

CONFERENCE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 147

AN ACT

To repeal sections 32.056, 136.055, 144.070, 300.155, 301.010, 301.020, 301.030, 301.032, 301.067, 301.191, 302.020, 302.170, 302.341, 302.720, 302.768, 304.153, 304.281, and 307.350, RSMo, and to enact in lieu thereof twenty new sections relating to motor vehicles, with penalty provisions and an effective date for certain sections.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A. Sections 32.056, 136.055, 144.070, 300.155,
2 301.010, 301.020, 301.030, 301.032, 301.067, 301.191, 302.020,
3 302.170, 302.341, 302.720, 302.768, 304.153, 304.281, and
4 307.350, RSMo, are repealed and twenty new sections enacted in
5 lieu thereof, to be known as sections 32.056, 32.303, 136.055,
6 144.070, 300.155, 301.010, 301.020, 301.030, 301.032, 301.067,
7 301.191, 302.020, 302.026, 302.170, 302.341, 302.720, 302.768,
8 304.153, 304.281, and 307.350, to read as follows:

9 32.056. Except for uses permitted under 18 U.S.C. Section
10 2721(b)(1), the department of revenue shall not release the home
11 address of or any information that identifies any vehicle owned
12 or leased by any person who is a county, state or federal parole

1 officer[,]; a federal pretrial officer[,]; a peace officer
2 pursuant to section 590.010[,]; a person employed by the Missouri
3 department of corrections; any jailer or corrections officer of
4 the state or any political subdivision of the state; a person
5 vested by Article V, Section 1 of the Missouri Constitution with
6 the judicial power of the state[,]; a member of the federal
7 judiciary[,]; or a member of such person's immediate family
8 contained in the department's motor vehicle or driver
9 registration records, based on a specific request for such
10 information from any person. Any such person may notify the
11 department of his or her status and the department shall protect
12 the confidentiality of the home address and vehicle records on
13 such a person and his or her immediate family as required by this
14 section. This section shall not prohibit the department from
15 releasing information on a motor registration list pursuant to
16 section 32.055 or from releasing information on any officer who
17 holds a class A, B or C commercial driver's license pursuant to
18 the Motor Carrier Safety Improvement Act of 1999, as amended, 49
19 U.S.C. 31309.

20 32.303. 1. Notwithstanding any biometric data restrictions
21 contained in section 302.170, the department of revenue is hereby
22 authorized to design and implement a secure digital driver's
23 license program that allows applicants applying for a driver's
24 license under chapter 302 to obtain a secure digital driver's
25 license in addition to the physical card-based driver's license.

26 2. (1) A digital driver's license issued under this
27 section shall be acceptable for all purposes for which a license,
28 as defined in section 302.010, is used.

1 (2) The department may contract with one or more entities
2 to develop the secure digital driver's license system. The
3 department or entity may develop a mobile software application
4 capable of being utilized through a person's electronic device to
5 access an electronic image of the person's secure digital
6 driver's license.

7 (3) The department shall suspend, disable, or terminate a
8 person's participation in the secure digital driver's license
9 program if:

10 (a) The person's driving privilege is suspended, revoked,
11 denied, withdrawn, or cancelled as provided in chapter 302; or

12 (b) The person reports that his or her electronic device
13 has been lost, stolen, or compromised.

14 3. The department of revenue may promulgate rules necessary
15 to implement the provisions of this section. Any rule or portion
16 of a rule, as that term is defined in section 536.010, that is
17 created under the authority delegated in this section shall
18 become effective only if it complies with and is subject to all
19 of the provisions of chapter 536, and, if applicable, section
20 536.028. This section and chapter 536 are nonseverable, and if
21 any of the powers vested with the general assembly pursuant to
22 chapter 536 to review, to delay the effective date, or to
23 disapprove and annul a rule are subsequently held
24 unconstitutional, then the grant of rulemaking authority and any
25 rule proposed or adopted after August 28, 2019, shall be invalid
26 and void.

27 4. The provisions of this section shall be subject to
28 appropriation.

1 136.055. 1. Any person who is selected or appointed by the
2 state director of revenue as provided in subsection 2 of this
3 section to act as an agent of the department of revenue, whose
4 duties shall be the processing of motor vehicle title and
5 registration transactions and the collection of sales and use
6 taxes when required under sections 144.070 and 144.440, and who
7 receives no salary from the department of revenue, shall be
8 authorized to collect from the party requiring such services
9 additional fees as compensation in full and for all services
10 rendered on the following basis:

11 (1) For each motor vehicle or trailer registration issued,
12 renewed, or ~~[transferred-three]~~ transferred, six dollars [and
13 fifty cents] and ~~[seven]~~ twelve dollars for those licenses sold
14 or biennially renewed pursuant to section 301.147;

15 (2) For each application or transfer of ~~[title-two]~~ title,
16 six dollars [and fifty cents];

17 (3) For each instruction permit, nondriver license,
18 chauffeur's, operator's, or driver's license issued for a period
19 of three years or ~~[less-two]~~ less, six dollars [and fifty cents]
20 and ~~[five]~~ twelve dollars for licenses or instruction permits
21 issued or renewed for a period exceeding three years;

22 (4) For each notice of lien ~~[processed-two]~~ processed, six
23 dollars [and fifty cents];

24 (5) ~~[No]~~ Notary fee or ~~[other fee or additional charge~~
25 shall be paid or collected except for] electronic ~~[telephone]~~
26 transmission ~~[reception-two]~~ per processing, two dollars.

27 2. The director of revenue shall award fee office contracts
28 under this section through a competitive bidding process. The

1 competitive bidding process shall give priority to organizations
2 and entities that are exempt from taxation under Section
3 501(c)(3), 501(c)(6), or 501(c)(4), except those civic
4 organizations that would be considered action organizations under
5 26 C.F.R. Section 1.501(c)(3)-1(c)(3), of the Internal Revenue
6 Code of 1986, as amended, with special consideration given to
7 those organizations and entities that reinvest a minimum of
8 seventy-five percent of the net proceeds to charitable
9 organizations in Missouri, and political subdivisions, including
10 but not limited to, municipalities, counties, and fire protection
11 districts. Points shall be allocated based upon the distance of
12 an applicant's residential address, provided on his or her
13 Missouri income tax form, from the fee license office in which he
14 or she seeks an ownership interest in the following manner:

15 (1) If located less than thirty-five miles from the license
16 office address, then an additional twenty percent of total points
17 available;

18 (2) If located thirty-five miles or more, but less than
19 seventy-five miles from the license office address, then an
20 additional ten percent of total points available; and

21 (3) If located seventy-five miles or more from the license
22 office address, then no additional points shall be awarded.

23
24 The director of the department of revenue may promulgate rules
25 and regulations necessary to carry out the provisions of this
26 subsection. Any rule or portion of a rule, as that term is
27 defined in section 536.010, that is created under the authority
28 delegated in this subsection shall become effective only if it

1 complies with and is subject to all of the provisions of chapter
2 536 and, if applicable, section 536.028. This section and
3 chapter 536 are nonseverable and if any of the powers vested with
4 the general assembly pursuant to chapter 536 to review, to delay
5 the effective date, or to disapprove and annul a rule are
6 subsequently held unconstitutional, then the grant of rulemaking
7 authority and any rule proposed or adopted after August 28, 2009,
8 shall be invalid and void.

9 3. All fees collected by a tax-exempt organization may be
10 retained and used by the organization.

11 4. All fees charged shall not exceed those in this section.
12 The fees imposed by this section shall be collected by all
13 permanent offices and all full-time or temporary offices
14 maintained by the department of revenue.

15 5. Any person acting as agent of the department of revenue
16 for the sale and issuance of registrations, licenses, and other
17 documents related to motor vehicles shall have an insurable
18 interest in all license plates, licenses, tabs, forms and other
19 documents held on behalf of the department.

20 6. The fees authorized by this section shall not be
21 collected by motor vehicle dealers acting as agents of the
22 department of revenue under section 32.095 or those motor vehicle
23 dealers authorized to collect and remit sales tax under
24 subsection 8 of section 144.070.

25 7. Notwithstanding any other provision of law to the
26 contrary, the state auditor may audit all records maintained and
27 established by the fee office in the same manner as the auditor
28 may audit any agency of the state, and the department shall

1 ensure that this audit requirement is a necessary condition for
2 the award of all fee office contracts. No confidential records
3 shall be divulged in such a way to reveal personally identifiable
4 information.

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

27 2. As used in subsection 1 of this section, the term
28 "purchase price" shall mean the total amount of the contract

1 price agreed upon between the seller and the applicant in the
2 acquisition of the motor vehicle, trailer, boat, or outboard
3 motor, regardless of the medium of payment therefor.

4 3. In the event that the purchase price is unknown or
5 undisclosed, or that the evidence thereof is not satisfactory to
6 the director of revenue, the same shall be fixed by appraisalment
7 by the director.

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

14 5. Any person, company, or corporation engaged in the
15 business of renting or leasing motor vehicles, trailers, boats,
16 or outboard motors, which are to be used exclusively for rental
17 or lease purposes, and not for resale, may apply to the director
18 of revenue for authority to operate as a leasing or rental
19 company and pay an annual fee of two hundred fifty dollars for
20 such authority. Any company approved by the director of revenue
21 may pay the tax due on any motor vehicle, trailer, boat, or
22 outboard motor as required in section 144.020 at the time of
23 registration thereof or in lieu thereof may pay a sales tax as
24 provided in sections 144.010, 144.020, 144.070 and 144.440. A
25 sales tax shall be charged to and paid by a leasing company which
26 does not exercise the option of paying in accordance with section
27 144.020, on the amount charged for each rental or lease agreement
28 while the motor vehicle, trailer, boat, or outboard motor is

1 domiciled in this state. Any motor vehicle, trailer, boat, or
2 outboard motor which is leased as the result of a contract
3 executed in this state shall be presumed to be domiciled in this
4 state.

5 6. Every applicant to be a lease or rental company shall
6 furnish with the application a corporate surety bond or
7 irrevocable letter of credit, as defined in section 400.5-102,
8 issued by any state or federal financial institution in the penal
9 sum of one hundred thousand dollars, on a form approved by the
10 department. The bond or irrevocable letter of credit shall be
11 conditioned upon the lease or rental company complying with the
12 provisions of any statutes applicable to lease or rental
13 companies, and the bond shall be an indemnity for any loss
14 sustained by reason of the acts of the person bonded when such
15 acts constitute grounds for the suspension or revocation of the
16 lease or rental license. The bond shall be executed in the name
17 of the state of Missouri for the benefit of all aggrieved parties
18 or the irrevocable letter of credit shall name the state of
19 Missouri as the beneficiary; except that, the aggregate liability
20 of the surety or financial institution to the aggrieved parties
21 shall, in no event, exceed the amount of the bond or irrevocable
22 letter of credit. The proceeds of the bond or irrevocable letter
23 of credit shall be paid upon receipt by the department of a final
24 judgment from a Missouri court of competent jurisdiction against
25 the principal and in favor of an aggrieved party.

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

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

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

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

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

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

16 [7.] 8. If the owner of any motor vehicle, trailer, boat,
17 or outboard motor desires to charge and collect sales tax as
18 provided in this section, the owner shall make application to the
19 director of revenue for a permit to operate as a motor vehicle,
20 trailer, boat, or outboard motor leasing company. The director
21 of revenue shall promulgate rules and regulations determining the
22 qualifications of such a company, and the method of collection
23 and reporting of sales tax charged and collected. Such
24 regulations shall apply only to owners of motor vehicles,
25 trailers, boats, or outboard motors, electing to qualify as motor
26 vehicle, trailer, boat, or outboard motor leasing companies under
27 the provisions of subsection 5 of this section, and no motor
28 vehicle renting or leasing, trailer renting or leasing, or boat

1 or outboard motor renting or leasing company can come under
2 sections 144.010, 144.020, 144.070 and 144.440 unless all motor
3 vehicles, trailers, boats, and outboard motors held for renting
4 and leasing are included.

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

12 [8.] 10. Beginning July 1, 2010, any motor vehicle dealer
13 licensed under section 301.560 engaged in the business of selling
14 motor vehicles or trailers may apply to the director of revenue
15 for authority to collect and remit the sales tax required under
16 this section on all motor vehicles sold by the motor vehicle
17 dealer. A motor vehicle dealer receiving authority to collect
18 and remit the tax is subject to all provisions under sections
19 144.010 to 144.525. Any motor vehicle dealer authorized to
20 collect and remit sales taxes on motor vehicles under this
21 subsection shall be entitled to deduct and retain an amount equal
22 to two percent of the motor vehicle sales tax pursuant to section
23 144.140. Any amount of the tax collected under this subsection
24 that is retained by a motor vehicle dealer pursuant to section
25 144.140 shall not constitute state revenue. In no event shall
26 revenues from the general revenue fund or any other state fund be
27 utilized to compensate motor vehicle dealers for their role in
28 collecting and remitting sales taxes on motor vehicles. In the

1 event this subsection or any portion thereof is held to violate
2 Article IV, Section 30(b) of the Missouri Constitution, no motor
3 vehicle dealer shall be authorized to collect and remit sales
4 taxes on motor vehicles under this section. No motor vehicle
5 dealer shall seek compensation from the state of Missouri or its
6 agencies if a court of competent jurisdiction declares that the
7 retention of two percent of the motor vehicle sales tax is
8 unconstitutional and orders the return of such revenues.

9 300.155. Whenever traffic is controlled by traffic control
10 signals exhibiting different colored lights, or colored lighted
11 arrows, successively one at a time or in combination, only the
12 colors green, red and yellow shall be used, except for special
13 pedestrian signals carrying a word legend, and said lights shall
14 indicate and apply to drivers of vehicles and pedestrians as
15 follows:

16 (1) Green indication

17 (a) Vehicular traffic facing a circular green signal may
18 proceed straight through or turn right or left unless a sign at
19 such place prohibits either such turn. But vehicular traffic,
20 including vehicles turning right or left, shall yield the right-
21 of-way to other vehicles and to pedestrians lawfully within the
22 intersection or an adjacent crosswalk at the time such signal is
23 exhibited;

24 (b) Vehicular traffic facing a green arrow signal, shown
25 alone or in combination with another indication, may cautiously
26 enter the intersection only to make the movement indicated by
27 such arrow, or such other movement as is permitted by other
28 indications shown at the same time. Such vehicular traffic shall

1 yield the right-of-way to pedestrians lawfully within an adjacent
2 crosswalk and to other traffic lawfully using the intersection;

3 (c) Unless otherwise directed by a pedestrian control
4 signal as provided in section 300.160, pedestrians facing any
5 green signal, except when the sole green signal is a turn arrow,
6 may proceed across the roadway within any marked or unmarked
7 crosswalk.

8 (2) Steady yellow indication

9 (a) Vehicular traffic facing a steady yellow signal is
10 thereby warned that the related green movement is being
11 terminated or that a red indication will be exhibited immediately
12 thereafter when vehicular traffic shall not enter the
13 intersection;

14 (b) Pedestrians facing a steady yellow signal, unless
15 otherwise directed by a pedestrian control signal as provided in
16 section 300.160, are thereby advised that there is insufficient
17 time to cross the roadway before a red indication is shown and no
18 pedestrian shall then start to cross the roadway.

19 (3) Steady red indication

20 (a) Vehicular traffic facing a steady red signal alone
21 shall stop before entering the crosswalk on the near side of the
22 intersection or, if none, then before entering the intersection
23 and shall remain standing until a green indication is shown
24 except as provided in paragraph (b) of this subdivision;

25 (b) The driver of a vehicle which is stopped as close as
26 practicable at the entrance to the crosswalk on the near side of
27 the intersection or, if none, then at the entrance to the
28 intersection in obedience to a red signal, may cautiously enter

1 the intersection to make a right turn but shall yield the right-
2 of-way to pedestrians and other traffic proceeding as directed by
3 the signal at the intersection, except that the state highways
4 and transportation commission with reference to an intersection
5 involving a state highway, and local authorities with reference
6 to an intersection involving other highways under their
7 jurisdiction, may prohibit any such right turn against a red
8 signal at any intersection where safety conditions so require,
9 said prohibition shall be effective when a sign is erected at
10 such intersection giving notice thereof;

11 (c) The driver of a vehicle which is in the left-most lane
12 on a one-way street and stopped as close as practicable at the
13 entrance to the crosswalk on the near side of the intersection
14 or, if none, then at the entrance to the intersection in
15 obedience to a red signal, may cautiously enter the intersection
16 to make a left turn onto a one-way street but shall yield the
17 right-of-way to pedestrians and other traffic proceeding as
18 directed by the signal at the intersection, except that the state
19 highways and transportation commission with reference to an
20 intersection involving a state highway, and local authorities
21 with reference to an intersection involving other highways under
22 their jurisdiction, may prohibit any such left turn against a red
23 signal at any intersection where safety conditions so require and
24 such prohibition shall be effective when a sign is erected at
25 such intersection giving notice thereof;

26 (d) Unless otherwise directed by a pedestrian control
27 signal as provided in section 300.160, pedestrians facing a
28 steady red signal alone shall not enter the roadway.

1 (4) In the event an official traffic control signal is
2 erected and maintained at a place other than an intersection, the
3 provisions of this section shall be applicable except as to those
4 provisions which by their nature can have no application. Any
5 stop required shall be made at a sign or marking on the pavement
6 indicating where the stop shall be made, but in the absence of
7 any such sign or marking the stop shall be made at the signal.

8 301.010. As used in this chapter and sections 304.010 to
9 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the
10 following terms mean:

11 (1) "All-terrain vehicle", any motorized vehicle
12 manufactured and used exclusively for off-highway use which is
13 fifty inches or less in width, with an unladen dry weight of one
14 thousand five hundred pounds or less, traveling on three, four or
15 more nonhighway tires;

16 (2) "Autocycle", a three-wheeled motor vehicle which the
17 drivers and passengers ride in a partially or completely enclosed
18 nonstraddle seating area[, that is designed to be controlled with
19 a steering wheel and pedals,] and that has met applicable
20 Department of Transportation National Highway Traffic Safety
21 Administration requirements or federal motorcycle safety
22 standards;

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

27 (4) "Axle load", the total load transmitted to the road by
28 all wheels whose centers are included between two parallel

1 transverse vertical planes forty inches apart, extending across
2 the full width of the vehicle;

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

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

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

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

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

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

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

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

1 (13) "Driveaway operation":

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

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

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

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

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

27 (16) "Fleet", any group of ten or more motor vehicles owned
28 by the same owner;

- 1 (17) "Fleet vehicle", a motor vehicle which is included as
2 part of a fleet;
- 3 (18) "Fullmount", a vehicle mounted completely on the frame
4 of either the first or last vehicle in a saddlemount combination;
- 5 (19) "Gross weight", the weight of vehicle and/or vehicle
6 combination without load, plus the weight of any load thereon;
- 7 (20) "Hail-damaged vehicle", any vehicle, the body of which
8 has become dented as the result of the impact of hail;
- 9 (21) "Highway", any public thoroughfare for vehicles,
10 including state roads, county roads and public streets, avenues,
11 boulevards, parkways or alleys in any municipality;
- 12 (22) "Improved highway", a highway which has been paved
13 with gravel, macadam, concrete, brick or asphalt, or surfaced in
14 such a manner that it shall have a hard, smooth surface;
- 15 (23) "Intersecting highway", any highway which joins
16 another, whether or not it crosses the same;
- 17 (24) "Junk vehicle", a vehicle which:
- 18 (a) Is incapable of operation or use upon the highways and
19 has no resale value except as a source of parts or scrap; or
- 20 (b) Has been designated as junk or a substantially
21 equivalent designation by this state or any other state;
- 22 (25) "Kit vehicle", a motor vehicle assembled by a person
23 other than a generally recognized manufacturer of motor vehicles
24 by the use of a glider kit or replica purchased from an
25 authorized manufacturer and accompanied by a manufacturer's
26 statement of origin;
- 27 (26) "Land improvement contractors' commercial motor
28 vehicle", any not-for-hire commercial motor vehicle the operation

1 of which is confined to:

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

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

12

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

16 (27) "Local commercial motor vehicle", a commercial motor
17 vehicle whose operations are confined to a municipality and that
18 area extending not more than fifty miles therefrom, or a
19 commercial motor vehicle whose property-carrying operations are
20 confined solely to the transportation of property owned by any
21 person who is the owner or operator of such vehicle to or from a
22 farm owned by such person or under the person's control by virtue
23 of a landlord and tenant lease; provided that any such property
24 transported to any such farm is for use in the operation of such
25 farm;

26 (28) "Local log truck", a commercial motor vehicle which is
27 registered pursuant to this chapter to operate as a motor vehicle
28 on the public highways of this state, used exclusively in this

1 state, used to transport harvested forest products, operated
2 solely at a forested site and in an area extending not more than
3 a one hundred mile radius from such site, carries a load with
4 dimensions not in excess of twenty-five cubic yards per two axles
5 with dual wheels, and when operated on the national system of
6 interstate and defense highways described in 23 U.S.C. Section
7 103, as amended, or outside the one hundred mile radius from such
8 site with an extended distance local log truck permit, such
9 vehicle shall not exceed the weight limits of section 304.180,
10 does not have more than four axles, and does not pull a trailer
11 which has more than three axles. Harvesting equipment which is
12 used specifically for cutting, felling, trimming, delimiting,
13 debarking, chipping, skidding, loading, unloading, and stacking
14 may be transported on a local log truck. A local log truck may
15 not exceed the limits required by law, however, if the truck does
16 exceed such limits as determined by the inspecting officer, then
17 notwithstanding any other provisions of law to the contrary, such
18 truck shall be subject to the weight limits required by such
19 sections as licensed for eighty thousand pounds;

20 (29) "Local log truck tractor", a commercial motor vehicle
21 which is registered under this chapter to operate as a motor
22 vehicle on the public highways of this state, used exclusively in
23 this state, used to transport harvested forest products, operated
24 at a forested site and in an area extending not more than a one
25 hundred mile radius from such site, operates with a weight not
26 exceeding twenty-two thousand four hundred pounds on one axle or
27 with a weight not exceeding forty-four thousand eight hundred
28 pounds on any tandem axle, and when operated on the national

1 system of interstate and defense highways described in 23 U.S.C.
2 Section 103, as amended, or outside the one hundred mile radius
3 from such site with an extended distance local log truck permit,
4 such vehicle does not exceed the weight limits contained in
5 section 304.180, and does not have more than three axles and does
6 not pull a trailer which has more than three axles. Violations
7 of axle weight limitations shall be subject to the load limit
8 penalty as described for in sections 304.180 to 304.220;

9 (30) "Local transit bus", a bus whose operations are
10 confined wholly within a municipal corporation, or wholly within
11 a municipal corporation and a commercial zone, as defined in
12 section 390.020, adjacent thereto, forming a part of a public
13 transportation system within such municipal corporation and such
14 municipal corporation and adjacent commercial zone;

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

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

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

28 (34) "Motor change vehicle", a vehicle manufactured prior

1 to August, 1957, which receives a new, rebuilt or used engine,
2 and which used the number stamped on the original engine as the
3 vehicle identification number;

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

6 (36) "Motor vehicle primarily for business use", any
7 vehicle other than a recreational motor vehicle, motorcycle,
8 motortricycle, or any commercial motor vehicle licensed for over
9 twelve thousand pounds:

10 (a) Offered for hire or lease; or

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

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

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

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

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

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

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

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

8 (44) "Owner", any person, firm, corporation or association,
9 who holds the legal title to a vehicle or in the event a vehicle
10 is the subject of an agreement for the conditional sale or lease
11 thereof with the right of purchase upon performance of the
12 conditions stated in the agreement and with an immediate right of
13 possession vested in the conditional vendee or lessee, or in the
14 event a mortgagor of a vehicle is entitled to possession, then
15 such conditional vendee or lessee or mortgagor shall be deemed
16 the owner;

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

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

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

1 (48) "Recreational motor vehicle", any motor vehicle
2 designed, constructed or substantially modified so that it may be
3 used and is used for the purposes of temporary housing quarters,
4 including therein sleeping and eating facilities which are either
5 permanently attached to the motor vehicle or attached to a unit
6 which is securely attached to the motor vehicle. Nothing herein
7 shall prevent any motor vehicle from being registered as a
8 commercial motor vehicle if the motor vehicle could otherwise be
9 so registered;

10 (49) "Recreational off-highway vehicle", any motorized
11 vehicle manufactured and used exclusively for off-highway use
12 which is more than fifty inches but no more than sixty-seven
13 inches in width, with an unladen dry weight of two thousand
14 pounds or less, traveling on four or more nonhighway tires and
15 which may have access to ATV trails;

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

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

26 [(51)] (52) "Saddlemount combination", a combination of
27 vehicles in which a truck or truck tractor tows one or more
28 trucks or truck tractors, each connected by a saddle to the frame

1 or fifth wheel of the vehicle in front of it. The "saddle" is a
2 mechanism that connects the front axle of the towed vehicle to
3 the frame or fifth wheel of the vehicle in front and functions
4 like a fifth wheel kingpin connection. When two vehicles are
5 towed in this manner the combination is called a "double
6 saddlemount combination". When three vehicles are towed in this
7 manner, the combination is called a "triple saddlemount
8 combination";

9 [(52)] (53) "Salvage dealer and dismantler", a business
10 that dismantles used motor vehicles for the sale of the parts
11 thereof, and buys and sells used motor vehicle parts and
12 accessories;

13 [(53)] (54) "Salvage vehicle", a motor vehicle,
14 semitrailer, or house trailer which:

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

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

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

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

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

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

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

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

20 [(54)] (55) "School bus", any motor vehicle used solely to
21 transport students to or from school or to transport students to
22 or from any place for educational purposes;

23 [(55)] (56) "Scrap processor", a business that, through the
24 use of fixed or mobile equipment, flattens, crushes, or otherwise
25 accepts motor vehicles and vehicle parts for processing or
26 transportation to a shredder or scrap metal operator for
27 recycling;

28 [(56)] (57) "Shuttle bus", a motor vehicle used or

1 maintained by any person, firm, or corporation as an incidental
2 service to transport patrons or customers of the regular business
3 of such person, firm, or corporation to and from the place of
4 business of the person, firm, or corporation providing the
5 service at no fee or charge. Shuttle buses shall not be
6 registered as buses or as commercial motor vehicles;

7 [(57)] (58) "Special mobile equipment", every self-
8 propelled vehicle not designed or used primarily for the
9 transportation of persons or property and incidentally operated
10 or moved over the highways, including farm equipment, implements
11 of husbandry, road construction or maintenance machinery, ditch-
12 digging apparatus, stone crushers, air compressors, power
13 shovels, cranes, graders, rollers, well-drillers and wood-sawing
14 equipment used for hire, asphalt spreaders, bituminous mixers,
15 bucket loaders, ditchers, leveling graders, finished machines,
16 motor graders, road rollers, scarifiers, earth-moving carryalls,
17 scrapers, drag lines, concrete pump trucks, rock-drilling and
18 earth-moving equipment. This enumeration shall be deemed partial
19 and shall not operate to exclude other such vehicles which are
20 within the general terms of this section;

21 [(58)] (59) "Specially constructed motor vehicle", a motor
22 vehicle which shall not have been originally constructed under a
23 distinctive name, make, model or type by a manufacturer of motor
24 vehicles. The term specially constructed motor vehicle includes
25 kit vehicles;

26 [(59)] (60) "Stinger-steered combination", a truck tractor-
27 semitrailer wherein the fifth wheel is located on a drop frame
28 located behind and below the rearmost axle of the power unit;

1 [(60)] (61) "Tandem axle", a group of two or more axles,
2 arranged one behind another, the distance between the extremes of
3 which is more than forty inches and not more than ninety-six
4 inches apart;

5 [(61)] (62) "Towaway trailer transporter combination", a
6 combination of vehicles consisting of a trailer transporter
7 towing unit and two trailers or semitrailers, with a total weight
8 that does not exceed twenty-six thousand pounds; and in which the
9 trailers or semitrailers carry no property and constitute
10 inventory property of a manufacturer, distributor, or dealer of
11 such trailers or semitrailers;

12 [(62)] (63) "Tractor", "truck tractor" or "truck-tractor",
13 a self-propelled motor vehicle designed for drawing other
14 vehicles, but not for the carriage of any load when operating
15 independently. When attached to a semitrailer, it supports a
16 part of the weight thereof;

17 [(63)] (64) "Trailer", any vehicle without motive power
18 designed for carrying property or passengers on its own structure
19 and for being drawn by a self-propelled vehicle, except those
20 running exclusively on tracks, including a semitrailer or vehicle
21 of the trailer type so designed and used in conjunction with a
22 self-propelled vehicle that a considerable part of its own weight
23 rests upon and is carried by the towing vehicle. The term
24 trailer shall not include cotton trailers as defined in this
25 section and shall not include manufactured homes as defined in
26 section 700.010;

27 [(64)] (65) "Trailer transporter towing unit", a power unit
28 that is not used to carry property when operating in a towaway

1 trailer transporter combination;

2 [(65)] (66) "Truck", a motor vehicle designed, used, or
3 maintained for the transportation of property;

4 [(66)] (67) "Truck-tractor semitrailer-semitrailer", a
5 combination vehicle in which the two trailing units are connected
6 with a B-train assembly which is a rigid frame extension attached
7 to the rear frame of a first semitrailer which allows for a
8 fifth-wheel connection point for the second semitrailer and has
9 one less articulation point than the conventional A-dolly
10 connected truck-tractor semitrailer-trailer combination;

11 [(67)] (68) "Truck-trailer boat transporter combination", a
12 boat transporter combination consisting of a straight truck
13 towing a trailer using typically a ball and socket connection
14 with the trailer axle located substantially at the trailer center
15 of gravity rather than the rear of the trailer but so as to
16 maintain a downward force on the trailer tongue;

17 [(68)] (69) "Used parts dealer", a business that buys and
18 sells used motor vehicle parts or accessories, but not including
19 a business that sells only new, remanufactured or rebuilt parts.
20 Business does not include isolated sales at a swap meet of less
21 than three days;

22 [(69)] (70) "Utility vehicle", any motorized vehicle
23 manufactured and used exclusively for off-highway use which is
24 more than fifty inches but no more than sixty-seven inches in
25 width, with an unladen dry weight of two thousand pounds or less,
26 traveling on four or six wheels, to be used primarily for
27 landscaping, lawn care, or maintenance purposes;

28 [(70)] (71) "Vanpool", any van or other motor vehicle used

1 or maintained by any person, group, firm, corporation,
2 association, city, county or state agency, or any member thereof,
3 for the transportation of not less than eight nor more than
4 forty-eight employees, per motor vehicle, to and from their place
5 of employment; however, a vanpool shall not be included in the
6 definition of the term bus or commercial motor vehicle as defined
7 in this section, nor shall a vanpool driver be deemed a chauffeur
8 as that term is defined by section 303.020; nor shall use of a
9 vanpool vehicle for ride-sharing arrangements, recreational,
10 personal, or maintenance uses constitute an unlicensed use of the
11 motor vehicle, unless used for monetary profit other than for use
12 in a ride-sharing arrangement;

13 [(71)] (72) "Vehicle", any mechanical device on wheels,
14 designed primarily for use, or used, on highways, except
15 motorized bicycles, vehicles propelled or drawn by horses or
16 human power, or vehicles used exclusively on fixed rails or
17 tracks, or cotton trailers or motorized wheelchairs operated by
18 handicapped persons;

19 [(72)] (73) "Wrecker" or "tow truck", any emergency
20 commercial vehicle equipped, designed and used to assist or
21 render aid and transport or tow disabled or wrecked vehicles from
22 a highway, road, street or highway rights-of-way to a point of
23 storage or repair, including towing a replacement vehicle to
24 replace a disabled or wrecked vehicle;

25 [(73)] (74) "Wrecker or towing service", the act of
26 transporting, towing or recovering with a wrecker, tow truck,
27 rollback or car carrier any vehicle not owned by the operator of
28 the wrecker, tow truck, rollback or car carrier for which the

1 operator directly or indirectly receives compensation or other
2 personal gain.

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

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

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

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

20 2. If the vehicle is a motor vehicle primarily for business
21 use as defined in section 301.010 and if such vehicle is [five]
22 ten years of age or less and has less than one hundred fifty
23 thousand miles on the odometer, the director of revenue shall
24 retain the odometer information provided in the vehicle
25 inspection report, and provide for prompt access to such
26 information, together with the vehicle identification number for
27 the motor vehicle to which such information pertains, for a
28 period of [five] ten years after the receipt of such information.

1 This section shall not apply unless:

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

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

6 3. If the vehicle is any motor vehicle other than a motor
7 vehicle primarily for business use, a recreational motor vehicle,
8 motorcycle, motortricycle, autocycle, bus, or any commercial
9 motor vehicle licensed for over twelve thousand pounds and if
10 such motor vehicle is [~~five~~] ten years of age or less and has
11 less than one hundred fifty thousand miles on the odometer, the
12 director of revenue shall retain the odometer information
13 provided in the vehicle inspection report, and provide for prompt
14 access to such information, together with the vehicle
15 identification number for the motor vehicle to which such
16 information pertains, for a period of [~~five~~] ten years after the
17 receipt of such information. This subsection shall not apply
18 unless:

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

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

23 4. If the vehicle qualifies as a reconstructed motor
24 vehicle, motor change vehicle, specially constructed motor
25 vehicle, non-USA-std motor vehicle, as defined in section
26 301.010, or prior salvage as referenced in section 301.573, the
27 owner or lienholder shall surrender the certificate of ownership.
28 The owner shall make an application for a new certificate of

1 ownership, pay the required title fee, and obtain the vehicle
2 examination certificate required pursuant to subsection 9 of
3 section 301.190. If an insurance company pays a claim on a
4 salvage vehicle as defined in section 301.010 and the owner
5 retains the vehicle, as prior salvage, the vehicle shall only be
6 required to meet the examination requirements under subsection 10
7 of section 301.190. Notarized bills of sale along with a copy of
8 the front and back of the certificate of ownership for all major
9 component parts installed on the vehicle and invoices for all
10 essential parts which are not defined as major component parts
11 shall accompany the application for a new certificate of
12 ownership. If the vehicle is a specially constructed motor
13 vehicle, as defined in section 301.010, two pictures of the
14 vehicle shall be submitted with the application. If the vehicle
15 is a kit vehicle, the applicant shall submit the invoice and the
16 manufacturer's statement of origin on the kit. If the vehicle
17 requires the issuance of a special number by the director of
18 revenue or a replacement vehicle identification number, the
19 applicant shall submit the required application and application
20 fee. All applications required under this subsection shall be
21 submitted with any applicable taxes which may be due on the
22 purchase of the vehicle or parts. The director of revenue shall
23 appropriately designate "Reconstructed Motor Vehicle", "Motor
24 Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially
25 Constructed Motor Vehicle" on the current and all subsequent
26 issues of the certificate of ownership of such vehicle.

27 5. Every insurance company that pays a claim for repair of
28 a motor vehicle which as the result of such repairs becomes a

1 reconstructed motor vehicle as defined in section 301.010 or that
2 pays a claim on a salvage vehicle as defined in section 301.010
3 and the owner is retaining the vehicle shall in writing notify
4 the owner of the vehicle, and in a first party claim, the
5 lienholder if a lien is in effect, that he is required to
6 surrender the certificate of ownership, and the documents and
7 fees required pursuant to subsection 4 of this section to obtain
8 a prior salvage motor vehicle certificate of ownership or
9 documents and fees as otherwise required by law to obtain a
10 salvage certificate of ownership, from the director of revenue.
11 The insurance company shall within thirty days of the payment of
12 such claims report to the director of revenue the name and
13 address of such owner, the year, make, model, vehicle
14 identification number, and license plate number of the vehicle,
15 and the date of loss and payment.

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

18 7. An applicant for registration may make a donation of one
19 dollar to promote a blindness education, screening and treatment
20 program. The director of revenue shall collect the donations and
21 deposit all such donations in the state treasury to the credit of
22 the blindness education, screening and treatment program fund
23 established in section 209.015. Moneys in the blindness
24 education, screening and treatment program fund shall be used
25 solely for the purposes established in section 209.015; except
26 that the department of revenue shall retain no more than one
27 percent for its administrative costs. The donation prescribed in
28 this subsection is voluntary and may be refused by the applicant

1 for registration at the time of issuance or renewal. The
2 director shall inquire of each applicant at the time the
3 applicant presents the completed application to the director
4 whether the applicant is interested in making the one dollar
5 donation prescribed in this subsection.

6 8. An applicant for registration may make a donation of one
7 dollar to promote an organ donor program. The director of
8 revenue shall collect the donations and deposit all such
9 donations in the state treasury to the credit of the organ donor
10 program fund as established in sections 194.297 to 194.304.
11 Moneys in the organ donor fund shall be used solely for the
12 purposes established in sections 194.297 to 194.304, except that
13 the department of revenue shall retain no more than one percent
14 for its administrative costs. The donation prescribed in this
15 subsection is voluntary and may be refused by the applicant for
16 registration at the time of issuance or renewal. The director
17 shall inquire of each applicant at the time the applicant
18 presents the completed application to the director whether the
19 applicant is interested in making the one dollar donation
20 prescribed in this subsection.

21 301.030. 1. The director shall provide for the retention
22 of license plates by the owners of motor vehicles, other than
23 commercial motor vehicles, and shall establish a system of
24 registration on a monthly series basis to distribute the work of
25 registering motor vehicles as uniformly as practicable throughout
26 the twelve months of the calendar year. For the purpose of
27 assigning license plate numbers, each type of motor vehicle shall
28 be considered a separate class. Commencing July 1, 1949, motor

1 vehicles, other than commercial motor vehicles, shall be
2 registered for a period of twelve consecutive calendar months.
3 There are established twelve registration periods, each of which
4 shall start on the first day of each calendar month of the year
5 and shall end on the last date of the twelfth month from the date
6 of beginning. Fees for the renewal of noncommercial motor
7 vehicle registrations shall be payable no later than the last day
8 of the month that follows the twelfth month of the expired
9 registration period. No delinquent renewal penalty shall be
10 assessed under section 301.050, and no violation shall be issued
11 under section 301.020 for an expired registration, prior to the
12 second month that follows the twelfth month of the expired
13 registration period.

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

24 3. All commercial motor vehicles and trailers, except those
25 licensed under section 301.035 and those operated under
26 agreements as provided for in sections 301.271 to 301.279, shall
27 be registered either on a calendar year basis or on a prorated
28 basis as provided in this section. The fees for commercial motor

1 vehicles, trailers, semitrailers, and driveaway vehicles, other
2 than those to be operated under agreements as provided for in
3 sections 301.271 to 301.279 shall be payable not later than the
4 last day of February of each year, except when such vehicle is
5 licensed between April first and July first the fee shall be
6 three-fourths the annual fee, when licensed between July first
7 and October first the fee shall be one-half the annual fee and
8 when licensed on or after October first the fee shall be
9 one-fourth the annual fee. Such license plates shall be made
10 with fully reflective material with a common color scheme and
11 design, shall be clearly visible at night, and shall be
12 aesthetically attractive, as prescribed by section 301.130.
13 Local commercial motor vehicle license plates may also be so
14 stamped, marked or designed as to indicate they are to be used
15 only on local commercial motor vehicles and, in addition to such
16 stamp, mark or design, the letter "F" shall also be displayed on
17 local commercial motor vehicle license plates issued to motor
18 vehicles used for farm or farming transportation operations as
19 defined in section 301.010 in the manner prescribed by the
20 advisory committee established in section 301.129. In addition,
21 all commercial motor vehicle license plates may be so stamped or
22 marked with a letter, figure or other emblem as to indicate the
23 gross weight for which issued.

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

1 5. Notwithstanding any other provision of law to the
2 contrary, any motorcycle or motortricycle registration issued by
3 the Missouri department of revenue shall expire on June
4 thirtieth.

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

20 2. All fleet vehicles included in the fleet of a registered
21 fleet owner shall be registered during April of the corresponding
22 year or on a prorated basis as provided in subsection 3 of this
23 section. Fees of all vehicles in the fleet to be registered on a
24 calendar year basis or on a biennial basis shall be payable not
25 later than the last day of April of the corresponding year, with
26 two years' fees due for biennially-registered vehicles.
27 Notwithstanding the provisions of section 307.355, an application
28 for registration of a fleet vehicle must be accompanied by a

1 certificate of inspection and approval issued no more than one
2 hundred twenty days prior to the date of application. The fees
3 for vehicles added to the fleet which must be licensed at the
4 time of registration shall be payable at the time of
5 registration, except that when such vehicle is licensed between
6 July first and September thirtieth the fee shall be three-fourths
7 the annual fee, when licensed between October first and December
8 thirty-first the fee shall be one-half the annual fee and when
9 licensed on or after January first the fee shall be one-fourth
10 the annual fee. When biennial registration is sought for
11 vehicles added to a fleet, an additional year's annual fee will
12 be added to the partial year's prorated fee.

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

21 4. Except as specifically provided in this subsection, all
22 fleet vehicles registered pursuant to this section shall be
23 issued a special license plate which shall have the words "Fleet
24 Vehicle" in place of the words "Show-Me State" in the manner
25 prescribed by the advisory committee established in section
26 301.129. Alternatively, for a one-time additional five dollar
27 per-vehicle fee beyond the regular registration fee, a fleet
28 owner of at least fifty fleet vehicles may apply for fleet

1 license plates bearing a company name or logo, the size and
2 design thereof subject to approval by the director. All fleet
3 license plates shall be made with fully reflective material with
4 a common color scheme and design, shall be clearly visible at
5 night, and shall be aesthetically attractive, as prescribed by
6 section 301.130. Fleet vehicles shall be issued multiyear
7 license plates as provided in this section which shall not
8 require issuance of a renewal tab. Upon payment of appropriate
9 registration fees, the director of revenue shall issue a
10 registration certificate or other suitable evidence of payment of
11 the annual or biennial fee, and such evidence of payment shall be
12 carried at all times in the vehicle for which it is issued. [The
13 director of revenue shall promulgate rules and regulations
14 establishing the procedure for application and issuance of fleet
15 vehicle license plates.]

16 5. Notwithstanding the provisions of sections 307.350 to
17 307.390 to the contrary, a fleet vehicle registered in Missouri
18 is exempt from the requirements of sections 307.350 to 307.390 if
19 at the time of the annual fleet registration, such fleet vehicle
20 is situated outside the state of Missouri.

21 6. Notwithstanding any other provisions of law to the
22 contrary, any person, company, or corporation engaged in the
23 business of renting or leasing three thousand five hundred or
24 more motor vehicles which are to be used exclusively for rental
25 or leasing purposes and not for resale, that has applied to the
26 director of revenue for authority to operate as a lease or rental
27 company as prescribed in section 144.070 may operate as a
28 registered fleet owner as prescribed in the provisions of this

1 subsection and subsections 7 to 10 of this section.

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

9 (2) Such motor vehicles within the fleet shall not be
10 exempted from the safety inspection and emissions inspection
11 provisions as prescribed in chapters 307 and 643, but
12 notwithstanding the provisions of section 307.355, such
13 inspections shall not be required to be presented to the director
14 of revenue.

15 7. A recipient of a lease or rental company license issued
16 by the director of revenue as prescribed in section 144.070
17 operating as a registered fleet owner under this section shall
18 register such fleet with the director of revenue on an annual or
19 biennial basis in lieu of the individual motor vehicle
20 registration periods as prescribed in sections 301.030, 301.035,
21 and 301.147. If an applicant elects a biennial fleet
22 registration, the annual fleet license plate fees prescribed in
23 subdivision (1) of subsection 6 of this section shall be doubled.
24 An agent fee as prescribed in subdivision (1) of subsection 1 of
25 section 136.055 shall apply to the issuance of fleet
26 registrations issued under subsections 6 to 10 of this section,
27 and if a biennial fleet registration is elected, the agent fee
28 shall be collected in an amount equal to the fee for two years.

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

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

9 10. A lease or rental company operating motor vehicles with
10 fleet license plates issued under subsections 6 to 10 of this
11 section shall make available, upon request, to the director of
12 revenue and all Missouri law enforcement agencies any
13 corresponding vehicle and registration information that may be
14 requested as prescribed by rule.

15 11. The director shall make all necessary rules and
16 regulations for the administration of this section and shall
17 design all necessary forms required by this section. Any rule or
18 portion of a rule, as that term is defined in section 536.010,
19 that is created under the authority delegated in this section
20 shall become effective only if it complies with and is subject to
21 all the provisions of chapter 536, and, if applicable, section
22 536.028. This section and chapter 536 are nonseverable and if
23 any of the powers vested with the general assembly under chapter
24 536 to review, to delay the effective date, or to disapprove and
25 annul a rule are subsequently held unconstitutional, then the
26 grant of rulemaking authority and any rule proposed or adopted
27 after August 28, 2019, shall be invalid and void.

28 301.067. 1. For each trailer or semitrailer there shall be

1 paid an annual fee of seven dollars fifty cents, and in addition
2 thereto such permit fee authorized by law against trailers used
3 in combination with tractors operated under the supervision of
4 the highways and transportation commission of the department of
5 transportation. The fees for tractors used in any combination
6 with trailers or semitrailers or both trailers and semitrailers
7 (other than on passenger-carrying trailers or semitrailers) shall
8 be computed on the total gross weight of the vehicles in the
9 combination with load.

10 2. Any trailer or semitrailer may at the option of the
11 registrant be registered for a period of three years upon payment
12 of a registration fee of twenty-two dollars and fifty cents.

13 3. Any trailer as defined in section 301.010 or semitrailer
14 may, at the option of the registrant, be registered permanently
15 upon the payment of a registration fee of fifty-two dollars and
16 fifty cents. The permanent plate and registration fee is vehicle
17 specific. The plate and the registration fee paid is
18 nontransferable and nonrefundable, except those covered under the
19 provisions of section 301.442.

20 4. Beginning August 28, 2019, the annual registration fees
21 imposed under this section or section 301.030 for recreational
22 trailers, as defined under section 301.010, shall be payable in
23 the month of May each year. Any fee that would have been due in
24 December 2019, shall be deferred until May 2020.

25 301.191. 1. When an application is made for an original
26 Missouri certificate of ownership for a previously untitled
27 trailer [sixteen feet or more in length] which is stated to be
28 homemade, the applicant shall present a certificate of inspection

1 as provided in this section. No certificate of ownership shall
2 be issued for such a homemade trailer if no certificate of
3 inspection is presented.

4 2. As used in this section, "homemade" means made by a
5 person who is not a manufacturer using readily distinguishable
6 manufacturers' identifying numbers or a statement of origin.

7 3. Every person constructing a homemade trailer [sixteen
8 feet or more in length] shall obtain an inspection from the
9 sheriff of his or her county of residence or from the Missouri
10 state highway patrol prior to applying for a certificate of
11 ownership. If the person constructing the trailer sells or
12 transfers the trailer prior to applying for a certificate of
13 ownership, the sheriff's or the Missouri state highway patrol's
14 certificate of inspection shall be transferred with the trailer.

15 4. A fee of [ten] twenty-five dollars shall be paid for the
16 inspection. If the inspection is completed by the sheriff, the
17 proceeds from the inspections shall be deposited by the sheriff
18 within thirty days into the county law enforcement fund if one
19 exists; otherwise into the county general revenue fund. If the
20 inspection is completed by the Missouri state highway patrol, the
21 applicant shall pay the [ten] twenty-five dollar inspection fee
22 to the director of revenue at the time of application for a
23 certificate of ownership for the homemade trailer. The fee shall
24 be deposited in the state treasury to the credit of the state
25 highway fund.

26 5. The sheriff or Missouri state highway patrol shall
27 inspect the trailer and certify it if the trailer appears to be
28 homemade. The sheriff or Missouri state highway patrol may

1 request the owner to provide any documents or other evidence
2 showing that the trailer was homemade. When a trailer is
3 certified by the sheriff, the sheriff may stamp a permanent
4 identifying number in the tongue of the frame. The certificate
5 of inspection shall be on a form designed and provided by the
6 director of revenue.

7 6. Upon presentation of the certificate of inspection and
8 all applicable documents and fees including the identification
9 plate fee provided in section 301.380, the director of revenue
10 shall issue a readily distinguishable manufacturers' identifying
11 number plate. The identification number plate shall be affixed
12 to the tongue of the trailer's frame.

13 7. The sheriff or Missouri state highway patrol may seize
14 any trailer which has been stolen or has identifying numbers
15 obliterated or removed. The sheriff or Missouri state highway
16 patrol may hold the trailer as evidence while an investigation is
17 conducted. The trailer shall be returned if no related criminal
18 charges are filed within thirty days or when the charges are
19 later dropped or dismissed or when the owner is acquitted.

20 302.020. 1. Unless otherwise provided for by law, it shall
21 be unlawful for any person, except those expressly exempted by
22 section 302.080, to:

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

25 (2) Operate a motorcycle or motortricycle upon any highway
26 of this state unless such person has a valid license that shows
27 the person has successfully passed an examination for the
28 operation of a motorcycle or motortricycle as prescribed by the

1 director. The director may indicate such upon a valid license
2 issued to such person, or shall issue a license restricting the
3 applicant to the operation of a motorcycle or motortricycle if
4 the actual demonstration, required by section 302.173, is
5 conducted on such vehicle;

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

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

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

24 3. Notwithstanding the provisions of section 302.340 any
25 person convicted of violating subdivision (1) or (2) of
26 subsection 1 of this section is guilty of a misdemeanor. A first
27 violation of subdivision (1) or (2) of subsection 1 of this
28 section shall be punishable as a class D misdemeanor. A second

1 violation of subdivision (1) or (2) of subsection 1 of this
2 section shall be punishable as a class A misdemeanor. Any person
3 convicted a third or subsequent time of violating subdivision (1)
4 or (2) of subsection 1 of this section is guilty of a class E
5 felony. Notwithstanding the provisions of section 302.340,
6 violation of subdivisions (3) and (4) of subsection 1 of this
7 section is a misdemeanor, the first violation punishable as a
8 class D misdemeanor, a second or subsequent violation of this
9 section punishable as a class C misdemeanor, and the penalty for
10 failure to wear protective headgear as required by subsection 2
11 of this section is an infraction for which a fine not to exceed
12 twenty-five dollars may be imposed. Notwithstanding all other
13 provisions of law and court rules to the contrary, no court costs
14 shall be imposed upon any person due to such violation. No
15 points shall be assessed pursuant to section 302.302 for a
16 failure to wear such protective headgear. Prior pleas of guilty
17 and prior findings of guilty shall be pleaded and proven in the
18 same manner as required by section 558.021.

19 302.026. 1. Any qualified motorcycle operator who is
20 eighteen years of age or older may operate a motorcycle or
21 motortricycle upon any highway of this state without wearing
22 protective headgear if he or she in addition to maintaining proof
23 of financial responsibility in accordance with chapter 303, is
24 covered by a health insurance policy or other form of insurance
25 which will provide the person with medical benefits for injuries
26 incurred as a result of an accident while operating or riding on
27 a motorcycle or motortricycle.

28 2. Proof of coverage required by subsection 1 of this

1 section shall be provided, upon request by authorized law
2 enforcement, by showing a copy of the qualified operator's
3 insurance card.

4 302.170. 1. As used in this section, the following terms
5 shall mean:

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

8 (a) Facial feature pattern characteristics;

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

11 (c) Iris recognition data containing color or texture
12 patterns or codes;

13 (d) Retinal scans, reading through the pupil to measure
14 blood vessels lining the retina;

15 (e) Fingerprint, palm prints, hand geometry, measure of any
16 and all characteristics of biometric information, including shape
17 and length of fingertips, or recording ridge pattern or fingertip
18 characteristics;

19 (f) Eye spacing;

20 (g) Characteristic gait or walk;

21 (h) DNA;

22 (i) Keystroke dynamic, measuring pressure applied to key
23 pads or other digital receiving devices;

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

28 (3) "Source documents", original or certified copies, where

1 applicable, of documents presented by an applicant as required
2 under 6 CFR Part 37 to the department of revenue to apply for a
3 driver's license or nondriver's license. Source documents shall
4 also include any documents required for the issuance of driver's
5 licenses or nondriver's licenses by the department of revenue
6 under the provisions of this chapter or accompanying regulations.

7 2. Except as provided in subsection 3 of this section and
8 as required to carry out the provisions of subsection 4 of this
9 section, the department of revenue shall not retain copies, in
10 any format, of source documents presented by individuals applying
11 for or holding driver's licenses or nondriver's licenses or use
12 technology to capture digital images of source documents so that
13 the images are capable of being retained in electronic storage in
14 a transferable format. Documents retained as provided or
15 required by subsection 4 of this section shall be stored solely
16 on a system not connected to the internet nor to a wide area
17 network that connects to the internet. Once stored on such
18 system, the documents and data shall be purged from any systems
19 on which they were previously stored so as to make them
20 irretrievable.

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

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

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

27 (3) Documents demonstrating lawful presence of any
28 applicant who is not a citizen of the United States, including

1 documents demonstrating duration of the person's lawful presence
2 in the United States;

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

8 (5) Documents submitted by a commercial driver's license or
9 commercial driver's instruction permit applicant who is a
10 Missouri resident and is [active duty military or a veteran, as
11 "veteran" is defined in 38 U.S.C. Section 101] a qualified
12 current or former military service member, which allows for
13 waiver of the commercial driver's license knowledge test, skills
14 test, or both; and

15 (6) Any other document at the request of and for the
16 convenience of the applicant where the applicant requests the
17 department of revenue review alternative documents as proof
18 required for issuance of a driver's license, nondriver's license,
19 or instruction permit.

20 4. (1) To the extent not prohibited under subsection 13 of
21 this section, the department of revenue shall amend procedures
22 for applying for a driver's license or identification card in
23 order to comply with the goals or standards of the federal REAL
24 ID Act of 2005, any rules or regulations promulgated under the
25 authority granted in such Act, or any requirements adopted by the
26 American Association of Motor Vehicle Administrators for
27 furtherance of the Act, unless such action conflicts with
28 Missouri law.

1 (2) The department of revenue shall issue driver's licenses
2 or identification cards that are compliant with the federal REAL
3 ID Act of 2005, as amended, to all applicants for driver's
4 licenses or identification cards unless an applicant requests a
5 driver's license or identification card that is not REAL ID
6 compliant. Except as provided in subsection 3 of this section
7 and as required to carry out the provisions of this subsection,
8 the department of revenue shall not retain the source documents
9 of individuals applying for driver's licenses or identification
10 cards not compliant with REAL ID. Upon initial application for a
11 driver's license or identification card, the department shall
12 inform applicants of the option of being issued a REAL ID
13 compliant driver's license or identification card or a driver's
14 license or identification card that is not compliant with REAL
15 ID. The department shall inform all applicants:

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

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

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

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

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

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

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

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

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

18 5. The department of revenue shall not use, collect,
19 obtain, share, or retain biometric data nor shall the department
20 use biometric technology to produce a driver's license or
21 nondriver's license or to uniquely identify licensees or license
22 applicants. This subsection shall not apply to digital images
23 nor licensee signatures required for the issuance of driver's
24 licenses and nondriver's licenses or to biometric data collected
25 from employees of the department of revenue, employees of the
26 office of administration who provide information technology
27 support to the department of revenue, contracted license offices,
28 and contracted manufacturers engaged in the production,

1 processing, or manufacture of driver's licenses or identification
2 cards in positions which require a background check in order to
3 be compliant with the federal REAL ID Act or any rules or
4 regulations promulgated under the authority of such Act. Except
5 as otherwise provided by law, applicants' source documents and
6 Social Security numbers shall not be stored in any database
7 accessible by any other state or the federal government. Such
8 database shall contain only the data fields included on driver's
9 licenses and nondriver identification cards compliant with the
10 federal REAL ID Act, and the driving records of the individuals
11 holding such driver's licenses and nondriver identification
12 cards.

13 6. Notwithstanding any provision of this chapter that
14 requires an applicant to provide reasonable proof of lawful
15 presence for issuance or renewal of a noncommercial driver's
16 license, noncommercial instruction permit, or a nondriver's
17 license, an applicant shall not have his or her privacy rights
18 violated in order to obtain or renew a Missouri noncommercial
19 driver's license, noncommercial instruction permit, or a
20 nondriver's license.

21 7. No citizen of this state shall have his or her privacy
22 compromised by the state or agents of the state. The state shall
23 within reason protect the sovereignty of the citizens the state
24 is entrusted to protect. Any data derived from a person's
25 application shall not be sold for commercial purposes to any
26 other organization or any other state without the express
27 permission of the applicant without a court order; except such
28 information may be shared with a law enforcement agency, judge,

1 prosecuting attorney, or officer of the court, or with another
2 state for the limited purposes set out in section 302.600, or for
3 the purposes set forth in section 32.091, or for conducting
4 driver history checks in compliance with the Motor Carrier Safety
5 Improvement Act, 49 U.S.C. Section 31309. The state of Missouri
6 shall protect the privacy of its citizens when handling any
7 written, digital, or electronic data, and shall not participate
8 in any standardized identification system using driver's and
9 nondriver's license records except as provided in this section.

10 8. Other than to process a request by a license or card
11 holder or applicant, no person shall access, distribute, or allow
12 access to or distribution of any written, digital, or electronic
13 data collected or retained under this section without the express
14 permission of the applicant or a court order, except that such
15 information may be shared with a law enforcement agency, judge,
16 prosecuting attorney, or officer of the court, or with another
17 state for the limited purposes set out in section 302.600 or for
18 conducting driver history checks in compliance with the Motor
19 Carrier Safety Improvement Act, 49 U.S.C. Section 31309. A first
20 violation of this subsection shall be a class A misdemeanor. A
21 second violation of this subsection shall be a class E felony. A
22 third or subsequent violation of this subsection shall be a class
23 D felony.

24 9. Any person harmed or damaged by any violation of this
25 section may bring a civil action for damages, including
26 noneconomic and punitive damages, as well as injunctive relief,
27 in the circuit court where that person resided at the time of the
28 violation or in the circuit court of Cole County to recover such

1 damages from the department of revenue and any persons
2 participating in such violation. Sovereign immunity shall not be
3 available as a defense for the department of revenue in such an
4 action. In the event the plaintiff prevails on any count of his
5 or her claim, the plaintiff shall be entitled to recover
6 reasonable attorney fees from the defendants.

7 10. The department of revenue may promulgate rules
8 necessary to implement the provisions of this section. Any rule
9 or portion of a rule, as that term is defined in section 536.010,
10 that is created under the authority delegated in this section
11 shall become effective only if it complies with and is subject to
12 all of the provisions of chapter 536 and, if applicable, section
13 536.028. This section and chapter 536 are nonseverable and if
14 any of the powers vested with the general assembly pursuant to
15 chapter 536 to review, to delay the effective date, or to
16 disapprove and annul a rule are subsequently held
17 unconstitutional, then the grant of rulemaking authority and any
18 rule proposed or adopted after August 28, 2017, shall be invalid
19 and void.

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

27 12. No agency, department, or official of this state or of
28 any political subdivision thereof shall use, collect, obtain,

1 share, or retain radio frequency identification data from a REAL
2 ID compliant driver's license or identification card issued by a
3 state, nor use the same to uniquely identify any individual.

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

15 14. If the federal REAL ID Act of 2005 is modified or
16 repealed such that driver's licenses and identification cards
17 issued by this state that are not compliant with the federal REAL
18 ID Act of 2005 are once again sufficient for federal
19 identification purposes, the department shall not issue a
20 driver's license or identification card that complies with the
21 federal REAL ID Act of 2005 and shall securely destroy, within
22 thirty days, any source documents retained by the department for
23 the purpose of compliance with such Act.

24 15. The provisions of this section shall expire five years
25 after August 28, 2017.

26 302.341. 1. If a Missouri resident charged with a moving
27 traffic violation of this state or any county or municipality of
28 this state, other than any county with a charter form of

1 government and with more than nine hundred fifty thousand
2 inhabitants or any city not within a county or any home rule city
3 with more than four hundred thousand inhabitants and located in
4 more than one county, fails to dispose of the charges of which
5 the resident is accused through authorized prepayment of fine and
6 court costs and fails to appear on the return date or at any
7 subsequent date to which the case has been continued, or without
8 good cause fails to pay any fine or court costs assessed against
9 the resident for any such violation within the period of time
10 specified or in such installments as approved by the court or as
11 otherwise provided by law, any court having jurisdiction over the
12 charges shall within ten days of the failure to comply inform the
13 defendant by ordinary mail at the last address shown on the court
14 records that the court **[will]** may order the director of revenue
15 to suspend the defendant's driving privileges if the charges are
16 not disposed of and fully paid within thirty days from the date
17 of mailing. Thereafter, if the defendant fails to timely act to
18 dispose of the charges and fully pay any applicable fines and
19 court costs, the court **[shall]** may notify the director of revenue
20 of such failure and of the pending charges against the defendant.
21 Upon receipt of this notification, the director shall suspend the
22 license of the driver, effective immediately, and provide notice
23 of the suspension to the driver at the last address for the
24 driver shown on the records of the department of revenue. Such
25 suspension shall remain in effect until the court with the
26 subject pending charge requests setting aside the noncompliance
27 suspension pending final disposition, or satisfactory evidence of
28 disposition of pending charges and payment of fine and court

1 costs, if applicable, is furnished to the director by the
2 individual. The filing of financial responsibility with the
3 [bureau of safety responsibility,] department of revenue[,] shall
4 not be required as a condition of reinstatement of a driver's
5 license suspended solely under the provisions of this section.

6 2. [The provisions of subsection 1 of this section shall
7 not apply to minor traffic violations as defined in section
8 479.350.] If a Missouri resident charged with a moving traffic
9 violation of any county with a charter form of government and
10 with more than nine hundred fifty thousand inhabitants or any
11 city not within a county or any home rule city with more than
12 four hundred thousand inhabitants and located in more than one
13 county fails to dispose of the charges of which the resident is
14 accused through authorized prepayment of fine and court costs and
15 fails to appear on the return date or at any subsequent date to
16 which the case has been continued, or without good cause fails to
17 pay any fine or court costs assessed against the resident for any
18 such violation within the period of time specified or in such
19 installments as approved by the court or as otherwise provided by
20 law, any court having jurisdiction over the charges shall within
21 ten days of the failure to comply inform the defendant by
22 ordinary mail at the last address shown on the court records that
23 the court shall order the director of revenue to suspend the
24 defendant's driving privileges if the charges are not disposed of
25 and fully paid within thirty days from the date of mailing.
26 Thereafter, if the defendant fails to timely act to dispose of
27 the charges and fully pay any applicable fines and court costs,
28 the court shall notify the director of revenue of such failure

1 and of the pending charges against the defendant. Upon receipt
2 of this notification, the director shall suspend the license of
3 the driver, effective immediately, and provide notice of the
4 suspension to the driver at the last address for the driver shown
5 on the records of the department of revenue. Such suspension
6 shall remain in effect until the court with the subject pending
7 charge requests setting aside the noncompliance suspension
8 pending final disposition, or satisfactory evidence of
9 disposition of pending charges and payment of fine and court
10 costs, if applicable, is furnished to the director by the
11 individual. The filing of financial responsibility with the
12 department of revenue shall not be required as a condition of
13 reinstatement of a driver's license suspended solely under the
14 provisions of this section.

15 302.720. 1. Except when operating under an instruction
16 permit as described in this section, no person may drive a
17 commercial motor vehicle unless the person has been issued a
18 commercial driver's license with applicable endorsements valid
19 for the type of vehicle being operated as specified in sections
20 302.700 to 302.780. A commercial driver's instruction permit
21 shall allow the holder of a valid license to operate a commercial
22 motor vehicle when accompanied by the holder of a commercial
23 driver's license valid for the vehicle being operated and who
24 occupies a seat beside the individual, or reasonably near the
25 individual in the case of buses, for the purpose of giving
26 instruction in driving the commercial motor vehicle. No person
27 may be issued a commercial driver's instruction permit until he
28 or she has passed written tests which comply with the minimum

1 federal standards. A commercial driver's instruction permit
2 shall be nonrenewable and valid for the vehicle being operated
3 for a period of not more than [~~six months~~] one year, and shall
4 not be issued until the permit holder has met all other
5 requirements of sections 302.700 to 302.780, except for the
6 driving test. [A permit holder, unless otherwise disqualified,
7 may be granted one six-month renewal within a one-year period.]
8 The fee for such permit [or renewal] shall be [~~five~~] ten dollars.
9 [In the alternative, a commercial driver's instruction permit
10 shall be issued for a thirty-day period to allow the holder of a
11 valid driver's license to operate a commercial motor vehicle if
12 the applicant has completed all other requirements except the
13 driving test. The permit may be renewed for one additional
14 thirty-day period and the fee for the permit and for renewal
15 shall be five dollars.] The fee for a duplicate commercial
16 driver's instruction permit shall be five dollars.

17 2. No person may be issued a commercial driver's license
18 until he has passed written and driving tests for the operation
19 of a commercial motor vehicle which complies with the minimum
20 federal standards established by the Secretary and has satisfied
21 all other requirements of the Commercial Motor Vehicle Safety Act
22 of 1986 (Title XII of Pub. Law 99-570), as well as any other
23 requirements imposed by state law. Beginning January 1, 2020,
24 all applicants for a commercial driver's license shall complete
25 any entry-level driver training program established and required
26 under 49 CFR 380.609. All applicants for a commercial driver's
27 license shall have maintained the appropriate class of commercial
28 driver's instruction permit issued by this state or any other

1 state for a minimum of fourteen calendar days prior to the date
2 of taking the skills test. Applicants for a hazardous materials
3 endorsement must also meet the requirements of the U.S. Patriot
4 Act of 2001 (Title X of Public Law 107-56) as specified and
5 required by regulations promulgated by the Secretary. Nothing
6 contained in this subsection shall be construed as prohibiting
7 the director from establishing alternate testing formats for
8 those who are functionally illiterate; provided, however, that
9 any such alternate test must comply with the minimum requirements
10 of the Commercial Motor Vehicle Safety Act of 1986 (Title XII of
11 Pub. Law 99-570) as established by the Secretary.

12 (1) The written and driving tests shall be held at such
13 times and in such places as the superintendent may designate. A
14 twenty-five dollar examination fee shall be paid by the applicant
15 upon completion of any written or driving test, except the
16 examination fee shall be waived for applicants seventy years of
17 age or older renewing a license with a school bus endorsement.
18 The director shall delegate the power to conduct the examinations
19 required under sections 302.700 to 302.780 to any member of the
20 highway patrol or any person employed by the highway patrol
21 qualified to give driving examinations. The written test shall
22 only be administered in the English language. No translators
23 shall be allowed for applicants taking the test.

24 (2) The director shall adopt and promulgate rules and
25 regulations governing the certification of third-party testers by
26 the department of revenue. Such rules and regulations shall
27 substantially comply with the requirements of 49 CFR 383, Section
28 383.75. A certification to conduct third-party testing shall be

1 valid for one year, and the department shall charge a fee of one
2 hundred dollars to issue or renew the certification of any third-
3 party tester.

4 (3) Beginning August 28, 2006, the director shall only
5 issue or renew third-party tester certification to community
6 colleges established under chapter 178 or to private companies
7 who own, lease, or maintain their own fleet and administer in-
8 house testing to their employees, or to school districts and
9 their agents that administer in-house testing to the school
10 district's or agent's employees. Any third-party tester who
11 violates any of the rules and regulations adopted and promulgated
12 pursuant to this section shall be subject to having his
13 certification revoked by the department. The department shall
14 provide written notice and an opportunity for the third-party
15 tester to be heard in substantially the same manner as provided
16 in chapter 536. If any applicant submits evidence that he has
17 successfully completed a test administered by a third-party
18 tester, the actual driving test for a commercial driver's license
19 may then be waived.

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

1 (5) The director shall have the authority to waive the
2 driving skills test and written tests for any qualified current
3 or former military service member applicant for a commercial
4 driver's instruction permit or a commercial driver's license who
5 is currently licensed at the time of application for a commercial
6 driver's instruction permit or license. The director shall
7 impose conditions and limitations and require certification and
8 evidence to restrict the applicants from whom the department may
9 accept the alternative requirements for the skills [test] and
10 written tests described in federal [regulation] regulations 49
11 CFR 383.71 and 49 CFR 383.77. [An applicant must certify that,
12 during the two-year period immediately preceding application for
13 a commercial driver's license, all of the following apply:

14 (a) The applicant has not had more than one license;

15 (b) The applicant has not had any license suspended,
16 revoked, or cancelled;

17 (c) The applicant has not had any convictions for any type
18 of motor vehicle for the disqualifying offenses contained in this
19 chapter or federal rule 49 CFR 383.51(b);

20 (d) The applicant has not had more than one conviction for
21 any type of motor vehicle for serious traffic violations;

22 (e) The applicant has not had any conviction for a
23 violation of state or local law relating to motor vehicle traffic
24 control, but not including any parking violation, arising in
25 connection with any traffic accident, and has no record of an
26 accident in which he or she was at fault;

27 (f) The applicant has been regularly employed within the
28 last ninety days in a military position requiring operation of a

1 commercial motor vehicle and has operated the vehicle for at
2 least sixty days during the two years immediately preceding
3 application for a commercial driver's license. The vehicle must
4 be representative of the commercial motor vehicle the driver
5 applicant operates or expects to operate;

6 (g) The applicant, if on active duty, must provide a
7 notarized affidavit signed by a commanding officer as proof of
8 driving experience as indicated in paragraph (f) of this
9 subdivision;

10 (h) The applicant, if honorably discharged from military
11 service, must provide a form-DD214 or other proof of military
12 occupational specialty;

13 (i)] The applicant must meet all federal and state
14 qualifications to operate a commercial vehicle[;], and

15 [(j)] the applicant will be required to complete all
16 applicable knowledge tests, except when an applicant provides
17 proof of approved military training for waiving the knowledge and
18 skills tests as specified in this subdivision.

19 3. A commercial driver's license or commercial driver's
20 instruction permit may not be issued to a person while the person
21 is disqualified from driving a commercial motor vehicle, when a
22 disqualification is pending in any state or while the person's
23 driver's license is suspended, revoked, or cancelled in any
24 state; nor may a commercial driver's license be issued unless the
25 person first surrenders in a manner prescribed by the director
26 any commercial driver's license issued by another state, which
27 license shall be returned to the issuing state for cancellation.

28 4. Beginning July 1, 2005, the director shall not issue an

1 instruction permit under this section unless the director
2 verifies that the applicant is lawfully present in the United
3 States before accepting the application. The director may, by
4 rule or regulation, establish procedures to verify the lawful
5 presence of the applicant under this section. No rule or portion
6 of a rule promulgated pursuant to the authority of this section
7 shall become effective unless it has been promulgated pursuant to
8 chapter 536.

9 5. Notwithstanding the provisions of this section or any
10 other law to the contrary, beginning August 28, 2008, the
11 director of the department of revenue shall certify as a third-
12 party tester any municipality that owns, leases, or maintains its
13 own fleet that requires certain employees as a condition of
14 employment to hold a valid commercial driver's license; and that
15 administered in-house testing to such employees prior to August
16 28, 2006.

17 302.768. 1. Any applicant for a commercial driver's
18 license or commercial driver's instruction permit shall comply
19 with the Federal Motor Carrier Safety Administration application
20 requirements of 49 CFR Part 383.71 by certifying to one of the
21 following applicable statements relating to federal and state
22 driver qualification rules:

23 (1) Nonexcepted interstate: certifies the applicant is a
24 driver operating or expecting to operate in interstate or foreign
25 commerce, or is otherwise subject to and meets requirements of 49
26 CFR Part 391 and is required to obtain a medical examiner's
27 certificate as defined in 49 CFR Part 391.45;

28 (2) Excepted interstate: certifies the applicant is a

1 driver operating or expecting to operate entirely in interstate
2 commerce that is not subject to Part 391 and is subject to
3 Missouri driver qualifications and not required to obtain a
4 medical examiner's certificate;

5 (3) Nonexcepted intrastate: certifies the applicant is a
6 driver operating only in intrastate commerce and is subject to
7 Missouri driver qualifications;

8 (4) Excepted intrastate: certifies the applicant operates
9 or expects to operate only in intrastate commerce, and engaging
10 only in operations excepted from all parts of the Missouri driver
11 qualification requirements.

12 2. Any applicant who cannot meet certification requirements
13 under one of the categories defined in subsection 1 of this
14 section shall be denied issuance of a commercial driver's license
15 or commercial driver's instruction permit.

16 3. An applicant certifying to operation in nonexcepted
17 interstate or nonexcepted intrastate commerce shall provide the
18 state with an original or copy of a current medical examiner's
19 certificate or a medical examiner's certificate accompanied by a
20 medical variance or waiver, until such time as the medical
21 examiner's certificate information is received electronically
22 through the Federal Motor Carrier Safety Administration approved
23 verification system. The state shall retain the [original or
24 copy of the] documentation of physical qualification for a
25 minimum of three years beyond the date the certificate was
26 issued.

27 4. Applicants certifying to operation in nonexcepted
28 interstate commerce or nonexcepted intrastate commerce shall

1 provide [an] updated medical certificate or variance [documents]
2 information to maintain a certified status during the term of the
3 commercial driver's license or commercial driver's instruction
4 permit in order to retain commercial privileges.

5 5. The director shall post the medical examiner's
6 certificate of information, medical variance if applicable, the
7 applicant's self-certification and certification status to the
8 Missouri driver record within ten calendar days and such
9 information will become part of the CDLIS driver record.

10 6. Applicants certifying to operation in nonexcepted
11 interstate commerce or nonexcepted intrastate commerce who fail
12 to provide or maintain a current medical examiner's certificate,
13 or if the state has received notice of a medical variance or
14 waiver expiring or being rescinded, the state shall, within ten
15 calendar days, update the driver's medical certification status
16 to "not certified". The state shall notify the driver of the
17 change in certification status and require the driver to annually
18 comply with requirements for a commercial driver's license
19 downgrade within sixty days of the expiration of the applicant
20 certification.

21 7. The department of revenue may, by rule, establish the
22 cost and criteria for submission of updated medical certification
23 status information as required under this section.

24 8. Any person who falsifies any information in an
25 application for or update of medical certification status
26 information for a commercial driver's license shall not be
27 licensed to operate a commercial motor vehicle, or the person's
28 commercial driver's license shall be cancelled for a period of

1 one year after the director discovers such falsification.

2 9. The director may promulgate rules and regulations
3 necessary to administer and enforce this section. Any rule or
4 portion of a rule, as that term is defined in section 536.010,
5 that is created under the authority delegated in this section
6 shall become effective only if it complies with and is subject to
7 all of the provisions of chapter 536 and, if applicable, section
8 536.028. This section and chapter 536 are nonseverable and if
9 any of the powers vested with the general assembly pursuant to
10 chapter 536 to review, to delay the effective date, or to
11 disapprove and annul a rule are subsequently held
12 unconstitutional, then the grant of rulemaking authority and any
13 rule proposed or adopted after August 28, 2012, shall be invalid
14 and void.

15 304.153. 1. As used in this section, the following terms
16 shall mean:

17 (1) "Law enforcement officer", any public servant, other
18 than a patrol officer, who is defined as a law enforcement
19 officer under section 556.061;

20 (2) "Motor club", an organization which motor vehicle
21 drivers and owners may join that provide certain benefits
22 relating to driving a motor vehicle;

23 (3) "Nonconsensual tow", the transportation of a motor
24 vehicle by tow truck if such transportation is performed without
25 the prior consent or authorization of the owner or operator of
26 the motor vehicle. For purposes of this section, all law
27 enforcement-ordered tows are considered nonconsensual;

28 (4) "Patrol officer", a Missouri state highway patrol

1 officer;

2 [(4)] (5) "Tow list", a list of approved towing companies
3 compiled, maintained, and utilized by the Missouri state highway
4 patrol or its designee;

5 [(5)] (6) "Tow management company", any sole
6 proprietorship, partnership, corporation, fiduciary, association,
7 or other business entity that manages towing logistics for
8 government agencies or motor clubs;

9 [(6)] (7) "Tow truck", a rollback or car carrier, wrecker,
10 or tow truck as defined under section 301.010;

11 [(7)] (8) "Towing", moving or removing, or the preparation
12 therefor, of a vehicle by another vehicle for which a service
13 charge is made, either directly or indirectly, including any dues
14 or other charges of clubs or associations which provide towing
15 services;

16 [(8)] (9) "Towing company", any person, partnership,
17 corporation, fiduciary, association, or other entity that
18 operates a wrecker or towing service as defined under section
19 301.010.

20 2. In authorizing a towing company to perform services, any
21 patrol officer or law enforcement officer within the officer's
22 jurisdiction, or Missouri department of transportation employee,
23 may utilize the services of a tow management company or tow list,
24 provided:

25 (1) The Missouri state highway patrol is under no
26 obligation to include or retain the services of any towing
27 company in any contract or agreement with a tow management
28 company or any tow list established pursuant to this section. A

1 towing company is subject to removal from a tow list at any time;

2 (2) Notwithstanding any other provision of law or any
3 regulation established pursuant to this section, an owner or
4 operator's request for a specific towing company shall be honored
5 by the Missouri state highway patrol unless:

6 (a) The requested towing company cannot or does not respond
7 in a reasonable time, as determined by a law enforcement officer;
8 or

9 (b) The vehicle to be towed poses an immediate traffic
10 hazard, as determined by a law enforcement officer.

11 3. A patrol officer shall not use a towing company located
12 outside of Missouri under this section except under the following
13 circumstances:

14 (1) A state or federal emergency has been declared; or

15 (2) The driver or owner of the vehicle, or a motor club of
16 which the driver or owner is a member, requests a specific out-
17 of-state towing company.

18 4. A towing company shall not tow a vehicle to a location
19 outside of Missouri without the consent of the driver or owner of
20 the motor vehicle, or without the consent of a motor club of
21 which the driver or owner of the motor vehicle is a member.

22 5. Any towing company or tow truck arriving at the scene of
23 an accident that has not been called by a patrol officer, a law
24 enforcement officer, a Missouri department of transportation
25 employee, the driver or owner of the motor vehicle or his or her
26 authorized agent, including a motor club of which the driver or
27 owner is a member, shall be prohibited from towing the vehicle
28 from the scene of the accident, unless the towing company or tow

1 truck operator is rendering emergency aid in the interest of
2 public safety, or is operating during a declared state of
3 emergency under section 44.100.

4 6. A tow truck operator that stops and tows a vehicle from
5 the scene of an accident in violation of subsection 5 of this
6 section shall be guilty of a class D misdemeanor upon conviction
7 or pleading guilty for the first violation, and such tow truck
8 shall be subject to impounding. The penalty for a second
9 violation shall be a class A misdemeanor, and the penalty for any
10 third or subsequent violation shall be a class D felony. A
11 violation of this section shall not preclude the tow truck
12 operator from being charged with tampering under chapter 569.

13 7. The provisions of this section shall also apply to motor
14 vehicles towed under section 304.155 or 304.157.

15 8. The provisions of subsections 1 to 7 of this section
16 shall not apply to counties of the third or fourth
17 classification.

18 9. (1) The "Towing Task Force" is hereby created. The
19 task force shall make recommendations as provided in this
20 subsection with respect to tows involving vehicles with a gross
21 vehicle weight rating in excess of twenty-six thousand pounds.
22 The task force shall consist of ten members, who shall be
23 appointed as follows:

24 (a) Two members of the senate appointed by the president
25 pro tempore of the senate, with one member appointed from the
26 minority party and one member appointed from the majority party;

27 (b) Two members of the house of representatives appointed
28 by the speaker of the house of representatives, with one member

1 appointed from the minority party and one member appointed from
2 the majority party;

3 (c) One member, or the member's designee, appointed by the
4 director of the department of transportation or his or her
5 designee;

6 (d) One member, or the member's designee, appointed by the
7 director of the department public safety or his or her designee;

8 (e) One member, or the member's designee, appointed by the
9 speaker of the house of representatives to represent the heavy
10 duty towing and recovery industry within the state;

11 (f) One member, or the member's designee, appointed by the
12 president pro tempore of the senate to represent the heavy duty
13 towing and recovery industry within the state;

14 (g) One member, or the member's designee, appointed by the
15 speaker of the house of representatives to represent an
16 association of motor carriers within the state; and

17 (h) One member, appointed by president pro tempore of the
18 senate, to represent an association of owner-operator truck
19 drivers within the state.

20 (2) The task force shall have the following duties and
21 powers:

22 (a) To make comprehensive recommendations on matters
23 related to the investigation of overcharges made by towing
24 companies, including:

25 a. A process for the adjudication of consumer complaints
26 regarding nonconsensual tow charges;

27 b. Factors to consider in determining whether a charge
28 levied by a towing company is just, fair, and reasonable,

1 including charges for the use of unnecessary equipment and labor;
2 and

3 c. A process for the removal of towing companies from
4 rotation lists for violations of the rules; and

5 (b) To make comprehensive recommendations regarding
6 information that should be included on every invoice with respect
7 to a nonconsensual tow.

8 (3) The task force shall make its first comprehensive
9 recommendations in a report to the general assembly no later than
10 January 31, 2020.

11 (4) The members of the towing task force shall elect a
12 chair from among their membership. The chair shall set the times
13 and frequency of the task force's meetings.

14 (5) The task force established under this subsection shall
15 expire on May 31, 2020.

16 304.281. 1. Whenever traffic is controlled by traffic
17 control signals exhibiting different colored lights, or colored
18 lighted arrows, successively one at a time or in combination,
19 only the colors green, red and yellow shall be used, except for
20 special pedestrian signals carrying a word legend, and said
21 lights shall indicate and apply to drivers of vehicles and
22 pedestrians as follows:

23 (1) Green indication

24 (a) Vehicular traffic facing a circular green signal may
25 proceed straight through or turn right or left unless a sign at
26 such place prohibits either such turn. But vehicular traffic,
27 including vehicles turning right or left, shall yield the right-
28 of-way to other vehicles and to pedestrians lawfully within the

1 intersection or an adjacent crosswalk at the time such signal is
2 exhibited;

3 (b) Vehicular traffic facing a green arrow signal, shown
4 alone or in combination with another indication, may cautiously
5 enter the intersection only to make the movement indicated by
6 such arrow, or such other movement as is permitted by other
7 indications shown at the same time. Such vehicular traffic shall
8 yield the right-of-way to pedestrians lawfully within an adjacent
9 crosswalk and to other traffic lawfully using the intersection;

10 (c) Unless otherwise directed by a pedestrian control
11 signal, as provided in section 304.291, pedestrians facing any
12 green signal, except when the sole green signal is a turn arrow,
13 may proceed across the roadway within any marked or unmarked
14 crosswalk.

15 (2) Steady yellow indication

16 (a) Vehicular traffic facing a steady yellow signal is
17 thereby warned that the related green movement is being
18 terminated or that a red indication will be exhibited immediately
19 thereafter when vehicular traffic shall not enter the
20 intersection;

21 (b) Pedestrians facing a steady yellow signal, unless
22 otherwise directed by a pedestrian control signal as provided in
23 section 304.291, are thereby advised that there is insufficient
24 time to cross the roadway before a red indication is shown and no
25 pedestrian shall then start to cross the roadway.

26 (3) Steady red indication

27 (a) Vehicular traffic facing a steady red signal alone
28 shall stop before entering the crosswalk on the near side of the

1 intersection at a clearly marked stop line but, if none, then
2 before entering the intersection and shall remain standing until
3 an indication to proceed is shown except as provided in paragraph
4 (b);

5 (b) The driver of a vehicle which is stopped as close as
6 practicable at the entrance to the crosswalk on the near side of
7 the intersection or, if none, then at the entrance to the
8 intersection in obedience to a red signal, may cautiously enter
9 the intersection to make a right turn but shall yield the right-
10 of-way to pedestrians and other traffic proceeding as directed by
11 the signal at the intersection, except that the state highways
12 and transportation commission with reference to an intersection
13 involving a state highway, and local authorities with reference
14 to an intersection involving other highways under their
15 jurisdiction, may prohibit any such right turn against a red
16 signal at any intersection where safety conditions so require,
17 said prohibition shall be effective when a sign is erected at
18 such intersection giving notice thereof;

19 (c) The driver of a vehicle which is in the left-most lane
20 on a one-way street and stopped as close as practicable at the
21 entrance to the crosswalk on the near side of the intersection
22 or, if none, then at the entrance to the intersection in
23 obedience to a red signal, may cautiously enter the intersection
24 to make a left turn onto a one-way street but shall yield the
25 right-of-way to pedestrians and other traffic proceeding as
26 directed by the signal at the intersection, except that the state
27 highways and transportation commission with reference to an
28 intersection involving a state highway, and local authorities

1 with reference to an intersection involving other highways under
2 their jurisdiction, may prohibit any such left turn against a red
3 signal at any intersection where safety conditions so require and
4 such prohibition shall be effective when a sign is erected at
5 such intersection giving notice thereof;

6 (d) Unless otherwise directed by a pedestrian control
7 signal as provided in section 304.291, pedestrians facing a
8 steady red signal alone shall not enter the roadway.

9 (4) In the event an official traffic control signal is
10 erected and maintained at a place other than an intersection, the
11 provision of this section shall be applicable except as to those
12 provisions which by their nature can have no application. Any
13 stop required shall be made at a sign or marking on the pavement
14 indicating where the stop shall be made, but in the absence of
15 any such sign or marking the stop shall be made at the signal.

16 2. Notwithstanding the provisions of section 304.361,
17 violation of this section is a class C misdemeanor.

18 307.350. 1. The owner of every motor vehicle as defined in
19 section 301.010 which is required to be registered in this state,
20 except:

21 (1) Motor vehicles having less than one hundred fifty
22 thousand miles, for the ~~five-year~~ ten-year period following
23 their model year of manufacture, excluding prior salvage vehicles
24 immediately following a rebuilding process and vehicles subject
25 to the provisions of section 307.380;

26 (2) Those motor vehicles which are engaged in interstate
27 commerce and are proportionately registered in this state with
28 the Missouri highway reciprocity commission, although the owner

1 may request that such vehicle be inspected by an official
2 inspection station, and a peace officer may stop and inspect such
3 vehicles to determine whether the mechanical condition is in
4 compliance with the safety regulations established by the United
5 States Department of Transportation; and

6 (3) Historic motor vehicles registered pursuant to section
7 301.131;

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

10
11 shall submit such vehicles to a biennial inspection of their
12 mechanism and equipment in accordance with the provisions of
13 sections 307.350 to 307.390 and obtain a certificate of
14 inspection and approval and a sticker, seal, or other device from
15 a duly authorized official inspection station. The inspection,
16 except the inspection of school buses which shall be made at the
17 time provided in section 307.375, shall be made at the time
18 prescribed in the rules and regulations issued by the
19 superintendent of the Missouri state highway patrol; but the
20 inspection of a vehicle shall not be made more than sixty days
21 prior to the date of application for registration or within sixty
22 days of when a vehicle's registration is transferred; however, if
23 a vehicle was purchased from a motor vehicle dealer and a valid
24 inspection had been made within sixty days of the purchase date,
25 the new owner shall be able to utilize an inspection performed
26 within ninety days prior to the application for registration or
27 transfer. Any vehicle manufactured as an even-numbered model
28 year vehicle shall be inspected and approved pursuant to the

1 safety inspection program established pursuant to sections
2 307.350 to 307.390 in each even-numbered calendar year and any
3 such vehicle manufactured as an odd-numbered model year vehicle
4 shall be inspected and approved pursuant to sections 307.350 to
5 307.390 in each odd-numbered year. The certificate of inspection
6 and approval shall be a sticker, seal, or other device or
7 combination thereof, as the superintendent of the Missouri state
8 highway patrol prescribes by regulation and shall be displayed
9 upon the motor vehicle or trailer as prescribed by the
10 regulations established by him. The replacement of certificates
11 of inspection and approval which are lost or destroyed shall be
12 made by the superintendent of the Missouri state highway patrol
13 under regulations prescribed by him.

14 2. For the purpose of obtaining an inspection only, it
15 shall be lawful to operate a vehicle over the most direct route
16 between the owner's usual place of residence and an inspection
17 station of such owner's choice, notwithstanding the fact that the
18 vehicle does not have a current state registration license. It
19 shall also be lawful to operate such a vehicle from an inspection
20 station to another place where repairs may be made and to return
21 the vehicle to the inspection station notwithstanding the absence
22 of a current state registration license.

23 3. No person whose motor vehicle was duly inspected and
24 approved as provided in this section shall be required to have
25 the same motor vehicle again inspected and approved for the sole
26 reason that such person wishes to obtain a set of any special
27 personalized license plates available pursuant to section 301.144
28 or a set of any license plates available pursuant to section

1 301.142, prior to the expiration date of such motor vehicle's
2 current registration.

3 4. Notwithstanding the provisions of section 307.390,
4 violation of this section shall be deemed an infraction.

5 Section B. The repeal and reenactment of sections 301.020,
6 301.191, and 307.350 of this act shall become effective January
7 1, 2020.

8 ✓

9 _____
10

11
12
13
14 _____

15 David Sater

Jered Taylor