

SENATE BILL NO. 585

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN (16).

2237S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 301.055, 301.070, 301.110, 301.140, 301.142, 301.147, 301.558, 301.560, 301.570, 307.350, and 643.315, RSMo, and to enact in lieu thereof eleven new sections relating to the department of revenue, with penalty provisions and a contingent effective date.

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

Section A. Sections 301.055, 301.070, 301.110, 301.140, 2 301.142, 301.147, 301.558, 301.560, 301.570, 307.350, and 3 643.315, RSMo, are repealed and eleven new sections enacted in 4 lieu thereof, to be known as sections 301.055, 301.070, 301.110, 5 301.140, 301.142, 301.147, 301.558, 301.560, 301.570, 307.350, 6 and 643.315, to read as follows:

301.055. 1. The annual registration fee for motor 2 vehicles other than commercial motor vehicles is [:

3	Less than 12 horsepower	\$18.00
4	12 horsepower and less than 24 horsepower	21.00
5	24 horsepower and less than 36 horsepower	24.00
6	36 horsepower and less than 48 horsepower	33.00
7	48 horsepower and less than 60 horsepower	39.00
8	60 horsepower and less than 72 horsepower	45.00
9	72 horsepower and more	51.00
10	Motorcycles	8.50
11	Motortricycles	10.00

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 4.] Fees of commercial motor vehicles, other than
17 passenger-carrying commercial motor vehicles, shall be based
18 on the gross weight of the vehicle or any combination of
19 vehicles and the maximum load to be carried at any one time
20 during the license period, except the fee for a wrecker, tow
21 truck, rollback or car carrier used in a towing service
22 shall be based on the empty weight of such vehicle fully
23 equipped for the recovery or towing of vehicles.

24 [5.] 2. The decision of the director as to the type
25 of motor vehicles and their classification for the purpose
26 of registration and the computation of fees therefor shall
27 be final and conclusive.

 301.110. 1. Whenever the director shall determine
2 from an increase or decrease in the number of registrations
3 of all types of motor vehicles in any given month that the
4 volume of clerical work of registration of all types of
5 motor vehicles in such month has become so disproportionate
6 to the volume of work in the remaining registration periods
7 as to render the system burdensome or inefficient, he is
8 authorized and empowered to change the registration period
9 of any number of motor vehicles, other than commercial motor
10 vehicles, as may be necessary to increase or reduce the
11 volume of registration in one or more periods by advancing
12 the renewal date and shortening the registration period of
13 such motor vehicles.

14 2. The shifting of registration periods shall be
15 accomplished by notifying the registrants of the change, and
16 giving them credit for that portion of the registration
17 period not yet elapsed. In such instances the director
18 shall order the registrant to surrender the license plates
19 and registration certificate held by him and shall assign
20 and issue, without cost to the owner, new plates and a

21 registration certificate designating the new registration
22 expiration date.

23 **3. Notwithstanding the provisions of subsection 6 of**
24 **section 142.869 or any other provision of law to the**
25 **contrary, the director may stagger the collection of**
26 **alternative fuel decal fees and issuance of alternative fuel**
27 **decals so that issuance of alternative fuel decals occurs at**
28 **the time of vehicle registration and the decal or decals are**
29 **valid for the duration of the vehicle's registration**
30 **period. In lieu of an alternative fuel decal, the director**
31 **may issue a receipt showing payment of the alternative fuel**
32 **decal fee, which shall be kept with the vehicle and valid in**
33 **place of an alternative fuel decal displayed in accordance**
34 **with section 142.869.**

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

19 section 301.210. As used in this subsection, the term
20 "trade-in motor vehicle or trailer" shall include any single
21 motor vehicle or trailer sold by the buyer of the newly
22 purchased vehicle or trailer, as long as the license plates
23 for the trade-in motor vehicle or trailer are still valid.

24 2. In the case of a transfer of ownership the original
25 owner may register another motor vehicle under the same
26 number, upon the payment of a fee of two dollars, if the
27 motor vehicle is of [horsepower,] gross weight or (in the
28 case of a passenger-carrying commercial motor vehicle)
29 seating capacity[,] not in excess of that originally
30 registered. When such motor vehicle is of greater
31 [horsepower,] gross weight or (in the case of a passenger-
32 carrying commercial motor vehicle) seating capacity, for
33 which a greater fee is prescribed, the applicant shall pay a
34 transfer fee of two dollars and a pro rata portion for the
35 difference in fees. When such vehicle is of less
36 [horsepower,] gross weight or (in case of a passenger-
37 carrying commercial motor vehicle) seating capacity, for
38 which a lesser fee is prescribed, the applicant shall not be
39 entitled to a refund.

40 3. License plates may be transferred from a motor
41 vehicle which will no longer be operated to a newly
42 purchased motor vehicle by the owner of such vehicles. The
43 owner shall pay a transfer fee of two dollars if the newly
44 purchased vehicle is of [horsepower,] gross weight or (in
45 the case of a passenger-carrying commercial motor vehicle)
46 seating capacity[,] not in excess of that of the vehicle
47 which will no longer be operated. When the newly purchased
48 motor vehicle is of greater [horsepower,] gross weight or
49 (in the case of a passenger-carrying commercial motor
50 vehicle) seating capacity, for which a greater fee is

51 prescribed, the applicant shall pay a transfer fee of two
52 dollars and a pro rata portion of the difference in fees.
53 When the newly purchased vehicle is of less [horsepower,]
54 gross weight or (in the case of a passenger-carrying
55 commercial motor vehicle) seating capacity, for which a
56 lesser fee is prescribed, the applicant shall not be
57 entitled to a refund.

58 4. The director of the department of revenue shall
59 have authority to produce or allow others to produce a
60 weather resistant, nontearing temporary permit authorizing
61 the operation of a motor vehicle or trailer by a buyer for
62 not more than thirty days, or no more than ninety days if
63 issued by a dealer selling the motor vehicle under the
64 provisions of section 301.213, or no more than sixty days if
65 issued by a dealer selling the motor vehicle under the
66 provisions of subsection 5 of section 301.210, from the date
67 of purchase. The temporary permit authorized under this
68 section may be purchased by the purchaser of a motor vehicle
69 or trailer from the central office of the department of
70 revenue or from an authorized agent of the department of
71 revenue upon proof of purchase of a motor vehicle or trailer
72 for which the buyer has no registration plate available for
73 transfer and upon proof of financial responsibility, or from
74 a motor vehicle dealer upon purchase of a motor vehicle or
75 trailer for which the buyer has no registration plate
76 available for transfer, or from a motor vehicle dealer upon
77 purchase of a motor vehicle or trailer for which the buyer
78 has registered and is awaiting receipt of registration
79 plates. The director of the department of revenue or a
80 producer authorized by the director of the department of
81 revenue may make temporary permits available to registered
82 dealers in this state, authorized agents of the department

83 of revenue or the department of revenue. The price paid by
84 a motor vehicle dealer, an authorized agent of the
85 department of revenue or the department of revenue for a
86 temporary permit shall not exceed five dollars for each
87 permit. The director of the department of revenue shall
88 direct motor vehicle dealers and authorized agents to obtain
89 temporary permits from an authorized producer. Amounts
90 received by the director of the department of revenue for
91 temporary permits shall constitute state revenue; however,
92 amounts received by an authorized producer other than the
93 director of the department of revenue shall not constitute
94 state revenue and any amounts received by motor vehicle
95 dealers or authorized agents for temporary permits purchased
96 from a producer other than the director of the department of
97 revenue shall not constitute state revenue. In no event
98 shall revenues from the general revenue fund or any other
99 state fund be utilized to compensate motor vehicle dealers
100 or other producers for their role in producing temporary
101 permits as authorized under this section. Amounts that do
102 not constitute state revenue under this section shall also
103 not constitute fees for registration or certificates of
104 title to be collected by the director of the department of
105 revenue under section 301.190. No motor vehicle dealer,
106 authorized agent or the department of revenue shall charge
107 more than five dollars for each permit issued. The permit
108 shall be valid for a period of thirty days, or no more than
109 ninety days if issued by a dealer selling the motor vehicle
110 under the provisions of section 301.213, or no more than
111 sixty days if issued by a dealer selling the motor vehicle
112 under the provisions of subsection 5 of section 301.210,
113 from the date of purchase of a motor vehicle or trailer, or
114 from the date of sale of the motor vehicle or trailer by a

115 motor vehicle dealer for which the purchaser obtains a
116 permit as set out above. No permit shall be issued for a
117 vehicle under this section unless the buyer shows proof of
118 financial responsibility. Each temporary permit issued
119 shall be securely fastened to the back or rear of the motor
120 vehicle in a manner and place on the motor vehicle
121 consistent with registration plates so that all parts and
122 qualities of the temporary permit thereof shall be plainly
123 and clearly visible, reasonably clean and are not impaired
124 in any way.

125 5. The permit shall be issued on a form prescribed by
126 the director of the department of revenue and issued only
127 for the applicant's temporary operation of the motor vehicle
128 or trailer purchased to enable the applicant to temporarily
129 operate the motor vehicle while proper title and
130 registration plates are being obtained, or while awaiting
131 receipt of registration plates, and shall be displayed on no
132 other motor vehicle. Temporary permits issued pursuant to
133 this section shall not be transferable or renewable, shall
134 not be valid upon issuance of proper registration plates for
135 the motor vehicle or trailer, and shall be returned to the
136 department or to the department's agent upon the issuance of
137 such proper registration plates. Any temporary permit
138 returned to the department or to the department's agent
139 shall be immediately destroyed. The provisions of this
140 subsection shall not apply to temporary permits issued for
141 commercial motor vehicles licensed in excess of twenty-four
142 thousand pounds gross weight. The director of the
143 department of revenue shall determine the size, material,
144 design, numbering configuration, construction, and color of
145 the permit. The director of the department of revenue, at
146 his or her discretion, shall have the authority to reissue,

147 and thereby extend the use of, a temporary permit previously
148 and legally issued for a motor vehicle or trailer while
149 proper title and registration are being obtained.

150 6. Every motor vehicle dealer that issues temporary
151 permits shall keep, for inspection by proper officers, an
152 accurate record of each permit issued by recording the
153 permit number, the motor vehicle dealer's number, buyer's
154 name and address, the motor vehicle's year, make, and
155 manufacturer's vehicle identification number, and the
156 permit's date of issuance and expiration date. Upon the
157 issuance of a temporary permit by either the central office
158 of the department of revenue, a motor vehicle dealer or an
159 authorized agent of the department of revenue, the director
160 of the department of revenue shall make the information
161 associated with the issued temporary permit immediately
162 available to the law enforcement community of the state of
163 Missouri.

164 7. Upon the transfer of ownership of any currently
165 registered motor vehicle wherein the owner cannot transfer
166 the license plates due to a change of motor vehicle
167 category, the owner may surrender the license plates issued
168 to the motor vehicle and receive credit for any unused
169 portion of the original registration fee against the
170 registration fee of another motor vehicle. Such credit
171 shall be granted based upon the date the license plates are
172 surrendered. No refunds shall be made on the unused portion
173 of any license plates surrendered for such credit.

174 8. An additional temporary license plate produced in a
175 manner and of materials determined by the director to be the
176 most cost-effective means of production with a configuration
177 that matches an existing or newly issued plate may be
178 purchased by a motor vehicle owner to be placed in the

179 interior of the vehicle's rear window such that the driver's
180 view out of the rear window is not obstructed and the plate
181 configuration is clearly visible from the outside of the
182 vehicle to serve as the visible plate when a bicycle rack or
183 other item obstructs the view of the actual plate. Such
184 temporary plate is only authorized for use when the matching
185 actual plate is affixed to the vehicle in the manner
186 prescribed in subsection 5 of section 301.130. The fee
187 charged for the temporary plate shall be equal to the fee
188 charged for a temporary permit issued under subsection 4 of
189 this section. Replacement temporary plates authorized in
190 this subsection may be issued as needed upon the payment of
191 a fee equal to the fee charged for a temporary permit under
192 subsection 4 of this section. The newly produced third
193 plate may only be used on the vehicle with the matching
194 plate, and the additional plate shall be clearly
195 recognizable as a third plate and only used for the purpose
196 specified in this subsection.

197 9. Notwithstanding the provisions of section 301.217,
198 the director may issue a temporary permit to an individual
199 who possesses a salvage motor vehicle which requires an
200 inspection under subsection 9 of section 301.190. The
201 operation of a salvage motor vehicle for which the permit
202 has been issued shall be limited to the most direct route
203 from the residence, maintenance, or storage facility of the
204 individual in possession of such motor vehicle to the
205 nearest authorized inspection facility and return to the
206 originating location. Notwithstanding any other
207 requirements for the issuance of a temporary permit under
208 this section, an individual obtaining a temporary permit for
209 the purpose of operating a motor vehicle to and from an
210 examination facility as prescribed in this subsection shall

211 also purchase the required motor vehicle examination form
212 which is required to be completed for an examination under
213 subsection 9 of section 301.190 and provide satisfactory
214 evidence that such vehicle has passed a motor vehicle safety
215 inspection for such vehicle as required in section 307.350.

216 10. The director of the department of revenue may
217 promulgate all necessary rules and regulations for the
218 administration of this section. Any rule or portion of a
219 rule, as that term is defined in section 536.010, that is
220 created under the authority delegated in this section shall
221 become effective only if it complies with and is subject to
222 all of the provisions of chapter 536 and, if applicable,
223 section 536.028. This section and chapter 536 are
224 nonseverable and if any of the powers vested with the
225 general assembly pursuant to chapter 536 to review, to delay
226 the effective date, or to disapprove and annul a rule are
227 subsequently held unconstitutional, then the grant of
228 rulemaking authority and any rule proposed or adopted after
229 August 28, 2012, shall be invalid and void.

230 11. The repeal and reenactment of this section shall
231 become effective on the date the department of revenue or a
232 producer authorized by the director of the department of
233 revenue begins producing temporary permits described in
234 subsection 4 of such section, or on July 1, 2013, whichever
235 occurs first. If the director of revenue or a producer
236 authorized by the director of the department of revenue
237 begins producing temporary permits prior to July 1, 2013,
238 the director of the department of revenue shall notify the
239 revisor of statutes of such fact.

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

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

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

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

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

20 (a) The person cannot ambulate or walk fifty or less
21 feet without stopping to rest due to a severe and disabling
22 arthritic, neurological, orthopedic condition, or other
23 severe and disabling condition; or

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

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

33 (d) Uses portable oxygen; or

34 (e) Has a cardiac condition to the extent that the
35 person's functional limitations are classified in severity

36 as class III or class IV according to standards set by the
37 American Heart Association; or

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

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

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

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

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

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

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

65 3. A physician's statement shall:

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

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

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

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

74 4. If it is the professional opinion of the physician
75 or other authorized health care practitioner issuing the
76 statement that the physical disability of the applicant,
77 user, or member of the applicant's household is permanent,
78 it shall be noted on the statement. Otherwise, the
79 physician or other authorized health care practitioner shall
80 note on the statement the anticipated length of the
81 disability, which shall determine the expiration date for
82 the temporary windshield placard, and which period shall not
83 exceed one hundred eighty days. If the physician or health
84 care practitioner fails to record an expiration date on the
85 physician's statement, the director shall issue a temporary
86 windshield placard for a period of thirty days.

87 5. A physician or other authorized health care
88 practitioner who issues or signs a physician's statement so
89 that disabled plates or a disabled windshield placard may be
90 obtained shall maintain in such disabled person's medical
91 chart documentation that such a certificate has been issued,
92 the date the statement was signed, the diagnosis or
93 condition which existed that qualified the person as
94 disabled pursuant to this section and shall contain
95 sufficient documentation so as to objectively confirm that
96 such condition exists.

97 6. The medical or other records of the physician or
98 other authorized health care practitioner who issued a

99 physician's statement shall be open to inspection and review
100 by such practitioner's licensing board, in order to verify
101 compliance with this section. Information contained within
102 such records shall be confidential unless required for
103 prosecution, disciplinary purposes, or otherwise required to
104 be disclosed by law.

105 7. Owners of motor vehicles who are residents of the
106 state of Missouri, and who are physically disabled, owners
107 of motor vehicles operated at least fifty percent of the
108 time by a physically disabled person, or owners of motor
109 vehicles used to primarily transport physically disabled
110 members of the owner's household may obtain disabled person
111 license plates. Such owners, upon application to the
112 director accompanied by the documents and fees provided for
113 in this section, a current physician's statement which has
114 been issued within ninety days proceeding the date the
115 application is made, and proof of compliance with the state
116 motor vehicle laws relating to registration and licensing of
117 motor vehicles, shall be issued motor vehicle license plates
118 for vehicles, other than commercial vehicles with a gross
119 weight in excess of twenty-four thousand pounds, upon which
120 shall be inscribed the international wheelchair
121 accessibility symbol and the word "DISABLED" in addition to
122 a combination of letters and numbers. Such license plates
123 shall be made with fully reflective material with a common
124 color scheme and design, shall be clearly visible at night,
125 and shall be aesthetically attractive, as prescribed by
126 section 301.130. If at any time an individual who obtained
127 disabled license plates issued under this subsection no
128 longer occupies a residence with a physically disabled
129 person, or no longer owns a vehicle that is operated at
130 least fifty percent of the time by a physically disabled

131 person, such individual shall surrender the disabled license
132 plates to the department within thirty days of becoming
133 ineligible for their use.

134 8. The director shall further issue, upon request, to
135 such applicant one, and for good cause shown, as the
136 director may define by rule and regulations, not more than
137 two, removable disabled windshield hanging placards for use
138 when the disabled person is occupying a vehicle or when a
139 vehicle not bearing the permanent handicap plate is being
140 used to pick up, deliver, or collect the physically disabled
141 person issued the disabled motor vehicle license plate or
142 disabled windshield hanging placard.

143 9. No additional fee shall be paid to the director for
144 the issuance of the special license plates provided in this
145 section, except for special personalized license plates and
146 other license plates described in this subsection. Priority
147 for any specific set of special license plates shall be
148 given to the applicant who received the number in the
149 immediately preceding license period subject to the
150 applicant's compliance with the provisions of this section
151 and any applicable rules or regulations issued by the
152 director. If determined feasible by the advisory committee
153 established in section 301.129, any special license plate
154 issued pursuant to this section may be adapted to also
155 include the international wheelchair accessibility symbol
156 and the word "DISABLED" as prescribed in this section and
157 such plate may be issued to any applicant who meets the
158 requirements of this section and the other appropriate
159 provision of this chapter, subject to the requirements and
160 fees of the appropriate provision of this chapter.

161 10. Any physically disabled person, or the parent or
162 guardian of any such person, or any not-for-profit group,

163 organization, or other entity which transports more than one
164 physically disabled person, may apply to the director of
165 revenue for a removable windshield placard. The placard may
166 be used in motor vehicles which do not bear the permanent
167 handicap symbol on the license plate. Such placards must be
168 hung from the front, middle rearview mirror of a parked
169 motor vehicle and may not be hung from the mirror during
170 operation. These placards may only be used during the
171 period of time when the vehicle is being used by a disabled
172 person, or when the vehicle is being used to pick up,
173 deliver, or collect a disabled person, and shall be
174 surrendered to the department, within thirty days, if a
175 group, organization, or entity that obtained the removable
176 windshield placard due to the transportation of more than
177 one physically disabled person no longer transports more
178 than one disabled person. When there is no rearview mirror,
179 the placard shall be displayed on the dashboard on the
180 driver's side.

181 11. The removable windshield placard shall conform to
182 the specifications, in respect to size, color, and content,
183 as set forth in federal regulations published by the
184 Department of Transportation. The removable windshield
185 placard shall be renewed every [four] **eight** years. **The**
186 **department shall have the authority to automatically renew**
187 **current valid disabled placards for a duration of eight**
188 **years, or for the duration that correlates with their**
189 **current physician's statement expiration date, until all**
190 **permanent disabled placards are on an eight-year renewal**
191 **cycle.** The director may stagger the expiration dates to
192 equalize workload. Only one removable placard may be issued
193 to an applicant who has been issued disabled person license
194 plates. Upon request, one additional windshield placard may

195 be issued to an applicant who has not been issued disabled
196 person license plates.

197 12. A temporary windshield placard shall be issued to
198 any physically disabled person, or the parent or guardian of
199 any such person who otherwise qualifies except that the
200 physical disability, in the opinion of the physician, is not
201 expected to exceed a period of one hundred eighty days. The
202 temporary windshield placard shall conform to the
203 specifications, in respect to size, color, and content, as
204 set forth in federal regulations published by the Department
205 of Transportation. The fee for the temporary windshield
206 placard shall be two dollars. Upon request, and for good
207 cause shown, one additional temporary windshield placard may
208 be issued to an applicant. Temporary windshield placards
209 shall be issued upon presentation of the physician's
210 statement provided by this section and shall be displayed in
211 the same manner as removable windshield placards. A person
212 or entity shall be qualified to possess and display a
213 temporary removable windshield placard for six months and
214 the placard may be renewed once for an additional six months
215 if a physician's statement pursuant to this section is
216 supplied to the director of revenue at the time of renewal.

217 13. A windshield placard shall be renewable only by
218 the person or entity to which the placard was originally
219 issued. Any placard issued pursuant to this section shall
220 only be used when the physically disabled occupant for whom
221 the disabled plate or placard was issued is in the motor
222 vehicle at the time of parking or when a physically disabled
223 person is being delivered or collected. A disabled license
224 plate and/or a removable windshield hanging placard are not
225 transferable and may not be used by any other person whether
226 disabled or not.

227 14. At the time the disabled plates or windshield
228 hanging placards are issued, the director shall issue a
229 registration certificate which shall include the applicant's
230 name, address, and other identifying information as
231 prescribed by the director, or if issued to an agency, such
232 agency's name and address. This certificate shall further
233 contain the disabled license plate number or, for windshield
234 hanging placards, the registration or identifying number
235 stamped on the placard. The validated registration receipt
236 given to the applicant shall serve as the registration
237 certificate.

238 15. The director shall, upon issuing any disabled
239 registration certificate for license plates and/or
240 windshield hanging placards, provide information which
241 explains that such plates or windshield hanging placards are
242 nontransferable, and the restrictions explaining who and
243 when a person or vehicle which bears or has the disabled
244 plates or windshield hanging placards may be used or be
245 parked in a disabled reserved parking space, and the
246 penalties prescribed for violations of the provisions of
247 this act.

248 16. (1) Except as otherwise provided in this
249 subsection, every applicant for issuance of a disabled
250 license plate or placard shall be required to present a new
251 physician's statement dated no more than ninety days prior
252 to such application, and for renewal applications a
253 physician's statement dated no more than ninety days prior
254 to such application shall be required every eighth year.

255 (2) Notwithstanding any provision of law to the
256 contrary, if the applicant has presented proof of disability
257 in the form of a statement from the United States Department
258 of Veterans Affairs verifying that the person is permanently

259 disabled, the applicant shall not be required to provide a
260 physician's statement for the purpose of issuance or renewal
261 of disabled person license plates or windshield placards.

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

269 17. The director of revenue upon receiving a
270 physician's statement pursuant to this subsection shall
271 check with the state board of registration for the healing
272 arts created in section 334.120, or the Missouri state board
273 of nursing established in section 335.021, with respect to
274 physician's statements signed by advanced practice
275 registered nurses, or the Missouri state board of
276 chiropractic examiners established in section 331.090, with
277 respect to physician's statements signed by licensed
278 chiropractors, or with the board of optometry established in
279 section 336.130, with respect to physician's statements
280 signed by licensed optometrists, or the state board of
281 podiatric medicine created in section 330.100, with respect
282 to physician's statements signed by physicians of the foot
283 or podiatrists to determine whether the physician is duly
284 licensed and registered pursuant to law.

285 18. The boards shall cooperate with the director and
286 shall supply information requested pursuant to this
287 subsection. The director shall, in cooperation with the
288 boards which shall assist the director, establish a list of
289 all Missouri physicians and other authorized health care

290 practitioners and of any other information necessary to
291 administer this section.

292 19. Where the owner's application is based on the fact
293 that the vehicle is used at least fifty percent of the time
294 by a physically disabled person, the applicant shall submit
295 a statement stating this fact, in addition to the
296 physician's statement. The statement shall be signed by
297 both the owner of the vehicle and the physically disabled
298 person. The applicant shall be required to submit this
299 statement with each application for license plates. No
300 person shall willingly or knowingly submit a false statement
301 and any such false statement shall be considered perjury and
302 may be punishable pursuant to section 301.420.

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

307 21. The director of revenue shall enter into
308 reciprocity agreements with other states or the federal
309 government for the purpose of recognizing disabled person
310 license plates or windshield placards issued to physically
311 disabled persons.

312 22. When a person to whom disabled person license
313 plates or a removable or temporary windshield placard or
314 both have been issued dies, the personal representative of
315 the decedent or such other person who may come into or
316 otherwise take possession of the disabled license plates or
317 disabled windshield placard shall return the same to the
318 director of revenue under penalty of law. Failure to return
319 such plates or placards shall constitute a class B
320 misdemeanor.

321 23. The director of revenue may order any person
322 issued disabled person license plates or windshield placards
323 to submit to an examination by a chiropractor, osteopath, or
324 physician, or to such other investigation as will determine
325 whether such person qualifies for the special plates or
326 placards.

327 24. If such person refuses to submit or is found to no
328 longer qualify for special plates or placards provided for
329 in this section, the director of revenue shall collect the
330 special plates or placards, and shall furnish license plates
331 to replace the ones collected as provided by this chapter.

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

338 26. Fraudulent application, renewal, issuance,
339 procurement or use of disabled person license plates or
340 windshield placards shall be a class A misdemeanor. It is a
341 class B misdemeanor for a physician, chiropractor,
342 podiatrist or optometrist to certify that an individual or
343 family member is qualified for a license plate or windshield
344 placard based on a disability, the diagnosis of which is
345 outside their scope of practice or if there is no basis for
346 the diagnosis.

301.147. 1. Notwithstanding the provisions of section
2 301.020 to the contrary, beginning July 1, 2000, the
3 director of revenue may provide owners of motor vehicles,
4 other than commercial motor vehicles licensed in excess of
5 fifty-four thousand pounds gross weight, the option of
6 biennially registering motor vehicles. [Any vehicle

7 manufactured as an even-numbered model year vehicle shall be
8 renewed each even-numbered calendar year and any such
9 vehicle manufactured as an odd-numbered model year vehicle
10 shall be renewed each odd-numbered calendar year, subject to
11 the following requirements:]

12 (1) The fee collected at the time of biennial
13 registration shall include the annual registration fee plus
14 a pro rata amount for the additional [twelve] months of the
15 biennial registration[;].

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

24 2. The director of revenue may prescribe rules and
25 regulations for the effective administration of this
26 section. The director is authorized to adopt those rules
27 that are reasonable and necessary to accomplish the limited
28 duties specifically delegated within this section. Any rule
29 or portion of a rule, as that term is defined in section
30 536.010, that is promulgated pursuant to the authority
31 delegated in this section shall become effective only if it
32 has been promulgated pursuant to the provisions of chapter
33 536. This section and chapter 536 are nonseverable and if
34 any of the powers vested with the general assembly pursuant
35 to chapter 536 to review, to delay the effective date or to
36 disapprove and annul a rule are subsequently held
37 unconstitutional, then the grant of rulemaking authority and

38 any rule proposed or adopted after July 1, 2000, shall be
39 invalid and void.

40 3. The director of revenue shall have the authority to
41 stagger the registration period of motor vehicles other than
42 commercial motor vehicles licensed in excess of twelve
43 thousand pounds gross weight, **to equalize workload or for**
44 **the convenience of registration applicants.** Once the owner
45 of a motor vehicle chooses the option of biennial
46 registration, such registration must be maintained for the
47 full twenty-four month period.

301.558. 1. A motor vehicle dealer, **trailer dealer,**
2 boat dealer, or powersport dealer may fill in the blanks on
3 standardized forms in connection with the sale or lease of a
4 new or used motor vehicle, **trailer,** vessel, or vessel
5 trailer if the motor vehicle dealer, **trailer dealer,** boat
6 dealer, or powersport dealer does not charge for the
7 services of filling in the blanks or otherwise charge for
8 preparing documents.

9 2. A motor vehicle dealer, **trailer dealer,** boat
10 dealer, or powersport dealer may charge an administrative
11 fee in connection with the sale or lease of a new or used
12 motor vehicle, **trailer,** vessel, or vessel trailer for the
13 storage of documents or any other administrative or clerical
14 services not prohibited by this section. A portion of the
15 administrative fee may result in profit to the motor vehicle
16 dealer, **trailer dealer,** boat dealer, or powersport dealer.

17 3. (1) Ten percent of any fee authorized under this
18 section and charged by motor vehicle dealers **or trailer**
19 **dealers** shall be remitted to the motor vehicle
20 administration technology fund established in this
21 subsection, for the development of the system specified in
22 this subsection. Following the development of the system

23 specified in this subsection, the director of the department
24 of revenue shall notify motor vehicle dealers **and trailer**
25 **dealers**, and implement the system, and the percentage of any
26 fee authorized under this section required to be remitted to
27 the fund shall be reduced to one percent, which shall be
28 used for maintenance of the system. This subsection shall
29 expire on January 1, 2037.

30 (2) There is hereby created in the state treasury the
31 "Motor Vehicle Administration Technology Fund", which shall
32 consist of money collected as specified in this subsection.
33 The state treasurer shall be custodian of the fund. In
34 accordance with sections 30.170 and 30.180, the state
35 treasurer may approve disbursements. The fund shall be a
36 dedicated fund and money in the fund shall be used solely by
37 the department of revenue for the purpose of development and
38 maintenance of a modernized, integrated system for the
39 titling of vehicles, issuance and renewal of vehicle
40 registrations, issuance and renewal of driver's licenses and
41 identification cards, and perfection and release of liens
42 and encumbrances on vehicles.

43 (3) Notwithstanding the provisions of section 33.080
44 to the contrary, any moneys remaining in the fund at the end
45 of the biennium shall not revert to the credit of the
46 general revenue fund.

47 (4) The state treasurer shall invest moneys in the
48 fund in the same manner as other funds are invested. Any
49 interest and moneys earned on such investments shall be
50 credited to the fund.

51 4. No motor vehicle dealer, **trailer dealer**, boat
52 dealer, or powersport dealer that sells or leases new or
53 used motor vehicles, **trailers**, vessels, or vessel trailers
54 and imposes an administrative fee of five hundred dollars or

55 less in connection with the sale or lease of a new or used
56 **motor** vehicle, **trailer**, vessel, or vessel trailer for the
57 storage of documents or any other administrative or clerical
58 services shall be deemed to be engaging in the unauthorized
59 practice of law. The maximum administrative fee permitted
60 under this subsection shall be increased annually by an
61 amount equal to the percentage change in the annual average
62 of the Consumer Price Index for All Urban Consumers or its
63 successor index, as reported by the federal Bureau of Labor
64 Statistics or its successor agency, or by zero, whichever is
65 greater. The director of the department of revenue shall
66 annually furnish the maximum administrative fee determined
67 under this section to the secretary of state, who shall
68 publish such value in the Missouri Register as soon as
69 practicable after January fourteenth of each year.

70 5. If an administrative fee is charged under this
71 section, the same administrative fee shall be charged to all
72 retail customers unless the fee is limited by the dealer's
73 franchise agreement to certain classes of customers. The
74 fee shall be disclosed on the retail buyer's order form as a
75 separate itemized charge.

76 6. A preliminary worksheet on which a sale price is
77 computed and that is shown to the purchaser, a retail
78 buyer's order form from the purchaser, or a retail
79 installment contract shall include, in reasonable proximity
80 to the place on the document where the administrative fee
81 authorized by this section is disclosed, the amount of the
82 administrative fee and the following notice in type that is
83 boldfaced, capitalized, underlined, or otherwise
84 conspicuously set out from the surrounding written material:

85 "AN ADMINISTRATIVE FEE IS NOT AN OFFICIAL
86 FEE AND IS NOT REQUIRED BY LAW BUT MAY BE

87 CHARGED BY A DEALER. THIS ADMINISTRATIVE FEE
88 MAY RESULT IN A PROFIT TO DEALER. NO PORTION OF
89 THIS ADMINISTRATIVE FEE IS FOR THE DRAFTING,
90 PREPARATION, OR COMPLETION OF DOCUMENTS OR THE
91 PROVIDING OF LEGAL ADVICE. THIS NOTICE IS
92 REQUIRED BY LAW."

93 7. The general assembly believes that an
94 administrative fee charged in compliance with this section
95 is not the unauthorized practice of law or the unauthorized
96 business of law so long as the activity or service for which
97 the fee is charged is in compliance with the provisions of
98 this section and does not result in the waiver of any rights
99 or remedies. Recognizing, however, that the judiciary is
100 the sole arbitrator of what constitutes the practice of law,
101 in the event that a court determines that an administrative
102 fee charged in compliance with this section, and that does
103 not waive any rights or remedies of the buyer, is the
104 unauthorized practice of law or the unauthorized business of
105 law, then no person who paid that administrative fee may
106 recover said fee or treble damages, as permitted under
107 section 484.020, and no person who charged that fee shall be
108 guilty of a misdemeanor, as provided under section 484.020.

301.560. 1. In addition to the application forms
2 prescribed by the department, each applicant shall submit
3 the following to the department:

4 (1) Every application other than a renewal application
5 for a **new** motor vehicle franchise dealer shall include a
6 certification that the applicant has a bona fide established
7 place of business. Such application shall include an annual
8 certification that the applicant has a bona fide established
9 place of business for the first three years and only for
10 every other year thereafter. The certification shall be

11 performed by a uniformed member of the Missouri state
12 highway patrol or authorized or designated employee
13 stationed in the troop area in which the applicant's place
14 of business is located; except that in counties of the first
15 classification, certification may be performed by an officer
16 of a metropolitan police department when the applicant's
17 established place of business of distributing or selling
18 motor vehicles or trailers is in the metropolitan area where
19 the certifying metropolitan police officer is employed.
20 When the application is being made for licensure as a boat
21 manufacturer or boat dealer, certification shall be
22 performed by a uniformed member of the Missouri state
23 highway patrol or authorized or designated employee
24 stationed in the troop area in which the applicant's place
25 of business is located or, if the applicant's place of
26 business is located within the jurisdiction of a
27 metropolitan police department in a first class county, by
28 an officer of such metropolitan police department. A bona
29 fide established place of business for any new motor vehicle
30 franchise dealer, used motor vehicle dealer, boat dealer,
31 powersport dealer, wholesale motor vehicle dealer, trailer
32 dealer, or wholesale or public auction shall be a permanent
33 enclosed building or structure, either owned in fee or
34 leased and actually occupied as a place of business by the
35 applicant for the selling, bartering, trading, servicing, or
36 exchanging of motor vehicles, boats, personal watercraft, or
37 trailers and wherein the public may contact the owner or
38 operator at any reasonable time, and wherein shall be kept
39 and maintained the books, records, files and other matters
40 required and necessary to conduct the business. The
41 applicant shall maintain a working telephone number during
42 the entire registration year which will allow the public,

43 the department, and law enforcement to contact the applicant
44 during regular business hours. The applicant shall also
45 maintain an email address during the entire registration
46 year which may be used for official correspondence with the
47 department. In order to qualify as a bona fide established
48 place of business for all applicants licensed pursuant to
49 this section there shall be an exterior sign displayed
50 carrying the name of the business set forth in letters at
51 least six inches in height and clearly visible to the public
52 and there shall be an area or lot which shall not be a
53 public street on which multiple vehicles, boats, personal
54 watercraft, or trailers may be displayed. The sign shall
55 contain the name of the dealership by which it is known to
56 the public through advertising or otherwise, which need not
57 be identical to the name appearing on the dealership's
58 license so long as such name is registered as a fictitious
59 name with the secretary of state, has been approved by its
60 line-make manufacturer in writing in the case of a new motor
61 vehicle franchise dealer and a copy of such fictitious name
62 registration has been provided to the department. Dealers
63 who sell only emergency vehicles as defined in section
64 301.550 are exempt from maintaining a bona fide place of
65 business, including the related law enforcement
66 certification requirements, and from meeting the minimum
67 yearly sales;

68 (2) The initial application for licensure shall
69 include a photograph, not to exceed eight inches by ten
70 inches but no less than five inches by seven inches, showing
71 the business building, lot, and sign. A new motor vehicle
72 franchise dealer applicant who has purchased a currently
73 licensed new motor vehicle franchised dealership shall be
74 allowed to submit a photograph of the existing dealership

75 building, lot and sign but shall be required to submit a new
76 photograph upon the installation of the new dealership sign
77 as required by sections 301.550 to 301.580. Applicants
78 shall not be required to submit a photograph annually unless
79 the business has moved from its previously licensed
80 location, or unless the name of the business or address has
81 changed, or unless the class of business has changed;

82 (3) Every applicant as a new motor vehicle franchise
83 dealer, a used motor vehicle dealer, a powersport dealer, a
84 wholesale motor vehicle dealer, trailer dealer, or boat
85 dealer shall furnish with the application a corporate surety
86 bond or an irrevocable letter of credit as defined in
87 section 400.5-102, issued by any state or federal financial
88 institution in the penal sum of fifty thousand dollars on a
89 form approved by the department. The bond or irrevocable
90 letter of credit shall be conditioned upon the dealer
91 complying with the provisions of the statutes applicable to
92 new motor vehicle franchise dealers, used motor vehicle
93 dealers, powersport dealers, wholesale motor vehicle
94 dealers, trailer dealers, and boat dealers, and the bond
95 shall be an indemnity for any loss sustained by reason of
96 the acts of the person bonded when such acts constitute
97 grounds for the suspension or revocation of the dealer's
98 license. The bond shall be executed in the name of the
99 state of Missouri for the benefit of all aggrieved parties
100 or the irrevocable letter of credit shall name the state of
101 Missouri as the beneficiary; except, that the aggregate
102 liability of the surety or financial institution to the
103 aggrieved parties shall, in no event, exceed the amount of
104 the bond or irrevocable letter of credit. Additionally,
105 every applicant as a new motor vehicle franchise dealer, a
106 used motor vehicle dealer, a powersport dealer, a wholesale

107 motor vehicle dealer, or boat dealer shall furnish with the
108 application a copy of a current dealer garage policy bearing
109 the policy number and name of the insurer and the insured.
110 The proceeds of the bond or irrevocable letter of credit
111 furnished by an applicant shall be paid upon receipt by the
112 department of a final judgment from a Missouri court of
113 competent jurisdiction against the principal and in favor of
114 an aggrieved party. The proceeds of the bond or irrevocable
115 letter of credit furnished by an applicant shall be paid at
116 the order of the department and in the amount determined by
117 the department to any buyer or interested lienholder up to
118 the greater of the amount required for the release of the
119 purchase money lien or the sales price paid by the buyer
120 where a dealer has failed to fulfill the dealer's
121 obligations under an agreement to assign and deliver title
122 to the buyer within thirty days under a contract entered
123 into pursuant to subsection 5 of section 301.210. The
124 department shall direct release of the bond or irrevocable
125 letter of credit proceeds upon presentation of a written
126 agreement entered into pursuant to subsection 5 of section
127 301.210, copies of the associated sales and finance
128 documents, and the affidavit or affidavits of the buyer or
129 lienholder stating that the certificate of title with
130 assignment thereof has not been passed to the buyer within
131 thirty days of the date of the contract entered into under
132 subsection 5 of section 301.210, that the dealer has not
133 fulfilled the agreement under the contract to repurchase the
134 vehicle, that the buyer or the lienholder has notified the
135 dealer of the claim on the bond or letter of credit, and the
136 amount claimed by the purchaser or lienholder. In addition,
137 prior to directing release and payment of the proceeds of a
138 bond or irrevocable letter of credit, the department shall

139 ensure that there is satisfactory evidence to establish that
140 the vehicle which is subject to the written agreement has
141 been returned by the buyer to the dealer or that the buyer
142 has represented to the department that the buyer will
143 surrender possession of the vehicle to the dealer upon
144 payment of the proceeds of the bond or letter of credit
145 directed by the department. Excepting ordinary wear and
146 tear or mechanical failures not caused by the buyer, the
147 amount of proceeds to be paid to the buyer under the bond or
148 irrevocable letter of credit shall be reduced by an amount
149 equivalent to any damage, abuse, or destruction incurred by
150 the vehicle while the vehicle was in the buyer's possession
151 as agreed between the buyer and the dealer. The dealer may
152 apply to a court of competent jurisdiction to contest the
153 claim on the bond or letter of credit, including the amount
154 of the claim and the amount of any adjustment for any
155 damage, abuse, or destruction, by filing a petition with the
156 court within thirty days of the notification by the buyer or
157 lienholder. If the dealer does not fulfill the agreement or
158 file a petition to request judicial relief from the terms of
159 the agreement or contest the amount of the claim, the bond
160 or letter of credit shall be released by the department and
161 directed paid in the amount or amounts presented by the
162 lienholder or buyer;

163 (4) Payment of all necessary license fees as
164 established by the department. In establishing the amount
165 of the annual license fees, the department shall, as near as
166 possible, produce sufficient total income to offset
167 operational expenses of the department relating to the
168 administration of sections 301.550 to 301.580. All fees
169 payable pursuant to the provisions of sections 301.550 to
170 301.580[, other than those fees collected for the issuance

171 of dealer plates or certificates of number collected
172 pursuant to subsection 6 of this section,] shall be
173 collected by the department for deposit in the state
174 treasury to the credit of the "Motor Vehicle Commission
175 Fund", which is hereby created. The motor vehicle
176 commission fund shall be administered by the Missouri
177 department of revenue. The provisions of section 33.080 to
178 the contrary notwithstanding, money in such fund shall not
179 be transferred and placed to the credit of the general
180 revenue fund until the amount in the motor vehicle
181 commission fund at the end of the biennium exceeds two times
182 the amount of the appropriation from such fund for the
183 preceding fiscal year or, if the department requires permit
184 renewal less frequently than yearly, then three times the
185 appropriation from such fund for the preceding fiscal year.
186 The amount, if any, in the fund which shall lapse is that
187 amount in the fund which exceeds the multiple of the
188 appropriation from such fund for the preceding fiscal year.

189 2. In the event a new vehicle manufacturer, boat
190 manufacturer, motor vehicle dealer, wholesale motor vehicle
191 dealer, boat dealer, powersport dealer, wholesale motor
192 vehicle auction, trailer dealer, or a public motor vehicle
193 auction submits an application for a license for a new
194 business and the applicant has complied with all the
195 provisions of this section, the department shall make a
196 decision to grant or deny the license to the applicant
197 within eight working hours after receipt of the dealer's
198 application, notwithstanding any rule of the department.

199 3. Except as otherwise provided in subsection 6 of
200 this section, upon the initial issuance of a license by the
201 department, the department shall assign a distinctive dealer
202 license number or certificate of number to the applicant and

203 the department shall issue one number plate or certificate
 204 bearing the distinctive dealer license number or certificate
 205 of number and two additional number plates or certificates
 206 of number within eight working hours after presentment of
 207 the application and payment by the applicant of a fee of
 208 fifty dollars for the first plate or certificate and ten
 209 dollars and fifty cents for each additional plate or
 210 certificate. Upon renewal, the department shall issue [the
 211 distinctive dealer license number or certificate of number]
 212 **a renewal tab to be placed on the lower right corner of the**
 213 **plate or certificate** as quickly as possible. **The fee for**
 214 **the tabs shall be twenty-five dollars for the first tab and**
 215 **six dollars for each additional tab.** The issuance of such
 216 distinctive dealer license number or certificate of number,
 217 **and tab or tabs**, shall be in lieu of registering each motor
 218 vehicle, trailer, vessel or vessel trailer dealt with by a
 219 boat dealer, boat manufacturer, manufacturer, public motor
 220 vehicle auction, wholesale motor vehicle dealer, wholesale
 221 motor vehicle auction or new or used motor vehicle dealer.
 222 The license plates described in this section shall be made
 223 with fully reflective material with a common color scheme
 224 and design, shall be clearly visible at night, and shall be
 225 aesthetically attractive, as prescribed by section 301.130.

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

229	New motor vehicle franchise dealers	D-0 through D-999
230	New powersport dealers	D-1000 through D-1999
231	Used motor vehicle and used	D-2000 through D-9999
232	powersport dealers	

233	Wholesale motor vehicle dealers	W-0 through W-1999
234	Wholesale motor vehicle auctions	WA-0 through WA-999
235	New and used trailer dealers	T-0 through T-9999
236 237	Motor vehicle, trailer, and boat manufacturers	DM-0 through DM-999
238	Public motor vehicle auctions	A-0 through A-1999
239	Boat dealers	M-0 through M-9999
240 241	New and used recreational motor vehicle dealers	RV-0 through RV-999

242 For purposes of this subsection, qualified transactions
243 shall include the purchase of salvage titled vehicles by a
244 licensed salvage dealer. A used motor vehicle dealer who
245 also holds a salvage dealer's license shall be allowed one
246 additional plate or certificate number per fifty-unit
247 qualified transactions annually. In order for salvage
248 dealers to obtain number plates or certificates under this
249 section, dealers shall submit to the department of revenue
250 on August first of each year a statement certifying, under
251 penalty of perjury, the dealer's number of purchases during
252 the reporting period of July first of the immediately
253 preceding year to June thirtieth of the present year. The
254 provisions of this subsection shall become effective on the
255 date the director of the department of revenue begins to
256 reissue new license plates under section 301.130, or on
257 December 1, 2008, whichever occurs first. If the director
258 of revenue begins reissuing new license plates under the
259 authority granted under section 301.130 prior to December 1,

260 2008, the director of the department of revenue shall notify
261 the revisor of statutes of such fact.

262 5. Upon the sale of a currently licensed motor vehicle
263 dealership the department shall, upon request, authorize the
264 new approved dealer applicant to retain the selling dealer's
265 license number and shall cause the new dealer's records to
266 indicate such transfer. If the new approved dealer
267 applicant elects not to retain the selling dealer's license
268 number, the department shall issue the new dealer applicant
269 a new dealer's license number and an equal number of plates
270 or certificates as the department had issued to the selling
271 dealer.

272 6. In the case of motor vehicle dealers, the
273 department shall issue one number plate bearing the
274 distinctive dealer license number and may issue one
275 additional number plate to the applicant upon payment by the
276 dealer of a fifty dollar fee for the number plate bearing
277 the distinctive dealer license number and ten dollars and
278 fifty cents for the additional number plate. The department
279 may issue a third plate to the motor vehicle dealer upon
280 completion of the dealer's fifteenth qualified transaction
281 and payment of a fee of ten dollars and fifty cents. In the
282 case of new motor vehicle manufacturers, powersport dealers,
283 recreational motor vehicle dealers, and trailer dealers, the
284 department shall issue one number plate bearing the
285 distinctive dealer license number and may issue two
286 additional number plates to the applicant upon payment by
287 the manufacturer or dealer of a fifty dollar fee for the
288 number plate bearing the distinctive dealer license number
289 and ten dollars and fifty cents for each additional number
290 plate. Boat dealers and boat manufacturers shall be
291 entitled to one certificate of number bearing such number

292 upon the payment of a fifty dollar fee. Additional number
293 plates and as many additional certificates of number may be
294 obtained upon payment of a fee of ten dollars and fifty
295 cents for each additional plate or certificate. New motor
296 vehicle manufacturers shall not be issued or possess more
297 than three hundred forty-seven additional number plates or
298 certificates of number annually. New and used motor vehicle
299 dealers, powersport dealers, wholesale motor vehicle
300 dealers, boat dealers, and trailer dealers are limited to
301 one additional plate or certificate of number per ten-unit
302 qualified transactions annually. New and used recreational
303 motor vehicle dealers are limited to two additional plates
304 or certificate of number per ten-unit qualified transactions
305 annually for their first fifty transactions and one
306 additional plate or certificate of number per ten-unit
307 qualified transactions thereafter. An applicant seeking the
308 issuance of an initial license shall indicate on his or her
309 initial application the applicant's proposed annual number
310 of sales in order for the director to issue the appropriate
311 number of additional plates or certificates of number. A
312 motor vehicle dealer, trailer dealer, boat dealer,
313 powersport dealer, recreational motor vehicle dealer, motor
314 vehicle manufacturer, boat manufacturer, or wholesale motor
315 vehicle dealer obtaining a distinctive dealer license plate
316 or certificate of number or additional license plate or
317 additional certificate of number, throughout the calendar
318 year, shall be required to pay a fee for such license plates
319 or certificates of number computed on the basis of one-
320 twelfth of the full fee prescribed for the original and
321 duplicate number plates or certificates of number for such
322 dealers' licenses, multiplied by the number of months
323 remaining in the licensing period for which the dealer or

324 manufacturers shall be required to be licensed. In the
325 event of a renewing dealer, the fee due at the time of
326 renewal shall not be prorated. Wholesale and public
327 auctions shall be issued a certificate of dealer
328 registration in lieu of a dealer number plate. In order for
329 dealers to obtain number plates or certificates under this
330 section, dealers shall submit to the department of revenue
331 on August first of each year a statement certifying, under
332 penalty of perjury, the dealer's number of sales during the
333 reporting period of July first of the immediately preceding
334 year to June thirtieth of the present year.

335 7. The plates issued pursuant to subsection 3 or 6 of
336 this section may be displayed on any motor vehicle owned by
337 a new motor vehicle manufacturer. The plates issued
338 pursuant to subsection 3 or 6 of this section may be
339 displayed on any motor vehicle or trailer owned and held for
340 resale by a motor vehicle dealer for use by a customer who
341 is test driving the motor vehicle, for use by any customer
342 while the customer's vehicle is being serviced or repaired
343 by the motor vehicle dealer, for use and display purposes
344 during, but not limited to, parades, private events,
345 charitable events, or for use by an employee or officer, but
346 shall not be displayed on any motor vehicle or trailer hired
347 or loaned to others or upon any regularly used service or
348 wrecker vehicle. Motor vehicle dealers may display their
349 dealer plates on a tractor, truck or trailer to demonstrate
350 a vehicle under a loaded condition. Trailer dealers may
351 display their dealer license plates in like manner, except
352 such plates may only be displayed on trailers owned and held
353 for resale by the trailer dealer.

354 8. The certificates of number issued pursuant to
355 subsection 3 or 6 of this section may be displayed on any

356 vessel or vessel trailer owned and held for resale by a boat
357 manufacturer or a boat dealer, and used by a customer who is
358 test driving the vessel or vessel trailer, or is used by an
359 employee or officer on a vessel or vessel trailer only, but
360 shall not be displayed on any motor vehicle owned by a boat
361 manufacturer, boat dealer, or trailer dealer, or vessel or
362 vessel trailer hired or loaned to others or upon any
363 regularly used service vessel or vessel trailer. Boat
364 dealers and boat manufacturers may display their certificate
365 of number on a vessel or vessel trailer when transporting a
366 vessel or vessels to an exhibit or show.

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

373 10. (1) Every application for the issuance of a used
374 motor vehicle dealer's license shall be accompanied by proof
375 that the applicant, within the last twelve months, has
376 completed an educational seminar course approved by the
377 department as prescribed by subdivision (2) of this
378 subsection. Wholesale and public auto auctions and
379 applicants currently holding a new or used license for a
380 separate dealership shall be exempt from the requirements of
381 this subsection. The provisions of this subsection shall
382 not apply to current new motor vehicle franchise dealers or
383 motor vehicle leasing agencies or applicants for a new motor
384 vehicle franchise or a motor vehicle leasing agency. The
385 provisions of this subsection shall not apply to used motor
386 vehicle dealers who were licensed prior to August 28, 2006.

387 (2) The educational seminar shall include, but is not
388 limited to, the dealer requirements of sections 301.550 to
389 301.580, the rules promulgated to implement, enforce, and
390 administer sections 301.550 to 301.580, and any other rules
391 and regulations promulgated by the department.

 301.570. 1. It shall be unlawful for any person,
2 partnership, corporation, company or association, unless the
3 seller is a financial institution, or is selling repossessed
4 motor vehicles or is disposing of vehicles used and titled
5 solely in its ordinary course of business or is a collector
6 of antique motor vehicles, to sell or display with an intent
7 to sell **[six] eight** or more motor vehicles in a calendar
8 year, except when such motor vehicles are registered in the
9 name of the seller, unless such person, partnership,
10 corporation, company or association is:

11 (1) Licensed as a motor vehicle dealer by the
12 department under the provisions of sections 301.550 to
13 301.580;

14 (2) Exempt from licensure as a motor vehicle dealer
15 pursuant to subsection 4 of section 301.559;

16 (3) Selling commercial motor vehicles with a gross
17 weight of at least nineteen thousand five hundred pounds,
18 but only with respect to such commercial motor vehicles;

19 (4) An auctioneer, acting at the request of the owner
20 at an auction, when such auction is not a public motor
21 vehicle auction.

22 2. Any person, partnership, corporation, company or
23 association that has reason to believe that the provisions
24 of this section are being violated shall file a complaint
25 with the prosecuting attorney in the county in which the
26 violation occurred. The prosecuting attorney shall
27 investigate the complaint and take appropriate action.

28 3. For the purposes of sections 301.550 to 301.580,
29 the sale, barter, exchange, lease or rental with option to
30 purchase of ~~[six]~~ **eight** or more motor vehicles in a calendar
31 year by any person, partnership, corporation, company or
32 association, whether or not the motor vehicles are owned by
33 them, shall be prima facie evidence of intent to make a
34 profit or gain of money and such person, partnership,
35 corporation, company or association shall be deemed to be
36 acting as a motor vehicle dealer without a license.

37 4. Any person, partnership, corporation, company or
38 association who violates subsection 1 of this section is
39 guilty of a class A misdemeanor. A second or subsequent
40 conviction shall be deemed a class E felony.

41 5. The provisions of this section shall not apply to
42 liquidation of an estate.

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

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

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

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

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

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

46 The certificate of inspection and approval shall be a
47 sticker, seal, or other device or combination thereof, as
48 the superintendent of the Missouri state highway patrol

49 prescribes by regulation and shall be displayed upon the
50 motor vehicle or trailer as prescribed by the regulations
51 established by him. The replacement of certificates of
52 inspection and approval which are lost or destroyed shall be
53 made by the superintendent of the Missouri state highway
54 patrol under regulations prescribed by him.

55 2. For the purpose of obtaining an inspection only, it
56 shall be lawful to operate a vehicle over the most direct
57 route between the owner's usual place of residence and an
58 inspection station of such owner's choice, notwithstanding
59 the fact that the vehicle does not have a current state
60 registration license. It shall also be lawful to operate
61 such a vehicle from an inspection station to another place
62 where repairs may be made and to return the vehicle to the
63 inspection station notwithstanding the absence of a current
64 state registration license.

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

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

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

643.315. 1. Except as provided in sections 643.300 to
2 643.355, all motor vehicles which are domiciled, registered

3 or primarily operated in an area for which the commission
4 has established a motor vehicle emissions inspection program
5 pursuant to sections 643.300 to 643.355 shall be inspected
6 and approved prior to sale or transfer; provided that, if
7 such vehicle is inspected and approved prior to sale or
8 transfer, such vehicle shall not be subject to another
9 emissions inspection for ninety days after the date of sale
10 or transfer of such vehicle. [In addition, any such vehicle
11 manufactured as an even-numbered model year vehicle shall be
12 inspected and approved under the emissions inspection
13 program established pursuant to sections 643.300 to 643.355
14 in each even-numbered calendar year and any such vehicle
15 manufactured as an odd-numbered model year vehicle shall be
16 inspected and approved under the emissions inspection
17 program established pursuant to sections 643.300 to 643.355
18 in each odd-numbered calendar year.] All motor vehicles
19 subject to the inspection requirements of sections 643.300
20 to 643.355 shall display a valid emissions inspection
21 sticker, and when applicable, a valid emissions inspection
22 certificate shall be presented at the time of registration
23 or registration renewal of such motor vehicle. The
24 department of revenue shall require evidence of the safety
25 and emission inspection and approval required by this
26 section in issuing the motor vehicle [annual] registration
27 in conformity with the procedure required by sections
28 307.350 to 307.390 and sections 643.300 to 643.355. The
29 director of revenue may verify that a successful safety and
30 emissions inspection was completed via electronic means.

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

33 (1) Motor vehicles with a manufacturer's gross vehicle
34 weight rating in excess of eight thousand five hundred
35 pounds;

36 (2) Motorcycles and motortricycles if such vehicles
37 are exempted from the motor vehicle emissions inspection
38 under federal regulation and approved by the commission by
39 rule;

40 (3) Model year vehicles manufactured prior to 1996;

41 (4) Vehicles which are powered exclusively by electric
42 or hydrogen power or by fuels other than gasoline which are
43 exempted from the motor vehicle emissions inspection under
44 federal regulation and approved by the commission by rule;

45 (5) Motor vehicles registered in an area subject to
46 the inspection requirements of sections 643.300 to 643.355
47 which are domiciled and operated exclusively in an area of
48 the state not subject to the inspection requirements of
49 sections 643.300 to 643.355, but only if the owner of such
50 vehicle presents to the department an affidavit that the
51 vehicle will be operated exclusively in an area of the state
52 not subject to the inspection requirements of sections
53 643.300 to 643.355 for the next twenty-four months, and the
54 owner applies for and receives a waiver which shall be
55 presented at the time of registration or registration
56 renewal;

57 (6) New and unused motor vehicles, of model years of
58 the current calendar year and of any calendar year within
59 two years of such calendar year, which have an odometer
60 reading of less than six thousand miles at the time of
61 original sale by a motor vehicle manufacturer or licensed
62 motor vehicle dealer to the first user;

63 (7) Historic motor vehicles registered pursuant to
64 section 301.131;

65 (8) School buses;

66 (9) Heavy-duty diesel-powered vehicles with a gross
67 vehicle weight rating in excess of eight thousand five
68 hundred pounds;

69 (10) New motor vehicles that have not been previously
70 titled and registered, for the four-year period following
71 their model year of manufacture, provided the odometer
72 reading for such motor vehicles are under forty thousand
73 miles at their first required biennial safety inspection
74 conducted under sections 307.350 to 307.390; otherwise such
75 motor vehicles shall be subject to the emissions inspection
76 requirements of subsection 1 of this section during the same
77 period that the biennial safety inspection is conducted;

78 (11) Motor vehicles that are driven fewer than twelve
79 thousand miles between biennial safety inspections; and

80 (12) Qualified plug-in electric drive vehicles. For
81 the purposes of this section, "qualified plug-in electric
82 drive vehicle" shall mean a plug-in electric drive vehicle
83 that is made by a manufacturer, has not been modified from
84 original manufacturer specifications, and can operate solely
85 on electric power and is capable of recharging its battery
86 from an on-board generation source and an off-board
87 electricity source.

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

92 4. (1) At the time of sale, a licensed motor vehicle
93 dealer, as defined in section 301.550, may choose to sell a
94 motor vehicle subject to the inspection requirements of
95 sections 643.300 to 643.355 either:

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

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

100 (2) If the dealer chooses to sell the vehicle with
101 prior inspection and approval, the dealer shall disclose, in
102 writing, prior to sale, whether the vehicle obtained
103 approval by meeting the emissions standards established
104 pursuant to sections 643.300 to 643.355 or by obtaining a
105 waiver pursuant to section 643.335. A vehicle sold pursuant
106 to this subdivision by a licensed motor vehicle dealer shall
107 be inspected and approved within the one hundred twenty days
108 immediately preceding the date of sale, and, for the purpose
109 of registration of such vehicle, such inspection shall be
110 considered timely.

111 (3) If the dealer chooses to sell the vehicle without
112 prior inspection and approval, the purchaser may return the
113 vehicle within ten days of the date of purchase, provided
114 that the vehicle has no more than one thousand additional
115 miles since the time of sale, if the vehicle fails, upon
116 inspection, to meet the emissions standards specified by the
117 commission and the dealer shall have the vehicle inspected
118 and approved without the option for a waiver of the
119 emissions standard and return the vehicle to the purchaser
120 with a valid emissions certificate and sticker within five
121 working days or the purchaser and dealer may enter into any
122 other mutually acceptable agreement. If the dealer chooses
123 to sell the vehicle without prior inspection and approval,
124 the dealer shall disclose conspicuously on the sales
125 contract and bill of sale that the purchaser has the option
126 to return the vehicle within ten days, provided that the
127 vehicle has no more than one thousand additional miles since

128 the time of sale, to have the dealer repair the vehicle and
129 provide an emissions certificate and sticker within five
130 working days if the vehicle fails, upon inspection, to meet
131 the emissions standards established by the commission, or
132 enter into any mutually acceptable agreement with the
133 dealer. A violation of this subdivision shall be an
134 unlawful practice as defined in section 407.020. No
135 emissions inspection shall be required pursuant to sections
136 643.300 to 643.360 for the sale of any motor vehicle which
137 may be sold without a certificate of inspection and
138 approval, as provided pursuant to subsection 2 of section
139 307.380.

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

Section B. Section A of this act shall take effect as
2 soon as technologically possible following the development
3 and maintenance of a modernized, integrated system for the
4 titling of vehicles, issuance and renewal of vehicle
5 registrations, issuance and renewal of driver's licenses and
6 identification cards, and perfection and release of liens
7 and encumbrances on vehicles, to be funded by the motor
8 vehicle administration technology fund as created in section
9 301.558. Following the development of the system, the
10 director of the department of revenue shall notify the
11 governor, the secretary of state, and the revisor of
12 statutes, and shall implement the provisions of this act.

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