for carrying property or
16 passengers on its own structure and for being drawn by a self-propelled vehicle, except those
17 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and
18 used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests
19 upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers as
20 defined in this section and shall not include manufactured homes as defined in section 700.010;

21 (66) "Trailer transporter towing unit", a power unit that is not used to carry property when
22 operating in a towaway trailer transporter combination;

23 (67) "Truck", a motor vehicle designed, used, or maintained for the transportation of
24 property;

25 (68) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing
26 units are connected with a B-train assembly which is a rigid frame extension attached to the rear
27 frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer
28 and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-
29 trailer combination;

30 (69) "Truck-trailer boat transporter combination", a boat transporter combination consisting
31 of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle
32 located substantially at the trailer center of gravity rather than the rear of the trailer but so as to
33 maintain a downward force on the trailer tongue;

34 (70) "Used parts dealer", a business that buys and sells used motor vehicle parts or
35 accessories, but not including a business that sells only new, remanufactured or rebuilt parts.
36 Business does not include isolated sales at a swap meet of less than three days;

37 (71) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-
38 highway use which is more than fifty inches but no more than eighty inches in width, measured
39 from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five

1 hundred pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn
2 care, or maintenance purposes;

3 (72) "Vanpool", any van or other motor vehicle used or maintained by any person, group,
4 firm, corporation, association, city, county or state agency, or any member thereof, for the
5 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and
6 from their place of employment; however, a vanpool shall not be included in the definition of the
7 term bus or commercial motor vehicle as defined in this section, nor shall a vanpool driver be
8 deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool vehicle for
9 ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use
10 of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing
11 arrangement;

12 (73) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on
13 highways, except motorized bicycles, electric bicycles, vehicles propelled or drawn by horses or
14 human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized
15 wheelchairs operated by handicapped persons;

16 (74) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and
17 used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road,
18 street or highway rights-of-way to a point of storage or repair, including towing a replacement
19 vehicle to replace a disabled or wrecked vehicle;

20 (75) "Wrecker or towing service", the act of transporting, towing or recovering with a
21 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow
22 truck, rollback or car carrier for which the operator directly or indirectly receives compensation or
23 other personal gain.

24 301.033. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the contrary,
25 the director of revenue shall establish a system of registration of all farm vehicles, as defined in
26 section 302.700, owned or purchased by a farm vehicle fleet owner registered under this section.
27 The director of revenue shall prescribe the forms for such farm vehicle fleet registration and the
28 forms and procedures for the registration updates prescribed in this section. Any owner of more
29 than one farm vehicle which is required to be registered under this chapter may, at his or her option,
30 register a fleet of farm vehicles on an annual or biennial basis under this section in lieu of the
31 registration periods provided in sections 301.030, 301.035, and 301.147. The director shall issue an
32 identification number to each registered owner of a fleet of farm vehicles registered under this
33 section.

34 2. All farm vehicles included in the fleet of a registered farm vehicle fleet owner shall be
35 registered during April of the corresponding year or on a prorated basis as provided in subsection 3
36 of this section. Fees of all vehicles in the farm vehicle fleet to be registered on an annual or biennial
37 basis shall be payable not later than the last day of April of the corresponding year, with two years'
38 fees due for biennially-registered vehicles. Notwithstanding the provisions of section 307.355, a
39 certificate of inspection and approval issued no more than one hundred twenty days prior to the date

of application for registration shall be valid for registration of a farm fleet vehicle in accordance with this section. The fees for vehicles added to the farm vehicle fleet which are required to be licensed at the time of registration shall be payable at the time of registration, except that when such vehicle is licensed between July first and September thirtieth the fee shall be three-fourths the annual fee, when licensed between October first and December thirty-first the fee shall be one-half the annual fee, and when licensed on or after January first the fee shall be one-fourth the annual fee. If biennial registration is sought for vehicles added to a farm vehicle fleet, an additional year's annual fee shall be added to the partial year's prorated fee.

3. At any time during the calendar year in which an owner of a farm vehicle fleet purchases or otherwise acquires a farm vehicle which is to be added to the farm vehicle fleet or transfers plates to a fleet vehicle, the owner shall present to the director of revenue the identification number as a fleet number and may register the vehicle for the partial year as provided in subsection 2 of this section. The farm vehicle fleet owner shall also be charged a transfer fee of two dollars for each vehicle so transferred under this subsection.

4. Except as specifically provided in this subsection, all farm vehicles registered under this section shall be issued a special license plate which shall have the words "Farm Fleet Vehicle" and shall meet the requirements prescribed by section 301.130. Farm fleet vehicles shall be issued multiyear license plates as provided in this section which shall not require issuance of a renewal tab. Upon payment of appropriate registration fees, the director of revenue shall issue a registration certificate or other suitable evidence of payment of the annual or biennial fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

5. The director shall make all necessary rules and regulations for the administration of this section and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly under 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, 2024, shall be invalid and void.

301.560. 1. In addition to the application forms prescribed by the department, each applicant shall submit the following to the department:

(1) Every application other than an application for a new motor vehicle franchise dealer where the applicant is a retailer that sells agricultural supplies and is under common ownership and control with at least five other new motor vehicle franchise dealers doing business under the same name, or a renewal application for a new motor vehicle franchise dealer shall include a certification that the applicant has a bona fide established place of business. Such application shall include an annual certification that the applicant has a bona fide established place of business for the first three years and only for every other year thereafter. The certification shall be performed by a uniformed member of the Missouri state highway patrol or authorized or designated employee stationed in the

troop area in which the applicant's place of business is located; except that in counties of the first classification, certification may be performed by an officer of a metropolitan police department when the applicant's established place of business of distributing or selling motor vehicles or trailers is in the metropolitan area where the certifying metropolitan police officer is employed. When the application is being made for licensure as a boat manufacturer or boat dealer, certification shall be performed by a uniformed member of the Missouri state highway patrol or authorized or designated employee stationed in the troop area in which the applicant's place of business is located or, if the applicant's place of business is located within the jurisdiction of a metropolitan police department in a first class county, by an officer of such metropolitan police department. A bona fide established place of business for any new motor vehicle franchise dealer, used motor vehicle dealer, boat dealer, powersport dealer, wholesale motor vehicle dealer, trailer dealer, or wholesale or public auction shall be a permanent enclosed building or structure, either owned in fee or leased and actually occupied as a place of business by the applicant for the selling, bartering, trading, servicing, or exchanging of motor vehicles, boats, personal watercraft, or trailers and wherein the public may contact the owner or operator at any reasonable time, and wherein shall be kept and maintained the books, records, files and other matters required and necessary to conduct the business. The applicant shall maintain a working telephone number during the entire registration year which will allow the public, the department, and law enforcement to contact the applicant during regular business hours. The applicant shall also maintain an email address during the entire registration year which may be used for official correspondence with the department. In order to qualify as a bona fide established place of business for all applicants licensed pursuant to this section there shall be an exterior sign displayed carrying the name of the business set forth in letters at least six inches in height and clearly visible to the public and there shall be an area or lot which shall not be a public street on which multiple vehicles, boats, personal watercraft, or trailers may be displayed. The sign shall contain the name of the dealership by which it is known to the public through advertising or otherwise, which need not be identical to the name appearing on the dealership's license so long as such name is registered as a fictitious name with the secretary of state, has been approved by its line-make manufacturer in writing in the case of a new motor vehicle franchise dealer and a copy of such fictitious name registration has been provided to the department. Dealers who sell only emergency vehicles as defined in section 301.550 are exempt from maintaining a bona fide place of business, including the related law enforcement certification requirements, and from meeting the minimum yearly sales;

(2) The initial application for licensure shall include a photograph, not to exceed eight inches by ten inches but no less than five inches by seven inches, showing the business building, lot, and sign. A new motor vehicle franchise dealer applicant who has purchased a currently licensed new motor vehicle franchised dealership shall be allowed to submit a photograph of the existing dealership building, lot and sign but shall be required to submit a new photograph upon the installation of the new dealership sign as required by sections 301.550 to 301.580. Applicants shall not be required to submit a photograph annually unless the business has moved from its previously

1 licensed location, or unless the name of the business or address has changed, or unless the class of
2 business has changed;

3 (3) Every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer, a
4 powersport dealer, a wholesale motor vehicle dealer, trailer dealer, or boat dealer shall furnish with
5 the application a corporate surety bond or an irrevocable letter of credit as defined in section 400.5-
6 102, issued by any state or federal financial institution in the penal sum of fifty thousand dollars on
7 a form approved by the department. The bond or irrevocable letter of credit shall be conditioned
8 upon the dealer complying with the provisions of the statutes applicable to new motor vehicle
9 franchise dealers, used motor vehicle dealers, powersport dealers, wholesale motor vehicle dealers,
10 trailer dealers, and boat dealers, and the bond shall be an indemnity for any loss sustained by reason
11 of the acts of the person bonded when such acts constitute grounds for the suspension or revocation
12 of the dealer's license. The bond shall be executed in the name of the state of Missouri for the
13 benefit of all aggrieved parties or the irrevocable letter of credit shall name the state of Missouri as
14 the beneficiary; except, that the aggregate liability of the surety or financial institution to the
15 aggrieved parties shall, in no event, exceed the amount of the bond or irrevocable letter of credit.
16 Additionally, every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer, a
17 powersport dealer, a wholesale motor vehicle dealer, or boat dealer shall furnish with the application
18 a copy of a current dealer garage policy bearing the policy number and name of the insurer and the
19 insured. The proceeds of the bond or irrevocable letter of credit furnished by an applicant shall be
20 paid upon receipt by the department of a final judgment from a Missouri court of competent
21 jurisdiction against the principal and in favor of an aggrieved party. The proceeds of the bond or
22 irrevocable letter of credit furnished by an applicant shall be paid at the order of the department and
23 in the amount determined by the department to any buyer or interested lienholder up to the greater
24 of the amount required for the release of the purchase money lien or the sales price paid by the
25 buyer where a dealer has failed to fulfill the dealer's obligations under an agreement to assign and
26 deliver title to the buyer within thirty days under a contract entered into pursuant to subsection 5 of
27 section 301.210. The department shall direct release of the bond or irrevocable letter of credit
28 proceeds upon presentation of a written agreement entered into pursuant to subsection 5 of section
29 301.210, copies of the associated sales and finance documents, and the affidavit or affidavits of the
30 buyer or lienholder stating that the certificate of title with assignment thereof has not been passed to
31 the buyer within thirty days of the date of the contract entered into under subsection 5 of section
32 301.210, that the dealer has not fulfilled the agreement under the contract to repurchase the vehicle,
33 that the buyer or the lienholder has notified the dealer of the claim on the bond or letter of credit,
34 and the amount claimed by the purchaser or lienholder. In addition, prior to directing release and
35 payment of the proceeds of a bond or irrevocable letter of credit, the department shall ensure that
36 there is satisfactory evidence to establish that the vehicle which is subject to the written agreement
37 has been returned by the buyer to the dealer or that the buyer has represented to the department that
38 the buyer will surrender possession of the vehicle to the dealer upon payment of the proceeds of the
39 bond or letter of credit directed by the department. Excepting ordinary wear and tear or mechanical

1 failures not caused by the buyer, the amount of proceeds to be paid to the buyer under the bond or
2 irrevocable letter of credit shall be reduced by an amount equivalent to any damage, abuse, or
3 destruction incurred by the vehicle while the vehicle was in the buyer's possession as agreed
4 between the buyer and the dealer. The dealer may apply to a court of competent jurisdiction to
5 contest the claim on the bond or letter of credit, including the amount of the claim and the amount of
6 any adjustment for any damage, abuse, or destruction, by filing a petition with the court within thirty
7 days of the notification by the buyer or lienholder. If the dealer does not fulfill the agreement or file
8 a petition to request judicial relief from the terms of the agreement or contest the amount of the
9 claim, the bond or letter of credit shall be released by the department and directed paid in the
10 amount or amounts presented by the lienholder or buyer;

11 (4) Payment of all necessary license fees as established by the department. In establishing
12 the amount of the annual license fees, the department shall, as near as possible, produce sufficient
13 total income to offset operational expenses of the department relating to the administration of
14 sections 301.550 to 301.580. All fees payable pursuant to the provisions of sections 301.550 to
15 301.580, other than those fees collected for the issuance of dealer plates or certificates of number
16 collected pursuant to subsection 6 of this section, shall be collected by the department for deposit in
17 the state treasury to the credit of the "Motor Vehicle Commission Fund", which is hereby created.
18 The motor vehicle commission fund shall be administered by the Missouri department of revenue.
19 The provisions of section 33.080 to the contrary notwithstanding, money in such fund shall not be
20 transferred and placed to the credit of the general revenue fund until the amount in the motor vehicle
21 commission fund at the end of the biennium exceeds two times the amount of the appropriation
22 from such fund for the preceding fiscal year or, if the department requires permit renewal less
23 frequently than yearly, then three times the appropriation from such fund for the preceding fiscal
24 year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the
25 multiple of the appropriation from such fund for the preceding fiscal year.

26 2. In the event a new vehicle manufacturer, boat manufacturer, motor vehicle dealer,
27 wholesale motor vehicle dealer, boat dealer, powersport dealer, wholesale motor vehicle auction,
28 trailer dealer, or a public motor vehicle auction submits an application for a license for a new
29 business and the applicant has complied with all the provisions of this section, the department shall
30 make a decision to grant or deny the license to the applicant within eight working hours after receipt
31 of the dealer's application, notwithstanding any rule of the department.

32 3. Except as otherwise provided in subsection 6 of this section, upon the initial issuance of a
33 license by the department, the department shall assign a distinctive dealer license number or
34 certificate of number to the applicant and the department shall issue one number plate or certificate
35 bearing the distinctive dealer license number or certificate of number and two additional number
36 plates or certificates of number within eight working hours after presentment of the application and
37 payment by the applicant of a fee of fifty dollars for the first plate or certificate and ten dollars and
38 fifty cents for each additional plate or certificate. Upon renewal, the department shall issue the
39 distinctive dealer license number or certificate of number as quickly as possible. The issuance of

such distinctive dealer license number or certificate of number shall be in lieu of registering each motor vehicle, trailer, vessel or vessel trailer dealt with by a boat dealer, boat manufacturer, manufacturer, public motor vehicle auction, wholesale motor vehicle dealer, wholesale motor vehicle auction or new or used motor vehicle dealer. The license plates described in this section shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. Notwithstanding any other provision of the law to the contrary, the department shall assign the following distinctive dealer license numbers to:

New motor vehicle franchise dealers	D-0 through D-999
New powersport dealers	D-1000 through D-1999
Used motor vehicle and used powersport dealers	D-2000 through D-9999
Wholesale motor vehicle dealers	W-0 through W-1999
Wholesale motor vehicle auctions	WA-0 through WA-999
New and used trailer dealers	T-0 through T-9999
Motor vehicle, trailer, and boat manufacturers	DM-0 through DM-999
Public motor vehicle auctions	A-0 through A-1999
Boat dealers	M-0 through M-9999
New and used recreational motor vehicle dealers	RV-0 through RV-999

For purposes of this subsection, qualified transactions shall include the purchase of salvage titled vehicles by a licensed salvage dealer. A used motor vehicle dealer who also holds a salvage dealer's license shall be allowed one additional plate or certificate number per fifty-unit qualified transactions annually. In order for salvage dealers to obtain number plates or certificates under this section, dealers shall submit to the department of revenue on August first of each year a statement certifying, under penalty of perjury, the dealer's number of purchases during the reporting period of July first of the immediately preceding year to June thirtieth of the present year. The provisions of this subsection shall become effective on the date the director of the department of revenue begins to reissue new license plates under section 301.130, or on December 1, 2008, whichever occurs first. If the director of revenue begins reissuing new license plates under the authority granted under section 301.130 prior to December 1, 2008, the director of the department of revenue shall notify the revisor of statutes of such fact.

5. Upon the sale of a currently licensed motor vehicle dealership the department shall, upon request, authorize the new approved dealer applicant to retain the selling dealer's license number and shall cause the new dealer's records to indicate such transfer. If the new approved dealer applicant

elects not to retain the selling dealer's license number, the department shall issue the new dealer applicant a new dealer's license number and an equal number of plates or certificates as the department had issued to the selling dealer.

6. In the case of motor vehicle dealers, the department shall issue one number plate bearing the distinctive dealer license number and may issue one additional number plate to the applicant upon payment by the dealer of a fifty dollar fee for the number plate bearing the distinctive dealer license number and ten dollars and fifty cents for the additional number plate. The department may issue a third plate to the motor vehicle dealer upon completion of the dealer's fifteenth qualified transaction and payment of a fee of ten dollars and fifty cents. In the case of new motor vehicle manufacturers, powersport dealers, recreational motor vehicle dealers, and trailer dealers, the department shall issue one number plate bearing the distinctive dealer license number and may issue two additional number plates to the applicant upon payment by the manufacturer or dealer of a fifty dollar fee for the number plate bearing the distinctive dealer license number and ten dollars and fifty cents for each additional number plate. Boat dealers and boat manufacturers shall be entitled to one certificate of number bearing such number upon the payment of a fifty dollar fee. Additional number plates and as many additional certificates of number may be obtained upon payment of a fee of ten dollars and fifty cents for each additional plate or certificate. New motor vehicle manufacturers shall not be issued or possess more than three hundred forty-seven additional number plates or certificates of number annually. New and used motor vehicle dealers, powersport dealers, wholesale motor vehicle dealers, boat dealers, and trailer dealers are limited to one additional plate or certificate of number per ten-unit qualified transactions annually. New and used recreational motor vehicle dealers are limited to two additional plates or certificate of number per ten-unit qualified transactions annually for their first fifty transactions and one additional plate or certificate of number per ten-unit qualified transactions thereafter. An applicant seeking the issuance of an initial license shall indicate on his or her initial application the applicant's proposed annual number of sales in order for the director to issue the appropriate number of additional plates or certificates of number. A motor vehicle dealer, trailer dealer, boat dealer, powersport dealer, recreational motor vehicle dealer, motor vehicle manufacturer, boat manufacturer, or wholesale motor vehicle dealer obtaining a distinctive dealer license plate or certificate of number or additional license plate or additional certificate of number, throughout the calendar year, shall be required to pay a fee for such license plates or certificates of number computed on the basis of one-twelfth of the full fee prescribed for the original and duplicate number plates or certificates of number for such dealers' licenses, multiplied by the number of months remaining in the licensing period for which the dealer or manufacturers shall be required to be licensed. In the event of a renewing dealer, the fee due at the time of renewal shall not be prorated. Wholesale and public auctions shall be issued a certificate of dealer registration in lieu of a dealer number plate. In order for dealers to obtain number plates or certificates under this section, dealers shall submit to the department of revenue on August first of each year a statement certifying, under penalty of perjury, the dealer's number of sales during the reporting period of July first of the immediately preceding year to June thirtieth of the present year.

1 7. The plates issued pursuant to subsection 3 or 6 of this section may be displayed on any
2 motor vehicle owned by a new motor vehicle manufacturer. The plates issued pursuant to
3 subsection 3 or 6 of this section may be displayed on any motor vehicle or trailer owned and held
4 for resale by a motor vehicle dealer for use by a customer who is test driving the motor vehicle, for
5 use by any customer while the customer's vehicle is being serviced or repaired by the motor vehicle
6 dealer, for use and display purposes during, but not limited to, parades, private events, charitable
7 events, or for use by an employee or officer, but shall not be displayed on any motor vehicle or
8 trailer hired or loaned to others or upon any regularly used service or wrecker vehicle. Motor
9 vehicle dealers may display their dealer plates on a tractor, truck or trailer to demonstrate a vehicle
10 under a loaded condition. Trailer dealers may display their dealer license plates in like manner,
11 except such plates may only be displayed on trailers owned and held for resale by the trailer dealer.

12 8. The certificates of number issued pursuant to subsection 3 or 6 of this section may be
13 displayed on any vessel or vessel trailer owned and held for resale by a boat manufacturer or a boat
14 dealer, and used by a customer who is test driving the vessel or vessel trailer, or is used by an
15 employee or officer on a vessel or vessel trailer only, but shall not be displayed on any motor
16 vehicle owned by a boat manufacturer, boat dealer, or trailer dealer, or vessel or vessel trailer hired
17 or loaned to others or upon any regularly used service vessel or vessel trailer. Boat dealers and boat
18 manufacturers may display their certificate of number on a vessel or vessel trailer when transporting
19 a vessel or vessels to an exhibit or show.

20 9. If any law enforcement officer has probable cause to believe that any license plate or
21 certificate of number issued under subsection 3 or 6 of this section is being misused in violation of
22 subsection 7 or 8 of this section, the license plate or certificate of number may be seized and
23 surrendered to the department.

24 10. (1) Every application for the issuance of a used motor vehicle dealer's license shall be
25 accompanied by proof that the applicant, within the last twelve months, has completed an
26 educational seminar course approved by the department as prescribed by subdivision (2) of this
27 subsection. Wholesale and public auto auctions and applicants currently holding a new or used
28 license for a separate dealership shall be exempt from the requirements of this subsection. The
29 provisions of this subsection shall not apply to current new motor vehicle franchise dealers or motor
30 vehicle leasing agencies or applicants for a new motor vehicle franchise or a motor vehicle leasing
31 agency. The provisions of this subsection shall not apply to used motor vehicle dealers who were
32 licensed prior to August 28, 2006.

33 (2) The educational seminar shall include, but is not limited to, the dealer requirements of
34 sections 301.550 to 301.580, the rules promulgated to implement, enforce, and administer sections
35 301.550 to 301.580, and any other rules and regulations promulgated by the department.

36 307.010. 1. All motor vehicles, and every trailer and semitrailer operating upon the public
37 highways of this state and carrying goods or material or farm products which may reasonably be
38 expected to become dislodged and fall from the vehicle, trailer or semitrailer as a result of wind
39 pressure or air pressure and/or by the movement of the vehicle, trailer or semitrailer shall have a

1 protective cover or be sufficiently secured so that no portion of such goods or material can become
2 dislodged and fall from the vehicle, trailer or semitrailer while being transported or carried.

3 2. A cotton trailer, as defined in section 301.010, shall not be in violation of this section,
4 provided it is traveling at speeds less than sixty-five miles per hour from field to field or from field
5 to market and return, and no portion of such goods or material becomes dislodged and falls from the
6 cotton trailer.

7 3. Operation of a motor vehicle, trailer or semitrailer in violation of this section shall be a
8 class C misdemeanor, and any person convicted thereof shall be punished as provided by law."; and
9

10 Further amend said bill, Pages 2-5, Section 644.016, Lines 1-114, by deleting all of said section and
11 lines from the bill; and
12

13 Further amend said bill, Pages 5-6, Section 644.041, Lines 1-33, by deleting all of said section and
14 lines from the bill; and
15

16 Further amend said bill, Pages 6-15, Section 644.051, Lines 1-310, by deleting all of said section
17 and lines from the bill; and
18

19 Further amend said bill, Pages 15-18, Section 644.145, Lines 1-109, by deleting all of said section
20 and lines from the bill; and
21

22 Further amend said bill, Page 18, Section B, Lines 1-8, by deleting all of said section and lines from
23 the bill; and
24

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