

SECOND REGULAR SESSION

HOUSE BILL NO. 3316

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KNIGHT.

7087H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 144.070, 301.010, 301.020, 301.030, 301.050, 301.055, 301.070, 301.110, 301.140, 301.142, 301.147, 301.190, 301.550, 301.560, 301.570, 302.170, 307.350, and 643.315, RSMo, and to enact in lieu thereof eighteen new sections relating to motor vehicles, with penalty provisions and an effective date.

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

Section A. Sections 144.070, 301.010, 301.020, 301.030, 301.050, 301.055, 301.070, 301.110, 301.140, 301.142, 301.147, 301.190, 301.550, 301.560, 301.570, 302.170, 307.350, and 643.315, RSMo, are repealed and eighteen new sections enacted in lieu thereof, to be known as sections 144.070, 301.010, 301.020, 301.030, 301.050, 301.055, 301.070, 301.110, 301.140, 301.142, 301.147, 301.190, 301.550, 301.560, 301.570, 302.170, 307.350, and 643.315, to read as follows:

144.070. 1. At the time the owner of any new or used motor vehicle, trailer, boat, or outboard motor which was acquired in a transaction subject to sales tax under the Missouri sales tax law makes application to the director of revenue for an official certificate of title and the registration of the motor vehicle, trailer, boat, or outboard motor as otherwise provided by law, the owner shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price exclusive of any charge incident to the extension of credit paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that no sales tax was incurred in its acquisition, and if sales tax was incurred in its acquisition, the applicant shall pay or cause to be paid to the director of revenue the sales tax provided by the Missouri sales tax law in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a certificate of

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.

12 title for any new or used motor vehicle, trailer, boat, or outboard motor subject to sales tax as
13 provided in the Missouri sales tax law until the tax levied for the sale of the same under
14 sections 144.010 to 144.510 has been paid as provided in this section or is registered under
15 the provisions of subsection 5 of this section.

16 2. As used in subsection 1 of this section, the term "purchase price" shall mean the
17 total amount of the contract price agreed upon between the seller and the applicant in the
18 acquisition of the motor vehicle, trailer, boat, or outboard motor, regardless of the medium of
19 payment therefor.

20 3. In the event that the purchase price is unknown or undisclosed, or that the evidence
21 thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisalment
22 by the director.

23 4. The director of the department of revenue shall endorse upon the official certificate
24 of title issued by the director upon such application an entry showing that such sales tax has
25 been paid or that the motor vehicle, trailer, boat, or outboard motor represented by such
26 certificate is exempt from sales tax and state the ground for such exemption.

27 5. Any person, company, or corporation engaged in the business of renting or leasing
28 motor vehicles, trailers, boats, or outboard motors, which are to be used exclusively for rental
29 or lease purposes, and not for resale, may apply to the director of revenue for authority to
30 operate as a leasing or rental company and pay an annual fee of two hundred fifty dollars for
31 such authority. Any company approved by the director of revenue may pay the tax due on
32 any motor vehicle, trailer, boat, or outboard motor as required in section 144.020 at the time
33 of registration thereof or in lieu thereof may pay a sales tax as provided in sections 144.010,
34 144.020, 144.070 and 144.440. A sales tax shall be charged to and paid by a leasing company
35 which does not exercise the option of paying in accordance with section 144.020, on the
36 amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or
37 outboard motor is domiciled in this state. Any motor vehicle, trailer, boat, or outboard motor
38 which is leased as the result of a contract executed in this state shall be presumed to be
39 domiciled in this state.

40 6. Every applicant to be a registered fleet owner as described in subsections 6 to 10 of
41 section 301.032 shall furnish with the application to operate as a registered fleet owner a
42 corporate surety bond or irrevocable letter of credit, as defined in section 400.5-102, issued
43 by any state or federal financial institution in the penal sum of one hundred thousand dollars,
44 on a form approved by the department. The bond or irrevocable letter of credit shall be
45 conditioned upon the registered fleet owner complying with the provisions of any statutes
46 applicable to registered fleet owners, and the bond shall be an indemnity for any loss
47 sustained by reason of the acts of the person bonded when such acts constitute grounds for the
48 suspension or revocation of the registered fleet owner license. The bond shall be executed in

49 the name of the state of Missouri for the benefit of all aggrieved parties or the irrevocable
50 letter of credit shall name the state of Missouri as the beneficiary; except that, the aggregate
51 liability of the surety or financial institution to the aggrieved parties shall, in no event, exceed
52 the amount of the bond or irrevocable letter of credit. The proceeds of the bond or irrevocable
53 letter of credit shall be paid upon receipt by the department of a final judgment from a
54 Missouri court of competent jurisdiction against the principal and in favor of an aggrieved
55 party.

56 7. Any corporation may have one or more of its divisions separately apply to the
57 director of revenue for authorization to operate as a leasing company, provided that the
58 corporation:

59 (1) Has filed a written consent with the director authorizing any of its divisions to
60 apply for such authority;

61 (2) Is authorized to do business in Missouri;

62 (3) Has agreed to treat any sale of a motor vehicle, trailer, boat, or outboard motor
63 from one of its divisions to another of its divisions as a sale at retail;

64 (4) Has registered under the fictitious name provisions of sections 417.200 to 417.230
65 each of its divisions doing business in Missouri as a leasing company; and

66 (5) Operates each of its divisions on a basis separate from each of its other divisions.
67 However, when the transfer of a motor vehicle, trailer, boat or outboard motor occurs within a
68 corporation which holds a license to operate as a motor vehicle or boat dealer pursuant to
69 sections 301.550 to 301.573 the provisions in subdivision (3) of this subsection shall not
70 apply.

71 8. If the owner of any motor vehicle, trailer, boat, or outboard motor desires to charge
72 and collect sales tax as provided in this section, the owner shall make application to the
73 director of revenue for a permit to operate as a motor vehicle, trailer, boat, or outboard motor
74 leasing company. The director of revenue shall promulgate rules and regulations determining
75 the qualifications of such a company, and the method of collection and reporting of sales tax
76 charged and collected. Such regulations shall apply only to owners of motor vehicles, trailers,
77 boats, or outboard motors, electing to qualify as motor vehicle, trailer, boat, or outboard
78 motor leasing companies under the provisions of subsection 5 of this section, and no motor
79 vehicle renting or leasing, trailer renting or leasing, or boat or outboard motor renting or
80 leasing company can come under sections 144.010, 144.020, 144.070 and 144.440 unless all
81 motor vehicles, trailers, boats, and outboard motors held for renting and leasing are included.

82 9. Any person, company, or corporation engaged in the business of renting or leasing
83 three thousand five hundred or more motor vehicles which are to be used exclusively for
84 rental or leasing purposes and not for resale, and that has applied to the director of revenue for

85 authority to operate as a leasing company may also operate as a registered fleet owner as
86 prescribed in section 301.032.

87 10. (1) Beginning July 1, 2010, any motor vehicle dealer licensed under section
88 301.560 engaged in the business of selling motor vehicles or trailers shall apply to the director
89 of revenue for authority to collect and remit the sales tax required under this section on all
90 motor vehicles sold by the motor vehicle dealer. A motor vehicle dealer receiving authority
91 to collect and remit the tax is subject to all provisions under sections 144.010 to 144.525.
92 Any motor vehicle dealer authorized to collect and remit sales taxes on motor vehicles under
93 this subsection shall be entitled to deduct and retain an amount equal to two percent of the
94 motor vehicle sales tax pursuant to section 144.140. Any amount of the tax collected under
95 this subsection that is retained by a motor vehicle dealer pursuant to section 144.140 shall not
96 constitute state revenue. In no event shall revenues from the general revenue fund or any
97 other state fund be utilized to compensate motor vehicle dealers for their role in collecting and
98 remitting sales taxes on motor vehicles. In the event this subsection or any portion thereof is
99 held to violate Article IV, Section 30(b) of the Missouri Constitution, no motor vehicle dealer
100 shall be authorized to collect and remit sales taxes on motor vehicles under this section. No
101 motor vehicle dealer shall seek compensation from the state of Missouri or its agencies if a
102 court of competent jurisdiction declares that the retention of two percent of the motor vehicle
103 sales tax is unconstitutional and orders the return of such revenues.

104 (2) **Notwithstanding any provision of law to the contrary, when a motor vehicle,**
105 **trailer, boat, or other titled personal property is sold by a licensed Missouri dealer to a**
106 **purchaser who is not a resident of this state, and the vehicle is delivered to or picked up**
107 **at the dealer's Missouri location, the dealer shall collect and remit Missouri state and**
108 **local sales tax according to law at the rate applicable at the dealer's place of business.**
109 **The provisions of this subdivision shall apply regardless of whether the purchaser**
110 **intends to title or register the vehicle in another state. The dealer shall not be required**
111 **to determine the tax rate of the purchaser's state of residence.**

112 11. (1) Every motor vehicle dealer licensed under section 301.560, as soon as
113 technologically possible following the development and maintenance of a modernized,
114 integrated system for the titling of vehicles, issuance and renewal of vehicle registrations,
115 issuance and renewal of driver's licenses and identification cards, and perfection and release
116 of liens and encumbrances on vehicles, to be funded by the motor vehicle administration
117 technology fund as created in section 301.558, shall collect and remit the sales tax required
118 under this section on all motor vehicles, **boats, and outboard motors** that such dealer sells as
119 **directed by the director of revenue.** In collecting and remitting this sales tax, motor vehicle
120 dealers shall be subject to all applicable provisions under sections 144.010 to 144.527.

121 (2) The director of revenue may promulgate all necessary rules and regulations for the
122 administration of this subsection. Any rule or portion of a rule, as that term is defined in
123 section 536.010, that is created under the authority delegated in this subsection shall become
124 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
125 applicable, section 536.028. This subsection and chapter 536 are nonseverable and if any of
126 the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
127 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
128 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023,
129 shall be invalid and void.

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to
2 304.260, and sections 307.010 to 307.175, the following terms mean:

3 (1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively
4 for off-highway use, with an unladen dry weight of one thousand five hundred pounds or less,
5 traveling on three, four or more nonhighway tires, with either:

6 (a) A seat designed to be straddled by the operator, and handlebars for steering
7 control, but excluding an electric bicycle; or

8 (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire
9 rim, regardless of seating or steering arrangement;

10 (2) "Autocycle", a three-wheeled motor vehicle which the drivers and passengers ride
11 in a partially or completely enclosed nonstraddle seating area, that is designed to be
12 controlled with a steering wheel and pedals, and that has met applicable Department of
13 Transportation National Highway Traffic Safety Administration requirements or federal
14 motorcycle safety standards;

15 (3) "Automobile transporter", any vehicle combination capable of carrying cargo on
16 the power unit and designed and used for the transport of assembled motor vehicles, including
17 truck camper units;

18 (4) "Axle load", the total load transmitted to the road by all wheels whose centers are
19 included between two parallel transverse vertical planes forty inches apart, extending across
20 the full width of the vehicle;

21 (5) "Backhaul", the return trip of a vehicle transporting cargo or general freight,
22 especially when carrying goods back over all or part of the same route;

23 (6) "Boat transporter", any vehicle combination capable of carrying cargo on the
24 power unit and designed and used specifically to transport assembled boats and boat hulls.
25 Boats may be partially disassembled to facilitate transporting;

26 (7) "Body shop", a business that repairs physical damage on motor vehicles that are
27 not owned by the shop or its officers or employees by mending, straightening, replacing body
28 parts, or painting;

29 (8) "Bus", a motor vehicle primarily for the transportation of a driver and eight or
30 more passengers but not including shuttle buses;

31 (9) "Commercial motor vehicle", a motor vehicle designed or regularly used for
32 carrying freight and merchandise, or more than eight passengers but not including vanpools or
33 shuttle buses;

34 (10) "Cotton trailer", a trailer designed for transporting cotton at speeds less than
35 seventy miles per hour from field to field or from field to market and return;

36 (11) "Dealer", any person, firm, corporation, association, agent or subagent engaged
37 in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

38 (12) "Director" or "director of revenue", the director of the department of revenue;

39 (13) "Driveaway operation":

40 (a) The movement of a motor vehicle or trailer by any person or motor carrier other
41 than a dealer over any public highway, under its own power singly, or in a fixed combination
42 of two or more vehicles, for the purpose of delivery for sale or for delivery either before or
43 after sale;

44 (b) The movement of any vehicle or vehicles, not owned by the transporter,
45 constituting the commodity being transported, by a person engaged in the business of
46 furnishing drivers and operators for the purpose of transporting vehicles in transit from one
47 place to another by the driveaway or towaway methods; or

48 (c) The movement of a motor vehicle by any person who is lawfully engaged in the
49 business of transporting or delivering vehicles that are not the person's own and vehicles of a
50 type otherwise required to be registered, by the driveaway or towaway methods, from a point
51 of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales
52 agent of a manufacturer or to any consignee designated by the shipper or consignor;

53 (14) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the
54 fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck
55 tractor equipped with a dromedary may carry part of a load when operating independently or
56 in a combination with a semitrailer;

57 (15) "Electric bicycle", a bicycle equipped with fully operable pedals, a saddle or seat
58 for the rider, and an electric motor of less than 750 watts that meets the requirements of one of
59 the following three classes:

60 (a) "Class 1 electric bicycle", an electric bicycle equipped with a motor that provides
61 assistance only when the rider is pedaling and that ceases to provide assistance when the
62 bicycle reaches the speed of twenty miles per hour;

63 (b) "Class 2 electric bicycle", an electric bicycle equipped with a motor that may be
64 used exclusively to propel the bicycle and that is not capable of providing assistance when the
65 bicycle reaches the speed of twenty miles per hour; or

66 (c) "Class 3 electric bicycle", an electric bicycle equipped with a motor that provides
67 assistance only when the rider is pedaling and that ceases to provide assistance when the
68 bicycle reaches the speed of twenty-eight miles per hour;

69 (16) "Farm tractor", a tractor used exclusively for agricultural purposes;

70 (17) "Fleet", any group of ten or more motor vehicles owned by the same owner;

71 (18) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

72 (19) "Fullmount", a vehicle mounted completely on the frame of either the first or last
73 vehicle in a saddlemount combination;

74 (20) "Gross weight", the weight of vehicle and/or vehicle combination without load,
75 plus the weight of any load thereon;

76 (21) "Hail-damaged vehicle", any vehicle, the body of which has become dented as
77 the result of the impact of hail;

78 (22) "Highway", any public thoroughfare for vehicles, including state roads, county
79 roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

80 (23) "Improved highway", a highway which has been paved with gravel, macadam,
81 concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth
82 surface;

83 (24) "Intersecting highway", any highway which joins another, whether or not it
84 crosses the same;

85 (25) "Junk vehicle", a vehicle which:

86 (a) Is incapable of operation or use upon the highways and has no resale value except
87 as a source of parts or scrap; or

88 (b) Has been designated as junk or a substantially equivalent designation by this state
89 or any other state;

90 (26) "Kit vehicle", a motor vehicle assembled by a person other than a generally
91 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
92 an authorized manufacturer and accompanied by a manufacturer's statement of origin;

93 (27) "Land improvement contractors' commercial motor vehicle", any not-for-hire
94 commercial motor vehicle the operation of which is confined to:

95 (a) An area that extends not more than a radius of one hundred fifty miles from its
96 home base of operations when transporting its owner's machinery, equipment, or auxiliary
97 supplies to or from projects involving soil and water conservation, or to and from equipment
98 dealers' maintenance facilities for maintenance purposes; or

99 (b) An area that extends not more than a radius of fifty miles from its home base of
100 operations when transporting its owner's machinery, equipment, or auxiliary supplies to or
101 from projects not involving soil and water conservation.

103 Nothing in this subdivision shall be construed to prevent any motor vehicle from being
104 registered as a commercial motor vehicle or local commercial motor vehicle;

105 (28) "Local commercial motor vehicle", a commercial motor vehicle whose
106 operations are confined to a municipality and that area extending not more than fifty miles
107 therefrom, or a commercial motor vehicle whose property-carrying operations are confined
108 solely to the transportation of property owned by any person who is the owner or operator of
109 such vehicle to or from a farm owned by such person or under the person's control by virtue
110 of a landlord and tenant lease; provided that any such property transported to any such farm is
111 for use in the operation of such farm;

112 (29) "Local log truck", a commercial motor vehicle which is registered pursuant to
113 this chapter to operate as a motor vehicle on the public highways of this state; used
114 exclusively in this state; used to transport harvested forest products; operated solely at a
115 forested site and in an area extending not more than a one hundred fifty mile radius from such
116 site; and when operated on the national system of interstate and defense highways described
117 in 23 U.S.C. Section 103, as amended, or outside the one hundred fifty mile radius from such
118 site with an extended distance local log truck permit, does not have more than four axles, and
119 does not pull a trailer which has more than three axles. Harvesting equipment which is used
120 specifically for cutting, felling, trimming, delimiting, debarking, chipping, skidding, loading,
121 unloading, and stacking may be transported on a local log truck;

122 (30) "Local log truck tractor", a commercial motor vehicle which is registered under
123 this chapter to operate as a motor vehicle on the public highways of this state; used
124 exclusively in this state; used to transport harvested forest products, operated at a forested site
125 and in an area extending not more than a one hundred fifty mile radius from such site; and
126 when operated on the national system of interstate and defense highways described in 23
127 U.S.C. Section 103, as amended, or outside the one hundred fifty mile radius from such site
128 with an extended distance local log truck permit, does not have more than three axles and
129 does not pull a trailer which has more than three axles;

130 (31) "Local transit bus", a bus whose operations are confined wholly within a
131 municipal corporation, or wholly within a municipal corporation and a commercial zone, as
132 defined in section 390.020, adjacent thereto, forming a part of a public transportation system
133 within such municipal corporation and such municipal corporation and adjacent commercial
134 zone;

135 (32) "Log truck", a vehicle which is not a local log truck or local log truck tractor and
136 is used exclusively to transport harvested forest products to and from forested sites which is
137 registered pursuant to this chapter to operate as a motor vehicle on the public highways of this
138 state for the transportation of harvested forest products;

- 139 (33) "Major component parts", the rear clip, cowl, frame, body, cab, front-end
140 assembly, and front clip, as those terms are defined by the director of revenue pursuant to
141 rules and regulations or by illustrations;
- 142 (34) "Manufacturer", any person, firm, corporation or association engaged in the
143 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;
- 144 (35) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
145 receives a new, rebuilt or used engine, and which used the number stamped on the original
146 engine as the vehicle identification number;
- 147 (36) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
148 except farm tractors and electric bicycles;
- 149 (37) "Motor vehicle primarily for business use", any vehicle other than a recreational
150 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over
151 twelve thousand pounds:
- 152 (a) Offered for hire or lease; or
153 (b) The owner of which also owns ten or more such motor vehicles;
- 154 (38) "Motorcycle", a motor vehicle operated on two wheels;
- 155 (39) "Motorized bicycle", any two-wheeled or three-wheeled device having an
156 automatic transmission and a motor with a cylinder capacity of not more than fifty cubic
157 centimeters, which produces less than three gross brake horsepower, and is capable of
158 propelling the device at a maximum speed of not more than thirty miles per hour on level
159 ground, but excluding an electric bicycle;
- 160 (40) "Motortricycle", a motor vehicle upon which the operator straddles or sits astride
161 that is designed to be controlled by handle bars and is operated on three wheels, including a
162 motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of
163 a third wheel, but excluding an electric bicycle. A motortricycle shall not be included in the
164 definition of all-terrain vehicle;
- 165 (41) "Municipality", any city, town or village, whether incorporated or not;
- 166 (42) "Nonresident", a resident of a state or country other than the state of Missouri;
- 167 (43) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in
168 compliance with United States emissions or safety standards;
- 169 (44) "Operator", any person who operates or drives a motor vehicle;
- 170 (45) "Owner", any person, firm, corporation or association, who holds the legal title
171 to a vehicle or who has executed a buyer's order or retail installment sales contract with a
172 motor vehicle dealer licensed under sections 301.550 to 301.580 for the purchase of a vehicle
173 with an immediate right of possession vested in the transferee, or in the event a vehicle is the
174 subject of an agreement for the conditional sale or lease thereof with the right of purchase
175 upon performance of the conditions stated in the agreement and with an immediate right of

176 possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle
177 is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed
178 the owner;

179 (46) "Public garage", a place of business where motor vehicles are housed, stored,
180 repaired, reconstructed or repainted for persons other than the owners or operators of such
181 place of business;

182 (47) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the
183 rebuilder, but does not include certificated common or contract carriers of persons or
184 property;

185 (48) "Reconstructed motor vehicle", a vehicle that is altered from its original
186 construction by the addition or substitution of two or more new or used major component
187 parts, excluding motor vehicles made from all new parts, and new multistage manufactured
188 vehicles;

189 (49) "Recreational motor vehicle", any motor vehicle designed, constructed or
190 substantially modified so that it may be used and is used for the purposes of temporary
191 housing quarters, including therein sleeping and eating facilities which are either permanently
192 attached to the motor vehicle or attached to a unit which is securely attached to the motor
193 vehicle. Nothing herein shall prevent any motor vehicle from being registered as a
194 commercial motor vehicle if the motor vehicle could otherwise be so registered;

195 (50) "Recreational off-highway vehicle", any motorized vehicle manufactured and
196 used exclusively for off-highway use which is more than fifty inches but no more than eighty
197 inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry
198 weight of three thousand five hundred pounds or less, traveling on four or more nonhighway
199 tires and which may have access to ATV trails;

200 (51) "Recreational trailer", any trailer designed, constructed, or substantially modified
201 so that it may be used and is used for the purpose of temporary housing quarters, including
202 therein sleeping or eating facilities, which can be temporarily attached to a motor vehicle or
203 attached to a unit which is securely attached to a motor vehicle;

204 (52) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,
205 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a
206 wrecker or towing service;

207 (53) "Saddlemount combination", a combination of vehicles in which a truck or truck
208 tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or
209 fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front
210 axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like
211 a fifth wheel kingpin connection. When two vehicles are towed in this manner the

212 combination is called a "double saddlemount combination". When three vehicles are towed
213 in this manner, the combination is called a "triple saddlemount combination";

214 (54) "Salvage dealer and dismantler", a business that dismantles used motor vehicles
215 for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

216 (55) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

217 (a) Was damaged during a year that is no more than six years after the manufacturer's
218 model year designation for such vehicle to the extent that the total cost of repairs to rebuild or
219 reconstruct the vehicle to its condition immediately before it was damaged for legal operation
220 on the roads or highways exceeds eighty percent of the fair market value of the vehicle
221 immediately preceding the time it was damaged;

222 (b) By reason of condition or circumstance, has been declared salvage, either by its
223 owner, or by a person, firm, corporation, or other legal entity exercising the right of security
224 interest in it;

225 (c) Has been declared salvage by an insurance company as a result of settlement of a
226 claim;

227 (d) Ownership of which is evidenced by a salvage title; or

228 (e) Is abandoned property which is titled pursuant to section 304.155 or section
229 304.157 and designated with the words "salvage/abandoned property". The total cost of
230 repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing,
231 or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail,
232 or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of
233 this definition, "fair market value" means the retail value of a motor vehicle as:

234 a. Set forth in a current edition of any nationally recognized compilation of retail
235 values, including automated databases, or from publications commonly used by the
236 automotive and insurance industries to establish the values of motor vehicles;

237 b. Determined pursuant to a market survey of comparable vehicles with regard to
238 condition and equipment; and

239 c. Determined by an insurance company using any other procedure recognized by the
240 insurance industry, including market surveys, that is applied by the company in a uniform
241 manner;

242 (56) "School bus", any motor vehicle used solely to transport students to or from
243 school or to transport students to or from any place for educational purposes;

244 (57) "Scrap processor", a business that, through the use of fixed or mobile equipment,
245 flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or
246 transportation to a shredder or scrap metal operator for recycling;

247 (58) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
248 corporation as an incidental service to transport patrons or customers of the regular business

249 of such person, firm, or corporation to and from the place of business of the person, firm, or
250 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
251 buses or as commercial motor vehicles;

252 (59) "Special mobile equipment", every self-propelled vehicle not designed or used
253 primarily for the transportation of persons or property and incidentally operated or moved
254 over the highways, including farm equipment, implements of husbandry, road construction or
255 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power
256 shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire,
257 asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished
258 machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines,
259 concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be
260 deemed partial and shall not operate to exclude other such vehicles which are within the
261 general terms of this section;

262 (60) "Specially constructed motor vehicle", a motor vehicle which shall not have been
263 originally constructed under a distinctive name, make, model or type by a manufacturer of
264 motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

265 (61) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel
266 is located on a drop frame located behind and below the rearmost axle of the power unit;

267 (62) "Tandem axle", a group of two or more axles, arranged one behind another, the
268 distance between the extremes of which is more than forty inches and not more than ninety-
269 six inches apart;

270 (63) "Towaway trailer transporter combination", a combination of vehicles consisting
271 of a trailer transporter towing unit and two trailers or semitrailers, with a total weight that
272 does not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry no
273 property and constitute inventory property of a manufacturer, distributor, or dealer of such
274 trailers or semitrailers;

275 (64) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle
276 designed for drawing other vehicles, but not for the carriage of any load when operating
277 independently. When attached to a semitrailer, it supports a part of the weight thereof;

278 (65) "Trailer", any vehicle without motive power designed for carrying property or
279 passengers on its own structure and for being drawn by a self-propelled vehicle, except those
280 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
281 and used in conjunction with a self-propelled vehicle that a considerable part of its own
282 weight rests upon and is carried by the towing vehicle. The term trailer shall not include
283 cotton trailers as defined in this section and shall not include manufactured homes as defined
284 in section 700.010;

285 (66) "Trailer transporter towing unit", a power unit that is not used to carry property
286 when operating in a towaway trailer transporter combination;

287 (67) "Truck", a motor vehicle designed, used, or maintained for the transportation of
288 property;

289 (68) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two
290 trailing units are connected with a B-train assembly which is a rigid frame extension attached
291 to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the
292 second semitrailer and has one less articulation point than the conventional A-dolly connected
293 truck-tractor semitrailer-trailer combination;

294 (69) "Truck-trailer boat transporter combination", a boat transporter combination
295 consisting of a straight truck towing a trailer using typically a ball and socket connection with
296 the trailer axle located substantially at the trailer center of gravity rather than the rear of the
297 trailer but so as to maintain a downward force on the trailer tongue;

298 (70) "Used parts dealer", a business that buys and sells used motor vehicle parts or
299 accessories, but not including a business that sells only new, remanufactured or rebuilt parts.
300 Business does not include isolated sales at a swap meet of less than three days;

301 (71) "Utility vehicle", any motorized vehicle manufactured and used exclusively for
302 off-highway use which is more than fifty inches but no more than eighty inches in width,
303 measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three
304 thousand five hundred pounds or less, traveling on four or six wheels, to be used primarily for
305 landscaping, lawn care, or maintenance purposes;

306 (72) "Vanpool", any van or other motor vehicle used or maintained by any person,
307 group, firm, corporation, association, city, county or state agency, or any member thereof, for
308 the transportation of not less than eight nor more than forty-eight employees, per motor
309 vehicle, to and from their place of employment; however, a vanpool shall not be included in
310 the definition of the term bus or commercial motor vehicle as defined in this section, nor shall
311 a vanpool driver be deemed a chauffeur as that term is defined by section 303.020; nor shall
312 use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance
313 uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other
314 than for use in a ride-sharing arrangement;

315 (73) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
316 on highways, except motorized bicycles, electric bicycles, vehicles propelled or drawn by
317 horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers
318 or motorized wheelchairs operated by handicapped persons;

319 (74) **"Water-damaged vehicle", any vehicle that has been submerged in water to**
320 **the point that rising water has reached over the door sill and has entered the passenger**
321 **or trunk compartment. The department of revenue shall issue the owner of a water-**

322 **damaged vehicle a certificate of ownership designated with the words "water-damaged"**
323 **in addition to "salvage" or "prior salvage";**

324 (75) "Wrecker" or "tow truck", any emergency commercial vehicle equipped,
325 designed and used to assist or render aid and transport or tow disabled or wrecked vehicles
326 from a highway, road, street or highway rights-of-way to a point of storage or repair,
327 including towing a replacement vehicle to replace a disabled or wrecked vehicle;

328 ~~[(75)]~~ (76) "Wrecker or towing service", the act of transporting, towing or recovering
329 with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the
330 wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly
331 receives compensation or other personal gain.

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 **full legal name as it appears on the applicant's**
10 **driver license, nondriver license, or permit. If the applicant does not have a Missouri**
11 **driver license, nondriver license, or permit, the full legal name shall be as it appears on a**
12 **birth certificate or as legally changed through marriage or court order. Name changes**
13 **by common usage based on common law shall not be permitted. Applicants that are**
14 **businesses shall be the same name as registered to do business through the Missouri**
15 **secretary of state's office. The application shall also include the vehicle identification**
16 **number and address of the owner of such motor vehicle or trailer, as well as the address of**
17 **the owner of such boat or outboard motor as prescribed in chapter 306;**

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

20 2. If the vehicle is a motor vehicle primarily for business use as defined in section
21 301.010 and if such vehicle is ten years of age or less and has less than one hundred fifty
22 thousand miles on the odometer, the director of revenue shall retain the odometer information
23 provided in the vehicle inspection report, and provide for prompt access to such information,
24 together with the vehicle identification number for the motor vehicle to which such
25 information pertains, for a period of ten years after the receipt of such information. This
26 section shall not apply unless:

27 (1) The application for the vehicle's certificate of ownership was submitted after July
28 1, 1989; and

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

30 3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business
31 use, a recreational motor vehicle, motorcycle, motortricycle, autocycle, bus, or any
32 commercial motor vehicle licensed for over twelve thousand pounds and if such motor
33 vehicle is ten years of age or less and has less than one hundred fifty thousand miles on the
34 odometer, the director of revenue shall retain the odometer information provided in the
35 vehicle inspection report, and provide for prompt access to such information, together with
36 the vehicle identification number for the motor vehicle to which such information pertains,
37 for a period of ten years after the receipt of such information. This subsection shall not apply
38 unless:

39 (1) The application for the vehicle's certificate of ownership was submitted after July
40 1, 1990; and

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

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

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

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

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

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

99 9. An applicant for registration may make a donation of one dollar to the Missouri
100 medal of honor recipients fund. The director of revenue shall collect the donations and

101 deposit all such donations in the state treasury to the credit of the Missouri medal of honor
102 recipients fund as established in section 226.925. Moneys in the medal of honor recipients
103 fund shall be used solely for the purposes established in section 226.925, except that the
104 department of revenue shall retain no more than one percent for its administrative costs. The
105 donation prescribed in this subsection is voluntary and may be refused by the applicant for
106 registration at the time of issuance or renewal. The director shall inquire of each applicant at
107 the time the applicant presents the completed application to the director whether the applicant
108 is interested in making the one dollar donation prescribed in this subsection.

301.030. 1. The director shall provide for the retention of license plates by the
2 owners of motor vehicles, other than commercial motor vehicles, and shall establish a system
3 of registration on a monthly series basis to distribute the work of registering motor vehicles as
4 uniformly as practicable throughout the twelve months of the calendar year. For the purpose
5 of assigning license plate numbers, each type of motor vehicle shall be considered a separate
6 class. ~~[Commencing July 1, 1949,]~~ Motor vehicles, other than commercial motor vehicles,
7 shall be registered for a period of twelve consecutive calendar months. ~~[There are established~~
8 ~~twelve registration periods, each of which shall start on the first day of each calendar month~~
9 ~~of the year and shall end on the last date of the twelfth month from the date of beginning.]~~
10 Fees for the renewal of noncommercial motor vehicle registrations shall be payable no later
11 than the last day of the month ~~[that follows the twelfth month]~~ of the expired registration
12 period. No ~~[delinquent renewal penalty shall be assessed under section 301.050, and no]~~
13 violation shall be issued under section 301.020 for an expired registration~~[, prior to the second~~
14 ~~month that follows the twelfth month of the expired registration period]~~ **before the last day**
15 **of the month of expiration.**

16 2. Motor vehicles, other than commercial motor vehicles, operated for the first time
17 upon the public highways of this state, to and including the fifteenth day of any given month,
18 shall be subject to registration and payment of a fee for the twelve-month period commencing
19 the first day of the month of such operation; motor vehicles, other than commercial motor
20 vehicles, operated for the first time on the public highways of this state after the fifteenth day
21 of any given month shall be subject to registration and payment of a fee for the twelve-month
22 period commencing the first day of the next following calendar month.

23 3. All commercial motor vehicles and trailers, except those licensed under section
24 301.035 and those operated under agreements as provided for in sections 301.271 to 301.279,
25 shall be registered either on a calendar year basis or on a prorated basis as provided in this
26 section. The fees for commercial motor vehicles, trailers, semitrailers, and driveaway
27 vehicles, other than those to be operated under agreements as provided for in sections 301.271
28 to 301.279 shall be payable not later than the last day of February of each year, except when
29 such vehicle is licensed between April first and July first the fee shall be three-fourths the

30 annual fee, when licensed between July first and October first the fee shall be one-half the
 31 annual fee and when licensed on or after October first the fee shall be one-fourth the annual
 32 fee. Such license plates shall be made with fully reflective material with a common color
 33 scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as
 34 prescribed by section 301.130. Local commercial motor vehicle license plates may also be so
 35 stamped, marked or designed as to indicate they are to be used only on local commercial
 36 motor vehicles and, in addition to such stamp, mark or design, the letter "F" shall also be
 37 displayed on local commercial motor vehicle license plates issued to motor vehicles used for
 38 farm or farming transportation operations as defined in section 301.010 in the manner
 39 prescribed by the advisory committee established in section 301.129. In addition, all
 40 commercial motor vehicle license plates may be so stamped or marked with a letter, figure or
 41 other emblem as to indicate the gross weight for which issued.

42 4. The director shall, upon application, issue registration and license plates for nine
 43 thousand pounds gross weight for property-carrying commercial motor vehicles referred to
 44 herein, upon payment of the fees prescribed for twelve thousand pounds gross weight as
 45 provided in section 301.057.

46 5. Notwithstanding any other provision of law to the contrary, any motorcycle or
 47 motortricycle registration issued by the Missouri department of revenue shall expire on June
 48 thirtieth.

301.050. All registration fees shall be payable to the director of revenue and shall
 2 accompany the application for registration. A penalty fee of ~~[five]~~ **twenty-five** dollars shall
 3 be paid **for the first month of delinquency and twenty-five dollars for each consecutive**
 4 **month of delinquency, not to exceed two hundred dollars**, on all delinquent registrations.
 5 ~~[Any motor vehicle on which the annual registration fee falls due prior to September 1, 1984,~~
 6 ~~and which is delinquent shall thereafter be registered by the department of revenue to renew~~
 7 ~~that annual registration at the fee in effect when the annual registration was due plus the~~
 8 ~~penalty provided in this section.]~~

301.055. 1. The annual registration fee for a **passenger** motor ~~[vehicles]~~ **vehicle**
 2 **plate** other than commercial motor vehicles is[=]

[Less than 12 horsepower]	[\$18.00]
[12 horsepower and less than 24 horsepower]	[21.00]
[24 horsepower and less than 36 horsepower]	[24.00]
[36 horsepower and less than 48 horsepower]	[33.00]
[48 horsepower and less than 60 horsepower]	[39.00]
[60 horsepower and less than 72 horsepower]	[45.00]
[72 horsepower and more]	[51.00]

10	[Motoreycles]	[8.50]
11	[Motortricycles]	[10.00]
12	[Autocycles]	[10.00]

13

14 **twenty-five dollars, inclusive of the railroad crossing safety fee prescribed in section**
 15 **389.612.**

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

18 **3.** Notwithstanding any other provision of law, the registration of any autocycle
 19 registered as a motorcycle or motortricycle prior to August 28, 2018, shall remain in effect
 20 until the expiration of the registration period for such vehicle at which time the owner shall be
 21 required to renew the motor vehicle's registration under the autocycle classification and pay
 22 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~~ **the director** is authorized and empowered to change
6 the registration period of any number of motor vehicles, other than commercial motor
7 vehicles, as may be necessary to increase or reduce the volume of registration in one or more
8 periods by advancing the renewal date and shortening the registration period of such motor
9 vehicles.

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

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

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

16 2. In the case of a transfer of ownership the original owner may register another
17 motor vehicle under the same **license plate** number, upon the payment of a fee of ~~two~~ **ten**
18 dollars, if the motor vehicle is ~~[of horsepower, gross weight or (in the case of a passenger-~~

19 ~~carrying commercial motor vehicle) seating capacity, not in excess of that]~~ **the same**
20 **classification as** originally registered. When such motor vehicle is of greater [~~horsepower,~~
21 ~~gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating~~
22 ~~capacity, for which a greater fee is prescribed]~~ **classification than originally registered**, the
23 applicant shall pay a transfer fee of [~~two]~~ **ten** dollars and a pro rata portion for the difference
24 in fees. When such vehicle is of less [~~horsepower, gross weight or (in case of a passenger-~~
25 ~~carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed]~~
26 **classification than originally registered**, the applicant shall not be entitled to a refund. **As**
27 **soon as technologically possible following the implementation and maintenance of a**
28 **modernized, integrated system for the titling of vehicles, issuance and renewal of vehicle**
29 **registrations, and perfection and release of liens and encumbrances on vehicles, if the**
30 **transfer occurs at a dealer location the current plate may be transferred at time of**
31 **purchase and tracked in the system. If a motor vehicle, trailer, boat, or outboard motor**
32 **is purchased independently, the time frame for transfer of plates noted in this section**
33 **shall apply, and the transfer shall occur by an authorized agent of the department of**
34 **revenue or the department of revenue central office.**

35 3. License plates may be transferred from a motor vehicle which will no longer be
36 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall
37 pay a transfer fee of [~~two]~~ **ten** dollars if the **motor vehicle is the same classification as the**
38 newly purchased vehicle [~~is of horsepower, gross weight or (in the case of a passenger-~~
39 ~~carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle~~
40 ~~which will no longer be operated]~~. When the newly purchased motor vehicle is of greater
41 [~~horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle)~~
42 ~~seating capacity, for which a greater fee is prescribed]~~ **classification than originally**
43 **registered**, the applicant shall pay a transfer fee of [~~two]~~ **ten** dollars and a pro rata portion of
44 the difference in fees. When the newly purchased vehicle is of less [~~horsepower, gross weight~~
45 ~~or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which~~
46 ~~a lesser fee is prescribed]~~ **classification than originally registered**, the applicant shall not be
47 entitled to a refund. **As soon as technologically possible following the implementation and**
48 **maintenance of a modernized, integrated system for the titling of vehicles, issuance and**
49 **renewal of vehicle registrations, and perfection and release of liens and encumbrances**
50 **on vehicles, if the transfer occurs at a dealer location the current plate may be**
51 **transferred at time of purchase and tracked in the system. If a motor vehicle, trailer,**
52 **boat, or outboard motor is purchased independently, the time frame for transfer of**
53 **plates noted in this section shall apply, and the transfer shall occur by an authorized**
54 **agent of the department of revenue or the department of revenue central office.**

55 4. (1) The director of the department of revenue shall have authority to produce or
56 allow others to produce a weather resistant, ~~[nontearing temporary permit]~~ **interim plate**
57 authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days
58 ~~[, or no more than sixty days if issued by a dealer selling the motor vehicle under the~~
59 ~~provisions of subsection 5 of section 301.210, from the date of purchase].~~ The ~~[temporary~~
60 ~~permit]~~ **interim plate** authorized under this section may be purchased by the purchaser of a
61 motor vehicle or trailer from the central office of the department of revenue or from an
62 authorized agent of the department of revenue upon satisfaction of all applicable taxes under
63 chapter 144, upon proof of purchase of a motor vehicle or trailer for which the buyer has no
64 registration plate available for transfer and upon proof of financial responsibility, or from a
65 motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has no
66 registration plate available for transfer, or from a motor vehicle dealer upon purchase of a
67 motor vehicle or trailer for which the buyer has registered and is awaiting receipt of
68 registration plates. The director of the department of revenue or a producer authorized by the
69 director of the department of revenue may make ~~[temporary permits]~~ **interim plates** available
70 to registered dealers in this state, authorized agents of the department of revenue or the
71 department of revenue. ~~[The price paid by a motor vehicle dealer, an authorized agent of the~~
72 ~~department of revenue or the department of revenue for a temporary permit shall not exceed~~
73 ~~five dollars for each permit.]~~ The director of the department of revenue shall direct motor
74 vehicle dealers and authorized agents to obtain ~~[temporary permits]~~ **interim plates** from an
75 authorized producer. ~~[Amounts received by the director of the department of revenue for~~
76 ~~temporary permits shall constitute state revenue; however, amounts received by an~~
77 ~~authorized producer other than the director of the department of revenue shall not constitute~~
78 ~~state revenue and any amounts received by motor vehicle dealers or authorized agents for~~
79 ~~temporary permits purchased from a producer other than the director of the department of~~
80 ~~revenue shall not constitute state revenue. In no event shall revenues from the general~~
81 ~~revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other~~
82 ~~producers for their role in producing temporary permits as authorized under this section.~~
83 ~~Amounts that do not constitute state revenue under this section shall also not constitute fees~~
84 ~~for registration or certificates of title to be collected by the director of the department of~~
85 ~~revenue under section 301.190. No motor vehicle dealer, authorized agent or the department~~
86 ~~of revenue shall charge more than five dollars for each permit issued.]~~ The ~~[permit]~~ **interim**
87 **plate** shall be valid for a period of thirty days, ~~[or no more than ninety days if issued by a~~
88 ~~dealer selling the motor vehicle under the provisions of section 301.213, or no more than sixty~~
89 ~~days if issued by a dealer selling the motor vehicle under the provisions of subsection 5 of~~
90 ~~section 301.210,]~~ from the date of purchase of a motor vehicle or trailer, or from the date of
91 sale of the motor vehicle or trailer by a motor vehicle dealer for which the purchaser obtains

92 ~~[a permit]~~ **an interim plate** as set out above. No permit shall be issued for a vehicle under
93 this section unless the buyer shows proof of financial responsibility. Each ~~[temporary permit]~~
94 **interim plate** issued shall be securely fastened to the back or rear of the motor vehicle in a
95 manner and place on the motor vehicle consistent with registration plates so that all parts and
96 qualities of the ~~[temporary permit]~~ **interim plate** thereof shall be plainly and clearly visible,
97 reasonably clean and are not impaired in any way. **The department shall issue a**
98 **nontransferable in-transit plate for motor vehicles, trailers, and boats purchased by**
99 **nonresidents of this state for a fee of ten dollars. Such in-transit plate shall be displayed**
100 **in the rear window of the newly purchased motor vehicle or on the rear of the newly**
101 **purchased boat or trailer, be available to law enforcement to query in the department's**
102 **system, and be void fifteen days after issuance. As soon as technologically possible**
103 **following the implementation and maintenance of a modernized, integrated system for**
104 **the titling of vehicles, issuance and renewal of vehicle registrations, and perfection and**
105 **release of liens and encumbrances on vehicles, dealers selling the motor vehicle shall title**
106 **and register vehicles, collect sales tax, verify personal property tax is current, and issue**
107 **an interim plate with the same configuration as the permanent plate, which shall**
108 **subsequently be mailed to the owner by the department. If a motor vehicle is purchased**
109 **independently, the time frame for obtaining an interim plate shall be thirty days from**
110 **the purchase and the interim plate shall be obtained through the department of revenue**
111 **or an authorized agent of the department of revenue, provided that the interim plate**
112 **shall have the same configuration as the permanent registration plate, which shall be**
113 **mailed to the owner by the department. No other type of temporary permit or plate**
114 **shall be issued by the department or an authorized agent of the department.**

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

122 5. The ~~[permit]~~ **interim plate** shall be issued on a form prescribed by the director of
123 the department of revenue and issued only for the applicant's temporary operation of the
124 motor vehicle or trailer purchased to enable the applicant to temporarily operate the motor
125 vehicle while proper title and registration plates are being obtained, or while awaiting receipt
126 of registration plates, and shall be displayed on no other motor vehicle. ~~[Temporary permits]~~
127 **Interim plates** issued pursuant to this section shall not be transferable or renewable~~[-]~~ **and**
128 shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer~~[-]~~

129 ~~and shall be returned to the department or to the department's agent upon the issuance of such~~
130 ~~proper registration plates. Any temporary permit returned to the department or to the~~
131 ~~department's agent shall be immediately destroyed].~~ The provisions of this subsection shall
132 not apply to ~~[temporary permits]~~ **interim plates** issued for commercial motor vehicles
133 licensed in excess of twenty-four thousand pounds gross weight. The director of the
134 department of revenue shall determine the size, material, design, numbering configuration,
135 construction, and color of the ~~[permit]~~ **interim plate**. The director of the department of
136 revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use
137 of, ~~[a temporary permit]~~ **an interim plate** previously and legally issued for a motor vehicle or
138 trailer while proper title and registration are being obtained.

139 6. Every motor vehicle dealer that issues ~~[temporary permits]~~ **interim plates** shall
140 keep, for inspection by proper officers, an accurate record of each ~~[permit]~~ **interim plate**
141 issued by recording the ~~[permit]~~ **interim plate** number **that shall coincide with the**
142 **registration plate issued**, the motor vehicle dealer's number, buyer's name and address, the
143 motor vehicle's year, make, and manufacturer's vehicle identification number, and the
144 ~~[permit's]~~ **interim plate's** date of issuance and expiration date. Upon the issuance of ~~[a~~
145 ~~temporary permit]~~ **an interim plate** by either the central office of the department of revenue,
146 a motor vehicle dealer or an authorized agent of the department of revenue, the director of the
147 department of revenue shall make the information associated with the issued ~~[temporary~~
148 ~~permit]~~ **interim registration plate** immediately available to the law enforcement community
149 of the state of Missouri. **As soon as technologically possible following the implementation**
150 **and maintenance of a modernized, integrated system for the titling of vehicles, issuance**
151 **and renewal of vehicle registrations, and perfection and release of liens and**
152 **encumbrances on vehicles, dealers shall no longer issue temporary permits and no**
153 **records shall need to be kept.**

154 7. Upon the transfer of ownership of any currently registered motor vehicle wherein
155 the owner cannot transfer the license plates due to a change of motor vehicle category, the
156 owner may surrender the license plates issued to the motor vehicle and receive credit for any
157 unused portion of the original registration fee against the registration fee of another motor
158 vehicle. Such credit shall be granted based upon the date the license plates are surrendered.
159 No refunds shall be made on the unused portion of any license plates surrendered for such
160 credit.

161 8. ~~[An additional temporary license plate produced in a manner and of materials~~
162 ~~determined by the director to be the most cost-effective means of production with a~~
163 ~~configuration that matches an existing or newly issued plate]~~ **A third plate** may be purchased
164 by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that
165 the driver's view out of the rear window is not obstructed and the plate configuration is clearly

166 visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or
167 other item obstructs the view of the actual plate. [~~Such temporary plate is only authorized for~~
168 ~~use when the matching actual plate is affixed to the vehicle in the manner prescribed in~~
169 ~~subsection 5 of section 301.130.~~] The fee charged for the [temporary] **third** plate shall be
170 equal to the fee charged for a [~~temporary permit issued under subsection 4 of this section~~]
171 **replacement plate as prescribed in section 301.300.** [~~Replacement temporary plates~~
172 ~~authorized in this subsection may be issued as needed upon the payment of a fee equal to the~~
173 ~~fee charged for a temporary permit under subsection 4 of this section.~~] The newly produced
174 third plate may only be used on the vehicle with the matching plate, and the additional plate
175 shall be clearly recognizable as a third plate and only used for the purpose specified in this
176 subsection.

177 9. Notwithstanding the provisions of section 301.217, the director may issue a
178 temporary permit to an individual who possesses a salvage motor vehicle which requires an
179 inspection under subsection 9 of section 301.190. The operation of a salvage motor vehicle
180 for which the permit has been issued shall be limited to the most direct route from the
181 residence, maintenance, or storage facility of the individual in possession of such motor
182 vehicle to the nearest authorized inspection facility and return to the originating location.
183 Notwithstanding any other requirements for the issuance of a temporary permit under this
184 section, an individual obtaining a temporary permit for the purpose of operating a motor
185 vehicle to and from an examination facility as prescribed in this subsection shall also
186 purchase the required motor vehicle examination form which is required to be completed for
187 an examination under subsection 9 of section 301.190 and provide satisfactory evidence that
188 such vehicle has passed a motor vehicle safety inspection for such vehicle as required in
189 section 307.350. **As soon as technologically possible following the implementation and**
190 **maintenance of a modernized, integrated system for the titling of vehicles, issuance and**
191 **renewal of vehicle registrations, and perfection and release of liens and encumbrances**
192 **on vehicles, if an inspection is required at an authorized inspection facility for a salvage**
193 **vehicle, the owner shall carry and possess a notice of sale and shall get an inspection**
194 **within fifteen days of the sale.**

195 10. The director of the department of revenue may promulgate all necessary rules and
196 regulations for the administration of this section. Any rule or portion of a rule, as that term is
197 defined in section 536.010, that is created under the authority delegated in this section shall
198 become effective only if it complies with and is subject to all of the provisions of chapter 536
199 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any
200 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
201 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then

202 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012,
203 shall be invalid and void.

204 ~~[11. The repeal and reenactment of this section shall become effective on the date the~~
205 ~~department of revenue or a producer authorized by the director of the department of revenue~~
206 ~~begins producing temporary permits described in subsection 4 of such section, or on July 1,~~
207 ~~2013, whichever occurs first. If the director of revenue or a producer authorized by the~~
208 ~~director of the department of revenue begins producing temporary permits prior to July 1,~~
209 ~~2013, the director of the department of revenue shall notify the revisor of statutes of such~~
210 ~~fact.]~~

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

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

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

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

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

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

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

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

21 (d) Uses portable oxygen; or

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

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

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

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

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

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

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

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

43 3. A physician's statement shall:

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

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

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

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

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

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

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

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

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

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

102 the word "DISABLED" as prescribed in this section and such plate may be issued to any
103 applicant who meets the requirements of this section and the other appropriate provision of
104 this chapter, subject to the requirements and fees of the appropriate provision of this chapter.

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

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

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

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

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

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

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

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

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

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

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

176 section 334.120, or the Missouri state board of nursing established in section 335.021, with
177 respect to physician's statements signed by advanced practice registered nurses, or the
178 Missouri state board of chiropractic examiners established in section 331.090, with respect to
179 physician's statements signed by licensed chiropractors, or with the board of optometry
180 established in section 336.130, with respect to physician's statements signed by licensed
181 optometrists, or the state board of podiatric medicine created in section 330.100, with respect
182 to physician's statements signed by physicians of the foot or podiatrists to determine whether
183 the physician is duly licensed and registered pursuant to law.

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

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

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

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

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

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

211 24. If such person refuses to submit or is found to no longer qualify for special plates
212 or placards provided for in this section, the director of revenue shall collect the special plates

213 or placards, and shall furnish license plates to replace the ones collected as provided by this
214 chapter.

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

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

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

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

11 (2) Presentation of all documentation otherwise required by law for vehicle
12 registration including, but not limited to, a personal property tax receipt or certified statement
13 for the preceding year that no such taxes were due as set forth in section 301.025, proof of a
14 motor vehicle safety inspection and any applicable emission inspection conducted within
15 sixty days prior to the date of application and proof of insurance as required by section
16 303.026.

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,~~]
10 **full legal name as it appears on the applicant's driver license, nondriver license, or**
11 **permit. If the applicant does not have a Missouri driver license, nondriver license, or**
12 **permit, the full legal name shall be as it appears on a birth certificate or as legally**
13 **changed through marriage or court order. Name changes by common usage based on**
14 **common law shall not be permitted. Applicants that are businesses shall be the same**
15 **name as registered to do business through the Missouri secretary of state's office. The**
16 **application shall also include** a full description of the motor vehicle or trailer, the vehicle
17 identification number, and the mileage registered on the odometer at the time of transfer of
18 ownership, as required by section 407.536, together with a statement of the applicant's source
19 of title and of any liens or encumbrances on the motor vehicle or trailer, provided that for
20 good cause shown the director of revenue may extend the period of time for making such
21 application. When an owner wants to add or delete a name or names on an application for
22 certificate of ownership of a motor vehicle or trailer [~~that would cause it to be inconsistent~~
23 ~~with~~], the name or names listed on the **certificate of ownership shall be consistent with the**
24 **names noted on the notice of lien, and** the owner shall provide the director with
25 documentation evidencing the lienholder's authorization to add or delete a name or names on
26 an application for certificate of ownership.

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

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

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

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

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

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

62 5. The fee for each original certificate so issued shall be eight dollars and fifty cents,
63 in addition to the fee for registration of such motor vehicle or trailer. If application for the
64 certificate is not made within thirty days after the vehicle is acquired by the applicant, or
65 where the motor vehicle was acquired under section 301.213 or subsection 5 of section
66 301.210 and the applicant fails to make application within thirty days after receiving title
67 from the dealer, a delinquency penalty fee of twenty-five dollars for the first thirty days of

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

82 6. Any applicant for a certificate of ownership requesting the department of revenue
83 to process an application for a certificate of ownership in an expeditious manner requiring
84 special handling shall pay a fee of five dollars in addition to the regular certificate of
85 ownership fee.

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

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

103 9. Each application for an original Missouri certificate of ownership for a vehicle
104 which is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit

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

124 10. When an application is made for an original Missouri certificate of ownership for
125 a motor vehicle previously registered or titled in a state other than Missouri or as required by
126 section 301.020, it shall be accompanied by a current inspection form certified by a duly
127 authorized official inspection station as described in chapter 307. The completed form shall
128 certify that the manufacturer's identification number for the vehicle has been inspected, that it
129 is correctly displayed on the vehicle and shall certify the reading shown on the odometer at
130 the time of inspection. The inspection station shall collect the same fee as authorized in
131 section 307.365 for making the inspection, and the fee shall be deposited in the same manner
132 as provided in section 307.365. If the vehicle is also to be registered in Missouri, the safety
133 inspection required in chapter 307 and the emissions inspection required under chapter 643
134 shall be completed and only the fees required by section 307.365 and section 643.315 shall be
135 charged to the owner. This section shall not apply to vehicles being transferred on a
136 manufacturer's statement of origin.

137 11. Motor vehicles brought into this state in a wrecked or damaged condition or after
138 being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle
139 procedures shall, in lieu of the inspection required by subsection 10 of this section, be
140 inspected by the Missouri state highway patrol in accordance with subsection 9 of this
141 section. If the inspection reveals the vehicle to be in a salvage or junk condition, the director

142 shall so indicate on any Missouri certificate of ownership issued for such vehicle. Any
143 salvage designation shall be carried forward on all subsequently issued certificates of title for
144 the motor vehicle.

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

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

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

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

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

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

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

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

183

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

301.550. 1. The definitions contained in section 301.010 shall apply to sections
2 301.550 to 301.580, and in addition as used in sections 301.550 to 301.580, the following
3 terms mean:

4 (1) "Boat dealer", any natural person, partnership, or corporation who, for a
5 commission or with an intent to make a profit or gain of money or other thing of value, sells,
6 barter, exchanges, leases or rents with the option to purchase, offers, attempts to sell, or
7 negotiates the sale of any vessel or vessel trailer, whether or not the vessel or vessel trailer is
8 owned by such person. The sale of six or more vessels or vessel trailers or both in any
9 calendar year shall be required as evidence that such person is eligible for licensure as a boat
10 dealer under sections 301.550 to 301.580; except that, such sales requirements shall be
11 waived for entities also licensed as boat manufacturers under section 301.559 who custom
12 manufacture boats:

13 (a) For use with biological research and management equipment for fisheries; or

14 (b) For use with scientific sampling and for geological or chemistry purposes.

15

16 The boat dealer shall demonstrate eligibility for renewal of his license by selling six or more
17 vessels or vessel trailers or both in the prior calendar year while licensed as a boat dealer
18 pursuant to sections 301.550 to 301.580;

19 (2) "Boat manufacturer", any person engaged in the manufacturing, assembling or
20 modification of new vessels or vessel trailers as a regular business, including a person,
21 partnership or corporation which acts for and is under the control of a manufacturer or
22 assembly in connection with the distribution of vessels or vessel trailers;

23 (3) "Department", the Missouri department of revenue;

24 (4) "Director", the director of the Missouri department of revenue;

25 (5) "Emergency vehicles", motor vehicles used as ambulances, law enforcement
26 vehicles, and fire fighting and assistance vehicles;

27 (6) "Manufacturer", any person engaged in the manufacturing, assembling or
28 modification of new motor vehicles or trailers as a regular business, including a person,
29 partnership or corporation which acts for and is under the control of a manufacturer or
30 assembly in connection with the distribution of motor vehicles or accessories for motor
31 vehicles;

32 (7) "Motor vehicle broker", a person who holds himself out through solicitation,
33 advertisement, or otherwise as one who offers to arrange a transaction involving the retail sale
34 of a motor vehicle, and who is not:

35 (a) A dealer, or any agent, or any employee of a dealer when acting on behalf of a
36 dealer;

37 (b) A manufacturer, or any agent, or employee of a manufacturer when acting on
38 behalf of a manufacturer;

39 (c) The owner of the vehicle involved in the transaction; or

40 (d) A public motor vehicle auction or wholesale motor vehicle auction where buyers
41 are licensed dealers in this or any other jurisdiction;

42 (8) "Motor vehicle dealer" or "dealer", any person who, for commission or with an
43 intent to make a profit or gain of money or other thing of value, sells, barter, exchanges,
44 leases or rents with the option to purchase, or who offers or attempts to sell or negotiates the
45 sale of motor vehicles or trailers whether or not the motor vehicles or trailers are owned by
46 such person; provided, however, an individual auctioneer or auction conducted by an
47 auctioneer licensed pursuant to chapter 343 shall not be included within the definition of a
48 motor vehicle dealer. The sale of ~~eight~~ **twelve** or more motor vehicles or trailers in any
49 calendar year shall be required as evidence that such person is engaged in the motor vehicle
50 business and is eligible for licensure as a motor vehicle dealer under sections 301.550 to
51 301.580. Any licensed motor vehicle dealer failing to meet the minimum vehicle sales
52 requirements as referenced in this subsection shall not be qualified to renew his or her license
53 for one year. To be eligible for license renewal, applicants shall meet the minimum
54 requirement of ~~eight~~ **twelve** sales per year;

55 (9) "New motor vehicle", any motor vehicle being transferred for the first time from a
56 manufacturer, distributor or new vehicle dealer which has not been registered or titled in this
57 state or any other state and which is offered for sale, barter or exchange by a dealer who is
58 franchised to sell, barter or exchange that particular make of motor vehicle. The term "new
59 motor vehicle" shall not include manufactured homes, as defined in section 700.010;

60 (10) "New motor vehicle franchise dealer", any motor vehicle dealer who has been
61 franchised to deal in a certain make of motor vehicle by the manufacturer or distributor of that
62 make and motor vehicle and who may, in line with conducting his business as a franchise
63 dealer, sell, barter or exchange used motor vehicles;

64 (11) "Person" includes an individual, a partnership, corporation, an unincorporated
65 society or association, joint venture or any other entity;

66 (12) "Powersport dealer", any motor vehicle dealer who sells, either pursuant to a
67 franchise agreement or otherwise, primarily motor vehicles including but not limited to
68 motorcycles, all-terrain vehicles, and personal watercraft, as those terms are defined in this
69 chapter and chapter 306;

70 (13) "Public motor vehicle auction", any person, firm or corporation who takes
71 possession of a motor vehicle whether by consignment, bailment or any other arrangement,
72 except by title, for the purpose of selling motor vehicles at a public auction by a licensed
73 auctioneer;

74 (14) "Recreational motor vehicle dealer", a dealer of new or used motor vehicles
75 designed, constructed or substantially modified for use as temporary housing quarters,
76 including sleeping and eating facilities which are either permanently attached to the motor
77 vehicle or attached to a unit which is securely attached to the motor vehicle;

78 (15) "Storage lot", an area within the same city or county where a dealer may store
79 excess vehicle inventory;

80 (16) "Trailer dealer", any person selling, either exclusively or otherwise, trailers as
81 defined in section 301.010. A trailer dealer may acquire a motor vehicle for resale only as a
82 trade-in for a trailer. Notwithstanding the provisions of section 301.010 and section 301.069,
83 trailer dealers may purchase one driveaway license plate to display such motor vehicle for
84 demonstration purposes. The sale of six or more trailers in any calendar year shall be
85 required as evidence that such person is engaged in the trailer business and is eligible for
86 licensure as a trailer dealer under sections 301.550 to 301.580. Any licensed trailer dealer
87 failing to meet the minimum trailer and vehicle sales requirements as referenced in this
88 subsection shall not be qualified to renew his or her license for one year. Applicants who
89 reapply after the one-year period shall meet the requirement of six sales per year;

90 (17) "Used motor vehicle", any motor vehicle which is not a new motor vehicle, as
91 defined in sections 301.550 to 301.580, and which has been sold, bartered, exchanged or
92 given away or which may have had a title issued in this state or any other state, or a motor
93 vehicle so used as to be what is commonly known as a secondhand motor vehicle. In the
94 event of an assignment of the statement of origin from an original franchise dealer to any
95 individual or other motor vehicle dealer other than a new motor vehicle franchise dealer of the
96 same make, the vehicle so assigned shall be deemed to be a used motor vehicle and a
97 certificate of ownership shall be obtained in the assignee's name. The term "used motor
98 vehicle" shall not include manufactured homes, as defined in section 700.010;

99 (18) "Used motor vehicle dealer", any motor vehicle dealer who is not a new motor
100 vehicle franchise dealer;

101 (19) "Vessel", every boat and watercraft defined as a vessel in section 306.010;

102 (20) "Vessel trailer", any trailer, as defined by section 301.010 which is designed and
103 manufactured for the purposes of transporting vessels;

104 (21) "Wholesale motor vehicle auction", any person, firm or corporation in the
105 business of providing auction services solely in wholesale transactions at its established place
106 of business in which the purchasers are motor vehicle dealers licensed by this or any other
107 jurisdiction, and which neither buys, sells nor owns the motor vehicles it auctions in the
108 ordinary course of its business. Except as required by law with regard to the auction sale of a
109 government-owned motor vehicle, a wholesale motor vehicle auction shall not provide
110 auction services in connection with the retail sale of a motor vehicle;

111 (22) "Wholesale motor vehicle dealer", a motor vehicle dealer who sells motor
112 vehicles only to other new motor vehicle franchise dealers or used motor vehicle dealers or
113 via auctions limited to other dealers of any class.

114 2. For purposes of sections 301.550 to 301.580, neither the term motor vehicle nor the
115 term trailer shall include manufactured homes, as defined in section 700.010.

116 3. Dealers shall be divided into classes as follows:

117 (1) Boat dealers;

118 (2) Franchised new motor vehicle dealers;

119 (3) Used motor vehicle dealers;

120 (4) Wholesale motor vehicle dealers;

121 (5) Recreational motor vehicle dealers;

122 (6) Historic motor vehicle dealers;

123 (7) Classic motor vehicle dealers;

124 (8) Powersport dealers; and

125 (9) Trailer dealers.

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

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

New motor vehicle franchise dealers	D-0 through D-999
New powersport dealers	D-1000 through D-1999
Used motor vehicle and used powersport dealers	D-2000 through D-9999
Wholesale motor vehicle dealers	W-0 through W-1999
Wholesale motor vehicle auctions	WA-0 through WA-999
New and used trailer dealers	T-0 through T-9999
Motor vehicle, trailer, and boat manufacturers	DM-0 through DM-999
Public motor vehicle auctions	A-0 through A-1999
Boat dealers	M-0 through M-9999
New and used recreational motor vehicle dealers	RV-0 through RV-999

158

159 For purposes of this subsection, qualified transactions shall include the purchase of salvage
160 titled vehicles by a licensed salvage dealer. A used motor vehicle dealer who also holds a
161 salvage dealer's license shall be allowed one additional plate or certificate number per fifty-
162 unit qualified transactions annually. In order for salvage dealers to obtain number plates or
163 certificates under this section, dealers shall submit to the department of revenue on August
164 first of each year a statement certifying, under penalty of perjury, the dealer's number of
165 purchases during the reporting period of July first of the immediately preceding year to June
166 thirtieth of the present year. The provisions of this subsection shall become effective on the
167 date the director of the department of revenue begins to reissue new license plates under
168 section 301.130, or on December 1, 2008, whichever occurs first. If the director of revenue
169 begins reissuing new license plates under the authority granted under section 301.130 prior to
170 December 1, 2008, the director of the department of revenue shall notify the revisor of
171 statutes of such fact.

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

178 6. In the case of motor vehicle dealers, the department shall issue one number plate
179 bearing the distinctive dealer license number and may issue one additional number plate to
180 the applicant upon payment by the dealer of a fifty dollar fee **per plate** for the number plate
181 bearing the distinctive dealer license number and ten dollars and fifty cents for the additional
182 number plate. ~~[The department may issue a third plate to the motor vehicle dealer upon~~
183 ~~completion of the dealer's fifteenth qualified transaction and payment of a fee of ten dollars~~
184 ~~and fifty cents.]~~ In the case of new motor vehicle manufacturers, powersport dealers,
185 recreational motor vehicle dealers, and trailer dealers, the department shall issue one number
186 plate bearing the distinctive dealer license number and may issue two additional number
187 plates to the applicant upon payment by the manufacturer or dealer of a fifty dollar fee for
188 ~~[the]~~ **each** number plate bearing the distinctive dealer license number and ten dollars and fifty
189 cents for each additional number plate. Boat dealers and boat manufacturers shall be entitled
190 to one certificate of number bearing such number upon the payment of a fifty dollar fee.
191 Additional number plates and as many additional certificates of number may be obtained
192 upon payment of a fee of ten dollars and fifty cents for each additional plate or certificate.
193 New motor vehicle manufacturers shall not be issued or possess more than three hundred
194 forty-seven additional number plates or certificates of number annually. New and used motor
195 vehicle dealers, powersport dealers, wholesale motor vehicle dealers, boat dealers, and trailer

196 dealers are limited to one additional plate or certificate of number per ten-unit qualified
197 transactions annually. New and used recreational motor vehicle dealers are limited to two
198 additional plates or certificate of number per ten-unit qualified transactions annually for their
199 first fifty transactions and one additional plate or certificate of number per ten-unit qualified
200 transactions thereafter. An applicant seeking the issuance of an initial license shall indicate
201 on his or her initial application the applicant's proposed annual number of sales in order for
202 the director to issue the appropriate number of additional plates or certificates of number. A
203 motor vehicle dealer, trailer dealer, boat dealer, powersport dealer, recreational motor vehicle
204 dealer, motor vehicle manufacturer, boat manufacturer, or wholesale motor vehicle dealer
205 obtaining a distinctive dealer license plate or certificate of number or additional license plate
206 or additional certificate of number, throughout the calendar year, shall be required to pay a fee
207 for such license plates or certificates of number computed on the basis of one-twelfth of the
208 full fee prescribed for the original and duplicate number plates or certificates of number for
209 such dealers' licenses, multiplied by the number of months remaining in the licensing period
210 for which the dealer or manufacturers shall be required to be licensed. In the event of a
211 renewing dealer, the fee due at the time of renewal shall not be prorated. Wholesale and
212 public auctions shall be issued a certificate of dealer registration in lieu of a dealer number
213 plate. In order for dealers to obtain number plates or certificates under this section, dealers
214 shall submit to the department of revenue on August first of each year a statement certifying,
215 under penalty of perjury, the dealer's number of sales during the ~~reporting period of July first~~
216 ~~of the immediately preceding year to June thirtieth of the present year]~~ **last calendar year of**
217 **the previous license period.**

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~~ **twelve** or
5 more motor vehicles in a calendar year, except when such motor vehicles are registered in the
6 name 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~~ **twelve** or more motor vehicles in a calendar year by
21 any person, partnership, corporation, company or association, whether or not the motor
22 vehicles are owned by them, shall be prima facie evidence of intent to make a profit or gain of
23 money and such person, partnership, corporation, company or association shall be deemed to
24 be 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.

302.170. 1. As used in this section, the following terms shall mean:

2 (1) "Biometric data" shall include, but not be limited to, the following:

3 (a) Voice data used for comparing live speech with a previously created speech model
4 of a person's voice;

5 (b) Iris recognition data containing color or texture patterns or codes;

6 (c) Retinal scans, reading through the pupil to measure blood vessels lining the retina;

7 (d) Fingerprint, palm prints, hand geometry, measure of any and all characteristics of
8 biometric information, including shape and length of fingertips, or recording ridge pattern or
9 fingertip characteristics;

10 (e) Characteristic gait or walk;

11 (f) DNA;

12 (g) Keystroke dynamic, measuring pressure applied to key pads or other digital
13 receiving devices;

14 (2) "Commercial purposes" shall not include data used or compiled solely to be used
15 for, or obtained or compiled solely for purposes expressly allowed under Missouri law or the
16 federal Drivers Privacy Protection Act;

17 (3) "Source documents", original or certified copies, where applicable, of documents
18 presented by an applicant as required under 6 CFR Part 37 to the department of revenue to
19 apply for a driver's license or nondriver's license. Source documents shall also include any
20 documents required for the issuance of driver's licenses or nondriver's licenses by the
21 department of revenue under the provisions of this chapter or accompanying regulations.

22 2. Except as provided in subsection 3 of this section and as required to carry out the
23 provisions of subsection 4 of this section, the department of revenue shall not retain copies, in

24 any format, of source documents presented by individuals applying for or holding driver's
25 licenses or nondriver's licenses or use technology to capture digital images of source
26 documents so that the images are capable of being retained in electronic storage in a
27 transferable format.

28 3. The provisions of this section shall not apply to:

29 (1) Original application forms, which may be retained but not scanned except as
30 provided in this section;

31 (2) Test score documents issued by state highway patrol driver examiners and
32 Missouri commercial third-party tester examiners;

33 (3) Documents demonstrating lawful presence of any applicant who is not a citizen of
34 the United States, including documents demonstrating duration of the person's lawful
35 presence in the United States;

36 (4) Any document required to be retained under federal motor carrier regulations in
37 Title 49, Code of Federal Regulations, including but not limited to documents required by
38 federal law for the issuance of a commercial driver's license and a commercial driver
39 instruction permit;

40 (5) Documents submitted by a commercial driver's license or commercial driver's
41 instruction permit applicant who is a Missouri resident and is a qualified current or former
42 military service member which allow for waiver of the commercial driver's license
43 knowledge test, skills test, or both; and

44 (6) Any other document at the request of and for the convenience of the applicant.

45 4. (1) To the extent not prohibited under subsection 13 of this section, the department
46 of revenue shall amend procedures for applying for a driver's license or identification card in
47 order to comply with the goals or standards of the federal REAL ID Act of 2005, any rules or
48 regulations promulgated under the authority granted in such Act, or any requirements adopted
49 by the American Association of Motor Vehicle Administrators for furtherance of the Act,
50 unless such action conflicts with Missouri law.

51 (2) The department of revenue shall issue driver's licenses or identification cards that
52 are compliant with the federal REAL ID Act of 2005, as amended, to all applicants for
53 driver's licenses or identification cards unless an applicant requests a driver's license or
54 identification card that is not REAL ID compliant. Except as provided in subsection 3 of this
55 section and as required to carry out the provisions of this subsection, the department of
56 revenue shall not retain the source documents of individuals applying for driver's licenses or
57 identification cards not compliant with REAL ID. Upon initial application for a driver's
58 license or identification card, the department shall inform applicants of the option of being
59 issued a REAL ID compliant driver's license or identification card or a driver's license or

60 identification card that is not compliant with REAL ID. The department shall inform all
61 applicants:

62 (a) With regard to the REAL ID compliant driver's license or identification card:

63 a. Such card is valid for official state purposes and for official federal purposes as
64 outlined in the federal REAL ID Act of 2005, as amended, such as domestic air travel and
65 seeking access to military bases and most federal facilities;

66 b. Electronic copies of source documents will be retained by the department ~~and~~
67 ~~destroyed after the minimum time required for digital retention by the federal REAL ID Act~~
68 ~~of 2005, as amended]; and~~

69 c. The facial image capture will only be retained by the department if the application
70 is finished and submitted to the department; ~~and~~

71 ~~d. Any other information the department deems necessary to inform the applicant~~
72 ~~about the REAL ID compliant driver's license or identification card under the federal REAL~~
73 ~~ID Act;]~~

74 (b) With regard to a driver's license or identification card that is not compliant with
75 the federal REAL ID Act:

76 a. Such card is valid for official state purposes, but it is not valid for official federal
77 purposes as outlined in the federal REAL ID Act of 2005, as amended, such as domestic air
78 travel and seeking access to military bases and most federal facilities;

79 b. Source documents will be verified ~~[but no copies of]~~ and such documents will be
80 retained by the department ~~[unless permitted under subsection 3 of this section, except as~~
81 ~~necessary to process a request by a license or card holder or applicant];~~

82 c. Any other information the department deems necessary to inform the applicant
83 about the driver's license or identification card.

84 5. The department of revenue shall not use, collect, obtain, share, or retain biometric
85 data nor shall the department use biometric technology to produce a driver's license or
86 nondriver's license or to uniquely identify licensees or license applicants. This subsection
87 shall not apply to digital images nor licensee signatures required for the issuance of driver's
88 licenses and nondriver's licenses or for the use of software for purposes of combating fraud,
89 or to biometric data collected from employees of the department of revenue, employees of the
90 office of administration who provide information technology support to the department of
91 revenue, contracted license offices, and contracted manufacturers engaged in the production,
92 processing, or manufacture of driver's licenses or identification cards in positions which
93 require a background check in order to be compliant with the federal REAL ID Act or any
94 rules or regulations promulgated under the authority of such Act. Except as otherwise
95 provided by law, applicants' source documents and Social Security numbers shall not be
96 stored in any database accessible by any other state or the federal government. Such database

97 shall contain only the data fields included on driver's licenses and nondriver identification
98 cards compliant with the federal REAL ID Act, and the driving records of the individuals
99 holding such driver's licenses and nondriver identification cards.

100 6. Notwithstanding any provision of this chapter that requires an applicant to provide
101 reasonable proof of lawful presence for issuance or renewal of a noncommercial driver's
102 license, noncommercial instruction permit, or a nondriver's license, an applicant shall not
103 have his or her privacy rights violated in order to obtain or renew a Missouri noncommercial
104 driver's license, noncommercial instruction permit, or a nondriver's license.

105 7. No citizen of this state shall have his or her privacy compromised by the state or
106 agents of the state. The state shall within reason protect the sovereignty of the citizens the
107 state is entrusted to protect. Any data derived from a person's application shall not be sold for
108 commercial purposes to any other organization or any other state without the express
109 permission of the applicant without a court order; except such information may be shared
110 with a law enforcement agency, judge, prosecuting attorney, or officer of the court, or with
111 another state for the limited purposes set out in section 302.600, or for the purposes set forth
112 in section 32.091, or for conducting driver history checks in compliance with the Motor
113 Carrier Safety Improvement Act, 49 U.S.C. Section 31309. The state of Missouri shall
114 protect the privacy of its citizens when handling any written, digital, or electronic data, and
115 shall not participate in any standardized identification system using driver's and nondriver's
116 license records except as provided in this section.

117 8. Other than to process a request by a license or card holder or applicant, no person
118 shall knowingly access, distribute, or allow access to or distribution of any written, digital, or
119 electronic data collected or retained under this section without the express permission of the
120 applicant or a court order, except that such information may be shared with a law enforcement
121 agency, judge, prosecuting attorney, or officer of the court, or with another state for the
122 limited purposes set out in section 302.600 or for conducting driver history checks in
123 compliance with the Motor Carrier Safety Improvement Act, 49 U.S.C. Section 31309. A
124 first violation of this subsection shall be a class A misdemeanor. A second violation of this
125 subsection shall be a class E felony. A third or subsequent violation of this subsection shall
126 be a class D felony.

127 9. Any person harmed or damaged by any violation of this section may bring a civil
128 action for damages, including noneconomic and punitive damages, as well as injunctive
129 relief, in the circuit court where that person resided at the time of the violation or in the circuit
130 court of Cole County to recover such damages from the department of revenue and any
131 persons participating in such violation. Sovereign immunity shall not be available as a
132 defense for the department of revenue in such an action. In the event the plaintiff prevails on

133 any count of his or her claim, the plaintiff shall be entitled to recover reasonable attorney fees
134 from the defendants.

135 10. The department of revenue may promulgate rules necessary to implement the
136 provisions of this section. Any rule or portion of a rule, as that term is defined in section
137 536.010, that is created under the authority delegated in this section shall become effective
138 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
139 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
140 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
141 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
142 of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be
143 invalid and void.

144 11. Biometric data, digital images, source documents, and licensee signatures, or any
145 copies of the same, required to be collected or retained to comply with the requirements of the
146 federal REAL ID Act of 2005 shall be digitally retained for no longer than the minimum
147 duration required to maintain compliance, and immediately thereafter shall be securely
148 destroyed so as to make them irretrievable.

149 12. No agency, department, or official of this state or of any political subdivision
150 thereof shall use, collect, obtain, share, or retain radio frequency identification data from a
151 REAL ID compliant driver's license or identification card issued by a state, nor use the same
152 to uniquely identify any individual.

153 13. Notwithstanding any provision of law to the contrary, the department of revenue
154 shall not amend procedures for applying for a driver's license or identification card, nor
155 promulgate any rule or regulation, for purposes of complying with modifications made to the
156 federal REAL ID Act of 2005 after August 28, 2017, imposing additional requirements on
157 applications, document retention, or issuance of compliant licenses or cards, including any
158 rules or regulations promulgated under the authority granted under the federal REAL ID Act
159 of 2005, as amended, or any requirements adopted by the American Association of Motor
160 Vehicle Administrators for furtherance thereof.

161 14. If the federal REAL ID Act of 2005 is modified or repealed such that driver's
162 licenses and identification cards issued by this state that are not compliant with the federal
163 REAL ID Act of 2005 are once again sufficient for federal identification purposes, the
164 department shall not issue a driver's license or identification card that complies with the
165 federal REAL ID Act of 2005 and shall securely destroy, within thirty days, any source
166 documents retained by the department for the purpose of compliance with such Act.

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

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

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

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

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

16

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

38 2. For the purpose of obtaining an inspection only, it shall be lawful to operate a
39 vehicle over the most direct route between the owner's usual place of residence and an

40 inspection station of such owner's choice, notwithstanding the fact that the vehicle does not
41 have a current state registration license. It shall also be lawful to operate such a vehicle from
42 an inspection station to another place where repairs may be made and to return the vehicle to
43 the inspection station notwithstanding the absence of a current state registration license.

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

49 4. **Notwithstanding any provision of law to the contrary, a valid safety inspection**
50 **shall be required for all registration issuances and renewals of a motor vehicle subject to**
51 **safety inspection under this section.**

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

643.315. 1. Except as provided in sections 643.300 to 643.355, all motor vehicles
2 which are domiciled, registered or primarily operated in an area for which the commission
3 has established a motor vehicle emissions inspection program pursuant to sections 643.300 to
4 643.355 shall be inspected and approved prior to sale or transfer; provided that, if such
5 vehicle is inspected and approved prior to sale or transfer, such vehicle shall not be subject to
6 another emissions inspection for ninety days after the date of sale or transfer of such vehicle.
7 ~~[In addition, any such vehicle manufactured as an even numbered model year vehicle shall be~~
8 ~~inspected and approved under the emissions inspection program established pursuant to~~
9 ~~sections 643.300 to 643.355 in each even numbered calendar year and any such vehicle~~
10 ~~manufactured as an odd numbered model year vehicle shall be inspected and approved under~~
11 ~~the emissions inspection program established pursuant to sections 643.300 to 643.355 in each~~
12 ~~odd numbered calendar year.]~~ All motor vehicles subject to the inspection requirements of
13 sections 643.300 to 643.355 shall display a valid emissions inspection sticker, and when
14 applicable, a valid emissions inspection certificate shall be presented at the time of
15 registration or registration renewal of such motor vehicle. The department of revenue shall
16 require evidence of the safety and emission inspection and approval required by this section
17 in issuing the motor vehicle ~~[annual]~~ registration in conformity with the procedure required
18 by sections 307.350 to 307.390 and sections 643.300 to 643.355. The director of revenue
19 may verify that a successful safety and emissions inspection was completed via electronic
20 means.

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

- 23 (1) Motor vehicles with a manufacturer's gross vehicle weight rating in excess of
24 eight thousand five hundred pounds;
- 25 (2) Motorcycles and motortricycles if such vehicles are exempted from the motor
26 vehicle emissions inspection under federal regulation and approved by the commission by
27 rule;
- 28 (3) Model year vehicles manufactured prior to 1996;
- 29 (4) Vehicles which are powered exclusively by electric or hydrogen power or by fuels
30 other than gasoline which are exempted from the motor vehicle emissions inspection under
31 federal regulation and approved by the commission by rule;
- 32 (5) Motor vehicles registered in an area subject to the inspection requirements of
33 sections 643.300 to 643.355 which are domiciled and operated exclusively in an area of the
34 state not subject to the inspection requirements of sections 643.300 to 643.355, but only if the
35 owner of such vehicle presents to the department an affidavit that the vehicle will be operated
36 exclusively in an area of the state not subject to the inspection requirements of sections
37 643.300 to 643.355 for the next twenty-four months, and the owner applies for and receives a
38 waiver which shall be presented at the time of registration or registration renewal;
- 39 (6) New and unused motor vehicles, of model years of the current calendar year and
40 of any calendar year within two years of such calendar year, which have an odometer reading
41 of less than six thousand miles at the time of original sale by a motor vehicle manufacturer or
42 licensed motor vehicle dealer to the first user;
- 43 (7) Historic motor vehicles registered pursuant to section 301.131;
- 44 (8) School buses;
- 45 (9) Heavy-duty diesel-powered vehicles with a gross vehicle weight rating in excess
46 of eight thousand five hundred pounds;
- 47 (10) New motor vehicles that have not been previously titled and registered, for the
48 four-year period following their model year of manufacture, provided the odometer reading
49 for such motor vehicles are under forty thousand miles at their first required biennial safety
50 inspection conducted under sections 307.350 to 307.390; otherwise such motor vehicles shall
51 be subject to the emissions inspection requirements of subsection 1 of this section during the
52 same period that the biennial safety inspection is conducted;
- 53 (11) Motor vehicles that are driven fewer than twelve thousand miles between
54 biennial safety inspections; and
- 55 (12) Qualified plug-in electric drive vehicles. For the purposes of this section,
56 "qualified plug-in electric drive vehicle" shall mean a plug-in electric drive vehicle that is
57 made by a manufacturer, has not been modified from original manufacturer specifications,
58 and can operate solely on electric power and is capable of recharging its battery from an on-
59 board generation source and an off-board electricity source.

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

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

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

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

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

77 (3) If the dealer chooses to sell the vehicle without prior inspection and approval, the
78 purchaser may return the vehicle within ten days of the date of purchase, provided that the
79 vehicle has no more than one thousand additional miles since the time of sale, if the vehicle
80 fails, upon inspection, to meet the emissions standards specified by the commission and the
81 dealer shall have the vehicle inspected and approved without the option for a waiver of the
82 emissions standard and return the vehicle to the purchaser with a valid emissions certificate
83 and sticker within five working days or the purchaser and dealer may enter into any other
84 mutually acceptable agreement. If the dealer chooses to sell the vehicle without prior
85 inspection and approval, the dealer shall disclose conspicuously on the sales contract and bill
86 of sale that the purchaser has the option to return the vehicle within ten days, provided that the
87 vehicle has no more than one thousand additional miles since the time of sale, to have the
88 dealer repair the vehicle and provide an emissions certificate and sticker within five working
89 days if the vehicle fails, upon inspection, to meet the emissions standards established by the
90 commission, or enter into any mutually acceptable agreement with the dealer. A violation of
91 this subdivision shall be an unlawful practice as defined in section 407.020. No emissions
92 inspection shall be required pursuant to sections 643.300 to 643.360 for the sale of any motor
93 vehicle which may be sold without a certificate of inspection and approval, as provided
94 pursuant to subsection 2 of section 307.380.

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

 Section B. The repeal and reenactment of sections 144.070, 301.055, 301.070,
2 301.110, 301.140, 301.142, 301.147, 301.550, 301.560, 301.570, 302.170, 307.350, and
3 643.315 of this act shall take effect as soon as technologically possible following the
4 development and maintenance of a modernized, integrated system for the titling of vehicles,
5 issuance and renewal of vehicle registrations, issuance and renewal of driver's licenses and
6 identification cards, and perfection and release of liens and encumbrances on vehicles, to be
7 funded by the motor vehicle administration technology fund as created in section 301.558.
8 Following the development of the system, the director of the department of revenue shall
9 notify the governor, the secretary of state, and the revisor of statutes, and shall implement the
10 provisions of sections 144.070, 301.055, 301.070, 301.110, 301.140, 301.142, 301.147,
11 301.550, 301.560, 301.570, 302.170, 307.350, and 643.315 of this act.

✓