

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE NO. 3 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1963
100TH GENERAL ASSEMBLY

4390S.06T

2020

AN ACT

To repeal sections 32.300, 143.441, 144.070, 144.805, 227.600, 300.010, 301.010, 301.030, 301.032, 301.140, 301.190, 301.193, 301.210, 301.213, 301.280, 301.560, 301.564, 301.3174, 302.020, 302.170, 302.181, 302.720, 303.026, 303.200, 304.170, 304.172, 304.180, 306.127, 307.015, 407.815, 407.1025, 407.1329, and 577.001 RSMo, and to enact in lieu thereof fifty-two new sections relating to transportation, with existing penalty provisions and a delayed effective date for a certain section.

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

Section A. Sections 32.300, 143.441, 144.070, 144.805, 227.600, 300.010, 301.010, 2 301.030, 301.032, 301.140, 301.190, 301.193, 301.210, 301.213, 301.280, 301.560, 301.564, 3 301.3174, 302.020, 302.170, 302.181, 302.720, 303.026, 303.200, 304.170, 304.172, 304.180, 4 306.127, 307.015, 407.815, 407.1025, 407.1329, and 577.001 RSMo, is repealed and fifty-two 5 new sections enacted in lieu thereof, to be known as sections 32.300, 143.441, 144.070, 144.805, 6 217.850, 227.476, 227.600, 227.803, 227.804, 300.010, 301.010, 301.030, 301.032, 301.140, 7 301.190, 301.193, 301.210, 301.213, 301.280, 301.560, 301.564, 301.576, 301.3069, 301.3159, 8 301.3174, 301.3176, 302.020, 302.026, 302.170, 302.181, 302.205, 302.720, 302.723, 303.026, 9 303.200, 304.170, 304.172, 304.180, 305.800, 305.802, 305.804, 305.806, 305.808, 305.810, 10 306.127, 307.015, 407.815, 407.1025, 407.1329, 577.001, 577.800, and 632.460, to read as 11 follows:

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.

32.300. 1. In a county where personal property tax records are accessible via computer, and when proof of motor vehicle liability insurance, safety inspections and emission inspections where required are verifiable by computer, the department of revenue shall design and implement a motor vehicle license renewal system which may be used through the department's internet website connection. ~~[The online license renewal system shall be available no later than January 1, 2002.]~~ The department of revenue shall also design and implement an online system allowing the filing and payment of Missouri state taxes through the department's internet website connection. The online tax filing and payment system shall be available for the payment of Missouri state taxes for tax years beginning on or after January 1, 2002.

2. **The department of revenue is hereby authorized to design and implement a remote driver's license renewal system which may be used through the department's internet website connection or through self-service terminals available at one or more locations within the state. Any remote driver's license renewal system implemented by the department shall be compliant with the provisions of the federal REAL ID Act of 2005 (Public Law 108-13), as amended, the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Public Law 99-570), as amended, the USA PATRIOT Act of 2001 (Title X of Public Law 107-56), as amended, and any regulations related thereto.**

3. **Notwithstanding any provision of law to the contrary, applicants who have applied in person and received a driver's or nondriver's license in accordance with chapter 302 may apply for no more than one consecutive three-year or six-year license renewal remotely in accordance with this section. Remote application for renewal shall be made within six months before or after the expiration date of the license in accordance with section 302.173.**

4. **Applicants for remote driver's license renewal in accordance with this section shall not be required to complete the highway sign recognition test required under section 302.173 unless the department has technology that may be used remotely for such purpose. Applicants for remote driver's license renewal in accordance with this section shall not be required to complete the vision test established under section 302.175, provided the applicant shall certify under penalty of law that the applicant's vision satisfies the requirements of section 302.175 and that the applicant has undergone an examination of eyesight by a licensed ophthalmologist or a licensed optometrist within the last twelve months. As a condition for renewal in accordance with this section, the applicant shall authorize the exchange of vision and medical information between the department and the applicant's ophthalmologist or optometrist, and shall be at least twenty-one years of age but less than fifty years of age. The ophthalmologist or optometrist shall have four business days to confirm or deny the vision and medical information of the applicant. If**

37 **no response is received by the department, the department shall accept the vision and**
38 **medical information provided for processing the renewal application.**

143.441. 1. The term "corporation" means every corporation, association, joint stock
2 company and joint stock association organized, authorized or existing under the laws of this state
3 and includes:

4 (1) Every corporation, association, joint stock company, and joint stock association
5 organized, authorized, or existing under the laws of this state, and every corporation, association,
6 joint stock company, and joint stock association, licensed to do business in this state, or doing
7 business in this state, and not organized, authorized, or existing under the laws of this state, or
8 by any receiver in charge of the property of any such corporation, association, joint stock
9 company or joint stock association;

10 (2) Every railroad corporation or receiver in charge of the property thereof which
11 operates over rails owned or leased by it and every corporation operating any buslines, trucklines,
12 airlines, or other forms of transportation, **including qualified air freight forwarders**, operating
13 over fixed routes owned, leased, or used by it extending from this state to another state or states.

14 **For purposes of this subdivision, "qualified air freight forwarder" means a taxpayer who**
15 **meets all of the following requirements:**

16 (a) **The taxpayer is primarily engaged in the facilitation of the transportation of**
17 **property by air;**

18 (b) **The taxpayer does not itself operate the aircraft; and**

19 (c) **The taxpayer is in the same affiliated group as an airline;**

20 (3) Every corporation, or receiver in charge of the property thereof, which owns or
21 operates a bridge between this and any other state; and

22 (4) Every corporation, or receiver in charge of the property thereof, which operates a
23 telephone line or lines extending from this state to another state or states or a telegraph line or
24 lines extending from this state to another state or states.

25 2. The tax on corporations provided in subsection 1 of section 143.431 and section
26 143.071 shall not apply to:

27 (1) A corporation which by reason of its purposes and activities is exempt from federal
28 income tax. The preceding sentence shall not apply to unrelated business taxable income and
29 other income on which chapter 1 of the Internal Revenue Code imposes the federal income tax
30 or any other tax measured by income;

31 (2) An express company which pays an annual tax on its gross receipts in this state;

32 (3) An insurance company which is subject to an annual tax on its gross premium
33 receipts in this state;

34 (4) A Missouri mutual or an extended Missouri mutual insurance company organized
35 under chapter 380; and

36 (5) Any other corporation that is exempt from Missouri income taxation under the laws
37 of Missouri or the laws of the United States.

144.070. 1. At the time the owner of any new or used motor vehicle, trailer, boat, or
2 outboard motor which was acquired in a transaction subject to sales tax under the Missouri sales
3 tax law makes application to the director of revenue for an official certificate of title and the
4 registration of the motor vehicle, trailer, boat, or outboard motor as otherwise provided by law,
5 the owner shall present to the director of revenue evidence satisfactory to the director of revenue
6 showing the purchase price exclusive of any charge incident to the extension of credit paid by
7 or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard
8 motor, or that no sales tax was incurred in its acquisition, and if sales tax was incurred in its
9 acquisition, the applicant shall pay or cause to be paid to the director of revenue the sales tax
10 provided by the Missouri sales tax law in addition to the registration fees now or hereafter
11 required according to law, and the director of revenue shall not issue a certificate of title for any
12 new or used motor vehicle, trailer, boat, or outboard motor subject to sales tax as provided in the
13 Missouri sales tax law until the tax levied for the sale of the same under sections 144.010 to
14 144.510 has been paid as provided in this section or is registered under the provisions of
15 subsection 5 of this section.

16 2. As used in subsection 1 of this section, the term "purchase price" shall mean the total
17 amount of the contract price agreed upon between the seller and the applicant in the acquisition
18 of the motor vehicle, trailer, boat, or outboard motor, regardless of the medium of payment
19 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 by
22 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 been
25 paid or that the motor vehicle, trailer, boat, or outboard motor represented by such certificate is
26 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 operate
30 as a leasing or rental company and pay an annual fee of two hundred fifty dollars for such
31 authority. Any company approved by the director of revenue may pay the tax due on any motor
32 vehicle, trailer, boat, or outboard motor as required in section 144.020 at the time of registration

33 thereof or in lieu thereof may pay a sales tax as provided in sections 144.010, 144.020, 144.070
34 and 144.440. A sales tax shall be charged to and paid by a leasing company which does not
35 exercise the option of paying in accordance with section 144.020, on the amount charged for
36 each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is
37 domiciled in this state. Any motor vehicle, trailer, boat, or outboard motor which is leased as
38 the result of a contract executed in this state shall be presumed to be domiciled in this state.

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

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

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

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

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

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

64 (5) Operates each of its divisions on a basis separate from each of its other divisions.

65 However, when the transfer of a motor vehicle, trailer, boat or outboard motor occurs within a
66 corporation which holds a license to operate as a motor vehicle or boat dealer pursuant to
67 sections 301.550 to 301.573 the provisions in subdivision (3) of this subsection shall not apply.

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

79 9. Any person, company, or corporation engaged in the business of renting or leasing
80 three thousand five hundred or more motor vehicles which are to be used exclusively for rental
81 or leasing purposes and not for resale, and that has applied to the director of revenue for authority
82 to operate as a leasing company may also operate as a registered fleet owner as prescribed in
83 section 301.032.

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

144.805. 1. In addition to the exemptions granted pursuant to the provisions of section
2 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to
3 144.525, sections 144.600 to 144.746, and section 238.235, and the provisions of any local sales

4 tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or
5 payable pursuant to sections 144.010 to 144.525, sections 144.600 to 144.746, and section
6 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of
7 aviation jet fuel in a given calendar year to common carriers engaged in the interstate air
8 transportation of passengers and cargo, and the storage, use and consumption of such aviation
9 jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri,
10 in accordance with the provisions of this chapter, state sales and use taxes pursuant to the
11 foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation
12 jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of
13 state sales and use taxes in such calendar year.

14 2. To qualify for the exemption prescribed in subsection 1 of this section, the common
15 carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant
16 to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The
17 director of revenue shall permit any such common carrier to enter into a direct-pay agreement
18 with the department of revenue, pursuant to which such common carrier may pay directly to the
19 department of revenue any applicable sales and use taxes on such aviation jet fuel up to the
20 maximum aggregate amount of one million five hundred thousand dollars in each calendar year.
21 The director of revenue shall adopt appropriate rules and regulations to implement the provisions
22 of this section, and to permit appropriate claims for refunds of any excess sales and use taxes
23 collected in calendar year 1993 or any subsequent year with respect to any such common carrier
24 and aviation jet fuel.

25 3. The provisions of this section shall apply to all purchases and deliveries of aviation
26 jet fuel from and after May 10, 1993.

27 4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter,
28 less the amounts specifically designated pursuant to the constitution or pursuant to section
29 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established
30 pursuant to section 155.090; provided however, the amount of such state sales and use tax
31 revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars
32 in each calendar year.

33 5. The provisions of this section and section 144.807 shall expire on December 31,
34 [2023] 2033.

**217.850. 1. A person commits the offense of unlawful use of unmanned aircraft
2 over a correctional center if he or she purposely:**

3 **(1) Operates an unmanned aircraft within a vertical distance of four hundred feet**
4 **over a correctional center's secure perimeter fence; or**

- 5 **(2) Allows an unmanned aircraft to make contact with a correctional center,**
6 **including any person or object on the premises of or within the facility.**
- 7 **2. For purposes of this section, "correctional center" shall include:**
- 8 **(1) Any correctional center as defined in section 217.010;**
9 **(2) Any private jail as defined in section 221.095; and**
10 **(3) Any county or municipal jail.**
- 11 **3. The provisions of this section shall not prohibit the operation of an unmanned**
12 **aircraft by:**
- 13 **(1) An employee of the correctional center at the direction of the chief**
14 **administrative officer of the facility;**
- 15 **(2) A person who has written consent from the chief administrative officer of the**
16 **facility;**
- 17 **(3) An employee of a law enforcement agency, fire department, or emergency**
18 **medical service in the exercise of official duties;**
- 19 **(4) A government official or employee in the exercise of official duties;**
20 **(5) A public utility or a rural electric cooperative if:**
- 21 **(a) The unmanned aircraft is used for the purpose of inspecting, repairing, or**
22 **maintaining utility transmission or distribution lines or other utility equipment or**
23 **infrastructure;**
- 24 **(b) The utility notifies the correctional center before flying the unmanned aircraft,**
25 **except during an emergency; and**
- 26 **(c) The person operating the unmanned aircraft does not physically enter the**
27 **prohibited space without an escort provided by the correctional center;**
- 28 **(6) An employee of a railroad in the exercise of official duties on any land owned**
29 **or operated by a railroad corporation regulated by the Federal Railroad Administration;**
30 **or**
- 31 **(7) A person operating an unmanned aircraft pursuant to and in compliance with**
32 **any waiver issued by the Federal Aviation Authority under 14 C.F.R. Section 107.200.**
- 33 **4. The offense of unlawful use of unmanned aircraft over a correctional center shall**
34 **be punishable as an infraction unless the person uses an unmanned aircraft for the purpose**
35 **of:**
- 36 **(1) Delivering a gun, knife, weapon, or other article that may be used in such**
37 **manner to endanger the life of an offender or correctional center employee, in which case**
38 **the offense is a class B felony;**
- 39 **(2) Facilitating an escape from confinement under section 575.210, in which case**
40 **the offense is a class C felony; or**

41 **(3) Delivering a controlled substance, as that term is defined under section 195.010,**
42 **in which case the offense is a class D felony.**

43 **5. Each correctional center shall post a sign warning of the provisions of this**
44 **section. The sign shall be at least eleven inches by fourteen inches and posted in a**
45 **conspicuous place.**

227.476. The portion of State Highway 9 from Nodaway Street to Park College
2 **Entrance Drive in Platte County shall be designated as "Bill Grigsby Memorial Highway".**
3 **The department of transportation shall erect and maintain appropriate signs designating**
4 **such highway, with the costs to be paid by private donations.**

 227.600. 1. Sections 227.600 to 227.669 shall be known and may be cited as the
2 "Missouri Public-Private Partnerships Transportation Act".

3 2. As used in sections 227.600 to 227.669, unless the context clearly requires otherwise,
4 the following terms mean:

5 (1) "Commission", the Missouri highways and transportation commission;

6 (2) "Comprehensive agreement", the final binding written comprehensive project
7 agreement between a private partner and the commission required in section 227.621 to finance,
8 develop, and/or operate the project;

9 (3) "Department", the Missouri department of transportation;

10 (4) "Develop" or "development", to plan, locate, relocate, establish, acquire, lease,
11 design, or construct;

12 (5) "Finance", to fund the costs, expenses, liabilities, fees, profits, and all other charges
13 incurred to finance, develop, and/or operate the project;

14 (6) "Interim agreement", a preliminary binding written agreement between a private
15 partner and the commission that provides for completion of studies and any other activities to
16 advance the financing, development, and/or operation of the project required by section 227.618;

17 (7) "Material default", any uncured default by a private partner in the performance of its
18 duties that jeopardizes adequate service to the public from the project as determined by the
19 commission;

20 (8) "Operate" or "operation", to improve, maintain, equip, modify, repair, administer, or
21 collect user fees;

22 (9) "Private partner", any natural person, corporation, partnership, limited liability
23 company, joint venture, business trust, nonprofit entity, other business entity, or any combination
24 thereof;

25 (10) "Project", exclusively includes any pipeline, ferry, port facility, water facility, water
26 way, water supply facility or pipeline, stormwater facility or system, wastewater system or
27 treatment facility, public building, airport, railroad, light rail, vehicle parking facility, mass

28 transit facility, **tube transport system**, or other similar facility currently available or to be made
29 available to a government entity for public use, including any structure, parking area,
30 appurtenance and other property required to operate the structure or facility to be financed,
31 developed, and/or operated under agreement between the commission and a private partner. The
32 commission or private partner shall not have the authority to collect user fees in connection with
33 the project from motor carriers as defined in section 227.630. Project shall not include any
34 highway, interstate or bridge construction, or any rest area, rest stop, or truck parking facility
35 connected to an interstate or other highway under the authority of the commission. Any project
36 not specifically included in this subdivision shall not be financed, developed, or operated by a
37 private partner until such project is approved by a vote of the people;

38 (11) "Public use", a finding by the commission that the project to be financed, developed,
39 and/or operated by a private partner under sections 227.600 to 227.669 will improve or is needed
40 as a necessary addition to the state transportation system;

41 (12) "Revenues", include but are not limited to the following which arise out of or in
42 connection with the financing, development, and/or operation of the project:

43 (a) Income;

44 (b) Earnings;

45 (c) Proceeds;

46 (d) User fees;

47 (e) Lease payments;

48 (f) Allocations;

49 (g) Federal, state, and local moneys; or

50 (h) Private sector moneys, grants, bond proceeds, and/or equity investments;

51 (13) "State", the state of Missouri;

52 (14) "State highway system", the state system of highways and bridges planned, located,
53 relocated, established, acquired, constructed, and maintained by the commission under Section
54 30(b), Article IV, Constitution of Missouri;

55 (15) "State transportation system", the state system of nonhighway transportation
56 programs, including but not limited to aviation, transit and mass transportation, railroads, ports,
57 waterborne commerce, freight and intermodal connections;

58 (16) **"Tube transport system", a high-speed transportation system, including**
59 **infrastructure and facilities, in which pressurized pods containing passengers or freight**
60 **ride or coast upon a cushion of air through magnetic levitation within a reduced-pressure**
61 **or vacuum tube, propelled by electric power;**

62 (17) "User fees", tolls, fees, or other charges authorized to be imposed by the
63 commission and collected by the private partner for the use of all or a portion of a project under
64 a comprehensive agreement.

65 **3. Notwithstanding any provision of law to the contrary, the power of eminent**
66 **domain shall not apply to the tube transport system.**

67 **4. Notwithstanding any provision of law to the contrary, no funds from the state**
68 **road fund established under section 30(b) of article IV of the Missouri constitution shall**
69 **be used for the financing, development, or operation of a tube transport system.**

70 **5. Under section 23.253 of the Missouri sunset act:**

71 **(1) The provisions authorizing the financing, development, or operation of a tube**
72 **transport system under this section shall automatically sunset on August 28, 2025, unless**
73 **reauthorized by an act of the general assembly; and**

74 **(2) If the tube transport system is reauthorized, the authority under this section to**
75 **finance, develop, or operate the tube transport system shall automatically sunset five years**
76 **after the effective date of the reauthorization of this section; and**

77 **(3) The provisions of this section authorizing the financing, development, or**
78 **operation of a tube transport system shall terminate on September first of the calendar**
79 **year immediately following the calendar year in which the program authorized under this**
80 **section is sunset.**

81 **6. Under no circumstances shall a public right-of-way necessary for the expansion**
82 **of Interstate 70 be materially impeded by or transferred to a public-private partnership**
83 **for the purpose of constructing a tube transport system.**

227.803. The portion of State Highway 7 from County Road 221 West continuing
2 **to Calvird Drive in the city of Clinton in Henry County shall be designated as "Police**
3 **Officer Christopher Ryan Morton Memorial Highway". The department shall erect and**
4 **maintain appropriate signs designating such highway with the costs to be paid for by**
5 **private donations.**

227.804. The portion of State Highway 13 from State Highway 52 West continuing
2 **to Calvird Drive in the city of Clinton in Henry County shall be designated as "Police**
3 **Officer Gary Lee Michael, Jr. Memorial Highway". The department shall erect and**
4 **maintain appropriate signs designating such highway with the costs to be paid for by**
5 **private donations.**

300.010. The following words and phrases when used in this ordinance mean:

2 (1) "Alley" or "alleyway", any street with a roadway of less than twenty feet in width;

3 (2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
4 off-highway use [~~which is fifty inches or less in width~~], with an unladen dry weight of [~~six~~] **one**

5 **thousand five** hundred pounds or less, traveling on three, four or more [~~low pressure~~]
6 **nonhighway** tires, with **either**:

7 (a) A seat designed to be straddled by the operator, and handlebars for steering control;
8 **or**

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

11 (3) "Authorized emergency vehicle", a vehicle publicly owned and operated as an
12 ambulance, or a vehicle publicly owned and operated by the state highway patrol, police or fire
13 department, sheriff or constable or deputy sheriff, traffic officer or any privately owned vehicle
14 operated as an ambulance when responding to emergency calls;

15 (4) "Business district", the territory contiguous to and including a highway when within
16 any six hundred feet along the highway there are buildings in use for business or industrial
17 purposes, including but not limited to hotels, banks, or office buildings, railroad stations and
18 public buildings which occupy at least three hundred feet of frontage on one side or three
19 hundred feet collectively on both sides of the highway;

20 (5) "Central business (or traffic) district", all streets and portions of streets within the
21 area described by city ordinance as such;

22 (6) "Commercial vehicle", every vehicle designed, maintained, or used primarily for the
23 transportation of property;

24 (7) "Controlled access highway", every highway, street or roadway in respect to which
25 owners or occupants of abutting lands and other persons have no legal right of access to or from
26 the same except at such points only and in such manner as may be determined by the public
27 authority having jurisdiction over the highway, street or roadway;

28 (8) "Crosswalk",

29 (a) That part of a roadway at an intersection included within the connections of the
30 lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the
31 absence of curbs from the edges of the traversable roadway;

32 (b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for
33 pedestrian crossing by lines or other markings on the surface;

34 (9) "Curb loading zone", a space adjacent to a curb reserved for the exclusive use of
35 vehicles during the loading or unloading of passengers or materials;

36 (10) "Driver", every person who drives or is in actual physical control of a vehicle;

37 (11) "Freight curb loading zone", a space adjacent to a curb for the exclusive use of
38 vehicles during the loading or unloading of freight (or passengers);

39 (12) "Highway", the entire width between the boundary lines of every way publicly
40 maintained when any part thereof is open to the use of the public for purposes of vehicular travel;

41 (13) "Intersection",

42 (a) The area embraced within the prolongation or connection of the lateral curb lines, or,
43 if none, then the lateral boundary lines of the roadways of two highways which join one another
44 at, or approximately at, right angles, or the area within which vehicles traveling upon different
45 highways joining at any other angle may come in conflict;

46 (b) Where a highway includes two roadways thirty feet or more apart, then every
47 crossing of each roadway of such divided highway by an intersecting highway shall be regarded
48 as a separate intersection. In the event such intersecting highway also includes two roadways
49 thirty feet or more apart, then every crossing of two roadways of such highways shall be regarded
50 as a separate intersection;

51 (14) "Laned roadway", a roadway which is divided into two or more clearly marked lanes
52 for vehicular traffic;

53 (15) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
54 except farm tractors and motorized bicycles;

55 (16) "Motorcycle", every motor vehicle having a seat or saddle for the use of the rider
56 and designed to travel on not more than three wheels in contact with the ground, but excluding
57 a tractor;

58 (17) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic
59 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which
60 produces less than three gross brake horsepower, and is capable of propelling the device at a
61 maximum speed of not more than thirty miles per hour on level ground;

62 (18) "Official time standard", whenever certain hours are named herein they shall mean
63 standard time or daylight-saving time as may be in current use in the city;

64 (19) "Official traffic control devices", all signs, signals, markings and devices not
65 inconsistent with this ordinance placed or erected by authority of a public body or official having
66 jurisdiction, for the purpose of regulating, warning or guiding traffic;

67 (20) "Park" or "parking", the standing of a vehicle, whether occupied or not, otherwise
68 than temporarily for the purpose of and while actually engaged in loading or unloading
69 merchandise or passengers;

70 (21) "Passenger curb loading zone", a place adjacent to a curb reserved for the exclusive
71 use of vehicles during the loading or unloading of passengers;

72 (22) "Pedestrian", any person afoot;

73 (23) "Person", every natural person, firm, copartnership, association or corporation;

74 (24) "Police officer", every officer of the municipal police department or any officer
75 authorized to direct or regulate traffic or to make arrests for violations of traffic regulations;

76 (25) "Private road" or "driveway", every way or place in private ownership and used for
77 vehicular travel by the owner and those having express or implied permission from the owner,
78 but not by other persons;

79 (26) "Railroad", a carrier of persons or property upon cars, other than streetcars, operated
80 upon stationary rails;

81 (27) "Railroad train", a steam engine, electric or other motor, with or without cars
82 coupled thereto, operated upon rails, except streetcars;

83 (28) "Residence district", the territory contiguous to and including a highway not
84 comprising a business district when the property on such highway for a distance of three hundred
85 feet or more is in the main improved with residences or residences and buildings in use for
86 business;

87 (29) "Right-of-way", the right of one vehicle or pedestrian to proceed in a lawful manner
88 in preference to another vehicle or pedestrian approaching under such circumstances of direction,
89 speed and proximity as to give rise to danger of collision unless one grants precedence to the
90 other;

91 (30) "Roadway", that portion of a highway improved, designed or ordinarily used for
92 vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more
93 separate roadways the term "roadway" as used herein shall refer to any such roadway separately
94 but not to all such roadways collectively;

95 (31) "Safety zone", the area or space officially set apart within a roadway for the
96 exclusive use of pedestrians and which is protected or is so marked or indicated by adequate
97 signs as to be plainly visible at all times while set apart as a safety zone;

98 (32) "Sidewalk", that portion of a street between the curb lines, or the lateral lines of a
99 roadway, and the adjacent property lines, intended for use of pedestrians;

100 (33) "Stand" or "standing", the halting of a vehicle, whether occupied or not, otherwise
101 than for the purpose of and while actually engaged in receiving or discharging passengers;

102 (34) "Stop", when required, complete cessation from movement;

103 (35) "Stop" or "stopping", when prohibited, any halting even momentarily of a vehicle,
104 whether occupied or not, except when necessary to avoid conflict with other traffic or in
105 compliance with the directions of a police officer or traffic control sign or signal;

106 (36) "Street" or "highway", the entire width between the lines of every way publicly
107 maintained when any part thereof is open to the uses of the public for purposes of vehicular
108 travel. "State highway", a highway maintained by the state of Missouri as a part of the state
109 highway system;

110 (37) "Through highway", every highway or portion thereof on which vehicular traffic is
111 given preferential rights-of-way, and at the entrances to which vehicular traffic from intersecting

112 highways is required by law to yield rights-of-way to vehicles on such through highway in
113 obedience to either a stop sign or a yield sign, when such signs are erected as provided in this
114 ordinance;

115 (38) "Traffic", pedestrians, ridden or herded animals, vehicles, streetcars and other
116 conveyances either singly or together while using any highway for purposes of travel;

117 (39) "Traffic control signal", any device, whether manually, electrically or mechanically
118 operated, by which traffic is alternately directed to stop and to proceed;

119 (40) "Traffic division", the traffic division of the police department of the city, or in the
120 event a traffic division is not established, then said term whenever used herein shall be deemed
121 to refer to the police department of the city;

122 (41) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
123 on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power,
124 or vehicles used exclusively on fixed rails or tracks, cotton trailers or motorized wheelchairs
125 operated by handicapped persons.

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

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

7 (a) **A seat designed to be straddled by the operator, and handlebars for steering**
8 **control; or**

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

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

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

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

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

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

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

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

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

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

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

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

40 (13) "Driveaway operation":

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

44 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting
45 the commodity being transported, by a person engaged in the business of furnishing drivers and
46 operators for the purpose of transporting vehicles in transit from one place to another by the
47 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 of
51 manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent
52 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 fifth
54 wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor
55 equipped with a dromedary may carry part of a load when operating independently or in a
56 combination with a semitrailer;

57 (15) "Farm tractor", a tractor used exclusively for agricultural purposes;

- 58 (16) "Fleet", any group of ten or more motor vehicles owned by the same owner;
- 59 (17) "Fleet vehicle", a motor vehicle which is included as part of a fleet;
- 60 (18) "Fullmount", a vehicle mounted completely on the frame of either the first or last
61 vehicle in a saddlemount combination;
- 62 (19) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus
63 the weight of any load thereon;
- 64 (20) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the
65 result of the impact of hail;
- 66 (21) "Highway", any public thoroughfare for vehicles, including state roads, county roads
67 and public streets, avenues, boulevards, parkways or alleys in any municipality;
- 68 (22) "Improved highway", a highway which has been paved with gravel, macadam,
69 concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;
- 70 (23) "Intersecting highway", any highway which joins another, whether or not it crosses
71 the same;
- 72 (24) "Junk vehicle", a vehicle which:
- 73 (a) Is incapable of operation or use upon the highways and has no resale value except as
74 a source of parts or scrap; or
- 75 (b) Has been designated as junk or a substantially equivalent designation by this state
76 or any other state;
- 77 (25) "Kit vehicle", a motor vehicle assembled by a person other than a generally
78 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
79 an authorized manufacturer and accompanied by a manufacturer's statement of origin;
- 80 (26) "Land improvement contractors' commercial motor vehicle", any not-for-hire
81 commercial motor vehicle the operation of which is confined to:
- 82 (a) An area that extends not more than a radius of one hundred miles from its home base
83 of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or
84 from projects involving soil and water conservation, or to and from equipment dealers'
85 maintenance facilities for maintenance purposes; or
- 86 (b) An area that extends not more than a radius of fifty miles from its home base of
87 operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from
88 projects not involving soil and water conservation.
- 89
- 90 Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered
91 as a commercial motor vehicle or local commercial motor vehicle;
- 92 (27) "Local commercial motor vehicle", a commercial motor vehicle whose operations
93 are confined to a municipality and that area extending not more than fifty miles therefrom, or a

94 commercial motor vehicle whose property-carrying operations are confined solely to the
95 transportation of property owned by any person who is the owner or operator of such vehicle to
96 or from a farm owned by such person or under the person's control by virtue of a landlord and
97 tenant lease; provided that any such property transported to any such farm is for use in the
98 operation of such farm;

99 (28) "Local log truck", a commercial motor vehicle which is registered pursuant to this
100 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
101 state, used to transport harvested forest products, operated solely at a forested site and in an area
102 extending not more than a one hundred mile radius from such site, carries a load with dimensions
103 not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on
104 the national system of interstate and defense highways described in 23 U.S.C. Section 103, as
105 amended, or outside the one hundred mile radius from such site with an extended distance local
106 log truck permit, such vehicle shall not exceed the weight limits of section 304.180, does not
107 have more than four axles, and does not pull a trailer which has more than three axles.
108 Harvesting equipment which is used specifically for cutting, felling, trimming, delimiting,
109 debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local
110 log truck. A local log truck may not exceed the limits required by law, however, if the truck does
111 exceed such limits as determined by the inspecting officer, then notwithstanding any other
112 provisions of law to the contrary, such truck shall be subject to the weight limits required by such
113 sections as licensed for eighty thousand pounds;

114 (29) "Local log truck tractor", a commercial motor vehicle which is registered under this
115 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
116 state, used to transport harvested forest products, operated at a forested site and in an area
117 extending not more than a one hundred mile radius from such site, operates with a weight not
118 exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding
119 forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national
120 system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, or
121 outside the one hundred mile radius from such site with an extended distance local log truck
122 permit, such vehicle does not exceed the weight limits contained in section 304.180, and does
123 not have more than three axles and does not pull a trailer which has more than three axles.
124 Violations of axle weight limitations shall be subject to the load limit penalty as described for
125 in sections 304.180 to 304.220;

126 (30) "Local transit bus", a bus whose operations are confined wholly within a municipal
127 corporation, or wholly within a municipal corporation and a commercial zone, as defined in
128 section 390.020, adjacent thereto, forming a part of a public transportation system within such
129 municipal corporation and such municipal corporation and adjacent commercial zone;

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

134 (32) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly,
135 and front clip, as those terms are defined by the director of revenue pursuant to rules and
136 regulations or by illustrations;

137 (33) "Manufacturer", any person, firm, corporation or association engaged in the
138 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

139 (34) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
140 receives a new, rebuilt or used engine, and which used the number stamped on the original
141 engine as the vehicle identification number;

142 (35) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
143 except farm tractors;

144 (36) "Motor vehicle primarily for business use", any vehicle other than a recreational
145 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over
146 twelve thousand pounds:

147 (a) Offered for hire or lease; or

148 (b) The owner of which also owns ten or more such motor vehicles;

149 (37) "Motorcycle", a motor vehicle operated on two wheels;

150 (38) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic
151 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which
152 produces less than three gross brake horsepower, and is capable of propelling the device at a
153 maximum speed of not more than thirty miles per hour on level ground;

154 (39) "Motortricycle", a motor vehicle upon which the operator straddles or sits astride
155 that is designed to be controlled by handle bars and is operated on three wheels, including a
156 motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of
157 a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

158 (40) "Municipality", any city, town or village, whether incorporated or not;

159 (41) "Nonresident", a resident of a state or country other than the state of Missouri;

160 (42) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in
161 compliance with United States emissions or safety standards;

162 (43) "Operator", any person who operates or drives a motor vehicle;

163 (44) "Owner", any person, firm, corporation or association, who holds the legal title to
164 a vehicle **or who has executed a buyer's order or retail installment sales contract with a**
165 **motor vehicle dealer licensed under sections 301.550 to 301.580 for the purchase of a**

166 **vehicle with an immediate right of possession vested in the transferee**, or in the event a
167 vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of
168 purchase upon performance of the conditions stated in the agreement and with an immediate
169 right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a
170 vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be
171 deemed the owner;

172 (45) "Public garage", a place of business where motor vehicles are housed, stored,
173 repaired, reconstructed or repainted for persons other than the owners or operators of such place
174 of business;

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

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

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

186 (49) "Recreational off-highway vehicle", any motorized vehicle manufactured and used
187 exclusively for off-highway use which is more than fifty inches but no more than ~~[sixty-seven]~~
188 **eighty** inches in width, **measured from outside of tire rim to outside of tire rim**, with an
189 unladen dry weight of ~~[two]~~ **three thousand five hundred** pounds or less, traveling on four or
190 more nonhighway tires and which may have access to ATV trails;

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

195 (51) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,
196 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a
197 wrecker or towing service;

198 (52) "Saddlemount combination", a combination of vehicles in which a truck or truck
199 tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth
200 wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of
201 the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth

202 wheel kingpin connection. When two vehicles are towed in this manner the combination is
203 called a "double saddlemount combination". When three vehicles are towed in this manner, the
204 combination is called a "triple saddlemount combination";

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

207 (54) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

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

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

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

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

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

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

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

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

233 (55) "School bus", any motor vehicle used solely to transport students to or from school
234 or to transport students to or from any place for educational purposes;

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

238 (57) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
239 corporation as an incidental service to transport patrons or customers of the regular business of
240 such person, firm, or corporation to and from the place of business of the person, firm, or
241 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
242 buses or as commercial motor vehicles;

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

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

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

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

261 (62) "Towaway trailer transporter combination", a combination of vehicles consisting
262 of a trailer transporter towing unit and two trailers or semitrailers, with a total weight that does
263 not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry no
264 property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers
265 or semitrailers;

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

269 (64) "Trailer", any vehicle without motive power designed for carrying property or
270 passengers on its own structure and for being drawn by a self-propelled vehicle, except those
271 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
272 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
273 rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers

274 as defined in this section and shall not include manufactured homes as defined in section
275 700.010;

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

278 (66) "Truck", a motor vehicle designed, used, or maintained for the transportation of
279 property;

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

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

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

292 (70) "Utility vehicle", any motorized vehicle manufactured and used exclusively for
293 off-highway use which is more than fifty inches but no more than ~~[sixty-seven]~~ **eighty** inches in
294 width, **measured from outside of tire rim to outside of tire rim**, with an unladen dry weight
295 of ~~[two]~~ **three thousand five hundred** pounds or less, traveling on four or six wheels, to be used
296 primarily for landscaping, lawn care, or maintenance purposes;

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

306 (72) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
307 on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power,
308 or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs
309 operated by handicapped persons;

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

314 (74) "Wrecker or towing service", the act of transporting, towing or recovering with a
315 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker,
316 tow truck, rollback or car carrier for which the operator directly or indirectly receives
317 compensation or other personal gain.

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

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

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

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

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

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

301.032. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the
2 contrary, the director of revenue shall establish a system of registration of all fleet vehicles
3 owned or purchased by a fleet owner registered pursuant to this section. The director of revenue
4 shall prescribe the forms for such fleet registration and the forms and procedures for the
5 registration updates prescribed in this section. Any owner of ten or more motor vehicles which
6 must be registered in accordance with this chapter may register as a fleet owner. All registered
7 fleet owners may, at their option, register all motor vehicles included in the fleet on a calendar
8 year or biennial basis pursuant to this section in lieu of the registration periods provided in
9 sections 301.030, 301.035, and 301.147. The director shall issue an identification number to
10 each registered owner of fleet vehicles.

11 2. All fleet vehicles included in the fleet of a registered fleet owner shall be registered
12 during April of the corresponding year or on a prorated basis as provided in subsection 3 of this
13 section. Fees of all vehicles in the fleet to be registered on a calendar year basis or on a biennial
14 basis shall be payable not later than the last day of April of the corresponding year, with two
15 years' fees due for biennially-registered vehicles. Notwithstanding the provisions of section
16 307.355, an application for registration of a fleet vehicle must be accompanied by a certificate
17 of inspection and approval issued no more than one hundred twenty days prior to the date of
18 application. The fees for vehicles added to the fleet which must be licensed at the time of

19 registration shall be payable at the time of registration, except that when such vehicle is licensed
20 between July first and September thirtieth the fee shall be three-fourths the annual fee, when
21 licensed between October first and December thirty-first the fee shall be one-half the annual fee
22 and when licensed on or after January first the fee shall be one-fourth the annual fee. When
23 biennial registration is sought for vehicles added to a fleet, an additional year's annual fee will
24 be added to the partial year's prorated fee.

25 3. At any time during the calendar year in which an owner of a fleet purchases or
26 otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle,
27 the owner shall present to the director of revenue the identification number as a fleet number and
28 may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet
29 owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant
30 to this subsection.

31 4. Except as specifically provided in this subsection, all fleet vehicles registered pursuant
32 to this section shall be issued a special license plate which shall have the words "Fleet Vehicle"
33 in place of the words "Show-Me State" in the manner prescribed by the advisory committee
34 established in section 301.129. Alternatively, for a one-time additional five dollar per-vehicle
35 fee beyond the regular registration fee, a fleet owner of at least fifty fleet vehicles may apply for
36 fleet license plates bearing a company name or logo, the size and design thereof subject to
37 approval by the director. All fleet license plates shall be made with fully reflective material with
38 a common color scheme and design, shall be clearly visible at night, and shall be aesthetically
39 attractive, as prescribed by section 301.130. Fleet vehicles shall be issued multiyear license
40 plates as provided in this section which shall not require issuance of a renewal tab. Upon
41 payment of appropriate registration fees, the director of revenue shall issue a registration
42 certificate or other suitable evidence of payment of the annual or biennial fee, and such evidence
43 of payment shall be carried at all times in the vehicle for which it is issued.

44 5. Notwithstanding the provisions of sections 307.350 to 307.390 to the contrary, a fleet
45 vehicle registered in Missouri is exempt from the requirements of sections 307.350 to 307.390
46 if at the time of the annual fleet registration, such fleet vehicle is situated outside the state of
47 Missouri.

48 6. (1) Notwithstanding any other provisions of law to the contrary, any person, company,
49 or corporation engaged in the business of renting or leasing three thousand five hundred or more
50 motor vehicles which are to be used exclusively for rental or leasing purposes and not for resale
51 that has applied to the director of revenue for authority to operate as a lease or rental company
52 as prescribed in section 144.070 may operate as a registered fleet owner as prescribed in the
53 provisions of this subsection to subsection 10 of this section.

54 (2) The director of revenue may issue license plates after presentment of an application,
55 as designed by the director, and payment of an annual fee of three hundred sixty dollars for the
56 first ten plates and thirty-six dollars for each additional plate. The payment and issuance of such
57 plates shall be in lieu of registering each motor vehicle with the director as otherwise provided
58 by law.

59 (3) **The registration fees for vehicles in the registered fleet owner's fleet shall be**
60 **fully payable at the time such plates are ordered, except that when such plate is ordered**
61 **after the first month of registration, the fees payable shall be prorated by the month the**
62 **plates were ordered. When biennial registration is sought, an additional year's annual fee**
63 **shall be added to the partial year's prorated fee.**

64 (4) Such motor vehicles within the fleet shall not be exempted from the safety inspection
65 and emissions inspection provisions as prescribed in chapters 307 and 643, but notwithstanding
66 the provisions of section 307.355, such inspections shall not be required to be presented to the
67 director of revenue.

68 7. A recipient of a lease or rental company license issued by the director of revenue as
69 prescribed in section 144.070 operating as a registered fleet owner under this section shall
70 register such fleet with the director of revenue on an annual or biennial basis in lieu of the
71 individual motor vehicle registration periods as prescribed in sections 301.030, 301.035, and
72 301.147. If an applicant elects a biennial fleet registration, the annual fleet license plate fees
73 prescribed in subdivision (1) of subsection 6 of this section shall be doubled. An agent fee as
74 prescribed in subdivision (1) of subsection 1 of section 136.055 shall apply to the issuance of
75 fleet registrations issued under subsections 6 to 10 of this section, and if a biennial fleet
76 registration is elected, the agent fee shall be collected in an amount equal to the fee for two years.

77 8. Prior to the issuance of fleet license plates under subsections 6 to 10 of this section,
78 the applicant shall provide proof of insurance as required under section 303.024 or 303.026.

79 9. The authority of a recipient of a lease or rental company license issued by the director
80 of revenue as prescribed in section 144.070 to operate as a fleet owner as provided in this section
81 shall expire on January first of the licensure period.

82 10. A lease or rental company operating fleet license plates issued under subsections 6
83 to 10 of this section shall make available, upon request, to the director of revenue and all
84 Missouri law enforcement agencies any corresponding vehicle and registration information that
85 may be requested as prescribed by rule.

86 11. The director shall make all necessary rules and regulations for the administration of
87 this section and shall design all necessary forms required by this section. Any rule or portion of
88 a rule, as that term is defined in section 536.010, that is created under the authority delegated in
89 this section shall become effective only if it complies with and is subject to all the provisions of

90 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
91 and if any of the powers vested with the general assembly under chapter 536 to review, to delay
92 the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
93 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2019, shall
94 be invalid and void.

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

15 2. In the case of a transfer of ownership the original owner may register another motor
16 vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle
17 is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle)
18 seating capacity, not in excess of that originally registered. When such motor vehicle is of
19 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
20 vehicle) seating capacity, for which a greater fee is prescribed, **the** applicant shall pay a transfer
21 fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less
22 horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating
23 capacity, for which a lesser fee is prescribed, **the** applicant shall not be entitled to a refund.

24 3. License plates may be transferred from a motor vehicle which will no longer be
25 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay
26 a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in
27 the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that
28 of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of
29 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
30 vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer
31 fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased

32 vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial
33 motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be
34 entitled to a refund.

35 4. The director of the department of revenue shall have authority to produce or allow
36 others to produce a weather resistant, nontearing temporary permit authorizing the operation of
37 a motor vehicle or trailer by a buyer for not more than thirty days, or no more than ninety days
38 if issued by a dealer selling the motor vehicle under the provisions of section 301.213, **or no**
39 **more than sixty days if issued by a dealer selling the motor vehicle under the provisions of**
40 **subsection 5 of section 301.210**, from the date of purchase. The temporary permit authorized
41 under this section may be purchased by the purchaser of a motor vehicle or trailer from the
42 central office of the department of revenue or from an authorized agent of the department of
43 revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no
44 registration plate available for transfer and upon proof of financial responsibility, or from a
45 motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has no
46 registration plate available for transfer, or from a motor vehicle dealer upon purchase of a motor
47 vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates.
48 The director of the department of revenue or a producer authorized by the director of the
49 department of revenue may make temporary permits available to registered dealers in this state,
50 authorized agents of the department of revenue or the department of revenue. The price paid by
51 a motor vehicle dealer, an authorized agent of the department of revenue or the department of
52 revenue for a temporary permit shall not exceed five dollars for each permit. The director of the
53 department of revenue shall direct motor vehicle dealers and authorized agents to obtain
54 temporary permits from an authorized producer. Amounts received by the director of the
55 department of revenue for temporary permits shall constitute state revenue; however, amounts
56 received by an authorized producer other than the director of the department of revenue shall not
57 constitute state revenue and any amounts received by motor vehicle dealers or authorized agents
58 for temporary permits purchased from a producer other than the director of the department of
59 revenue shall not constitute state revenue. In no event shall revenues from the general revenue
60 fund or any other state fund be utilized to compensate motor vehicle dealers or other producers
61 for their role in producing temporary permits as authorized under this section. Amounts that do
62 not constitute state revenue under this section shall also not constitute fees for registration or
63 certificates of title to be collected by the director of the department of revenue under section
64 301.190. No motor vehicle dealer, authorized agent or the department of revenue shall charge
65 more than five dollars for each permit issued. The permit shall be valid for a period of thirty
66 days, or no more than ninety days if issued by a dealer selling the motor vehicle under the
67 provisions of section 301.213, **or no more than sixty days if issued by a dealer selling the**

68 **motor vehicle under the provisions of subsection 5 of section 301.210**, from the date of
69 purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by
70 a motor vehicle dealer for which the purchaser obtains a permit as set out above. No permit shall
71 be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.
72 Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle
73 in a manner and place on the motor vehicle consistent with registration plates so that all parts and
74 qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and
75 are not impaired in any way.

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

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

99 7. Upon the transfer of ownership of any currently registered motor vehicle wherein the
100 owner cannot transfer the license plates due to a change of motor vehicle category, the owner
101 may surrender the license plates issued to the motor vehicle and receive credit for any unused
102 portion of the original registration fee against the registration fee of another motor vehicle. Such

103 credit shall be granted based upon the date the license plates are surrendered. No refunds shall
104 be made on the unused portion of any license plates surrendered for such credit.

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

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

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

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

140 11. The repeal and reenactment of this section shall become effective on the date the
141 department of revenue or a producer authorized by the director of the department of revenue
142 begins producing temporary permits described in subsection 4 of such section, or on July 1,
143 2013, whichever occurs first. If the director of revenue or a producer authorized by the director
144 of the department of revenue begins producing temporary permits prior to July 1, 2013, the
145 director of the department of revenue shall notify the revisor of statutes of such fact.

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

19 2. The director of revenue shall use reasonable diligence in ascertaining whether the facts
20 stated in such application are true and shall, to the extent possible without substantially delaying
21 processing of the application, review any odometer information pertaining to such motor vehicle
22 that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of
23 such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the
24 director shall thereupon issue an appropriate certificate over his signature and sealed with the
25 seal of his office, procured and used for such purpose. The certificate shall contain on its face
26 a complete description, vehicle identification number, and other evidence of identification of the
27 motor vehicle or trailer, as the director of revenue may deem necessary, together with the
28 odometer information required to be put on the face of the certificate pursuant to section

29 407.536, a statement of any liens or encumbrances which the application may show to be
30 thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing the
31 transferor's title and whether the transferor's odometer mileage statement executed pursuant to
32 section 407.536 indicated that the true mileage is materially different from the number of miles
33 shown on the odometer, or is unknown.

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

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

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

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

52 5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in
53 addition to the fee for registration of such motor vehicle or trailer. If application for the
54 certificate is not made within thirty days after the vehicle is acquired by the applicant, or where
55 the motor vehicle was acquired under section 301.213 **or subsection 5 of section 301.210** and
56 the applicant fails to make application within thirty days after receiving title from the dealer, a
57 delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and
58 twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of two
59 hundred dollars, but such penalty may be waived by the director for a good cause shown. If the
60 director of revenue learns that any person has failed to obtain a certificate within thirty days after
61 acquiring a motor vehicle or trailer, or where the motor vehicle was acquired under section
62 301.213 **or subsection 5 of section 301.210** and the applicant fails to make application within
63 thirty days after receiving title from the dealer, or has sold a vehicle without obtaining a
64 certificate, he shall cancel the registration of all vehicles registered in the name of the person,

65 either as sole owner or as a co-owner, and shall notify the person that the cancellation will
66 remain in force until the person pays the delinquency penalty fee provided in this section,
67 together with all fees, charges and payments which the person should have paid in connection
68 with the certificate of ownership and registration of the vehicle. The certificate shall be good for
69 the life of the motor vehicle or trailer so long as the same is owned or held by the original holder
70 of the certificate and shall not have to be renewed annually.

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

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

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

90 9. Each application for an original Missouri certificate of ownership for a vehicle which
91 is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle,
92 motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director
93 of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state
94 highway patrol, or other law enforcement agency as authorized by the director of revenue. The
95 vehicle examination shall include a verification of vehicle identification numbers and a
96 determination of the classification of the vehicle. The owner of a vehicle which requires a
97 vehicle examination certificate shall present the vehicle for examination and obtain a completed
98 vehicle examination certificate prior to submitting an application for a certificate of ownership
99 to the director of revenue. Notwithstanding any provision of the law to the contrary, an owner
100 presenting a motor vehicle which has been issued a salvage title and which is ten years of age

101 or older to a vehicle examination described in this subsection in order to obtain a certificate of
102 ownership with the designation prior salvage motor vehicle shall not be required to repair or
103 restore the vehicle to its original appearance in order to pass or complete the vehicle
104 examination. The fee for the vehicle examination application shall be twenty-five dollars and
105 shall be collected by the director of revenue at the time of the request for the application and
106 shall be deposited in the state treasury to the credit of the state highways and transportation
107 department fund. If the vehicle is also to be registered in Missouri, the safety inspection required
108 in chapter 307 and the emissions inspection required under chapter 643 shall be completed and
109 the fees required by section 307.365 and section 643.315 shall be charged to the owner.

110 10. When an application is made for an original Missouri certificate of ownership for a
111 motor vehicle previously registered or titled in a state other than Missouri or as required by
112 section 301.020, it shall be accompanied by a current inspection form certified by a duly
113 authorized official inspection station as described in chapter 307. The completed form shall
114 certify that the manufacturer's identification number for the vehicle has been inspected, that it
115 is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the
116 time of inspection. The inspection station shall collect the same fee as authorized in section
117 307.365 for making the inspection, and the fee shall be deposited in the same manner as provided
118 in section 307.365. If the vehicle is also to be registered in Missouri, the safety inspection
119 required in chapter 307 and the emissions inspection required under chapter 643 shall be
120 completed and only the fees required by section 307.365 and section 643.315 shall be charged
121 to the owner. This section shall not apply to vehicles being transferred on a manufacturer's
122 statement of origin.

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

130 12. When an application is made for an original Missouri certificate of ownership for a
131 motor vehicle previously registered or titled in a state other than Missouri, and the certificate of
132 ownership has been appropriately designated by the issuing state as a reconstructed motor
133 vehicle, motor change vehicle, specially constructed motor vehicle, or prior salvage vehicle, the
134 director of revenue shall appropriately designate on the current Missouri and all subsequent
135 issues of the certificate of ownership the name of the issuing state and such prior designation.
136 The absence of any prior designation shall not relieve a transferor of the duty to exercise due

137 diligence with regard to such certificate of ownership prior to the transfer of a certificate. If a
138 transferor exercises any due diligence with regard to a certificate of ownership, the legal transfer
139 of a certificate of ownership without any designation that is subsequently discovered to have or
140 should have had a designation shall be a transfer free and clear of any liabilities of the transferor
141 associated with the missing designation.

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

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

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

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

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

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

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

165

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

301.193. 1. Any person who purchases or is the owner of real property on which
2 vehicles, as defined in section 301.010, vessels or watercraft, as defined in section 306.010, or

3 outboard motors, as that term is used in section 306.530, have been abandoned, without the
4 consent of said purchaser or owner of the real property, may apply to the department of revenue
5 for a certificate of title. Any insurer which purchases a vehicle through the claims adjustment
6 process for which the insurer is unable to obtain a negotiable title may make an application to
7 the department of revenue for a salvage certificate of title pursuant to this section. Prior to
8 making application for a certificate of title on a vehicle under this section, the insurer or owner
9 of the real estate shall have the vehicle inspected by law enforcement pursuant to subsection 9
10 of section 301.190, and shall have law enforcement perform a check in the national crime
11 information center and any appropriate statewide law enforcement computer to determine if the
12 vehicle has been reported stolen and the name and address of the person to whom the vehicle was
13 last titled and any lienholders of record. The insurer or owner or purchaser of the real estate
14 shall, thirty days prior to making application for title, notify any owners or lienholders of record
15 for the vehicle by certified mail that the owner intends to apply for a certificate of title from the
16 director for the abandoned vehicle. The application for title shall be accompanied by:

17 (1) A statement explaining the circumstances by which the property came into the
18 insurer, owner, or purchaser's possession; a description of the property including the year, make,
19 model, vehicle identification number, and any decal or license plate that may be affixed to the
20 vehicle; the current location of the property; and the retail value of the property;

21 (2) An inspection report of the property, if it is a vehicle, by a law enforcement agency
22 pursuant to subsection 9 of section 301.190; and

23 (3) A copy of the thirty-day notice and certified mail receipt mailed to any owner and any
24 person holding a valid security interest of record.

25 2. Upon receipt of the application and supporting documents, the director shall search
26 the records of the department of revenue, or initiate an inquiry with another state, if the evidence
27 presented indicated the property described in the application was registered or titled in another
28 state, to verify the name and address of any owners and any lienholders. If the latest owner or
29 lienholder was not notified the director shall inform the insurer, owner, or purchaser of the real
30 estate of the latest owner and lienholder information so that notice may be given as required by
31 subsection 1 of this section. Any owner or lienholder receiving notification may protest the
32 issuance of title by, within the thirty-day **or forty-five-day** notice period, **as applicable**, and may
33 file a petition to recover the vehicle, naming the insurer **described in subsection 1, 3, or 6 of**
34 **this section, as applicable; a salvage pool or salvage dealer and dismantler described in**
35 **subsection 4 of this section; a used motor vehicle dealer described in subsection 5 of this**
36 **section; or the** owner of the real estate and serving a copy of the petition on the director of
37 revenue. The director shall not be a party to such petition but shall, upon receipt of the petition,
38 suspend the processing of any further certificate of title until the rights of all parties to the

39 vehicle are determined by the court. Once all requirements are satisfied the director shall issue
40 one of the following:

41 (1) An original certificate of title if the vehicle examination certificate, as provided in
42 section 301.190, indicates that the vehicle was not previously in a salvaged condition or rebuilt;

43 (2) An original certificate of title designated as prior salvage if the vehicle examination
44 certificate as provided in section 301.190 indicates the vehicle was previously in a salvaged
45 condition or rebuilt;

46 (3) A salvage certificate of title designated with the words "salvage/abandoned property"
47 or junking certificate based on the condition of the property as stated in the inspection report.
48 An insurer purchasing a vehicle through the claims adjustment process under this section shall
49 only be eligible to obtain a salvage certificate of title or junking certificate. **A salvage pool or**
50 **salvage dealer and dismantler described in subsection 4 of this section or a used motor**
51 **vehicle dealer described in subsection 5 of this section shall only be eligible to obtain a**
52 **salvage certificate of title or junking certificate.**

53 3. Any insurer which purchases a vehicle that is currently titled in Missouri through the
54 claims adjustment process for which the insurer is unable to obtain a negotiable title may make
55 application to the department of revenue for a salvage certificate of title or junking certificate.
56 Such application may be made by the insurer or its designated salvage pool on a form provided
57 by the department and signed under penalty of perjury. The application shall include a
58 declaration that the insurer has made at least two written attempts to obtain the certificate of title,
59 transfer documents, or other acceptable evidence of title, and be accompanied by proof of claims
60 payment from the insurer, evidence that letters were sent to the vehicle owner, a statement
61 explaining the circumstances by which the property came into the insurer's possession, a
62 description of the property including the year, make, model, vehicle identification number, and
63 current location of the property, and the fee prescribed in subsection 5 of section 301.190. The
64 insurer shall, thirty days prior to making application for title, notify any owners or lienholders
65 of record for the vehicle that the insurer intends to apply for a certificate of title from the director
66 for the vehicle. Upon receipt of the application and supporting documents, the director shall
67 search the records of the department of revenue to verify the name and address of any owners
68 and any lienholders. If the director identifies any additional owner or lienholder who has not
69 been notified by the insurer, the director shall inform the insurer of such additional owner or
70 lienholder and the insurer shall notify the additional owner or lienholder of the insurer's intent
71 to obtain title as prescribed in this section. If no valid lienholders have notified the department
72 of the existence of a lien, the department shall issue a salvage certificate of title or junking
73 certificate for the vehicle in the name of the insurer.

74 **4. Any salvage pool or salvage dealer and dismantler that takes possession of a**
75 **vehicle at the request of an insurer when the insurer does not purchase the vehicle through**
76 **the claims adjustment process may apply to the department for a salvage certificate of title**
77 **or junking certificate in the name of the salvage pool or salvage dealer and dismantler if**
78 **the vehicle has remained unclaimed on the salvage pool's or salvage dealer and**
79 **dismantler's premises for more than forty-five days. The salvage pool or salvage dealer**
80 **and dismantler shall, forty-five days prior to making application for title, notify any**
81 **owners or lienholders of record for the vehicle that the salvage pool or salvage dealer and**
82 **dismantler intends to apply to the director for a certificate of title for the vehicle unless the**
83 **owner or lienholder removes the vehicle from the salvage pool's or salvage dealer and**
84 **dismantler's premises within the forty-five days. The application for title shall be on a**
85 **form provided by the department, signed under penalty of perjury, and shall be**
86 **accompanied by:**

87 **(1) A statement explaining the circumstances by which the vehicle came into the**
88 **salvage pool's or salvage dealer and dismantler's possession; a description of the vehicle**
89 **including the year, make, model, and vehicle identification number; the current location**
90 **of the property; and the fee prescribed in subsection 5 of section 301.190;**

91 **(2) A copy of the forty-five-day notice and certified mail receipt mailed, or proof**
92 **that the request was delivered by a nationally recognized courier service, to any owner and**
93 **any person holding a valid security interest of record; and**

94 **(3) If the vehicle is not currently titled in Missouri, an inspection report of the**
95 **vehicle by a law enforcement agency pursuant to subsection 9 of section 301.190.**

96
97 **Upon receipt of the application and supporting documents, the director shall search the**
98 **records of the department, or initiate an inquiry with another state if the evidence**
99 **presented indicated the property described in the application was registered or titled in**
100 **another state, to verify the name and address of any owners and any lienholders. If the**
101 **director identifies any additional owner or lienholder who has not been notified by the**
102 **salvage pool or salvage dealer and dismantler, the director shall inform the salvage pool**
103 **or salvage dealer and dismantler of such additional owner or lienholder and the salvage**
104 **pool or salvage dealer and dismantler shall notify the additional owner or lienholder of the**
105 **salvage pool's or salvage dealer and dismantler's intent to obtain title as prescribed in this**
106 **section. If no valid lienholders have notified the department of the existence of a lien, the**
107 **department shall issue a salvage certificate of title or junking certificate for the vehicle in**
108 **the name of the salvage pool or salvage dealer and dismantler.**

109 **5. Any used motor vehicle dealer that takes possession of a vehicle at the request**
110 **of an organization exempt from federal income taxation under Section 501(c)(3) of the**
111 **Internal Revenue Code when such organization does not provide the used motor vehicle**
112 **dealer with a negotiable title may apply to the department of revenue for a salvage**
113 **certificate of title or junking certificate in the name of the used motor vehicle dealer if the**
114 **vehicle has remained unclaimed on the used motor vehicle dealer's premises for more than**
115 **forty-five days. The used motor vehicle dealer shall, forty-five days prior to making**
116 **application for title, notify any owners or lienholders of record for the vehicle that the used**
117 **motor vehicle dealer intends to apply for a certificate of title from the director for the**
118 **vehicle unless the owner or lienholder removes the vehicle from the used motor vehicle**
119 **dealer's premises within the forty-five days. The application for title shall be on a form**
120 **provided by the department, signed under penalty of perjury, and shall be accompanied**
121 **by:**

122 **(1) A statement explaining the circumstances by which the vehicle came into the**
123 **used motor vehicle dealer's possession; a description of the vehicle including the year,**
124 **make, model, and vehicle identification number; the current location of the property; and**
125 **the fee prescribed in subsection 5 of section 301.190;**

126 **(2) A copy of the forty-five-day notice and certified mail receipt mailed, or proof**
127 **that the request was delivered by a nationally recognized courier service, to any owner and**
128 **any person holding a valid security interest of record; and**

129 **(3) If the vehicle is not currently titled in Missouri, an inspection report of the**
130 **vehicle by a law enforcement agency pursuant to subsection 9 of section 301.190.**

131

132 **Upon receipt of the application and supporting documents, the director shall search the**
133 **records of the department, or initiate an inquiry with another state if the evidence**
134 **presented indicated the property described in the application was registered or titled in**
135 **another state, to verify the name and address of any owners and any lienholders. If the**
136 **director identifies any additional owner or lienholder who has not been notified by the used**
137 **motor vehicle dealer, the director shall inform the used motor vehicle dealer of such**
138 **additional owner or lienholder and the used motor vehicle dealer shall notify the additional**
139 **owner or lienholder of the used motor vehicle dealer's intent to obtain title as prescribed**
140 **in this section. If no valid lienholders have notified the department of the existence of a**
141 **lien, the department shall issue a salvage certificate of title or junking certificate for the**
142 **vehicle in the name of the used motor vehicle dealer.**

143 **6. Any insurer that purchases a vessel or watercraft that is currently titled in**
144 **Missouri through the claims adjustment process and for which the insurer is unable to**

145 **obtain a negotiable title may make application to the department for a certificate of title.**
146 **Such application may be made by the insurer or its designated salvage pool or salvage**
147 **dealer and dismantler on a form provided by the department and signed under penalty of**
148 **perjury. The application shall include a declaration that the insurer has made at least two**
149 **written attempts to obtain the certificate of title, transfer documents, or other acceptable**
150 **evidence of title and be accompanied by proof of claims payment from the insurer;**
151 **evidence that letters were sent to the vessel or watercraft owner; a statement explaining the**
152 **circumstances by which the property came into the insurer's possession; a description of**
153 **the property including the year, make, and hull identification number; the current location**
154 **of the property; and the fee prescribed in subsection 3 of section 306.015. The insurer**
155 **shall, thirty days prior to making application for title, notify any owners or lienholders of**
156 **record for the vessel or watercraft that the insurer intends to apply to the director for a**
157 **certificate of title for the vessel or watercraft. Upon receipt of the application and**
158 **supporting documents, the director shall search the records of the department of revenue**
159 **to verify the name and address of any owners and any lienholders. If the director identifies**
160 **any additional owner or lienholder who has not been notified by the insurer, the director**
161 **shall inform the insurer of such additional owner or lienholder and the insurer shall notify**
162 **the additional owner or lienholder of the insurer's intent to obtain title as prescribed in this**
163 **section. If no valid lienholders have notified the department of the existence of a lien, the**
164 **department shall issue a certificate of title for the vessel or watercraft in the name of the**
165 **insurer.**

301.210. 1. In the event of a sale or transfer of ownership of a motor vehicle or trailer
2 for which a certificate of ownership has been issued, the holder of such certificate shall endorse
3 on the same an assignment thereof, with warranty of title in form printed thereon, and prescribed
4 by the director of revenue, with a statement of all liens or encumbrances on such motor vehicle
5 or trailer, and deliver the same to the buyer at the time of the delivery to him of such motor
6 vehicle or trailer; provided that, when the transfer of a motor vehicle, trailer, boat or outboard
7 motor occurs within a corporation which holds a license to operate as a motor vehicle or boat
8 dealer pursuant to sections 301.550 to 301.575, the provisions of subdivision (3) of subsection
9 7 of section 144.070 shall not apply.

10 2. The buyer shall then present such certificate, assigned as aforesaid, to the director of
11 revenue, at the time of making application for the registration of such motor vehicle or trailer,
12 whereupon a new certificate of ownership shall be issued to the buyer, the fee therefor being that
13 prescribed in subsection 5 of section 301.190.

14 3. If such motor vehicle or trailer is sold to a resident of another state or country, or if
15 such motor vehicle or trailer is destroyed or dismantled, the owner thereof shall immediately

16 notify the director of revenue. Certificates when so signed and returned to the director of
17 revenue shall be retained by the director of revenue and all certificates shall be appropriately
18 indexed so that at all times it will be possible for him to expeditiously trace the ownership of the
19 motor vehicle or trailer designated therein.

20 4. It shall be unlawful for any person to buy or sell in this state any motor vehicle or
21 trailer registered under the laws of this state, unless, at the time of the delivery thereof, there shall
22 pass between the parties such certificates of ownership with an assignment thereof, as provided
23 in this section, and the sale of any motor vehicle or trailer registered under the laws of this state,
24 without the assignment of such certificate of ownership, shall be **presumed** fraudulent and void
25 **unless the parties have executed a written agreement for delayed delivery of certificate of**
26 **ownership as provided in subsection 5 of this section.**

27 5. A motor vehicle dealer licensed under sections 301.550 to 301.580 may deliver
28 a motor vehicle or trailer to a purchaser with a written agreement to pass the certificate
29 of ownership with an assignment to the purchaser within thirty days after delivery,
30 inclusive of weekends and holidays.

31 (1) The form of the agreement shall be prescribed by the director of revenue. The
32 agreement shall provide that if the motor vehicle dealer does not pass the certificate of
33 ownership with an assignment to the purchaser within thirty days that the sale shall be
34 voidable at purchaser's option and, in such case, dealer shall re-purchase the vehicle by
35 paying and satisfying in full any purchase money lien against the vehicle, including accrued
36 penalties and fees, with the remainder of one hundred percent of the sale price refunded
37 and paid by the dealer to the buyer. As used in this subdivision, the term "sale price" shall
38 include the negotiated price of the vehicle, the down payment, the trade-in allowance even
39 if the allowance reflected negative equity, and the price of all optional services and
40 products sold to the buyer under the sales and finance transaction.

41 (2) In the event a motor vehicle subject to this subsection has suffered physical
42 damage covered by the purchaser's vehicle insurance policy and the vehicle is determined
43 by the insurance company to be a total loss, the insurance company may satisfy the claim
44 in full, with respect to the damage to the vehicle, by transferring all proceeds to such
45 purchaser and any secured lienholder of record. The purchaser shall not assign the
46 purchaser's corresponding insurance benefits to any party without the express written
47 permission of the insurer. In conjunction with such satisfaction of the claim, if as part of
48 such claim settlement the insurance company is to receive the vehicle under subdivision (3)
49 of this subsection, but clear title never vests with the purchaser within the thirty-day
50 period after the date of sale prescribed by subdivision (1) of this subsection or within ten
51 days of the claim settlement date, whichever is later, the insurance company shall notify

52 the dealer that clear title never vested with the purchaser and the dealer shall reimburse
53 the insurance company for the salvage value of such vehicle as determined in the claims
54 settlement with the purchaser, and in exchange the insurance company shall assign its
55 rights to the vehicle back to the dealer. If the dealer fails to make payment to the insurance
56 company within fifteen days of receiving notice, the dealer shall be liable to the insurance
57 company for the value of the salvage as determined in the claims settlement with the
58 purchaser, plus any actual damages and any applicable court costs, in return for the right
59 to acquire the title and apply for a salvage title under this chapter.

60 (3) Notwithstanding any provision of law to the contrary, completion of the
61 requirements of this subsection shall constitute prima facie evidence of an ownership
62 interest vested in the purchaser of the vehicle for all purposes other than for a subsequent
63 transfer of ownership of the vehicle by the purchaser, subject to the rights of any secured
64 lienholder of record; however, the purchaser may use a dealer-supplied copy of the
65 agreement to transfer his or her ownership of the vehicle to an insurance company in
66 situations where the vehicle has been declared salvage or a total loss by the insurance
67 company as a result of a settlement of a claim. Such insurance company may apply for a
68 salvage certificate of title or junking certificate under subsection 3 of section 301.193 in
69 order to transfer its interest in such vehicle. The purchaser may also use a dealer-supplied
70 copy of the agreement on the form prescribed by the director of revenue as proof of
71 ownership interest. Any lender or insurance company may rely upon a copy of the signed
72 written agreement on the form prescribed by the director of revenue as proof of ownership
73 interest. Any lien placed upon a vehicle based upon such signed written agreement shall
74 be valid and enforceable, notwithstanding the absence of a certificate of ownership.

75 (4) No motor vehicle dealer shall be authorized under this subsection to enter and
76 have outstanding any such written agreements until such dealer has provided to the
77 director of revenue a surety bond or irrevocable letter of credit in an amount not less than
78 one hundred thousand dollars in a form which complies with the requirements of section
79 301.560 and in lieu of the fifty thousand dollar bond otherwise required for licensure as
80 a motor vehicle dealer.

301.213. 1. Notwithstanding the provisions of sections 301.200 and 301.210, any person
2 licensed as a motor vehicle dealer under sections 301.550 to 301.580 that has provided to the
3 director of revenue a surety bond or irrevocable letter of credit in an amount not less than one
4 hundred thousand dollars in a form which complies with the requirements of section 301.560 and
5 in lieu of the fifty thousand dollar bond otherwise required for licensure as a motor vehicle dealer
6 shall be authorized to purchase or accept in trade any motor vehicle for which there has been
7 issued a certificate of ownership, and to receive such vehicle subject to any existing liens thereon

8 created and perfected under sections 301.600 to 301.660 provided the licensed dealer receives
9 the following:

10 (1) A signed written contract between the licensed dealer and the owner of the vehicle
11 outlining the terms of the sale or acceptance in trade of such motor vehicle without transfer of
12 the certificate of ownership; and

13 (2) Physical delivery of the vehicle to the licensed dealer; and

14 (3) A power of attorney from the owner to the licensed dealer, in accordance with
15 subsection 4 of section 301.300, authorizing the licensed dealer to obtain a duplicate or
16 replacement title in the owner's name and sign any title assignments on the owner's behalf.

17 2. If the dealer complies with the requirements of subsection 1 of this section, the sale
18 or trade of the vehicle to the dealer shall be considered final, subject to any existing liens created
19 and perfected under sections 301.600 to 301.660. Once the prior owner of the motor vehicle has
20 physically delivered the motor vehicle to the licensed dealer, the prior owners' insurable interest
21 in such vehicle shall cease to exist.

22 3. If a licensed dealer complies with the requirements of subsection 1 of this section, and
23 such dealer has provided to the director of revenue a surety bond or irrevocable letter of credit
24 in amount not less than one hundred thousand dollars in a form which complies with the
25 requirements of section 301.560 and in lieu of the fifty thousand dollar bond otherwise required
26 for licensure as a motor vehicle dealer, such dealer may sell such vehicle prior to receiving and
27 assigning to the purchaser the certificate of ownership, provided such dealer complies with the
28 following:

29 (1) All outstanding liens created on the vehicle pursuant to sections 301.600 to 301.660
30 have been paid in full, and the dealer provides a copy of proof or other evidence to the purchaser;
31 and

32 (2) The dealer has obtained proof or other evidence from the department of revenue
33 confirming that no outstanding child support liens exist upon the vehicle at the time of sale and
34 provides a copy of said proof or other evidence to the purchaser; and

35 (3) The dealer has obtained proof or other evidence from the department of revenue
36 confirming that all applicable state sales tax has been satisfied on the sale of the vehicle to the
37 previous owner and provides a copy of said proof or other evidence to the purchaser; and

38 (4) The dealer has signed an application for duplicate or replacement title for the vehicle
39 under subsection 4 of section 301.300 and provides a copy of the application to the purchaser,
40 along with a copy of the power of attorney required by subsection 1 of this section, and the dealer
41 has prepared and delivered to the purchaser an application for title for the vehicle in the
42 purchaser's name; and

43 (5) The dealer and the purchaser have entered into a written agreement for the
44 subsequent assignment and delivery of such certificate of ownership, on a form prescribed by the
45 director of revenue, to take place at a time, not to exceed sixty calendar days, after the time of
46 delivery of the motor vehicle to the purchaser. Such agreement shall require the purchaser to
47 provide to the dealer proof of financial responsibility in accordance with chapter 303 and proof
48 of comprehensive and collision coverage on the motor vehicle. Such dealer shall maintain the
49 original or an electronic copy of the signed agreement and deliver a copy of the signed agreement
50 to the purchaser. Such dealer shall also complete and deliver to the director of revenue such
51 form as the director shall prescribe demonstrating that the purchaser has purchased the vehicle
52 without contemporaneous delivery of the title.

53

54 Notwithstanding any provision of law to the contrary, completion of the requirements of this
55 subsection shall constitute prima facie evidence of an ownership interest vested in the purchaser
56 of the vehicle for all purposes other than for a subsequent transfer of ownership of the vehicle
57 by the purchaser, subject to the rights of any secured lienholder of record; however, the purchaser
58 may use the dealer-supplied copy of the agreement to transfer his or her ownership of the vehicle
59 to an insurance company in situations where the vehicle has been declared salvage or a total loss
60 by the insurance company as a result of a settlement of a claim. Such insurance company may
61 apply for a salvage certificate of title or junking certificate pursuant to the provisions of
62 subsection 3 of section 301.193 in order to transfer its interest in such vehicle. The purchaser
63 may also use the dealer-supplied copy of the agreement on the form prescribed by the director
64 of revenue as proof of ownership interest. Any lender or insurance company may rely upon a
65 copy of the signed written agreement on the form prescribed by the director of revenue as proof
66 of ownership interest. Any lien placed upon a vehicle based upon such signed written agreement
67 shall be valid and enforceable, notwithstanding the absence of a certificate of ownership.

68 4. Following a sale or other transaction in which a certificate of ownership has not been
69 assigned from the owner to the licensed dealer, the dealer shall, within ten business days, apply
70 for a duplicate or replacement certificate of ownership. Upon receipt of a duplicate or
71 replacement certificate of ownership applied for under subsection 4 of section 301.300, the
72 dealer shall assign and deliver said certificate of ownership to the purchaser of the vehicle within
73 five business days. The dealer shall maintain proof of the assignment and delivery of the
74 certificate of ownership to the purchaser. For purposes of this subsection, a dealer shall be
75 deemed to have delivered the certificate of ownership to the purchaser upon either:

76 (1) Physical delivery of the certificate of ownership to any of the purchasers identified
77 in the contract with such dealer; or

78 (2) Mailing of the certificate, postage prepaid, return receipt requested, to any of the
79 purchasers at any of their addresses identified in the contract with such dealer.

80 5. If a licensed dealer fails to comply with subsection 3 of this section, and the purchaser
81 of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle
82 for actual damages, plus court costs and reasonable attorney fees.

83 6. If a licensed dealer fails or is unable to comply with subsection 4 of this section, and
84 the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser
85 of the vehicle for actual damages, plus court costs and reasonable attorney fees. If the dealer
86 cannot be found by the purchaser after making reasonable attempts, or if the dealer fails to assign
87 and deliver the duplicate or replacement certificate of ownership to the purchaser by the date
88 agreed upon by the dealer and the purchaser, as required by subsection 4 of this section, then the
89 purchaser may deliver to the director a copy of the contract for sale of the vehicle, a copy of the
90 application for duplicate title provided by the dealer to the purchaser, a copy of the secure power
91 of attorney allowing the dealer to assign the duplicate title, and the proof or other evidence
92 obtained by the purchaser from the dealer under subsection 3 of this section. Thereafter, the
93 director shall mail by certified mail, return receipt requested, a notice to the dealer at the last
94 address given to the department by that dealer. That notice shall inform the dealer that the
95 director intends to cancel any prior certificate of title which may have been issued to the dealer
96 on the vehicle and issue to the purchaser a certificate of title in the name of the purchaser, subject
97 to any liens incurred by the purchaser in connection with the purchase of the vehicle, unless the
98 dealer, within ten business days from the date of the director's notice, files with the director a
99 written objection to the director taking such action. If the dealer does file a timely, written
100 objection with the director, then the director shall not take any further action without an order
101 from a court of competent jurisdiction. However, if the dealer does not file a timely, written
102 objection with the director, then the director shall cancel the prior certificate of title issued to the
103 dealer on the vehicle and issue a certificate of title to the purchaser of the vehicle, subject to any
104 liens incurred by the purchaser in connection with the purchase of the vehicle and subject to the
105 purchaser satisfying all applicable taxes and fees associated with registering the vehicle.

106 7. If a seller misrepresents to a dealer that the seller is the owner of a vehicle and the
107 dealer, the owner, any subsequent purchaser, or any prior or subsequent lienholder is thereby
108 damaged, then the seller shall be liable to each such party for actual and punitive damages, plus
109 court costs and reasonable attorney fees.

110 8. When a lienholder is damaged as a result of a licensed dealer's acts, errors, omissions,
111 or violations of this section, then the dealer shall be liable to the lienholder for actual damages,
112 plus court costs and reasonable attorney fees.

113 9. No court costs or attorney fees shall be awarded under this section unless, prior to
114 filing any such action, the following conditions have been met:

115 (1) The aggrieved party seeking damages has delivered an itemized written demand of
116 the party's actual damages to the party from whom damages are sought; and

117 (2) The party from whom damages are sought has not satisfied the written demand
118 within thirty days after receipt of the written demand.

119 10. The department of revenue may use a dealer's repeated or intentional violation of this
120 section as a cause to suspend, revoke, or refuse to issue or renew any license required pursuant
121 to sections 301.550 to 301.580, in addition to the causes set forth in section 301.562. The
122 hearing process shall be the same as that established in subsection 6 of section 301.562.

123 **11. No dealer shall enter into a contract under this section after December 31, 2020.**
124 **Any contract entered into prior to December 31, 2020, shall be enforceable as provided in**
125 **this section. This section shall be repealed effective December 31, 2020.**

301.280. 1. Every motor vehicle dealer and boat dealer shall make a monthly report to
2 the department of revenue, on blanks to be prescribed by the department of revenue, giving the
3 following information: date of the sale of each motor vehicle, boat, trailer and all-terrain vehicle
4 sold; the name and address of the buyer; the name of the manufacturer; year of manufacture;
5 model of vehicle; vehicle identification number; style of vehicle; odometer setting; and it shall
6 also state whether the motor vehicle, boat, trailer or all-terrain vehicle is new or secondhand.
7 Each monthly sales report filed by a motor vehicle dealer who collects sales tax under subsection
8 10 of section 144.070 shall also include the amount of state and local sales tax collected for each
9 motor vehicle sold if sales tax was due. The odometer reading is not required when reporting
10 the sale of any motor vehicle that is ten years old or older, any motor vehicle having a gross
11 vehicle weight rating of more than sixteen thousand pounds, new vehicles that are transferred
12 on a manufacturer's statement of origin between one franchised motor vehicle dealer and another,
13 or boats, all-terrain vehicles or trailers. The sale of all temporary permits shall be recorded in
14 the appropriate space on the dealer's monthly sales report, unless the sale of the temporary permit
15 is already recorded by electronic means as determined by the department. **The monthly sales**
16 **report shall include a statement of motor vehicles or trailers sold during the month under**
17 **subsection 5 of section 301.210.** The monthly sales report shall be completed in full and signed
18 by an officer, partner, or owner of the dealership, and actually received by the department of
19 revenue on or before the fifteenth day of the month succeeding the month for which the sales are
20 being reported. If no sales occur in any given month, a report shall be submitted for that month
21 indicating no sales. Any vehicle dealer who fails to file a monthly report or who fails to file a
22 timely report shall be subject to disciplinary action as prescribed in section 301.562 or a penalty
23 assessed by the director not to exceed three hundred dollars per violation. Every motor vehicle

24 and boat dealer shall retain copies of the monthly sales report as part of the records to be
25 maintained at the dealership location and shall hold them available for inspection by appropriate
26 law enforcement officials and officials of the department of revenue. Every vehicle dealer
27 selling twenty or more vehicles a month shall file the monthly sales report with the department
28 in an electronic format. Any dealer filing a monthly sales report in an electronic format shall be
29 exempt from filing the notice of transfer required by section 301.196. For any dealer not filing
30 electronically, the notice of transfer required by section 301.196 shall be submitted with the
31 monthly sales report as prescribed by the director.

32 2. Every dealer and every person operating a public garage shall keep a correct record
33 of the vehicle identification number, odometer setting, manufacturer's name of all motor vehicles
34 or trailers accepted by him for the purpose of sale, rental, storage, repair or repainting, together
35 with the name and address of the person delivering such motor vehicle or trailer to the dealer or
36 public garage keeper, and the person delivering such motor vehicle or trailer shall record such
37 information in a file kept by the dealer or garage keeper. The record shall be kept for five years
38 and be open for inspection by law enforcement officials, members or authorized or designated
39 employees of the Missouri highway patrol, and persons, agencies and officials designated by the
40 director of revenue.

41 3. Every dealer and every person operating a public garage in which a motor vehicle
42 remains unclaimed for a period of fifteen days shall, within five days after the expiration of that
43 period, report the motor vehicle as unclaimed to the director of revenue. Such report shall be on
44 a form prescribed by the director of revenue. A motor vehicle left by its owner whose name and
45 address are known to the dealer or his employee or person operating a public garage or his
46 employee is not considered unclaimed. Any dealer or person operating a public garage who fails
47 to report a motor vehicle as unclaimed as herein required forfeits all claims and liens for its
48 garaging, parking or storing.

49 4. The director of revenue shall maintain appropriately indexed cumulative records of
50 unclaimed vehicles reported to the director. Such records shall be kept open to public inspection
51 during reasonable business hours.

52 5. The alteration or obliteration of the vehicle identification number on any such motor
53 vehicle shall be prima facie evidence of larceny, and the dealer or person operating such public
54 garage shall upon the discovery of such obliteration or alteration immediately notify the highway
55 patrol, sheriff, marshal, constable or chief of police of the municipality where the dealer or
56 garage keeper has his place of business, and shall hold such motor vehicle or trailer for a period
57 of forty-eight hours for the purpose of an investigation by the officer so notified.

58 6. Any person who knowingly makes a false statement or omission of a material fact in
59 a monthly sales report to the department of revenue, as described in subsection 1 of this section,
60 shall be deemed guilty of a class A misdemeanor.

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 motor vehicle franchise
4 dealer shall include a certification that the applicant has a bona fide established place of business.
5 Such application shall include an annual certification that the applicant has a bona fide
6 established place of business for the first three years and only for every other year thereafter. The
7 certification shall be performed by a uniformed member of the Missouri state highway patrol or
8 authorized or designated employee stationed in the troop area in which the applicant's place of
9 business is located; except that in counties of the first classification, certification may be
10 performed by an officer of a metropolitan police department when the applicant's established
11 place of business of distributing or selling motor vehicles or trailers is in the metropolitan area
12 where the certifying metropolitan police officer is employed. When the application is being
13 made for licensure as a boat manufacturer or boat dealer, certification shall be performed by a
14 ~~[uniformed member of the Missouri state water patrol stationed in the district area in which the~~
15 ~~applicant's place of business is located or by a]~~ uniformed member of the Missouri state highway
16 patrol **or authorized or designated employee** stationed in the troop area in which the applicant's
17 place of business is located or, if the applicant's place of business is located within the
18 jurisdiction of a metropolitan police department in a first class county, by an officer of such
19 metropolitan police department. A bona fide established place of business for any new motor
20 vehicle franchise dealer, used motor vehicle dealer, boat dealer, powersport dealer, wholesale
21 motor vehicle dealer, trailer dealer, or wholesale or public auction shall be a permanent enclosed
22 building or structure, either owned in fee or leased and actually occupied as a place of business
23 by the applicant for the selling, bartering, trading, servicing, or exchanging of motor vehicles,
24 boats, personal watercraft, or trailers and wherein the public may contact the owner or operator
25 at any reasonable time, and wherein shall be kept and maintained the books, records, files and
26 other matters required and necessary to conduct the business. The applicant shall maintain a
27 working telephone number during the entire registration year which will allow the public, the
28 department, and law enforcement to contact the applicant during regular business hours. The
29 applicant shall also maintain an email address during the entire registration year which may be
30 used for official correspondence with the department. In order to qualify as a bona fide
31 established place of business for all applicants licensed pursuant to this section there shall be an
32 exterior sign displayed carrying the name of the business set forth in letters at least six inches in
33 height and clearly visible to the public and there shall be an area or lot which shall not be a

34 public street on which multiple vehicles, boats, personal watercraft, or trailers may be displayed.
35 The sign shall contain the name of the dealership by which it is known to the public through
36 advertising or otherwise, which need not be identical to the name appearing on the dealership's
37 license so long as such name is registered as a fictitious name with the secretary of state, has
38 been approved by its line-make manufacturer in writing in the case of a new motor vehicle
39 franchise dealer and a copy of such fictitious name registration has been provided to the
40 department. Dealers who sell only emergency vehicles as defined in section 301.550 are exempt
41 from maintaining a bona fide place of business, including the related law enforcement
42 certification requirements, and from meeting 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 building,
45 lot, and sign. A new motor vehicle franchise dealer applicant who has purchased a currently
46 licensed new motor vehicle franchised dealership shall be allowed to submit a photograph of the
47 existing dealership building, lot and sign but shall be required to submit a new photograph upon
48 the installation of the new dealership sign as required by sections 301.550 to 301.580.
49 Applicants shall not be required to submit a photograph annually unless the business has moved
50 from its previously licensed location, or unless the name of the business or address has changed,
51 or unless the class of business has changed;

52 (3) Every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer,
53 a powersport dealer, a wholesale motor vehicle dealer, trailer dealer, or boat dealer shall furnish
54 with the application a corporate surety bond or an irrevocable letter of credit as defined in section
55 400.5-102, issued by any state or federal financial institution in the penal sum of fifty thousand
56 dollars on a form approved by the department. The bond or irrevocable letter of credit shall be
57 conditioned upon the dealer complying with the provisions of the statutes applicable to new
58 motor vehicle franchise dealers, used motor vehicle dealers, powersport dealers, wholesale motor
59 vehicle dealers, trailer dealers, and boat dealers, and the bond shall be an indemnity for any loss
60 sustained by reason of the acts of the person bonded when such acts constitute grounds for the
61 suspension or revocation of the dealer's license. The bond shall be executed in the name of the
62 state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of credit shall
63 name the state of Missouri as the beneficiary; except, that the aggregate liability of the surety or
64 financial institution to the aggrieved parties shall, in no event, exceed the amount of the bond or
65 irrevocable letter of credit. ~~[The proceeds of the bond or irrevocable letter of credit shall be paid
66 upon receipt by the department of a final judgment from a Missouri court of competent
67 jurisdiction against the principal and in favor of an aggrieved party.]~~ Additionally, every
68 applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer, a powersport
69 dealer, a wholesale motor vehicle dealer, or boat dealer shall furnish with the application a copy

70 of a current dealer garage policy bearing the policy number and name of the insurer and the
71 insured. **The proceeds of the bond or irrevocable letter of credit furnished by an applicant**
72 **shall be paid upon receipt by the department of a final judgment from a Missouri court of**
73 **competent jurisdiction against the principal and in favor of an aggrieved party. The**
74 **proceeds of the bond or irrevocable letter of credit furnished by an applicant shall be paid**
75 **at the order of the department and in the amount determined by the department to any**
76 **buyer or interested lienholder up to the greater of the amount required for the release of**
77 **the purchase money lien or the sales price paid by the buyer where a dealer has failed to**
78 **fulfill the dealer's obligations under an agreement to assign and deliver title to the buyer**
79 **within thirty days under a contract entered into pursuant to subsection 5 of section**
80 **301.210. The department shall direct release of the bond or irrevocable letter of credit**
81 **proceeds upon presentation of a written agreement entered into pursuant to subsection 5**
82 **of section 301.210, copies of the associated sales and finance documents, and the affidavit**
83 **or affidavits of the buyer or lienholder stating that the certificate of title with assignment**
84 **thereof has not been passed to the buyer within thirty days of the date of the contract**
85 **entered into under subsection 5 of section 301.210, that the dealer has not fulfilled the**
86 **agreement under the contract to re-purchase the vehicle, that the buyer or the lienholder**
87 **has notified the dealer of the claim on the bond or letter of credit, and the amount claimed**
88 **by the purchaser or lienholder. In addition, prior to directing release and payment of the**
89 **proceeds of a bond or irrevocable letter of credit, the department shall ensure that there**
90 **is satisfactory evidence to establish that the vehicle which is subject to the written**
91 **agreement has been returned by the buyer to the dealer or that the buyer has represented**
92 **to the department that the buyer will surrender possession of the vehicle to the dealer upon**
93 **payment of the proceeds of the bond or letter of credit directed by the department.**
94 **Excepting ordinary wear and tear or mechanical failures not caused by the buyer, the**
95 **amount of proceeds to be paid to the buyer under the bond or irrevocable letter of credit**
96 **shall be reduced by an amount equivalent to any damage, abuse, or destruction incurred**
97 **by the vehicle while the vehicle was in the buyer's possession as agreed between the buyer**
98 **and the dealer. The dealer may apply to a court of competent jurisdiction to contest the**
99 **claim on the bond or letter of credit, including the amount of the claim and the amount of**
100 **any adjustment for any damage, abuse, or destruction, by filing a petition with the court**
101 **within thirty days of the notification by the buyer or lienholder. If the dealer does not**
102 **fulfill the agreement or file a petition to request judicial relief from the terms of the**
103 **agreement or contest the amount of the claim, the bond or letter of credit shall be released**
104 **by the department and directed paid in the amount or amounts presented by the lienholder**
105 **or buyer;**

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

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

128 3. Except as otherwise provided in subsection 6 of this section, upon the initial issuance
129 of a license by the department, the department shall assign a distinctive dealer license number
130 or certificate of number to the applicant and the department shall issue one number plate or
131 certificate bearing the distinctive dealer license number or certificate of number and two
132 additional number plates or certificates of number within eight working hours after presentment
133 of the application and payment by the applicant of a fee of fifty dollars for the first plate or
134 certificate and ten dollars and fifty cents for each additional plate or certificate. Upon renewal,
135 the department shall issue the distinctive dealer license number or certificate of number as
136 quickly as possible. The issuance of such distinctive dealer license number or certificate of
137 number shall be in lieu of registering each motor vehicle, trailer, vessel or vessel trailer dealt
138 with by a boat dealer, boat manufacturer, manufacturer, public motor vehicle auction, wholesale
139 motor vehicle dealer, wholesale motor vehicle auction or new or used motor vehicle dealer. The
140 license plates described in this section shall be made with fully reflective material with a

141 common color scheme and design, shall be clearly visible at night, and shall be aesthetically
 142 attractive, as prescribed by section 301.130.

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

145

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

159

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

176 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 the
180 applicant upon payment by the dealer of a fifty dollar fee for the number plate bearing the
181 distinctive dealer license number and ten dollars and fifty cents for the additional number plate.
182 The department may issue a third plate to the motor vehicle dealer upon completion of the
183 dealer's fifteenth qualified transaction and payment of a fee of ten dollars and fifty cents. In the
184 case of new motor vehicle manufacturers, powersport dealers, recreational motor vehicle dealers,
185 and trailer dealers, the department shall issue one number plate bearing the distinctive dealer
186 license number and may issue two additional number plates to the applicant upon payment by
187 the manufacturer or dealer of a fifty dollar fee for the number plate bearing the distinctive dealer
188 license number and ten dollars and fifty cents for each additional number plate. Boat dealers and
189 boat manufacturers shall be entitled to one certificate of number bearing such number upon the
190 payment of a fifty dollar fee. Additional number plates and as many additional certificates of
191 number may be obtained upon payment of a fee of ten dollars and fifty cents for each additional
192 plate or certificate. New motor vehicle manufacturers shall not be issued or possess more than
193 three hundred forty-seven additional number plates or certificates of number annually. New and
194 used motor vehicle dealers, powersport dealers, wholesale motor vehicle dealers, boat dealers,
195 and trailer dealers are limited to one additional plate or certificate of number per ten-unit
196 qualified transactions annually. New and used recreational motor vehicle dealers are limited to
197 two additional plates or certificate of number per ten-unit qualified transactions annually for their
198 first fifty transactions and one additional plate or certificate of number per ten-unit qualified
199 transactions thereafter. An applicant seeking the issuance of an initial license shall indicate on
200 his or her initial application the applicant's proposed annual number of sales in order for the
201 director to issue the appropriate number of additional plates or certificates of number. A motor
202 vehicle dealer, trailer dealer, boat dealer, powersport dealer, recreational motor vehicle dealer,
203 motor vehicle manufacturer, boat manufacturer, or wholesale motor vehicle dealer obtaining a
204 distinctive dealer license plate or certificate of number or additional license plate or additional
205 certificate of number, throughout the calendar year, shall be required to pay a fee for such license
206 plates or certificates of number computed on the basis of one-twelfth of the full fee prescribed
207 for the original and duplicate number plates or certificates of number for such dealers' licenses,
208 multiplied by the number of months remaining in the licensing period for which the dealer or
209 manufacturers shall be required to be licensed. In the event of a renewing dealer, the fee due at
210 the time of renewal shall not be prorated. Wholesale and public auctions shall be issued a
211 certificate of dealer registration in lieu of a dealer number plate. In order for dealers to obtain

212 number plates or certificates under this section, dealers shall submit to the department of revenue
213 on August first of each year a statement certifying, under penalty of perjury, the dealer's number
214 of sales during the reporting period of July first of the immediately preceding year to June
215 thirtieth of the present year.

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

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

236 9. If any law enforcement officer has probable cause to believe that any license plate or
237 certificate of number issued under subsection 3 or 6 of this section is being misused in violation
238 of subsection 7 or 8 of this section, the license plate or certificate of number may be seized and
239 surrendered to the department.

240 10. (1) Every application for the issuance of a used motor vehicle dealer's license shall
241 be accompanied by proof that the applicant, within the last twelve months, has completed an
242 educational seminar course approved by the department as prescribed by subdivision (2) of this
243 subsection. Wholesale and public auto auctions and applicants currently holding a new or used
244 license for a separate dealership shall be exempt from the requirements of this subsection. The
245 provisions of this subsection shall not apply to current new motor vehicle franchise dealers or
246 motor vehicle leasing agencies or applicants for a new motor vehicle franchise or a motor vehicle

247 leasing agency. The provisions of this subsection shall not apply to used motor vehicle dealers
248 who were licensed prior to August 28, 2006.

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

301.564. 1. Any person or his agent licensed or registered as a manufacturer, motor
2 vehicle dealer, wholesale motor vehicle dealer, boat dealer, wholesale motor vehicle auction or
3 a public motor vehicle auction pursuant to the provisions of sections 301.550 to 301.580 shall
4 permit an employee of the department of revenue or any law enforcement official to inspect,
5 during normal business hours, any of the following documents which are in his possession or
6 under his custody or control:

7 (1) Any title to any motor vehicle or vessel;

8 (2) Any application for title to any motor vehicle or vessel;

9 (3) Any affidavit provided pursuant to sections 301.550 to 301.580 or chapter 407;

10 (4) Any assignment of title to any motor vehicle or vessel;

11 (5) Any disclosure statement or other document relating to mileage or odometer readings
12 required by the laws of the United States or any other state;

13 (6) Any inventory and related documentation.

14 2. For purposes of this section, the term "law enforcement official" shall mean any of the
15 following:

16 (1) Attorney general, or any person designated by him to make such an inspection;

17 (2) Any prosecuting attorney or any person designated by a prosecuting attorney to make
18 such an inspection;

19 (3) Any member **or authorized or designated employee** of the **Missouri state** highway
20 patrol [~~or water patrol~~];

21 (4) Any sheriff or deputy sheriff;

22 (5) Any peace officer certified pursuant to chapter 590 acting in his official capacity.

**301.576. A motor vehicle dealer, as defined in section 301.550, and the dealer's
2 owners, shareholders, officers, employees, and agents who, in conjunction with the actual
3 or potential sale or lease of a motor vehicle, arrange to provide, actually provide, or
4 otherwise make available to a vehicle purchaser, lessee, or other person any third-party
5 motor vehicle history report shall not be liable to the vehicle purchaser, lessee, or other
6 person for any errors, omissions, or other inaccuracies contained in the third-party motor
7 vehicle history report that are not based on information provided directly to the preparer
8 of the third-party motor vehicle history report by that dealer. For purposes of this section,
9 a "third-party motor vehicle report" means any information prepared by a party other**

10 than the dealer relating to any one or more of the following: vehicle ownership or titling
11 history; liens on the vehicle; vehicle service, maintenance, or repair history; vehicle
12 condition; or vehicle accident or collision history. This section shall not apply in the case
13 of any dealer having actual knowledge about a vehicle's accident, salvage, or service
14 history which is different from, or not disclosed on, any third-party motor vehicle report.

301.3069. 1. Any Missouri resident may receive special license plates as prescribed
2 in this section after an annual payment of an emblem-use authorization fee to Central
3 Missouri Honor Flight. Central Missouri Honor Flight hereby authorizes the use of its
4 official emblem to be affixed on multiyear personalized license plates as provided in this
5 section for any vehicle the person owns, either solely or jointly, other than an apportioned
6 motor vehicle or commercial motor vehicle licensed in excess of twenty-four thousand
7 pounds gross weight. Any contribution to Central Missouri Honor Flight derived from this
8 section, except reasonable administrative costs, shall be used solely for financial assistance
9 to transport veterans to Washington D.C. to view various veteran memorials. Any
10 Missouri resident may annually apply to Central Missouri Honor Flight for the use of the
11 emblem.

12 2. Upon annual application and payment of a twenty-five dollar emblem-use
13 contribution to Central Missouri Honor Flight, the organization shall issue to the vehicle
14 owner, without further charge, an emblem-use authorization statement, which shall be
15 presented by the vehicle owner to the department of revenue at the time of registration of
16 a motor vehicle. Upon presentation of the annual statement and payment of the fee
17 required for personalized license plates in section 301.144, and other fees and documents
18 which may be required by law, the department of revenue shall issue personalized license
19 plates, which shall bear the emblem of Central Missouri Honor Flight, to the vehicle owner.

20 3. The license plate or plates authorized by this section shall be of a design
21 submitted by Central Missouri Honor Flight and approved by the department, shall be
22 made with fully reflective material with a common color scheme and design, shall be
23 clearly visible at night, and shall be aesthetically attractive, as prescribed by section
24 301.130. The bidding process used to select a vendor for the material to manufacture the
25 license plates authorized by this section shall consider the aesthetic appearance of the
26 plates.

27 4. A vehicle owner who was previously issued plates with the Central Missouri
28 Honor Flight emblem authorized by this section but who does not provide an emblem-use
29 authorization statement at a subsequent time of registration shall be issued new plates
30 which do not bear the Central Missouri Honor Flight emblem, as otherwise provided by

31 law. The director of revenue shall make necessary rules and regulations for the
32 enforcement of this section and shall design all necessary forms required by this section.

2 **301.3159.** Any person who has been awarded the military service award known as
3 the meritorious service medal may apply for special motor vehicle license plates for any
4 motor vehicle such person owns, either solely or jointly, other than an apportioned motor
5 vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds
6 gross weight. Any such person shall make application for the special license plates on a
7 form provided by the director of revenue and furnish such proof as a recipient of the
8 meritorious service medal as the director may require. The director shall then issue license
9 plates bearing letters or numbers or a combination thereof as determined by the advisory
10 committee established in section 301.129, with the words "MERITORIOUS SERVICE"
11 in place of the words "SHOW-ME STATE". Such license plates shall be made with fully
12 reflective material with a common color scheme and design, shall be clearly visible at night,
13 and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall
14 also bear an image of the meritorious service medal. There shall be an additional fee
15 charged for each set of meritorious service license plates issued under this section equal to
16 the fee charged for personalized license plates. There shall be no limit on the number of
17 license plates any person qualified under this section may obtain so long as each set of
18 license plates issued under this section is issued for vehicles owned solely or jointly by such
19 person. License plates issued under the provisions of this section shall not be transferable
20 to any other person except that any registered co-owner of the motor vehicle shall be
21 entitled to operate the motor vehicle with such plates for the duration of the year licensed
in the event of the death of the qualified person.

301.3174. 1. Any Missouri resident may receive special license plates as prescribed in
2 this section after an annual payment of an emblem-use authorization fee to the Association of
3 Missouri Electric Cooperatives. The Association of Missouri Electric Cooperatives hereby
4 authorizes the use of its official lineman emblem to be affixed on multiyear personalized license
5 plates as provided in this section for any vehicle the person owns, either solely or jointly,~~other~~
6 ~~than an apportioned motor vehicle or commercial motor vehicle licensed in excess of twenty-four~~
7 ~~thousand pounds gross weight].~~ Any contribution to such association derived from this section,
8 except reasonable administrative costs, shall be used solely for financial assistance for lineman
9 training programs. Any Missouri resident may annually apply to the association for the use of
10 the emblem.

11 2. Upon annual application and payment of a twenty-five dollar emblem-use contribution
12 to the Association of Missouri Electric Cooperatives, the association shall issue to the vehicle
13 owner, without further charge, an emblem-use authorization statement, which shall be presented

14 by the vehicle owner to the department of revenue at the time of registration of a motor vehicle.
15 Upon presentation of the annual statement and payment of the fee required for personalized
16 license plates in section 301.144, and other fees and documents which may be required by law,
17 the department of revenue shall issue a personalized license plate or plates, which shall bear the
18 emblem of the Association of Missouri Electric Cooperatives' lineman, to the vehicle owner.
19 **Notwithstanding any provision of law to the contrary, the department of revenue shall**
20 **issue the license plate or plates, as authorized in this section, for non-apportioned vehicles**
21 **of any classification for which it issues a license plate or plates.**

22 3. The license plate or plates authorized by this section shall be of a design submitted
23 by the Association of Missouri Electric Cooperatives and approved by the department, shall be
24 made with fully reflective material with a common color scheme and design, shall be clearly
25 visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. The
26 bidding process used to select a vendor for the material to manufacture the license plates
27 authorized by this section shall consider the aesthetic appearance of the plate or plates.

28 4. A vehicle owner, who was previously issued a plate or plates with the Association of
29 Missouri Electric Cooperatives' lineman emblem authorized by this section but who does not
30 provide an emblem-use authorization statement at a subsequent time of registration, shall be
31 issued a new plate or plates which do not bear the Association of Missouri Electric Cooperatives'
32 lineman emblem, as otherwise provided by law. The director of revenue shall make necessary
33 rules and regulations for the enforcement of this section, and shall design all necessary forms
34 required by this section.

301.3176. 1. Any vehicle owner may apply for "BackStoppers" license plates for
2 **any motor vehicle the person owns, either solely or jointly, other than an apportioned**
3 **motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand**
4 **pounds gross weight. Upon making a ten dollar contribution to the BackStoppers General**
5 **Operating Fund or to the BackStoppers Education Fund, the vehicle owner may apply for**
6 **the "BackStoppers" plate. If the contribution is made directly to the BackStoppers**
7 **General Operating Fund or to the BackStoppers Education Fund, the organization shall**
8 **issue the individual making the contribution a receipt, verifying the contribution, that may**
9 **be used to apply for the "BackStoppers" license plate. If the contribution is made directly**
10 **to the director of revenue pursuant to section 301.3031, the director shall note the**
11 **contribution and the owner may then apply for the "BackStoppers" plate. The applicant**
12 **for such plate shall pay a fifteen dollar fee in addition to the regular registration fees and**
13 **present any other documentation required by law for each set of "BackStoppers" plates**
14 **issued pursuant to this section. Notwithstanding the provisions of section 301.144, no**
15 **additional fee shall be charged for the personalization of license plates issued pursuant to**

16 **this section. The "BackStoppers" plate shall bear the emblem of a thin blue line**
17 **encompassed in black as prescribed by the director of revenue and shall have the word**
18 **"BACKSTOPPERS". Such license plates shall be made with fully reflective material with**
19 **a common color scheme and design, shall be clearly visible at night, and shall be**
20 **aesthetically attractive, as prescribed by section 301.130.**

21 **2. The director of revenue may promulgate rules and regulations for the**
22 **administration of this section. Any rule or portion of a rule, as that term is defined in**
23 **section 536.010, that is created under the authority delegated in this section shall become**
24 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**
25 **if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of**
26 **the powers vested with the general assembly pursuant to chapter 536 to review, to delay**
27 **the effective date, or to disapprove and annul a rule are subsequently held**
28 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
29 **after August 28, 2020, shall be invalid and void.**

302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person,
2 except those expressly exempted by section 302.080, to:

3 (1) Operate any vehicle upon any highway in this state unless the person has a valid
4 license;

5 (2) Operate a motorcycle or motortricycle upon any highway of this state unless such
6 person has a valid license that shows the person has successfully passed an examination for the
7 operation of a motorcycle or motortricycle as prescribed by the director. The director may
8 indicate such upon a valid license issued to such person, or shall issue a license restricting the
9 applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required
10 by section 302.173, is conducted on such vehicle;

11 (3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person
12 or under such person's control to be driven upon any highway by any person whose license does
13 not indicate that the person has passed the examination for the operation of a motorcycle or
14 motortricycle or has been issued an instruction permit therefor;

15 (4) Operate a motor vehicle with an instruction permit or license issued to another
16 person.

17 **2. Every person under twenty-six years of age who is operating or riding as a passenger**
18 **on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state**
19 **shall wear protective headgear at all times the vehicle is in motion; except that, any person**
20 **twenty-six years of age or older operating any motorcycle or motortricycle who has been**
21 **issued an instruction permit shall wear protective headgear at all times the vehicle is in**
22 **motion.** The protective headgear shall meet reasonable standards and specifications established

23 by the director. **No political subdivision of this state shall impose a protective headgear**
24 **requirement on the operator or passenger of a motorcycle or motortricycle. No person**
25 **shall be stopped, inspected, or detained solely to determine compliance with this**
26 **subsection.**

27 3. Notwithstanding the provisions of section 302.340 any person convicted of violating
28 subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation
29 of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class D
30 misdemeanor. A second violation of subdivision (1) or (2) of subsection 1 of this section shall
31 be punishable as a class A misdemeanor. Any person convicted a third or subsequent time of
32 violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class E felony.
33 Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of
34 subsection 1 of this section is a misdemeanor, the first violation punishable as a class D
35 misdemeanor, a second or subsequent violation of this section punishable as a class C
36 misdemeanor, and the penalty for failure to wear protective headgear as required by subsection
37 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be
38 imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court
39 costs shall be imposed upon any person due to such violation. No points shall be assessed
40 pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty
41 and prior findings of guilty shall be pleaded and proven in the same manner as required by
42 section 558.021.

302.026. 1. Any qualified motorcycle operator who is twenty-six years of age or
2 **older may operate a motorcycle or motortricycle upon any highway of this state without**
3 **wearing protective headgear if he or she in addition to maintaining proof of financial**
4 **responsibility in accordance with chapter 303, is covered by a health insurance policy or**
5 **other form of insurance which will provide the person with medical benefits for injuries**
6 **incurred as a result of an accident while operating or riding on a motorcycle or**
7 **motortricycle.**

8 2. **Proof of coverage required by subsection 1 of this section shall be provided, upon**
9 **request by authorized law enforcement, by showing a copy of the qualified operator's**
10 **insurance card.**

11 3. **No person shall be stopped, inspected, or detained solely to determine compliance**
12 **with this section.**

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) [~~Facial feature pattern characteristics;~~

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

6 ~~_____~~(e) (b) Iris recognition data containing color or texture patterns or codes;

7 ~~_____~~(d) (c) Retinal scans, reading through the pupil to measure blood vessels lining the
8 retina;

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

12 ~~_____~~(f) Eye spacing;

13 ~~_____~~(g) (e) Characteristic gait or walk;

14 ~~_____~~(h) (f) DNA;

15 ~~_____~~(i) (g) Keystroke dynamic, measuring pressure applied to key pads or other digital
16 receiving devices;

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

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

25 2. Except as provided in subsection 3 of this section and as required to carry out the
26 provisions of subsection 4 of this section, the department of revenue shall not retain copies, in
27 any format, of source documents presented by individuals applying for or holding driver's
28 licenses or nondriver's licenses or use technology to capture digital images of source documents
29 so that the images are capable of being retained in electronic storage in a transferable format.
30 ~~[Documents retained as provided or required by subsection 4 of this section shall be stored solely~~
31 ~~on a system not connected to the internet nor to a wide area network that connects to the internet.~~
32 ~~Once stored on such system, the documents and data shall be purged from any systems on which~~
33 ~~they were previously stored so as to make them irretrievable.]~~

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

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

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

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

42 (4) Any document required to be retained under federal motor carrier regulations in Title
43 49, Code of Federal Regulations, including but not limited to documents required by federal law
44 for the issuance of a commercial driver's license and a commercial driver instruction permit;

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

49 (6) Any other document at the request of and for the convenience of the applicant ~~[where~~
50 ~~the applicant requests the department of revenue review alternative documents as proof required~~
51 ~~for issuance of a driver's license, nondriver's license, or instruction permit].~~

52 4. (1) To the extent not prohibited under subsection 13 of this section, the department
53 of revenue shall amend procedures for applying for a driver's license or identification card in
54 order to comply with the goals or standards of the federal REAL ID Act of 2005, any rules or
55 regulations promulgated under the authority granted in such Act, or any requirements adopted
56 by the American Association of Motor Vehicle Administrators for furtherance of the Act, unless
57 such action conflicts with Missouri law.

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

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

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

72 b. Electronic copies of source documents will be retained by the department and
73 destroyed after the minimum time required for digital retention by the federal REAL ID Act of
74 2005, as amended;

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

77 d. Any other information the department deems necessary to inform the applicant about
78 the REAL ID compliant driver's license or identification card under the federal REAL ID Act;

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

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

84 b. Source documents will be verified but no copies of such documents will be retained
85 by the department unless permitted under subsection 3 of this section, except as necessary to
86 process a request by a license or card holder or applicant;

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

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

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

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

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

131 9. Any person harmed or damaged by any violation of this section may bring a civil
132 action for damages, including noneconomic and punitive damages, as well as injunctive relief,
133 in the circuit court where that person resided at the time of the violation or in the circuit court
134 of Cole County to recover such damages from the department of revenue and any persons
135 participating in such violation. Sovereign immunity shall not be available as a defense for the
136 department of revenue in such an action. In the event the plaintiff prevails on any count of his
137 or her claim, the plaintiff shall be entitled to recover reasonable attorney fees from the
138 defendants.

139 10. The department of revenue may promulgate rules necessary to implement the
140 provisions of this section. Any rule or portion of a rule, as that term is defined in section
141 536.010, that is created under the authority delegated in this section shall become effective only
142 if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
143 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
144 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove

145 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority
146 and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

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

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

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

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

170 ~~[15. The provisions of this section shall expire five years after August 28, 2017.]~~

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340
2 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic
3 or other comparable material. All licenses shall be manufactured of materials and processes that
4 will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate
5 any license without ready detection. ~~[All licenses shall bear the licensee's Social Security
6 number, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee
7 stating that the licensee does not possess a Social Security number, or, if applicable, a certified
8 statement must be submitted as provided in subsection 4 of this section.]~~ The license shall also
9 bear the expiration date of the license, the classification of the license, the name, date of birth,
10 residence address including the county of residence or a code number corresponding to such

11 county established by the department, and brief description and colored [~~photograph or~~] digitized
12 image of the licensee, and a facsimile of the signature of the licensee. The director shall provide
13 by administrative rule the procedure and format for a licensee to indicate on the back of the
14 license together with the designation for an anatomical gift as provided in section 194.240 the
15 name and address of the person designated pursuant to sections 404.800 to 404.865 as the
16 licensee's attorney in fact for the purposes of a durable power of attorney for health care
17 decisions. No license shall be valid until it has been so signed by the licensee. If any portion of
18 the license is prepared by a private firm, any contract with such firm shall be made in accordance
19 with the competitive purchasing procedures as established by the state director of the division
20 of purchasing. [~~For all licenses issued or renewed after March 1, 1992, the applicant's Social~~
21 ~~Security number shall serve as the applicant's license number. Where the licensee has no Social~~
22 ~~Security number, or where the licensee is issued a license without a Social Security number in~~
23 ~~accordance with subsection 4 of this section, the director shall issue a license number for the~~
24 ~~licensee and such number shall also include an indicator showing that the number is not a Social~~
25 ~~Security number.~~]

26 2. All [~~film involved in the production of photographs~~] **digital images produced** for
27 licenses shall become the property of the department of revenue.

28 3. The license issued shall be carried at all times by the holder thereof while driving a
29 motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any
30 police officer or peace officer, or any other duly authorized person, for inspection when demand
31 is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any
32 duly authorized officer shall be presumptive evidence that such person is not a duly licensed
33 operator.

34 4. [~~The director of revenue shall issue a commercial or noncommercial driver's license~~
35 ~~without a Social Security number to an applicant therefor, who is otherwise qualified to be~~
36 ~~licensed, upon presentation to the director of a certified statement that the applicant objects to~~
37 ~~the display of the Social Security number on the license. The director shall assign an~~
38 ~~identification number, that is not based on a Social Security number, to the applicant which shall~~
39 ~~be displayed on the license in lieu of the Social Security number.~~]

40 ~~5.]~~ The director of revenue shall not issue a license without a facial [~~photograph or~~]
41 digital image of the license applicant, except as provided pursuant to subsection 8 of this section.
42 A [~~photograph or~~] digital image of the applicant's full facial features shall be taken in a manner
43 prescribed by the director. No [~~photograph or~~] digital image [~~will~~] **shall** be taken wearing
44 anything which cloaks the facial features of the individual.

45 [~~6.]~~ **5.** The department of revenue may issue a temporary license or a full license without
46 the photograph or with the last photograph or digital image in the department's records to

47 members of the Armed Forces, except that where such temporary license is issued it shall be
48 valid only until the applicant shall have had time to appear and have his or her picture taken and
49 a license with his or her photograph issued.

50 ~~[7-]~~ 6. The department of revenue shall issue upon request a nondriver's license card
51 containing essentially the same information and photograph or digital image, except as provided
52 pursuant to subsection 8 of this section, as the driver's license upon payment of six dollars. All
53 nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A
54 person who has passed his or her seventieth birthday shall upon application be issued a
55 nonexpiring nondriver's license card. Notwithstanding any other provision of this chapter, a
56 nondriver's license containing a concealed carry endorsement shall expire three years from the
57 date the certificate of qualification was issued pursuant to section 571.101, as section 571.101
58 existed prior to August 28, 2013. The fee for nondriver's licenses issued for a period exceeding
59 three years is six dollars or three dollars for nondriver's licenses issued for a period of three years
60 or less. The nondriver's license card shall be used for identification purposes only and shall not
61 be valid as a license.

62 ~~[8-]~~ 7. If otherwise eligible, an applicant may receive a driver's license or nondriver's
63 license without a photograph or digital image of the applicant's full facial features except that
64 such applicant's photograph or digital image shall be taken and maintained by the director and
65 not printed on such license. In order to qualify for a license without a photograph or digital
66 image pursuant to this section the applicant must:

67 (1) Present a form provided by the department of revenue requesting the applicant's
68 photograph be omitted from the license or nondriver's license due to religious affiliations. The
69 form shall be signed by the applicant and another member of the religious tenant verifying the
70 photograph or digital image exemption on the license or nondriver's license is required as part
71 of their religious affiliation. The required signatures on the prescribed form shall be properly
72 notarized;

73 (2) Provide satisfactory proof to the director that the applicant has been a United States
74 citizen for at least five years and a resident of this state for at least one year, except that an
75 applicant moving to this state possessing a valid driver's license from another state without a
76 photograph shall be exempt from the one-year state residency requirement. The director may
77 establish rules necessary to determine satisfactory proof of citizenship and residency pursuant
78 to this section;

79 (3) Applications for a driver's license or nondriver's license without a photograph or
80 digital image must be made in person at a license office determined by the director. The director
81 is authorized to limit the number of offices that may issue a driver's or nondriver's license
82 without a photograph or digital image pursuant to this section.

83 [9-] 8. The department of revenue shall make available, at one or more locations within
84 the state, an opportunity for individuals to have their full facial photograph taken by an employee
85 of the department of revenue, or their designee, who is of the same sex as the individual being
86 photographed, in a segregated location.

87 [10-] 9. Beginning July 1, 2005, the director shall not issue a driver's license or a
88 nondriver's license for a period that exceeds an applicant's lawful presence in the United States.
89 The director may, by rule or regulation, establish procedures to verify the lawful presence of the
90 applicant and establish the duration of any driver's license or nondriver's license issued under this
91 section.

92 [11- No rule or portion of a rule promulgated pursuant to the authority of this chapter
93 shall become effective unless it is promulgated pursuant to the provisions of chapter 536.]

94 **10. (1) Notwithstanding any biometric data restrictions contained in section**
95 **302.170, the department of revenue is hereby authorized to design and implement a secure**
96 **digital driver's license program that allows applicants applying for a driver's license in**
97 **accordance with this chapter to obtain a secure digital driver's license in addition to the**
98 **physical card-based license specified in this section.**

99 **(2) A digital driver's license as described in this subsection shall be accepted for all**
100 **purposes for which a license, as defined in section 302.010, is used.**

101 **(3) The department may contract with one or more entities to develop the secure**
102 **digital driver's license system. The department or entity may develop a mobile software**
103 **application capable of being utilized through a person's electronic device to access the**
104 **person's secure digital driver's license.**

105 **(4) The department shall suspend, disable, or terminate a person's participation in**
106 **the secure digital driver's license program if:**

107 **(a) The person's driving privilege is suspended, revoked, denied, withdrawn, or**
108 **cancelled as provided in this chapter; or**

109 **(b) The person reports that the person's electronic device has been lost, stolen, or**
110 **compromised.**

111 **11. The director of the department of revenue may promulgate rules as necessary**
112 **for the implementation of this section. Any rule or portion of a rule, as that term is defined**
113 **in section 536.010 that is created under the authority delegated in this section shall become**
114 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**
115 **if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of**
116 **the powers vested with the general assembly pursuant to chapter 536 to review, to delay**
117 **the effective date, or to disapprove and annul a rule are subsequently held**

118 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
119 **after the effective date of this act shall be invalid and void.**

302.205. 1. Any resident of this state may elect to have a medical alert notation
2 **placed on the person's driver's license or nondriver's identification card. The following**
3 **conditions, illnesses, and disorders may be recorded on a driver's license or nondriver's**
4 **identification card as medical alert information at the request of the applicant:**

- 5 (1) **Posttraumatic stress disorder;**
- 6 (2) **Diabetes;**
- 7 (3) **Heart conditions;**
- 8 (4) **Epilepsy;**
- 9 (5) **Drug allergies;**
- 10 (6) **Alzheimer's or dementia;**
- 11 (7) **Schizophrenia;**
- 12 (8) **Autism; or**
- 13 (9) **Other conditions as approved by the director of the department of revenue or**
14 **his or her designee.**

15 **2. Any person requesting the inclusion of a medical alert notation on his or her**
16 **driver's license or nondriver's identification card shall submit an application form to**
17 **include a waiver of liability for the release of any medical information to the department,**
18 **any person who is eligible for access to such medical information as recorded on the**
19 **person's driving record under this chapter, and any other person who may view or receive**
20 **notice of such medical information by virtue of having seen such person's driver's license**
21 **or nondriver's identification card. Such application shall advise the person that he or she**
22 **will be consenting to the release of such medical information to anyone who sees or copies**
23 **his or her driver's license or nondriver's identification card, even if such person is**
24 **otherwise ineligible to access such medical information under state or federal law.**

25 **3. Such application shall include space for a person requesting the inclusion of a**
26 **medical alert notation on his or her driver's license or nondriver's identification card to**
27 **obtain a sworn statement from a person licensed to practice medicine or psychology in this**
28 **state verifying such diagnosis.**

29 **4. Any person who has been issued a driver's license or nondriver's identification**
30 **card bearing medical alert information may be issued a replacement driver's license or**
31 **nondriver's identification card excluding such medical alert information at his or her**
32 **request and upon payment of the fee provided in this chapter for replacement of lost**
33 **licenses or identification cards.**

34 **5. No medical alert information shall be printed on or removed from a driver's**
35 **license or nondriver's identification card without the express consent of the licensee. If the**
36 **licensee is a child under the age of eighteen, consent for the printing of medical alert**
37 **information shall be provided by the parent or guardian of the child when he or she signs**
38 **the application for the driver's license or nondriver's identification card. If the licensee is**
39 **an incapacitated adult, consent for the printing of medical alert information shall be given**
40 **by the guardian of such adult as appointed by a court of competent jurisdiction.**

41 **6. The director of the department of revenue may promulgate all necessary rules**
42 **and regulations for the administration of this section. Any rule or portion of a rule, as that**
43 **term is defined in section 536.010, that is created under the authority delegated in this**
44 **section shall become effective only if it complies with and is subject to all of the provisions**
45 **of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are**
46 **nonseverable, and if any of the powers vested with the general assembly pursuant to**
47 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**
48 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**
49 **proposed or adopted after August 28, 2020, shall be invalid and void.**

302.720. 1. Except when operating under an instruction permit as described in this
2 section, no person may drive a commercial motor vehicle unless the person has been issued a
3 commercial driver's license with applicable endorsements valid for the type of vehicle being
4 operated as specified in sections 302.700 to 302.780. A commercial driver's instruction permit
5 shall allow the holder of a valid license to operate a commercial motor vehicle when
6 accompanied by the holder of a commercial driver's license valid for the vehicle being operated
7 and who occupies a seat beside the individual, or reasonably near the individual in the case of
8 buses, for the purpose of giving instruction in driving the commercial motor vehicle. No person
9 may be issued a commercial driver's instruction permit until he or she has passed written tests
10 which comply with the minimum federal standards. A commercial driver's instruction permit
11 shall be nonrenewable and shall be valid for the vehicle being operated for a period of not more
12 than one year, and shall not be issued until the permit holder has met all other requirements of
13 sections 302.700 to 302.780, except for the driving test. The fee for such permit shall be ten
14 dollars. The fee for a duplicate of such commercial driver's instruction permit shall be five
15 dollars.

16 2. No person may be issued a commercial driver's license until he has passed written and
17 driving tests for the operation of a commercial motor vehicle which complies with the minimum
18 federal standards established by the Secretary and has satisfied all other requirements of the
19 Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570), as well as any
20 other requirements imposed by state law. Beginning January 1, 2020, all applicants for a

21 commercial driver's license shall complete any entry-level driver training program as established
22 and required under 49 CFR 380.609. All applicants for a commercial driver's license shall have
23 maintained the appropriate class of commercial driver's instruction permit issued by this state
24 or any other state for a minimum of fourteen calendar days prior to the date of taking the skills
25 test. Applicants for a hazardous materials endorsement must also meet the requirements of the
26 U.S. Patriot Act of 2001 (Title X of Public Law 107-56) as specified and required by regulations
27 promulgated by the Secretary. Nothing contained in this subsection shall be construed as
28 prohibiting the director from establishing alternate testing formats for those who are functionally
29 illiterate; provided, however, that any such alternate test must comply with the minimum
30 requirements of the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law
31 99-570) as established by the Secretary.

32 (1) The written and driving tests shall be held at such times and in such places as the
33 superintendent may designate. A twenty-five dollar examination fee shall be paid by the
34 applicant upon completion of any written or driving test, except the examination fee shall be
35 waived for applicants seventy years of age or older renewing a license with a school bus
36 endorsement. The director shall delegate the power to conduct the examinations required under
37 sections 302.700 to 302.780 to any member of the highway patrol or any person employed by
38 the highway patrol qualified to give driving examinations. The written test shall only be
39 administered in the English language. No translators shall be allowed for applicants taking the
40 test.

41 (2) The director shall adopt and promulgate rules and regulations governing the
42 certification of third-party testers by the department of revenue. Such rules and regulations shall
43 substantially comply with the requirements of 49 CFR 383, Section 383.75. A certification to
44 conduct third-party testing shall be valid for one year, and the department shall charge a fee of
45 one hundred dollars to issue or renew the certification of any third-party tester.

46 (3) Beginning August 28, 2006, the director shall issue or renew third-party tester
47 certification to community colleges established under chapter 178 or to private companies who
48 own, lease, or maintain their own fleet and administer in-house testing to their employees, or to
49 school districts and their agents that administer in-house testing to the school district's or agent's
50 employees. Any third-party tester who violates any of the rules and regulations adopted and
51 promulgated pursuant to this section shall be subject to having his certification revoked by the
52 department. The department shall provide written notice and an opportunity for the third-party
53 tester to be heard in substantially the same manner as provided in chapter 536. If any applicant
54 submits evidence that he has successfully completed a test administered by a third-party tester,
55 the actual driving test for a commercial driver's license may then be waived.

56 (4) Every applicant for renewal of a commercial driver's license shall provide such
57 certifications and information as required by the Secretary and if such person transports a
58 hazardous material must also meet the requirements of the U.S. Patriot Act of 2001 (Title X of
59 Public Law 107-56) as specified and required by regulations promulgated by the Secretary. Such
60 person shall be required to take the written test for such endorsement. A twenty-five dollar
61 examination fee shall be paid upon completion of such tests.

62 (5) The director shall have the authority to waive the driving skills and written tests for
63 any qualified current or former military service member applicant for a commercial driver's
64 instruction permit or a commercial driver's license who is currently licensed at the time of
65 application for a commercial driver's instruction permit or commercial driver's license. The
66 director shall impose conditions and limitations and require certification and evidence to restrict
67 the applicants from whom the department may accept the alternative requirements for the skills
68 and written tests described in federal regulations 49 CFR 383.71 and 49 CFR 383.77.
69 Applicant's shall meet all federal and state qualifications to operate a commercial vehicle.
70 Applicants shall be required to complete all applicable tests, except when the applicant provides
71 proof of approved military training sufficient for ~~[waiver]~~ **waiver** of the written knowledge and
72 skills tests as specified in this subdivision and subdivision (5) of subsection 3 of section 302.170.

73 3. A commercial driver's license or commercial driver's instruction permit may not be
74 issued to a person while the person is disqualified from driving a commercial motor vehicle,
75 when a disqualification is pending in any state or while the person's driver's license is suspended,
76 revoked, or cancelled in any state; nor may a commercial driver's license be issued unless the
77 person first surrenders in a manner prescribed by the director any commercial driver's license
78 issued by another state, which license shall be returned to the issuing state for cancellation.

79 4. Beginning July 1, 2005, the director shall not issue an instruction permit under this
80 section unless the director verifies that the applicant is lawfully present in the United States
81 before accepting the application. The director may, by rule or regulation, establish procedures
82 to verify the lawful presence of the applicant under this section. No rule or portion of a rule
83 promulgated pursuant to the authority of this section shall become effective unless it has been
84 promulgated pursuant to chapter 536.

85 5. Notwithstanding the provisions of this section or any other law to the contrary,
86 beginning August 28, 2008, the director of the department of revenue shall certify as a third-party
87 tester any municipality that owns, leases, or maintains its own fleet that requires certain
88 employees as a condition of employment to hold a valid commercial driver's license; and that
89 administered in-house testing to such employees prior to August 28, 2006.

90 6. Notwithstanding the provisions of this section or any other law to the contrary,
91 beginning December 1, 2019, the director of the department of revenue shall certify as a

92 third-party tester any private education institution or other private entity, provided the institution
93 or entity meets the necessary qualifications required by the state.

94 **7. The director shall adopt and promulgate rules and regulations establishing a**
95 **process for applicants with disabilities to request testing accommodations with respect to**
96 **both the written and driving tests required under this section and to establish criteria for**
97 **awarding such accommodations. The rules shall specify that a hearing test shall not be a**
98 **component of the written test or driving test for any applicant who is deaf or hard of**
99 **hearing. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
100 **created under the authority delegated in this section shall become effective only if it**
101 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
102 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
103 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
104 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
105 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2020,**
106 **shall be invalid and void.**

107 **8. If the United States Secretary of Transportation determines that subsection 7 of**
108 **this section has the effect of placing the state of Missouri in noncompliance with any**
109 **federal constitutional, statutory, or regulatory provision that would result in the loss of any**
110 **federal aid funds to the Missouri highways and transportation commission, then subsection**
111 **7 of this section shall be null and void.**

302.723. 1. Notwithstanding any other provision of law, any entity providing
2 **commercial driver's license training to persons preparing to apply for commercial driver's**
3 **licenses under the provisions of sections 302.700 to 302.780 shall provide reasonable**
4 **accommodations for persons who are deaf or hard of hearing.**

5 **2. If the United States Secretary of Transportation determines that this section or**
6 **subsection 7 of section 302.720 has the effect of placing the state of Missouri in**
7 **noncompliance with any federal constitutional, statutory, or regulatory provision that**
8 **would result in the loss of any federal aid funds to the Missouri highways and**
9 **transportation commission, then this section shall be null and void.**

303.026. 1. The director shall inform each owner who registers a motor vehicle of the
2 **following:**

3 (1) **The existence of the requirement that every motor vehicle owner in the state must**
4 **maintain his financial responsibility;**

5 (2) **The requirement that every motor vehicle owner show an insurance identification**
6 **card, or a copy thereof, or other proof of financial responsibility at the time of vehicle**

7 registration; this notice shall be given at least thirty days prior to the month for renewal and shall
8 be shown in bold, colored print;

9 (3) The penalties which apply to violations of the requirement to maintain financial
10 responsibility;

11 (4) The benefits of maintaining coverages in excess of those which are required;

12 (5) The director's authority to conduct samples of Missouri motor vehicle owners to
13 ensure compliance.

14 2. No motor vehicle owner shall be issued registration for a vehicle unless the owner,
15 or his authorized agent, signs an affidavit provided by the director of revenue at the time of
16 registration of the vehicle certifying that such owner has and will maintain, during the period of
17 registration, financial responsibility with respect to each motor vehicle that is owned, licensed
18 or operated on the streets or highways. The affidavit need not be notarized, but it shall be
19 acknowledged by the person processing the form. The affidavit shall state clearly and in bold
20 print the following: "Any false affidavit is a crime under section 575.050 of Missouri law.". In
21 addition, every motor vehicle owner shall show proof of such financial responsibility by
22 presenting his or her insurance identification card, as described in section 303.024, or a copy
23 thereof, or some other proof of financial responsibility in the form prescribed by the director of
24 revenue at the time of registration unless such owner registers his vehicle in conjunction with
25 a reciprocity agreement entered into by the Missouri highway reciprocity commission pursuant
26 to sections 301.271 to 301.279 or unless the owner insures the vehicle according to the
27 requirements of the division of motor carrier and railroad safety pursuant to section 390.126.

28 3. To ensure compliance with this chapter, the director may utilize a variety of sampling
29 techniques including but not limited to random samples of registrations subject to this section,
30 uniform traffic tickets, insurance information provided to the director at the time of motor
31 vehicle registration, and persons who during the preceding year have received a disposition of
32 court-ordered supervision or suspension. The director may verify the financial responsibility of
33 any person sampled or reported.

34 (1) Beginning January 1, 2001, the director may require such information, as in his or
35 her discretion is necessary to enforce the requirements of subdivision (1) of subsection 1 of this
36 section, to be submitted from the person's insurer or insurance company. When requested by the
37 director of revenue, all licensed insurance companies in this state which sell private passenger
38 (noncommercial) motor vehicle insurance policies shall report information regarding the
39 issuance, nonrenewal and cancellation of such policies to the director, excluding policies issued
40 to owners of fleet or rental vehicles or issued on vehicles that are insured pursuant to a
41 commercial line policy. Such information shall be reported electronically in a format as
42 prescribed by the director of the department of revenue by rule ~~[except that such rule shall~~

43 ~~provide for an exemption from electronic reporting for insurers with a statistically insignificant~~
44 ~~number of policies in force].~~

45 (2) When required by the director of revenue, each insurance company shall provide to
46 the department a record of each policy issued, cancelled, terminated or revoked during the period
47 since the previous report. ~~[Nothing in this section shall prohibit insurance companies from~~
48 ~~reporting more frequently than once per month]~~ **The director of revenue may require**
49 **insurance companies to provide such records as frequently as he or she deems necessary.**

50 (3) The director may use reports described in subdivision (1) of this subsection for
51 sampling purposes as provided in this section.

52 4. Information provided to the department by an insurance company for use in
53 accordance with this section is the property of the insurer and is not subject to disclosure
54 pursuant to chapter 610. Such information may be utilized by the department for enforcement
55 of this chapter but may not be disclosed except that the department shall disclose whether an
56 individual is maintaining the required insurance coverage upon request of the following
57 individuals and agencies only:

58 (1) The individual;

59 (2) The parent or legal guardian of an individual if the individual is an unemancipated
60 minor;

61 (3) The legal guardian of the individual if the individual is legally incapacitated;

62 (4) Any person who has power of attorney from the individual;

63 (5) Any person who submits a notarized release from the individual that is dated no more
64 than ninety days before the request is made;

65 (6) Any person claiming loss or injury in a motor vehicle accident in which the
66 individual is involved;

67 (7) The office of the state auditor, for the purpose of conducting any audit authorized by
68 law.

69 5. The director may adopt any rules and regulations necessary to carry out the provisions
70 of subdivisions (1) through (3) of subsection 3 of this section. Any rule or portion of a rule, as
71 that term is defined in section 536.010, that is created under the authority delegated in this
72 section shall become effective only if it complies with and is subject to all of the provisions of
73 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
74 and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to
75 delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional,
76 then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000,
77 shall be invalid and void.

78 6. Any person or agency who knowingly discloses information received from insurance
79 companies pursuant to this section for any purpose, or to a person, other than those authorized
80 in this section is guilty of a class A misdemeanor. No insurer shall be liable to any person for
81 performing its duties pursuant to this section unless and to the extent the insurer commits a
82 willful and wanton act of omission.

83 7. The department of revenue shall notify the department of commerce and insurance of
84 any insurer who violates any provisions of this section. The department of commerce and
85 insurance may, against any insurer who knowingly fails to comply with this section, assess an
86 administrative penalty up to five hundred dollars per day of noncompliance. The department of
87 commerce and insurance may excuse the administrative penalty if an assessed insurer provides
88 acceptable proof that such insurer's noncompliance was inadvertent, accidental or the result of
89 excusable neglect. The penalty provisions of this section shall become effective six months after
90 the rule issued pursuant to subsections 3 and 5 of this section is published in the code of state
91 regulations.

92 8. To verify that financial responsibility is being maintained, the director shall notify the
93 owner or operator of the need to provide, within fifteen days, proof of the existence of the
94 required financial responsibility. The request shall require the owner or the operator to state
95 whether or not the motor vehicle was insured on the verification date stated in the director's
96 request. The request may include but not be limited to a statement of the names and addresses
97 of insurers, policy numbers and expiration date of insurance coverage. Failure to provide such
98 information shall result in the suspension of the registration of the owner's motor vehicle, and
99 where applicable, the owner's or the operator's driving privilege, for failing to meet such
100 requirements, as is provided in this chapter.

303.200. 1. After consultation with insurance companies ~~[authorized to issue automobile~~
2 ~~liability policies]~~ **having a certificate of authority to do business in this state and actively**
3 **writing motor vehicle liability policies**, the director of the department of commerce and
4 insurance, **hereinafter referred to as the "director"**, shall approve a reasonable plan ~~[or plans~~
5 ~~for the equitable apportionment among such companies of applicants for such policies and for~~
6 ~~personal automobile and commercial motor vehicle liability]~~ **to provide motor vehicle**
7 **insurance policies to applicants** who are in good faith entitled to but are unable to procure such
8 policies through ordinary methods. **The plan shall be known as the Missouri Automobile**
9 **Insurance Plan, hereinafter referred to as the "plan"**. When any such plan has been
10 approved, all such insurance companies shall subscribe thereto and participate therein. ~~[The plan~~
11 ~~manager, on the plan's behalf, shall contract with an entity or entities to accept and service~~
12 ~~applicants and policies for any company that does not elect to accept and service applicants and~~
13 ~~policies. By October first of each year any company that elects to accept and service applicants~~

14 ~~and policies for the next calendar year for any such plan shall so notify the plan. Except as~~
15 ~~provided in subsection 2 of this section, any company that does not so notify a plan established~~
16 ~~for handling coverage for personal automobile risks shall be excused from accepting and~~
17 ~~servicing applicants and policies for the next calendar year for such plan and shall pay a fee to~~
18 ~~the plan or servicing entity for providing such services. The fee shall be based on the company's~~
19 ~~market share as determined by the company's writings of personal automobile risks in the~~
20 ~~voluntary market.] Any applicant for [any such] a policy **under the plan**, any person insured~~
21 ~~under [any such] the plan, and any insurance company affected may appeal to the director from~~
22 ~~any ruling or decision of the [manager or committee designated to operate such] plan. Any~~
23 ~~person aggrieved hereunder by any order or act of the director may, within ten days after notice~~
24 ~~thereof, file a petition in the circuit court of the county of Cole for a review thereof. The court~~
25 ~~shall summarily hear the petition and may make any appropriate order or decree. [As used in this~~
26 ~~section, the term "personal automobile" means a private passenger nonfleet vehicle, motorcycle,~~
27 ~~camper and travel trailer, antique auto, amphibious auto, motor home, named nonowner~~
28 ~~applicant, or a low-speed vehicle subject to chapter 304 which is not primarily used for business~~
29 ~~or nonprofit interests and which is generally used for personal, family, or household purposes.~~
30 ~~—— 2. If the total premium volume for any one plan established for handling coverage for~~
31 ~~personal automobile risks exceeds ten million dollars in a calendar year, a company with more~~
32 ~~than five percent market share of such risks in Missouri shall not be excused from accepting and~~
33 ~~servicing applicants and policies of such plan under subsection 1 of this section for the next~~
34 ~~calendar year, unless the governing body of the plan votes to allow any company with such~~
35 ~~market share the option to be excused.]~~

36 **2. The plan shall perform its functions under a plan of operation and through a**
37 **governing committee as prescribed in the plan of operation. Any plan of operation, prior**
38 **to being placed in effect, shall be filed with and approved by the director. Any**
39 **amendments to the plan of operation so adopted shall also be filed with and approved by**
40 **the director prior to being placed in effect.**

41 **3. The plan of operation shall prescribe the issuance of motor vehicle insurance**
42 **policies by the plan, which may include the administration of such policies by:**

43 **(1) A third-party administrator that has a certificate of authority to do business in**
44 **this state;**

45 **(2) A nationally recognized management organization and service provider that**
46 **specializes in the administration of motor vehicle insurance residual market mechanisms,**
47 **subject to the approval of the director; or**

48 **(3) An insurance company that has a certificate of authority to do business in this**
49 **state.**

50 **4. No form of a policy, endorsement, rider, manual of classifications, rules, or rates,**
51 **no rating plan, nor any modification of any of them proposed to be used by the plan shall**
52 **be used prior to approval by the director.**

53 **5. Any policy of insurance issued by the plan shall conform to the provisions of this**
54 **chapter and any insurance law of this state applicable to motor vehicle insurance policies,**
55 **except any law that specifically exempts the plan from the purview of the law.**

56 **6. The plan shall:**

57 **(1) File with the director, no later than June thirtieth of each year, annual audited**
58 **financial reports for the preceding year;**

59 **(2) Be subject to examination by the director under sections 374.205 to 374.207;**

60 **(3) Have the authority to make assessments on member insurance companies if the**
61 **funds from policyholder premiums and other revenues are not sufficient for the sound**
62 **operation of the plan. An assessment upon a member insurance company shall be in the**
63 **same proportion to its share of the voluntary market premium for the type of policies**
64 **written under the plan. The procedures for levying assessment shall be prescribed in the**
65 **plan of operation.**

66 **7. There shall be no liability imposed on the part of, and no cause of action of any**
67 **nature shall arise against, any member insurer or any member of the governing committee**
68 **for any omission or action taken by them in the performance of their powers and duties**
69 **under this section.**

304.170. 1. No vehicle operated upon the highways of this state shall have a width,
2 including load, in excess of one hundred two inches, except clearance lights, rearview mirrors
3 or other accessories required by federal, state or city law or regulation. Provided however, a
4 recreational vehicle as defined in section 700.010 may exceed the foregoing width limits if the
5 appurtenances on such recreational vehicle extend no further than the rearview mirrors. Such
6 mirrors may only extend the distance necessary to provide the required field of view before the
7 appurtenances were attached.

8 2. No vehicle operated upon the interstate highway system or upon any route designated
9 by the state highways and transportation commission shall have a height, including load, in
10 excess of fourteen feet. On all other highways, no vehicle shall have a height, including load,
11 in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles
12 transporting automobiles or other motor vehicles may have a height, including load, of not more
13 than fourteen feet.

14 3. No single motor vehicle operated upon the highways of this state shall have a length,
15 including load, in excess of forty-five feet, except as otherwise provided in this section.

16 4. No bus, recreational motor vehicle or trackless trolley coach operated upon the
17 highways of this state shall have a length in excess of forty-five feet, except that such vehicles
18 may exceed the forty-five feet length when such excess length is caused by the projection of a
19 front safety bumper or a rear safety bumper or both. Such safety bumper shall not cause the
20 length of the bus or recreational motor vehicle to exceed the forty-five feet length limit by more
21 than one foot in the front and one foot in the rear. Notwithstanding any provision of this section
22 to the contrary, an articulated bus, comprised of two or more sections connected by a flexible
23 joint or other mechanism, may be up to sixty feet in length, not including safety bumpers which
24 may extend one foot in front and one foot in the rear, and not including bicycle storage racks
25 which may extend over the safety bumper by up to five feet when in the down position
26 transporting a bicycle. The term "safety bumper" means any device which may be fitted on an
27 existing bumper or which replaces the bumper and is so constructed, treated, or manufactured
28 that it absorbs energy upon impact.

29 5. No combination of truck-tractor and semitrailer or truck-tractor equipped with
30 dromedary and semitrailer operated upon the highways of this state shall have a length, including
31 load, in excess of sixty feet; except that in order to comply with the provisions of P.L. 97-424
32 codified in Title 23 of the United States Code, 23 U.S.C. Section 101, et al., as amended, no
33 combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and
34 semitrailer operated upon the interstate highway system of this state shall have an overall length,
35 including load, in excess of the length of the truck-tractor plus the semitrailer or truck-tractor
36 equipped with dromedary and semitrailer. The length of such semitrailer shall not exceed
37 fifty-three feet.

38 6. In order to comply with the provisions of P.L. 97-424 codified in Title 23 of the
39 United States Code, 23 U.S.C. Section 101, et al., as amended, no combination of truck-tractor,
40 semitrailer and trailer operated upon the interstate highway system of this state shall have an
41 overall length, including load, in excess of the length of the truck-tractor plus the semitrailer and
42 trailer, neither of which semitrailer or trailer shall exceed twenty-eight feet in length, except that
43 any existing semitrailer or trailer up to twenty-eight and one-half feet in length actually and
44 lawfully operated on December 1, 1982, within a sixty-five foot overall length limit in any state,
45 may continue to be operated upon the interstate highways of this state. On those primary
46 highways not designated by the state highways and transportation commission as provided in
47 subsection 11 of this section, no combination of truck-tractor, semitrailer and trailer shall have
48 an overall length, including load, in excess of sixty-five feet; provided, however, the commission
49 may designate additional routes for such sixty-five foot combinations.

50 7. (1) Automobile transporters, boat transporters, truck-trailer boat transporter
51 combinations, and stinger-steered combination boat transporters having a length not in excess

52 of seventy-five feet may be operated on the interstate highways of this state and such other
53 highways as may be designated by the commission for the operation of such vehicles plus a
54 distance not to exceed ten miles from such interstate or designated highway. All length
55 provisions regarding automobile or boat transporters, truck-trailer boat transporter combinations
56 and stinger-steered combination boat transporters shall include a semitrailer length not to exceed
57 fifty-three feet and are exclusive of front and rear overhang, which shall be no greater than a
58 three-foot front overhang and no greater than a four-foot rear overhang.

59 (2) Stinger-steered combination automobile transporters having a length not in excess
60 of eighty feet may be operated on the interstate highways of this state and such other highways
61 as may be designated by the commission for the operation of such vehicles plus a distance not
62 to exceed ten miles from such interstate or designated highway. All length provisions regarding
63 stinger-steered automobile combination transporters are exclusive of front and rear overhang,
64 which shall be no greater than a four-foot front overhang and no greater than a six-foot rear
65 overhang.

66 (3) Automobile transporters may transport cargo or general freight on a backhaul, as long
67 as in compliance with weight limitations for a truck-tractor and semitrailer combination as
68 outlined in section 304.180.

69 8. Driveaway saddlemount combinations having a length not in excess of ninety-seven
70 feet may be operated on the interstate highways of this state and such other highways as may be
71 designated by the commission for the operation of such vehicles plus a distance not to exceed
72 ten miles from such interstate or designated highway. Saddlemount combinations must comply
73 with the safety requirements of Section 393.71 of Title 49 of the Code of Federal Regulations
74 and may contain no more than three saddlemounted vehicles and one fullmount.

75 9. No truck-tractor semitrailer-semitrailer combination vehicles operated upon the
76 interstate and designated primary highway system of this state shall have a semitrailer length in
77 excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and
78 lawful operation in any state on December 1, 1982, operating in a truck-tractor
79 semitrailer-semitrailer combination. The B-train assembly is excluded from the measurement
80 of semitrailer length when used between the first and second semitrailer of a truck-tractor
81 semitrailer-semitrailer combination, except that when there is no semitrailer mounted to the
82 B-train assembly, it shall be included in the length measurement of the semitrailer.

83 10. No towaway trailer transporter combination vehicles operated upon the interstate and
84 designated primary highway system of this state shall have an overall length of more than
85 eighty-two feet.

86 11. The commission is authorized to designate routes on the state highway system other
87 than the interstate system over which those combinations of vehicles of the lengths specified in

88 subsections 5, 6, 7, 8, 9, and 10 of this section may be operated. Combinations of vehicles
89 operated under the provisions of subsections 5, 6, 7, 8, 9, and 10 of this section may be operated
90 at a distance not to exceed ten miles from the interstate system and such routes as designated
91 under the provisions of this subsection.

92 12. Except as provided in subsections 5, 6, 7, 8, 9, 10, and 11 of this section, no other
93 combination of vehicles operated upon the primary or interstate highways of this state plus a
94 distance of ten miles from a primary or interstate highway shall have an overall length, unladen
95 or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other highway.

96 13. (1) Except as hereinafter provided, these restrictions shall not apply to:

97 (a) Agricultural implements operating occasionally on the highways for short distances
98 including tractor parades for fund-raising activities or special events, provided the tractors are
99 driven by licensed drivers during daylight hours only and with the approval of the superintendent
100 of the Missouri state highway patrol; ~~or to~~

101 (b) Self-propelled hay-hauling equipment or to implements of husbandry, or to the
102 movement of farm products as defined in section 400.9-102 or to vehicles temporarily
103 transporting agricultural implements or implements of husbandry or road-making machinery, or
104 road materials or towing for repair purposes vehicles that have become disabled upon the
105 highways; ~~or to~~

106 (c) **Vehicles towing trailers specifically designed to carry harvested cotton, either**
107 **as a single trailer or in tandem, with a total length, including the trailer or trailers, of not**
108 **more than ninety-three feet; such vehicles shall only be used to haul harvested cotton,**
109 **except when hauling hay within the state to areas affected by drought as determined by the**
110 **National Drought Mitigation Center; or**

111 (d) Implement dealers delivering or moving farm machinery for repairs on any state
112 highway other than the interstate system.

113 (2) Implements of husbandry and vehicles transporting such machinery or equipment and
114 the movement of farm products as defined in section 400.9-102 may be operated occasionally
115 for short distances on state highways when operated between the hours of sunrise and sunset by
116 a driver licensed as an operator or chauffeur.

117 (3) Notwithstanding any other provision of law to the contrary, agricultural machinery
118 and implements may be operated on state highways between the hours of sunset and sunrise for
119 agricultural purposes provided such vehicles are equipped with lighting meeting the requirements
120 of section 307.115.

121 14. As used in this chapter the term "implements of husbandry" means all self-propelled
122 machinery operated at speeds of less than thirty miles per hour, specifically designed for, or
123 especially adapted to be capable of, incidental over-the-road and primary offroad usage and used

124 exclusively for the application of commercial plant food materials or agricultural chemicals, and
125 not specifically designed or intended for transportation of such chemicals and materials.

126 15. Sludge disposal units may be operated on all state highways other than the interstate
127 system. Such units shall not exceed one hundred thirty-eight inches in width and may be
128 equipped with over-width tires. Such units shall observe all axle weight limits. The commission
129 shall issue special permits for the movement of such disposal units and may by such permits
130 restrict the movements to specified routes, days and hours.

304.172. The provisions of sections 304.170 to 304.240 relating to height, width,
2 ~~[weight,]~~ and length ~~[and load]~~ restrictions for motor vehicles shall not apply to any motor
3 vehicle and its attached apparatus which is designed for use and used by a fire department, fire
4 protection district or volunteer fire protection association or when being operated by a fire
5 apparatus manufacturer or sales organization for the purpose of sale, demonstration, exhibit, or
6 delivery to a fire department, fire protection district or volunteer fire protection association.

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any
2 highway in this state having a greater weight than twenty thousand pounds on one axle, no
3 combination of vehicles operated by transporters of general freight over regular routes as defined
4 in section 390.020 shall be moved or operated on any highway of this state having a greater
5 weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not
6 to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated
7 on any state highway of this state having a greater weight than thirty-four thousand pounds on
8 any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one
9 behind another, the distance between the extremes of which is more than forty inches and not
10 more than ninety-six inches apart.

11 2. An "axle load" is defined as the total load transmitted to the road by all wheels whose
12 centers are included between two parallel transverse vertical planes forty inches apart, extending
13 across the full width of the vehicle.

14 3. Subject to the limit upon the weight imposed upon a highway of this state through any
15 one axle or on any tandem axle, the total gross weight with load imposed by any group of two
16 or more consecutive axles of any vehicle or combination of vehicles shall not exceed the
17 maximum load in pounds as set forth in the following table:

18

19 Distance in feet between the extremes of any group of two or more consecutive axles, measured
20 to the nearest foot, except where indicated otherwise

21		Maximum load in pounds				
22	feet	2 axles	3 axles	4 axles	5 axles	6 axles
23	4	34,000				

24	5	34,000				
25	6	34,000				
26	7	34,000				
27	8	34,000	34,000			
28	More than 8	38,000	42,000			
29	9	39,000	42,500			
30	10	40,000	43,500			
31	11	40,000	44,000			
32	12	40,000	45,000	50,000		
33	13	40,000	45,500	50,500		
34	14	40,000	46,500	51,500		
35	15	40,000	47,000	52,000		
36	16	40,000	48,000	52,500	58,000	
37	17	40,000	48,500	53,500	58,500	
38	18	40,000	49,500	54,000	59,000	
39	19	40,000	50,000	54,500	60,000	
40	20	40,000	51,000	55,500	60,500	66,000
41	21	40,000	51,500	56,000	61,000	66,500
42	22	40,000	52,500	56,500	61,500	67,000
43	23	40,000	53,000	57,500	62,500	68,000
44	24	40,000	54,000	58,000	63,000	68,500
45	25	40,000	54,500	58,500	63,500	69,000
46	26	40,000	55,500	59,500	64,000	69,500
47	27	40,000	56,000	60,000	65,000	70,000
48	28	40,000	57,000	60,500	65,500	71,000
49	29	40,000	57,500	61,500	66,000	71,500
50	30	40,000	58,500	62,000	66,500	72,000
51	31	40,000	59,000	62,500	67,500	72,500
52	32	40,000	60,000	63,500	68,000	73,000
53	33	40,000	60,000	64,000	68,500	74,000
54	34	40,000	60,000	64,500	69,000	74,500
55	35	40,000	60,000	65,500	70,000	75,000
56	36		60,000	66,000	70,500	75,500
57	37		60,000	66,500	71,000	76,000
58	38		60,000	67,500	72,000	77,000
59	39		60,000	68,000	72,500	77,500

60	40	60,000	68,500	73,000	78,000
61	41	60,000	69,500	73,500	78,500
62	42	60,000	70,000	74,000	79,000
63	43	60,000	70,500	75,000	80,000
64	44	60,000	71,500	75,500	80,000
65	45	60,000	72,000	76,000	80,000
66	46	60,000	72,500	76,500	80,000
67	47	60,000	73,500	77,500	80,000
68	48	60,000	74,000	78,000	80,000
69	49	60,000	74,500	78,500	80,000
70	50	60,000	75,500	79,000	80,000
71	51	60,000	76,000	80,000	80,000
72	52	60,000	76,500	80,000	80,000
73	53	60,000	77,500	80,000	80,000
74	54	60,000	78,000	80,000	80,000
75	55	60,000	78,500	80,000	80,000
76	56	60,000	79,500	80,000	80,000
77	57	60,000	80,000	80,000	80,000

78

79 Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load
 80 of thirty-four thousand pounds each if the overall distance between the first and last axles of such
 81 consecutive sets of tandem axles is thirty-six feet or more.

82 4. Whenever the state highways and transportation commission finds that any state
 83 highway bridge in the state is in such a condition that use of such bridge by vehicles of the
 84 weights specified in subsection 3 of this section will endanger the bridge, or the users of the
 85 bridge, the commission may establish maximum weight limits and speed limits for vehicles using
 86 such bridge. The governing body of any city or county may grant authority by act or ordinance
 87 to the commission to enact the limitations established in this section on those roadways within
 88 the purview of such city or county. Notice of the weight limits and speed limits established by
 89 the commission shall be given by posting signs at a conspicuous place at each end of any such
 90 bridge.

91 5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle
 92 loads or gross loads in excess of those permitted under the provisions of P.L. 97-424 codified
 93 in Title 23 of the United States Code (23 U.S.C. Section 101, et al.), as amended.

94 6. Notwithstanding the weight limitations contained in this section, any vehicle or
 95 combination of vehicles operating on highways other than the interstate highway system may

96 exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two
97 thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except
98 as provided in subsections 9, 10, 12, and 13 of this section.

99 7. Notwithstanding any provision of this section to the contrary, the commission shall
100 issue a single-use special permit, or upon request of the owner of the truck or equipment shall
101 issue an annual permit, for the transporting of any crane or concrete pump truck or well-drillers'
102 equipment. The commission shall set fees for the issuance of permits and parameters for the
103 transport of cranes pursuant to this subsection. Notwithstanding the provisions of section
104 301.133, cranes, concrete pump trucks, or well-drillers' equipment may be operated on state-
105 maintained roads and highways at any time on any day.

106 8. Notwithstanding the provision of this section to the contrary, the maximum gross
107 vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an
108 idle reduction technology may be increased by a quantity necessary to compensate for the
109 additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as
110 amended. In no case shall the additional weight increase allowed by this subsection be greater
111 than five hundred fifty pounds. Upon request by an appropriate law enforcement officer, the
112 vehicle operator shall provide proof that the idle reduction technology is fully functional at all
113 times and that the gross weight increase is not used for any purpose other than for the use of idle
114 reduction technology.

115 9. Notwithstanding any provision of this section or any other law to the contrary, the
116 total gross weight of any vehicle or combination of vehicles hauling milk, from a farm to a
117 processing facility or livestock may be as much as, but shall not exceed, eighty-five thousand
118 five hundred pounds while operating on highways other than the interstate highway system. The
119 provisions of this subsection shall not apply to vehicles operated and operating on the Dwight
120 D. Eisenhower System of Interstate and Defense Highways.

121 10. Notwithstanding any provision of this section or any other law to the contrary, any
122 vehicle or combination of vehicles hauling grain or grain coproducts during times of harvest may
123 be as much as, but not exceeding, ten percent over the maximum weight limitation allowable
124 under subsection 3 of this section while operating on highways other than the interstate highway
125 system. The provisions of this subsection shall not apply to vehicles operated and operating on
126 the Dwight D. Eisenhower System of Interstate and Defense Highways.

127 11. Notwithstanding any provision of this section or any other law to the contrary, the
128 commission shall issue emergency utility response permits for the transporting of utility wires
129 or cables, poles, and equipment needed for repair work immediately following a disaster where
130 utility service has been disrupted. Under exigent circumstances, verbal approval of such
131 operation may be made either by the department of transportation motor carrier compliance

132 supervisor or other designated motor carrier services representative. Utility vehicles and
133 equipment used to assist utility companies granted special permits under this subsection may be
134 operated and transported on state-maintained roads and highways at any time on any day. The
135 commission shall promulgate all necessary rules and regulations for the administration of this
136 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
137 under the authority delegated in this section shall become effective only if it complies with and
138 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
139 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
140 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule
141 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
142 proposed or adopted after August 28, 2014, shall be invalid and void.

143 12. Notwithstanding any provision of this section to the contrary, emergency vehicles
144 designed to be used under emergency conditions to transport personnel and equipment and to
145 **support the suppression of fires and** mitigate hazardous situations may have a maximum gross
146 vehicle weight of eighty-six thousand pounds inclusive of twenty-four thousand pounds on a
147 single steering axle; thirty-three thousand five hundred pounds on a single drive axle; sixty-two
148 thousand pounds on a tandem axle; or fifty-two thousand pounds on a tandem rear-drive steer
149 axle; **except that, such emergency vehicles shall only operate on the Dwight D. Eisenhower**
150 **National System of Interstate and Defense Highways.**

151 13. Notwithstanding any provision of this section to the contrary, a vehicle operated by
152 an engine fueled primarily by natural gas may operate upon the public highways of this state in
153 excess of the vehicle weight limits set forth in this section by an amount that is equal to the
154 difference between the weight of the vehicle attributable to the natural gas tank and fueling
155 system carried by that vehicle and the weight of a comparable diesel tank and fueling system.
156 In no event shall the maximum gross vehicle weight of the vehicle operating with a natural gas
157 engine exceed eighty-two thousand pounds.

305.800. As used in sections 305.800 to 305.810, the following terms mean:

2 (1) **"Abandoned aircraft", an aircraft left in a wrecked, inoperative, or partially**
3 **dismantled condition at an airport; or an aircraft that has remained in an idle state at an**
4 **airport for forty-five consecutive calendar days without a contractual agreement between**
5 **the owner or operator of the aircraft and the airport for use of the airport premises;**

6 (2) **"Airport superintendent", the person or group of people authorized to make**
7 **decisions on behalf of an airport;**

8 (3) **"Derelict aircraft", any aircraft that is not in a flyable condition, does not have**
9 **a current certificate of airworthiness issued by the Federal Aviation Administration, and**
10 **is not in the process of actively being repaired.**

305.802. 1. If a derelict aircraft or abandoned aircraft is discovered on airport property, the airport superintendent shall:

(1) Make a record of the date the aircraft was discovered on the airport property; and

(2) Inquire as to the name and address of any person having an equitable or legal interest in the aircraft, including the owner and any lienholders, by:

(a) Contacting the Federal Aviation Administration, aircraft registration branch, and making a diligent search of the appropriate records; or

(b) Contacting an aircraft title search company.

2. Within ten business days of receiving the information requested under subsection 1 of this section, the airport superintendent shall notify the owner and all other interested parties by certified mail, return receipt requested:

(1) Of the location of the derelict or abandoned aircraft on the airport property;

(2) That fees and charges for the use of the airport by the aircraft have accrued and the amount of those fees and charges;

(3) That the aircraft is subject to a lien under section 305.806 for any unpaid and accrued fees and charges for the use of the airport and for the transportation, storage, and removal of the aircraft;

(4) That the lien is subject to enforcement under this section;

(5) That the airport may use, trade, sell, or remove the aircraft as described in section 305.804 if, within thirty calendar days after the date of receipt of the notice, the owner or other interested party has not removed the aircraft from the airport and paid in full all accrued fees and charges for the use of the airport and for the transportation, storage, and removal of the aircraft; and

(6) That the airport superintendent may remove the aircraft in less than thirty calendar days if the aircraft poses a danger to the health or safety of users of the airport, as determined by the airport superintendent.

3. (1) If the owner of the aircraft is unknown or cannot be found after the inquiry required under subdivision (2) of subsection 1 of this section, the airport superintendent shall place a notice upon the aircraft in a conspicuous place containing the information required under subdivisions (2), (3), (4), (5), and (6) of subsection 2 of this section.

(2) The notice required under subdivision (1) of this subsection shall be not less than eight inches by ten inches and shall be laminated or otherwise sufficiently weatherproof to withstand normal exposure to rain, snow, and other conditions.

305.804. 1. If the owner or other interested party has not removed the aircraft from the airport and paid in full all accrued fees and charges for the use of the airport and

3 for the transportation, storage, and removal of the aircraft, or shown reasonable cause for
4 the failure to do so within thirty calendar days of the airport superintendent posting notice
5 under section 305.802, the airport superintendent may:

6 (1) Retain the aircraft for use by the airport, the state, or the unit of local
7 government owning or operating the airport;

8 (2) Trade the aircraft to another unit of local government or a state agency;

9 (3) Sell the aircraft; or

10 (4) Dispose of the aircraft through an appropriate refuse removal company or a
11 company that provides salvage services for aircraft.

12 2. If the airport superintendent elects to sell the aircraft in accordance with
13 subdivision (3) of subsection 1 of this section, the aircraft shall be sold at public auction
14 after giving notice of the time and place of sale, at least ten calendar days prior to the date
15 of sale, in a newspaper of general circulation within the county where the airport is located
16 and after providing written notice of the intended sale to all parties known to have an
17 interest in the aircraft.

18 3. If the airport superintendent elects to dispose of the aircraft in accordance with
19 subdivision (4) of subsection 1 of this section, the airport superintendent shall be entitled
20 to negotiate with the company for a price to be received from the company in payment for
21 the aircraft, or, if circumstances so warrant, a price to be paid to the company by the
22 airport superintendent for the costs of disposing of the aircraft. All information and
23 records pertaining to the establishment of the price and the justification for the amount of
24 the price shall be prepared and maintained by the airport superintendent.

25 4. If the sale price or the negotiated price is less than the airport superintendent's
26 current fees and charges against the aircraft, the owner of the aircraft shall remain liable
27 to the airport superintendent for the fees and charges that are not offset by the sale price
28 or negotiated price.

29 5. All costs incurred by the airport superintendent in the removal, storage, and sale
30 of any aircraft shall be recoverable against the owner of the aircraft.

305.806. 1. The airport superintendent shall have a lien on a derelict or abandoned
2 aircraft for all unpaid fees and charges for the use of the airport by the aircraft and for all
3 unpaid costs incurred by the airport superintendent for the transportation, storage, and
4 removal of the aircraft. As a prerequisite to perfecting a lien under this section, the airport
5 superintendent shall serve a notice on the last registered owner and all persons having an
6 equitable or legal interest in the aircraft.

7 2. (1) For the purpose of perfecting a lien under this section, the airport
8 superintendent shall file a claim of lien that states:

- 9 (a) The name and address of the airport;
- 10 (b) The name of the last registered owner of the aircraft and all persons having a
11 legal or equitable interest in the aircraft;
- 12 (c) The fees and charges incurred by the aircraft for the use of the airport and the
13 costs for the transportation, storage, and removal of the aircraft; and
- 14 (d) A description of the aircraft sufficient for identification.
- 15 (2) The claim of lien shall be signed and sworn to or affirmed by the airport
16 superintendent's director or the director's designee.
- 17 (3) The claim of lien shall be served on the last registered owner of the aircraft and
18 all persons having an equitable or legal interest in the aircraft. The claim of lien shall be
19 served before filing.
- 20 (4) The claim of lien shall be filed with the proper office according to section
21 400-9.501. The filing of the claim of lien shall be constructive notice to all persons of the
22 contents and effect of such claim. The lien shall attach at the time of filing and shall take
23 priority as of that time.

305.808. 1. If the aircraft is sold, the airport superintendent shall satisfy the airport
2 superintendent's lien, plus the reasonable expenses of notice, advertisement, and sale from
3 the proceeds of the sale.

4 **2.** The balance of the proceeds of the sale, if any, shall be held by the airport
5 superintendent and delivered on demand to the owner of the aircraft.

6 **3.** If no person claims the balance within twelve months of the date of sale, the
7 airport shall retain the funds and use the funds for airport operations.

305.810. 1. Any person acquiring a legal interest in an aircraft under sections
2 305.800 to 305.810 shall be the lawful owner of the aircraft and all other legal or equitable
3 interests in that aircraft shall be divested; provided that, the holder of any legal or
4 equitable interest was notified of the intended disposal of the aircraft as required under
5 sections 305.800 to 305.810.

6 **2.** The airport superintendent may issue documents of disposition to the purchaser
7 or recipient of an aircraft disposed of under sections 305.800 to 305.810.

306.127. 1. Beginning January 1, 2005, every person born after January 1, 1984, or as
2 required pursuant to section 306.128, who operates a vessel on the lakes of this state shall
3 possess, on the vessel, a boating safety identification card issued by the water patrol division or
4 its agent which shows that he or she has:

5 (1) Successfully completed a boating safety course approved by the National Association
6 of State Boating Law Administrators and certified by the water patrol division. The boating
7 safety course may include a course sponsored by the United States Coast Guard Auxiliary or the

8 United States Power Squadron. The water patrol division may appoint agents to administer a
9 boater education course or course equivalency examination and issue boater identification cards
10 under guidelines established by the water patrol. The water patrol division shall maintain a list
11 of approved courses; or

12 (2) Successfully passed an equivalency examination prepared by the water patrol division
13 and administered by the water patrol division or its agent. The equivalency examination shall
14 have a degree of difficulty equal to, or greater than, that of the examinations given at the
15 conclusion of an approved boating safety course; or

16 (3) A valid master's, mate's, or operator's license issued by the United States Coast
17 Guard.

18 2. The water patrol division or its agent shall issue a permanent boating safety
19 identification card to each person who complies with the requirements of this section which is
20 valid for life unless invalidated pursuant to law.

21 3. The water patrol division may charge a fee for such card or any replacement card that
22 does not substantially exceed the costs of administrating this section. The water patrol division
23 or its designated agent shall collect such fees. These funds shall be forwarded to general
24 revenue.

25 4. The provisions of this section shall not apply to any person who:

26 (1) Is licensed by the United States Coast Guard to serve as master of a vessel;

27 (2) Operates a vessel only on a private lake or pond that is not classified as waters of the
28 state;

29 (3) Until January 1, 2006, is a nonresident who is visiting the state for sixty days or less;

30 (4) Is participating in an event or regatta approved by the water patrol;

31 (5) Is a nonresident who has proof of a valid boating certificate or license issued by
32 another state if the boating course is approved by the National Association of State Boating Law
33 Administrators (NASBLA);

34 (6) Is exempted by rule of the water patrol;

35 (7) Is currently serving in any branch of the United States Armed Forces, reserves, or
36 Missouri National Guard, or any spouse of a person currently in such service; or

37 (8) Has previously successfully completed a boating safety education course approved
38 by the National Association of State Boating Law Administrators (NASBLA).

39 5. The water patrol division shall inform other states of the requirements of this section.

40 6. No individual shall be detained or stopped strictly for the purpose of checking whether
41 the individual possesses a boating safety identification card or a temporary boater education
42 permit.

43 7. Any person or company that rents or sells vessels may issue a temporary boating
44 safety identification card to an individual to operate a rented vessel or a vessel being considered
45 for sale, for a period of up to seven days, provided that the individual meets the minimum age
46 requirements for operating a vessel in this state. In order to qualify for the temporary boating
47 safety identification card, the applicant shall provide a valid driver's license and shall sign an
48 affidavit that he or she has reviewed the Missouri state highway patrol handbook of Missouri
49 boating laws and responsibilities. Any individual holding a valid temporary boating safety
50 identification card shall be deemed in compliance with the requirements of this section. The
51 Missouri state highway patrol shall charge a fee of nine dollars for such temporary boating safety
52 identification card. Individuals shall not be eligible for more than one temporary boating safety
53 identification card. No person or company may issue a temporary boating safety identification
54 card to an individual under the provisions of this subsection unless such person or company is
55 capable of submitting the applicant's temporary boating safety identification card information
56 and payment in an electronic format as prescribed by the Missouri state highway patrol. The
57 business entity issuing a temporary boating safety identification card to an individual under the
58 provisions of this subsection shall transmit the applicant's temporary boating safety identification
59 card information electronically to the Missouri state highway patrol, in a manner and format
60 prescribed by the superintendent, using an electronic online registration process developed and
61 provided by the Missouri state highway patrol. The electronic online process developed and
62 provided by the Missouri state highway patrol shall allow the applicant to pay the temporary
63 boating safety identification card fee by credit card or debit card. Notwithstanding any provision
64 in section 306.185 to the contrary, all fees collected under the authority of this subsection shall
65 be deposited in the water patrol division fund. The Missouri state highway patrol shall
66 promulgate rules for developing the temporary boating safety identification card and any
67 requirements necessary to the issuance, processing, and payment of the temporary boating safety
68 identification card. The Missouri state highway patrol shall, by rule, develop a boating safety
69 checklist for each applicant seeking a temporary boating safety identification card. Nothing in
70 this subsection shall allow a holder of a temporary boating safety identification card to receive
71 a notation on the person's driver's license or nondriver identification under section 302.184. The
72 provisions of this subsection shall expire on December 31, [~~2022~~] **2032**.

307.015. 1. Trucks, semitrailers, and trailers, except utility trailers, without rear fenders,
2 attached to a commercial motor vehicle registered for over twenty-four thousand pounds shall
3 be equipped with mud flaps for the rear wheels when operated on the public highways of this
4 state. If mud flaps are used, they shall be wide enough to cover the full tread width of the tire
5 or tires being protected; shall be so installed that they extend from the underside of the vehicle
6 body in a vertical plane behind the rear wheels to within **twelve inches of the ground for dump**

7 **trucks and within** eight inches of the ground **for all other vehicles required to be equipped**
8 **with mud flaps under this section**; and shall be constructed of a rigid material or a flexible
9 material which is of a sufficiently rigid character to provide adequate protection when the vehicle
10 is in motion. No provisions of this section shall apply to a motor vehicle in transit and in process
11 of delivery equipped with temporary mud flaps, to farm implements, or to any vehicle which is
12 not required to be registered.

13 2. **For purposes of this section, "dump truck" means a truck whose contents can**
14 **be emptied without handling, where the front end of the platform can be hydraulically**
15 **raised so that the load is discharged by gravity.**

16 3. Any person who violates this section is guilty of an infraction and, upon plea or
17 finding of guilt, shall be punished as provided by law.

407.815. As used in sections 407.810 to 407.835, unless the context otherwise requires,
2 the following terms mean:

3 (1) "Administrative hearing commission", the body established in chapter 621 to conduct
4 administrative hearings;

5 (2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
6 off-highway use [~~which is fifty inches or less in width~~], with an unladen dry weight of [~~six~~] **one**
7 **thousand five** hundred pounds or less, traveling on three, four or more [~~low-pressure~~]
8 **nonhighway** tires, with **either:**

9 (a) A seat designed to be straddled by the operator, and handlebars for steering control;
10 **or**

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

13 (3) "Coerce", to compel or attempt to compel a person to act in a given manner by
14 pressure, intimidation, or threat of harm, damage, or breach of contract, but shall not include the
15 following:

16 (a) Good faith recommendations, exposition, argument, persuasion or attempts at
17 persuasion without unreasonable conditions;

18 (b) Notice given in good faith to any franchisee of such franchisee's violation of terms
19 or provisions of such franchise or contractual agreement; or

20 (c) Any conduct set forth in sections 407.810 to 407.835 that is permitted of the
21 franchisor;

22 (4) "Common entity", a person:

23 (a) Who is either controlled or owned, beneficially or of record, by one or more persons
24 who also control or own more than forty percent of the voting equity interest of a franchisor; or

25 (b) Who shares directors or officers or partners with a franchisor;

26 (5) "Control", to possess, directly or indirectly, the power to direct or cause the direction
27 of the management or policies of a person, whether through the ownership of voting securities,
28 by contract, or otherwise; except that "control" does not include the relationship between a
29 franchisor and a franchisee under a franchise agreement;

30 (6) "Dealer-operator", the individual who works at the established place of business of
31 a dealer and who is responsible for and in charge of day-to-day operations of that place of
32 business;

33 (7) "Distributor", a person, resident or nonresident, who, in whole or in part, sells or
34 distributes new motor vehicles to motor vehicle dealers in this state;

35 (8) "Franchise" or "franchise agreement", a written arrangement or contract for a definite
36 or indefinite period, in which a person grants to another person a license to use, or the right to
37 grant to others a license to use, a trade name, trademark, service mark, or related characteristics,
38 in which there is a community of interest in the marketing of goods or services, or both, at
39 wholesale or retail, by agreement, lease or otherwise, and in which the operation of the
40 franchisee's business with respect to such franchise is substantially reliant on the franchisor for
41 the continued supply of franchised new motor vehicles, parts and accessories for sale at
42 wholesale or retail. The franchise includes all portions of all agreements between a franchisor
43 and a franchisee, including but not limited to a contract, new motor vehicle franchise, sales and
44 service agreement, or dealer agreement, regardless of the terminology used to describe the
45 agreement or relationship between the franchisor and franchisee, and also includes all provisions,
46 schedules, attachments, exhibits and agreements incorporated by reference therein;

47 (9) "Franchisee", a person to whom a franchise is granted;

48 (10) "Franchisor", a person who grants a franchise to another person;

49 (11) "Good faith", the duty of each party to any franchise and all officers, employees, or
50 agents thereof, to act in a fair and equitable manner toward each other so as to guarantee the one
51 party freedom from coercion, intimidation, or threat of coercion or intimidation from the other
52 party;

53 (12) "Importer", a person who has written authorization from a foreign manufacturer of
54 a line-make of motor vehicles to grant a franchise to a motor vehicle dealer in this state with
55 respect to that line-make;

56 (13) "Line-make", a collection of models, series, or groups of motor vehicles
57 manufactured by or for a particular manufacturer, distributor or importer offered for sale, lease
58 or distribution pursuant to a common brand name or mark; provided, however:

59 (a) Multiple brand names or marks may constitute a single line-make, but only when
60 included in a common dealer agreement and the manufacturer, distributor or importer offers such

61 vehicles bearing the multiple names or marks together only, and not separately, to its authorized
62 dealers; and

63 (b) Motor vehicles bearing a common brand name or mark may constitute separate
64 line-makes when pertaining to motor vehicles subject to separate dealer agreements or when such
65 vehicles are intended for different types of use;

66 (14) "Manufacturer", any person, whether a resident or nonresident of this state, who
67 manufactures or assembles motor vehicles or who manufactures or installs on previously
68 assembled truck chassis special bodies or equipment which, when installed, form an integral part
69 of the motor vehicle and which constitute a major manufacturing alteration. The term
70 "manufacturer" includes a central or principal sales corporation or other entity, other than a
71 franchisee, through which, by contractual agreement or otherwise, it distributes its products;

72 (15) "Motor vehicle", for the purposes of sections 407.810 to 407.835, any motor-driven
73 vehicle required to be registered pursuant to the provisions of chapter 301, except that,
74 motorcycles and all-terrain vehicles as defined in section 301.010 shall not be included. The
75 term "motor vehicle" shall also include any engine, transmission, or rear axle, regardless of
76 whether attached to a vehicle chassis, that is manufactured for the installation in any
77 motor-driven vehicle with a gross vehicle weight rating of more than sixteen thousand pounds
78 that is registered for the operations on the highways of this state under chapter 301;

79 (16) "New", when referring to motor vehicles or parts, means those motor vehicles or
80 parts which have not been held except as inventory, as that term is defined in subdivision (4) of
81 section 400.9-109;

82 (17) "Person", a natural person, sole proprietor, partnership, corporation, or any other
83 form of business entity or organization;

84 (18) "Principal investor", the owner of the majority interest of any franchisee;

85 (19) "Reasonable", shall be based on the circumstances of a franchisee in the market
86 served by the franchisee;

87 (20) "Require", to impose upon a franchisee a provision not required by law or
88 previously agreed to by a franchisee in a franchise agreement;

89 (21) "Successor manufacturer", any manufacturer that succeeds, or assumes any part of
90 the business of, another manufacturer, referred to as the "predecessor manufacturer", as the result
91 of:

92 (a) A change in ownership, operation, or control of the predecessor manufacturer by sale
93 or transfer of assets, corporate stock, or other equity interest, assignment, merger, consolidation,
94 combination, joint venture, redemption, court-approved sale, operation of law, or otherwise;

95 (b) The termination, suspension or cessation of a part or all of the business operations
96 of the predecessor manufacturer;

97 (c) The noncontinuation of the sale of the product line; or

98 (d) A change in distribution system by the predecessor manufacturer, whether through
99 a change in distributor or the predecessor manufacturer's decision to cease conducting business
100 through a distributor altogether.

407.1025. As used in sections 407.1025 to 407.1049, unless the context otherwise
2 requires, the following terms mean:

3 (1) "Administrative hearing commission", the body established in chapter 621 to conduct
4 administrative hearings;

5 (2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
6 off-highway use [~~which is fifty inches or less in width~~], with an unladen dry weight of [~~six~~] **one**
7 **thousand five** hundred pounds or less, traveling on three, four or more [~~low-pressure~~]
8 **nonhighway** tires, with **either:**

9 (a) A seat designed to be straddled by the operator, and handlebars for steering control;
10 **or**

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

13 (3) "Coerce", to force a person to act in a given manner or to compel by pressure or
14 threat but shall not be construed to include the following:

15 (a) Good faith recommendations, exposition, argument, persuasion or attempts at
16 persuasion;

17 (b) Notice given in good faith to any franchisee of such franchisee's violation of terms
18 or provisions of such franchise or contractual agreement;

19 (c) Any other conduct set forth in section 407.1043 as a defense to an action brought
20 pursuant to sections 407.1025 to 407.1049; or

21 (d) Any other conduct set forth in sections 407.1025 to 407.1049 that is permitted of the
22 franchisor or is expressly excluded from coercion or a violation of sections 407.1025 to
23 407.1049;

24 (4) "Franchise", a written arrangement or contract for a definite or indefinite period, in
25 which a person grants to another person a license to use, or the right to grant to others a license
26 to use, a trade name, trademark, service mark, or related characteristics, in which there is a
27 community of interest in the marketing of goods or services, or both, at wholesale or retail, by
28 agreement, lease or otherwise, and in which the operation of the franchisee's business with
29 respect to such franchise is substantially reliant on the franchisor for the continued supply of
30 franchised new motorcycles or all-terrain vehicles, parts and accessories for sale at wholesale or
31 retail;

32 (5) "Franchisee", a person to whom a franchise is granted;

33 (6) "Franchisor", a person who grants a franchise to another person;

34 (7) "Motorcycle", a motor vehicle operated on two wheels;

35 (8) "New", when referring to motorcycles or all-terrain vehicles or parts, means those
36 motorcycles or all-terrain vehicles or parts which have not been held except as inventory, as that
37 term is defined in subdivision (4) of section 400.9-109;

38 (9) "Person", a sole proprietor, partnership, corporation, or any other form of business
39 organization.

407.1329. If the RV dealer agreement is terminated, cancelled, or not renewed by the
2 manufacturer for cause, **or if the dealer voluntarily terminates an RV dealer agreement in**
3 **a manner permitted by such agreement, or if the manufacturer terminates or discontinues**
4 **a franchise by discontinuing a line-make or by ceasing to do business in this state, or if the**
5 **manufacturer changes the distributor or method of distribution of its products in this state**
6 **or alters its sales regions or marketing areas within this state in a manner that eliminates**
7 **or diminishes the dealer's market area**, the manufacturer shall, at the election of the RV
8 dealer, within thirty days of termination, repurchase:

9 (1) ~~[(a) All new, untitled current model year recreation vehicle inventory, acquired from~~
10 ~~the manufacturer, which has not been used (except for demonstration purposes), altered or~~
11 ~~damaged to the extent that such damage must be disclosed to the consumer pursuant to section~~
12 ~~407.1343, at one hundred percent of the net invoice cost, including transportation, less applicable~~
13 ~~rebates and discounts to the dealer; and~~

14 ~~—— (b) All new, untitled recreation vehicle inventory of the prior model year, acquired from~~
15 ~~the manufacturer, provided the prior model year vehicles have not been altered, used (except for~~
16 ~~demonstration purposes) or damaged to the extent that such damage must be disclosed to the~~
17 ~~consumer pursuant to section 407.1343, and were drafted on the dealer's financing source or paid~~
18 ~~within one hundred twenty days prior to the effective date of the termination, cancellation, or~~
19 ~~nonrenewal.~~

20
21 ~~In the event any of the vehicles repurchased pursuant to this subdivision are damaged, but do not~~
22 ~~trigger the consumer disclosure requirement, the amount due the dealer shall be reduced by the~~
23 ~~cost to repair the vehicle. Damage prior to delivery to dealer that is disclosed at the time of~~
24 ~~delivery will not disqualify repurchase under this provision] All new, untitled recreation~~
25 **vehicle inventory, acquired from the manufacturer in the previous eighteen months, which**
26 **has not been altered or damaged to the extent that such damage must be disclosed to the**
27 **consumer pursuant to section 407.1343, at one hundred percent of the net invoice cost,**
28 **including transportation, less applicable rebates and discounts to the dealer;**

29 (2) All current and undamaged manufacturer's accessories and proprietary parts sold to
30 the dealer for resale, if accompanied by the original invoice, at one hundred five percent of the
31 original net price paid to the manufacturer to compensate the dealer for handling, packing, and
32 shipping the parts; and

33 (3) Any fully and correctly functioning diagnostic equipment, special tools, current
34 signage and other equipment and machinery, at one hundred percent of the dealer's net cost plus
35 freight, destination, delivery and distribution charges and sales taxes, if any, provided it was
36 purchased by the dealer within five years before termination and upon the manufacturer's request
37 and can no longer be used in the normal course of the dealer's ongoing business.

38

39 The manufacturer shall pay the dealer within thirty days of receipt of ~~[the returned]~~ **all items**
40 **returned for repurchase under this section.**

577.001. As used in this chapter, the following terms mean:

2 (1) "Aggravated offender", a person who has been found guilty of:

3 (a) Three or more intoxication-related traffic offenses committed on separate occasions;

4 or

5 (b) Two or more intoxication-related traffic offenses committed on separate occasions
6 where at least one of the intoxication-related traffic offenses is an offense committed in violation
7 of any state law, county or municipal ordinance, any federal offense, or any military offense in
8 which the defendant was operating a vehicle while intoxicated and another person was injured
9 or killed;

10 (2) "Aggravated boating offender", a person who has been found guilty of:

11 (a) Three or more intoxication-related boating offenses; or

12 (b) Two or more intoxication-related boating offenses committed on separate occasions
13 where at least one of the intoxication-related boating offenses is an offense committed in
14 violation of any state law, county or municipal ordinance, any federal offense, or any military
15 offense in which the defendant was operating a vessel while intoxicated and another person was
16 injured or killed;

17 (3) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
18 off-highway use ~~[which is fifty inches or less in width]~~, with an unladen dry weight of one
19 thousand **five hundred** pounds or less, traveling on three, four or more ~~[low pressure]~~
20 **nonhighway** tires, with **either:**

21 (a) A seat designed to be straddled by the operator, or with a seat designed to carry more
22 than one person, and handlebars for steering control; **or**

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

25 (4) "Court", any circuit, associate circuit, or municipal court, including traffic court, but
26 not any juvenile court or treatment court;

27 (5) "Chronic offender", a person who has been found guilty of:

28 (a) Four or more intoxication-related traffic offenses committed on separate occasions;
29 or

30 (b) Three or more intoxication-related traffic offenses committed on separate occasions
31 where at least one of the intoxication-related traffic offenses is an offense committed in violation
32 of any state law, county or municipal ordinance, any federal offense, or any military offense in
33 which the defendant was operating a vehicle while intoxicated and another person was injured
34 or killed; or

35 (c) Two or more intoxication-related traffic offenses committed on separate occasions
36 where both intoxication-related traffic offenses were offenses committed in violation of any state
37 law, county or municipal ordinance, any federal offense, or any military offense in which the
38 defendant was operating a vehicle while intoxicated and another person was injured or killed;

39 (6) "Chronic boating offender", a person who has been found guilty of:

40 (a) Four or more intoxication-related boating offenses; or

41 (b) Three or more intoxication-related boating offenses committed on separate occasions
42 where at least one of the intoxication-related boating offenses is an offense committed in
43 violation of any state law, county or municipal ordinance, any federal offense, or any military
44 offense in which the defendant was operating a vessel while intoxicated and another person was
45 injured or killed; or

46 (c) Two or more intoxication-related boating offenses committed on separate occasions
47 where both intoxication-related boating offenses were offenses committed in violation of any
48 state law, county or municipal ordinance, any federal offense, or any military offense in which
49 the defendant was operating a vessel while intoxicated and another person was injured or killed;

50 (7) "Continuous alcohol monitoring", automatically testing breath, blood, or transdermal
51 alcohol concentration levels and tampering attempts at least once every hour, regardless of the
52 location of the person who is being monitored, and regularly transmitting the data. Continuous
53 alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of
54 section 217.690;

55 (8) "Controlled substance", a drug, substance, or immediate precursor in schedules I to
56 V listed in section 195.017;

57 (9) "Drive", "driving", "operates" or "operating", physically driving or operating a
58 vehicle or vessel;

59 (10) "Flight crew member", the pilot in command, copilots, flight engineers, and flight
60 navigators;

61 (11) "Habitual offender", a person who has been found guilty of:

62 (a) Five or more intoxication-related traffic offenses committed on separate occasions;

63 or

64 (b) Four or more intoxication-related traffic offenses committed on separate occasions
65 where at least one of the intoxication-related traffic offenses is an offense committed in violation
66 of any state law, county or municipal ordinance, any federal offense, or any military offense in
67 which the defendant was operating a vehicle while intoxicated and another person was injured
68 or killed; or

69 (c) Three or more intoxication-related traffic offenses committed on separate occasions
70 where at least two of the intoxication-related traffic offenses were offenses committed in
71 violation of any state law, county or municipal ordinance, any federal offense, or any military
72 offense in which the defendant was operating a vehicle while intoxicated and another person was
73 injured or killed;

74 (12) "Habitual boating offender", a person who has been found guilty of:

75 (a) Five or more intoxication-related boating offenses; or

76 (b) Four or more intoxication-related boating offenses committed on separate occasions
77 where at least one of the intoxication-related boating offenses is an offense committed in
78 violation of any state law, county or municipal ordinance, any federal offense, or any military
79 offense in which the defendant was operating a vessel while intoxicated and another person was
80 injured or killed; or

81 (c) Three or more intoxication-related boating offenses committed on separate occasions
82 where at least two of the intoxication-related boating offenses were offenses committed in
83 violation of any state law, county or municipal ordinance, any federal offense, or any military
84 offense in which the defendant was operating a vessel while intoxicated and another person was
85 injured or killed; or

86 (d) While boating while intoxicated, the defendant acted with criminal negligence to:

87 a. Cause the death of any person not a passenger in the vessel operated by the defendant,
88 including the death of an individual that results from the defendant's vessel leaving the water;

89 or

90 b. Cause the death of two or more persons; or

91 c. Cause the death of any person while he or she has a blood alcohol content of at least
92 eighteen-hundredths of one percent by weight of alcohol in such person's blood;

93 (13) "Intoxicated" or "intoxicated condition", when a person is under the influence of
94 alcohol, a controlled substance, or drug, or any combination thereof;

95 (14) "Intoxication-related boating offense", operating a vessel while intoxicated; boating
96 while intoxicated; operating a vessel with excessive blood alcohol content or an offense in which

97 the defendant was operating a vessel while intoxicated and another person was injured or killed
98 in violation of any state law, county or municipal ordinance, any federal offense, or any military
99 offense;

100 (15) "Intoxication-related traffic offense", driving while intoxicated, driving with
101 excessive blood alcohol content, driving under the influence of alcohol or drugs in violation of
102 a state law, county or municipal ordinance, any federal offense, or any military offense, or an
103 offense in which the defendant was operating a vehicle while intoxicated and another person was
104 injured or killed in violation of any state law, county or municipal ordinance, any federal offense,
105 or any military offense;

106 (16) "Law enforcement officer" or "arresting officer", includes the definition of law
107 enforcement officer in section 556.061 and military policemen conducting traffic enforcement
108 operations on a federal military installation under military jurisdiction in the state of Missouri;

109 (17) "Operate a vessel", to physically control the movement of a vessel in motion under
110 mechanical or sail power in water;

111 (18) "Persistent offender", a person who has been found guilty of:

112 (a) Two or more intoxication-related traffic offenses committed on separate occasions;
113 or

114 (b) One intoxication-related traffic offense committed in violation of any state law,
115 county or municipal ordinance, federal offense, or military offense in which the defendant was
116 operating a vehicle while intoxicated and another person was injured or killed;

117 (19) "Persistent boating offender", a person who has been found guilty of:

118 (a) Two or more intoxication-related boating offenses committed on separate occasions;
119 or

120 (b) One intoxication-related boating offense committed in violation of any state law,
121 county or municipal ordinance, federal offense, or military offense in which the defendant was
122 operating a vessel while intoxicated and another person was injured or killed;

123 (20) "Prior offender", a person who has been found guilty of one intoxication-related
124 traffic offense, where such prior offense occurred within five years of the occurrence of the
125 intoxication-related traffic offense for which the person is charged;

126 (21) "Prior boating offender", a person who has been found guilty of one
127 intoxication-related boating offense, where such prior offense occurred within five years of the
128 occurrence of the intoxication-related boating offense for which the person is charged.

**577.800. 1. A person commits the offense of unlawful use of unmanned aircraft
2 over an open-air facility if he or she purposely:**

3 **(1) Operates an unmanned aircraft within a vertical distance of four hundred feet**
4 **from the ground and within the property line of an open-air facility; or**

5 **(2) Uses an unmanned aircraft with the purpose of delivering to a person within an**
6 **open-air facility any object described in subdivision (1) or (2) of subsection 4 of this section.**

7 **2. For purposes of this section, "open-air facility" shall mean any sports, theater,**
8 **music, performing arts, or other entertainment facility with a capacity of five thousand**
9 **people or more and not completely enclosed by a roof or other structure.**

10 **3. The provisions of this section shall not prohibit the operation of an unmanned**
11 **aircraft by:**

12 **(1) An employee of an open-air facility at the direction of the president or chief**
13 **executive officer of the open-air facility;**

14 **(2) A person who has written consent from the president or chief executive officer**
15 **of the open-air facility;**

16 **(3) An employee of a law enforcement agency, fire department, or emergency**
17 **medical service in the exercise of official duties;**

18 **(4) A government official or employee in the exercise of official duties;**

19 **(5) A public utility or a rural electric cooperative if:**

20 **(a) The unmanned aircraft is used for the purpose of inspecting, repairing, or**
21 **maintaining utility transmission or distribution lines or other utility equipment or**
22 **infrastructure;**

23 **(b) The utility or cooperative notifies the open-air facility before flying the**
24 **unmanned aircraft, except during an emergency; and**

25 **(c) The person operating the unmanned aircraft does not physically enter the**
26 **prohibited space without an escort provided by the open-air facility; or**

27 **(6) An employee of a railroad in the exercise of official duties on any land owned**
28 **or operated by a railroad corporation regulated by the Federal Railroad Administration.**

29 **4. The offense of unlawful use of unmanned aircraft over an open-air facility shall**
30 **be punishable as a infraction unless the person uses an unmanned aircraft for:**

31 **(1) Delivering a gun, knife, weapon, or other article that may be used in such**
32 **manner to endanger the life of an employee or guest at an open-air facility, in which case**
33 **the offense is a class B felony; or**

34 **(2) Delivering a controlled substance, as that term is defined under section 195.010,**
35 **in which case the offense is a class D felony.**

36 **5. Each open-air facility shall post a sign warning of the provisions of this section.**
37 **The sign shall be at least eleven inches by fourteen inches and posted in a conspicuous**
38 **place.**

632.460. 1. A person commits the offense of unlawful use of unmanned aircraft
2 **over a mental health hospital if he or she purposely:**

3 **(1) Operates an unmanned aircraft within a vertical distance of four hundred feet**
4 **over the mental health hospital's property line; or**

5 **(2) Uses an unmanned aircraft to deliver to a person confined in a mental health**
6 **hospital any object described in subdivision (1) or (3) of subsection 6 of this section.**

7 **2. For the purposes of subsection 1 of this section, vertical distance extends from**
8 **ground level.**

9 **3. For purposes of this section, "mental health hospital" shall mean a facility**
10 **operated by the department of mental health to provide inpatient evaluation, treatment,**
11 **or care to persons suffering from a mental disorder, as defined under section 630.005;**
12 **mental illness, as defined under section 630.005; or mental abnormality, as defined under**
13 **section 632.480.**

14 **4. The provisions of this section shall not prohibit the operation of an unmanned**
15 **aircraft by:**

16 **(1) An employee of the mental health hospital at the direction of the chief**
17 **administrative officer of the mental health hospital;**

18 **(2) A person who has written consent from the chief administrative officer of the**
19 **mental health hospital;**

20 **(3) An employee of a law enforcement agency, fire department, or emergency**
21 **medical service in the exercise of official duties;**

22 **(4) A government official or employee in the exercise of official duties;**

23 **(5) A public utility or a rural electric cooperative if:**

24 **(a) The unmanned aircraft is used for the purpose of inspecting, repairing, or**
25 **maintaining utility transmission or distribution lines or other utility equipment or**
26 **infrastructure;**

27 **(b) The utility notifies the mental health hospital before flying the unmanned**
28 **aircraft, except during an emergency; and**

29 **(c) The person operating the unmanned aircraft does not physically enter the**
30 **prohibited space without an escort provided by the mental health hospital;**

31 **(6) An employee of a railroad in the exercise of official duties on any land owned**
32 **or operated by a railroad corporation regulated by the Federal Railway Administration;**
33 **or**

34 **(7) A person operating an unmanned aircraft pursuant to and in compliance with**
35 **any waiver issued by the Federal Aviation Authority under 14 C.F.R. Section 107.200.**

36 **5. Each mental health hospital shall post a sign warning of the provisions of this**
37 **section. The sign shall be at least eleven inches by fourteen inches and posted in a**
38 **conspicuous place.**

39 **6. The offense of unlawful use of unmanned aircraft over a mental health hospital**
40 **shall be punishable as an infraction unless the person uses an unmanned aircraft for the**
41 **purpose of:**

42 **(1) Delivering a gun, knife, weapon, or other article that may be used in such**
43 **manner to endanger the life of a patient or mental health hospital employee, in which case**
44 **the offense is a class B felony;**

45 **(2) Facilitating an escape from commitment or detention under section 575.195, in**
46 **which case the offense is a class C felony; or**

47 **(3) Delivering a controlled substance, as that term is defined under section 195.010,**
48 **in which case the offense is a class D felony.**

 Section B. The enactment of section 302.205 of this act shall become effective on July
2 31, 2021.

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