

HOUSE BILL NO. 775

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BROMLEY.

1900H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 301.055, 301.070, 301.110, 301.140, 301.142, 301.147, 301.560, 301.570, 307.350, and 643.315, RSMo, and to enact in lieu thereof ten new sections relating to motor vehicle licensing, with penalty provisions and a contingent effective date.

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

Section A. Sections 301.055, 301.070, 301.110, 301.140, 301.142, 301.147, 301.560, 2 301.570, 307.350, and 643.315, RSMo, are repealed and ten new sections enacted in lieu 3 thereof, to be known as sections 301.055, 301.070, 301.110, 301.140, 301.142, 301.147, 4 301.560, 301.570, 307.350, and 643.315, to read as follows:

301.055. 1. The annual registration fee for motor vehicles other than commercial 2 motor vehicles is[=]

3	[Less than 12 horsepower]	[\$18.00]
4	[12 horsepower and less than 24 horsepower]	[21.00]
5	[24 horsepower and less than 36 horsepower]	[24.00]
6	[36 horsepower and less than 48 horsepower]	[33.00]
7	[48 horsepower and less than 60 horsepower]	[39.00]
8	[60 horsepower and less than 72 horsepower]	[45.00]
9	[72 horsepower and more]	[51.00]
10	[Motorcycles]	[8.50]
11	[Motortricycles]	[10.00]
12	[Autocycles]	[10.00]

13

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.

14 **twenty-five dollars, which shall include the railroad crossing safety fee prescribed in**
15 **section 389.612.**

16 **2. The annual registration fee for motorcycles, motortricycles, and autocycles is**
17 **ten dollars, which shall include the railroad crossing safety fee prescribed in section**
18 **389.612.**

19 ~~[2-]~~ **3.** Notwithstanding any other provision of law, the registration of any autocycle
20 registered as a motorcycle or motortricycle prior to August 28, 2018, shall remain in effect
21 until the expiration of the registration period for such vehicle at which time the owner shall be
22 required to renew the motor vehicle's registration under the autocycle classification and pay
23 the appropriate registration fee.

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

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

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

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

17 ~~[5-]~~ **2.** The decision of the director as to the type of motor vehicles and their
18 classification for the purpose of registration and the computation of fees therefor shall be final
19 and conclusive.

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

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

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

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

37 4. The director of the department of revenue shall have authority to produce or allow
38 others to produce a weather resistant, nontearing temporary permit authorizing the operation
39 of a motor vehicle or trailer by a buyer for not more than thirty days, or no more than ninety
40 days if issued by a dealer selling the motor vehicle under the provisions of section 301.213, or
41 no more than sixty days if issued by a dealer selling the motor vehicle under the provisions of
42 subsection 5 of section 301.210, from the date of purchase. The temporary permit authorized
43 under this section may be purchased by the purchaser of a motor vehicle or trailer from the
44 central office of the department of revenue or from an authorized agent of the department of
45 revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no
46 registration plate available for transfer and upon proof of financial responsibility, or from a
47 motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has no
48 registration plate available for transfer, or from a motor vehicle dealer upon purchase of a
49 motor vehicle or trailer for which the buyer has registered and is awaiting receipt of
50 registration plates. The director of the department of revenue or a producer authorized by the
51 director of the department of revenue may make temporary permits available to registered
52 dealers in this state, authorized agents of the department of revenue or the department of
53 revenue. The price paid by a motor vehicle dealer, an authorized agent of the department of
54 revenue or the department of revenue for a temporary permit shall not exceed five dollars for
55 each permit. The director of the department of revenue shall direct motor vehicle dealers and
56 authorized agents to obtain temporary permits from an authorized producer. Amounts
57 received by the director of the department of revenue for temporary permits shall constitute
58 state revenue; however, amounts received by an authorized producer other than the director of
59 the department of revenue shall not constitute state revenue and any amounts received by
60 motor vehicle dealers or authorized agents for temporary permits purchased from a producer

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

79 5. The permit shall be issued on a form prescribed by the director of the department of
80 revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer
81 purchased to enable the applicant to temporarily operate the motor vehicle while proper title
82 and registration plates are being obtained, or while awaiting receipt of registration plates, and
83 shall be displayed on no other motor vehicle. Temporary permits issued pursuant to this
84 section shall not be transferable or renewable, shall not be valid upon issuance of proper
85 registration plates for the motor vehicle or trailer, and shall be returned to the department or to
86 the department's agent upon the issuance of such proper registration plates. Any temporary
87 permit returned to the department or to the department's agent shall be immediately
88 destroyed. The provisions of this subsection shall not apply to temporary permits issued for
89 commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight.
90 The director of the department of revenue shall determine the size, material, design,
91 numbering configuration, construction, and color of the permit. The director of the
92 department of revenue, at his or her discretion, shall have the authority to reissue, and thereby
93 extend the use of, a temporary permit previously and legally issued for a motor vehicle or
94 trailer while proper title and registration are being obtained.

95 6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection
96 by proper officers, an accurate record of each permit issued by recording the permit number,
97 the motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make,

98 and manufacturer's vehicle identification number, and the permit's date of issuance and
99 expiration date. Upon the issuance of a temporary permit by either the central office of the
100 department of revenue, a motor vehicle dealer or an authorized agent of the department of
101 revenue, the director of the department of revenue shall make the information associated with
102 the issued temporary permit immediately available to the law enforcement community of the
103 state of Missouri.

104 7. Upon the transfer of ownership of any currently registered motor vehicle wherein
105 the owner cannot transfer the license plates due to a change of motor vehicle category, the
106 owner may surrender the license plates issued to the motor vehicle and receive credit for any
107 unused portion of the original registration fee against the registration fee of another motor
108 vehicle. Such credit shall be granted based upon the date the license plates are surrendered.
109 No refunds shall be made on the unused portion of any license plates surrendered for such
110 credit.

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

126 9. Notwithstanding the provisions of section 301.217, the director may issue a
127 temporary permit to an individual who possesses a salvage motor vehicle which requires an
128 inspection under subsection 9 of section 301.190. The operation of a salvage motor vehicle
129 for which the permit has been issued shall be limited to the most direct route from the
130 residence, maintenance, or storage facility of the individual in possession of such motor
131 vehicle to the nearest authorized inspection facility and return to the originating location.
132 Notwithstanding any other requirements for the issuance of a temporary permit under this
133 section, an individual obtaining a temporary permit for the purpose of operating a motor
134 vehicle to and from an examination facility as prescribed in this subsection shall also

135 purchase the required motor vehicle examination form which is required to be completed for
136 an examination under subsection 9 of section 301.190 and provide satisfactory evidence that
137 such vehicle has passed a motor vehicle safety inspection for such vehicle as required in
138 section 307.350.

139 10. The director of the department of revenue may promulgate all necessary rules and
140 regulations for the administration of this section. Any rule or portion of a rule, as that term is
141 defined in section 536.010, that is created under the authority delegated in this section shall
142 become effective only if it complies with and is subject to all of the provisions of chapter 536
143 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any
144 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
145 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
146 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012,
147 shall be invalid and void.

148 11. The repeal and reenactment of this section shall become effective on the date the
149 department of revenue or a producer authorized by the director of the department of revenue
150 begins producing temporary permits described in subsection 4 of such section, or on July 1,
151 2013, whichever occurs first. If the director of revenue or a producer authorized by the
152 director of the department of revenue begins producing temporary permits prior to July 1,
153 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, and optometrists
8 licensed pursuant to chapter 336;

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

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

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

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

21 (d) Uses portable oxygen; or

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

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

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

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

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

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

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

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

43 3. A physician's statement shall:

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

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

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

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

51 4. If it is the professional opinion of the physician or other authorized health care
52 practitioner issuing the statement that the physical disability of the applicant, user, or member
53 of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the
54 physician or other authorized health care practitioner shall note on the statement the

55 anticipated length of the disability, which shall determine the expiration date for the
56 temporary windshield placard, and which period shall not exceed one hundred eighty days. If
57 the physician or health care practitioner fails to record an expiration date on the physician's
58 statement, the director shall issue a temporary windshield placard for a period of thirty days.

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

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

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

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

92 to pick up, deliver, or collect the physically disabled person issued the disabled motor vehicle
93 license plate or disabled windshield hanging placard.

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

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

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

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

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

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

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

160 16. (1) Except as otherwise provided in this subsection, every applicant for issuance
161 of a disabled license plate or placard shall be required to present a new physician's statement
162 dated no more than ninety days prior to such application, and for renewal applications a
163 physician's statement dated no more than ninety days prior to such application shall be
164 required every eighth year.

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

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

174 17. The director of revenue upon receiving a physician's statement pursuant to this
175 subsection shall check with the state board of registration for the healing arts created in
176 section 334.120, or the Missouri state board of nursing established in section 335.021, with
177 respect to physician's statements signed by advanced practice registered nurses, or the
178 Missouri state board of chiropractic examiners established in section 331.090, with respect to
179 physician's statements signed by licensed chiropractors, or with the board of optometry
180 established in section 336.130, with respect to physician's statements signed by licensed
181 optometrists, or the state board of podiatric medicine created in section 330.100, with respect
182 to physician's statements signed by physicians of the foot or podiatrists to determine whether
183 the physician is duly licensed and registered pursuant to law.

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

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

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

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

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

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

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

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

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

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

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

11 ~~(2) Presentation of].~~ **The applicant shall present** all documentation otherwise
12 required by law for vehicle registration including, but not limited to, a personal property tax
13 receipt or certified statement for the preceding year that no such taxes were due as set forth in

14 section 301.025, proof of a motor vehicle safety inspection and any applicable emission
15 inspection conducted within sixty days prior to the date of application, and proof of insurance
16 as required by section 303.026.

17 2. The director of revenue may prescribe rules and regulations for the effective
18 administration of this section. The director is authorized to adopt those rules that are
19 reasonable and necessary to accomplish the limited duties specifically delegated within this
20 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is
21 promulgated pursuant to the authority delegated in this section shall become effective only if
22 it has been promulgated pursuant to the provisions of chapter 536. This section and chapter
23 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
24 chapter 536 to review, to delay the effective date or to disapprove and annul a rule are
25 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
26 proposed or adopted after July 1, 2000, shall be invalid and void.

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

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

3 (1) Every application other than a renewal application for a **new** motor vehicle
4 franchise dealer shall include a certification that the applicant has a bona fide established
5 place of business. Such application shall include an annual certification that the applicant has
6 a bona fide established place of business for the first three years and only for every other year
7 thereafter. The certification shall be performed by a uniformed member of the Missouri state
8 highway patrol or authorized or designated employee stationed in the troop area in which the
9 applicant's place of business is located; except that in counties of the first classification,
10 certification may be performed by an officer of a metropolitan police department when the
11 applicant's established place of business of distributing or selling motor vehicles or trailers is
12 in the metropolitan area where the certifying metropolitan police officer is employed. When
13 the application is being made for licensure as a boat manufacturer or boat dealer, certification
14 shall be performed by a uniformed member of the Missouri state highway patrol or authorized
15 or designated employee stationed in the troop area in which the applicant's place of business
16 is located or, if the applicant's place of business is located within the jurisdiction of a
17 metropolitan police department in a first class county, by an officer of such metropolitan
18 police department. A bona fide established place of business for any new motor vehicle
19 franchise dealer, used motor vehicle dealer, boat dealer, powersport dealer, wholesale motor

20 vehicle dealer, trailer dealer, or wholesale or public auction shall be a permanent enclosed
21 building or structure, either owned in fee or leased and actually occupied as a place of
22 business by the applicant for the selling, bartering, trading, servicing, or exchanging of motor
23 vehicles, boats, personal watercraft, or trailers and wherein the public may contact the owner
24 or operator at any reasonable time, and wherein shall be kept and maintained the books,
25 records, files and other matters required and necessary to conduct the business. The applicant
26 shall maintain a working telephone number during the entire registration year which will
27 allow the public, the department, and law enforcement to contact the applicant during regular
28 business hours. The applicant shall also maintain an email address during the entire
29 registration year which may be used for official correspondence with the department. In order
30 to qualify as a bona fide established place of business for all applicants licensed pursuant to
31 this section there shall be an exterior sign displayed carrying the name of the business set
32 forth in letters at least six inches in height and clearly visible to the public and there shall be
33 an area or lot which shall not be a public street on which multiple vehicles, boats, personal
34 watercraft, or trailers may be displayed. The sign shall contain the name of the dealership by
35 which it is known to the public through advertising or otherwise, which need not be identical
36 to the name appearing on the dealership's license so long as such name is registered as a
37 fictitious name with the secretary of state, has been approved by its line-make manufacturer
38 in writing in the case of a new motor vehicle franchise dealer and a copy of such fictitious
39 name registration has been provided to the department. Dealers who sell only emergency
40 vehicles as defined in section 301.550 are exempt from maintaining a bona fide place of
41 business, including the related law enforcement certification requirements, and from meeting
42 the minimum yearly sales;

43 (2) The initial application for licensure shall include a photograph, not to exceed eight
44 inches by ten inches but no less than five inches by seven inches, showing the business
45 building, lot, and sign. A new motor vehicle franchise dealer applicant who has purchased a
46 currently licensed new motor vehicle franchised dealership shall be allowed to submit a
47 photograph of the existing dealership building, lot and sign but shall be required to submit a
48 new photograph upon the installation of the new dealership sign as required by sections
49 301.550 to 301.580. Applicants shall not be required to submit a photograph annually unless
50 the business has moved from its previously licensed location, or unless the name of the
51 business or address has changed, or unless the class of business has changed;

52 (3) Every applicant as a new motor vehicle franchise dealer, a used motor vehicle
53 dealer, a powersport dealer, a wholesale motor vehicle dealer, trailer dealer, or boat dealer
54 shall furnish with the application a corporate surety bond or an irrevocable letter of credit as
55 defined in section 400.5-102, issued by any state or federal financial institution in the penal
56 sum of fifty thousand dollars on a form approved by the department. The bond or irrevocable

57 letter of credit shall be conditioned upon the dealer complying with the provisions of the
58 statutes applicable to new motor vehicle franchise dealers, used motor vehicle dealers,
59 powersport dealers, wholesale motor vehicle dealers, trailer dealers, and boat dealers, and the
60 bond shall be an indemnity for any loss sustained by reason of the acts of the person bonded
61 when such acts constitute grounds for the suspension or revocation of the dealer's license.
62 The bond shall be executed in the name of the state of Missouri for the benefit of all
63 aggrieved parties or the irrevocable letter of credit shall name the state of Missouri as the
64 beneficiary; except, that the aggregate liability of the surety or financial institution to the
65 aggrieved parties shall, in no event, exceed the amount of the bond or irrevocable letter of
66 credit. Additionally, every applicant as a new motor vehicle franchise dealer, a used motor
67 vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, or boat dealer shall
68 furnish with the application a copy of a current dealer garage policy bearing the policy
69 number and name of the insurer and the insured. The proceeds of the bond or irrevocable
70 letter of credit furnished by an applicant shall be paid upon receipt by the department of a
71 final judgment from a Missouri court of competent jurisdiction against the principal and in
72 favor of an aggrieved party. The proceeds of the bond or irrevocable letter of credit furnished
73 by an applicant shall be paid at the order of the department and in the amount determined by
74 the department to any buyer or interested lienholder up to the greater of the amount required
75 for the release of the purchase money lien or the sales price paid by the buyer where a dealer
76 has failed to fulfill the dealer's obligations under an agreement to assign and deliver title to
77 the buyer within thirty days under a contract entered into pursuant to subsection 5 of section
78 301.210. The department shall direct release of the bond or irrevocable letter of credit
79 proceeds upon presentation of a written agreement entered into pursuant to subsection 5 of
80 section 301.210, copies of the associated sales and finance documents, and the affidavit or
81 affidavits of the buyer or lienholder stating that the certificate of title with assignment thereof
82 has not been passed to the buyer within thirty days of the date of the contract entered into
83 under subsection 5 of section 301.210, that the dealer has not fulfilled the agreement under
84 the contract to repurchase the vehicle, that the buyer or the lienholder has notified the dealer
85 of the claim on the bond or letter of credit, and the amount claimed by the purchaser or
86 lienholder. In addition, prior to directing release and payment of the proceeds of a bond or
87 irrevocable letter of credit, the department shall ensure that there is satisfactory evidence to
88 establish that the vehicle which is subject to the written agreement has been returned by the
89 buyer to the dealer or that the buyer has represented to the department that the buyer will
90 surrender possession of the vehicle to the dealer upon payment of the proceeds of the bond or
91 letter of credit directed by the department. Excepting ordinary wear and tear or mechanical
92 failures not caused by the buyer, the amount of proceeds to be paid to the buyer under the
93 bond or irrevocable letter of credit shall be reduced by an amount equivalent to any damage,

94 abuse, or destruction incurred by the vehicle while the vehicle was in the buyer's possession
95 as agreed between the buyer and the dealer. The dealer may apply to a court of competent
96 jurisdiction to contest the claim on the bond or letter of credit, including the amount of the
97 claim and the amount of any adjustment for any damage, abuse, or destruction, by filing a
98 petition with the court within thirty days of the notification by the buyer or lienholder. If the
99 dealer does not fulfill the agreement or file a petition to request judicial relief from the terms
100 of the agreement or contest the amount of the claim, the bond or letter of credit shall be
101 released by the department and directed paid in the amount or amounts presented by the
102 lienholder or buyer;

103 (4) Payment of all necessary license fees as established by the department. In
104 establishing the amount of the annual license fees, the department shall, as near as possible,
105 produce sufficient total income to offset operational expenses of the department relating to the
106 administration of sections 301.550 to 301.580. All fees payable pursuant to the provisions of
107 sections 301.550 to 301.580~~], other than those fees collected for the issuance of dealer plates~~
108 ~~or certificates of number collected pursuant to subsection 6 of this section,]~~ shall be collected
109 by the department for deposit in the state treasury to the credit of the "Motor Vehicle
110 Commission Fund", which is hereby created. The motor vehicle commission fund shall be
111 administered by the Missouri department of revenue. The provisions of section 33.080 to the
112 contrary notwithstanding, money in such fund shall not be transferred and placed to the credit
113 of the general revenue fund until the amount in the motor vehicle commission fund at the end
114 of the biennium exceeds two times the amount of the appropriation from such fund for the
115 preceding fiscal year or, if the department requires permit renewal less frequently than yearly,
116 then three times the appropriation from such fund for the preceding fiscal year. The amount,
117 if any, in the fund which shall lapse is that amount in the fund which exceeds the multiple of
118 the appropriation from such fund for the preceding fiscal year.

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

126 3. Except as otherwise provided in subsection 6 of this section, upon the initial
127 issuance of a license by the department, the department shall assign a distinctive dealer
128 license number or certificate of number to the applicant and the department shall issue one
129 number plate or certificate bearing the distinctive dealer license number or certificate of
130 number and two additional number plates or certificates of number within eight working

131 hours after presentment of the application and payment by the applicant of a fee of fifty
 132 dollars for the first plate or certificate and ten dollars and fifty cents for each additional plate
 133 or certificate. Upon renewal, the department shall issue [~~the distinctive dealer license number~~
 134 ~~or certificate of number~~] **a renewal tab to be placed on the lower right corner of the plate**
 135 **or certificate** as quickly as possible. **The fee for the tabs shall be twenty-five dollars for**
 136 **the first tab and six dollars for each additional tab.** The issuance of such distinctive dealer
 137 license number or certificate of number, **and tab or tabs**, shall be in lieu of registering each
 138 motor vehicle, trailer, vessel or vessel trailer dealt with by a boat dealer, boat manufacturer,
 139 manufacturer, public motor vehicle auction, wholesale motor vehicle dealer, wholesale motor
 140 vehicle auction or new or used motor vehicle dealer. The license plates described in this
 141 section shall be made with fully reflective material with a common color scheme and design,
 142 shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section
 143 301.130.

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

146	New motor vehicle franchise dealers	D-0 through D-999
147	New powersport dealers	D-1000 through D-1999
148	Used motor vehicle and used powersport	
149	dealers	D-2000 through D-9999
150	Wholesale motor vehicle dealers	W-0 through W-1999
151	Wholesale motor vehicle auctions	WA-0 through WA-999
152	New and used trailer dealers	T-0 through T-9999
153	Motor vehicle, trailer, and boat	
154	manufacturers	DM-0 through DM-999
155	Public motor vehicle auctions	A-0 through A-1999
156	Boat dealers	M-0 through M-9999
157	New and used recreational motor vehicle	
158	dealers	RV-0 through RV-999

159
 160 For purposes of this subsection, qualified transactions shall include the purchase of salvage
 161 titled vehicles by a licensed salvage dealer. A used motor vehicle dealer who also holds a
 162 salvage dealer's license shall be allowed one additional plate or certificate number per fifty-
 163 unit qualified transactions annually. In order for salvage dealers to obtain number plates or
 164 certificates under this section, dealers shall submit to the department of revenue on August
 165 first of each year a statement certifying, under penalty of perjury, the dealer's number of
 166 purchases during the reporting period of July first of the immediately preceding year to June

167 thirtieth of the present year. The provisions of this subsection shall become effective on the
168 date the director of the department of revenue begins to reissue new license plates under
169 section 301.130, or on December 1, 2008, whichever occurs first. If the director of revenue
170 begins reissuing new license plates under the authority granted under section 301.130 prior to
171 December 1, 2008, the director of the department of revenue shall notify the revisor of
172 statutes of such fact.

173 5. Upon the sale of a currently licensed motor vehicle dealership the department shall,
174 upon request, authorize the new approved dealer applicant to retain the selling dealer's license
175 number and shall cause the new dealer's records to indicate such transfer. If the new approved
176 dealer applicant elects not to retain the selling dealer's license number, the department shall
177 issue the new dealer applicant a new dealer's license number and an equal number of plates or
178 certificates as the department had issued to the selling dealer.

179 6. In the case of motor vehicle dealers, the department shall issue one number plate
180 bearing the distinctive dealer license number and may issue one additional number plate to
181 the applicant upon payment by the dealer of a fifty dollar fee for the number plate bearing the
182 distinctive dealer license number and ten dollars and fifty cents for the additional number
183 plate. The department may issue a third plate to the motor vehicle dealer upon completion of
184 the dealer's fifteenth qualified transaction and payment of a fee of ten dollars and fifty cents.
185 In the case of new motor vehicle manufacturers, powersport dealers, recreational motor
186 vehicle dealers, and trailer dealers, the department shall issue one number plate bearing the
187 distinctive dealer license number and may issue two additional number plates to the applicant
188 upon payment by the manufacturer or dealer of a fifty dollar fee for the number plate bearing
189 the distinctive dealer license number and ten dollars and fifty cents for each additional
190 number plate. Boat dealers and boat manufacturers shall be entitled to one certificate of
191 number bearing such number upon the payment of a fifty dollar fee. Additional number
192 plates and as many additional certificates of number may be obtained upon payment of a fee
193 of ten dollars and fifty cents for each additional plate or certificate. New motor vehicle
194 manufacturers shall not be issued or possess more than three hundred forty-seven additional
195 number plates or certificates of number annually. New and used motor vehicle dealers,
196 powersport dealers, wholesale motor vehicle dealers, boat dealers, and trailer dealers are
197 limited to one additional plate or certificate of number per ten-unit qualified transactions
198 annually. New and used recreational motor vehicle dealers are limited to two additional
199 plates or certificate of number per ten-unit qualified transactions annually for their first fifty
200 transactions and one additional plate or certificate of number per ten-unit qualified
201 transactions thereafter. An applicant seeking the issuance of an initial license shall indicate
202 on his or her initial application the applicant's proposed annual number of sales in order for
203 the director to issue the appropriate number of additional plates or certificates of number. A

204 motor vehicle dealer, trailer dealer, boat dealer, powersport dealer, recreational motor vehicle
205 dealer, motor vehicle manufacturer, boat manufacturer, or wholesale motor vehicle dealer
206 obtaining a distinctive dealer license plate or certificate of number or additional license plate
207 or additional certificate of number, throughout the calendar year, shall be required to pay a fee
208 for such license plates or certificates of number computed on the basis of one-twelfth of the
209 full fee prescribed for the original and duplicate number plates or certificates of number for
210 such dealers' licenses, multiplied by the number of months remaining in the licensing period
211 for which the dealer or manufacturers shall be required to be licensed. In the event of a
212 renewing dealer, the fee due at the time of renewal shall not be prorated. Wholesale and
213 public auctions shall be issued a certificate of dealer registration in lieu of a dealer number
214 plate. In order for dealers to obtain number plates or certificates under this section, dealers
215 shall submit to the department of revenue on August first of each year a statement certifying,
216 under penalty of perjury, the dealer's number of sales during the reporting period of July first
217 of the immediately preceding year to June thirtieth of the present year.

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

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

238 9. If any law enforcement officer has probable cause to believe that any license plate
239 or certificate of number issued under subsection 3 or 6 of this section is being misused in

240 violation of subsection 7 or 8 of this section, the license plate or certificate of number may be
241 seized and surrendered to the department.

242 10. (1) Every application for the issuance of a used motor vehicle dealer's license
243 shall be accompanied by proof that the applicant, within the last twelve months, has
244 completed an educational seminar course approved by the department as prescribed by
245 subdivision (2) of this subsection. Wholesale and public auto auctions and applicants
246 currently holding a new or used license for a separate dealership shall be exempt from the
247 requirements of this subsection. The provisions of this subsection shall not apply to current
248 new motor vehicle franchise dealers or motor vehicle leasing agencies or applicants for a new
249 motor vehicle franchise or a motor vehicle leasing agency. The provisions of this subsection
250 shall not apply to used motor vehicle dealers who were licensed prior to August 28, 2006.

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

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

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

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

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

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

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

19 3. For the purposes of sections 301.550 to 301.580, the sale, barter, exchange, lease or
20 rental with option to purchase of ~~six~~ **eight** or more motor vehicles in a calendar year by any
21 person, partnership, corporation, company or association, whether or not the motor vehicles
22 are owned by them, shall be prima facie evidence of intent to make a profit or gain of money

23 and such person, partnership, corporation, company or association shall be deemed to be
24 acting as a motor vehicle dealer without a license.

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

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

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-year
4 period following their model year of manufacture, excluding prior salvage vehicles
5 immediately following a rebuilding process and vehicles subject to the provisions of
6 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,
33 seal, or other device or combination thereof, as the superintendent of the Missouri state
34 highway patrol prescribes by regulation and shall be displayed upon the motor vehicle or
35 trailer as 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 any provision of law to the contrary, a valid safety inspection**
50 **shall be required for all registration issuances and renewals for any motor vehicle**
51 **subject to safety inspection under this section.**

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

643.315. 1. Except as provided in sections 643.300 to 643.355, all motor vehicles
2 which are domiciled, registered or primarily operated in an area for which the commission
3 has established a motor vehicle emissions inspection program pursuant to sections 643.300 to
4 643.355 shall be inspected and approved prior to sale or transfer; provided that, if such
5 vehicle is inspected and approved prior to sale or transfer, such vehicle shall not be subject to
6 another emissions inspection for ninety days after the date of sale or transfer of such vehicle.
7 ~~[In addition, any such vehicle manufactured as an even-numbered model year vehicle shall be~~
8 ~~inspected and approved under the emissions inspection program established pursuant to~~
9 ~~sections 643.300 to 643.355 in each even-numbered calendar year and any such vehicle~~
10 ~~manufactured as an odd-numbered model year vehicle shall be inspected and approved under~~
11 ~~the emissions inspection program established pursuant to sections 643.300 to 643.355 in each~~
12 ~~odd-numbered calendar year.]~~ All motor vehicles subject to the inspection requirements of
13 sections 643.300 to 643.355 shall display a valid emissions inspection sticker, and when
14 applicable, a valid emissions inspection certificate shall be presented at the time of
15 registration or registration renewal of such motor vehicle. The department of revenue shall

16 require evidence of the safety and emission inspection and approval required by this section
17 in issuing the motor vehicle [~~annual~~] registration in conformity with the procedure required
18 by sections 307.350 to 307.390 and sections 643.300 to 643.355. The director of revenue
19 may verify that a successful safety and emissions inspection was completed via electronic
20 means.

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

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

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

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

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

32 (5) Motor vehicles registered in an area subject to the inspection requirements of
33 sections 643.300 to 643.355 which are domiciled and operated exclusively in an area of the
34 state not subject to the inspection requirements of sections 643.300 to 643.355, but only if the
35 owner of such vehicle presents to the department an affidavit that the vehicle will be operated
36 exclusively in an area of the state not subject to the inspection requirements of sections
37 643.300 to 643.355 for the next twenty-four months, and the owner applies for and receives a
38 waiver which shall be presented at the time of registration or registration renewal;

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

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

44 (8) School buses;

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

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

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

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

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

63 4. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section
64 301.550, may choose to sell a motor vehicle subject to the inspection requirements of sections
65 643.300 to 643.355 either:

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

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

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

77 (3) If the dealer chooses to sell the vehicle without prior inspection and approval, the
78 purchaser may return the vehicle within ten days of the date of purchase, provided that the
79 vehicle has no more than one thousand additional miles since the time of sale, if the vehicle
80 fails, upon inspection, to meet the emissions standards specified by the commission and the
81 dealer shall have the vehicle inspected and approved without the option for a waiver of the
82 emissions standard and return the vehicle to the purchaser with a valid emissions certificate
83 and sticker within five working days or the purchaser and dealer may enter into any other
84 mutually acceptable agreement. If the dealer chooses to sell the vehicle without prior
85 inspection and approval, the dealer shall disclose conspicuously on the sales contract and bill
86 of sale that the purchaser has the option to return the vehicle within ten days, provided that the
87 vehicle has no more than one thousand additional miles since the time of sale, to have the
88 dealer repair the vehicle and provide an emissions certificate and sticker within five working
89 days if the vehicle fails, upon inspection, to meet the emissions standards established by the

90 commission, or enter into any mutually acceptable agreement with the dealer. A violation of
91 this subdivision shall be an unlawful practice as defined in section 407.020. No emissions
92 inspection shall be required pursuant to sections 643.300 to 643.360 for the sale of any motor
93 vehicle which may be sold without a certificate of inspection and approval, as provided
94 pursuant to subsection 2 of section 307.380.

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

Section B. The repeal and reenactment of sections 301.055, 301.070, 31.110,
2 301.140, 301.142, 301.147, 301.560, 301.570, 307.350, and 643.315 of this act shall become
3 effective upon notification by the director of the department of revenue that implementation
4 of the provisions of this act are technologically feasible following the development and
5 maintenance of a modernized, integrated system for the titling of vehicles, the issuance and
6 renewal of vehicle registrations, the issuance and renewal of drivers' licenses and
7 identification cards, and the perfection and release of liens and encumbrances on vehicles.

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