

FIRST REGULAR SESSION
[PERFECTED]
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 378
103RD GENERAL ASSEMBLY

0176H.04P

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 301.020, 301.140, 301.142, 301.190, 301.469, 301.558, 307.350, and 307.380, RSMo, and to enact in lieu thereof eight new sections relating to motor vehicle registration, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 301.020, 301.140, 301.142, 301.190, 301.469, 301.558, 307.350, 2 and 307.380, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known 3 as sections 301.020, 301.140, 301.142, 301.190, 301.469, 301.558, 307.350, and 307.380, to 4 read as follows:

301.020. 1. Every owner of a motor vehicle or trailer, which shall be operated or 2 driven upon the highways of this state, except as herein otherwise expressly provided, shall 3 annually file, by mail or otherwise, in the office of the director of revenue, an application for 4 registration on a blank to be furnished by the director of revenue for that purpose containing:

5 (1) A brief description of the motor vehicle or trailer to be registered, including the 6 name of the manufacturer, the vehicle identification number, the amount of motive power of 7 the motor vehicle, stated in figures of horsepower and whether the motor vehicle is to be 8 registered as a motor vehicle primarily for business use as defined in section 301.010;

9 (2) The name, the applicant's identification number and address of the owner of such 10 motor vehicle or trailer;

11 (3) The gross weight of the vehicle and the desired load in pounds if the vehicle is a 12 commercial motor vehicle or trailer.

13 2. If the vehicle is a motor vehicle primarily for business use as defined in section 14 301.010 and if such vehicle is ~~[ten years of age or less]~~ **model year 2012 or newer** and has

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 less than one hundred fifty thousand miles on the odometer, the director of revenue shall
16 retain the odometer information provided in the vehicle inspection report, and provide for
17 prompt access to such information, together with the vehicle identification number for the
18 motor vehicle to which such information pertains, for a period of ten years after the receipt of
19 such information. This section shall not apply unless:

20 (1) The application for the vehicle's certificate of ownership was submitted after July
21 1, 1989; and

22 (2) The certificate was issued pursuant to a manufacturer's statement of origin.

23 3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business
24 use, a recreational motor vehicle, motorcycle, motortricycle, autocycle, bus, or any
25 commercial motor vehicle licensed for over twelve thousand pounds and if such motor
26 vehicle is ~~[ten years of age or less]~~ **model year 2012 or newer** and has less than one hundred
27 fifty thousand miles on the odometer, the director of revenue shall retain the odometer
28 information provided in the vehicle inspection report, and provide for prompt access to such
29 information, together with the vehicle identification number for the motor vehicle to which
30 such information pertains, for a period of ten years after the receipt of such information. This
31 subsection shall not apply unless:

32 (1) The application for the vehicle's certificate of ownership was submitted after July
33 1, 1990; and

34 (2) The certificate was issued pursuant to a manufacturer's statement of origin.

35 4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle,
36 specially constructed motor vehicle, non-USA-std motor vehicle, as defined in section
37 301.010, or prior salvage as referenced in section 301.573, the owner or lienholder shall
38 surrender the certificate of ownership. The owner shall make an application for a new
39 certificate of ownership, pay the required title fee, and obtain the vehicle examination
40 certificate required pursuant to subsection 9 of section 301.190. If an insurance company
41 pays a claim on a salvage vehicle as defined in section 301.010 and the owner retains the
42 vehicle, as prior salvage, the vehicle shall only be required to meet the examination
43 requirements under subsection 10 of section 301.190. Notarized bills of sale along with a
44 copy of the front and back of the certificate of ownership for all major component parts
45 installed on the vehicle and invoices for all essential parts which are not defined as major
46 component parts shall accompany the application for a new certificate of ownership. If the
47 vehicle is a specially constructed motor vehicle, as defined in section 301.010, two pictures of
48 the vehicle shall be submitted with the application. If the vehicle is a kit vehicle, the
49 applicant shall submit the invoice and the manufacturer's statement of origin on the kit. If the
50 vehicle requires the issuance of a special number by the director of revenue or a replacement
51 vehicle identification number, the applicant shall submit the required application and

52 application fee. All applications required under this subsection shall be submitted with any
53 applicable taxes which may be due on the purchase of the vehicle or parts. The director of
54 revenue shall appropriately designate "Reconstructed Motor Vehicle", "Motor Change
55 Vehicle", "Non-USA-Std Motor Vehicle", or "Specially Constructed Motor Vehicle" on the
56 current and all subsequent issues of the certificate of ownership of such vehicle.

57 5. Every insurance company that pays a claim for repair of a motor vehicle which as
58 the result of such repairs becomes a reconstructed motor vehicle as defined in section 301.010
59 or that pays a claim on a salvage vehicle as defined in section 301.010 and the owner is
60 retaining the vehicle shall in writing notify the owner of the vehicle, and in a first party claim,
61 the lienholder if a lien is in effect, that he is required to surrender the certificate of ownership,
62 and the documents and fees required pursuant to subsection 4 of this section to obtain a prior
63 salvage motor vehicle certificate of ownership or documents and fees as otherwise required
64 by law to obtain a salvage certificate of ownership, from the director of revenue. The
65 insurance company shall within thirty days of the payment of such claims report to the
66 director of revenue the name and address of such owner, the year, make, model, vehicle
67 identification number, and license plate number of the vehicle, and the date of loss and
68 payment.

69 6. Anyone who fails to comply with the requirements of this section shall be guilty of
70 a class B misdemeanor.

71 7. An applicant for registration may make a donation of one dollar to promote a
72 blindness education, screening and treatment program. The director of revenue shall collect
73 the donations and deposit all such donations in the state treasury to the credit of the blindness
74 education, screening and treatment program fund established in section 209.015. Moneys in
75 the blindness education, screening and treatment program fund shall be used solely for the
76 purposes established in section 209.015; except that the department of revenue shall retain no
77 more than one percent for its administrative costs. The donation prescribed in this subsection
78 is voluntary and may be refused by the applicant for registration at the time of issuance or
79 renewal. The director shall inquire of each applicant at the time the applicant presents the
80 completed application to the director whether the applicant is interested in making the one
81 dollar donation prescribed in this subsection.

82 8. An applicant for registration may make a donation of an amount not less than one
83 dollar to promote an organ donor program. The director of revenue shall collect the donations
84 and deposit all such donations in the state treasury to the credit of the organ donor program
85 fund as established in sections 194.297 to 194.304. Moneys in the organ donor fund shall be
86 used solely for the purposes established in sections 194.297 to 194.304, except that the
87 department of revenue shall retain no more than one percent for its administrative costs. The
88 donation prescribed in this subsection is voluntary and may be refused by the applicant for

89 registration at the time of issuance or renewal. The director shall inquire of each applicant at
90 the time the applicant presents the completed application to the director whether the applicant
91 is interested in making a contribution not less than one dollar as prescribed in this subsection.

92 9. An applicant for registration may make a donation of one dollar to the Missouri
93 medal of honor recipients fund. The director of revenue shall collect the donations and
94 deposit all such donations in the state treasury to the credit of the Missouri medal of honor
95 recipients fund as established in section 226.925. Moneys in the medal of honor recipients
96 fund shall be used solely for the purposes established in section 226.925, except that the
97 department of revenue shall retain no more than one percent for its administrative costs. The
98 donation prescribed in this subsection is voluntary and may be refused by the applicant for
99 registration at the time of issuance or renewal. The director shall inquire of each applicant at
100 the time the applicant presents the completed application to the director whether the applicant
101 is interested in making the one dollar donation prescribed in this subsection.

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

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

24 carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the
25 applicant shall not be entitled to a refund.

26 3. License plates may be transferred from a motor vehicle which will no longer be
27 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall
28 pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight
29 or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in
30 excess of that of the vehicle which will no longer be operated. When the newly purchased
31 motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying
32 commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the
33 applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees.
34 When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a
35 passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is
36 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
38 allow others to produce a weather resistant, nontearing temporary permit authorizing the
39 operation of a motor vehicle or trailer by a buyer for not more than thirty days, ~~for no more~~
40 ~~than ninety days if issued by a dealer selling the motor vehicle under the provisions of section~~
41 ~~301.213,~~ or no more than sixty days if issued by a dealer selling the motor vehicle under the
42 provisions of subsection 5 of section 301.210, from the date of purchase. The temporary
43 permit authorized under this section may be purchased by the purchaser of a motor vehicle or
44 trailer from the central office of the department of revenue or from an authorized agent of the
45 department of revenue upon **satisfaction of all applicable taxes under chapter 144, upon**
46 proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate
47 available for transfer and upon proof of financial responsibility, or from a motor vehicle
48 dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate
49 available for transfer, or from a motor vehicle dealer upon purchase of a motor vehicle or
50 trailer for which the buyer has registered and is awaiting receipt of registration plates. The
51 director of the department of revenue or a producer authorized by the director of the
52 department of revenue may make temporary permits available to registered dealers in this
53 state, authorized agents of the department of revenue or the department of revenue. The price
54 paid by a motor vehicle dealer, an authorized agent of the department of revenue or the
55 department of revenue for a temporary permit shall not exceed five dollars for each permit.
56 The director of the department of revenue shall direct motor vehicle dealers and authorized
57 agents to obtain temporary permits from an authorized producer. Amounts received by the
58 director of the department of revenue for temporary permits shall constitute state revenue;
59 however, amounts received by an authorized producer other than the director of the
60 department of revenue shall not constitute state revenue and any amounts received by motor

61 vehicle dealers or authorized agents for temporary permits purchased from a producer other
62 than the director of the department of revenue shall not constitute state revenue. In no event
63 shall revenues from the general revenue fund or any other state fund be utilized to compensate
64 motor vehicle dealers or other producers for their role in producing temporary permits as
65 authorized under this section. Amounts that do not constitute state revenue under this section
66 shall also not constitute fees for registration or certificates of title to be collected by the
67 director of the department of revenue under section 301.190. No motor vehicle dealer,
68 authorized agent or the department of revenue shall charge more than five dollars for each
69 permit issued. The permit shall be valid for a period of thirty days, or no more than ninety
70 days if issued by a dealer selling the motor vehicle under the provisions of section 301.213, or
71 no more than sixty days if issued by a dealer selling the motor vehicle under the provisions of
72 subsection 5 of section 301.210, from the date of purchase of a motor vehicle or trailer, or
73 from the date of sale of the motor vehicle or trailer by a motor vehicle dealer for which the
74 purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this
75 section unless the buyer shows proof of financial responsibility. Each temporary permit
76 issued shall be securely fastened to the back or rear of the motor vehicle in a manner and
77 place on the motor vehicle consistent with registration plates so that all parts and qualities of
78 the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not
79 impaired in any way.

80 **(2) The provisions of subdivision (1) of this subsection requiring satisfaction of**
81 **all applicable taxes under chapter 144 shall become effective only upon notification by**
82 **the director of the department of revenue that implementation of such requirements are**
83 **technologically feasible following the development and maintenance of a modernized,**
84 **integrated system for the titling of vehicles, the issuance and renewal of vehicle**
85 **registrations, the issuance and renewal of drivers' licenses and identification cards, and**
86 **the perfection and release of liens and encumbrances on vehicles.**

87 5. The permit shall be issued on a form prescribed by the director of the department of
88 revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer
89 purchased to enable the applicant to temporarily operate the motor vehicle while proper title
90 and registration plates are being obtained, or while awaiting receipt of registration plates, and
91 shall be displayed on no other motor vehicle. Temporary permits issued pursuant to this
92 section shall not be transferable or renewable, shall not be valid upon issuance of proper
93 registration plates for the motor vehicle or trailer, and shall be returned to the department or to
94 the department's agent upon the issuance of such proper registration plates. Any temporary
95 permit returned to the department or to the department's agent shall be immediately
96 destroyed. The provisions of this subsection shall not apply to temporary permits issued for
97 commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight.

98 The director of the department of revenue shall determine the size, material, design,
99 numbering configuration, construction, and color of the permit. The director of the
100 department of revenue, at his or her discretion, shall have the authority to reissue, and thereby
101 extend the use of, a temporary permit previously and legally issued for a motor vehicle or
102 trailer while proper title and registration are being obtained.

103 6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection
104 by proper officers, an accurate record of each permit issued by recording the permit number,
105 the motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make,
106 and manufacturer's vehicle identification number, and the permit's date of issuance and
107 expiration date. Upon the issuance of a temporary permit by either the central office of the
108 department of revenue, a motor vehicle dealer or an authorized agent of the department of
109 revenue, the director of the department of revenue shall make the information associated with
110 the issued temporary permit immediately available to the law enforcement community of the
111 state of Missouri.

112 7. Upon the transfer of ownership of any currently registered motor vehicle wherein
113 the owner cannot transfer the license plates due to a change of motor vehicle category, the
114 owner may surrender the license plates issued to the motor vehicle and receive credit for any
115 unused portion of the original registration fee against the registration fee of another motor
116 vehicle. Such credit shall be granted based upon the date the license plates are surrendered.
117 No refunds shall be made on the unused portion of any license plates surrendered for such
118 credit.

119 8. An additional temporary license plate produced in a manner and of materials
120 determined by the director to be the most cost-effective means of production with a
121 configuration that matches an existing or newly issued plate may be purchased by a motor
122 vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's
123 view out of the rear window is not obstructed and the plate configuration is clearly visible
124 from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item
125 obstructs the view of the actual plate. Such temporary plate is only authorized for use when
126 the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of
127 section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for
128 a temporary permit issued under subsection 4 of this section. Replacement temporary plates
129 authorized in this subsection may be issued as needed upon the payment of a fee equal to the
130 fee charged for a temporary permit under subsection 4 of this section. The newly produced
131 third plate may only be used on the vehicle with the matching plate, and the additional plate
132 shall be clearly recognizable as a third plate and only used for the purpose specified in this
133 subsection.

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

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

161 11. The director of the department of revenue may promulgate all necessary rules and
162 regulations for the administration of this section. Any rule or portion of a rule, as that term is
163 defined in section 536.010, that is created under the authority delegated in this section shall
164 become effective only if it complies with and is subject to all of the provisions of chapter 536
165 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any
166 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
167 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
168 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012,
169 shall be invalid and void.

170 ~~[11.]~~ 12. The repeal and reenactment of this section shall become effective on the date
171 the department of revenue or a producer authorized by the director of the department of
172 revenue begins producing temporary permits described in subsection 4 of such section, or on
173 July 1, 2013, whichever occurs first. If the director of revenue or a producer authorized by
174 the director of the department of revenue begins producing temporary permits prior to July 1,
175 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:

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

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

4 (3) "Other authorized health care practitioner" includes advanced practice registered
5 nurses licensed pursuant to chapter 335, physician assistants licensed pursuant to chapter 334,
6 chiropractors licensed pursuant to chapter 331, podiatrists licensed pursuant to chapter 330,
7 assistant physicians, physical therapists licensed pursuant to chapter 334, **occupational**
8 **therapists licensed pursuant to chapter 324**, and optometrists licensed pursuant to chapter
9 336;

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

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

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

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

22 (d) Uses portable oxygen; or

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

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

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

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

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

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

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

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

44 3. A physician's statement shall:

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

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

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

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

52 4. If it is the professional opinion of the physician or other authorized health care
53 practitioner issuing the statement that the physical disability of the applicant, user, or member
54 of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the
55 physician or other authorized health care practitioner shall note on the statement the
56 anticipated length of the disability, which shall determine the expiration date for the
57 temporary windshield placard, and which period shall not exceed one hundred eighty days. If
58 the physician or health care practitioner fails to record an expiration date on the physician's
59 statement, the director shall issue a temporary windshield placard for a period of thirty days.

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

66 6. The medical or other records of the physician or other authorized health care
67 practitioner who issued a physician's statement shall be open to inspection and review by such

68 practitioner's licensing board, in order to verify compliance with this section. Information
69 contained within such records shall be confidential unless required for prosecution,
70 disciplinary purposes, or otherwise required to be disclosed by law.

71 7. Owners of motor vehicles who are residents of the state of Missouri, and who are
72 physically disabled, owners of motor vehicles operated at least fifty percent of the time by a
73 physically disabled person, or owners of motor vehicles used to primarily transport physically
74 disabled members of the owner's household may obtain disabled person license plates. Such
75 owners, upon application to the director accompanied by the documents and fees provided for
76 in this section, a current physician's statement which has been issued within ninety days
77 proceeding the date the application is made, and proof of compliance with the state motor
78 vehicle laws relating to registration and licensing of motor vehicles, shall be issued motor
79 vehicle license plates for vehicles, other than commercial vehicles with a gross weight in
80 excess of twenty-four thousand pounds, upon which shall be inscribed the international
81 wheelchair accessibility symbol and the word "DISABLED" in addition to a combination of
82 letters and numbers. Such license plates shall be made with fully reflective material with a
83 common color scheme and design, shall be clearly visible at night, and shall be aesthetically
84 attractive, as prescribed by section 301.130. If at any time an individual who obtained
85 disabled license plates issued under this subsection no longer occupies a residence with a
86 physically disabled person, or no longer owns a vehicle that is operated at least fifty percent
87 of the time by a physically disabled person, such individual shall surrender the disabled
88 license plates to the department within thirty days of becoming ineligible for their use.

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

95 9. No additional fee shall be paid to the director for the issuance of the special license
96 plates provided in this section, except for special personalized license plates and other license
97 plates described in this subsection. Priority for any specific set of special license plates shall
98 be given to the applicant who received the number in the immediately preceding license
99 period subject to the applicant's compliance with the provisions of this section and any
100 applicable rules or regulations issued by the director. If determined feasible by the advisory
101 committee established in section 301.129, any special license plate issued pursuant to this
102 section may be adapted to also include the international wheelchair accessibility symbol and
103 the word "DISABLED" as prescribed in this section and such plate may be issued to any

104 applicant who meets the requirements of this section and the other appropriate provision of
105 this chapter, subject to the requirements and fees of the appropriate provision of this chapter.

106 10. Any physically disabled person, or the parent or guardian of any such person, or
107 any not-for-profit group, organization, or other entity which transports more than one
108 physically disabled person, may apply to the director of revenue for a removable windshield
109 placard. The placard may be used in motor vehicles which do not bear the permanent
110 handicap symbol on the license plate. Such placards must be hung from the front, middle
111 rearview mirror of a parked motor vehicle and may not be hung from the mirror during
112 operation. These placards may only be used during the period of time when the vehicle is
113 being used by a disabled person, or when the vehicle is being used to pick up, deliver, or
114 collect a disabled person, and shall be surrendered to the department, within thirty days, if a
115 group, organization, or entity that obtained the removable windshield placard due to the
116 transportation of more than one physically disabled person no longer transports more than one
117 disabled person. When there is no rearview mirror, the placard shall be displayed on the
118 dashboard on the driver's side.

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

130 12. A temporary windshield placard shall be issued to any physically disabled person,
131 or the parent or guardian of any such person who otherwise qualifies except that the physical
132 disability, in the opinion of the physician, is not expected to exceed a period of one hundred
133 eighty days. The temporary windshield placard shall conform to the specifications, in respect
134 to size, color, and content, as set forth in federal regulations published by the Department of
135 Transportation. The fee for the temporary windshield placard shall be two dollars. Upon
136 request, and for good cause shown, one additional temporary windshield placard may be
137 issued to an applicant. Temporary windshield placards shall be issued upon presentation of
138 the physician's statement provided by this section and shall be displayed in the same manner
139 as removable windshield placards. A person or entity shall be qualified to possess and
140 display a temporary removable windshield placard for six months and the placard may be

renewed once for an additional six months if a physician's statement pursuant to this section is supplied to the director of revenue at the time of renewal.

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

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

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

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

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

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

17. The director of revenue upon receiving a physician's statement pursuant to this subsection shall check with the state board of registration for the healing arts created in

178 section 334.120, or the Missouri state board of nursing established in section 335.021, with
179 respect to physician's statements signed by advanced practice registered nurses, or the
180 Missouri state board of chiropractic examiners established in section 331.090, with respect to
181 physician's statements signed by licensed chiropractors, or ~~[with]~~ the board of optometry
182 established in section 336.130, with respect to physician's statements signed by licensed
183 optometrists, or the state board of podiatric medicine created in section 330.100, with respect
184 to physician's statements signed by physicians of the foot or podiatrists, **or the Missouri**
185 **board of occupational therapy established in section 324.063, with respect to physician's**
186 **statements signed by licensed occupational therapists,** to determine whether the physician
187 is duly licensed and registered pursuant to law.

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

192 19. Where the owner's application is based on the fact that the vehicle is used at least
193 fifty percent of the time by a physically disabled person, the applicant shall submit a
194 statement stating this fact, in addition to the physician's statement. The statement shall be
195 signed by both the owner of the vehicle and the physically disabled person. The applicant
196 shall be required to submit this statement with each application for license plates. No person
197 shall willingly or knowingly submit a false statement and any such false statement shall be
198 considered perjury and may be punishable pursuant to section 301.420.

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

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

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

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

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

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

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

 301.190. 1. No certificate of registration of any motor vehicle or trailer, or number
2 plate therefor, shall be issued by the director of revenue unless the applicant therefor shall
3 make application for and be granted a certificate of ownership of such motor vehicle or trailer,
4 or shall present satisfactory evidence that such certificate has been previously issued to the
5 applicant for such motor vehicle or trailer. Application shall be made within thirty days after
6 the applicant acquires the motor vehicle or trailer, unless the motor vehicle was acquired
7 under section 301.213 or subsection 5 of section 301.210 in which case the applicant shall
8 make application within thirty days after receiving title from the dealer, upon a blank form
9 furnished by the director of revenue and shall contain the applicant's identification number, a
10 full description of the motor vehicle or trailer, the vehicle identification number, and the
11 mileage registered on the odometer at the time of transfer of ownership, as required by section
12 407.536, together with a statement of the applicant's source of title and of any liens or
13 encumbrances on the motor vehicle or trailer, provided that for good cause shown the director
14 of revenue may extend the period of time for making such application. When an owner wants
15 to add or delete a name or names on an application for certificate of ownership of a motor
16 vehicle or trailer that would cause it to be inconsistent with the name or names listed on the
17 notice of lien, the owner shall provide the director with documentation evidencing the
18 lienholder's authorization to add or delete a name or names on an application for certificate of
19 ownership.

20 2. The director of revenue shall use reasonable diligence in ascertaining whether the
21 facts stated in such application are true and shall, to the extent possible without substantially
22 delaying processing of the application, review any odometer information pertaining to such
23 motor vehicle that is accessible to the director of revenue. If satisfied that the applicant is the

24 lawful owner of such motor vehicle or trailer, or otherwise entitled to have the same
25 registered in his name, the director shall thereupon issue an appropriate certificate over his
26 signature and sealed with the seal of his office, procured and used for such purpose. The
27 certificate shall contain on its face a complete description, vehicle identification number, and
28 other evidence of identification of the motor vehicle or trailer, as the director of revenue may
29 deem necessary, together with the odometer information required to be put on the face of the
30 certificate pursuant to section 407.536, a statement of any liens or encumbrances which the
31 application may show to be thereon, and, if ownership of the vehicle has been transferred, the
32 name of the state issuing the transferor's title and whether the transferor's odometer mileage
33 statement executed pursuant to section 407.536 indicated that the true mileage is materially
34 different from the number of miles shown on the odometer, or is unknown.

35 3. The director of revenue shall appropriately designate on the current and all
36 subsequent issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change
37 Vehicle", "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as
38 defined in section 301.010. Effective July 1, 1990, on all original and all subsequent issues of
39 the certificate for motor vehicles as referenced in subsections 2 and 3 of section 301.020, the
40 director shall print on the face thereof the following designation: "Annual odometer updates
41 may be available from the department of revenue.". On any duplicate certificate, the director
42 of revenue shall reprint on the face thereof the most recent of either:

43 (1) The mileage information included on the face of the immediately prior certificate
44 and the date of purchase or issuance of the immediately prior certificate; or

45 (2) Any other mileage information provided to the director of revenue, and the date
46 the director obtained or recorded that information.

47 4. The certificate of ownership issued by the director of revenue shall be
48 manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit,
49 duplicate, or forge such certificate without ready detection. In order to carry out the
50 requirements of this subsection, the director of revenue may contract with a nonprofit
51 scientific or educational institution specializing in the analysis of secure documents to
52 determine the most effective methods of rendering Missouri certificates of ownership
53 nonalterable or noncounterfeitable.

54 5. The fee for each original certificate so issued shall be eight dollars and fifty cents,
55 in addition to the fee for registration of such motor vehicle or trailer. If application for the
56 certificate is not made within thirty days after the vehicle is acquired by the applicant, or
57 where the motor vehicle was acquired under section 301.213 or subsection 5 of section
58 301.210 and the applicant fails to make application within thirty days after receiving title
59 from the dealer, a delinquency penalty fee of twenty-five dollars for the first thirty days of
60 delinquency and twenty-five dollars for each thirty days of delinquency thereafter, not to

61 exceed a total of two hundred dollars, but such penalty may be waived by the director for a
62 good cause shown. If the director of revenue learns that any person has failed to obtain a
63 certificate within thirty days after acquiring a motor vehicle or trailer, or where the motor
64 vehicle was acquired under section 301.213 or subsection 5 of section 301.210 and the
65 applicant fails to make application within thirty days after receiving title from the dealer, or
66 has sold a vehicle without obtaining a certificate, he shall cancel the registration of all
67 vehicles registered in the name of the person, either as sole owner or as a co-owner, and shall
68 notify the person that the cancellation will remain in force until the person pays the
69 delinquency penalty fee provided in this section, together with all fees, charges and payments
70 which the person should have paid in connection with the certificate of ownership and
71 registration of the vehicle. The certificate shall be good for the life of the motor vehicle or
72 trailer so long as the same is owned or held by the original holder of the certificate and shall
73 not have to be renewed annually.

74 6. Any applicant for a certificate of ownership requesting the department of revenue
75 to process an application for a certificate of ownership in an expeditious manner requiring
76 special handling shall pay a fee of five dollars in addition to the regular certificate of
77 ownership fee.

78 7. It is unlawful for any person to operate in this state a motor vehicle or trailer
79 required to be registered under the provisions of the law unless a certificate of ownership has
80 been applied for as provided in this section.

81 8. Before an original Missouri certificate of ownership is issued, an inspection of the
82 vehicle and a verification of vehicle identification numbers shall be made by the Missouri
83 state highway patrol on vehicles for which there is a current title issued by another state if a
84 Missouri salvage certificate of title has been issued for the same vehicle but no prior
85 inspection and verification has been made in this state, except that if such vehicle has been
86 inspected in another state by a law enforcement officer in a manner comparable to the
87 inspection process in this state and the vehicle identification numbers have been so verified,
88 the applicant shall not be liable for the twenty-five dollar inspection fee if such applicant
89 submits proof of inspection and vehicle identification number verification to the director of
90 revenue at the time of the application. The applicant, who has such a title for a vehicle on
91 which no prior inspection and verification have been made, shall pay a fee of twenty-five
92 dollars for such verification and inspection, payable to the director of revenue at the time of
93 the request for the application, which shall be deposited in the state treasury to the credit of
94 the state highways and transportation department fund.

95 9. Each application for an original Missouri certificate of ownership for a vehicle
96 which is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit
97 vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by

98 the director of revenue shall be accompanied by a vehicle examination certificate issued by
99 the Missouri state highway patrol, or other law enforcement agency as authorized by the
100 director of revenue. The vehicle examination shall include a verification of vehicle
101 identification numbers and a determination of the classification of the vehicle. The owner of
102 a vehicle which requires a vehicle examination certificate shall present the vehicle for
103 examination and obtain a completed vehicle examination certificate prior to submitting an
104 application for a certificate of ownership to the director of revenue. Notwithstanding any
105 provision of the law to the contrary, an owner presenting a motor vehicle which has been
106 issued a salvage title and which is ten years of age or older to a vehicle examination described
107 in this subsection in order to obtain a certificate of ownership with the designation prior
108 salvage motor vehicle shall not be required to repair or restore the vehicle to its original
109 appearance in order to pass or complete the vehicle examination. The fee for the vehicle
110 examination application shall be twenty-five dollars and shall be collected by the director of
111 revenue at the time of the request for the application and shall be deposited in the state
112 treasury to the credit of the state highways and transportation department fund. If the vehicle
113 is also to be registered in Missouri, the safety inspection required in chapter 307 and the
114 emissions inspection required under chapter 643 shall be completed and the fees required by
115 section 307.365 and section 643.315 shall be charged to the owner.

116 10. When an application is made for an original Missouri certificate of ownership for
117 a motor vehicle previously registered or titled in a state other than Missouri or as required by
118 section 301.020, it shall be accompanied by a current inspection form certified by a duly
119 authorized official inspection station as described in chapter 307, **except that such**
120 **inspection may be completed by an employee of a licensed new or used motor vehicle**
121 **dealer for a motor vehicle sold to a person who lives outside of this state and intends to**
122 **register the vehicle outside of this state or for a motor vehicle having less than thirty**
123 **thousand miles for the three-year period following the model year of manufacture.** The
124 completed form shall certify that the manufacturer's identification number for the vehicle has
125 been inspected, that it is correctly displayed on the vehicle and shall certify the reading shown
126 on the odometer at the time of inspection. The inspection station **or, in the case of a motor**
127 **vehicle sold to a person who lives outside of this state and intends to register the vehicle**
128 **outside of this state or a motor vehicle having less than thirty thousand miles for the**
129 **three-year period following the model year of manufacture, the licensed new or used**
130 **motor vehicle dealer** shall collect the same fee as authorized in section 307.365 for making
131 the inspection, and the fee shall be deposited in the same manner as provided in section
132 307.365. If the vehicle is also to be registered in Missouri, the safety inspection required in
133 chapter 307 and the emissions inspection required under chapter 643 shall be completed and
134 only the fees required by section 307.365 and section 643.315 shall be charged to the owner.

135 This section shall not apply to vehicles being transferred on a manufacturer's statement of
136 origin. **A licensed new or used motor vehicle dealer completing the inspection under this**
137 **section shall be subject to disciplinary action up to and including suspension or**
138 **revocation of their dealer's license for knowingly completing such inspection with**
139 **incorrect information. Such disciplinary action shall take place in accordance with**
140 **department of revenue regular procedures for disciplinary action.**

141 11. Motor vehicles brought into this state in a wrecked or damaged condition or after
142 being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle
143 procedures shall, in lieu of the inspection required by subsection 10 of this section, be
144 inspected by the Missouri state highway patrol in accordance with subsection 9 of this
145 section. If the inspection reveals the vehicle to be in a salvage or junk condition, the director
146 shall so indicate on any Missouri certificate of ownership issued for such vehicle. Any
147 salvage designation shall be carried forward on all subsequently issued certificates of title for
148 the motor vehicle.

149 12. When an application is made for an original Missouri certificate of ownership for
150 a motor vehicle previously registered or titled in a state other than Missouri, and the
151 certificate of ownership has been appropriately designated by the issuing state as a
152 reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, or
153 prior salvage vehicle, the director of revenue shall appropriately designate on the current
154 Missouri and all subsequent issues of the certificate of ownership the name of the issuing state
155 and such prior designation. The absence of any prior designation shall not relieve a transferor
156 of the duty to exercise due diligence with regard to such certificate of ownership prior to the
157 transfer of a certificate. If a transferor exercises any due diligence with regard to a certificate
158 of ownership, the legal transfer of a certificate of ownership without any designation that is
159 subsequently discovered to have or should have had a designation shall be a transfer free and
160 clear of any liabilities of the transferor associated with the missing designation.

161 13. When an application is made for an original Missouri certificate of ownership for
162 a motor vehicle previously registered or titled in a state other than Missouri, and the
163 certificate of ownership has been appropriately designated by the issuing state as non-USA-
164 std motor vehicle, the director of revenue shall appropriately designate on the current
165 Missouri and all subsequent issues of the certificate of ownership the words "Non-USA-Std
166 Motor Vehicle".

167 14. The director of revenue and the superintendent of the Missouri state highway
168 patrol shall make and enforce rules for the administration of the inspections required by this
169 section.

170 15. Each application for an original Missouri certificate of ownership for a vehicle
171 which is classified as a reconstructed motor vehicle, manufactured forty or more years prior

172 to the current model year, and which has a value of three thousand dollars or less shall be
173 accompanied by:

174 (1) A proper affidavit submitted by the owner explaining how the motor vehicle or
175 trailer was acquired and, if applicable, the reasons a valid certificate of ownership cannot be
176 furnished;

177 (2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the
178 source of all major component parts used to rebuild the vehicle;

179 (3) A fee of one hundred fifty dollars in addition to the fees described in subsection 5
180 of this section. Such fee shall be deposited in the state treasury to the credit of the state
181 highways and transportation department fund; and

182 (4) An inspection certificate, other than a motor vehicle examination certificate
183 required under subsection 9 of this section, completed and issued by the Missouri state
184 highway patrol, or other law enforcement agency as authorized by the director of revenue.
185 The inspection performed by the highway patrol or other authorized local law enforcement
186 agency shall include a check for stolen vehicles.

187

188 The department of revenue shall issue the owner a certificate of ownership designated with
189 the words "Reconstructed Motor Vehicle" and deliver such certificate of ownership in
190 accordance with the provisions of this chapter. Notwithstanding subsection 9 of this section,
191 no owner of a reconstructed motor vehicle described in this subsection shall be required to
192 obtain a vehicle examination certificate issued by the Missouri state highway patrol.

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

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

13 3. Upon presentation of the annual statement, payment of a fifteen dollar fee in
14 addition to the regular registration fees and documents which may be required by law, the
15 director of the department of revenue shall issue a license plate, which shall bear an emblem
16 of the Missouri conservation heritage foundation in a form prescribed by the director, to the

17 vehicle owner. Such license plates shall be made with fully reflective material with a
18 common color scheme and design, shall be clearly visible at night, and shall be aesthetically
19 attractive, as prescribed by section 301.130. Notwithstanding the provisions of section
20 301.144, no additional fee shall be charged for the personalization of license plates pursuant
21 to this section.

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

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

30 ~~[5-]~~ **6.** The director of the department of revenue may promulgate rules and
31 regulations for the administration of this section. Any rule or portion of a rule, as that term is
32 defined in section 536.010, that is promulgated under the authority delegated in this section
33 shall become effective only if it has been promulgated pursuant to the provisions of chapter
34 536. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect;
35 however, nothing in this section shall be interpreted to repeal or affect the validity of any rule
36 filed or adopted prior to August 28, 1999, if it fully complied with the provisions of chapter
37 536. This section and chapter 536 are nonseverable and if any of the powers vested with the
38 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
39 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
40 rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid
41 and void.

301.558. 1. A motor vehicle dealer, **trailer dealer**, boat dealer, or powersport dealer
2 may fill in the blanks on standardized forms in connection with the sale or lease of a new or
3 used motor vehicle, **trailer**, vessel, or vessel trailer if the motor vehicle dealer, **trailer dealer**,
4 boat dealer, or powersport dealer does not charge for the services of filling in the blanks or
5 otherwise charge for preparing documents.

6 2. A motor vehicle dealer, **trailer dealer**, boat dealer, or powersport dealer may
7 charge an administrative fee in connection with the sale or lease of a new or used motor
8 vehicle, **trailer**, vessel, or vessel trailer for the storage of documents or any other
9 administrative or clerical services not prohibited by this section. A portion of the
10 administrative fee may result in profit to the motor vehicle dealer, **trailer dealer**, boat dealer,
11 or powersport dealer.

12 3. (1) Ten percent of any fee authorized under this section and charged by motor
13 vehicle dealers **or trailer dealers** shall be remitted to the motor vehicle administration
14 technology fund established in this subsection, for the development of the system specified in
15 this subsection. Following the development of the system specified in this subsection, the
16 director of the department of revenue shall notify motor vehicle dealers **and trailer dealers**,
17 and implement the system, and the percentage of any fee authorized under this section
18 required to be remitted to the fund shall be reduced to ~~[one]~~ **three and one-half** percent,
19 which shall be used for maintenance of the system. This subsection shall expire on January 1,
20 2037.

21 (2) There is hereby created in the state treasury the "Motor Vehicle Administration
22 Technology Fund", which shall consist of money collected as specified in this subsection.
23 The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and
24 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund
25 and money in the fund shall be used solely by the department of revenue for the purpose of
26 development and maintenance of a modernized, integrated system for the titling of vehicles,
27 issuance and renewal of vehicle registrations, issuance and renewal of driver's licenses and
28 identification cards, and perfection and release of liens and encumbrances on vehicles.

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

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

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

47 5. If an administrative fee is charged under this section, the same administrative fee
48 shall be charged to all retail customers unless the fee is limited by the dealer's franchise

49 agreement to certain classes of customers. The fee shall be disclosed on the retail buyer's
50 order form as a separate itemized charge.

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

57

58 "AN ADMINISTRATIVE FEE IS NOT AN OFFICIAL FEE AND IS NOT REQUIRED BY
59 LAW BUT MAY BE CHARGED BY A DEALER. THIS ADMINISTRATIVE FEE MAY
60 RESULT IN A PROFIT TO DEALER. NO PORTION OF THIS ADMINISTRATIVE FEE
61 IS FOR THE DRAFTING, PREPARATION, OR COMPLETION OF DOCUMENTS OR
62 THE PROVIDING OF LEGAL ADVICE. THIS NOTICE IS REQUIRED BY LAW."

63 7. The general assembly believes that an administrative fee charged in compliance
64 with this section is not the unauthorized practice of law or the unauthorized business of law so
65 long as the activity or service for which the fee is charged is in compliance with the
66 provisions of this section and does not result in the waiver of any rights or remedies.
67 Recognizing, however, that the judiciary is the sole arbitrator of what constitutes the practice
68 of law, in the event that a court determines that an administrative fee charged in compliance
69 with this section, and that does not waive any rights or remedies of the buyer, is the
70 unauthorized practice of law or the unauthorized business of law, then no person who paid
71 that administrative fee may recover said fee or treble damages, as permitted under section
72 484.020, and no person who charged that fee shall be guilty of a misdemeanor, as provided
73 under section 484.020.

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

3 (1) Motor vehicles having less than one hundred fifty thousand miles~~], for the ten-~~
4 ~~year period following their model year of manufacture]~~ **and of model year 2012 or newer,**
5 excluding prior salvage vehicles immediately following a rebuilding process and vehicles
6 subject to the provisions of section 307.380;

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

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

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

16

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

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

44 3. No person whose motor vehicle was duly inspected and approved as provided in
45 this section shall be required to have the same motor vehicle again inspected and approved for
46 the sole reason that such person wishes to obtain a set of any special personalized license
47 plates available pursuant to section 301.144 or a set of any license plates available pursuant to
48 section 301.142, prior to the expiration date of such motor vehicle's current registration.

49 4. Notwithstanding the provisions of section 307.390, violation of this section shall
50 be deemed an infraction.

 307.380. 1. Every vehicle of the type required to be inspected upon having been
2 involved in an accident and when so directed by a police officer must be inspected and an
3 official certificate of inspection and approval, sticker, seal or other device be obtained for
4 such vehicle before it is again operated on the highways of this state.

5 2. At the seller's expense every used motor vehicle of the type required to be
6 inspected by section 307.350 shall immediately prior to sale be fully inspected regardless of
7 any current certificate of inspection and approval, and an appropriate new certificate of
8 inspection and approval, sticker, seal or other device shall be obtained **no more than sixty**
9 **days prior to the date of sale, except that such inspection shall not be required for a**
10 **motor vehicle sold to a person who lives outside of this state and intends to register the**
11 **vehicle outside of this state or for a motor vehicle having less than thirty thousand miles**
12 **for the three-year period following the model year of manufacture when:**

13 (1) Sold by a private seller; or

14 (2) Sold by a licensed new or used motor vehicle dealer, provided that such
15 dealer has sold at least two hundred motor vehicles in the previous calendar year.

16

17 **The seller of a motor vehicle required to be inspected under this subsection shall present**
18 **the certificate of inspection and approval to the buyer at the point of sale and the buyer**
19 **shall be required to submit the certificate of inspection when applying for registration of**
20 **the vehicle.**

21 ~~[2-]~~ 3. Nothing contained in the provisions of this section shall be construed to
22 prohibit a dealer or any other person from selling a vehicle without a certificate of inspection
23 and approval if the vehicle is sold for junk, salvage, or for rebuilding, or for vehicles sold at
24 public auction or from dealer to dealer. The purchaser of any vehicle which is purchased for
25 junk, salvage, or for rebuilding shall give to the seller an affidavit, on a form prescribed by the
26 superintendent of the Missouri state highway patrol, stating that the vehicle is being
27 purchased for one of the reasons stated herein. No vehicle of the type required to be inspected
28 by section 307.350 which is purchased as junk, salvage, or for rebuilding shall again be
29 registered in this state until the owner has submitted the vehicle for inspection and obtained
30 an official certificate of inspection and approval, sticker, seal or other device for such vehicle.

31 ~~[3-]~~ 4. Notwithstanding the provisions of section 307.390, violation of this section
32 shall be deemed an infraction.

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