

SECOND REGULAR SESSION

HOUSE BILL NO. 2411

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SASSMANN.

5854H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 143.1032, 226.925, 227.299, 301.020, and 302.171, RSMo, and to enact in lieu thereof five new sections relating to the memorial highway designation process.

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

Section A. Sections 143.1032, 226.925, 227.299, 301.020, and 302.171, RSMo, are
2 repealed and five new sections enacted in lieu thereof, to be known as sections 143.1032,
3 226.925, 227.299, 301.020, and 302.171, to read as follows:

143.1032. 1. In each taxable year beginning on or after January 1, 2022, each
2 individual or corporation entitled to a tax refund in an amount sufficient to make a
3 designation under this section may designate that one dollar or any amount in excess of one
4 dollar on a single return, and two dollars or any amount in excess of two dollars on a
5 combined return, of the refund due be credited to the Missouri ~~[medal of honor]~~ **fallen heroes**
6 fund. The contribution designation authorized by this section shall be clearly and
7 unambiguously printed on the first page of each income tax return form provided by this state.
8 If any individual or corporation that is not entitled to a tax refund in an amount sufficient to
9 make a designation under this section wishes to make a contribution to the Missouri ~~[medal of~~
10 ~~honor]~~ **fallen heroes** fund, such individual or corporation may, by separate check, draft, or
11 other negotiable instrument, send in with the payment of taxes, or may send in separately, that
12 amount, clearly designated for the Missouri ~~[medal of honor]~~ **fallen heroes** fund, the
13 individual or corporation wishes to contribute. The department of revenue shall deposit such
14 amount to the Missouri ~~[medal of honor]~~ **fallen heroes** fund as provided in subsection 2 of
15 this section.

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.

16 2. The director of revenue shall deposit at least monthly all contributions designated
17 by individuals under this section to the state treasurer for deposit to the Missouri ~~[medal of~~
18 ~~honor]~~ **fallen heroes** fund. The fund shall be administered by the director of revenue.

19 3. The director of revenue shall deposit at least monthly all contributions designated
20 by the corporations under this section, less an amount sufficient to cover the cost of
21 collection, handling, and administration by the department of revenue ~~[during fiscal year~~
22 ~~2021]~~ **not to exceed one percent**, to the Missouri ~~[medal of honor]~~ **fallen heroes** fund.

23 4. A contribution designated under this section shall only be deposited in the Missouri
24 ~~[medal of honor]~~ **fallen heroes** fund after all other claims against the refund from which such
25 contribution is to be made have been satisfied.

26 5. Moneys deposited in the Missouri ~~[medal of honor]~~ **fallen heroes** fund shall be
27 used by the department of transportation to pay for the costs of ~~[the Missouri medal of honor]~~
28 **memorial** signs.

29 6. The state treasurer shall invest moneys in the fund in the same manner as other
30 funds are invested. Any interest and moneys earned on such investments shall be credited to
31 the fund.

226.925. ~~[1-]~~ There is hereby created in the state treasury the "Missouri ~~[Medal of~~
2 ~~Honor Recipients]~~ **Fallen Heroes** Fund". The fund shall consist of moneys donated pursuant
3 to sections 301.020, 302.171, and 143.1032. All moneys shall be received by the department
4 of revenue and either upon request or, at a minimum, on a monthly basis be transferred to the
5 department of transportation. Unexpended balances in the fund at the end of any fiscal year
6 shall not be transferred to the general revenue fund or any other fund, the provisions of
7 section 33.080 to the contrary notwithstanding. Moneys in the fund shall be used to pay ~~[any~~
8 ~~renewal fee for a memorial bridge or memorial highway signs for Missouri medal of honor~~
9 ~~recipients]~~ **the costs associated with memorial designations for members of the Armed**
10 **Forces killed in the line of duty, members of the Armed Forces who are missing in**
11 **action, Missouri recipients of the medal of honor, emergency personnel killed while**
12 **performing duties relating to their employment, or state employees killed while serving**
13 **the state**, and for the maintenance and repair of all such signs ~~[whether originally paid for by~~
14 ~~private donations or by the department of transportation.~~

15 ~~2. The department of revenue shall provide notification by way of memorandum, to~~
16 ~~the department of transportation informing the department of transportation of the payment~~
17 ~~transfer to the credit of the state road fund, with the memorandum indicating the payment~~
18 ~~amount, payment date, payment account number, and the names or names of the Missouri~~
19 ~~medal of honor recipient or recipients for which the payment is made]~~ **as required by section**
20 **227.296.**

227.299. 1. Except as provided in subsection 7 of this section, an organization or person that seeks a bridge or highway designation on the state highway system to honor an event, place, organization, or person ~~[who has been deceased for more than two years]~~ shall petition the department of transportation by submitting the following:

(1) An application in a form prescribed by the director, describing the bridge or segment of highway for which designation is sought and the proposed name of the bridge or relevant portion of highway. The application shall include the name of at least one current member of the general assembly who will sponsor the bridge or highway designation. The application may contain written testimony for support of the bridge or highway designation;

and

~~(2) [A list of at least one hundred signatures of individuals who support the naming of the bridge or highway; and~~

~~(3)]~~ A fee to be determined by the commission, not to exceed the cost of the materials needed to construct each sign.

2. All moneys received by the department of transportation for the construction of bridge or highway signs on the state highway system shall be deposited in the state treasury to the credit of the state road fund.

3. The documents and fees required under this section shall be submitted to the department of transportation no later than November first prior to the next regular session of the general assembly to be approved or denied by the joint committee on transportation oversight during such legislative session.

4. The department of transportation shall give notice of any proposed bridge or highway designation on the state highway system in a manner reasonably calculated to advise the public of such proposal. Reasonable notice shall include posting the proposal for the designation on the department's official public website, and making available copies of the sign designation application to any representative of the news media or public upon request and posting the application on a bulletin board or other prominent public place which is easily accessible to the public and clearly designated for that purpose at the principal office.

5. If the memorial highway designation requested by the organization is not approved by the joint committee on transportation oversight, ninety-seven percent of the application fee shall be refunded to the requesting organization.

6. Two highway signs shall be erected for each bridge and highway designation on the state highway system processed under this section. When a named section of a highway crosses two or more county lines, consideration shall be given by the department of transportation to allow additional signage at the county lines or major intersections.

7. Highway or bridge designations on the state highway system honoring fallen law enforcement officers, members of the Armed Forces killed in the line of duty, Missouri

38 recipients of the medal of honor, emergency personnel killed while performing duties relating
39 to their employment, or state employees killed while serving the state shall not be subject to
40 the provisions of ~~[subdivisions]~~ **subdivision (2)** ~~[and (3)]~~ of subsection 1 of this section.

41 8. No bridge or portion of a highway on the state highway system may be named or
42 designated after more than one event, place, organization, or person. Each event, place,
43 organization, or person shall only be eligible for one bridge or highway designation.

44 9. Any highway signs erected for any bridge or highway designation on the state
45 highway system under the provisions of this section shall be erected and maintained for a
46 twenty-year period. After such period, the signs shall be subject to removal by the
47 department of transportation and the bridge or highway may be designated to honor events,
48 places, organizations, or persons other than the current designee. An existing highway or
49 bridge designation processed under the provisions of this section may be retained for
50 additional twenty-year increments if, at least one year before the designation's expiration, an
51 application to the department of transportation is made to retain the designation along with
52 the required documents and all applicable fees required under this section.

53 10. For persons honored with designations on the state highway system under this
54 chapter after August 28, 2021, the department of transportation shall post a link on its website
55 to biographical information of such persons.

56 11. The provisions of this section shall apply to bridge or highway designations
57 sought after August 28, 2006.

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 and has less than one hundred fifty
15 thousand miles on the odometer, the director of revenue shall retain the odometer information
16 provided in the vehicle inspection report, and provide for prompt access to such information,
17 together with the vehicle identification number for the motor vehicle to which such

18 information pertains, for a period of ten years after the receipt of such information. This
19 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 and has less than one hundred fifty thousand miles on the
27 odometer, the director of revenue shall retain the odometer information provided in the
28 vehicle inspection report, and provide for prompt access to such information, together with
29 the vehicle identification number for the motor vehicle to which such information pertains,
30 for a period of ten years after the receipt of such information. This subsection shall not apply
31 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]~~ **fallen heroes** fund. The director of revenue shall collect the
94 donations and deposit all such donations in the state treasury to the credit of the Missouri
95 ~~[medal of honor recipients]~~ **fallen heroes** fund as established in section 226.925. Moneys in
96 the ~~[medal of honor recipients]~~ **Missouri fallen heroes** fund shall be used solely for the
97 purposes established in section 226.925, except that the department of revenue shall retain no
98 more than one percent for its administrative costs. The donation prescribed in this subsection
99 is voluntary and may be refused by the applicant for registration at the time of issuance or
100 renewal. The director shall inquire of each applicant at the time the applicant presents the
101 completed application to the director whether the applicant is interested in making the one
102 dollar donation prescribed in this subsection.

302.171. 1. The director shall verify that an applicant for a driver's license is a
2 Missouri resident or national of the United States or a noncitizen with a lawful immigration
3 status, and a Missouri resident before accepting the application. The director shall not issue a
4 driver's license for a period that exceeds the duration of an applicant's lawful immigration
5 status in the United States. The director may establish procedures to verify the Missouri
6 residency or United States naturalization or lawful immigration status and Missouri residency
7 of the applicant and establish the duration of any driver's license issued under this section. An
8 application for a license shall be made upon an approved form furnished by the director.
9 Every application shall state the full name, Social Security number, age, height, weight, color
10 of eyes, sex, residence, mailing address of the applicant, and the classification for which the
11 applicant has been licensed, and, if so, when and by what state, and whether or not such
12 license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or
13 disqualified, the date and reason for such suspension, revocation or disqualification and
14 whether the applicant is making a one or more dollar donation to promote an organ donation
15 program as prescribed in subsection 2 of this section, to promote a blindness education,
16 screening and treatment program as prescribed in subsection 3 of this section, or the Missouri
17 medal of honor recipients fund prescribed in subsection 4 of this section. A driver's license,
18 nondriver's license, or instruction permit issued under this chapter shall contain the applicant's
19 legal name as it appears on a birth certificate or as legally changed through marriage or court
20 order. No name change by common usage based on common law shall be permitted. The
21 application shall also contain such information as the director may require to enable the
22 director to determine the applicant's qualification for driving a motor vehicle; and shall state
23 whether or not the applicant has been convicted in this or any other state for violating the laws
24 of this or any other state or any ordinance of any municipality, relating to driving without a
25 license, careless driving, or driving while intoxicated, or failing to stop after an accident and
26 disclosing the applicant's identity, or driving a motor vehicle without the owner's consent.

27 The application shall contain a certification by the applicant as to the truth of the facts stated
28 therein. Every person who applies for a license to operate a motor vehicle who is less than
29 twenty-one years of age shall be provided with educational materials relating to the hazards of
30 driving while intoxicated, including information on penalties imposed by law for violation of
31 the intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is
32 less than eighteen years of age, the applicant must comply with all requirements for the
33 issuance of an intermediate driver's license pursuant to section 302.178. For persons
34 mobilized and deployed with the United States Armed Forces, an application under this
35 subsection shall be considered satisfactory by the department of revenue if it is signed by a
36 person who holds general power of attorney executed by the person deployed, provided the
37 applicant meets all other requirements set by the director.

38 2. An applicant for a license may make a donation of an amount not less than one
39 dollar to promote an organ donor program. The director of revenue shall collect the donations
40 and deposit all such donations in the state treasury to the credit of the organ donor program
41 fund established in sections 194.297 to 194.304. Moneys in the organ donor program fund
42 shall be used solely for the purposes established in sections 194.297 to 194.304 except that
43 the department of revenue shall retain no more than one percent for its administrative costs.
44 The donation prescribed in this subsection is voluntary and may be refused by the applicant
45 for the license at the time of issuance or renewal of the license. The director shall make
46 available an informational booklet or other informational sources on the importance of organ
47 and tissue donations to applicants for licensure as designed by the organ donation advisory
48 committee established in sections 194.297 to 194.304. The director shall inquire of each
49 applicant at the time the licensee presents the completed application to the director whether
50 the applicant is interested in making the one or more dollar donation prescribed in this
51 subsection and whether the applicant is interested in inclusion in the organ donor registry and
52 shall also specifically inform the licensee of the ability to consent to organ donation by
53 placing a donor symbol sticker authorized and issued by the department of health and senior
54 services on the back of his or her driver's license or identification card as prescribed by
55 subdivision (1) of subsection 1 of section 194.225. A symbol may be placed on the front of
56 the license or identification card indicating the applicant's desire to be listed in the registry at
57 the applicant's request at the time of his or her application for a driver's license or
58 identification card, or the applicant may instead request an organ donor sticker from the
59 department of health and senior services by application on the department of health and senior
60 services' website. Upon receipt of an organ donor sticker sent by the department of health and
61 senior services, the applicant shall place the sticker on the back of his or her driver's license or
62 identification card to indicate that he or she has made an anatomical gift. The director shall
63 notify the department of health and senior services of information obtained from applicants

64 who indicate to the director that they are interested in registry participation, and the
65 department of health and senior services shall enter the complete name, address, date of birth,
66 race, gender and a unique personal identifier in the registry established in subsection 1 of
67 section 194.304.

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

79 4. An applicant for registration may make a donation of one dollar to the Missouri
80 ~~[medal of honor recipients]~~ **fallen heroes** fund. The director of revenue shall collect the
81 donations and deposit all such donations in the state treasury to the credit of the Missouri
82 ~~[medal of honor recipients]~~ **fallen heroes** fund as established in section 226.925. Moneys in
83 the ~~[medal of honor recipients]~~ **Missouri fallen heroes** fund shall be used solely for the
84 purposes established in section 226.925, except that the department of revenue shall retain no
85 more than one percent for its administrative costs. The donation prescribed in this subsection
86 is voluntary and may be refused by the applicant for registration at the time of issuance or
87 renewal. The director shall inquire of each applicant at the time the applicant presents the
88 completed application to the director whether the applicant is interested in making the one
89 dollar donation prescribed in this subsection.

90 5. Beginning July 1, 2005, the director shall deny the driving privilege of any person
91 who commits fraud or deception during the examination process or who makes application
92 for an instruction permit, driver's license, or nondriver's license which contains or is
93 substantiated with false or fraudulent information or documentation, or who knowingly
94 conceals a material fact or otherwise commits a fraud in any such application. The period of
95 denial shall be one year from the effective date of the denial notice sent by the director. The
96 denial shall become effective ten days after the date the denial notice is mailed to the person.
97 The notice shall be mailed to the person at the last known address shown on the person's
98 driving record. The notice shall be deemed received three days after mailing unless returned
99 by the postal authorities. No such individual shall reapply for a driver's examination,
100 instruction permit, driver's license, or nondriver's license until the period of denial is

101 completed. No individual who is denied the driving privilege under this section shall be
102 eligible for a limited driving privilege issued under section 302.309.

103 6. All appeals of denials under this section shall be made as required by section
104 302.311.

105 7. The period of limitation for criminal prosecution under this section shall be
106 extended under subdivision (1) of subsection 3 of section 556.036.

107 8. The director may promulgate rules and regulations necessary to administer and
108 enforce this section. No rule or portion of a rule promulgated pursuant to the authority of this
109 section shall become effective unless it has been promulgated pursuant to chapter 536.

110 9. Notwithstanding any provision of this chapter that requires an applicant to provide
111 proof of Missouri residency for renewal of a noncommercial driver's license, noncommercial
112 instruction permit, or nondriver's license, an applicant who is sixty-five years and older and
113 who was previously issued a Missouri noncommercial driver's license, noncommercial
114 instruction permit, or Missouri nondriver's license is exempt from showing proof of Missouri
115 residency.

116 10. Notwithstanding any provision of this chapter, for the renewal of a
117 noncommercial driver's license, noncommercial instruction permit, or nondriver's license, a
118 photocopy of an applicant's United States birth certificate along with another form of
119 identification approved by the department of revenue, including, but not limited to, United
120 States military identification or United States military discharge papers, shall constitute
121 sufficient proof of Missouri citizenship.

122 11. Notwithstanding any other provision of this chapter, if an applicant does not meet
123 the requirements of subsection 9 of this section and does not have the required documents to
124 prove Missouri residency, United States naturalization, or lawful immigration status, the
125 department may issue a one-year driver's license renewal. This one-time renewal shall only
126 be issued to an applicant who previously has held a Missouri noncommercial driver's license,
127 noncommercial instruction permit, or nondriver's license for a period of fifteen years or more
128 and who does not have the required documents to prove Missouri residency, United States
129 naturalization, or lawful immigration status. After the expiration of the one-year period, no
130 further renewal shall be provided without the applicant producing proof of Missouri
131 residency, United States naturalization, or lawful immigration status.

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