

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 568**  
**96TH GENERAL ASSEMBLY**

4756L.05C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 301.140, 301.147, and 304.022, RSMo, and to enact in lieu thereof three new sections relating to motor vehicle operation, with penalty provisions.

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

Section A. Sections 301.140, 301.147, and 304.022, RSMo, are repealed and three new  
2 sections enacted in lieu thereof, to be known as sections 301.140, 301.147, and 304.022, to read  
3 as follows:

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. As used in this subsection, the term "trade-in  
10 motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the  
11 newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or  
12 trailer are still valid.

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

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.

18 vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee  
19 of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less  
20 horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating  
21 capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

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

33 4. [Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made  
34 application for registration, by mail or otherwise, may operate the same for a period of thirty days  
35 after taking possession thereof, if during such period the motor vehicle or trailer shall have  
36 attached thereto, in the manner required by section 301.130, number plates issued to the dealer.  
37 Upon application and presentation of proof of financial responsibility as required under  
38 subsection 5 of this section and satisfactory evidence that the buyer has applied for registration,  
39 a dealer may furnish such number plates to the buyer for such temporary use. In such event, the  
40 dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to  
41 the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer  
42 such number plates within thirty days. The director shall issue a temporary permit authorizing  
43 the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of  
44 purchase.

45 5.] **The director of the department of revenue shall have authority to produce or**  
46 **allow others to produce a weather resistant, nontearing temporary permit authorizing the**  
47 **operation of a motor vehicle or trailer by a buyer for not more than thirty days from the**  
48 **date of purchase.** The temporary permit [shall be made available by the director of revenue  
49 and] **authorized under this section** may be purchased **by the purchaser of a motor vehicle or**  
50 **trailer from the central office of the department of revenue or from an authorized agent of**  
51 **the department of revenue** upon proof of purchase of a motor vehicle or trailer for which the  
52 buyer has no registration plate available for transfer and upon proof of financial responsibility,  
53 or from a **motor vehicle** dealer upon purchase of a motor vehicle or trailer for which the buyer

54 has no registration plate available for transfer, **or from a motor vehicle dealer upon purchase**  
55 **of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of**  
56 **registration plates.** The director [shall] **of the department of revenue or a producer**  
57 **authorized by the director of the department of revenue may** make temporary permits  
58 available to registered dealers in this state [or] , authorized agents of the department of revenue  
59 [in sets of ten permits] **or the department of revenue.** The [fee for the temporary permit shall  
60 be seven dollars and fifty cents for each permit or plate issued] **price paid by a motor vehicle**  
61 **dealer, an authorized agent of the department of revenue or the department of revenue for**  
62 **a temporary permit shall not exceed five dollars for each permit.** The director of the  
63 **department of revenue shall direct motor vehicle dealers and authorized agents to obtain**  
64 **temporary permits from an authorized producer. Amounts received by the director of the**  
65 **department of revenue for temporary permits shall constitute state revenue; however,**  
66 **amounts received by an authorized producer other than the director of the department of**  
67 **revenue shall not constitute state revenue and any amounts received by motor vehicle**  
68 **dealers or authorized agents for temporary permits purchased from a producer other than**  
69 **the director of the department of revenue shall not constitute state revenue. In no event**  
70 **shall revenues from the general revenue fund or any other state fund be utilized to**  
71 **compensate motor vehicle dealers or other producers for their role in producing temporary**  
72 **permits as authorized under this section. Amounts that do not constitute state revenue**  
73 **under this section shall also not constitute fees for registration or certificates of title to be**  
74 **collected by the director of the department of revenue under section 301.190. No motor**  
75 **vehicle dealer [or] , authorized agent or the department of revenue shall charge more than**  
76 [seven dollars and fifty cents] **five dollars** for each permit issued. The permit shall be valid for  
77 a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date  
78 of sale of the motor vehicle or trailer by a **motor vehicle** dealer for which the purchaser obtains  
79 a permit as set out above. No permit shall be issued for a vehicle under this section unless the  
80 buyer shows proof of financial responsibility. **Each temporary permit issued shall be securely**  
81 **fastened to the back or rear of the motor vehicle in a manner and place on the motor**  
82 **vehicle consistent with registration plates so that all parts and qualities of the temporary**  
83 **permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired**  
84 **in any way.**

85 [6.] **5.** The permit shall be issued on a form prescribed by the director **of the department**  
86 **of revenue** and issued only for the applicant's [use in the] **temporary** operation of the motor  
87 vehicle or trailer purchased to enable the applicant to [legally] **temporarily** operate the **motor**  
88 vehicle while proper title and registration [plate] **plates** are being obtained, **or while awaiting**  
89 **receipt of registration plates,** and shall be displayed on no other **motor** vehicle. Temporary

90 permits issued pursuant to this section shall not be transferable or renewable and shall not be  
91 valid upon issuance of proper registration plates for the motor vehicle or trailer. The director of  
92 **the department of revenue** shall determine the size [and] , **material, design**, numbering  
93 configuration, construction, and color of the permit. **The director of the department of**  
94 **revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the**  
95 **use of, a temporary permit previously and legally issued for a motor vehicle or trailer while**  
96 **proper title and registration are being obtained.**

97 [7. The dealer or authorized agent shall insert the date of issuance and expiration date,  
98 year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The  
99 dealer shall also insert such dealer's number on the permit.]

100 **6. Every motor vehicle** dealer that issues [a] temporary [permit] **permits** shall keep, for  
101 inspection [of] **by** proper officers, [a correct] **an accurate** record of each permit issued by  
102 recording the permit [or plate] number, **the motor vehicle dealer's number**, buyer's name and  
103 address, **the motor vehicle's** year, make, **and** manufacturer's vehicle identification number [on  
104 which the permit is to be used], and the **permit's** date of issuance **and expiration date. Upon**  
105 **the issuance of a temporary permit by either the central office of the department of**  
106 **revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the**  
107 **director of the department of revenue shall make the information associated with the**  
108 **issued temporary permit immediately available to the law enforcement community of the**  
109 **state of Missouri.**

110 [8.] 7. Upon the transfer of ownership of any currently registered motor vehicle wherein  
111 the owner cannot transfer the license plates due to a change of **motor** vehicle category, the owner  
112 may surrender the license plates issued to the motor vehicle and receive credit for any unused  
113 portion of the original registration fee against the registration fee of another motor vehicle. Such  
114 credit shall be granted based upon the date the license plates are surrendered. No refunds shall  
115 be made on the unused portion of any license plates surrendered for such credit.

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

125 **9. The provisions of this section shall become effective no later than July 1, 2013.**

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

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

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

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

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

304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

8           2. Upon approaching a stationary emergency vehicle displaying lighted red or red and  
9 blue lights, **or a stationary vehicle owned by the state highways and transportation**  
10 **commission and operated by an authorized employee of the department of transportation**  
11 **displaying lighted amber or amber and white lights**, the driver of every motor vehicle shall:

12           (1) Proceed with caution and yield the right-of-way, if possible with due regard to safety  
13 and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary  
14 vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the  
15 same direction as the approaching vehicle; or

16           (2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe  
17 speed for road conditions, if changing lanes would be unsafe or impossible.

18           3. The motorman of every streetcar shall immediately stop such car clear of any  
19 intersection and keep it in such position until the emergency vehicle has passed, except as  
20 otherwise directed by a police or traffic officer.

21           4. An "emergency vehicle" is a vehicle of any of the following types:

22           (1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri  
23 capitol police, a conservation agent, or a state park ranger, those vehicles operated by  
24 enforcement personnel of the state highways and transportation commission, police or fire  
25 department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to  
26 carry firearms and to make arrests for violations of the laws of the United States, traffic officer  
27 or coroner or by a privately owned emergency vehicle company;

28           (2) A vehicle operated as an ambulance or operated commercially for the purpose of  
29 transporting emergency medical supplies or organs;

30           (3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

31           (4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or  
32 public service corporation while performing emergency service;

33           (5) Any vehicle transporting equipment designed to extricate human beings from the  
34 wreckage of a motor vehicle;

35           (6) Any vehicle designated to perform emergency functions for a civil defense or  
36 emergency management agency established pursuant to the provisions of chapter 44;

37           (7) Any vehicle operated by an authorized employee of the department of corrections  
38 who, as part of the employee's official duties, is responding to a riot, disturbance, hostage  
39 incident, escape or other critical situation where there is the threat of serious physical injury or  
40 death, responding to mutual aid call from another criminal justice agency, or in accompanying  
41 an ambulance which is transporting an offender to a medical facility;

42           (8) Any vehicle designated to perform hazardous substance emergency functions  
43 established pursuant to the provisions of sections 260.500 to 260.550; **or**

44           **(9) Any vehicle owned by the state highways and transportation commission and**  
45 **operated by an authorized employee of the department of transportation that is marked**  
46 **as a department of transportation emergency response or motorist assistance vehicle.**

47           5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound  
48 the siren thereon or have the front red lights or blue lights on except when such vehicle is  
49 responding to an emergency call or when in pursuit of an actual or suspected law violator, or  
50 when responding to, but not upon returning from, a fire.

51           (2) The driver of an emergency vehicle may:

52           (a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;

53           (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be  
54 necessary for safe operation;

55           (c) Exceed the prima facie speed limit so long as the driver does not endanger life or  
56 property;

57           (d) Disregard regulations governing direction of movement or turning in specified  
58 directions.

59           (3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this  
60 subsection shall apply only when the driver of any such vehicle while in motion sounds audible  
61 signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle  
62 is equipped with at least one lighted lamp displaying a red light or blue light visible under normal  
63 atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

64           6. No person shall purchase an emergency light as described in this section without  
65 furnishing the seller of such light an affidavit stating that the light will be used exclusively for  
66 emergency vehicle purposes.

67           7. Violation of this section shall be deemed a class A misdemeanor.

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