

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 969

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KNIGHT.

2065H.01P

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 32.056, 301.020, 301.055, 301.070, 301.110, 301.130, 301.140, 301.142, 301.147, 301.190, 301.448, 301.469, 301.558, 301.560, 301.570, 307.350, 307.380, 407.1034, and 643.315, RSMo, and to enact in lieu thereof twenty-one new sections relating to motor vehicles, with a penalty provision and a contingent effective date.

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

Section A. Sections 32.056, 301.020, 301.055, 301.070, 301.110, 301.130, 301.140, 301.142, 301.147, 301.190, 301.448, 301.469, 301.558, 301.560, 301.570, 307.350, 307.380, 407.1034, and 643.315, RSMo, are repealed and twenty-one new sections enacted in lieu thereof, to be known as sections 32.056, 301.020, 301.055, 301.070, 301.110, 301.130, 301.140, 301.142, 301.147, 301.190, 301.448, 301.469, 301.558, 301.560, 301.570, 301.3181, 301.3182, 307.350, 307.380, 407.1034, and 643.315, to read as follows:

32.056. Except for uses permitted under 18 U.S.C. Section 2721(b)(1), the department of revenue shall not release the home address of or any information that identifies any vehicle owned or leased by any person who is [a] **an active or retired** county, state or federal parole officer, [a] federal pretrial officer, [a] peace officer pursuant to section 590.010, [a] person vested by Article V, Section 1 of the Missouri Constitution with the judicial power of the state, [a] member of the federal judiciary, or a member of such person's immediate family contained in the department's motor vehicle or driver registration records, based on a specific request for such information from any person. Any such person may notify the department of his or her status and the department shall protect the confidentiality of the home address and vehicle records on such a person and his or her immediate family as

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.

11 required by this section. This section shall not prohibit the department from releasing
12 information on a motor registration list pursuant to section 32.055 or from releasing
13 information on any officer who holds a class A, B or C commercial driver's license pursuant
14 to the Motor Carrier Safety Improvement Act of 1999, as amended, 49 U.S.C. 31309.

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

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

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

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

13 2. If the vehicle is a motor vehicle primarily for business use as defined in section
14 301.010 and if such vehicle is ~~[ten years of age or less]~~ **model year 2012 or newer** and has
15 less than one hundred fifty thousand miles on the odometer, the director of revenue shall
16 retain the odometer information provided in the vehicle inspection report, and provide for
17 prompt access to such information, together with the vehicle identification number for the
18 motor vehicle to which such information pertains, for a period of ten years after the receipt of
19 such information. This section shall not apply unless:

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

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

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

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

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

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

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

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

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

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

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

301.055. 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

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.**

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

13 plates for members of the National Guard will have the "NATIONAL GUARD" wording in
14 preference to the words "SHOW-ME STATE".

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

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

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

35 5. No motor vehicle or trailer shall be operated on any highway of this state unless it
36 shall have displayed thereon the license plate or set of license plates issued by the director of
37 revenue or the state highways and transportation commission and authorized by section
38 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner
39 so that all parts thereof shall be plainly visible and reasonably clean so that the reflective
40 qualities thereof are not impaired. Each such plate may be encased in a transparent,
41 **nontinted** cover so long as the plate is plainly visible and ~~[its]~~ **the plate's** reflective qualities
42 are not impaired. **Additionally, license plate frames shall not cover or obscure any**
43 **information that is necessary for law enforcement purposes.** License plates shall be
44 fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed
45 in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight
46 nor more than forty-eight inches above the ground, with the letters and numbers thereon right
47 side up. The license plates on trailers, motorcycles, motortricycles, autocycles, and
48 motorscooters shall be displayed on the rear of such vehicles either horizontally or vertically,
49 with the letters and numbers plainly visible. The license plate on buses, other than school

50 buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve
51 thousand pounds shall be displayed on the front of such vehicles not less than eight nor more
52 than forty-eight inches above the ground, with the letters and numbers thereon right side up or
53 if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in
54 the same manner on the front and rear of such vehicles. The license plate or plates authorized
55 by section 301.140, when properly attached, shall be prima facie evidence that the required
56 fees have been paid.

57 6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as
58 provided by law as evidence of the annual payment of registration fees and the current
59 registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director
60 may prescribe any additional information recorded on the tab or tabs to ensure that the tab or
61 tabs positively correlate with the license plate or plates issued by the department of revenue
62 for such vehicle. Such tabs shall be produced in each license bureau office.

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

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

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

70 (5) For those commercial motor vehicles and trailers registered pursuant to section
71 301.041, the plate issued by the highways and transportation commission shall be a
72 permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section
73 shall relieve the owner of any vehicle permanently registered pursuant to this section from the
74 obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring
75 license plate shall be returned to the highways and transportation commission upon the sale or
76 disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is
77 issued, or the plate may be transferred to a replacement commercial motor vehicle when the
78 owner files a supplemental application with the Missouri highways and transportation
79 commission for the registration of such replacement commercial motor vehicle. Upon
80 payment of the annual registration fee, the highways and transportation commission shall
81 issue a certificate of registration or other suitable evidence of payment of the annual fee, and
82 such evidence of payment shall be carried at all times in the vehicle for which it is issued.

83 (6) Upon the sale or disposal of any vehicle permanently registered under this section,
84 or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued
85 for such vehicle shall be returned to the highways and transportation commission and shall
86 not be valid for operation of such vehicle, or the plate may be transferred to a replacement

87 vehicle when the owner files a supplemental application with the Missouri highways and
88 transportation commission for the registration of such replacement vehicle. If a vehicle which
89 is permanently registered under this section is sold, wrecked or otherwise disposed of, or the
90 lease terminated, the registrant shall be given credit for any unused portion of the annual
91 registration fee when the vehicle is replaced by the purchase or lease of another vehicle
92 during the registration year.

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

97 8. Notwithstanding the provisions of any other law to the contrary, owners of motor
98 vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in
99 excess of twenty-four thousand pounds gross weight may apply for special personalized
100 license plates. Vehicles licensed for twenty-four thousand pounds that display special
101 personalized license plates shall be subject to the provisions of subsections 1 and 2 of section
102 301.030. On and after August 28, 2016, owners of motor vehicles, other than apportioned
103 motor vehicles or commercial motor vehicles licensed in excess of twenty-four thousand
104 pounds gross weight, may apply for any preexisting or hereafter statutorily created special
105 personalized license plates.

106 9. No later than January 1, 2019, the director of revenue shall commence the
107 reissuance of new license plates of such design as approved by the advisory committee under
108 section 301.125 consistent with the terms, conditions, and provisions of section 301.125 and
109 this chapter. Except as otherwise provided in this section, in addition to all other fees
110 required by law, applicants for registration of vehicles with license plates that expire during
111 the period of reissuance, applicants for registration of trailers or semitrailers with license
112 plates that expire during the period of reissuance and applicants for registration of vehicles
113 that are to be issued new license plates during the period of reissuance shall pay the cost of
114 the plates required by this subsection. The additional cost prescribed in this subsection shall
115 not be charged to persons receiving special license plates issued under section 301.073 or
116 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and
117 specialized license plates are exempt from the provisions of this subsection. Except for new,
118 replacement, and transfer applications, permanent nonexpiring license plates issued to
119 commercial motor vehicles and trailers registered under section 301.041 are exempt from the
120 provisions of this subsection.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the
2 certificate of registration and the right to use the number plates shall expire and the number
3 plates shall be removed by the owner at the time of the transfer of possession, and it shall be

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

16 2. In the case of a transfer of ownership the original owner may register another
17 motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor
18 vehicle is of ~~[horsepower,]~~ gross weight or (in the case of a passenger-carrying commercial
19 motor vehicle) seating capacity~~;~~ not in excess of that originally registered. When such
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,]~~

41 or no more than sixty days if issued by a dealer selling the motor vehicle under the provisions
42 of subsection 5 of section 301.210, from the date of purchase. The temporary permit
43 authorized under this section may be purchased by the purchaser of a motor vehicle or trailer
44 from the central office of the department of revenue or from an authorized agent of the
45 department of revenue upon **satisfaction of all applicable taxes under chapter 144, upon**
46 proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate
47 available for transfer, and upon proof of financial responsibility, or from a motor vehicle
48 dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate
49 available for transfer, or from a motor vehicle dealer upon purchase of a motor vehicle or
50 trailer for which the buyer has registered and is awaiting receipt of registration plates. The
51 director of the department of revenue or a producer authorized by the director of the
52 department of revenue may make temporary permits available to registered dealers in this
53 state, authorized agents of the department of revenue or the department of revenue. The price
54 paid by a motor vehicle dealer, an authorized agent of the department of revenue or the
55 department of revenue for a temporary permit shall not exceed five dollars for each permit.
56 The director of the department of revenue shall direct motor vehicle dealers and authorized
57 agents to obtain temporary permits from an authorized producer. Amounts received by the
58 director of the department of revenue for temporary permits shall constitute state revenue;
59 however, amounts received by an authorized producer other than the director of the
60 department of revenue shall not constitute state revenue and any amounts received by motor
61 vehicle dealers or authorized agents for temporary permits purchased from a producer other
62 than the director of the department of revenue shall not constitute state revenue. In no event
63 shall revenues from the general revenue fund or any other state fund be utilized to compensate
64 motor vehicle dealers or other producers for their role in producing temporary permits as
65 authorized under this section. Amounts that do not constitute state revenue under this section
66 shall also not constitute fees for registration or certificates of title to be collected by the
67 director of the department of revenue under section 301.190. No motor vehicle dealer,
68 authorized agent or the department of revenue shall charge more than five dollars for each
69 permit issued. The permit shall be valid for a period of thirty days, or no more than ninety
70 days if issued by a dealer selling the motor vehicle under the provisions of section 301.213, or
71 no more than sixty days if issued by a dealer selling the motor vehicle under the provisions of
72 subsection 5 of section 301.210, from the date of purchase of a motor vehicle or trailer, or
73 from the date of sale of the motor vehicle or trailer by a motor vehicle dealer for which the
74 purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this
75 section unless the buyer shows proof of financial responsibility. Each temporary permit
76 issued shall be securely fastened to the back or rear of the motor vehicle in a manner and
77 place on the motor vehicle consistent with registration plates so that all parts and qualities of

78 the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not
79 impaired in any way.

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

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

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

112 8. An additional temporary license plate produced in a manner and of materials
113 determined by the director to be the most cost-effective means of production with a
114 configuration that matches an existing or newly issued plate may be purchased by a motor

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

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

140 10. **Notwithstanding any provision of law to the contrary, a person may be**
141 **stopped or inspected by law enforcement, based on reasonable suspicion that a**
142 **temporary permit violation has occurred, in order to determine whether a temporary**
143 **permit is current or valid. Upon a determination by law enforcement that a temporary**
144 **permit is expired by at least seventy days, or that a temporary permit has been altered,**
145 **the law enforcement officer conducting the stop shall issue a citation and such person**
146 **shall be fined in the amount of two hundred fifty dollars. If the person properly**
147 **registers the vehicle within thirty days of the issuance of a citation, the prosecutor shall**
148 **nolle prosequi the citation, court costs shall be waived, and the offense shall not be**
149 **registered as a violation on the person's driving record. If the vehicle is stopped a**
150 **second time for a temporary permit violation after such thirty-day time period has**
151 **lapsed, the vehicle shall be impounded until such time as the vehicle is properly**

152 **registered. It shall be the responsibility of the owner of the vehicle to work with the**
153 **impound lot owner if there is an issue with the vehicle's safety inspection.**

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

163 ~~[11.]~~ **12.** The repeal and reenactment of this section shall become effective on the date
164 the department of revenue or a producer authorized by the director of the department of
165 revenue begins producing temporary permits described in subsection 4 of such section, or on
166 July 1, 2013, whichever occurs first. If the director of revenue or a producer authorized by
167 the director of the department of revenue begins producing temporary permits prior to July 1,
168 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.

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

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

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

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

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

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

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

- 19 (c) Is restricted by a respiratory or other disease to such an extent that the person's
20 forced respiratory expiratory volume for one second, when measured by spirometry, is less
21 than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or
22 (d) Uses portable oxygen; or
23 (e) Has a cardiac condition to the extent that the person's functional limitations are
24 classified in severity as class III or class IV according to standards set by the American Heart
25 Association; or
26 (f) Except as otherwise provided in subdivision (3) of subsection 16 of this section, a
27 person's age, in and of itself, shall not be a factor in determining whether such person is
28 physically disabled or is otherwise entitled to disabled license plates and/or disabled
29 windshield hanging placards within the meaning of sections 301.141 to 301.143;
- 30 (5) "Physician", a person licensed to practice medicine pursuant to chapter 334;
31 (6) "Physician's statement", a statement personally signed by a duly authorized person
32 which certifies that a person is disabled as defined in this section;
33 (7) "Temporarily disabled person", a disabled person as defined in this section whose
34 disability or incapacity is expected to last no more than one hundred eighty days;
35 (8) "Temporary windshield placard", a placard to be issued to persons who are
36 temporarily disabled persons as defined in this section, certification of which shall be
37 indicated on the physician's statement;
38 (9) "Windshield placard", a placard to be issued to persons who are physically
39 disabled as defined in this section, certification of which shall be indicated on the physician's
40 statement.
- 41 2. Other authorized health care practitioners may furnish to a **physically** disabled or
42 temporarily disabled person a physician's statement for only those physical health care
43 conditions for which such health care practitioner is legally authorized to diagnose and treat.
- 44 3. A physician's statement shall:
- 45 (1) Be on a form prescribed by the director of revenue;
46 (2) Set forth the specific diagnosis and medical condition which renders the person
47 physically disabled or temporarily disabled as defined in this section;
48 (3) Include the physician's or other authorized health care practitioner's license
49 number; and
50 (4) Be personally signed by the issuing physician or other authorized health care
51 practitioner.
- 52 4. If it is the professional opinion of the physician or other authorized health care
53 practitioner issuing the statement that the physical disability of the applicant, user, or member
54 of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the
55 physician or other authorized health care practitioner shall note on the statement the

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

175 17. The director of revenue upon receiving a physician's statement pursuant to this
176 subsection shall check with the state board of registration for the healing arts created in
177 section 334.120, or the Missouri state board of nursing established in section 335.021, with
178 respect to physician's statements signed by advanced practice registered nurses, or the
179 Missouri state board of chiropractic examiners established in section 331.090, with respect to
180 physician's statements signed by licensed chiropractors, or with the board of optometry
181 established in section 336.130, with respect to physician's statements signed by licensed
182 optometrists, or the state board of podiatric medicine created in section 330.100, with respect
183 to physician's statements signed by physicians of the foot or podiatrists, **or the Missouri**
184 **board of occupational therapy established in section 324.063, with respect to physician's**
185 **statements signed by licensed occupational therapists,** to determine whether the physician
186 is duly licensed and registered pursuant to law.

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

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

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

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

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

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

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

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

222 26. Fraudulent application, renewal, issuance, procurement or use of disabled person
223 license plates or windshield placards shall be a class A misdemeanor. It is a class B
224 misdemeanor for a physician, chiropractor, podiatrist ~~[or]~~, optometrist, **or occupational**
225 **therapist** to certify that an individual or family member is qualified for a license plate or
226 windshield placard based on a disability, the diagnosis of which is outside their scope of
227 practice or if there is no basis for 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 ~~(4)~~ 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.

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

17 notice of lien, the owner shall provide the director with documentation evidencing the
18 lienholder's authorization to add or delete a name or names on an application for certificate of
19 ownership.

20 2. The director of revenue shall use reasonable diligence in ascertaining whether the
21 facts stated in such application are true and shall, to the extent possible without substantially
22 delaying processing of the application, review any odometer information pertaining to such
23 motor vehicle that is accessible to the director of revenue. If satisfied that the applicant is the
24 lawful owner of such motor vehicle or trailer, or otherwise entitled to have the same
25 registered in his name, the director shall thereupon issue an appropriate certificate over his
26 signature and sealed with the seal of his office, procured and used for such purpose. The
27 certificate shall contain on its face a complete description, vehicle identification number, and
28 other evidence of identification of the motor vehicle or trailer, as the director of revenue may
29 deem necessary, together with the odometer information required to be put on the face of the
30 certificate pursuant to section 407.536, a statement of any liens or encumbrances which the
31 application may show to be thereon, and, if ownership of the vehicle has been transferred, the
32 name of the state issuing the transferor's title and whether the transferor's odometer mileage
33 statement executed pursuant to section 407.536 indicated that the true mileage is materially
34 different from the number of miles shown on the odometer, or is unknown.

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

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

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

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

54 5. The fee for each original certificate so issued shall be eight dollars and fifty cents,
55 in addition to the fee for registration of such motor vehicle or trailer. If application for the
56 certificate is not made within thirty days after the vehicle is acquired by the applicant, or
57 where the motor vehicle was acquired under section 301.213 or subsection 5 of section
58 301.210 and the applicant fails to make application within thirty days after receiving title
59 from the dealer, a delinquency penalty fee of twenty-five dollars for the first thirty days of
60 delinquency and twenty-five dollars for each thirty days of delinquency thereafter, not to
61 exceed a total of two hundred dollars, but such penalty may be waived by the director for a
62 good cause shown. If the director of revenue learns that any person has failed to obtain a
63 certificate within thirty days after acquiring a motor vehicle or trailer, or where the motor
64 vehicle was acquired under section 301.213 or subsection 5 of section 301.210 and the
65 applicant fails to make application within thirty days after receiving title from the dealer, or
66 has sold a vehicle without obtaining a certificate, he shall cancel the registration of all
67 vehicles registered in the name of the person, either as sole owner or as a co-owner, and shall
68 notify the person that the cancellation will remain in force until the person pays the
69 delinquency penalty fee provided in this section, together with all fees, charges and payments
70 which the person should have paid in connection with the certificate of ownership and
71 registration of the vehicle. The certificate shall be good for the life of the motor vehicle or
72 trailer so long as the same is owned or held by the original holder of the certificate and shall
73 not have to be renewed annually.

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

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

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

91 which no prior inspection and verification have been made, shall pay a fee of twenty-five
92 dollars for such verification and inspection, payable to the director of revenue at the time of
93 the request for the application, which shall be deposited in the state treasury to the credit of
94 the state highways and transportation department fund.

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

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

128 **outside of this state or a motor vehicle having less than thirty thousand miles for the**
129 **three-year period following the model year of manufacture, the licensed new or used**
130 **motor vehicle dealer** shall collect the same fee as authorized in section 307.365 for making
131 the inspection, and the fee shall be deposited in the same manner as provided in section
132 307.365. If the vehicle is also to be registered in Missouri, the safety inspection required in
133 chapter 307 and the emissions inspection required under chapter 643 shall be completed and
134 only the fees required by section 307.365 and section 643.315 shall be charged to the owner.
135 This section shall not apply to vehicles being transferred on a manufacturer's statement of
136 origin. **A licensed new or used motor vehicle dealer completing the inspection under this**
137 **section shall be subject to disciplinary action up to and including suspension or**
138 **revocation of their dealer's license for knowingly completing such inspection with**
139 **incorrect information. Such disciplinary action shall take place in accordance with**
140 **department of revenue regular procedures for disciplinary action.**

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

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

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

165 Missouri and all subsequent issues of the certificate of ownership the words "Non-USA-Std
166 Motor Vehicle".

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

170 15. Each application for an original Missouri certificate of ownership for a vehicle
171 which is classified as a reconstructed motor vehicle, manufactured forty or more years prior
172 to the current model year, and which has a value of three thousand dollars or less shall be
173 accompanied by:

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

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

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

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

187

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

301.448. Any person who has served and was honorably discharged or currently
2 serves in ~~[any branch of the United States Armed Forces]~~ **the United States Army, Marine**
3 **Corps, Navy, Air Force, Space Force, Coast Guard, or National Guard,** or **in the** reserves
4 **for any such branch,** ~~[the United States Coast Guard or reserve,]~~ the United States Merchant
5 Marines or reserve, or the Missouri National Guard, or any subdivision of any of such
6 services or a member of the United States Marine Corps League may apply for special motor
7 vehicle license plates, either solely or jointly, for issuance either to passenger motor vehicles
8 subject to the registration fees provided in section 301.055, or to nonlocal property-carrying
9 commercial motor vehicles licensed for a gross weight of six thousand pounds up through and

10 including twenty-four thousand pounds as provided in section 301.057. Any such person
11 shall make application for the special license plates on a form provided by the director of
12 revenue and furnish such proof that such person is a member or former member of any such
13 branch of service as the director may require. Upon presentation of the proof of eligibility
14 and annual payment of the fee required for personalized license plates in section 301.144, and
15 other fees and documents which may be required by law, the department shall issue
16 personalized license plates which shall bear the seal, logo or emblem, along with a word or
17 words designating the branch or subdivision of such service for which the person applies. All
18 seals, logos, emblems or special symbols shall become an integral part of the license plate;
19 however, no plate shall contain more than one seal, logo, emblem or special symbol and the
20 design of such plates shall be approved by the advisory committee established in section
21 301.129 and by the branch or subdivision of such service or the Marine Corps League prior to
22 issuing such plates. The plates shall have a white background with a blue and red
23 configuration at the discretion of the advisory committee established in section 301.129. The
24 plates shall be clearly visible at night and shall be aesthetically attractive, as prescribed by
25 section 301.130. The bidding process used to select a vendor for the material to manufacture
26 the license plates authorized by this section shall consider the aesthetic appearance of the
27 plate. The director of revenue shall make necessary rules and regulations for the enforcement
28 of this section, and shall design all necessary forms. All license plates issued under this
29 provision must be renewed in accordance with law. License plates issued under the
30 provisions of this section shall not be transferable to any other person, except that any
31 registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle for the
32 duration of the year licensed, in the event of the death of the qualified applicant.

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

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

13 3. Upon presentation of the annual statement, payment of a fifteen dollar fee in
14 addition to the regular registration fees and documents which may be required by law, the

15 director of the department of revenue shall issue a license plate, which shall bear an emblem
16 of the Missouri conservation heritage foundation in a form prescribed by the director, to the
17 vehicle owner. Such license plates shall be made with fully reflective material with a
18 common color scheme and design, shall be clearly visible at night, and shall be aesthetically
19 attractive, as prescribed by section 301.130. Notwithstanding the provisions of section
20 301.144, no additional fee shall be charged for the personalization of license plates pursuant
21 to this section.

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

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

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

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

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

10 administrative fee may result in profit to the motor vehicle dealer, **trailer dealer**, boat dealer,
11 or powersport dealer.

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

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

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

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

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

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

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

57
58 "AN ADMINISTRATIVE FEE IS NOT AN OFFICIAL FEE AND IS NOT REQUIRED BY
59 LAW BUT MAY BE CHARGED BY A DEALER. THIS ADMINISTRATIVE FEE MAY
60 RESULT IN A PROFIT TO DEALER. NO PORTION OF THIS ADMINISTRATIVE FEE
61 IS FOR THE DRAFTING, PREPARATION, OR COMPLETION OF DOCUMENTS OR
62 THE PROVIDING OF LEGAL ADVICE. THIS NOTICE IS REQUIRED BY LAW."

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

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.

**301.3181. Any person who served as a member of the Armed Forces of the
2 United States in Afghanistan and Iraq, who was awarded the Afghanistan Campaign
3 medal and the Iraq Campaign medal, may apply for Afghanistan and Iraq Veteran
4 vehicle license plates, for any motor vehicle the person owns, either solely or jointly,
5 other than an apportioned motor vehicle or a commercial motor vehicle licensed in
6 excess of twenty-four thousand pounds gross weight. Any such person shall make
7 application for the license plates authorized by this section on a form provided by the
8 director of revenue and furnish such proof of service in Afghanistan and Iraq, the
9 awarding of the Afghanistan Campaign medal and the Iraq Campaign medal, and
10 status as currently serving in a branch of the Armed Forces of the United States or as an
11 honorably discharged veteran as the director may require. Upon presentation of the
12 proof of eligibility, payment of a fifteen-dollar fee in addition to the regular registration
13 fees, and presentation of documents that may be required by law, the director shall then
14 issue license plates bearing letters or numbers or a combination thereof as determined
15 by the director, with the words "AFGHANISTAN & IRAQ VETERAN" in place of the
16 words "SHOW-ME STATE". Such plates shall bear the Afghanistan Campaign medal
17 and the Iraq Campaign medal on the left side, with the Afghanistan Campaign medal
18 appearing farthest to the left and the Iraq Campaign medal appearing immediately to
19 the right of the Afghanistan Campaign medal. Notwithstanding the provisions of
20 section 301.144, no additional fee shall be charged for the personalization of license
21 plates issued pursuant to this section. The plates shall be clearly visible at night and**

22 shall be aesthetically attractive, as prescribed by section 301.130. There shall be no limit
23 on the number of license plates any person qualified pursuant to this section may obtain
24 so long as each set of license plates issued pursuant to this section is issued for a vehicle
25 owned solely or jointly by such person. License plates issued pursuant to this section
26 shall not be transferable to any other person except that any registered co-owner of the
27 motor vehicle may operate the motor vehicle for the duration of the year licensed in the
28 event of the death of the qualified person.

301.3182. Any person who served as a member of the Armed Forces of the
2 United States in Afghanistan, who was awarded the Afghanistan Campaign medal, may
3 apply for Afghanistan Veteran vehicle license plates, for any motor vehicle the person
4 owns, either solely or jointly, other than an apportioned motor vehicle or a commercial
5 motor vehicle licensed in excess of twenty-four thousand pounds gross weight. Any such
6 person shall make application for the license plates authorized by this section on a form
7 provided by the director of revenue and furnish such proof of service in Afghanistan,
8 the awarding of the Afghanistan Campaign medal, and status as currently serving in a
9 branch of the Armed Forces of the United States or as an honorably discharged veteran
10 as the director may require. Upon presentation of the proof of eligibility, payment of a
11 fifteen-dollar fee in addition to the regular registration fees, and presentation of
12 documents that may be required by law, the director shall then issue license plates
13 bearing letters or numbers or a combination thereof as determined by the director, with
14 the words "AFGHANISTAN VETERAN" in place of the words "SHOW-ME STATE".
15 Such plates shall bear the Afghanistan Campaign medal on the left side.
16 Notwithstanding the provisions of section 301.144, no additional fee shall be charged
17 for the personalization of license plates issued pursuant to this section. The plates shall
18 be clearly visible at night and shall be aesthetically attractive, as prescribed by section
19 301.130. There shall be no limit on the number of license plates any person qualified
20 pursuant to this section may obtain so long as each set of license plates issued pursuant
21 to this section is issued for a vehicle owned solely or jointly by such person. License
22 plates issued pursuant to this section shall not be transferable to any other person except
23 that any registered co-owner of the motor vehicle may operate the motor vehicle for the
24 duration of the year licensed in the event of the death of the qualified person.

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

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

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

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

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

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

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

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

13 (1) **Sold by a private seller; or**

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

16

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

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

28 by section 307.350 which is purchased as junk, salvage, or for rebuilding shall again be
29 registered in this state until the owner has submitted the vehicle for inspection and obtained
30 an official certificate of inspection and approval, sticker, seal or other device for such vehicle.

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

407.1034. Notwithstanding the terms of any franchise agreement, the performance,
2 whether by act or omission, by a motorcycle or all-terrain vehicle franchisor of any or all of
3 the following acts enumerated in this section are hereby defined as unlawful practices, the
4 remedies for which are set forth in section 407.1043:

5 (1) To engage in any conduct which is capricious, in bad faith, or unconscionable and
6 which causes damage to a motorcycle or all-terrain vehicle franchisee or to the public;
7 provided, that good faith conduct engaged in by motorcycle or all-terrain vehicle franchisors
8 as sellers of new motorcycles, all-terrain vehicles or parts or as holders of security interests
9 therein, in pursuit of rights or remedies accorded to sellers of goods or to holders of security
10 interests pursuant to the provisions of chapter 400, uniform commercial code, shall not
11 constitute unfair practices pursuant to sections 407.1025 to 407.1049;

12 (2) To coerce any motorcycle or all-terrain vehicle franchisee to accept delivery of
13 any new motorcycle, motorcycles, all-terrain vehicles, equipment, parts or accessories
14 therefor, or any other commodity or commodities which such motorcycle or all-terrain
15 vehicle franchisee has not ordered after such motorcycle or all-terrain vehicle franchisee has
16 rejected such commodity or commodities. It shall not be deemed a violation of sections
17 407.1025 to 407.1049 for a motorcycle or all-terrain vehicle franchisor to require a
18 motorcycle or all-terrain vehicle franchisee to have an inventory of parts, tools and equipment
19 reasonably necessary to service the motorcycles or all-terrain vehicles sold by a motorcycle or
20 all-terrain vehicle franchisor; or new motorcycles or all-terrain vehicles reasonably necessary
21 to meet the demands of dealers or the public;

22 (3) To unreasonably refuse to deliver in reasonable quantities and within a reasonable
23 time after receipt of orders for new motorcycles or all-terrain vehicles, such motorcycles or
24 all-terrain vehicles as are so ordered and as are covered by such franchise and as are
25 specifically publicly advertised by such motorcycle or all-terrain vehicle franchisor to be
26 available for immediate delivery; provided, however, the failure to deliver any motorcycle or
27 all-terrain vehicle shall not be considered a violation of sections 407.1025 to 407.1049 if such
28 failure is due to an act of God, work stoppage, or delay due to a strike or labor difficulty,
29 shortage of products or materials, freight delays, embargo or other cause of which such
30 motorcycle or all-terrain vehicle franchisor has no control;

31 (4) To coerce any motorcycle or all-terrain vehicle franchisee to enter into any
32 agreement with such motorcycle or all-terrain vehicle franchisor or to do any other act

33 prejudicial to such motorcycle or all-terrain vehicle franchisee, by threatening to cancel any
34 franchise or any contractual agreement existing between such motorcycle or all-terrain
35 vehicle franchisor and motorcycle or all-terrain vehicle franchisee; provided, however, that
36 notice in good faith to any motorcycle or all-terrain vehicle franchisee of such motorcycle or
37 all-terrain vehicle franchisee's violation of any provisions of such franchise or contractual
38 agreement shall not constitute a violation of sections 407.1025 to 407.1049;

39 (5) To terminate, cancel or refuse to continue any franchise, directly or indirectly
40 through the actions of the franchisor, unless such new motorcycle or all-terrain vehicle
41 franchisee substantially defaults in the performance of such franchisee's reasonable and
42 lawful obligations under such franchisee's franchise, or such new motorcycle or all-terrain
43 vehicle franchisor discontinues the sale in the state of Missouri of such franchisor's products
44 which are the subject of the franchise:

45 (a) Notwithstanding the terms of any franchise agreement to the contrary, good cause
46 to terminate, cancel or refuse to continue any franchise agreement shall not be established
47 based upon the fact that the motorcycle or all-terrain vehicle franchisee owns, has an
48 investment in, participates in the management of or holds a franchise agreement for the sale
49 or service of another make or line of new motorcycles or all-terrain vehicles or the motorcycle
50 or all-terrain vehicle dealer has established another make or line of new motorcycles or all-
51 terrain vehicles or service in the same dealership facilities as those of the motorcycle or all-
52 terrain vehicle franchisor prior to February 1, 1998, or such establishment is approved in
53 writing by the franchisee and the franchisor. However, a franchisor may require a franchisee
54 to maintain a reasonable line of credit for each franchise and to comply with each franchisor's
55 reasonable requirements concerning capital, management and facilities. If the franchise
56 agreement requires the approval of the franchisor, such approval shall be requested in writing
57 by the franchisee and the franchisor shall approve or disapprove such a request in writing
58 within sixty days of receipt of such request. A request from a franchisee shall be deemed to
59 have been approved if the franchisor fails to notify the franchisee, in writing, of its
60 disapproval within sixty days after its receipt of the written request;

61 (b) In determining whether good cause exists, the administrative hearing commission
62 shall take into consideration the existing circumstances, including, but not limited to, the
63 following factors:

- 64 a. The franchisee's sales in relation to sales in the market;
- 65 b. The franchisee's investment and obligations;
- 66 c. Injury to the public welfare;
- 67 d. The adequacy of the franchisee's service facilities, equipment, parts and personnel
68 in relation to those of other franchisees of the same line-make;
- 69 e. Whether warranties are being honored by the franchisee;

- 70 f. The parties' compliance with their franchise agreement;
- 71 g. The desire of a franchisor for market penetration or a market study, if any, prepared
72 by the franchisor or franchisee are two factors which may be considered;
- 73 h. The harm to the franchisor;
- 74 (6) To prevent by contract or otherwise, any motorcycle or all-terrain vehicle
75 franchisee from changing the capital structure of the franchisee's franchise of such motorcycle
76 or all-terrain vehicle franchisee or the means by or through which the franchisee finances the
77 operation of the franchisee's franchise, provided the motorcycle or all-terrain vehicle
78 franchisee at all times meets any reasonable capital standards agreed to between the
79 motorcycle or all-terrain vehicle franchisee and the motorcycle or all-terrain vehicle
80 franchisor and grants to the motorcycle or all-terrain vehicle franchisor a purchase money
81 security interest in the new motorcycles or all-terrain vehicles, new parts and accessories
82 purchased from the motorcycle or all-terrain vehicle franchisor;
- 83 (7) (a) Prevent, by contract or otherwise, any sale or transfer of a franchisee's
84 franchise or franchises or interest or management thereof; provided, if the franchise
85 specifically permits the franchisor to approve or disapprove any such proposed sale or
86 transfer, a franchisor shall only be allowed to disapprove a proposed sale or transfer if the
87 interest being sold or transferred when added to any other interest owned by the transferee
88 constitutes fifty percent or more of the ownership interest in the franchise and if the proposed
89 transferee fails to satisfy any standards of the franchisor which are in fact normally relied
90 upon by the franchisor prior to its entering into a franchise, and which relate to the proposed
91 management or ownership of the franchise operations or to the qualification, capitalization,
92 integrity or character of the proposed transferee and which are reasonable. A franchisee may
93 request, at any time, that the franchisor provide a copy of the standards which are normally
94 relied upon by the franchisor to evaluate a proposed sale or transfer and a proposed transferee;
- 95 (b) The franchisee and the prospective franchisee shall cooperate fully with the
96 franchisor in providing information relating to the prospective transferee's qualifications,
97 capitalization, integrity and character;
- 98 (c) In the event of a proposed sale or transfer of a franchise, the franchisor shall be
99 permitted to exercise a right of first refusal to acquire the franchisee's assets or ownership if:
- 100 a. The franchise agreement permits the franchisor to exercise a right of first refusal to
101 acquire the franchisee's assets or ownership in the event of a proposed sale or transfer;
- 102 b. Such sale or transfer is conditioned upon the franchisor or franchisee entering a
103 franchise agreement with the proposed transferee;
- 104 c. The exercise of the right of first refusal shall result in the franchisee and the
105 franchisee's owners receiving the same or greater consideration and the same terms and
106 conditions as contracted to receive in connection with the proposed sale or transfer;

d. The sale or transfer does not involve the sale or transfer to an immediate member or members of the family of one or more franchisee owners, defined as a spouse, child, grandchild, spouse of a child or grandchild, brother, sister or parent of the franchisee owner, or to the qualified manager, defined as an individual who has been employed by the franchisee for at least two years and who otherwise qualifies as a franchisee operator, or a partnership or corporation controlled by such persons; and

e. The franchisor agrees to pay the reasonable expenses, including attorney's fees which do not exceed the usual, customary and reasonable fees charged for similar work done for other clients, incurred by the proposed transferee prior to the franchisor's exercise of its right of first refusal in negotiating and implementing the contract for the proposed sale or transfer of the franchise or the franchisee's assets. Notwithstanding the foregoing, no payment of such expenses and attorney's fees shall be required if the franchisee has not submitted or caused to be submitted an accounting of those expenses within fourteen days of the franchisee's receipt of the franchisor's written request for such an accounting. Such accounting may be requested by a franchisor before exercising its right of first refusal;

(d) For determining whether good cause exists for the purposes of this subdivision, the administrative hearing commission shall take into consideration the existing circumstances, including, but not limited to, the following factors:

a. Whether the franchise agreement specifically permits the franchisor to approve or disapprove any proposed sale or transfer;

b. Whether the interest to be sold or transferred when added to any other interest owned by the proposed transferee constitutes fifty percent or more of the ownership interest in the franchise;

c. Whether the proposed transferee fails to satisfy any standards of the franchisor which are in fact normally relied upon by the franchisor prior to its entering into a franchise, and which are related to the proposed management or ownership of the franchise operations or to the qualification, capitalization, integrity or character of the proposed transferee which are reasonable;

d. Injury to the public welfare;

e. The harm to the franchisor;

(8) To prevent by contract or otherwise any motorcycle or all-terrain vehicle franchisee from changing the executive management of motorcycle or all-terrain vehicle franchisee's business, except that any attempt by a motorcycle or all-terrain vehicle franchisor to demonstrate by giving reasons that such change in executive management will be detrimental to the distribution of the motorcycle or all-terrain vehicle franchisor's motorcycles shall not constitute a violation of this subdivision;

143 (9) To impose unreasonable standards of performance upon a motorcycle or all-
144 terrain vehicle franchisee;

145 (10) To require a motorcycle or all-terrain vehicle franchisee at the time of entering
146 into a franchise arrangement to assent to a release, assignment, novation, waiver or estoppel
147 which would relieve any person from liability imposed by sections 407.1025 to 407.1049;

148 (11) To prohibit directly or indirectly the right of free association among motorcycle
149 or all-terrain vehicle franchisees for any lawful purpose;

150 (12) To provide any term or condition in any lease or other agreement ancillary or
151 collateral to a franchise, which term or condition directly or indirectly violates the provisions
152 of sections 407.1025 to 407.1049;

153 (13) ~~Upon any termination, cancellation or refusal to continue any franchise or any~~
154 ~~discontinuation of any line make or parts or products related to such line make by a~~
155 ~~franchisor, fail to pay reasonable compensation to a franchisee as follows]~~ **To fail to**
156 **repurchase a franchisee's inventory and other items as set forth in this subdivision if a**
157 **motorcycle or all-terrain franchise agreement is terminated, cancelled, or not renewed**
158 **by the manufacturer for cause; if the dealer voluntarily terminates a motorcycle or all-**
159 **terrain dealer agreement in a manner permitted by such agreement; if the**
160 **manufacturer terminates or discontinues a franchise by discontinuing a line-make or**
161 **by ceasing to do business in this state; or if the manufacturer changes the distributor or**
162 **method of distribution of its products in this state or alters its sales regions or marketing**
163 **areas within this state in a manner that eliminates or diminishes the dealer's market**
164 **area. In such circumstances the manufacturer shall, at the election of the motorcycle or**
165 **all-terrain vehicle dealer, within thirty days of termination, repurchase:**

166 (a) Any new, undamaged and unsold motorcycles or all-terrain vehicles in the
167 franchisee's inventory of either the current model year or purchased from the franchisor
168 within one hundred twenty days prior to receipt of a notice of termination or nonrenewal,
169 provided the motorcycle or all-terrain vehicle has less than twenty miles registered on the
170 odometer, including mileage incurred in delivery from the franchisor or in transporting the
171 motorcycle or all-terrain vehicle between dealers for sale, at the dealer's net acquisition cost;

172 (b) The current parts catalog cost to the dealer of each new, unused, undamaged and
173 unsold part or accessory if the part or accessory is in the current parts catalog, less applicable
174 allowances. If the part or accessory was purchased by the franchisee from an outgoing
175 authorized franchisee, the franchisor shall purchase the part for either the price in the current
176 parts catalog or the franchisee's actual purchase price of the part, whichever is less;

177 (c) The depreciated value determined pursuant to generally accepted accounting
178 principles of each undamaged sign owned by the franchisee which bears a trademark or trade

179 name used or claimed by the franchisor if the sign was purchased from, or purchased at the
180 request of, the franchisor;

181 (d) The fair market value of all special tools, data processing equipment and
182 motorcycle or all-terrain vehicle service equipment owned by the franchisee which were
183 recommended in writing and designated as special tools and equipment and purchased from,
184 or purchased at the request of, the franchisor within three years of the termination of the
185 franchise, if the tools and equipment are in usable and good condition, except for reasonable
186 wear and tear; and

187 (e) The franchisor shall pay the franchisee the amounts specified in this subdivision
188 within ninety days after the tender of the property subject to the franchisee providing
189 evidence of good and clear title upon return of the property to the franchisor. Unless previous
190 arrangements have been made and agreed upon, the franchisee is under no obligation to
191 provide insurance for the property left after one hundred eighty days;

192 (14) To prevent or refuse to honor the succession to a franchise or franchises by any
193 legal heir or devisee under the will of a franchisee, under any written instrument filed with the
194 franchisor designating any person as the person's successor franchisee, or pursuant to the laws
195 of descent and distribution of this state; provided:

196 (a) Any designated family member of a deceased or incapacitated franchisee shall
197 become the succeeding franchisee of such deceased or incapacitated franchisee if such
198 designated family member gives the franchisor written notice of such family member's
199 intention to succeed to the franchise or franchises within forty-five days after the death or
200 incapacity of the franchisee, and agrees to be bound by all of the terms and conditions of the
201 current franchise agreement, and the designated family member meets the current reasonable
202 criteria generally applied by the franchisor in qualifying franchisees. A franchisee may
203 request, at any time, that the franchisor provide a copy of such criteria generally applied by
204 the franchisor in qualifying franchisees;

205 (b) The franchisor may request from a designated family member such personal and
206 financial data as is reasonably necessary to determine whether the existing franchise
207 agreement should be honored. The designated family member shall supply the personal and
208 financial data promptly upon the request;

209 (c) If the designated family member does not meet the reasonable criteria generally
210 applied by the franchisor in qualifying franchisees, the discontinuance of the current franchise
211 agreement shall take effect not less than ninety days after the date the franchisor serves the
212 required notice on the designated family member pursuant to subsection 5 of section
213 407.1031;

214 (d) The provisions of this subdivision shall not preclude a franchisee from
215 designating any person as the person's successor by written instrument filed with the

216 franchisor, and if such an instrument is filed, it alone shall determine the succession rights to
217 the management and operation of the franchise; and

218 (e) For determining whether good cause exists, the administrative hearing
219 commission shall take into consideration the existing circumstances, including, but not
220 limited to, the following factors:

221 a. Whether the franchise agreement specifically permits the franchisor to approve or
222 disapprove any successor;

223 b. Whether the proposed successor fails to satisfy any standards of the franchisor
224 which are in fact normally relied upon by the franchisor prior to the successor entering into a
225 franchise, and which relate to the proposed management or ownership of the franchise
226 operation or to the qualification, capitalization, integrity or character of the proposed
227 successor and which are reasonable;

228 c. Injury to the public welfare;

229 d. The harm to the franchisor;

230 (15) To coerce, threaten, intimidate or require a franchisee under any condition
231 affecting or related to a franchise agreement, or to waive, limit or disclaim a right that the
232 franchisee may have pursuant to the provisions of sections 407.1025 to 407.1049. Any
233 contracts or agreements which contain such provisions shall be deemed against the public
234 policy of the state of Missouri and are void and unenforceable. Nothing in this section shall
235 be construed to prohibit voluntary settlement agreements;

236 (16) To initiate any act enumerated in this subsection on grounds that it has advised a
237 franchisee of its intention to discontinue representation at the time of a franchisee change.

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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