

FIRST REGULAR SESSION

HOUSE BILL NO. 336

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLEY.

0710H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 302.302, RSMo, and to enact in lieu thereof two new sections relating to loads carried by trucks, with penalty provisions.

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

Section A. Section 302.302, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 260.333 and 302.302, to read as follows:

260.333. 1. Each operator of a solid waste sanitary landfill shall collect a charge equal to twenty-five cents per ton or its volumetric equivalent of solid waste accepted and each operator of the solid waste demolition landfill shall collect a charge equal to twenty-five cents per ton or its volumetric equivalent of solid waste accepted. Each operator shall submit the charge, less collection costs, to the department of revenue for deposit in the state road fund to be used by the department of transportation solely for highway beautification purposes. Beginning January 1, 2027, and each year thereafter until January 1, 2030, the charge imposed shall be increased by twenty-five cents. Thereafter, the charge imposed shall be adjusted annually by the same percentage as the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor or its successor agency. Collection costs shall not exceed two percent of the amount collected under this section. Charges collected under this section shall be separate from and in addition to any charges collected under section 260.330.

2. The charges established in this section shall be enumerated separately from the disposal fee charged by the landfill and may be passed through to persons who

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.

18 generated the solid waste. Moneys transmitted to the department shall be no less than
19 the amount collected less collection costs and in a form, manner, and frequency as the
20 department shall prescribe. Failure to collect the charge does not relieve the operator
21 from responsibility for transmitting an amount equal to the charge to the department.

22 3. The department of revenue may examine or audit financial records and
23 landfill activity records and measure landfill usage to verify the collection and
24 transmittal of the charges established in this section. The department may promulgate
25 by rule and regulation procedures to ensure and to verify that the charges imposed
26 herein are properly collected and transmitted to the department.

27 4. Any person who operates a transfer station in Missouri shall transmit a fee to
28 the department of revenue for deposit in the state road fund that is equal to twenty-five
29 cents per ton or its volumetric equivalent of solid waste accepted to be used by the
30 department of transportation solely for highway beautification purposes. Beginning
31 January 1, 2027, and each year thereafter until January 1, 2030, the charge imposed
32 shall be increased by twenty-five cents. Thereafter, the charge imposed shall be
33 adjusted annually by the same percentage as the increase in the general price level as
34 measured by the Consumer Price Index for All Urban Consumers for the United States,
35 or its successor index, as defined and officially recorded by the United States
36 Department of Labor or its successor agency. Collection costs shall not exceed two
37 percent of the amount collected under this subsection. A transfer station with the sole
38 function of separating materials for recycling or resource recovery activities shall not be
39 subject to the fee imposed in this subsection.

40 5. Each political subdivision that owns an operational solid waste disposal area
41 may designate, under this section, up to two free disposal days during each calendar
42 year. On any such free disposal day, the political subdivision shall allow residents of the
43 political subdivision to dispose of any solid waste that may be lawfully disposed of at
44 such solid waste disposal area free of any charge, and such waste shall not be subject to
45 any state fee under this section. Notice of any free disposal day shall be posted at the
46 solid waste disposal area site and in at least one newspaper of general circulation in the
47 political subdivision no later than fourteen days prior to the free disposal day.

48 6. The department of revenue shall by rule and regulation provide for:

49 (1) The method and manner of collection of fees under this section, which shall
50 be substantially similar to the method and manner of collection of fees under section
51 260.330;

52 (2) The transmittal of fees and verification of waste volumes transported out of
53 state from transfer stations; and

54 (3) The cost of collection of fees under this section, which shall not exceed two
 55 percent.

56 7. Any rule or portion of a rule, as that term is defined in section 536.010, that is
 57 created under the authority delegated in this section shall become effective only if it
 58 complies with and is subject to all of the provisions of chapter 536 and, if applicable,
 59 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
 60 vested with the general assembly pursuant to chapter 536 to review, to delay the
 61 effective date, or to disapprove and annul a rule are subsequently held unconstitutional,
 62 then the grant of rulemaking authority and any rule proposed or adopted after August
 63 28, 2025, shall be invalid and void.

302.302. 1. The director of revenue shall put into effect a point system for the
 2 suspension and revocation of licenses. Points shall be assessed only after a conviction or
 3 forfeiture of collateral. The initial point value is as follows:

4	(1)	Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303	2 points
5		(except any violation of municipal stop sign ordinance where no accident is involved	1 point)
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11	(2)	Speeding	
12		In violation of a state law	3 points
13		In violation of a county or municipal ordinance	2 points
14	(3)	Leaving the scene of an accident in violation of section 577.060	12 points
15		In violation of any county or municipal ordinance	6 points
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17	(4)	Careless and imprudent driving in violation of subsection 4 of section 304.016	4 points
18		In violation of a county or municipal ordinance	2 points
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20	(5)	Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:	
21		(a) For the first conviction	2 points
22		(b) For the second conviction	4 points
23		(c) For the third conviction	6 points
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26	(6)	Operating with a suspended or revoked license prior to restoration of operating privileges	12 points
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28	(7)	Obtaining a license by misrepresentation	12 points
29	(8)	For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs	8 points
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32	(9)	For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight	12 points
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38	(10)	For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight	
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41		In violation of state law	8 points
42		In violation of a county or municipal ordinance or federal law or regulation	8 points
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44	(11)	Any felony involving the use of a motor vehicle	12 points
45	(12)	Knowingly permitting unlicensed operator to operate a motor vehicle	4 points
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47	(13)	For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025	4 points
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50	(14)	Endangerment of a highway worker in violation of section 304.585	4 points
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52	(15)	Aggravated endangerment of a highway worker in violation of section 304.585	12 points
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54	(16)	For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency	4 points
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60	(17)	Endangerment of an emergency responder in violation of section 304.894	4 points
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(18)	Aggravated endangerment of an emergency responder in violation of section 304.894	12 points
(19)	Failure to secure a load in violation of section 307.010	2 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. The operator shall be given the option to complete the driver-improvement program through an online or in-person course. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the

98 program shall meet the standards established by the state highways and transportation
99 commission pursuant to sections 302.133 to 302.137. The completion of a driver-
100 improvement program or a motorcycle-rider training course shall not be accepted in lieu of
101 points more than one time in any thirty-six-month period and shall be completed within sixty
102 days of the date of conviction in order to be accepted in lieu of the assessment of points.
103 Every court having jurisdiction pursuant to the provisions of this subsection shall, within
104 fifteen days after completion of the driver-improvement program or motorcycle-rider training
105 course by an operator, forward a record of the completion to the director, all other provisions
106 of the law to the contrary notwithstanding. The director shall establish procedures for record
107 keeping and the administration of this subsection.

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