

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 572, Page 3, Section 21.795, Line 76, by
2 inserting after said section and line the following:

3
4 "68.080. 1. There is hereby established in the state treasury the "Waterways and Ports Trust
5 Fund". The fund shall consist of revenues appropriated to it by the general assembly.

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

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

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 Moneys in the fund shall be withdrawn only at the request of a Missouri port authority for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

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

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

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

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

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

Action Taken _____ Date _____

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

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

71.025. Beginning August 28, 2025, city populations shall be included on city limit signs on state highways."; and

Further amend said bill, Page 4, Section 142.805, Line 30, by inserting after said section and line the following:

"168.133. 1. As used in this section, "screened volunteer" shall mean any person who assists a school by providing uncompensated service and who may periodically be left alone with students. The school district or charter school shall ensure that a criminal background check is conducted for all screened volunteers, who shall complete the criminal background check prior to being left alone with a student. ~~[Screened volunteers include, but are not limited to, persons who regularly assist in the office or library, mentor or tutor students, coach or supervise a school-sponsored activity before or after school, or chaperone students on an overnight trip.]~~ Screened volunteers may only access student education records when necessary to assist the district or charter school and while supervised by staff members. Volunteers that are not screened shall not be left alone with a student or have access to student records.

2. (1) The school district or charter school shall ensure that a criminal background check is conducted on any person employed after January 1, 2005, authorized to have contact with pupils and prior to the individual having contact with any pupil. ~~[Such persons include, but are not limited to, administrators, teachers, aides, paraprofessionals, assistants, secretaries, custodians, cooks, screened volunteers, and nurses.]~~

(2) The school district or charter school shall also ensure that a criminal background check is conducted for school bus drivers and drivers of other vehicles owned by the school district or charter school or operated under contract with a school district or charter school and used for the purpose of transporting school children. The school district or charter school may allow such drivers to operate buses and other vehicles pending the result of the criminal background check. ~~[For bus drivers,]~~ The school district or charter school shall be responsible for conducting the criminal background check on drivers employed by the school district or charter school under section 43.540.

(3) For drivers employed or contracted by a pupil transportation company under contract with the school district or a charter school, the criminal background check shall be conducted by the pupil transportation company pursuant to section ~~[43.540]~~ 43.539 and conform to the requirements established in the National Child Protection Act of 1993, as amended by the Volunteers for Children Act.

1 (4) Personnel who have successfully undergone a criminal background check and a check of
2 the family care safety registry as part of the professional license application process under section
3 168.021 and who have received clearance on the checks within one prior year of employment shall
4 be considered to have completed the background check requirement.

5 (5) A criminal background check under this section shall include a search of any
6 information publicly available in an electronic format through a public index or single case display.

7 3. In order to facilitate the criminal history background check, the applicant shall submit a
8 set of fingerprints collected pursuant to standards determined by the Missouri highway patrol. The
9 fingerprints shall be used by the highway patrol to search the criminal history repository and shall be
10 forwarded to the Federal Bureau of Investigation for searching the federal criminal history files.

11 4. The applicant shall pay the fee for the state criminal history record information pursuant
12 to section 43.530 and sections 210.900 to 210.936 and pay the appropriate fee determined by the
13 Federal Bureau of Investigation for the federal criminal history record when he or she applies for a
14 position authorized to have contact with pupils pursuant to this section. The department shall
15 distribute the fees collected for the state and federal criminal histories to the Missouri highway
16 patrol.

17 5. The department of elementary and secondary education shall facilitate an annual check of
18 employed persons holding current active certificates under section 168.021 against criminal history
19 records in the central repository under section 43.530, the sexual offender registry under sections
20 589.400 to 589.426, and child abuse central registry under sections 210.109 to 210.183. The
21 department of elementary and secondary education shall facilitate procedures for school districts
22 and charter schools to submit personnel information annually for persons employed by the school
23 districts or charter schools who do not hold a current valid certificate who are required by subsection
24 1 of this section to undergo a criminal background check, sexual offender registry check, and child
25 abuse central registry check. The Missouri state highway patrol shall provide ongoing electronic
26 updates to criminal history background checks of those persons previously submitted, both those
27 who have an active certificate and those who do not have an active certificate, by the department of
28 elementary and secondary education. This shall fulfill the annual check against the criminal history
29 records in the central repository under section 43.530.

30 6. The school district or charter school may adopt a policy to provide for reimbursement of
31 expenses incurred by an employee for state and federal criminal history information pursuant to
32 section 43.530.

33 7. If, as a result of the criminal history background check mandated by this section, it is
34 determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty or nolo
35 contendere to, or been found guilty of a crime or offense listed in section 168.071, or a similar crime
36 or offense committed in another state, the United States, or any other country, regardless of
37 imposition of sentence, such information shall be reported to the department of elementary and
38 secondary education.

1 8. Any school official making a report to the department of elementary and secondary
2 education in conformity with this section shall not be subject to civil liability for such action.

3 9. For any teacher who is employed by a school district or charter school on a substitute or
4 part-time basis within one year of such teacher's retirement from a Missouri school, the state of
5 Missouri shall not require such teacher to be subject to any additional background checks prior to
6 having contact with pupils. Nothing in this subsection shall be construed as prohibiting or otherwise
7 restricting a school district or charter school from requiring additional background checks for such
8 teachers employed by the school district or charter school.

9 10. A criminal background check and fingerprint collection conducted under subsections 1
10 to 3 of this section shall be valid for at least a period of one year and transferrable from one school
11 district or charter school to another district or charter school. A school district or charter school
12 may, in its discretion, conduct a new criminal background check and fingerprint collection under
13 subsections 1 to 3 of this section for a newly hired employee at the district's or charter school's
14 expense. A teacher's change in type of certification shall have no effect on the transferability or
15 validity of such records.

16 11. Nothing in this section shall be construed to alter the standards for suspension, denial, or
17 revocation of a certificate issued pursuant to this chapter.

18 12. The state board of education may promulgate rules for criminal history background
19 checks made pursuant to this section. Any rule or portion of a rule, as that term is defined in section
20 536.010, that is created under the authority delegated in this section shall become effective only if it
21 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
22 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
23 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
24 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any
25 rule proposed or adopted after January 1, 2005, shall be invalid and void.

26 226.006. 1. The department of transportation shall limit the messages displayed on roadside
27 dynamic message signs to the fewest number of characters necessary to practically convey the
28 intended information. Messages displayed on roadside dynamic message signs generally shall be
29 limited to information related to traffic conditions, weather, or emergency alerts, and shall not
30 contain commercial advertisements.

31 2. For purposes of this section, "dynamic message sign" means a changeable message traffic
32 control device used for traffic warning, regulation, routing, and management.

33 226.096. 1. This section shall govern any controversy or claim to which the Missouri
34 department of transportation is a party that arises out of or relates to a contract awarded pursuant to
35 subdivision (9) of subsection 1 of section 226.130, and the claim exceeds twenty-five thousand
36 dollars, but is less than three hundred twenty-seven thousand dollars as adjusted on an annual basis
37 effective January first of each year in accordance with the Implicit Price Deflator for Personal
38 Consumption Expenditures as calculated pursuant to subsection 5 of section 537.610. Provided a
39 claim has been filed pursuant to the procedures set forth in the Missouri standard specifications for

highway construction, or its successor, upon issuance of a final decision as provided in such standards or upon expiration of ninety days from the date the claim was filed, the controversy or claim shall upon written demand by any party to the contract be settled by arbitration administered by the American Arbitration Association under its Construction Industry Arbitration Rules, except as provided herein. The highways and transportation commission shall promulgate rules pursuant to chapter 536, to become effective on or before July 1, 2004, establishing a method for appointment of arbitrators and allowing for the mediation of claims upon agreement of both parties. Judgment upon awards rendered under arbitration shall be entered in the circuit court of Cole County, Missouri.

2. Any contract specification, special provision, contract clause, or rule pertaining to contracts governed by this section, which purports to waive, release or extinguish the rights of a contractor to file a claim, or which purports to bind any court of competent jurisdiction or alternate dispute resolution process to any determinations of fact rendered by the Missouri department of transportation or its employees and agents so as to prevent any such court or alternate dispute resolution process from fully considering the merits of any controversy or claim governed by this section, is against public policy and shall be void and unenforceable.

3. All general specification documents issued by the Missouri department of transportation under this section shall be subject to the rulemaking requirements of chapter 536 to ensure public notice, comment, and legislative oversight as provided by law.

4. 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 of 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 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

226.510. As used in sections 226.500 to 226.600, the following words or phrases mean:

(1) "Freeway primary highway", that part of a federal-aid primary highway system, as of June 1, 1991, which has been constructed as divided, dual lane fully controlled access facilities with no access to the throughways except the established interchanges. When existing two-lane highways are being upgraded to four-lane limited access, the regulations for freeway primary highways shall apply as of the date the state highways and transportation commission acquires all access rights on the adjoining right-of-way;

(2) "Interstate system", that portion of the national system of interstate highways located within the boundaries of Missouri, as officially designated or may be hereafter designated by the state highways and transportation commission with the approval of the Secretary of Transportation, pursuant to Title 23, United States Code, as amended;

(3) "Outdoor advertising", an outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, billboard, or other thing designed, intended or used to advertise or inform,

any part of the advertising or information contents of which is visible from any point of the traveled ways of the interstate or primary systems; none of the preceding items shall be deemed "outdoor advertising" when located on, attached to, or erected as part of, a fence, fences, or walls that enclose, in whole or in part, an athletic field that is owned or leased by a school or an entity described in section 501(c)(3) of the Internal Revenue Code, as amended. When the audience of such signs is intended to be the patrons, participants, or attendees of an event occurring at the athletic field, the signs shall not require permitting from the Missouri department of transportation;

(4) "Primary system", the federal-aid primary highways as of June 1, 1991, and all highways designated as part of the National Highway System by the National Highway System Designation Act of 1995 and those highways subsequently designated as part of the National Highway System;

(5) "Rest area", an area or site established and maintained within or adjacent to the highway right-of-way under public supervision or control, for the convenience of the traveling public, except that the term shall not include automotive service stations, hotels, motels, restaurants or other commerce facilities of like nature;

(6) "Urban area", an urban place as designated by the Bureau of the Census, having a population of five thousand or more within boundaries to be fixed by the state highways and transportation commission and local officials in cooperation with each other and approved by the Secretary of Transportation, or an urbanized area as designated by the Bureau of the Census within boundaries to be fixed by the state highways and transportation commission and local officials and approved by the Secretary of Transportation. The boundary of the urban area shall, as a minimum, encompass the entire urban place as designated by the Bureau of the Census.

226.540. Notwithstanding any other provisions of sections 226.500 to 226.600, outdoor advertising shall be permitted within six hundred and sixty feet of the nearest edge of the right-of-way of highways located on the interstate, federal-aid primary system as it existed on June 1, 1991, or the national highway system as amended in areas zoned industrial, commercial or the like and in unzoned commercial and industrial areas as defined in this section, subject to the following regulations which are consistent with customary use in this state:

(1) Lighting:

(a) No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. No flashing, intermittent, or moving light or lights will be permitted except scoreboards and other illuminated signs designating public service information, such as time, date, or temperature, or similar information, will be allowed; tri-vision, projection, and other changeable message signs shall be allowed subject to Missouri highways and transportation commission regulations;

(b) External lighting, such as floodlights, thin line and gooseneck reflectors are permitted, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of the federal-aid primary highways as of June 1, 1991, and all highways designated as part of the National Highway System by the National Highway System Designation Act of 1995 and those highways

1 subsequently designated as part of the National Highway System and the lights are not of such
2 intensity so as to cause glare, impair the vision of the driver of a motor vehicle, or otherwise
3 interfere with a driver's operation of a motor vehicle;

4 (c) No sign shall be so illuminated that it interferes with the effectiveness of, or obscures, an
5 official traffic sign, device, or signal;

6 (2) Size of signs:

7 (a) The maximum area for any one sign shall be eight hundred square feet with a maximum
8 height of thirty feet and a maximum length of seventy-two feet, inclusive of border and trim but
9 excluding the base or apron, supports, and other structural members. The area shall be measured as
10 established herein and in rules promulgated by the commission. In determining the size of a
11 conforming or nonconforming sign structure, temporary cutouts and extensions installed for the
12 length of a specific display contract shall not be considered a substantial increase to the size of the
13 permanent display; provided the actual square footage of such temporary cutouts or extensions may
14 not exceed thirty-three percent of the permanent display area. Signs erected in accordance with the
15 provisions of sections 226.500 to 226.600 prior to August 28, 2002, which fail to meet the
16 requirements of this provision shall be deemed legally nonconforming as defined herein;

17 (b) The maximum size limitations shall apply to each side of a sign structure, and signs may
18 be placed back to back, double faced, or in V-type construction with not more than two displays to
19 each facing, but such sign structure shall be considered as one sign;

20 (c) After August 28, 1999, no new sign structure shall be erected in which two or more
21 displays are stacked one above the other. Stacked structures existing on or before August 28, 1999,
22 in accordance with sections 226.500 to 226.600 shall be deemed legally nonconforming and may be
23 maintained in accordance with the provisions of sections 226.500 to 226.600. Structures displaying
24 more than one display on a horizontal basis shall be allowed, provided that total display areas do not
25 exceed the maximum allowed square footage for a sign structure pursuant to the provisions of
26 paragraph (a) of this subdivision;

27 (3) Spacing of signs:

28 (a) On all interstate highways, freeways, and nonfreeway federal-aid primary highways as
29 of June 1, 1991, and all highways designated as part of the National Highway System by the
30 National Highway System Designation Act of 1995 and those highways subsequently designated as
31 part of the National Highway System:

32 a. No sign structure shall be erected within one thousand four hundred feet of an existing
33 sign on the same side of the highway;

34 b. Outside of incorporated municipalities, no structure may be located adjacent to or within
35 five hundred feet of an interchange, intersection at grade, or safety rest area. Such five hundred feet
36 shall be measured from the beginning or ending of the pavement widening at the exit from or
37 entrance to the main traveled way. For purpose of this subparagraph, the term "incorporated
38 municipalities" shall include "urban areas", except that such "urban areas" shall not be considered

1 "incorporated municipalities" if it is finally determined that such would have the effect of making
 2 Missouri be in noncompliance with the requirements of Title 23, United States Code, Section 131;

3 (b) The spacing between structure provisions of this subdivision do not apply to signs which
 4 are separated by buildings, natural surroundings, or other obstructions in such manner that only one
 5 sign facing located within such distance is visible at any one time. Directional or other official signs
 6 or those advertising the sale or lease of the property on which they are located, or those which
 7 advertise activities on the property on which they are located, including products sold, shall not be
 8 counted, nor shall measurements be made from them for the purpose of compliance with spacing
 9 provisions;

10 (c) No sign shall be located in such manner as to obstruct or otherwise physically interfere
 11 with the effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere
 12 with a motor vehicle operator's view of approaching, merging, or intersecting traffic;

13 (d) The measurements in this section shall be the minimum distances between outdoor
 14 advertising sign structures measured along the nearest edge of the pavement between points directly
 15 opposite the signs along each side of the highway and shall apply only to outdoor advertising sign
 16 structures located on the same side of the highway involved;

17 (4) As used in this section, the words "unzoned commercial and industrial land" shall be
 18 defined as follows: that area not zoned by state or local law or ordinance and on which there is
 19 located one or more permanent structures used for a commercial business or industrial activity or on
 20 which a commercial or industrial activity is actually conducted together with the area along the
 21 highway extending outwardly seven hundred fifty feet from and beyond the edge of such activity.
 22 All measurements shall be from the outer edges of the regularly used improvements, buildings,
 23 parking lots, landscaped, storage or processing areas of the commercial or industrial activity and
 24 along and parallel to the edge of the pavement of the highway. On nonfreeway primary highways
 25 where there is an unzoned commercial or industrial area on one side of the road in accordance with
 26 this section, the unzoned commercial or industrial area shall also include those lands located on the
 27 opposite side of the highway to the extent of the same dimensions. Unzoned land shall not include:

28 (a) Land on the opposite side of the highway from an unzoned commercial or industrial area
 29 as defined in this section and located adjacent to highways located on the interstate~~[-federal-aid~~
 30 ~~primary system as it existed on June 1, 1991, or the national highway system as amended, unless the~~
 31 ~~opposite side of the highway qualifies as a separate unzoned commercial or industrial area]~~ or
 32 freeway primary highways; or

33 (b) Land zoned by a state or local law, regulation, or ordinance;

34 (5) "Commercial or industrial activities" as used in this section means those which are
 35 generally recognized as commercial or industrial by zoning authorities in this state, except that none
 36 of the following shall be considered commercial or industrial:

37 (a) Outdoor advertising structures;

38 (b) Agricultural, forestry, ranching, grazing, farming, and related activities, including
 39 seasonal roadside fresh produce stands;

- 1 (c) Transient or temporary activities;
- 2 (d) Activities more than six hundred sixty feet from the nearest edge of the right-of-way or
3 not visible from the main traveled way;
- 4 (e) Activities conducted in a building principally used as a residence;
- 5 (f) Railroad tracks and minor sidings;
- 6 (6) The words "unzoned commercial or industrial land" shall also include all areas not
7 specified in this section which constitute an "unzoned commercial or industrial area" within the
8 meaning of the present Section 131 of Title 23 of the United States Code, or as such statute may be
9 amended. As used in this section, the words "zoned commercial or industrial area" shall refer to
10 those areas zoned commercial or industrial by the duly constituted zoning authority of a
11 municipality, county, or other lawfully established political subdivision of the state, or by the state
12 and which is within seven hundred fifty feet of one or more permanent commercial or industrial
13 activities. Commercial or industrial activities as used in this section are limited to those activities:
- 14 (a) In which the primary use of the property is commercial or industrial in nature;
- 15 (b) Which are clearly visible from the highway and recognizable as a commercial business;
- 16 (c) Which are permanent as opposed to temporary or transitory and of a nature that would
17 customarily be restricted to commercial or industrial zoning in areas comprehensively zoned; and
- 18 (d) In determining whether the primary use of the property is commercial or industrial
19 pursuant to paragraph (a) of this subdivision, the state highways and transportation commission shall
20 consider the following factors:
- 21 a. The presence of a permanent and substantial building;
- 22 b. The existence of utilities and local business licenses, if any, for the commercial activity;
- 23 c. On-premise signs or other identification;
- 24 d. The presence of an owner or employee on the premises for at least twenty hours per
25 week;
- 26 (7) In zoned commercial and industrial areas, whenever a state, county or municipal zoning
27 authority has adopted laws or ordinances which include regulations with respect to the size, lighting
28 and spacing of signs, which regulations are consistent with the intent of sections 226.500 to 226.600
29 and with customary use, then from and after the effective date of such regulations, and so long as
30 they shall continue in effect, the provisions of this section shall not apply to the erection of signs in
31 such areas. Notwithstanding any other provisions of this section, after August 28, 1992, with
32 respect to any outdoor advertising which is regulated by the provisions of subdivision (1), (3) or (4)
33 of section 226.520 or subsection 1 of section 226.527:
- 34 (a) No county or municipality shall issue a permit to allow a regulated sign to be newly
35 erected without a permit issued by the state highways and transportation commission;
- 36 (b) A county or municipality may charge a reasonable one-time permit or inspection fee to
37 assure compliance with local wind load and electrical requirements when the sign is first erected,
38 but a county or municipality may not charge a permit or inspection fee for such sign after such

1 initial fee. Changing the display face or performing routine maintenance shall not be considered as
2 erecting a new sign;

3 (8) The state highways and transportation commission on behalf of the state of Missouri,
4 may seek agreement with the Secretary of Transportation of the United States under Section 131 of
5 Title 23, United States Code, as amended, that sections 226.500 to 226.600 are in conformance with
6 that Section 131 and provides effective control of outdoor advertising signs as set forth therein. If
7 such agreement cannot be reached and the penalties under subsection (b) of Section 131 are
8 invoked, the attorney general of this state shall institute proceedings described in subsection (1) of
9 that Section 131.

10 226.550. 1. No outdoor advertising which is regulated by subdivision (1), (3) or (4) of
11 section 226.520 or subsection 1 of section 226.527 shall be erected or maintained on or after August
12 28, 1992, without a one-time permanent permit issued by the state highways and transportation
13 commission. Application for permits shall be made to the state highways and transportation
14 commission on forms furnished by the commission and shall be accompanied by a permit fee of two
15 hundred dollars for all signs; except that, tax-exempt religious organizations as defined in
16 subdivision (11) of section 313.005, service organizations as defined in subdivision (12) of section
17 313.005, veterans' organizations as defined in subdivision (14) of section 313.005, and fraternal
18 organizations as defined in subdivision (8) of section 313.005 shall be granted a permit for signs less
19 than seventy-six square feet without payment of the fee. The permit fee of two hundred dollars shall
20 be waived for landowners, provided that the landowner is the permit holder and owns both the land
21 upon which the outdoor advertising is placed and the business being advertised on the sign, so long
22 as the business being advertised is located within seven hundred fifty feet of the sign location. In
23 the event a permit holder fails to erect a sign structure within twenty-four months of issuance, said
24 permit shall expire and a new permit must be obtained prior to any construction.

25 2. No outdoor advertising which is regulated by subdivision (1), (3) or (4) of section
26 226.520 or subsection 1 of section 226.527 which was erected prior to August 28, 1992, shall be
27 maintained without a one-time permanent permit for outdoor advertising issued by the state
28 highways and transportation commission. If a one-time permanent permit was issued by the state
29 highways and transportation commission after March 30, 1972, and before August 28, 1992, it is not
30 necessary for a new permit to be issued. If a one-time permanent permit was not issued for a
31 lawfully erected and lawfully existing sign by the state highways and transportation commission
32 after March 30, 1972, and before August 28, 1992, a one-time permanent permit shall be issued by
33 the commission for each sign which is lawfully in existence on the day prior to August 28, 1992,
34 upon application and payment of a permit fee of two hundred dollars. All applications and fees due
35 pursuant to this subsection shall be submitted before December 31, 1992. The permit fee of two
36 hundred dollars shall be waived for landowners, provided that the landowner is the permit holder
37 and owns both the land upon which the outdoor advertising is placed and the business being
38 advertised on the sign, so long as the business being advertised is located within seven hundred fifty
39 feet of the sign location.

1 3. For purposes of sections 226.500 to 226.600, the terminology "structure lawfully in
2 existence" or "lawfully existing" sign or outdoor advertising shall, nevertheless, include the
3 following signs unless the signs violate the provisions of subdivisions (3) to (7) of subsection 1 of
4 section 226.580:

5 (1) All signs erected prior to January 1, 1968;

6 (2) All signs erected before March 30, 1972, but on or after January 1, 1968, which would
7 otherwise be lawful but for the failure to have a permit for such signs prior to March 30, 1972,
8 except that any sign or structure which was not in compliance with sizing, spacing, lighting, or
9 location requirements of sections 226.500 to 226.600 as the sections appeared in the revised statutes
10 of Missouri 1969, wheresoever located, shall not be considered a lawfully existing sign or structure;

11 (3) All signs erected after March 30, 1972, which are in conformity with sections 226.500 to
12 226.600;

13 (4) All signs erected in compliance with sections 226.500 to 226.600 prior to August 28,
14 2002.

15 4. On or after August 28, 1992, the state highways and transportation commission may, in
16 addition to the fees authorized by subsections 1 and 2 of this section, collect a biennial inspection
17 fee every two years after a state permit has been issued. Biennial inspection fees due after August
18 28, 2002, and prior to August 28, 2003, shall be fifty dollars. Biennial inspection fees due on or
19 after August 28, 2003, shall be seventy-five dollars. Biennial inspection fees due on or after August
20 28, 2004, shall be one hundred dollars; except that, tax-exempt religious organizations as defined in
21 subdivision (11) of section 313.005, service organizations as defined in subdivision (12) of section
22 313.005, veterans' organizations as defined in subdivision (14) of section 313.005, and fraternal
23 organizations as defined in subdivision (8) of section 313.005 shall not be required to pay such fee.
24 The biennial inspection fee shall be waived for landowners, provided that the landowner is the
25 permit holder and owns both the land upon which the outdoor advertising is placed and the business
26 being advertised on the sign, so long as the business being advertised is located within seven
27 hundred fifty feet of the sign location.

28 5. In order to effect the more efficient collection of biennial inspection fees, the state
29 highways and transportation commission is encouraged to adopt a renewal system in which all
30 permits in a particular county are renewed in the same month. In conjunction with the conversion to
31 this renewal system, the state highways and transportation commission is specifically authorized to
32 prorate renewal fees based on changes in renewal dates.

33 6. Sign owners or owners of the land on which signs are located must apply to the state
34 highways and transportation commission for biennial inspection and submit any fees as required by
35 this section on or before December 31, 1992. For a permitted sign which does not have a permit, a
36 permit shall be issued at the time of the next biennial inspection.

37 7. The state highways and transportation commission shall deposit all fees received for
38 outdoor advertising permits and inspection fees in the state road fund, keeping a separate record of

such fees, and the same may be expended by the commission in the administration of sections 226.500 to 226.600.

226.1170. The department of transportation, in consultation with the Ozark Highland Distillers Guild, shall erect and maintain suitable markings and informational signs designating the Ozark Highlands Spirits Region in accordance with the map produced pursuant to subsection 4 of section 311.028. Signs shall be located along highways approaching or entering the region, with the costs to be paid by private donation.

227.101. The commission shall publish on the department of transportation's official public website its cost estimate and project completion date for any construction, maintenance, or repair work on the state highway system at the time bidding on a contract for the work first closes.

227.850. Notwithstanding any provision of law to the contrary, the department of transportation shall not erect any sign designating a highway named for any person who has been convicted of the killing of, or the attempted killing of, a law enforcement officer or permit any signage in the convicted person's memory. Any such sign in place prior to August 28, 2025, shall be removed.

227.855. 1. The department of transportation shall place a sign at the city limits of the hometown, or other suitable location determined at the discretion of the department based on the available right of way, coordination with any other existing traffic control devices, and impacts on roadway safety, of any Missouri resident who is a recipient of the Congressional Medal of Honor. For purposes of this section, "hometown" means the city, town, or village in which the recipient resided for the majority of the recipient's lifetime. Only one hometown shall be designated per recipient and signs shall appear on only one route through the recipient's hometown. The signs shall be paid for, erected, and maintained by the department of transportation by appropriation from the Missouri medal of honor recipients fund established under section 226.925.

2. The signs shall feature the words "Medal of Honor Recipient", the name of the recipient, and the year in which such person received the award. The overall design of the sign, including size, color, and lettering, shall be determined by the department based on available space in the right of way and to conform with the guidelines provided in the Manual on Uniform Traffic Control Devices for Streets and Highways.

3. The department of transportation may promulgate rules and regulations to implement and administer the provisions of 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 of 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 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2025, shall be invalid and void.

229.222. The governing assembly of any county, city, or village of this state may designate any street, road, or highway within such county, city, or village as a memorial road for any law

1 enforcement officer, emergency personnel, or member of the Armed Forces who is killed in the line
 2 of duty. Any county, city, or village designating a memorial road pursuant to this section shall
 3 provide for and shall be responsible for the costs, erection, and maintenance of any signs marking
 4 the designated road.

5 238.060. 1. There shall be five commissioners of the Kansas City area transportation
 6 authority appointed from within the district established by the compact between the states of
 7 Missouri and Kansas. One commissioner each shall be appointed from Cass, Platte and Clay
 8 counties. One commissioner shall be appointed from a part of Jackson County other than that part
 9 of such county that is within the city of Kansas City, and one commissioner shall be appointed from
 10 the city of Kansas City. The commissioners serving on August 28, 2000, shall serve the remainder
 11 of the term for which they were appointed.

12 2. Within sixty days before the expiration of the term of each commissioner holding office
 13 on August 28, 2000, or any commissioner holding office after August 28, 2000, or within thirty days
 14 after the position of a commissioner shall become vacant, that commissioner's successor shall be
 15 appointed as follows:

16 (1) If the current commissioner or the position which has become vacant was appointed
 17 from Platte or Clay County, the county commission of the county shall submit a panel of three
 18 persons who are residents of that county and of any city, town or village, including the city of
 19 Kansas City, Missouri, that has appropriated funds for operations of the Kansas City area
 20 transportation authority in its current or immediately preceding fiscal year, selected by a majority
 21 vote of the commission, to the mayor of Kansas City, Missouri, who shall appoint a successor from
 22 the panel submitted by the county commission, with the approval of a majority of the members of
 23 the city council of the city of Kansas City, Missouri~~[-a successor]~~;

24 (2) If the current commissioner or the position which has become vacant was appointed
 25 from Cass County, the county commission of the county shall, by a majority vote, submit a panel of
 26 three persons who are residents of the county to the governor. Within thirty days of submission, the
 27 governor shall appoint one person from the panel as commissioner, with the advice and consent of
 28 the senate; provided that, if any panel is not submitted to the governor by the time appointment is
 29 required, the governor shall appoint a qualified person meeting the residency requirements to fill the
 30 vacancy;

31 (3) If the current commissioner or the position which has become vacant was appointed
 32 from Jackson County, the county executive of Jackson County shall appoint a successor who shall
 33 be a resident of any city, town or village, other than the city of Kansas City, Missouri, that has
 34 appropriated funds for operations of the Kansas City area transportation authority in its current or
 35 immediately preceding fiscal year;

36 (4) If the current commissioner or the position which has become vacant was appointed
 37 from Kansas City, Missouri, the mayor of Kansas City, Missouri, shall appoint a successor who is a
 38 resident of that city.

3. Each commissioner appointed pursuant to this section shall hold office for a term of four years or for the unexpired term of his or her predecessor and shall continue in office until his or her successor has been appointed and has qualified. No person shall serve more than two consecutive four-year terms as a commissioner, provided that a person appointed to serve the unexpired term of a predecessor whose remaining term at the time of such appointment is more than two and one-half years shall only be permitted to serve one additional, consecutive four-year term.

300.295. 1. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty feet but not less than fifteen feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

(1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train or any on-track equipment;

(2) A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train or any on-track equipment;

(3) An approaching railroad train or any on-track equipment is plainly visible and is in hazardous proximity to such crossing.

2. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

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 camper units;

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

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

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

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

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

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

11 (10) "Cotton trailer", a trailer designed [~~and used exclusively~~] for transporting cotton at
12 speeds less than [~~forty~~] seventy miles per hour from field to field or from field to market and return;

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

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

16 (13) "Driveaway operation":

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

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

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

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

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

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

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

4 (c) "Class 3 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-eight miles per hour;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32 (a) An area that extends not more than a radius of one hundred fifty miles from its home
33 base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or
34 from projects involving soil and water conservation, or to and from equipment dealers' maintenance
35 facilities for maintenance purposes; or

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

1
2 Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as
3 a commercial motor vehicle or local commercial motor vehicle;

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

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

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

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

33 (32) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is
34 used exclusively to transport harvested forest products to and from forested sites which is registered
35 pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the
36 transportation of harvested forest products;

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

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

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

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

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

11 (a) Offered for hire or lease; or

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

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

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

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

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

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

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

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

29 (45) "Owner", any person, firm, corporation or association, who holds the legal title to a
30 vehicle or who has executed a buyer's order or retail installment sales contract with a motor vehicle
31 dealer licensed under sections 301.550 to 301.580 for the purchase of a vehicle with an immediate
32 right of possession vested in the transferee, or in the event a vehicle is the subject of an agreement
33 for the conditional sale or lease thereof with the right of purchase upon performance of the
34 conditions stated in the agreement and with an immediate right of possession vested in the
35 conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then
36 such conditional vendee or lessee or mortgagor shall be deemed the owner;

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

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

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

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

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

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

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

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

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

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

34 (a) Was damaged during a year that is no more than six years after the manufacturer's model
35 year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct
36 the vehicle to its condition immediately before it was damaged for legal operation on the roads or
37 highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the
38 time it was damaged;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

34 (71) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-
35 highway use which is more than fifty inches but no more than eighty inches in width, measured
36 from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five
37 hundred pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn
38 care, or maintenance purposes;

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

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

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

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

301.055. 1. The annual registration fee for motor vehicles other than commercial motor vehicles is[;]

[Less than 12 horsepower]	[\$18.00]
[12 horsepower and less than 24 horsepower]	[21.00]
[24 horsepower and less than 36 horsepower]	[24.00]
[36 horsepower and less than 48 horsepower]	[33.00]
[48 horsepower and less than 60 horsepower]	[39.00]
[60 horsepower and less than 72 horsepower]	[45.00]
[72 horsepower and more]	[51.00]
[Motorcycles]	[8.50]
[Motortricycles]	[10.00]
[Autocycles]	[10.00]

1
2 twenty-five dollars, which shall include the railroad crossing safety fee prescribed in section
3 389.612.

4 2. The annual registration fee for motorcycles, motortricycles, and autocycles is ten dollars,
5 which shall include the railroad crossing safety fee prescribed in section 389.612.

6 [2-] 3. Notwithstanding any other provision of law, the registration of any autocycle
7 registered as a motorcycle or motortricycle prior to August 28, 2018, shall remain in effect until the
8 expiration of the registration period for such vehicle at which time the owner shall be required to
9 renew the motor vehicle's registration under the autocycle classification and pay the appropriate
10 registration fee.

11 301.070. 1. ~~[In determining fees based on the horsepower of vehicles propelled by internal~~
12 ~~combustion engines, the horsepower shall be computed and recorded upon the following formula~~
13 ~~established by the National Automobile Chamber of Commerce: Square the bore of the cylinder in~~
14 ~~inches multiplied by the number of cylinders, divided by two and one-half.~~

15 2. ~~The horsepower of all motor vehicles propelled by steam may be accepted as rated by the~~
16 ~~manufacturers thereof, or may be determined in accordance with regulations promulgated by the~~
17 ~~director.~~

18 3. ~~The horsepower of all motor vehicles, except commercial motor vehicles, propelled by~~
19 ~~electric power, shall be rated as being between twelve and twenty-four horsepower.~~

20 4.] Fees of commercial motor vehicles, other than passenger-carrying commercial motor
21 vehicles, shall be based on the gross weight of the vehicle or any combination of vehicles and the
22 maximum load to be carried at any one time during the license period, except the fee for a wrecker,
23 tow truck, rollback or car carrier used in a towing service shall be based on the empty weight of
24 such vehicle fully equipped for the recovery or towing of vehicles.

25 [5-] 2. The decision of the director as to the type of motor vehicles and their classification
26 for the purpose of registration and the computation of fees therefor shall be final and conclusive.

27 301.110. 1. Whenever the director shall determine from an increase or decrease in the
28 number of registrations of all types of motor vehicles in any given month that the volume of clerical
29 work of registration of all types of motor vehicles in such month has become so disproportionate to
30 the volume of work in the remaining registration periods as to render the system burdensome or
31 inefficient, he is authorized and empowered to change the registration period of any number of
32 motor vehicles, other than commercial motor vehicles, as may be necessary to increase or reduce the
33 volume of registration in one or more periods by advancing the renewal date and shortening the
34 registration period of such motor vehicles.

35 2. The shifting of registration periods shall be accomplished by notifying the registrants of
36 the change, and giving them credit for that portion of the registration period not yet elapsed. In such
37 instances the director shall order the registrant to surrender the license plates and registration
38 certificate held by him and shall assign and issue, without cost to the owner, new plates and a
39 registration certificate designating the new registration expiration date.

1 3. Notwithstanding subsection 6 of section 142.869 or any other provision of law to the
2 contrary, the director may stagger the collection of alternative fuel decal fees and issuance of
3 alternative fuel decals so that issuance of alternative fuel decals occurs at the time of vehicle
4 registration and the decal or decals are valid for the duration of the vehicle's registration period. In
5 lieu of an alternative fuel decal, the director may issue a receipt showing payment of the alternative
6 fuel decal fee, which shall be kept with the vehicle and valid in place of an alternative fuel decal
7 displayed in accordance with section 142.869.

8 301.130. 1. The director of revenue, upon receipt of a proper application for registration,
9 required fees and any other information which may be required by law, shall issue to the applicant a
10 certificate of registration in such manner and form as the director of revenue may prescribe and a set
11 of license plates, or other evidence of registration, as provided by this section. Each set of license
12 plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the
13 month and year in which the registration shall expire, and an arrangement of numbers or letters, or
14 both, as shall be assigned from year to year by the director of revenue. The plates shall also contain
15 fully reflective material with a common color scheme and design for each type of license plate
16 issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically
17 attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN"
18 wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for
19 members of the National Guard will have the "NATIONAL GUARD" wording in preference to the
20 words "SHOW-ME STATE".

21 2. The arrangement of letters and numbers of license plates shall be uniform throughout
22 each classification of registration. The director may provide for the arrangement of the numbers in
23 groups or otherwise, and for other distinguishing marks on the plates.

24 3. All property-carrying commercial motor vehicles to be registered at a gross weight in
25 excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit
26 buses, school buses, trailers, semitrailers, motorcycles, motortricycles, autocycles, motorscooters,
27 and driveaway vehicles shall be registered with the director of revenue as provided for in subsection
28 3 of section 301.030, or with the state highways and transportation commission as otherwise
29 provided in this chapter, but only one license plate shall be issued for each such vehicle, except as
30 provided in this subsection. The applicant for registration of any property-carrying commercial
31 vehicle registered at a gross weight in excess of twelve thousand pounds may request and be issued
32 two license plates for such vehicle, and if such plates are issued, the director of revenue shall
33 provide for distinguishing marks on the plates indicating one plate is for the front and the other is for
34 the rear of such vehicle. The director may assess and collect an additional charge from the applicant
35 in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of
36 section 301.144.

37 4. The plates issued to manufacturers and dealers shall bear the letters and numbers as
38 prescribed by section 301.560, and the director may place upon the plates other letters or marks to
39 distinguish commercial motor vehicles and trailers and other types of motor vehicles.

1 5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall
2 have displayed thereon the license plate or set of license plates issued by the director of revenue or
3 the state highways and transportation commission and authorized by section 301.140. Each such
4 plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof
5 shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired.
6 Each such plate may be encased in a transparent, nontinted cover so long as the plate is plainly
7 visible and ~~[its]~~ the plate's reflective qualities are not impaired. Additionally, license plate frames
8 shall not cover or obscure any information that is necessary for law enforcement purposes. License
9 plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors
10 licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than
11 eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right
12 side up. The license plates on trailers, motorcycles, motortricycles, autocycles, and motorscooters
13 shall be displayed on the rear of such vehicles either horizontally or vertically, with the letters and
14 numbers plainly visible. The license plate on buses, other than school buses, and on trucks, tractors,
15 truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on
16 the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with
17 the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to
18 subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles.
19 The license plate or plates authorized by section 301.140, when properly attached, shall be prima
20 facie evidence that the required fees have been paid.

21 6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as
22 provided by law as evidence of the annual payment of registration fees and the current registration
23 of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any
24 additional information recorded on the tab or tabs to ensure that the tab or tabs positively correlate
25 with the license plate or plates issued by the department of revenue for such vehicle. Such tabs shall
26 be produced in each license bureau office.

27 (2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab
28 or tabs in the designated area of the license plate, no more than one per plate.

29 (3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in the
30 prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been
31 paid.

32 (4) Except as otherwise provided in this section, the director of revenue shall issue plates for
33 a period of at least six years.

34 (5) For those commercial motor vehicles and trailers registered pursuant to section 301.041,
35 the plate issued by the highways and transportation commission shall be a permanent nonexpiring
36 license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any
37 vehicle permanently registered pursuant to this section from the obligation to pay the annual
38 registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the
39 highways and transportation commission upon the sale or disposal of the vehicle by the owner to

1 whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a
2 replacement commercial motor vehicle when the owner files a supplemental application with the
3 Missouri highways and transportation commission for the registration of such replacement
4 commercial motor vehicle. Upon payment of the annual registration fee, the highways and
5 transportation commission shall issue a certificate of registration or other suitable evidence of
6 payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle
7 for which it is issued.

8 (6) Upon the sale or disposal of any vehicle permanently registered under this section, or
9 upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such
10 vehicle shall be returned to the highways and transportation commission and shall not be valid for
11 operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner
12 files a supplemental application with the Missouri highways and transportation commission for the
13 registration of such replacement vehicle. If a vehicle which is permanently registered under this
14 section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be
15 given credit for any unused portion of the annual registration fee when the vehicle is replaced by the
16 purchase or lease of another vehicle during the registration year.

17 7. The director of revenue and the highways and transportation commission may prescribe
18 rules and regulations for the effective administration of this section. No rule or portion of a rule
19 promulgated under the authority of this section shall become effective unless it has been
20 promulgated pursuant to the provisions of section 536.024.

21 8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles
22 other than apportioned motor vehicles or commercial motor vehicles licensed in excess of twenty-
23 four thousand pounds gross weight may apply for special personalized license plates. Vehicles
24 licensed for twenty-four thousand pounds that display special personalized license plates shall be
25 subject to the provisions of subsections 1 and 2 of section 301.030. On and after August 28, 2016,
26 owners of motor vehicles, other than apportioned motor vehicles or commercial motor vehicles
27 licensed in excess of twenty-four thousand pounds gross weight, may apply for any preexisting or
28 hereafter statutorily created special personalized license plates.

29 9. No later than January 1, 2019, the director of revenue shall commence the reissuance of
30 new license plates of such design as approved by the advisory committee under section 301.125
31 consistent with the terms, conditions, and provisions of section 301.125 and this chapter. Except as
32 otherwise provided in this section, in addition to all other fees required by law, applicants for
33 registration of vehicles with license plates that expire during the period of reissuance, applicants for
34 registration of trailers or semitrailers with license plates that expire during the period of reissuance
35 and applicants for registration of vehicles that are to be issued new license plates during the period
36 of reissuance shall pay the cost of the plates required by this subsection. The additional cost
37 prescribed in this subsection shall not be charged to persons receiving special license plates issued
38 under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to
39 section 301.131 and specialized license plates are exempt from the provisions of this subsection.

1 Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued
 2 to commercial motor vehicles and trailers registered under section 301.041 are exempt from the
 3 provisions of this subsection.

4 301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of
 5 registration and the right to use the number plates shall expire and the number plates shall be
 6 removed by the owner at the time of the transfer of possession, and it shall be unlawful for any
 7 person other than the person to whom such number plates were originally issued to have the same in
 8 his or her possession whether in use or not, unless such possession is solely for charitable purposes;
 9 except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach
 10 the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or
 11 trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more
 12 than thirty days, or no more than ninety days if the dealer is selling the motor vehicle under the
 13 provisions of section 301.213, or no more than sixty days if the dealer is selling the motor vehicle
 14 under the provisions of subsection 5 of section 301.210. As used in this subsection, the term "trade-
 15 in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the
 16 newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or
 17 trailer are still valid.

18 2. In the case of a transfer of ownership the original owner may register another motor
 19 vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of
 20 [horsepower,] gross weight or (in the case of a passenger-carrying commercial motor vehicle)
 21 seating capacity[;] not in excess of that originally registered. When such motor vehicle is of greater
 22 [horsepower,] gross weight or (in the case of a passenger-carrying commercial motor vehicle)
 23 seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two
 24 dollars and a pro rata portion for the difference in fees. When such vehicle is of less [horsepower,]
 25 gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for
 26 which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

27 3. License plates may be transferred from a motor vehicle which will no longer be operated
 28 to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer
 29 fee of two dollars if the newly purchased vehicle is of [horsepower,] gross weight or (in the case of a
 30 passenger-carrying commercial motor vehicle) seating capacity[;] not in excess of that of the vehicle
 31 which will no longer be operated. When the newly purchased motor vehicle is of greater
 32 [horsepower,] gross weight or (in the case of a passenger-carrying commercial motor vehicle)
 33 seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two
 34 dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less
 35 [horsepower,] gross weight or (in the case of a passenger-carrying commercial motor vehicle)
 36 seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

37 4. (1) The director of the department of revenue shall have authority to produce or allow
 38 others to produce a weather resistant, nontearing temporary permit authorizing the operation of a
 39 motor vehicle or trailer by a buyer for not more than thirty days, [or no more than ninety days if

1 ~~issued by a dealer selling the motor vehicle under the provisions of section 301.213,~~ or no more
2 than sixty days if issued by a dealer selling the motor vehicle under the provisions of subsection 5 of
3 section 301.210, from the date of purchase. The temporary permit authorized under this section
4 may be purchased by the purchaser of a motor vehicle or trailer from the central office of the
5 department of revenue or from an authorized agent of the department of revenue upon satisfaction of
6 all applicable taxes under chapter 144, upon proof of purchase of a motor vehicle or trailer for
7 which the buyer has no registration plate available for transfer and upon proof of financial
8 responsibility, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which
9 the buyer has no registration plate available for transfer, or from a motor vehicle dealer upon
10 purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of
11 registration plates. The director of the department of revenue or a producer authorized by the
12 director of the department of revenue may make temporary permits available to registered dealers in
13 this state, authorized agents of the department of revenue or the department of revenue. The price
14 paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department
15 of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the
16 department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary
17 permits from an authorized producer. Amounts received by the director of the department of
18 revenue for temporary permits shall constitute state revenue; however, amounts received by an
19 authorized producer other than the director of the department of revenue shall not constitute state
20 revenue and any amounts received by motor vehicle dealers or authorized agents for temporary
21 permits purchased from a producer other than the director of the department of revenue shall not
22 constitute state revenue. In no event shall revenues from the general revenue fund or any other state
23 fund be utilized to compensate motor vehicle dealers or other producers for their role in producing
24 temporary permits as authorized under this section. Amounts that do not constitute state revenue
25 under this section shall also not constitute fees for registration or certificates of title to be collected
26 by the director of the department of revenue under section 301.190. No motor vehicle dealer,
27 authorized agent or the department of revenue shall charge more than five dollars for each permit
28 issued. The permit shall be valid for a period of thirty days, or no more than ninety days if issued by
29 a dealer selling the motor vehicle under the provisions of section 301.213, or no more than sixty
30 days if issued by a dealer selling the motor vehicle under the provisions of subsection 5 of section
31 301.210, from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor
32 vehicle or trailer by a motor vehicle dealer for which the purchaser obtains a permit as set out above.
33 No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial
34 responsibility. Each temporary permit issued shall be securely fastened to the back or rear of the
35 motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that
36 all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably
37 clean and are not impaired in any way.

38 (2) The provisions of subdivision (1) of this subsection requiring satisfaction of all
39 applicable taxes under chapter 144 shall become effective only upon notification by the director of

1 the department of revenue to the revisor of statutes that implementation of such requirements are
2 technologically feasible following the development and maintenance of a modernized, integrated
3 system for the titling of vehicles, the issuance and renewal of vehicle registrations, the issuance and
4 renewal of drivers' licenses and identification cards, and the perfection and release of liens and
5 encumbrances on vehicles.

6 5. The permit shall be issued on a form prescribed by the director of the department of
7 revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer
8 purchased to enable the applicant to temporarily operate the motor vehicle while proper title and
9 registration plates are being obtained, or while awaiting receipt of registration plates, and shall be
10 displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall not be
11 transferable or renewable, shall not be valid upon issuance of proper registration plates for the motor
12 vehicle or trailer, and shall be returned to the department or to the department's agent upon the
13 issuance of such proper registration plates. Any temporary permit returned to the department or to
14 the department's agent shall be immediately destroyed. The provisions of this subsection shall not
15 apply to temporary permits issued for commercial motor vehicles licensed in excess of twenty-four
16 thousand pounds gross weight. The director of the department of revenue shall determine the size,
17 material, design, numbering configuration, construction, and color of the permit. The director of the
18 department of revenue, at his or her discretion, shall have the authority to reissue, and thereby
19 extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer
20 while proper title and registration are being obtained.

21 6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection by
22 proper officers, an accurate record of each permit issued by recording the permit number, the motor
23 vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and
24 manufacturer's vehicle identification number, and the permit's date of issuance and expiration date.
25 Upon the issuance of a temporary permit by either the central office of the department of revenue, a
26 motor vehicle dealer or an authorized agent of the department of revenue, the director of the
27 department of revenue shall make the information associated with the issued temporary permit
28 immediately available to the law enforcement community of the state of Missouri.

29 7. Upon the transfer of ownership of any currently registered motor vehicle wherein the
30 owner cannot transfer the license plates due to a change of motor vehicle category, the owner may
31 surrender the license plates issued to the motor vehicle and receive credit for any unused portion of
32 the original registration fee against the registration fee of another motor vehicle. Such credit shall
33 be granted based upon the date the license plates are surrendered. No refunds shall be made on the
34 unused portion of any license plates surrendered for such credit.

35 8. An additional temporary license plate produced in a manner and of materials determined
36 by the director to be the most cost-effective means of production with a configuration that matches
37 an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the
38 interior of the vehicle's rear window such that the driver's view out of the rear window is not
39 obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as

the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 4 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 4 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

9. Notwithstanding the provisions of section 301.217, the director may issue a temporary permit to an individual who possesses a salvage motor vehicle which requires an inspection under subsection 9 of section 301.190. The operation of a salvage motor vehicle for which the permit has been issued shall be limited to the most direct route from the residence, maintenance, or storage facility of the individual in possession of such motor vehicle to the nearest authorized inspection facility and return to the originating location. Notwithstanding any other requirements for the issuance of a temporary permit under this section, an individual obtaining a temporary permit for the purpose of operating a motor vehicle to and from an examination facility as prescribed in this subsection shall also purchase the required motor vehicle examination form which is required to be completed for an examination under subsection 9 of section 301.190 and provide satisfactory evidence that such vehicle has passed a motor vehicle safety inspection for such vehicle as required in section 307.350.

10. Notwithstanding any provision of law to the contrary, a person may be stopped or inspected by law enforcement, based on reasonable suspicion that a temporary permit violation has occurred, in order to determine whether a temporary permit is current or valid. Upon a determination by law enforcement that a temporary permit is expired by at least seventy days, or that a temporary permit has been altered, the law enforcement officer conducting the stop shall issue a citation and such person shall be fined in the amount of two hundred fifty dollars. If the person properly registers the vehicle within thirty days of the issuance of a citation, the prosecutor shall nolle prosequi the citation, court costs shall be waived, and the offense shall not be registered as a violation on the person's driving record. If the vehicle is stopped a second time for a temporary permit violation after such thirty-day time period has lapsed, the vehicle shall be impounded until such time as the vehicle is properly registered. It shall be the responsibility of the owner of the vehicle to work with the impound lot owner if there is an issue with the vehicle's safety inspection.

11. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of 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 of 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 pursuant to chapter 536 to review, to delay the effective date, or to

disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

[44-] 12. The repeal and reenactment of this section shall become effective on the date the department of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits described in subsection 4 of such section, or on July 1, 2013, whichever occurs first. If the director of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits prior to July 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.

301.142. 1. As used in sections 301.141 to 301.143, the following terms mean:

(1) "Department", the department of revenue;

(2) "Director", the director of the department of revenue;

(3) "Other authorized health care practitioner" includes advanced practice registered nurses licensed pursuant to chapter 335, physician assistants licensed pursuant to chapter 334, chiropractors licensed pursuant to chapter 331, podiatrists licensed pursuant to chapter 330, assistant physicians, physical therapists licensed pursuant to chapter 334, occupational therapists licensed pursuant to chapter 324, and optometrists licensed pursuant to chapter 336;

(4) "Physically disabled", a natural person who is blind, as defined in section 8.700, or a natural person with medical disabilities which prohibits, limits, or severely impairs one's ability to ambulate or walk, as determined by a licensed physician or other authorized health care practitioner as follows:

(a) The person cannot ambulate or walk fifty or less feet without stopping to rest due to a severe and disabling arthritic, neurological, orthopedic condition, or other severe and disabling condition; or

(b) The person cannot ambulate or walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or

(c) Is restricted by a respiratory or other disease to such an extent that the person's forced respiratory expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or

(d) Uses portable oxygen; or

(e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or

(f) Except as otherwise provided in subdivision (3) of subsection 16 of this section, a person's age, in and of itself, shall not be a factor in determining whether such person is physically disabled or is otherwise entitled to disabled license plates and/or disabled windshield hanging placards within the meaning of sections 301.141 to 301.143;

(5) "Physician", a person licensed to practice medicine pursuant to chapter 334;

(6) "Physician's statement", a statement personally signed by a duly authorized person which certifies that a person is disabled as defined in this section;

1 (7) "Temporarily disabled person", a disabled person as defined in this section whose
2 disability or incapacity is expected to last no more than one hundred eighty days;

3 (8) "Temporary windshield placard", a placard to be issued to persons who are temporarily
4 disabled persons as defined in this section, certification of which shall be indicated on the
5 physician's statement;

6 (9) "Windshield placard", a placard to be issued to persons who are physically disabled as
7 defined in this section, certification of which shall be indicated on the physician's statement.

8 2. Other authorized health care practitioners may furnish to a physically disabled or
9 temporarily disabled person a physician's statement for only those physical health care conditions
10 for which such health care practitioner is legally authorized to diagnose and treat.

11 3. A physician's statement shall:

12 (1) Be on a form prescribed by the director of revenue;

13 (2) Set forth the specific diagnosis and medical condition which renders the person
14 physically disabled or temporarily disabled as defined in this section;

15 (3) Include the physician's or other authorized health care practitioner's license number; and

16 (4) Be personally signed by the issuing physician or other authorized health care
17 practitioner.

18 4. If it is the professional opinion of the physician or other authorized health care
19 practitioner issuing the statement that the physical disability of the applicant, user, or member of the
20 applicant's household is permanent, it shall be noted on the statement. Otherwise, the physician or
21 other authorized health care practitioner shall note on the statement the anticipated length of the
22 disability, which shall determine the expiration date for the temporary windshield placard, and
23 which period shall not exceed one hundred eighty days. If the physician or health care practitioner
24 fails to record an expiration date on the physician's statement, the director shall issue a temporary
25 windshield placard for a period of thirty days.

26 5. A physician or other authorized health care practitioner who issues or signs a physician's
27 statement so that disabled plates or a disabled windshield placard may be obtained shall maintain in
28 such disabled person's medical chart documentation that such a certificate has been issued, the date
29 the statement was signed, the diagnosis or condition which existed that qualified the person as
30 disabled pursuant to this section and shall contain sufficient documentation so as to objectively
31 confirm that such condition exists.

32 6. The medical or other records of the physician or other authorized health care practitioner
33 who issued a physician's statement shall be open to inspection and review by such practitioner's
34 licensing board, in order to verify compliance with this section. Information contained within such
35 records shall be confidential unless required for prosecution, disciplinary purposes, or otherwise
36 required to be disclosed by law.

37 7. Owners of motor vehicles who are residents of the state of Missouri, and who are
38 physically disabled, owners of motor vehicles operated at least fifty percent of the time by a
39 physically disabled person, or owners of motor vehicles used to primarily transport physically

1 disabled members of the owner's household may obtain disabled person license plates. Such
2 owners, upon application to the director accompanied by the documents and fees provided for in this
3 section, a current physician's statement which has been issued within ninety days proceeding the
4 date the application is made, and proof of compliance with the state motor vehicle laws relating to
5 registration and licensing of motor vehicles, shall be issued motor vehicle license plates for vehicles,
6 other than commercial vehicles with a gross weight in excess of twenty-four thousand pounds, upon
7 which shall be inscribed the international wheelchair accessibility symbol and the word
8 "DISABLED" in addition to a combination of letters and numbers. Such license plates shall be
9 made with fully reflective material with a common color scheme and design, shall be clearly visible
10 at night, and shall be aesthetically attractive, as prescribed by section 301.130. If at any time an
11 individual who obtained disabled license plates issued under this subsection no longer occupies a
12 residence with a physically disabled person, or no longer owns a vehicle that is operated at least
13 fifty percent of the time by a physically disabled person, such individual shall surrender the disabled
14 license plates to the department within thirty days of becoming ineligible for their use.

15 8. The director shall further issue, upon request, to such applicant one, and for good cause
16 shown, as the director may define by rule and regulations, not more than two, removable disabled
17 windshield hanging placards for use when the disabled person is occupying a vehicle or when a
18 vehicle not bearing the permanent handicap plate is being used to pick up, deliver, or collect the
19 physically disabled person issued the disabled motor vehicle license plate or disabled windshield
20 hanging placard.

21 9. No additional fee shall be paid to the director for the issuance of the special license plates
22 provided in this section, except for special personalized license plates and other license plates
23 described in this subsection. Priority for any specific set of special license plates shall be given to
24 the applicant who received the number in the immediately preceding license period subject to the
25 applicant's compliance with the provisions of this section and any applicable rules or regulations
26 issued by the director. If determined feasible by the advisory committee established in section
27 301.129, any special license plate issued pursuant to this section may be adapted to also include the
28 international wheelchair accessibility symbol and the word "DISABLED" as prescribed in this
29 section and such plate may be issued to any applicant who meets the requirements of this section
30 and the other appropriate provision of this chapter, subject to the requirements and fees of the
31 appropriate provision of this chapter.

32 10. Any physically disabled person, or the parent or guardian of any such person, or any
33 not-for-profit group, organization, or other entity which transports more than one physically
34 disabled person, may apply to the director of revenue for a removable windshield placard. The
35 placard may be used in motor vehicles which do not bear the permanent handicap symbol on the
36 license plate. Such placards must be hung from the front, middle rearview mirror of a parked motor
37 vehicle and may not be hung from the mirror during operation. These placards may only be used
38 during the period of time when the vehicle is being used by a disabled person, or when the vehicle is
39 being used to pick up, deliver, or collect a disabled person, and shall be surrendered to the

1 department, within thirty days, if a group, organization, or entity that obtained the removable
 2 windshield placard due to the transportation of more than one physically disabled person no longer
 3 transports more than one disabled person. When there is no rearview mirror, the placard shall be
 4 displayed on the dashboard on the driver's side.

5 11. The removable windshield placard shall conform to the specifications, in respect to size,
 6 color, and content, as set forth in federal regulations published by the Department of Transportation.
 7 The removable windshield placard shall be renewed every ~~four~~ eight years. The department shall
 8 have the authority to automatically renew current valid disabled placards for a duration of eight
 9 years, or for the duration that correlates with the person's current physician's statement expiration
 10 date, until all permanent disabled placards are on an eight-year renewal cycle. The director may
 11 stagger the expiration dates to equalize workload. Only one removable placard may be issued to an
 12 applicant who has been issued disabled person license plates. Upon request, one additional
 13 windshield placard may be issued to an applicant who has not been issued disabled person license
 14 plates.

15 12. A temporary windshield placard shall be issued to any physically disabled person, or the
 16 parent or guardian of any such person who otherwise qualifies except that the physical disability, in
 17 the opinion of the physician, is not expected to exceed a period of one hundred eighty days. The
 18 temporary windshield placard shall conform to the specifications, in respect to size, color, and
 19 content, as set forth in federal regulations published by the Department of Transportation. The fee
 20 for the temporary windshield placard shall be two dollars. Upon request, and for good cause shown,
 21 one additional temporary windshield placard may be issued to an applicant. Temporary windshield
 22 placards shall be issued upon presentation of the physician's statement provided by this section and
 23 shall be displayed in the same manner as removable windshield placards. A person or entity shall be
 24 qualified to possess and display a temporary removable windshield placard for six months and the
 25 placard may be renewed once for an additional six months if a physician's statement pursuant to this
 26 section is supplied to the director of revenue at the time of renewal.

27 13. A windshield placard shall be renewable only by the person or entity to which the
 28 placard was originally issued. Any placard issued pursuant to this section shall only be used when
 29 the physically disabled occupant for whom the disabled plate or placard was issued is in the motor
 30 vehicle at the time of parking or when a physically disabled person is being delivered or collected.
 31 A disabled license plate and/or a removable windshield hanging placard are not transferable and
 32 may not be used by any other person whether disabled or not.

33 14. At the time the disabled plates or windshield hanging placards are issued, the director
 34 shall issue a registration certificate which shall include the applicant's name, address, and other
 35 identifying information as prescribed by the director, or if issued to an agency, such agency's name
 36 and address. This certificate shall further contain the disabled license plate number or, for
 37 windshield hanging placards, the registration or identifying number stamped on the placard. The
 38 validated registration receipt given to the applicant shall serve as the registration certificate.

1 15. The director shall, upon issuing any disabled registration certificate for license plates
2 and/or windshield hanging placards, provide information which explains that such plates or
3 windshield hanging placards are nontransferable, and the restrictions explaining who and when a
4 person or vehicle which bears or has the disabled plates or windshield hanging placards may be used
5 or be parked in a disabled reserved parking space, and the penalties prescribed for violations of the
6 provisions of this act.

7 16. (1) Except as otherwise provided in this subsection, every applicant for issuance of a
8 disabled license plate or placard shall be required to present a new physician's statement dated no
9 more than ninety days prior to such application, and for renewal applications a physician's statement
10 dated no more than ninety days prior to such application shall be required every eighth year.

11 (2) Notwithstanding any provision of law to the contrary, if the applicant has presented
12 proof of disability in the form of a statement from the United States Department of Veterans Affairs
13 verifying that the person is permanently disabled, the applicant shall not be required to provide a
14 physician's statement for the purpose of issuance or renewal of disabled person license plates or
15 windshield placards.

16 (3) Notwithstanding the provisions of paragraph (f) of subdivision (4) of subsection 1 of this
17 section, any person seventy-five years of age or older who provided a physician's statement with the
18 original application shall not be required to provide a physician's statement for the purpose of
19 renewal of disabled person license plates or windshield placards.

20 17. The director of revenue upon receiving a physician's statement pursuant to this
21 subsection shall check with the state board of registration for the healing arts created in section
22 334.120, or the Missouri state board of nursing established in section 335.021, with respect to
23 ~~[physician's]~~ physicians' statements signed by advanced practice registered nurses, or the Missouri
24 state board of chiropractic examiners established in section 331.090, with respect to ~~[physician's]~~
25 physicians' statements signed by licensed chiropractors, or with the board of optometry established
26 in section 336.130, with respect to ~~[physician's]~~ physicians' statements signed by licensed
27 optometrists, or the state board of podiatric medicine created in section 330.100, with respect to
28 ~~[physician's]~~ physicians' statements signed by physicians of the foot or podiatrists, or the Missouri
29 board of occupational therapy established in section 324.063, with respect to physicians' statements
30 signed by licensed occupational therapists, to determine whether the physician is duly licensed and
31 registered pursuant to law.

32 18. The boards shall cooperate with the director and shall supply information requested
33 pursuant to this subsection. The director shall, in cooperation with the boards which shall assist the
34 director, establish a list of all Missouri physicians and other authorized health care practitioners and
35 of any other information necessary to administer this section.

36 19. Where the owner's application is based on the fact that the vehicle is used at least fifty
37 percent of the time by a physically disabled person, the applicant shall submit a statement stating
38 this fact, in addition to the physician's statement. The statement shall be signed by both the owner
39 of the vehicle and the physically disabled person. The applicant shall be required to submit this

1 statement with each application for license plates. No person shall willingly or knowingly submit a
 2 false statement and any such false statement shall be considered perjury and may be punishable
 3 pursuant to section 301.420.

4 20. The director of revenue shall retain all physicians' statements and all other documents
 5 received in connection with a person's application for disabled license plates and/or disabled
 6 windshield placards.

7 21. The director of revenue shall enter into reciprocity agreements with other states or the
 8 federal government for the purpose of recognizing disabled person license plates or windshield
 9 placards issued to physically disabled persons.

10 22. When a person to whom disabled person license plates or a removable or temporary
 11 windshield placard or both have been issued dies, the personal representative of the decedent or such
 12 other person who may come into or otherwise take possession of the disabled license plates or
 13 disabled windshield placard shall return the same to the director of revenue under penalty of law.
 14 Failure to return such plates or placards shall constitute a class B misdemeanor.

15 23. The director of revenue may order any person issued disabled person license plates or
 16 windshield placards to submit to an examination by a chiropractor, osteopath, or physician, or to
 17 such other investigation as will determine whether such person qualifies for the special plates or
 18 placards.

19 24. If such person refuses to submit or is found to no longer qualify for special plates or
 20 placards provided for in this section, the director of revenue shall collect the special plates or
 21 placards, and shall furnish license plates to replace the ones collected as provided by this chapter.

22 25. In the event a removable or temporary windshield placard is lost, stolen, or mutilated,
 23 the lawful holder thereof shall, within five days, file with the director of revenue an application and
 24 an affidavit stating such fact, in order to purchase a new placard. The fee for the replacement
 25 windshield placard shall be four dollars.

26 26. Fraudulent application, renewal, issuance, procurement or use of disabled person license
 27 plates or windshield placards shall be a class A misdemeanor. It is a class B misdemeanor for a
 28 physician, chiropractor, podiatrist [et], optometrist, or occupational therapist to certify that an
 29 individual or family member is qualified for a license plate or windshield placard based on a
 30 disability, the diagnosis of which is outside their scope of practice or if there is no basis for the
 31 diagnosis.

32 301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning
 33 July 1, 2000, the director of revenue may provide owners of motor vehicles, other than commercial
 34 motor vehicles licensed in excess of fifty-four thousand pounds gross weight, the option of
 35 biennially registering motor vehicles. ~~[Any vehicle manufactured as an even-numbered model year~~
 36 ~~vehicle shall be renewed each even-numbered calendar year and any such vehicle manufactured as~~
 37 ~~an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to~~
 38 ~~the following requirements:~~

1 (4)] The fee collected at the time of biennial registration shall include the annual registration
2 fee plus a pro rata amount for the additional ~~[twelve]~~ months of the biennial registration];

3 (2) ~~Presentation of]~~. The applicant shall present all documentation otherwise required by
4 law for vehicle registration including, but not limited to, a personal property tax receipt or certified
5 statement for the preceding year that no such taxes were due as set forth in section 301.025, proof of
6 a motor vehicle safety inspection and any applicable emission inspection conducted within sixty
7 days prior to the date of application, and proof of insurance as required by section 303.026.

8 2. The director of revenue may prescribe rules and regulations for the effective
9 administration of this section. The director is authorized to adopt those rules that are reasonable and
10 necessary to accomplish the limited duties specifically delegated within this section. Any rule or
11 portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the
12 authority delegated in this section shall become effective only if it has been promulgated pursuant to
13 the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the
14 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective
15 date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
16 rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be invalid and void.

17 3. The director of revenue shall have the authority to stagger the registration period of motor
18 vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross
19 weight to equalize workload or for the convenience of registration applicants. Once the owner of a
20 motor vehicle chooses the option of biennial registration, such registration must be maintained for
21 the full twenty-four month period.

22 301.448. Any person who has served and was honorably discharged or currently serves in
23 ~~[any branch of the United States Armed Forces]~~ the United States Army, Marine Corps, Navy, Air
24 Force, Space Force, Coast Guard, or National Guard, or in the reserves for any such branch, [the
25 ~~United States Coast Guard or reserve,]~~ the United States Merchant Marines or reserve, or the
26 Missouri National Guard, or any subdivision of any of such services or a member of the United
27 States Marine Corps League may apply for special motor vehicle license plates, either solely or
28 jointly, for issuance either to passenger motor vehicles subject to the registration fees provided in
29 section 301.055, or to nonlocal property-carrying commercial motor vehicles licensed for a gross
30 weight of six thousand pounds up through and including twenty-four thousand pounds as provided
31 in section 301.057. Any such person shall make application for the special license plates on a form
32 provided by the director of revenue and furnish such proof that such person is a member or former
33 member of any such branch of service as the director may require. Upon presentation of the proof
34 of eligibility and annual payment of the fee required for personalized license plates in section
35 301.144, and other fees and documents which may be required by law, the department shall issue
36 personalized license plates which shall bear the seal, logo or emblem, along with a word or words
37 designating the branch or subdivision of such service for which the person applies. All seals, logos,
38 emblems or special symbols shall become an integral part of the license plate; however, no plate
39 shall contain more than one seal, logo, emblem or special symbol and the design of such plates shall

1 be approved by the advisory committee established in section 301.129 and by the branch or
2 subdivision of such service or the Marine Corps League prior to issuing such plates. The plates
3 shall have a white background with a blue and red configuration at the discretion of the advisory
4 committee established in section 301.129. The plates shall be clearly visible at night and shall be
5 aesthetically attractive, as prescribed by section 301.130. The bidding process used to select a
6 vendor for the material to manufacture the license plates authorized by this section shall consider the
7 aesthetic appearance of the plate. The director of revenue shall make necessary rules and
8 regulations for the enforcement of this section, and shall design all necessary forms. All license
9 plates issued under this provision must be renewed in accordance with law. License plates issued
10 under the provisions of this section shall not be transferable to any other person, except that any
11 registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle for the
12 duration of the year licensed, in the event of the death of the qualified applicant.

13 301.469. 1. Any vehicle owner may receive license plates as prescribed in this section, for
14 any motor vehicle such person owns, either solely or jointly, other than an apportioned motor
15 vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross
16 weight, after an annual payment of an emblem-use authorization fee to the Missouri conservation
17 heritage foundation. The foundation hereby authorizes the use of its official emblems to be affixed
18 on multiyear license plates as provided in this section. Any vehicle owner may annually apply for
19 the use of the emblems.

20 2. Upon annual application and payment of a twenty-five dollar emblem-use authorization
21 fee to the Missouri conservation heritage foundation, the foundation shall issue to the vehicle owner,
22 without further charge, an emblem-use authorization statement, which shall be presented to the
23 director of the department of revenue at the time of registration of a motor vehicle.

24 3. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to
25 the regular registration fees and documents which may be required by law, the director of the
26 department of revenue shall issue a license plate, which shall bear an emblem of the Missouri
27 conservation heritage foundation in a form prescribed by the director, to the vehicle owner. Such
28 license plates shall be made with fully reflective material with a common color scheme and design,
29 shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section
30 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for
31 the personalization of license plates pursuant to this section.

32 4. Application for the emblem-use authorization and payment of the twenty-five-dollar
33 contribution may also be made at the time of registration to the director of the department of
34 revenue, who shall deposit the contribution to the credit of the Missouri conservation heritage
35 foundation.

36 5. A vehicle owner, who was previously issued a plate with a Missouri conservation heritage
37 foundation emblem authorized by this section but who does not provide an emblem-use
38 authorization statement at a subsequent time of registration, shall be issued a new plate which does
39 not bear the foundation emblem, as otherwise provided by law.

1 ~~[5-]~~ 6. The director of the department of revenue may promulgate rules and regulations for
 2 the administration of this section. Any rule or portion of a rule, as that term is defined in section
 3 536.010, that is promulgated under the authority delegated in this section shall become effective
 4 only if it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority
 5 delegated prior to August 28, 1999, is of no force and effect; however, nothing in this section shall
 6 be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if
 7 it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable
 8 and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to
 9 delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional,
 10 then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall
 11 be invalid and void.

12 301.558. 1. A motor vehicle dealer, trailer dealer, boat dealer, or powersport dealer may fill
 13 in the blanks on standardized forms in connection with the sale or lease of a new or used motor
 14 vehicle, trailer, vessel, or vessel trailer if the motor vehicle dealer, trailer dealer, boat dealer, or
 15 powersport dealer does not charge for the services of filling in the blanks or otherwise charge for
 16 preparing documents.

17 2. A motor vehicle dealer, trailer dealer, boat dealer, or powersport dealer may charge an
 18 administrative fee in connection with the sale or lease of a new or used motor vehicle, trailer, vessel,
 19 or vessel trailer for the storage of documents or any other administrative or clerical services not
 20 prohibited by this section. A portion of the administrative fee may result in profit to the motor
 21 vehicle dealer, trailer dealer, boat dealer, or powersport dealer.

22 3. (1) Ten percent of any fee authorized under this section and charged by motor vehicle
 23 dealers or trailer dealers shall be remitted to the motor vehicle administration technology fund
 24 established in this subsection, for the development of the system specified in this subsection.
 25 Following the development of the system specified in this subsection, the director of the department
 26 of revenue shall notify motor vehicle dealers and trailer dealers, and implement the system, and the
 27 percentage of any fee authorized under this section required to be remitted to the fund shall be
 28 reduced to ~~[one]~~ three and one-half percent, which shall be used for maintenance of the system.
 29 This subsection shall expire on January 1, 2037.

30 (2) There is hereby created in the state treasury the "Motor Vehicle Administration
 31 Technology Fund", which shall consist of money collected as specified in this subsection. The state
 32 treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state
 33 treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund
 34 shall be used solely by the department of revenue for the purpose of development and maintenance
 35 of a modernized, integrated system for the titling of vehicles, issuance and renewal of vehicle
 36 registrations, issuance and renewal of driver's licenses and identification cards, and perfection and
 37 release of liens and encumbrances on vehicles.

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

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

3 4. No motor vehicle dealer, trailer dealer, boat dealer, or powersport dealer that sells or
4 leases new or used motor vehicles, trailers, vessels, or vessel trailers and imposes an administrative
5 fee of five hundred dollars or less in connection with the sale or lease of a new or used motor
6 vehicle, trailer, vessel, or vessel trailer for the storage of documents or any other administrative or
7 clerical services shall be deemed to be engaging in the unauthorized practice of law. The maximum
8 administrative fee permitted under this subsection shall be increased annually by an amount equal to
9 the percentage change in the annual average of the Consumer Price Index for All Urban Consumers
10 or its successor index, as reported by the federal Bureau of Labor Statistics or its successor agency,
11 or by zero, whichever is greater. The director of the department of revenue shall annually furnish
12 the maximum administrative fee determined under this section to the secretary of state, who shall
13 publish such value in the Missouri Register as soon as practicable after January fourteenth of each
14 year.

15 5. If an administrative fee is charged under this section, the same administrative fee shall be
16 charged to all retail customers unless the fee is limited by the dealer's franchise agreement to certain
17 classes of customers. The fee shall be disclosed on the retail buyer's order form as a separate
18 itemized charge.

19 6. A preliminary worksheet on which a sale price is computed and that is shown to the
20 purchaser, a retail buyer's order form from the purchaser, or a retail installment contract shall
21 include, in reasonable proximity to the place on the document where the administrative fee
22 authorized by this section is disclosed, the amount of the administrative fee and the following notice
23 in type that is boldfaced, capitalized, underlined, or otherwise conspicuously set out from the
24 surrounding written material:

25 "AN ADMINISTRATIVE FEE IS NOT AN OFFICIAL FEE AND IS NOT REQUIRED BY
26 LAW BUT MAY BE CHARGED BY A DEALER. THIS ADMINISTRATIVE FEE MAY
27 RESULT IN A PROFIT TO DEALER. NO PORTION OF THIS ADMINISTRATIVE FEE
28 IS FOR THE DRAFTING, PREPARATION, OR COMPLETION OF DOCUMENTS OR
29 THE PROVIDING OF LEGAL ADVICE. THIS NOTICE IS REQUIRED BY LAW."

30 7. The general assembly believes that an administrative fee charged in compliance with this
31 section is not the unauthorized practice of law or the unauthorized business of law so long as the
32 activity or service for which the fee is charged is in compliance with the provisions of this section
33 and does not result in the waiver of any rights or remedies. Recognizing, however, that the judiciary
34 is the sole arbitrator of what constitutes the practice of law, in the event that a court determines that
35 an administrative fee charged in compliance with this section, and that does not waive any rights or
36 remedies of the buyer, is the unauthorized practice of law or the unauthorized business of law, then
37 no person who paid that administrative fee may recover said fee or treble damages, as permitted
38 under section 484.020, and no person who charged that fee shall be guilty of a misdemeanor, as
39 provided under section 484.020.

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

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

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

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

1 that the buyer or the lienholder has notified the dealer of the claim on the bond or letter of credit,
2 and the amount claimed by the purchaser or lienholder. In addition, prior to directing release and
3 payment of the proceeds of a bond or irrevocable letter of credit, the department shall ensure that
4 there is satisfactory evidence to establish that the vehicle which is subject to the written agreement
5 has been returned by the buyer to the dealer or that the buyer has represented to the department that
6 the buyer will surrender possession of the vehicle to the dealer upon payment of the proceeds of the
7 bond or letter of credit directed by the department. Excepting ordinary wear and tear or mechanical
8 failures not caused by the buyer, the amount of proceeds to be paid to the buyer under the bond or
9 irrevocable letter of credit shall be reduced by an amount equivalent to any damage, abuse, or
10 destruction incurred by the vehicle while the vehicle was in the buyer's possession as agreed
11 between the buyer and the dealer. The dealer may apply to a court of competent jurisdiction to
12 contest the claim on the bond or letter of credit, including the amount of the claim and the amount of
13 any adjustment for any damage, abuse, or destruction, by filing a petition with the court within thirty
14 days of the notification by the buyer or lienholder. If the dealer does not fulfill the agreement or file
15 a petition to request judicial relief from the terms of the agreement or contest the amount of the
16 claim, the bond or letter of credit shall be released by the department and directed paid in the
17 amount or amounts presented by the lienholder or buyer;

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

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

3. Except as otherwise provided in subsection 6 of this section, upon the initial issuance of a license by the department, the department shall assign a distinctive dealer license number or certificate of number to the applicant and the department shall issue one number plate or certificate bearing the distinctive dealer license number or certificate of number and two additional number plates or certificates of number within eight working hours after presentment of the application and payment by the applicant of a fee of fifty dollars for the first plate or certificate and ten dollars and fifty cents for each additional plate or certificate. Upon renewal, the department shall issue ~~the distinctive dealer license number or certificate of number~~ a renewal tab to be placed on the lower right corner of the plate or certificate as quickly as possible. The fee for the tabs shall be twenty-five dollars for the first tab and six dollars for each additional tab. The issuance of such distinctive dealer license number or certificate of number, and tab or tabs, 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

1 transactions annually. In order for salvage dealers to obtain number plates or certificates under this
2 section, dealers shall submit to the department of revenue on August first of each year a statement
3 certifying, under penalty of perjury, the dealer's number of purchases during the reporting period of
4 July first of the immediately preceding year to June thirtieth of the present year. The provisions of
5 this subsection shall become effective on the date the director of the department of revenue begins to
6 reissue new license plates under section 301.130, or on December 1, 2008, whichever occurs first.
7 If the director of revenue begins reissuing new license plates under the authority granted under
8 section 301.130 prior to December 1, 2008, the director of the department of revenue shall notify the
9 revisor of statutes of such fact.

10 5. Upon the sale of a currently licensed motor vehicle dealership the department shall, upon
11 request, authorize the new approved dealer applicant to retain the selling dealer's license number and
12 shall cause the new dealer's records to indicate such transfer. If the new approved dealer applicant
13 elects not to retain the selling dealer's license number, the department shall issue the new dealer
14 applicant a new dealer's license number and an equal number of plates or certificates as the
15 department had issued to the selling dealer.

16 6. In the case of motor vehicle dealers, the department shall issue one number plate bearing
17 the distinctive dealer license number and may issue one additional number plate to the applicant
18 upon payment by the dealer of a fifty dollar fee for the number plate bearing the distinctive dealer
19 license number and ten dollars and fifty cents for the additional number plate. The department may
20 issue a third plate to the motor vehicle dealer upon completion of the dealer's fifteenth qualified
21 transaction and payment of a fee of ten dollars and fifty cents. In the case of new motor vehicle
22 manufacturers, powersport dealers, recreational motor vehicle dealers, and trailer dealers, the
23 department shall issue one number plate bearing the distinctive dealer license number and may issue
24 two additional number plates to the applicant upon payment by the manufacturer or dealer of a fifty
25 dollar fee for the number plate bearing the distinctive dealer license number and ten dollars and fifty
26 cents for each additional number plate. Boat dealers and boat manufacturers shall be entitled to one
27 certificate of number bearing such number upon the payment of a fifty dollar fee. Additional
28 number plates and as many additional certificates of number may be obtained upon payment of a fee
29 of ten dollars and fifty cents for each additional plate or certificate. New motor vehicle
30 manufacturers shall not be issued or possess more than three hundred forty-seven additional number
31 plates or certificates of number annually. New and used motor vehicle dealers, powersport dealers,
32 wholesale motor vehicle dealers, boat dealers, and trailer dealers are limited to one additional plate
33 or certificate of number per ten-unit qualified transactions annually. New and used recreational
34 motor vehicle dealers are limited to two additional plates or certificate of number per ten-unit
35 qualified transactions annually for their first fifty transactions and one additional plate or certificate
36 of number per ten-unit qualified transactions thereafter. An applicant seeking the issuance of an
37 initial license shall indicate on his or her initial application the applicant's proposed annual number
38 of sales in order for the director to issue the appropriate number of additional plates or certificates of
39 number. A motor vehicle dealer, trailer dealer, boat dealer, powersport dealer, recreational motor

1 vehicle dealer, motor vehicle manufacturer, boat manufacturer, or wholesale motor vehicle dealer
2 obtaining a distinctive dealer license plate or certificate of number or additional license plate or
3 additional certificate of number, throughout the calendar year, shall be required to pay a fee for such
4 license plates or certificates of number computed on the basis of one-twelfth of the full fee
5 prescribed for the original and duplicate number plates or certificates of number for such dealers'
6 licenses, multiplied by the number of months remaining in the licensing period for which the dealer
7 or manufacturers shall be required to be licensed. In the event of a renewing dealer, the fee due at
8 the time of renewal shall not be prorated. Wholesale and public auctions shall be issued a certificate
9 of dealer registration in lieu of a dealer number plate. In order for dealers to obtain number plates or
10 certificates under this section, dealers shall submit to the department of revenue on August first of
11 each year a statement certifying, under penalty of perjury, the dealer's number of sales during the
12 reporting period of July first of the immediately preceding year to June thirtieth of the present year.

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

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

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

36 10. (1) Every application for the issuance of a used motor vehicle dealer's license shall be
37 accompanied by proof that the applicant, within the last twelve months, has completed an
38 educational seminar course approved by the department as prescribed by subdivision (2) of this
39 subsection. Wholesale and public auto auctions and applicants currently holding a new or used

license for a separate dealership shall be exempt from the requirements of this subsection. The provisions of this subsection shall not apply to current new motor vehicle franchise dealers or motor vehicle leasing agencies or applicants for a new motor vehicle franchise or a motor vehicle leasing agency. The provisions of this subsection shall not apply to used motor vehicle dealers who were licensed prior to August 28, 2006.

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

301.570. 1. It shall be unlawful for any person, partnership, corporation, company or association, unless the seller is a financial institution, or is selling repossessed motor vehicles or is disposing of vehicles used and titled solely in its ordinary course of business or is a collector of antique motor vehicles, to sell or display with an intent to sell ~~six~~ eight or more motor vehicles in a calendar year, except when such motor vehicles are registered in the name of the seller, unless such person, partnership, corporation, company or association is:

(1) Licensed as a motor vehicle dealer by the department under the provisions of sections 301.550 to 301.580;

(2) Exempt from licensure as a motor vehicle dealer pursuant to subsection 4 of section 301.559;

(3) Selling commercial motor vehicles with a gross weight of at least nineteen thousand five hundred pounds, but only with respect to such commercial motor vehicles;

(4) An auctioneer, acting at the request of the owner at an auction, when such auction is not a public motor vehicle auction.

2. Any person, partnership, corporation, company or association that has reason to believe that the provisions of this section are being violated shall file a complaint with the prosecuting attorney in the county in which the violation occurred. The prosecuting attorney shall investigate the complaint and take appropriate action.

3. For the purposes of sections 301.550 to 301.580, the sale, barter, exchange, lease or rental with option to purchase of ~~six~~ eight or more motor vehicles in a calendar year by any person, partnership, corporation, company or association, whether or not the motor vehicles are owned by them, shall be prima facie evidence of intent to make a profit or gain of money and such person, partnership, corporation, company or association shall be deemed to be acting as a motor vehicle dealer without a license.

4. Any person, partnership, corporation, company or association who violates subsection 1 of this section is guilty of a class A misdemeanor. A second or subsequent conviction shall be deemed a class E felony.

5. The provisions of this section shall not apply to liquidation of an estate.

301.3181. Any person who served as a member of the Armed Forces of the United States in Afghanistan and Iraq, who was awarded the Afghanistan Campaign medal and the Iraq Campaign medal, may apply for Afghanistan and Iraq Veteran vehicle license plates, for any motor vehicle the

1 person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor
2 vehicle licensed in excess of twenty-four thousand pounds gross weight. Any such person shall
3 make application for the license plates authorized by this section on a form provided by the director
4 of revenue and furnish such proof of service in Afghanistan and Iraq, the awarding of the
5 Afghanistan Campaign medal and the Iraq Campaign medal, and status as currently serving in a
6 branch of the Armed Forces of the United States or as an honorably discharged veteran as the
7 director may require. Upon presentation of the proof of eligibility, payment of a fifteen-dollar fee in
8 addition to the regular registration fees, and presentation of documents that may be required by law,
9 the director shall then issue license plates bearing letters or numbers or a combination thereof as
10 determined by the director, with the words "AFGHANISTAN & IRAQ VETERAN" in place of the
11 words "SHOW-ME STATE". Such plates shall bear the Afghanistan Campaign medal and the Iraq
12 Campaign medal on the left side, with the Afghanistan Campaign medal appearing farthest to the
13 left and the Iraq Campaign medal appearing immediately to the right of the Afghanistan Campaign
14 medal. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the
15 personalization of license plates issued pursuant to this section. The plates shall be clearly visible at
16 night and shall be aesthetically attractive, as prescribed by section 301.130. There shall be no limit
17 on the number of license plates any person qualified pursuant to this section may obtain so long as
18 each set of license plates issued pursuant to this section is issued for a vehicle owned solely or
19 jointly by such person. License plates issued pursuant to this section shall not be transferable to any
20 other person except that any registered co-owner of the motor vehicle may operate the motor vehicle
21 for the duration of the year licensed in the event of the death of the qualified person.

22 301.3182. Any person who served as a member of the Armed Forces of the United States in
23 Afghanistan, who was awarded the Afghanistan Campaign medal, may apply for Afghanistan
24 Veteran vehicle license plates, for any motor vehicle the person owns, either solely or jointly, other
25 than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four
26 thousand pounds gross weight. Any such person shall make application for the license plates
27 authorized by this section on a form provided by the director of revenue and furnish such proof of
28 service in Afghanistan, the awarding of the Afghanistan Campaign medal, and status as currently
29 serving in a branch of the Armed Forces of the United States or as an honorably discharged veteran
30 as the director may require. Upon presentation of the proof of eligibility, payment of a fifteen-dollar
31 fee in addition to the regular registration fees, and presentation of documents that may be required
32 by law, the director shall then issue license plates bearing letters or numbers or a combination
33 thereof as determined by the director, with the words "AFGHANISTAN VETERAN" in place of the
34 words "SHOW-ME STATE". Such plates shall bear the Afghanistan Campaign medal on the left
35 side. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the
36 personalization of license plates issued pursuant to this section. The plates shall be clearly visible at
37 night and shall be aesthetically attractive, as prescribed by section 301.130. There shall be no limit
38 on the number of license plates any person qualified pursuant to this section may obtain so long as
39 each set of license plates issued pursuant to this section is issued for a vehicle owned solely or

1 jointly by such person. License plates issued pursuant to this section shall not be transferable to any
2 other person except that any registered co-owner of the motor vehicle may operate the motor vehicle
3 for the duration of the year licensed in the event of the death of the qualified person.

4 302.177. 1. To all applicants for a license or renewal to transport persons or property
5 classified in section 302.015 who are at least twenty-one years of age and under the age of seventy,
6 and who submit a satisfactory application and meet the requirements of sections 302.010 to 302.605,
7 the director shall issue or renew such license; except that no license shall be issued if an applicant's
8 license is currently suspended, cancelled, revoked, disqualified, or deposited in lieu of bail. Such
9 license shall expire on the applicant's birthday in the sixth year of issuance, unless the license must
10 be issued for a shorter period due to other requirements of law or for transition or staggering of work
11 as determined by the director. The license must be renewed on or before the date of expiration,
12 which date shall be shown on the license.

13 2. To all applicants for a license or renewal to transport persons or property classified in
14 section 302.015 who are less than twenty-one years of age or greater than sixty-nine years of age,
15 and who submit a satisfactory application and meet the requirements of sections 302.010 to 302.605,
16 the director shall issue or renew such license; except that no license shall be issued if an applicant's
17 license is currently suspended, cancelled, revoked, disqualified, or deposited in lieu of bail. Such
18 license shall expire on the applicant's birthday in the third year of issuance, unless the license must
19 be issued for a shorter period due to other requirements of law or for transition or staggering of work
20 as determined by the director. The license must be renewed on or before the date of expiration,
21 which date shall be shown on the license. A license issued under this section to an applicant who is
22 ~~[over the age of sixty-nine]~~ seventy-five years of age or older and contains a school bus
23 endorsement shall not be issued for a period that exceeds ~~[one year]~~ two years.

24 3. To all other applicants for a license or renewal of a license who are at least twenty-one
25 years of age and under the age of seventy, and who submit a satisfactory application and meet the
26 requirements of sections 302.010 to 302.605, the director shall issue or renew such license; except
27 that no license shall be issued if an applicant's license is currently suspended, cancelled, revoked,
28 disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's birthday in the
29 sixth year of issuance, unless the license must be issued for a shorter period due to other
30 requirements of law or for transition or staggering of work as determined by the director. The
31 license must be renewed on or before the date of expiration, which date shall be shown on the
32 license.

33 4. To all other applicants for a license or renewal of a license who are less than twenty-one
34 years of age or greater than sixty-nine years of age, and who submit a satisfactory application and
35 meet the requirements of sections 302.010 to 302.605, the director shall issue or renew such license;
36 except that no license shall be issued if an applicant's license is currently suspended, cancelled,
37 revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's
38 birthday in the third year of issuance, unless the license must be issued for a shorter period due to
39 other requirements of law or for transition or staggering of work as determined by the director. The

1 license must be renewed on or before the date of expiration, which date shall be shown on the
2 license.

3 5. The fee for a license issued for a period which exceeds three years under subsection 1 of
4 this section shall be thirty dollars.

5 6. The fee for a license issued for a period of three years or less under subsection 2 of this
6 section shall be fifteen dollars, except that the fee for a license issued for one year or less which
7 contains a school bus endorsement shall be five dollars, except renewal fees shall be waived for
8 applicants [~~seventy~~] seventy-five years of age or older seeking school bus endorsements.

9 7. The fee for a license issued for a period which exceeds three years under subsection 3 of
10 this section shall be fifteen dollars.

11 8. The fee for a license issued for a period of three years or less under subsection 4 of this
12 section shall be seven dollars and fifty cents.

13 9. Beginning July 1, 2005, the director shall not issue a driver's license for a period that
14 exceeds an applicant's lawful presence in the United States. The director may establish procedures
15 to verify the lawful presence of the applicant and establish the duration of any driver's license issued
16 under this section.

17 10. The director of revenue may adopt any rules and regulations necessary to carry out the
18 provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this
19 section shall become effective unless it has been promulgated pursuant to the provisions of chapter
20 536.

21 302.272. 1. No person shall operate any school bus owned by or under contract with a
22 public school or the state board of education unless such driver has qualified for a school bus
23 endorsement under this section and complied with the pertinent rules and regulations of the
24 department of revenue and any final rule issued by the secretary of the United States Department of
25 Transportation or has a valid school bus endorsement on a valid commercial driver's license issued
26 by another state. A school bus endorsement shall be issued to any applicant who meets the
27 following qualifications:

28 (1) The applicant has a valid state license issued under this chapter;

29 (2) The applicant is at least twenty-one years of age; and

30 (3) The applicant has successfully passed an examination for the operation of a school bus
31 as prescribed by the director of revenue. The examination shall include any examinations
32 prescribed by the secretary of the United States Department of Transportation, and a driving test in
33 the type of vehicle to be operated. The test shall be completed in the appropriate class of vehicle to
34 be driven. For purposes of this section classes of school buses shall comply with the Commercial
35 Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570). For drivers who are at least
36 [~~seventy~~] seventy-five years of age, such examination, excluding the pre-trip inspection portion of
37 the commercial driver's license skills test, shall be completed [~~annually~~] biennially to retain the
38 school bus endorsement.

1 2. The director of revenue, to the best of the director's knowledge, shall not issue or renew a
2 school bus endorsement to any applicant whose driving record shows that such applicant's privilege
3 to operate a motor vehicle has been suspended, revoked or disqualified or whose driving record
4 shows a history of moving vehicle violations.

5 3. The director may adopt any rules and regulations necessary to carry out the provisions of
6 this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
7 under the authority delegated in this section shall become effective only if it complies with and is
8 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
9 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
10 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
11 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
12 August 28, 2004, shall be invalid and void.

13 4. Notwithstanding the requirements of this section, an applicant who resides in another
14 state and possesses a valid driver's license from his or her state of residence with a valid school bus
15 endorsement for the type of vehicle being operated shall not be required to obtain a Missouri driver's
16 license with a school bus endorsement.

17 302.735. 1. An application shall not be taken from a nonresident after September 30, 2005.
18 The application for a commercial driver's license shall include, but not be limited to, the applicant's
19 legal name, mailing and residence address, if different, a physical description of the person,
20 including sex, height, weight and eye color, the person's Social Security number, date of birth and
21 any other information deemed appropriate by the director. The application shall also require,
22 beginning September 30, 2005, the applicant to provide the names of all states where the applicant
23 has been previously licensed to drive any type of motor vehicle during the preceding ten years.

24 2. A commercial driver's license shall expire on the applicant's birthday in the sixth year
25 after issuance, unless the license must be issued for a shorter period due to other requirements of law
26 or for transition or staggering of work as determined by the director, and must be renewed on or
27 before the date of expiration. When a person changes such person's name an application for a
28 duplicate license shall be made to the director of revenue. When a person changes such person's
29 mailing address or residence the applicant shall notify the director of revenue of said change,
30 however, no application for a duplicate license is required. A commercial license issued pursuant to
31 this section to an applicant less than twenty-one years of age and seventy years of age and older
32 shall expire on the applicant's birthday in the third year after issuance, unless the license must be
33 issued for a shorter period as determined by the director.

34 3. A commercial driver's license containing a hazardous materials endorsement issued to an
35 applicant who is between the age of twenty-one and sixty-nine shall not be issued for a period
36 exceeding five years from the approval date of the security threat assessment as determined by the
37 Transportation Security Administration.

1 4. The director shall issue ~~[an annual]~~ a biennial commercial driver's license containing a
2 school bus endorsement to an applicant who is ~~[seventy]~~ seventy-five years of age or older. The fee
3 for such license shall be seven dollars and fifty cents.

4 5. A commercial driver's license containing a hazardous materials endorsement issued to an
5 applicant who is seventy years of age or older shall not be issued for a period exceeding three years.
6 The director shall not require such drivers to obtain a security threat assessment more frequently
7 than such assessment is required by the Transportation Security Administration under the Uniting
8 and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct
9 Terrorism Act (USA PATRIOT ACT) of 2001.

10 (1) The state shall immediately revoke a hazardous materials endorsement upon receipt of
11 an initial determination of threat assessment and immediate revocation from the Transportation
12 Security Administration as defined by 49 CFR 1572.13(a).

13 (2) The state shall revoke or deny a hazardous materials endorsement within fifteen days of
14 receipt of a final determination of threat assessment from the Transportation Security
15 Administration as required by CFR 1572.13(a).

16 6. The fee for a commercial driver's license or renewal commercial driver's license issued
17 for a period greater than three years shall be forty dollars.

18 7. The fee for a commercial driver's license or renewal commercial driver's license issued
19 for a period of three years or less shall be twenty dollars.

20 8. The fee for a duplicate commercial driver's license shall be twenty dollars.

21 9. In order for the director to properly transition driver's license requirements under the
22 Motor Carrier Safety Improvement Act of 1999 and the Uniting and Strengthening America by
23 Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT
24 ACT) of 2001, the director is authorized to stagger expiration dates and make adjustments for any
25 fees, including driver examination fees that are incurred by the driver as a result of the initial
26 issuance of a transitional license required to comply with such acts.

27 10. Within thirty days after moving to this state, the holder of a commercial driver's license
28 shall apply for a commercial driver's license in this state. The applicant shall meet all other
29 requirements of sections 302.700 to 302.780, except that the director may waive the driving test for
30 a commercial driver's license as required in section 302.720 if the applicant for a commercial
31 driver's license has a valid commercial driver's license from a state which has requirements for
32 issuance of such license comparable to those in this state.

33 11. Any person who falsifies any information in an application or test for a commercial
34 driver's license shall not be licensed to operate a commercial motor vehicle, or the person's
35 commercial driver's license shall be cancelled, for a period of one year after the director discovers
36 such falsification.

37 12. Beginning July 1, 2005, the director shall not issue a commercial driver's license under
38 this section unless the director verifies that the applicant is lawfully present in the United States
39 before accepting the application. If lawful presence is granted for a temporary period, no

commercial driver's license shall be issued. The director may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and establish the duration of any commercial driver's license issued under this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.

13. (1) Effective December 19, 2005, notwithstanding any provisions of subsections 1 and 5 of this section to the contrary, the director may issue a nondomiciled commercial driver's license or commercial driver's instruction permit to a resident of a foreign jurisdiction if the United States Secretary of Transportation has determined that the commercial motor vehicle testing and licensing standards in the foreign jurisdiction do not meet the testing standards established in 49 CFR 383.

(2) Any applicant for a nondomiciled commercial driver's license or commercial driver's instruction permit must present evidence satisfactory to the director that the applicant currently has employment with an employer in this state. The nondomiciled applicant must meet the same testing, driver record requirements, conditions, and is subject to the same disqualification and conviction reporting requirements applicable to resident commercial drivers.

(3) The nondomiciled commercial driver's license will expire on the same date that the documents establishing lawful presence for employment expire. The word "nondomiciled" shall appear on the face of the nondomiciled commercial driver's license. Any applicant for a Missouri nondomiciled commercial driver's license or commercial driver's instruction permit must first surrender any nondomiciled commercial driver's license issued by another state.

(4) The nondomiciled commercial driver's license applicant must pay the same fees as required for the issuance of a resident commercial driver's license or commercial driver's instruction permit.

14. Foreign jurisdiction for purposes of issuing a nondomiciled commercial driver's license or commercial driver's instruction permit under this section shall not include any of the fifty states of the United States or Canada or Mexico.

304.035. 1. When any person driving a vehicle approaches a railroad grade crossing, the driver of the vehicle shall operate the vehicle in a manner so he will be able to stop, and he shall stop the vehicle not less than fifteen feet and not more than fifty feet from the nearest rail of the railroad track and shall not proceed until he can safely do so if:

(1) A clearly visible electric or mechanical signal device warns of the approach of a railroad train or any on-track equipment; or

(2) A crossing gate is lowered or when a human flagman gives or continues to give a signal or warning of the approach or passage of a railroad train or any on-track equipment; or

(3) An approaching railroad train or any on-track equipment is visible and is in hazardous proximity to such crossing; or

(4) Any other traffic sign, device or any other act, rule, regulation or statute requires a vehicle to stop at a railroad grade crossing.

2. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing when a train or any on-track equipment is approaching while such gate or barrier is closed or is being opened or closed.

3. No person shall drive a vehicle through a railroad crossing when there is not sufficient space to drive completely through the crossing.

4. No person shall drive a vehicle through a railroad crossing unless such vehicle has sufficient undercarriage clearance necessary to prevent the undercarriage of the vehicle from contacting the railroad crossing.

5. Every commercial motor vehicle as defined in section 302.700 shall, upon approaching a railroad grade crossing, be driven at a rate of speed which will permit said commercial motor vehicle to be stopped before reaching the nearest rail of such crossing and shall not be driven upon or over such crossing until due caution has been taken to ascertain that the course is clear. This section does not apply to vehicles which are required to stop at railroad crossings pursuant to section 304.030.

6. Any person violating the provisions of this section is guilty of a class C misdemeanor.

304.162. 1. As used in this section, the following terms mean:

(1) "Commercial vehicle", any self-propelled or towed vehicle that has a gross vehicle weight rating of more than ten thousand pounds;

(2) "Department", the department of transportation;

(3) "Gross vehicle weight rating", the same meaning given to the term in section 302.700;

(4) "Nonconsensual tow", the movement or transportation of a commercial vehicle by a tow truck if such movement or transportation is performed without the prior consent or authorization of the owner or operator of the commercial vehicle. Such term also includes any tow of a commercial vehicle ordered by a law enforcement agency without the prior consent or authorization of the owner or operator of the commercial vehicle;

(5) "Tow truck", the same meaning given to the term in section 304.153;

(6) "Towing company", the same meaning given to the term in section 304.153.

2. The department of transportation shall establish procedures to address nonconsensual towing, recovery, and cleanup practices related to the removal of commercial vehicles from roadways; procedures to receive, investigate, and adjudicate complaints from an owner, operator, or insurer of a commercial vehicle involved in a nonconsensual tow; and procedures for prohibiting towing companies from performing nonconsensual tows if they are found to be in violation of this section. The procedures developed under this section shall be contained in the department of transportation's towing services standards manual. All nonconsensual towing, recovery, and cleanup practices shall comply with this section, the department of transportation's towing services standards manual, and all other applicable laws and regulations.

3. The procedures established by the department under this section shall include, at a minimum:

1 (1) A process for an owner, operator, or insurer of a commercial vehicle to file a complaint
 2 against a towing company. All complaints filed under this section shall contain the name of the
 3 complainant; the complainant's address; the complainant's phone number; the complainant's email
 4 address, if available; the name of the towing company; the causes of the complaint; and any other
 5 facts and documentation determined by rule to be of assistance to the department in investigating the
 6 complaint;

7 (2) A process for the department to review a complaint and any supporting facts and
 8 documentation and to render an initial finding. The department shall ensure its process includes an
 9 opportunity for the complainant or towing company to appeal an initial decision before the
 10 department makes a final determination on the matter;

11 (3) Factors the department shall consider in determining whether a charge levied by a
 12 towing company was fair and reasonable. Such factors may include, without limitation, whether the
 13 towing vehicles, all other equipment, and number of employees and contractors were required to
 14 complete the tow; whether the charges are fair, reasonable, and customary; whether the total amount
 15 of time required for the service was necessary; the location of the vehicle being recovered; materials
 16 or cargo involved; and any other information regarding the recovery, towing, or storage of a
 17 commercial vehicle;

18 (4) Requirements for information that shall be included on every nonconsensual towing and
 19 recovery invoice, such as the name, address, and telephone number of the towing company; the date
 20 and time that the request for service was received; contact information for the party that requested
 21 the service; and the time of dispatch, time of arrival at the scene, and time at which the scene was
 22 cleared. Every invoice for a nonconsensual tow shall include the words:

23 "Nonconsensual tows are regulated by the Missouri Department of Transportation. If you
 24 feel that you have been treated unfairly or provided a service that was unnecessary, you may
 25 file a complaint with the Missouri Department of Transportation."; and

26 (5) A disciplinary matrix for any towing company found to be in violation of this section or
 27 the department of transportation's towing services standards manual. The matrix shall:

28 (a) Be weighted based on the severity and number of violations;

29 (b) Include provisions for temporarily or permanently prohibiting a towing company from
 30 performing nonconsensual tows; and

31 (c) Include a process for the department to communicate to the Missouri state highway
 32 patrol and other state and local law enforcement and emergency services agencies any suspension or
 33 revocation of a towing company's authority to perform nonconsensual tows.

34 4. To assist the department in implementing this section, the department may establish a
 35 "Towing and Recovery Review Board".

36 (1) The board shall consist of seven members to be appointed by the director of the
 37 department of transportation, including:

38 (a) One member who is an employee of the department;

39 (b) One member who is an employee of the Missouri state highway patrol;

1 (c) One member representing local law enforcement agencies in this state;

2 (d) One member representing motor carriers in this state;

3 (e) One member representing towing companies in this state;

4 (f) One member representing independent owner-operator truck drivers in this state; and

5 (g) One member representing insurance companies in this state.

6 (2) Members of the board shall serve without compensation, shall serve three-year terms,
7 and shall serve for no more than two consecutive terms.

8 (3) The board's primary functions shall include assisting the department in reviewing each
9 complaint, identifying potential violations of the towing services standards manual, making
10 recommendations for the initial determination, and approving or rejecting a final determination of
11 the department.

12 5. If an owner or operator of a commercial vehicle requests the use of a specific towing
13 company, law enforcement agencies shall honor that request, unless:

14 (1) The requested towing company cannot arrive at the location of the vehicle within a
15 reasonable time;

16 (2) A traffic safety problem exists and the requested towing company cannot arrive at the
17 location of the vehicle within thirty minutes; or

18 (3) The commercial vehicle is disabled in the roadway and the requested towing company
19 cannot arrive at the location of the vehicle within thirty minutes.

20 6. If the department of transportation or the towing and recovery review board determines
21 there is a genuine dispute as to the reasonableness or amount of the fees assessed by a towing
22 company for a nonconsensual tow, the towing company shall release the commercial vehicle and
23 cargo to the owner, operator, or insurer of the commercial vehicle and cargo without the vehicle
24 owner paying any portion of the fees assessed.

25 7. No towing company shall use a per pound method of charging for a nonconsensual tow.

26 8. Storage charges for a nonconsensual tow shall cease accruing upon the date a complaint
27 is filed with the department of transportation.

28 9. Notwithstanding any provision of law to the contrary, a nonconsensual tow or associated
29 storage charges shall not create a lien on a commercial vehicle or its cargo.

30 10. A towing company shall provide reasonable access to an owner, operator, or insurer of a
31 commercial vehicle that is the subject of a nonconsensual tow for the following purposes:

32 (1) Collection of personal property from within the vehicle;

33 (2) Investigation or reconstruction of an accident scene; or

34 (3) Retrieval of data from the commercial vehicle's computer system.

35 11. No towing company shall perform a nonconsensual tow when it is prohibited by the
36 department of transportation from performing nonconsensual tows. A towing company that violates
37 this subsection shall be subject to a civil penalty of twenty-five thousand dollars per violation.

12. This section shall apply only to nonconsensual tows. This section shall not apply if an owner, operator, or insurer of a commercial vehicle requests the use of a specific towing company and the request is honored.

13. The department of transportation shall promulgate rules as necessary for the implementation of 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 of 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 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2025, shall be invalid and void.

14. Actual costs to implement this section shall be appropriated to the department from the general revenue fund.

307.010. 1. All motor vehicles, and every trailer and semitrailer operating upon the public highways of this state and carrying goods or material or farm products which may reasonably be expected to become dislodged and fall from the vehicle, trailer or semitrailer as a result of wind pressure or air pressure and/or by the movement of the vehicle, trailer or semitrailer shall have a protective cover or be sufficiently secured so that no portion of such goods or material can become dislodged and fall from the vehicle, trailer or semitrailer while being transported or carried.

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

(1) Immobilized, such so that it cannot shift or tip to the extent that the vehicle's stability or maneuverability is adversely affected;

(2) Transported in a sided vehicle that has walls of adequate strength, such that each article of cargo within the vehicle is in contact with, or sufficiently close to a wall or other articles, so that it cannot shift or tip to the extent that the vehicle's stability or maneuverability is adversely affected;

(3) Fully contained within the structure of the vehicle, and firmly immobilized or secured on or within the vehicle by structures of adequate strength, dunnage or dunnage bags, shoring bars, tiedowns, or a combination of these; or

(4) Otherwise secured in accordance with federal law.

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

307.350. 1. The owner of every motor vehicle as defined in section 301.010 which is required to be registered in this state, except:

(1) Motor vehicles having less than one hundred fifty thousand miles, for the ten-year period following their model year of manufacture, excluding prior salvage vehicles immediately following a rebuilding process and vehicles subject to the provisions of section 307.380;

1 (2) Those motor vehicles which are engaged in interstate commerce and are proportionately
2 registered in this state with the Missouri highway reciprocity commission, although the owner may
3 request that such vehicle be inspected by an official inspection station, and a peace officer may stop
4 and inspect such vehicles to determine whether the mechanical condition is in compliance with the
5 safety regulations established by the United States Department of Transportation; and

6 (3) Historic motor vehicles registered pursuant to section 301.131;

7 (4) Vehicles registered in excess of twenty-four thousand pounds for a period of less than
8 twelve months;

9
10 shall submit such vehicles to a biennial inspection of their mechanism and equipment in accordance
11 with the provisions of sections 307.350 to 307.390 and obtain a certificate of inspection and
12 approval and a sticker, seal, or other device from a duly authorized official inspection station. The
13 inspection, except the inspection of school buses which shall be made at the time provided in section
14 307.375, shall be made at the time prescribed in the rules and regulations issued by the
15 superintendent of the Missouri state highway patrol; but the inspection of a vehicle shall not be
16 made more than sixty days prior to the date of application for registration or within sixty days of
17 when a vehicle's registration is transferred; however, if a vehicle was purchased from a motor
18 vehicle dealer and a valid inspection had been made within sixty days of the purchase date, the new
19 owner shall be able to utilize an inspection performed within ninety days prior to the application for
20 registration or transfer. ~~[Any vehicle manufactured as an even-numbered model year vehicle shall~~
21 ~~be inspected and approved pursuant to the safety inspection program established pursuant to~~
22 ~~sections 307.350 to 307.390 in each even-numbered calendar year and any such vehicle~~
23 ~~manufactured as an odd-numbered model year vehicle shall be inspected and approved pursuant to~~
24 ~~sections 307.350 to 307.390 in each odd-numbered year.]~~ The certificate of inspection and approval
25 shall be a sticker, seal, or other device or combination thereof, as the superintendent of the Missouri
26 state highway patrol prescribes by regulation and shall be displayed upon the motor vehicle or trailer
27 as prescribed by the regulations established by him. The replacement of certificates of inspection
28 and approval which are lost or destroyed shall be made by the superintendent of the Missouri state
29 highway patrol under regulations prescribed by him.

30 2. For the purpose of obtaining an inspection only, it shall be lawful to operate a vehicle
31 over the most direct route between the owner's usual place of residence and an inspection station of
32 such owner's choice, notwithstanding the fact that the vehicle does not have a current state
33 registration license. It shall also be lawful to operate such a vehicle from an inspection station to
34 another place where repairs may be made and to return the vehicle to the inspection station
35 notwithstanding the absence of a current state registration license.

36 3. No person whose motor vehicle was duly inspected and approved as provided in this
37 section shall be required to have the same motor vehicle again inspected and approved for the sole
38 reason that such person wishes to obtain a set of any special personalized license plates available

1 pursuant to section 301.144 or a set of any license plates available pursuant to section 301.142, prior
2 to the expiration date of such motor vehicle's current registration.

3 4. Notwithstanding any provision of law to the contrary, a valid safety inspection shall be
4 required for all registration issuances and renewals for any motor vehicle subject to safety
5 inspection under this section.

6 5. Notwithstanding the provisions of section 307.390, violation of this section shall be
7 deemed an infraction.

8 565.260. 1. Except as provided in subsection 2 of this section, a person commits the offense
9 of unlawful tracking of a motor vehicle if the person knowingly installs, conceals, or otherwise
10 places an electronic tracking device in or on a motor vehicle without the consent of all owners of the
11 vehicle for the purpose of monitoring or following an occupant or occupants of the vehicle. As used
12 in this section, "person" does not include the manufacturer of the motor vehicle.

13 2. (1) It shall not be an offense under this section if the installing, concealing, or placing of
14 an electronic tracking device in or on a motor vehicle is by, or at the direction of, a law enforcement
15 officer in furtherance of a criminal investigation and such investigation is carried out in accordance
16 with applicable state and federal law.

17 (2) If the installing, concealing, or placing of an electronic tracking device in or on a motor
18 vehicle is by, or at the direction of, a parent or legal guardian who owns or leases the vehicle, and if
19 the device is used solely for the purpose of monitoring the minor child of the parent or legal
20 guardian when the child is an occupant of the vehicle, the installation, concealment, or placement of
21 the device in or on the vehicle without the consent of any or all occupants of the vehicle shall not be
22 an offense under this section.

23 (3) It shall not be an offense under this section if the installing, concealing, or placing of an
24 electronic tracking device in or on a motor vehicle is for the purpose of tracking the location of
25 stolen goods being transported in the vehicle or for the purpose of tracking the location of the
26 vehicle if the motor vehicle is stolen.

27 (4) It shall not be an offense under this section if the installing, concealing, or placing of an
28 electronic tracking device in or on a motor vehicle is by a legally authorized representative of a
29 vulnerable adult. As used in this subdivision, "vulnerable adult" means any person eighteen years of
30 age or older who is impaired by reason of mental illness, intellectual or developmental disability,
31 physical illness or disability, or other causes, including age, to the extent the adult lacks sufficient
32 understanding or capacity to make, communicate, or carry out reasonable decisions concerning his
33 or her well-being or has one or more limitations that substantially impair the adult's ability to
34 independently provide for his or her daily needs or safeguard his or her person, property, or legal
35 interests.

36 (5) If the installing, concealing, or placing of an electronic tracking device in or on a motor
37 vehicle is by, or at the direction of, a person who obtains consent from all owners of the vehicle, the
38 installation, concealment, or placement of the device in or on the vehicle shall not be an offense
39 under this section.

(6) It shall not be an offense under this section if the installing, concealing, or placing of an electronic tracking device in or on a motor vehicle is by a vehicle rental, sharing, or leasing company that rents motor vehicles for the purpose of tracking or managing the motor vehicles owned by such company or providing services to customers.

(7) It shall not be an offense under this section if the installing, concealing, or placing of an electronic tracking device in or on a motor vehicle is by a lienholder or agent of a lienholder acting to track the movement or location of a motor vehicle in order to repossess the motor vehicle.

(8) It shall not be an offense under this section if the installing, concealing, or placing of an electronic tracking device in or on a motor vehicle is for any party to participate in a voluntary usage-based insurance program. "Voluntary usage-based insurance program" shall mean any program implemented by, or on behalf of, an insurance company that collects, records, or transmits information relating to driving behavior of an insured party.

3. The provisions of this section shall not apply to a tracking system installed by the manufacturer of a motor vehicle.

4. The offense of unlawful tracking of a motor vehicle is a class A misdemeanor for a first offense and a class E felony for any second or subsequent offense.

643.315. 1. Except as provided in sections 643.300 to 643.355, all motor vehicles which are domiciled, registered or primarily operated in an area for which the commission has established a motor vehicle emissions inspection program pursuant to sections 643.300 to 643.355 shall be inspected and approved prior to sale or transfer; provided that, if such vehicle is inspected and approved prior to sale or transfer, such vehicle shall not be subject to another emissions inspection for ninety days after the date of sale or transfer of such vehicle. ~~[In addition, any such vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each odd-numbered calendar year.]~~ All motor vehicles subject to the inspection requirements of sections 643.300 to 643.355 shall display a valid emissions inspection sticker, and when applicable, a valid emissions inspection certificate shall be presented at the time of registration or registration renewal of such motor vehicle. The department of revenue shall require evidence of the safety and emission inspection and approval required by this section in issuing the motor vehicle ~~[annual]~~ registration in conformity with the procedure required by sections 307.350 to 307.390 and sections 643.300 to 643.355. The director of revenue may verify that a successful safety and emissions inspection was completed via electronic means.

2. The inspection requirement of subsection 1 of this section shall apply to all motor vehicles except:

(1) Motor vehicles with a manufacturer's gross vehicle weight rating in excess of eight thousand five hundred pounds;

1 (2) Motorcycles and motortricycles if such vehicles are exempted from the motor vehicle
2 emissions inspection under federal regulation and approved by the commission by rule;

3 (3) Model year vehicles manufactured prior to 1996;

4 (4) Vehicles which are powered exclusively by electric or hydrogen power or by fuels other
5 than gasoline which are exempted from the motor vehicle emissions inspection under federal
6 regulation and approved by the commission by rule;

7 (5) Motor vehicles registered in an area subject to the inspection requirements of sections
8 643.300 to 643.355 which are domiciled and operated exclusively in an area of the state not subject
9 to the inspection requirements of sections 643.300 to 643.355, but only if the owner of such vehicle
10 presents to the department an affidavit that the vehicle will be operated exclusively in an area of the
11 state not subject to the inspection requirements of sections 643.300 to 643.355 for the next twenty-
12 four months, and the owner applies for and receives a waiver which shall be presented at the time of
13 registration or registration renewal;

14 (6) New and unused motor vehicles, of model years of the current calendar year and of any
15 calendar year within two years of such calendar year, which have an odometer reading of less than
16 six thousand miles at the time of original sale by a motor vehicle manufacturer or licensed motor
17 vehicle dealer to the first user;

18 (7) Historic motor vehicles registered pursuant to section 301.131;

19 (8) School buses;

20 (9) Heavy-duty diesel-powered vehicles with a gross vehicle weight rating in excess of eight
21 thousand five hundred pounds;

22 (10) New motor vehicles that have not been previously titled and registered, for the four-
23 year period following their model year of manufacture, provided the odometer reading for such
24 motor vehicles are under forty thousand miles at their first required biennial safety inspection
25 conducted under sections 307.350 to 307.390; otherwise such motor vehicles shall be subject to the
26 emissions inspection requirements of subsection 1 of this section during the same period that the
27 biennial safety inspection is conducted;

28 (11) Motor vehicles that are driven fewer than twelve thousand miles between biennial
29 safety inspections; and

30 (12) Qualified plug-in electric drive vehicles. For the purposes of this section, "qualified
31 plug-in electric drive vehicle" shall mean a plug-in electric drive vehicle that is made by a
32 manufacturer, has not been modified from original manufacturer specifications, and can operate
33 solely on electric power and is capable of recharging its battery from an on-board generation source
34 and an off-board electricity source.

35 3. The commission may, by rule, allow inspection reciprocity with other states having
36 equivalent or more stringent testing and waiver requirements than those established pursuant to
37 sections 643.300 to 643.355.

1 4. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.550,
2 may choose to sell a motor vehicle subject to the inspection requirements of sections 643.300 to
3 643.355 either:

4 (a) With prior inspection and approval as provided in subdivision (2) of this subsection; or

5 (b) Without prior inspection and approval as provided in subdivision (3) of this subsection.

6 (2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer
7 shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the
8 emissions standards established pursuant to sections 643.300 to 643.355 or by obtaining a waiver
9 pursuant to section 643.335. A vehicle sold pursuant to this subdivision by a licensed motor vehicle
10 dealer shall be inspected and approved within the one hundred twenty days immediately preceding
11 the date of sale, and, for the purpose of registration of such vehicle, such inspection shall be
12 considered timely.

13 (3) If the dealer chooses to sell the vehicle without prior inspection and approval, the
14 purchaser may return the vehicle within ten days of the date of purchase, provided that the vehicle
15 has no more than one thousand additional miles since the time of sale, if the vehicle fails, upon
16 inspection, to meet the emissions standards specified by the commission and the dealer shall have
17 the vehicle inspected and approved without the option for a waiver of the emissions standard and
18 return the vehicle to the purchaser with a valid emissions certificate and sticker within five working
19 days or the purchaser and dealer may enter into any other mutually acceptable agreement. If the
20 dealer chooses to sell the vehicle without prior inspection and approval, the dealer shall disclose
21 conspicuously on the sales contract and bill of sale that the purchaser has the option to return the
22 vehicle within ten days, provided that the vehicle has no more than one thousand additional miles
23 since the time of sale, to have the dealer repair the vehicle and provide an emissions certificate and
24 sticker within five working days if the vehicle fails, upon inspection, to meet the emissions
25 standards established by the commission, or enter into any mutually acceptable agreement with the
26 dealer. A violation of this subdivision shall be an unlawful practice as defined in section 407.020.
27 No emissions inspection shall be required pursuant to sections 643.300 to 643.360 for the sale of
28 any motor vehicle which may be sold without a certificate of inspection and approval, as provided
29 pursuant to subsection 2 of section 307.380.

30 5. Notwithstanding any provision of law to the contrary, a valid emissions inspection shall
31 be required for all registration issuances and renewals for any motor vehicle subject to emissions
32 inspection under this section.

33 ~~[229.130. Every overseer shall erect and maintain at every road fork, or~~
34 ~~road crossing, in his district that would likely mislead, a fingerboard, containing a~~
35 ~~legible inscription, directing the way and noting the distance to the next important~~
36 ~~place on the road, for which he may be allowed not to exceed two dollars, to be~~
37 ~~paid out of the road fund of the district.]~~

38
39 ~~[229.160. All persons owning, controlling or managing threshing~~
40 ~~machines, sawmills and steam engines or gasoline tractors are required, in moving~~
41 ~~the same over public highways to lay down planks not less than one foot wide and~~

three inches in thickness on the floors of all bridges situate on the public highways, while crossing the same with such threshing machines, sawmills, steam engines or gasoline tractors, and in the event any person owning any such machinery shall cross or attempt to cross any bridge upon any public highway with such machinery who shall neglect or fail to lay down said planks as a protection to said bridge and who shall, by reason of such neglect cause injury to any such bridge, he shall be liable for double the amount of such injury to be recovered in the name of the county or any subdivision thereof, to the use and benefit of the road and bridge fund.]

[229.210. It shall be unlawful for any person to drive a vehicle, an animal or animals or a load of any kind upon a highway bridge or culvert recently constructed or repaired wholly or partly of concrete or upon the surface of any improved highway of macadam, concrete, brick or bituminous material; and which has not been opened to traffic after the construction or repair, by order of the county highway engineer of the county in which such bridge or culvert or improved highway is situated, or by order of any other person having charge of the construction or repair of said bridge or culvert or improved highway; provided, due notice to the public has been given that the bridge or culvert or improved highway is closed to traffic, by placing barriers across the entrances to the bridge or culvert or improved highway and by written or printed handbills placed at either entrance to the bridge or culvert or improved highway stating that the bridge or culvert or improved highway is closed to traffic and mentioning the date on which same will be opened to traffic signed by the county highway engineer or by the person in charge of the construction or repair of the bridge or culvert or improved highway.]

[229.220. Any person violating the provisions of section 229.210 and any person who shall unlawfully remove either of the barriers or either of the written or printed notices above mentioned, shall be adjudged guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than five dollars nor more than one hundred dollars.]

[229.270. Before a permit to move any house, building or other structure is granted under the provisions of sections 229.230 to 229.290, the applicant for such permit shall pay to the county clerk the sum of one dollar therefor, and the county clerk shall account for such fees as is provided for in other cases.]

[229.420. Where coal or other valuable mineral underlies any public road in this state that has not been designated as a state highway or is not under the control of the state transportation department, if said coal or other mineral is being mined on or from adjoining lands by the "strip pit" or surface process of mining, the commissioners of any special road district or the township board of directors if said road be not located in a special road district may provide for the temporary abandonment of said road and the removal or mining of said coal or other valuable mineral underlying said road and the rebuilding of said road, in the manner and under the conditions provided in sections 229.420 to 229.450, when in the opinion of said commissioners or township board the public good would best be served thereby.]

1
2 ~~[229.430. The commissioners of any special road district where said road~~
3 ~~is located, or the township board if said road be not in a special road district,~~
4 ~~whenever in their opinion the removal of said coal or other valuable mineral from~~
5 ~~under the surface of said road and the rebuilding of said road will be a public~~
6 ~~benefit, may with the approval and consent of the county commission enter into a~~
7 ~~contract with any responsible person, firm or corporation for the removal of said~~
8 ~~coal or other mineral and for the rebuilding of said road under such terms and~~
9 ~~conditions as in their opinion are fair and just.]~~

10
11 ~~[229.440. 1. Before the commissioners of any special road district or the~~
12 ~~township board of any township shall enter into any contract for the removal of~~
13 ~~coal or other mineral from or under any public road they shall submit their~~
14 ~~proposition to the county commission of the county for its approval or rejection. If~~
15 ~~the commission approves the proposition they shall direct the prosecuting attorney~~
16 ~~of the county to prepare the contract between the commissioners or township~~
17 ~~board as the case may be and the parties with whom they seek to contract.~~

18 ~~2. Said contract shall particularly describe the road to be temporarily~~
19 ~~abandoned, the kind and character of road to be rebuilt, and the time limit for~~
20 ~~rebuilding same and before said contract is executed, the person, firm or~~
21 ~~corporation with whom it is made shall file with the clerk of the county~~
22 ~~commission a bond with good and sufficient sureties in at least four times the~~
23 ~~estimated cost of rebuilding said road after the removal of the coal or other~~
24 ~~mineral from same. Said bond shall be payable to the state of Missouri for the use~~
25 ~~and benefit of the special road district or township as the case may be and~~
26 ~~approved by the county commission and shall provide that the person, firm or~~
27 ~~corporation shall at their own expense remove said coal, within such time and~~
28 ~~under such terms as may be provided and if in the opinion of the county~~
29 ~~commission a temporary road be necessary or feasible, will at their own expense~~
30 ~~construct and at all times maintain a good road along, near and parallel to the road~~
31 ~~temporarily abandoned and connected with the usual road at both ends, all within~~
32 ~~the time and on such terms as may be provided; that they will be responsible and~~
33 ~~liable for any damages or injuries caused by their negligence in not properly~~
34 ~~constructing or maintaining said temporary road; that they will as soon as the coal~~
35 ~~or other mineral is removed from said road, at their own expense and without~~
36 ~~delay rebuild the same in a good substantial and workmanlike manner, according~~
37 ~~to the plans and specifications and within the time limit and according to the terms~~
38 ~~set forth in the contract. Said bond may provide for penalties or liquidated~~
39 ~~damages for the violation of its provisions.~~

40 ~~3. When said road is complete as provided in the plans and specifications~~
41 ~~and according to all the terms and conditions of the contract and accepted by the~~
42 ~~county commission, the bond shall be released provided all conditions of the bond~~
43 ~~have been met and all claims, liabilities and causes of action, arising out of the~~
44 ~~performance of the conditions of said contract or bond or out of the violation of~~
45 ~~the same have been wholly met, settled and discharged.]~~

46
47 ~~[229.450. Sections 229.420 to 229.450 shall apply only to counties~~
48 ~~operating under township organization. All laws or parts of laws in conflict with~~
49 ~~the provisions of sections 229.420 to 229.450 are hereby repealed.]~~

1 Section B. The repeal and reenactment of sections 301.055, 301.070, 301.110, 301.140,
2 301.142, 301.147, 301.560, 301.570, 307.350, and 643.315 of this act shall become effective upon
3 notification by the director of the department of revenue to the revisor of statutes that
4 implementation of the provisions of this act are technologically feasible following the development
5 and maintenance of a modernized, integrated system for the titling of vehicles, the issuance and
6 renewal of vehicle registrations, the issuance and renewal of drivers' licenses and identification
7 cards, and the perfection and release of liens and encumbrances on vehicles."; and

8
9 Further amend said bill by amending the title, enacting clause, and intersectional references
10 accordingly.