

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2097
95TH GENERAL ASSEMBLY

4499L.05C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 226.540, 227.313, 227.409, 227.410, 238.202, 238.208, 238.220, 238.225, 238.232, 238.236, 301.032, 301.069, 301.129, 301.130, 301.562, 301.2998, 301.3150, 302.220, 302.230, and 304.820, RSMo, and to enact in lieu thereof thirty-eight new sections relating to transportation, with penalty provisions for certain sections and an effective date for certain sections.

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

Section A. Sections 226.540, 227.313, 227.409, 227.410, 238.202, 238.208, 238.220, 238.225, 238.232, 238.236, 301.032, 301.069, 301.129, 301.130, 301.562, 301.2998, 301.3150, 302.220, 302.230, and 304.820, RSMo, are repealed and thirty-eight new sections enacted in lieu thereof, to be known as sections 226.540, 226.541, 227.313, 227.365, 227.391, 227.408, 227.409, 227.410, 227.412, 227.413, 227.414, 227.415, 227.416, 227.417, 238.202, 238.208, 238.220, 238.225, 238.232, 238.236, 301.032, 301.069, 301.130, 301.423, 301.477, 301.562, 301.2998, 301.3150, 301.3158, 301.3160, 301.4006, 301.4010, 302.220, 302.230, 304.161, 304.820, 304.870, and 389.1150, to read as follows:

226.540. Notwithstanding any other provisions of sections 226.500 to 226.600, outdoor advertising shall be permitted within six hundred and sixty feet of the nearest edge of the right-of-way of highways located on the interstate, federal-aid primary system as it existed on June 1, 1991, or the national highway system as amended in areas zoned industrial, commercial or the like and in unzoned commercial and industrial areas as defined in this section, subject to the following regulations which are consistent with customary use in this state:

(1) **Lighting:**

(a) No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. No flashing, intermittent, or moving light or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

10 lights will be permitted except scoreboards and other illuminated signs designating public service
11 information, such as time, date, or temperature, or similar information, will be allowed;
12 tri-vision, projection, and other changeable message signs shall be allowed subject to Missouri
13 highways and transportation commission regulations;

14 (b) External lighting, such as floodlights, thin line and gooseneck reflectors are
15 permitted, provided the light source is directed upon the face of the sign and is effectively
16 shielded so as to prevent beams or rays of light from being directed into any portion of the main
17 traveled way of the federal-aid primary highways as of June 1, 1991, and all highways designated
18 as part of the National Highway System by the National Highway System Designation Act of
19 1995 and those highways subsequently designated as part of the National Highway System and
20 the lights are not of such intensity so as to cause glare, impair the vision of the driver of a motor
21 vehicle, or otherwise interfere with a driver's operation of a motor vehicle;

22 (c) No sign shall be so illuminated that it interferes with the effectiveness of, or obscures,
23 an official traffic sign, device, or signal;

24 (2) Size of signs:

25 (a) The maximum area for any one sign shall be eight hundred square feet with a
26 maximum height of thirty feet and a maximum length of seventy-two feet, inclusive of border
27 and trim but excluding the base or apron, supports, and other structural members. The area shall
28 be measured as established herein and in rules promulgated by the commission. In determining
29 the size of a conforming or nonconforming sign structure, temporary cutouts and extensions
30 installed for the length of a specific display contract shall not be considered a substantial increase
31 to the size of the permanent display; provided the actual square footage of such temporary
32 cutouts or extensions may not exceed thirty-three percent of the permanent display area. Signs
33 erected in accordance with the provisions of sections 226.500 to 226.600 prior to August 28,
34 2002, which fail to meet the requirements of this provision shall be deemed legally
35 nonconforming as defined herein;

36 (b) The maximum size limitations shall apply to each side of a sign structure, and signs
37 may be placed back to back, double faced, or in V-type construction with not more than two
38 displays to each facing, but such sign structure shall be considered as one sign;

39 (c) After August 28, 1999, no new sign structure shall be erected in which two or more
40 displays are stacked one above the other. Stacked structures existing on or before August 28,
41 1999, in accordance with sections 226.500 to 226.600 shall be deemed legally nonconforming
42 and may be maintained in accordance with the provisions of sections 226.500 to 226.600.
43 Structures displaying more than one display on a horizontal basis shall be allowed, provided that
44 total display areas do not exceed the maximum allowed square footage for a sign structure
45 pursuant to the provisions of paragraph (a) of this subdivision;

46 (3) Spacing of signs:

47 (a) On all interstate highways, freeways, and nonfreeway federal-aid primary highways
48 as of June 1, 1991, and all highways designated as part of the National Highway System by the
49 National Highway System Designation Act of 1995 and those highways subsequently designated
50 as part of the National Highway System:

51 a. No sign structure shall be erected within one thousand four hundred feet of an existing
52 sign on the same side of the highway;

53 b. Outside of incorporated municipalities, no structure may be located adjacent to or
54 within five hundred feet of an interchange, intersection at grade, or safety rest area. Such five
55 hundred feet shall be measured from the beginning or ending of the pavement widening at the
56 exit from or entrance to the main traveled way. For purpose of this subparagraph, the term
57 "incorporated municipalities" shall include "urban areas", except that such "urban areas" shall
58 not be considered "incorporated municipalities" if it is finally determined that such would have
59 the effect of making Missouri be in noncompliance with the requirements of Title 23, United
60 States Code, Section 131;

61 (b) The spacing between structure provisions of this subdivision do not apply to signs
62 which are separated by buildings, natural surroundings, or other obstructions in such manner that
63 only one sign facing located within such distance is visible at any one time. Directional or other
64 official signs or those advertising the sale or lease of the property on which they are located, or
65 those which advertise activities on the property on which they are located, including products
66 sold, shall not be counted, nor shall measurements be made from them for the purpose of
67 compliance with spacing provisions;

68 (c) No sign shall be located in such manner as to obstruct or otherwise physically
69 interfere with the effectiveness of an official traffic sign, signal, or device or obstruct or
70 physically interfere with a motor vehicle operator's view of approaching, merging, or intersecting
71 traffic;

72 (d) The measurements in this section shall be the minimum distances between outdoor
73 advertising sign structures measured along the nearest edge of the pavement between points
74 directly opposite the signs along each side of the highway and shall apply only to outdoor
75 advertising sign structures located on the same side of the highway involved;

76 (4) As used in this section, the words "unzoned commercial and industrial land" shall
77 be defined as follows: that area not zoned by state or local law or ordinance and on which there
78 is located one or more permanent structures used for a commercial business or industrial activity
79 or on which a commercial or industrial activity is actually conducted together with the area along
80 the highway extending outwardly seven hundred fifty feet from and beyond the edge of such
81 activity. All measurements shall be from the outer edges of the regularly used improvements,

82 buildings, parking lots, landscaped, storage or processing areas of the commercial or industrial
83 activity and along and parallel to the edge of the pavement of the highway. Unzoned land shall
84 not include:

85 (a) Land on the opposite side of the highway from an unzoned commercial or industrial
86 area as defined in this section and located adjacent to highways located on the interstate,
87 federal-aid primary system as it existed on June 1, 1991, or the national highway system as
88 amended, unless the opposite side of the highway qualifies as a separate unzoned commercial
89 or industrial area; or

90 (b) Land zoned by a state or local law, regulation, or ordinance;

91 (5) "Commercial or industrial activities" as used in this section means those which are
92 generally recognized as commercial or industrial by zoning authorities in this state, except that
93 none of the following shall be considered commercial or industrial:

94 (a) Outdoor advertising structures;

95 (b) Agricultural, forestry, ranching, grazing, farming, and related activities, including
96 seasonal roadside fresh produce stands;

97 (c) Transient or temporary activities;

98 (d) Activities more than six hundred sixty feet from the nearest edge of the right-of-way
99 or not visible from the main traveled way;

100 (e) Activities conducted in a building principally used as a residence;

101 (f) Railroad tracks and minor sidings;

102 (6) The words "unzoned commercial or industrial land" shall also include all areas not
103 specified in this section which constitute an "unzoned commercial or industrial area" within the
104 meaning of the present Section 131 of Title 23 of the United States Code, or as such statute may
105 be amended. As used in this section, the words "zoned commercial or industrial area" shall refer
106 to those areas zoned commercial or industrial by the duly constituted zoning authority of a
107 municipality, county, or other lawfully established political subdivision of the state, or by the
108 state and which is within seven hundred fifty feet of one or more permanent commercial or
109 industrial activities. Commercial or industrial activities as used in this section are limited to
110 those activities:

111 (a) In which the primary use of the property is commercial or industrial in nature;

112 (b) Which are clearly visible from the highway and recognizable as a commercial
113 business;

114 (c) Which are permanent as opposed to temporary or transitory and of a nature that
115 would customarily be restricted to commercial or industrial zoning in areas comprehensively
116 zoned; and

117 (d) In determining whether the primary use of the property is commercial or industrial
118 pursuant to paragraph (a) of this subdivision, the state highways and transportation commission
119 shall consider the following factors:

120 a. The presence of a permanent and substantial building;

121 b. The existence of utilities and local business licenses, if any, for the commercial
122 activity;

123 c. On-premise signs or other identification;

124 d. The presence of an owner or employee on the premises for at least twenty hours per
125 week;

126 (7) In zoned commercial and industrial areas, whenever a state, county or municipal
127 zoning authority has adopted laws or ordinances which include regulations with respect to the
128 size, lighting and spacing of signs, which regulations are consistent with the intent of sections
129 226.500 to 226.600 and with customary use, then from and after the effective date of such
130 regulations, and so long as they shall continue in effect, the provisions of this section shall not
131 apply to the erection of signs in such areas. Notwithstanding any other provisions of this section,
132 after August 28, 1992, with respect to any outdoor advertising which is regulated by the
133 provisions of subdivision (1), (3) or (4) of section 226.520 or subsection 1 of section 226.527:

134 (a) No county or municipality shall issue a permit to allow a regulated sign to be newly
135 erected without a permit issued by the state highways and transportation commission;

136 (b) A county or municipality may charge a reasonable one-time permit or inspection fee
137 to assure compliance with local wind load and electrical requirements when the sign is first
138 erected, but a county or municipality may not charge a permit or inspection fee for such sign after
139 such initial fee. Changing the display face or performing routine maintenance shall not be
140 considered as erecting a new sign;

141 (c) **Local regulations adopted pursuant to this section or section 71.288 may be**
142 **more restrictive than the size, lighting, and spacing provisions specified in this section,**
143 **provided such local regulations are reasonable, allow for customary industry usage, and**
144 **comply with the intent of this section. Local regulations may not have the intent or effect**
145 **of prohibiting off-premise outdoor advertising structures on commercial or industrial**
146 **property within six hundred sixty feet of federal aid primary or interstate highways and**
147 **local ordinance with such intent or effect shall be invalid and unenforceable. In the event**
148 **a local regulation is determined by the courts to be prohibitive, unreasonable, or failing to**
149 **allow for customary industry usage; statutory size, lighting, and spacing regulations shall**
150 **automatically apply in such areas until such time as a valid local ordinance complying with**
151 **the requirements under this section is adopted by the local zoning authority;**

152 (8) The state highways and transportation commission on behalf of the state of Missouri,
153 may seek agreement with the Secretary of Transportation of the United States under Section 131
154 of Title 23, United States Code, as amended, that sections 226.500 to 226.600 are in
155 conformance with that Section 131 and provides effective control of outdoor advertising signs
156 as set forth therein. If such agreement cannot be reached and the penalties under subsection (b)
157 of Section 131 are invoked, the attorney general of this state shall institute proceedings described
158 in subsection (1) of that Section 131.

226.541. 1. As used in this section, the following words or phrases mean:

2 (1) "Conforming out of standard signs", signs that fail to meet the current statutory
3 and administrative rule requirements for outdoor advertising but currently comply with
4 the terms of the federal/state agreement and meet the August 27, 1999, statutory and
5 administrative rule requirements that governed outdoor advertising and the highway
6 beautification act of 1965;

7 (2) "Federal/state agreement", an agreement executed between the United States
8 Department of Transportation and the state highways and transportation commission on
9 February 22, 1972, for carrying out national policy relative to control of outdoor
10 advertising in areas adjacent to the national system of interstate and defense highways and
11 the federal-aid primary system;

12 (3) "Reset", movement of a sign structure from one location to another location on
13 the same or adjoining property, if the adjoining property is zoned commercial or industrial
14 and the owner of the sign has obtained the legal right to erect a sign on the adjoining
15 property from its owner, as authorized by a sign permit amendment and the terms of an
16 executed written partial waiver and reset agreement between the permit owner and the
17 state highways and transportation commission;

18 (4) "Substantially rebuilt", any reconstruction or repair of a sign that requires the
19 replacement of fifty percent or more of the sign structure's support poles in a twelve-month
20 period.

21 2. Subject to the provisions of this section, conforming out of standard signs shall
22 be treated as conforming signs under commission administrative rules, including new
23 display technologies, lighting, cutouts, and extensions, except that such signs shall not be
24 substantially rebuilt except in accordance with the provisions of this section. New
25 technologies, lighting, cutouts, and extensions may be utilized on conforming and
26 conforming out of standard signs in accordance with Missouri department of
27 transportation regulations.

28 3. On the date the commission approves funding for any phase or portion of
29 construction or reconstruction of any street or highway, the rules in effect for outdoor

30 advertising on August 27, 1999, shall be reinstated for that section of highway scheduled
31 for construction and there shall immediately be a moratorium imposed on the issuance of
32 state sign permits for new sign structures.

33 4. Owners of existing signs which meet the requirements for outdoor advertising
34 in effect on August 27, 1999, and the requirements of the federal/state agreement and who
35 voluntarily execute a partial waiver and reset agreement may reset such signs on the same
36 or adjoining property. Such reset agreements shall be contingent upon obtaining any
37 required local approval to reset the sign structure. Any sign which has been reset must still
38 comply with the August 27, 1999, outdoor advertising regulations after it has been reset.

39 5. Owners of existing signs who elect to reset qualifying signs shall receive
40 compensation representing the actual cost to reset the existing sign. Signs which have been
41 reset under these provisions must be reconstructed of the same type materials and may not
42 exceed the square footage of the original sign structure.

43 6. Sign owners may elect to reset existing qualifying signs by executing a partial
44 waiver and reset agreement with the commission. Such agreement shall specify the size,
45 type, and location of the rebuilt sign and the reset expenses to be paid to the owner by the
46 commission. In the event the owner fails to execute such an agreement within one hundred
47 twenty days of receiving written notice the sign will be displaced by construction, the
48 commission shall have the right at its sole discretion to initiate normal condemnation
49 procedures for the compensated removal of the sign.

50 7. Immediately upon the completion of construction on any section of highway, the
51 moratorium on new permits shall be lifted and the rules for outdoor advertising in effect
52 on the date the construction is completed shall apply to such section of highway.

53 8. Local zoning authorities may prohibit the resetting of qualifying signs which fail
54 to comply with local regulations, but local authorities which choose to prohibit such
55 resetting shall reimburse the commission the cost to condemn such signs less the cost to
56 reset the sign under the provisions in this section.

57 9. All signs shall be subject to the biennial inspection fees under section 226.550.

227.313. The portion of Missouri Highway 266 located in Greene County from [North
2 Missouri Road AB] **Airport Boulevard** to one mile east shall be designated as the "Dr. Martin
3 Luther King Jr. Memorial Mile". The department of transportation shall erect and maintain
4 appropriate signs designating such highway, with the costs for such designation to be paid for
5 by private donations.

227.365. The portion of Lindbergh Boulevard located in St. Louis County, from its
2 intersection with Lemay Ferry Road, to the highway's connection with Barracksview Road,
3 shall be designated the "Dave Sinclair Boulevard". The department of transportation shall

4 erect and maintain appropriate signs designating such highway, with the costs to be paid
5 for by private donation.

227.391. The portion of Highway 80 in New Madrid County from the intersection
2 of Highways 61, 80, and H, east to Interstate 55 shall be designated the "Gene Curtis
3 Memorial Highway". Costs for such designation shall be paid by private donation.

227.408. The portion of state Highway 53 in Butler County from the city limits of
2 Qulin to one mile south of the city limits shall be designated the "Johnny Lee Hays
3 Memorial Highway". The department of transportation shall erect and maintain
4 appropriate signs designating such highway, with the costs to be paid for by private
5 donations.

227.409. [The portion of Interstate Highway I-64/US 40 from the McClausland/Skinker
2 interchange east to the I-64/I-55 interchange shall be designated the "Jack Buck Memorial
3 Highway". The department of transportation shall erect and maintain appropriate signs
4 designating such highway designation, with the cost to be paid for by private donation] **The
5 portion of Interstate Highway I-64/US 40 from the McClausland/Skinker interchange east
6 to the I-64/I-55 interchange shall be designated the "Jack Buck Memorial Highway". The
7 department of transportation shall erect and maintain appropriate signs designating such
8 highway designation, with the cost to be paid for by private donation.**

227.410. [The portion of U.S. Highway 160 in Greene County from the intersection of
2 Farm Road 142 to the intersection of West Sunshine Street shall be designated the "Rabbi
3 Abraham Joshua Heschel Memorial Highway".] **The portion of U.S. Highway 160 in Greene
4 County from the intersection of West Mount Vernon Street to one-half mile south of the
5 intersection of West Sunshine Street shall be designated the "Ralph K. Manley Highway".
6 The department of transportation shall erect and maintain appropriate signs designating such
7 highway, with the costs for such designation to be paid for by private donation.**

227.412. **The bridge crossing over the Union Pacific Railroad located on U.S.
2 Highway 24 near Wilson Road in the Fairmont Business District of the City of
3 Independence in Jackson County shall be designated the "Sergeant Charles R. Long
4 Memorial Bridge". The department of transportation shall erect and maintain
5 appropriate signs designating such bridge, with the costs to be paid for by private
6 donations.**

227.413. **The portion of U.S. Highway 24 in Jackson County from the bridge
2 crossing over the Union Pacific Railroad in the Fairmont Business District of the City of
3 Independence to the intersection of Noland Road shall be designated the "Harry S Truman
4 Memorial Highway". The department of transportation shall erect and maintain**

5 appropriate signs designating such highway, with the costs to be paid for by private
6 donations.

227.414. The portion of Interstate 44 located in Franklin County from the Highway
2 100 overpass west to the St. Mary's Road overpass shall be designated as the "Corporal
3 Dennis E. Engelhard Memorial Highway". The department of transportation shall erect
4 and maintain appropriate signs designating such highway, with the costs to be paid for by
5 private donations.

227.415. The portion of Highway 36, 1.7 miles west of the intersection of Highway
2 36 and Route O in Macon County shall be designated as the "Missouri State Trooper
3 William Brandt Memorial Highway". The department of transportation shall erect and
4 maintain appropriate signs designating such highway, with the costs to be paid for by
5 private donations.

227.416. The portion of Highway 13 from the intersection of Highway 32 to the
2 intersection of Highway 83 in Polk County shall be designated the "John Playter Memorial
3 Highway". The department of transportation shall erect and maintain appropriate signs
4 designating such highway, with the costs for such designation to be paid for by private
5 donation.

227.417. The portion of Route 136 from the city limits of Luray to State Route A
2 in Clark County shall be designated the "Deputy Don McCutcheon Memorial Highway".
3 The department of transportation shall erect and maintain appropriate signs designating
4 such highway, with the costs for such designation to be paid for by private donation.

238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:

- 2 (1) "Board", the board of directors of a district;
- 3 (2) "Commission", the Missouri highways and transportation commission;
- 4 (3) "District", a transportation development district organized under sections 238.200
5 to 238.275;
- 6 (4) "Local transportation authority", a county, city, town, village, county highway
7 commission, special road district, interstate compact agency, or any local public authority or
8 political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake
9 or river port, airport, railroad, light rail or other transit improvement or service;
- 10 (5) "Project" includes any bridge, street, road, highway, access road, interchange,
11 intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar,
12 shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, [or other mass transit]
13 **public mass transportation system** and any similar or related **operation**, improvement or
14 infrastructure;

15 **(6) "Public mass transportation system", a transportation system or systems**
16 **owned and operated by an interstate transportation authority, a municipality, a city transit**
17 **authority, or a city utilities board, employing motor buses, rails, or any other means of**
18 **conveyance, by whatsoever type of power, operated for public use in the conveyance of**
19 **persons, mainly providing local transportation service within an interstate transportation**
20 **district or municipality.**

21 2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of
22 Missouri, section 137.073, RSMo, and as used in sections 238.200 to 238.275, the following
23 terms shall have the meanings given:

24 (1) "Approval of the required majority" or "direct voter approval", a simple majority;

25 (2) "Qualified electors", "qualified voters" or "voters":

26 (a) Within a proposed or established district, except for a district proposed under
27 subsection 1 of section 238.207, any persons residing therein who have registered to vote
28 pursuant to chapter 115, RSMo; or

29 (b) Within a district proposed or established under subsection 1 of section 238.207 which
30 has no persons residing therein who have registered to vote pursuant to chapter 115, RSMo, the
31 owners of record of all real property located in the district, who shall receive one vote per acre,
32 provided that if a registered voter subsequent to the creation of the district becomes a resident
33 within the district and obtains ownership of property within the district, such registered voter
34 must elect whether to vote as an owner of real property or as a registered voter, which election
35 once made cannot thereafter be changed;

36 (3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115,
37 RSMo.

238.208. 1. **Except as otherwise provided in this subsection**, the owners of property
2 adjacent to a transportation district formed under the Missouri transportation development
3 district act may petition the court by unanimous petition to add their property to the district. If
4 the property owners within the transportation development district unanimously approve of the
5 addition of property, the adjacent properties in the petition shall be added to the district. Any
6 property added under this section shall be subject to all projects, taxes, and special assessments
7 in effect as of the date of the court order adding the property to the district. The owners of the
8 added property shall be allowed to vote at the next election scheduled for the district to fill
9 vacancies on the board and on any other question submitted to them by the board under this
10 chapter. The owners of property added under this section shall have one vote per acre in the
11 same manner as provided in subdivision (2) of subsection 2 of section 238.220. **The unanimous**
12 **property owner approval requirement shall not apply to any transportation development**
13 **district formed by local transportation authorities to operate a public transportation**

14 **system, and the court shall add adjacent properties in the petition to the district upon the**
15 **approval and consent of the transportation development district's board of directors.**

16 2. The owners of all of the property located in a transportation development district
17 formed under this chapter may, by unanimous petition filed with the board of directors of the
18 district, remove any property from the district, so long as such removal will not materially affect
19 any obligations of the district.

238.220. 1. Notwithstanding anything to the contrary contained in section 238.216, if
2 any persons eligible to be registered voters reside within the district the following procedures
3 shall be followed:

4 (1) After the district has been declared organized, the court shall upon petition of any
5 interested person order the county clerk to cause an election to be held in all areas of the district
6 within one hundred twenty days after the order establishing the district, to elect the district board
7 of directors which shall be not less than five nor more than fifteen;

8 (2) Candidates shall pay the sum of five dollars as a filing fee to the county clerk and
9 shall file with the election authority of such county a statement under oath that he or she
10 possesses all of the qualifications set out in this section for a director. Thereafter, such candidate
11 shall have his or her name placed on the ballot as a candidate for director;

12 (3) The director or directors to be elected shall be elected at large. The candidate
13 receiving the most votes from qualified voters shall be elected to the position having the longest
14 term, the second highest total votes elected to the position having the next longest term, and so
15 forth. Each initial director shall serve the one-, two- or three-year term to which he or she was
16 elected, and until a successor is duly elected and qualified. Each successor director shall serve
17 a three-year term. The directors shall nominate and elect an interim director to complete any
18 unexpired term of a director caused by resignation or disqualification; and

19 (4) Each director shall be a resident of the district. Directors shall be registered voters
20 at least twenty-one years of age.

21 2. Notwithstanding anything to the contrary contained in section 238.216, if no persons
22 eligible to be registered voters reside within the district, the following procedures shall apply:

23 (1) Within thirty days after the district has been declared organized, the circuit clerk of
24 the county in which the petition was filed shall, upon giving notice by causing publication to be
25 made once a week for two consecutive weeks in a newspaper of general circulation in the county,
26 the last publication of which shall be at least ten days before the day of the meeting required by
27 this section, call a meeting of the owners of real property within the district at a day and hour
28 specified in a public place in the county in which the petition was filed for the purpose of
29 electing a board of not less than five and not more than fifteen directors, to be composed of
30 owners or representatives of owners of real property in the district; provided that, if all the

31 owners of property in the district joined in the petition for formation of the district, such meeting
32 may be called by order of the court without further publication. For the purposes of determining
33 board membership, the owner or owners of real property within the district and their legally
34 authorized representative or representatives shall be deemed to be residents of the district; for
35 business organizations and other entities owning real property within the district, the individual
36 or individuals legally authorized to represent the business organizations or entities in regard to
37 the district shall be deemed to be a resident of the district;

38 (2) The property owners, when assembled, shall organize by the election of a chairman
39 and secretary of the meeting who shall conduct the election. At the election, each acre of real
40 property within the district shall represent one share, and each owner may have one vote in
41 person or by proxy for every acre of real property owned by such person within the district;

42 (3) The one-third of the initial board members receiving the most votes shall be elected
43 to positions having a term of three years. The one-third of initial board members receiving the
44 next highest number of votes shall be elected to positions having a term of two years. The lowest
45 one-third of initial board members receiving sufficient votes shall be elected to positions having
46 a term of one year. Each initial director shall serve the term to which he or she was elected, and
47 until a successor is duly elected and qualified. Successor directors shall be elected in the same
48 manner as the initial directors at a meeting of the real property owners called by the board. Each
49 successor director shall serve a three-year term. The directors shall nominate and elect an
50 interim director to complete any unexpired term of a director caused by resignation or
51 disqualification;

52 (4) Directors shall be at least twenty-one years of age.

53 3. Notwithstanding any provision of section 238.216 and this section to the contrary, if
54 the petition for formation of the district was filed pursuant to subsection 5 of section 238.207,
55 the following procedures shall be followed:

56 (1) **If the district is comprised of any of one or more local transportation authorities**
57 **to operate a public mass transportation system, the board of directors shall consist of not**
58 **less than three nor more than five persons appointed by the chief executive officers of each**
59 **local transportation authority proposing the creation of the district. For all other districts,**
60 **if the district is comprised of four or more local transportation authorities, the board of directors**
61 **shall consist of the presiding officer of each local transportation authority within the district. If**
62 **the district is comprised of two or three local transportation authorities, the board of directors**
63 **shall consist of the presiding officer of each local transportation authority within the district and**
64 **one person designated by the governing body of each local transportation authority within the**
65 **district;**

66 (2) Each director shall be at least twenty-one years of age and a resident or property
67 owner of the local transportation authority the director represents. A director designated by the
68 governing body of a local transportation authority may be removed by such governing body at
69 any time with or without cause, **and a director appointed by the chief executive officer may**
70 **be removed by the chief executive officer at any time with or without cause;** and

71 (3) Upon the assumption of office of a new presiding officer of a local transportation
72 authority, such individual shall automatically succeed his predecessor as a member of the board
73 of directors. Upon the removal, resignation or disqualification of a director designated by the
74 governing body of a local transportation authority, such governing body shall designate a
75 successor director.

76 4. **Except for those districts formed by local transportation authorities to operate**
77 **a public mass transportation system,** the commission shall appoint one or more advisors to the
78 board, who shall have no vote but shall have the authority to participate in all board meetings and
79 discussions, whether open or closed, and shall have access to all records of the district and its
80 board of directors.

81 5. If the proposed project is not intended to be merged into the state highways and
82 transportation system under the commission's jurisdiction, the local transportation authority that
83 will assume maintenance of the project shall appoint one or more advisors to the board of
84 directors who shall have the same rights as advisors appointed by the commission.

85 6. Any county or counties located wholly or partially within the district which is not a
86 local transportation authority pursuant to subdivision (4) of subsection 1 of section 238.202 may
87 appoint one or more advisors to the board who shall have the same rights as advisors appointed
88 by the commission.

238.225. 1. Before construction or funding of any project the district shall submit the
2 proposed project to the commission for its prior approval. If the commission by minute finds
3 that the project will improve or is a necessary or desirable extension of the state highways and
4 transportation system, the commission may preliminarily approve the project subject to the
5 district providing plans and specifications for the proposed project and making any revisions in
6 the plans and specifications required by the commission and the district and commission entering
7 into a mutually satisfactory agreement regarding development and future maintenance of the
8 project. After such preliminary approval, the district may impose and collect such taxes and
9 assessments as may be included in the commission's preliminary approval. After the commission
10 approves the final construction plans and specifications, the district shall obtain prior
11 commission approval of any modification of such plans or specifications.

12 2. If the proposed project is not intended to be merged into the state highways and
13 transportation system under the commission's jurisdiction, the district shall also submit the

14 proposed project and proposed plans and specifications to the local transportation authority that
15 will become the owner of the project for its prior approval.

16 3. In those instances where a local transportation authority is required to approve a
17 project and the commission determines that it has no direct interest in that project, the
18 commission may decline to consider the project. Approval of the project shall then vest
19 exclusively with the local transportation authority subject to the district making any revisions in
20 the plans and specifications required by the local transportation authority and the district and the
21 local transportation authority entering into a mutually satisfactory agreement regarding
22 development and future maintenance of the project. After the local transportation authority
23 approves the final construction plans and specifications, the district shall obtain prior approval
24 of the local transportation authority before modifying such plans or specifications.

25 **4. Notwithstanding any provision of this section to the contrary, this section shall**
26 **not apply to any transportation development district formed by local transportation**
27 **authorities to operate a public mass transportation system.**

238.232. 1. If approved by at least four-sevenths of the qualified voters voting on the
2 question in the district, the district may impose a property tax in an amount not to exceed the
3 annual rate of ten cents on the hundred dollars assessed valuation. The district board may levy
4 a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate
5 to a level not exceeding the tax rate ceiling without voter approval. The property tax shall be
6 uniform throughout the district.

7 2. The ballot of submission shall be substantially in the following form:

8 Shall the Transportation Development District impose
9 a property tax upon all real and tangible personal property within the district at a rate of not more
10 than (insert amount) cents per hundred dollars assessed valuation for the purpose of
11 providing revenue for the development of a project (or projects) in the district (insert general
12 description of the project or projects, if necessary)?

13 YES NO

14

15 If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed
16 to the question, place an "X" in the box opposite "NO".

17 3. The county collector of each county in which the district is partially or entirely located
18 shall collect the property taxes and special benefit assessments made upon all real property and
19 tangible personal property within that county and the district, in the same manner as other
20 property taxes are collected.

21 4. Every county collector having collected or received district property taxes shall, on
22 or before the fifteenth day of each month and after deducting his commissions, remit to the

23 treasurer of that district the amount collected or received by him prior to the first day of the
24 month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which
25 he shall forward or deliver to the collector. The district treasurer shall deposit such sums into
26 the district treasury, credited to the appropriate project or purpose. The collector and district
27 treasurer shall make final settlement of the district account and commissions owing, not less than
28 once each year, if necessary.

29 **5. Notwithstanding any provision of sections 99.800 to 99.865 to the contrary, the**
30 **real property tax for a transportation development district shall not be considered**
31 **"payment in lieu of taxes" as such term is defined under sections 99.805 and 99.918. Tax**
32 **revenues derived from such tax shall not be subject to allocation under the provisions of**
33 **subsection 2 of section 99.845, or subsection 3 of section 99.957.**

238.236. 1. This section shall not apply to any tax levied pursuant to section 238.235,
2 and no tax shall be imposed pursuant to the provisions of this section if a tax has been imposed
3 by a transportation development district pursuant to section 238.235.

4 2. In lieu of the taxes allowed pursuant to section 238.235, any transportation
5 development district which consists of all of one or more entire counties, all of one or more
6 entire cities, or all of one or more entire counties and one or more entire cities which are totally
7 outside the boundaries of those counties may by resolution impose a transportation development
8 district sales tax on all retail sales made in such transportation development district which are
9 subject to taxation pursuant to the provisions of sections 144.010 to 144.525, RSMo, for any
10 transportation development purpose designated by the transportation development district in its
11 ballot of submission to its qualified voters. No resolution enacted pursuant to the authority
12 granted by this section shall be effective unless:

13 (1) The board of directors of the transportation development district submits to the
14 qualified voters of the transportation development district, at a state general, primary, or special
15 election, a proposal to authorize the board of directors of the transportation development district
16 to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

17 (2) The voters approved the question certified by the petition filed pursuant to subsection
18 5 of section 238.207.

19 3. If the transportation development district submits to the qualified voters of the
20 transportation development district a proposal to authorize the board of directors of the
21 transportation development district to impose or increase the levy of an existing tax pursuant to
22 the provisions of subdivision (1) of subsection 2 of this section, the ballot of submission shall
23 contain, but need not be limited to, the following language:

24 Shall the transportation development district of
25 (transportation development district's name) impose a transportation development district-wide

26 sales tax at the rate of (insert amount) for a period of (insert number) years from
27 the date on which such tax is first imposed for the purpose of
28 (insert transportation development purpose)?

29 YES NO

30

31 If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed
32 to the question, place an "X" in the box opposite "NO".

33

34 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor
35 of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority
36 of the votes cast by the qualified voters voting are opposed to the proposal, then the board of
37 directors of the transportation development district shall have no power to impose the sales tax
38 authorized by this section unless and until the board of directors of the transportation
39 development district shall again have submitted another proposal to authorize it to impose the
40 sales tax pursuant to the provisions of this section and such proposal is approved by a majority
41 of the qualified voters voting thereon.

42 4. Within ten days after the adoption of any resolution in favor of the adoption of a
43 transportation development district sales tax which has been approved by the qualified voters of
44 such transportation development district, the transportation development district shall forward
45 to the director of revenue, by United States registered mail or certified mail, a certified copy of
46 the resolution of its board of directors. The resolution shall reflect the effective date thereof.
47 The sales tax authorized by this section shall become effective on the first day of the second
48 calendar quarter after the director of revenue receives notice of adoption of such tax.

49 5. All revenue received by a transportation development district from the tax authorized
50 by this section which has been designated for a certain transportation development purpose shall
51 be deposited in a special trust fund and shall be used solely for such designated purpose. Upon
52 the expiration of the period of years approved by the qualified voters pursuant to subsection 3
53 of this section or if the tax authorized by this section is repealed pursuant to subsection 12 of this
54 section, all funds remaining in the special trust fund shall continue to be used solely for such
55 designated transportation development purpose. Any funds in such special trust fund which are
56 not needed for current expenditures may be invested by the board of directors in accordance with
57 applicable laws relating to the investment of other transportation development district funds.

58 6. The sales tax may be imposed at a rate of one-eighth of one percent, one-fourth of one
59 percent, three-eighths of one percent, one-half of one percent or one percent on the receipts from
60 the sale at retail of all tangible personal property or taxable services at retail within the
61 transportation development district adopting such tax, if such property and services are subject

62 to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525,
63 RSMo. Any transportation development district sales tax imposed pursuant to this section shall
64 be imposed at a rate that shall be uniform throughout the district.

65 7. The resolution imposing the sales tax pursuant to this section shall impose upon all
66 sellers a tax for the privilege of engaging in the business of selling tangible personal property or
67 rendering taxable services at retail to the extent and in the manner provided in sections 144.010
68 to 144.525, RSMo, and the rules and regulations of the director of revenue issued pursuant
69 thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax.
70 The amount reported and returned to the director of revenue by the seller shall be computed on
71 the basis of the combined rate of the tax imposed by sections 144.010 to 144.525, RSMo, and
72 the tax imposed by the resolution as authorized by this section, plus any amounts imposed
73 pursuant to other provisions of law.

74 8. On and after the effective date of any tax imposed pursuant to this section, the director
75 of revenue shall perform all functions incident to the administration, collection, enforcement, and
76 operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes
77 imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant
78 to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be
79 collected together and reported upon such forms and pursuant to such administrative rules and
80 regulations as may be prescribed by the director of revenue.

81 9. All applicable provisions contained in sections 144.010 to 144.525, RSMo, governing
82 the state sales tax, sections 32.085 and 32.087, RSMo, governing local sales taxes, and section
83 32.057, RSMo, the uniform confidentiality provision, shall apply to the collection of the tax
84 imposed by this section, except as modified in this section.

85 10. All sales taxes collected by the director of revenue pursuant to this section on behalf
86 of any transportation development district, less one percent for the cost of collection, which shall
87 be deposited in the state's general revenue fund after payment of premiums for surety bonds as
88 provided in section 32.087, RSMo, shall be deposited in the state treasury to the credit of the
89 "Transportation Development District Sales Tax Fund", which is hereby created. Moneys in the
90 transportation development district sales tax fund shall not be deemed to be state funds and shall
91 not be commingled with any funds of the state. All interest earned upon the balance in the
92 transportation development district sales tax fund shall be deposited to the credit of the same
93 fund. Any balance in the fund at the end of an appropriation period shall not be transferred to
94 the general revenue fund and the provisions of section 33.080, RSMo, shall not apply to the fund.
95 The director of revenue shall keep accurate records of the amount of money which was collected
96 in each transportation development district imposing a sales tax pursuant to this section, and the
97 records shall be open to the inspection of officers of each transportation development district and

98 the general public. Not later than the tenth day of each month, the director of revenue shall
99 distribute all moneys deposited in such fund during the preceding month to the proper
100 transportation development district.

101 11. The director of revenue may authorize the state treasurer to make refunds from the
102 amounts credited to any transportation development district for erroneous payments and
103 overpayments made, and may redeem dishonored checks and drafts deposited to the credit of
104 such districts. If any transportation development district repeals the tax authorized by this
105 section, the transportation development district shall notify the director of revenue of the action
106 at least ninety days prior to the effective date of the repeal and the director of revenue may order
107 retention, for a period of one year, of two percent of the amount collected after receipt of such
108 notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks
109 and drafts deposited to the credit of such accounts. After one year has elapsed after the effective
110 date of repeal of the tax authorized by this section in such transportation development district,
111 the director of revenue shall remit the balance in the account to the transportation development
112 district and close the account of that transportation development district. The director of revenue
113 shall notify each transportation development district of each instance of any amount refunded
114 or any check redeemed from receipts due the transportation development district.

115 12. (1) No transportation development district imposing a sales tax pursuant to this
116 section may repeal or amend such sales tax unless such repeal or amendment will not impair the
117 district's ability to repay any liabilities which it has incurred, money which it has borrowed or
118 revenue bonds, notes or other obligations which it has issued or which have been issued by the
119 commission or any local transportation authority to finance any project or projects.

120 (2) Whenever the board of directors of any transportation development district in which
121 a transportation development sales tax has been imposed in the manner provided by this section
122 receives a petition, signed by ten percent of the qualified voters of such transportation
123 development district calling for an election to repeal such transportation development sales tax,
124 the board of directors shall, if such repeal will not impair the district's ability to repay any
125 liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other
126 obligations which it has issued or which have been issued by the commission or any local
127 transportation authority to finance any project or projects, submit to the voters of such
128 transportation development district a proposal to repeal the transportation development sales tax
129 imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal
130 by the qualified voters voting thereon are in favor of the proposal to repeal the transportation
131 development sales tax, then the resolution imposing the transportation development sales tax,
132 along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified
133 voters voting thereon are opposed to the proposal to repeal the transportation development sales

134 tax, then the resolution imposing the transportation development sales tax, along with any
135 amendments thereto, shall remain in effect.

136 **13. Notwithstanding any provision of sections 99.800 to 99.865, and this section to**
137 **the contrary, the sales tax for a transportation district formed by local transportation**
138 **authorities to operate a public mass transportation system:**

139 **(1) Shall not be considered economic activity taxes as such term is defined under**
140 **sections 99.805 and 99.918;**

141 **(2) Tax revenues derived from such tax shall not be subject to allocation under the**
142 **provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957; and**

143 **(3) Shall be collected by the director of revenue, less one percent for the cost of**
144 **collection which shall be deposited in the state's general revenue fund after payment of**
145 **premiums for surety bonds as provided in section 32.087 and shall be deposited with the**
146 **state treasurer in a special trust fund, which is hereby created, to be known as the**
147 **"Transportation Development District Sales Tax Trust Fund". The moneys in this fund**
148 **are not state funds and shall not be commingled with any funds of the state. The director**
149 **of revenue shall keep accurate records of the amount of money in the trust fund which was**
150 **collected in each district wherein a sales tax is imposed pursuant to the provisions of this**
151 **section. The records shall be open to the inspection of the officers of the city and the**
152 **public.**

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

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

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

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

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

46 5. Notwithstanding the provisions of sections 307.350 to 307.390, RSMo, to the
47 contrary, a fleet vehicle registered in Missouri is exempt from the requirements of sections
48 307.350 to 307.390, RSMo, if at the time of the annual fleet registration, such fleet vehicle is
49 situated outside the state of Missouri.

301.069. **1.** A driveaway license plate may not be used on a vehicle used or operated on
2 a highway except for the purpose of transporting vehicles in transit. Driveaway license plates
3 may not be used by tow truck operators transporting wrecked, disabled, abandoned, improperly
4 parked, or burned vehicles. **Driveaway license plates shall only be used by owners, corporate**

5 **officers, or employees of the business to which the plate was issued.** For each driveaway
6 license there shall be paid an annual license fee of forty-four dollars and fifty cents for one set
7 of plates or such insignia as the director may issue which shall be attached to the motor vehicle
8 as prescribed in this chapter. Applicants may choose to obtain biennial driveaway licenses. The
9 fee for biennial driveaway licenses shall be eighty-nine dollars. For single trips the fee shall be
10 four dollars, and descriptive insignia shall be prepared and issued at the discretion of the director
11 who shall also prescribe the type of equipment used to attach such vehicles in combinations.

12 **2. No driveaway license plates shall be issued by the director of revenue unless the**
13 **applicant therefor shall make application for such plate and shall therein include:**

14 **(1) The business name, business street address, and business telephone number of**
15 **the applicant;**

16 **(2) The business owner's full name, date of birth, driver license number or**
17 **nondriver license number, residence street address, and residence telephone number;**

18 **(3) The signature and printed name of the business owner or authorized**
19 **representative of the business presenting such application; and**

20 **(4) A statement explaining what the driveaway license plate or plates will be used**
21 **for.**

22
23 **The applicant shall provide certification of proof of financial responsibility, as defined in**
24 **section 303.020 sufficient to cover each motor vehicle the applicant shall operate or**
25 **otherwise move on the streets or highways, through use of the driveaway license plate,**
26 **during the period of registration. The applicant shall provide such certification by affixing**
27 **a copy of said certification to the application. The application shall include a photograph,**
28 **not to exceed eight inches by ten inches but no less than five inches by seven inches,**
29 **showing the business building and sign of the applicant's business. The applicant shall**
30 **maintain a working, landline telephone at the applicant's place of business throughout the**
31 **registration period. The applicant shall maintain certification of proof of financial**
32 **responsibility as described herein throughout the registration period.**

33 **3. If any of the information required by this section to be reported by the applicant**
34 **changes during the registration period, the applicant shall report said changes to the**
35 **department of revenue within ten days of the date of the change.**

36 **4. Any violation of this section shall result in the revocation of the applicant's**
37 **driveaway license.**

38 **5. Any person who knowingly uses a revoked driveaway license plate shall be**
39 **deemed guilty of a misdemeanor.**

301.130. 1. the director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the national guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle, **except as provided in this subsection. The applicant for registration of any property-carrying commercial motor vehicle may request and be issued two license plates for such vehicle, and if such plates are issued the director of revenue may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.**

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is

37 plainly visible and its reflective qualities are not impaired. License plates shall be fastened to
38 all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of
39 twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than
40 forty-eight inches above the ground, with the letters and numbers thereon right side up. The
41 license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on
42 the rear of such vehicles, with the letters and numbers thereon right side up. The license plate
43 on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed
44 in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than
45 eight nor more than forty-eight inches above the ground, with the letters and numbers thereon
46 right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section,
47 displayed in the same manner on the front and rear of such vehicles. The license plate or plates
48 authorized by section 301.140, when properly attached, shall be prima facie evidence that the
49 required fees have been paid.

50 6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as
51 provided by law as evidence of the annual payment of registration fees and the current
52 registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may
53 prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs
54 positively correlate with the license plate or plates issued by the department of revenue for such
55 vehicle. Such tabs shall be produced in each license bureau office.

56 (2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such
57 tab or tabs in the designated area of the license plate, no more than one per plate.

58 (3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in
59 the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has
60 been paid.

61 (4) Except as otherwise provided in this section, the director of revenue shall issue plates
62 for a period of at least six years.

63 (5) For those commercial motor vehicles and trailers registered pursuant to section
64 301.041, the plate issued by the highways and transportation commission shall be a permanent
65 nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve
66 the owner of any vehicle permanently registered pursuant to this section from the obligation to
67 pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall
68 be returned to the highways and transportation commission upon the sale or disposal of the
69 vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may
70 be transferred to a replacement commercial motor vehicle when the owner files a supplemental
71 application with the Missouri highways and transportation commission for the registration of
72 such replacement commercial motor vehicle. Upon payment of the annual registration fee, the

73 highways and transportation commission shall issue a certificate of registration or other suitable
74 evidence of payment of the annual fee, and such evidence of payment shall be carried at all times
75 in the vehicle for which it is issued.

76 (6) Upon the sale or disposal of any vehicle permanently registered under this section,
77 or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued
78 for such vehicle shall be returned to the highways and transportation commission and shall not
79 be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle
80 when the owner files a supplemental application with the Missouri highways and transportation
81 commission for the registration of such replacement vehicle. If a vehicle which is permanently
82 registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated,
83 the registrant shall be given credit for any unused portion of the annual registration fee when the
84 vehicle is replaced by the purchase or lease of another vehicle during the registration year.

85 7. The director of revenue and the highways and transportation commission may
86 prescribe rules and regulations for the effective administration of this section. No rule or portion
87 of a rule promulgated under the authority of this section shall become effective unless it has been
88 promulgated pursuant to the provisions of section 536.024, RSMo.

89 8. Notwithstanding the provisions of any other law to the contrary, owners of motor
90 vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess
91 of eighteen thousand pounds gross weight may apply for special personalized license plates.
92 Vehicles licensed for eighteen thousand pounds that display special personalized license plates
93 shall be subject to the provisions of subsections 1 and 2 of section 301.030.

94 9. No later than January 1, 2009, the director of revenue shall commence the reissuance
95 of new license plates of such design as directed by the director consistent with the terms,
96 conditions, and provisions of this section and this chapter. Except as otherwise provided in this
97 section, in addition to all other fees required by law, applicants for registration of vehicles with
98 license plates that expire during the period of reissuance, applicants for registration of trailers
99 or semitrailers with license plates that expire during the period of reissuance and applicants for
100 registration of vehicles that are to be issued new license plates during the period of reissuance
101 shall pay the cost of the plates required by this subsection. The additional cost prescribed in this
102 subsection shall not be charged to persons receiving special license plates issued under section
103 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131
104 and specialized license plates are exempt from the provisions of this subsection. Except for new,
105 replacement, and transfer applications, permanent nonexpiring license plates issued to
106 commercial motor vehicles and trailers registered under section 301.041 are exempt from the
107 provisions of this subsection.

301.423. If the director of revenue or his or her designated representative
2 reasonably believes that a certificate of ownership, a license plate, or a license plate tab was
3 obtained fraudulently, any person in possession of said item shall surrender same to the
4 director of revenue or his or her designated representative upon request. Any person
5 failing to do so shall be deemed guilty of a class A misdemeanor.

301.477. 1. Any person who has been awarded the combat action badge may apply
2 for special personalized motor vehicle license plates for any vehicle the person owns, either
3 solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle
4 licensed in excess of eighteen thousand pounds gross weight.

5 2. Any such person shall make application for the special license plates on a form
6 provided by the director of revenue and furnish such proof as a recipient of the combat
7 action badge as the director may require.

8 3. The director shall then issue license plates bearing the words "COMBAT
9 ACTION" in place of the words "SHOW-ME STATE" in a form prescribed by the
10 director, except that such license plates shall be made with fully reflective material, shall
11 have a white background with a blue and red configuration at the discretion of the
12 director, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed
13 by section 301.130. Such plates shall also bear an image of the combat action badge.

14 4. There shall be an additional fee charged for each set of special combat action
15 badge license plates issued equal to the fee charged for personalized license plates in section
16 301.144.

17 5. There shall be no limit on the number of license plates any person qualified
18 under this section may obtain so long as each set of license plates issued under this section
19 is issued for vehicles owned solely or jointly by such person.

20 6. License plates issued pursuant to the provisions of this section shall not be
21 transferable to any other person except that any registered co-owner of the motor vehicle
22 shall be entitled to operate the motor vehicle with such plates for the duration of the year
23 licensed in the event of the death of the qualified person.

301.562. 1. The department may refuse to issue or renew any license required pursuant
2 to sections 301.550 to 301.573 for any one or any combination of causes stated in subsection 2
3 of this section. The department shall notify the applicant or licensee in writing at his or her last
4 known address of the reasons for the refusal to issue or renew the license and shall advise the
5 applicant or licensee of his or her right to file a complaint with the administrative hearing
6 commission as provided by chapter 621, RSMo.

7 2. The department may cause a complaint to be filed with the administrative hearing
8 commission as provided by chapter 621, RSMo, against any holder of any license issued under
9 sections 301.550 to 301.573 for any one or any combination of the following causes:

10 (1) The applicant or license holder was previously the holder of a license issued under
11 sections 301.550 to 301.573, which license was revoked for cause and never reissued by the
12 department, or which license was suspended for cause and the terms of suspension have not been
13 fulfilled;

14 (2) The applicant or license holder was previously a partner, stockholder, director or
15 officer controlling or managing a partnership or corporation whose license issued under sections
16 301.550 to 301.573 was revoked for cause and never reissued or was suspended for cause and
17 the terms of suspension have not been fulfilled;

18 (3) The applicant or license holder has, within ten years prior to the date of the
19 application, been finally adjudicated and found guilty, or entered a plea of guilty or nolo
20 contendere, in a prosecution under the laws of any state or of the United States, for any offense
21 reasonably related to the qualifications, functions, or duties of any business licensed under
22 sections 301.550 to 301.573; for any offense, an essential element of which is fraud, dishonesty,
23 or an act of violence; or for any offense involving moral turpitude, whether or not sentence is
24 imposed;

25 (4) Use of fraud, deception, misrepresentation, or bribery in securing any license issued
26 pursuant to sections 301.550 to 301.573;

27 (5) Obtaining or attempting to obtain any money, commission, fee, barter, exchange, or
28 other compensation by fraud, deception, or misrepresentation;

29 (6) Violation of, or assisting or enabling any person to violate any provisions of this
30 chapter and chapters 144, 306, 307, 407, 578, and 643, RSMo, or of any lawful rule or regulation
31 adopted pursuant to this chapter and chapters **144**, 306, 307, 407, 578, and 643, RSMo;

32 (7) The applicant or license holder has filed an application for a license which, as of its
33 effective date, was incomplete in any material respect or contained any statement which was, in
34 light of the circumstances under which it was made, false or misleading with respect to any
35 material fact;

36 (8) The applicant or license holder has failed to pay the proper application or license fee
37 or other fees required pursuant to this chapter or chapter 306, RSMo, or fails to establish or
38 maintain a bona fide place of business;

39 (9) Uses or permits the use of any special license or license plate assigned to the license
40 holder for any purpose other than those permitted by law;

41 (10) The applicant or license holder is finally adjudged insane or incompetent by a court
42 of competent jurisdiction;

43 (11) Use of any advertisement or solicitation which is false;

44 (12) Violations of sections 407.511 to 407.556, RSMo, section 578.120, RSMo, which
45 resulted in a conviction or finding of guilt or violation of any federal motor vehicle laws which
46 result in a conviction or finding of guilt.

47 3. Any such complaint shall be filed within one year of the date upon which the
48 department receives notice of an alleged violation of an applicable statute or regulation. After
49 the filing of such complaint, the proceedings shall be conducted in accordance with the
50 provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that
51 the grounds, provided in subsection 2 of this section, for disciplinary action are met, the
52 department may, singly or in combination, refuse to issue the person a license, issue a private
53 reprimand, place the person on probation on such terms and conditions as the department deems
54 appropriate for a period of one day to five years, suspend the person's license from one day to
55 six days, or revoke the person's license for such period as the department deems appropriate. The
56 applicant or licensee shall have the right to appeal the decision of the administrative hearing
57 commission and department in the manner provided in chapter 536, RSMo.

58 4. Upon the suspension or revocation of any person's license issued under sections
59 301.550 to 301.573, the department shall recall any distinctive number plates that were issued
60 to that licensee.

301.2998. **1.** Notwithstanding any other provisions of this chapter, which establishes
2 the issuance of a specialty **license** plate, [if no applications for such plate have been received
3 within five years from the effective date of the section authorizing the plate, then] the department
4 of revenue no longer will be required to accept applications and issue [such plate] **new specialty**
5 **license plates for a specific category or organization if:**

6 **(1) No applications for such plate have been received within four years from the**
7 **effective date of the section authorizing the plate; or**

8 **(2) The total number of specialty plates issued for the specific category falls below**
9 **two hundred for two consecutive years.**

10 **2.** The department is authorized to discontinue the issuance and renewal of a
11 specialty license plate if the organization has stopped providing services and emblem-use
12 authorization statements are no longer being issued by the organization. Such
13 organizations shall notify the department immediately to discontinue the issuance of a
14 specialty plate.

15 **3.** The provisions of this section shall not apply to any specialty license plates which
16 bear the emblem or insignia of a branch of the United States military or a military
17 organization or involve military actions or personnel.

301.3150. 1. An organization, other than an organization seeking a special military license plate, that seeks authorization to establish a new specialty license plate shall initially petition the department of revenue by submitting the following:

(1) An application in a form prescribed by the director for the particular specialty license plate being sought, describing the proposed specialty license plate in general terms and have a sponsor of at least one current member of the general assembly. The application may contain written testimony for support of this specialty plate;

(2) Each application submitted pursuant to this section shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate if the specialty plate is approved pursuant to this section;

(3) An application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing and programming the implementation of the specialty plate, if authorized; and

(4) All moneys received by the department of revenue, for the reviewing and development of specialty plates shall be deposited in the state treasury to the credit of the "Department of Revenue Specialty Plate Fund" which is hereby created. The state treasurer shall be custodian of the fund and shall make disbursements from the fund requested by the Missouri director of revenue for personal services, expenses, and equipment required to prepare, review, develop, and disseminate a new specialty plate and process the two hundred applications to be submitted once the plate is approved and to refund deposits for the application of such specialty plate, if the application is not approved by the joint committee on transportation oversight and for no other purpose.

2. At the end of each state fiscal year, the director of revenue shall:

(1) Determine the amount of all moneys deposited into the department of revenue specialty plate fund;

(2) Determine the amount of disbursements from the department of revenue specialty plate fund which were made to produce the specialty plate and process the two hundred applications; and

(3) Subtract the amount of disbursements from the income figure referred to in subdivision (1) of this subsection and deliver this figure to the state treasurer.

3. The state treasurer shall transfer an amount of money equal to the figure provided by the director of revenue from the department of revenue specialty plate fund to the state highway department fund. An unexpended balance in the department of revenue specialty plate fund at the end of the biennium not exceeding twenty-five thousand dollars shall be exempt from the provisions of section 33.080, RSMo, relating to transfer of unexpended balances to the general revenue fund.

37 4. [The documents and fees required pursuant to this section shall be submitted to the
38 department of revenue by July first prior to the next regular session of the general assembly to
39 be approved or denied by the joint committee on transportation oversight during that legislative
40 session.

41 5.] The department of revenue shall give notice of any proposed specialty plate in a
42 manner reasonably calculated to advise the public of such proposal.

43 Reasonable notice shall include posting the proposal for the specialty plate on the department's
44 official public website, and making available copies of the specialty plate application to any
45 representative of the news media or public upon request and posting the application on a bulletin
46 board or other prominent public place which is easily accessible to the public and clearly
47 designated for that purpose at the principal office.

48 [6.] **5.** Adequate notice conforming with all the requirements of subsection 5 of this
49 section shall be given not less than four weeks, exclusive of weekends and holidays when the
50 facility is closed, after the submission of the application by the organization to the department
51 of revenue. Written or electronic testimony in support or opposition of the proposed specialty
52 plate shall be submitted to the department of revenue [by November thirtieth of the year] **within**
53 **sixty days** of filing of the original proposal. All written testimony shall contain the printed
54 name, signature, address, phone number, and e-mail address, if applicable, of the individual
55 giving the testimony.

56 [7.] **6.** **As soon as practicable, upon receipt of the documents and fees required**
57 **under this section**, the department of revenue shall submit for approval all applications for the
58 development of specialty plates to the joint committee on transportation oversight [during a
59 regular session of the general assembly for approval] **for review under section 21.795.**

60 [8.] **7.** If the specialty license plate requested by an organization is approved by the joint
61 committee on transportation oversight, the organization shall submit the proposed art design for
62 the specialty license plate to the department as soon as practicable, but no later than sixty days
63 after the approval of the specialty license plate. If the specialty license plate requested by the
64 organization is not approved by the joint committee on transportation oversight, ninety-seven
65 percent of the application fee shall be refunded to the requesting organization.

66 [9.] **8.** An emblem-use authorization fee may be charged by the organization prior to the
67 issuance of an approved specialty plate. The organization's specialty plate proposal approved
68 by the joint committee on transportation oversight shall state what fee is required to obtain such
69 statement and if such fee is required annually or biennially, if the applicant has a two-year
70 registration. An organization applying for specialty plates shall authorize the use of its official
71 emblem to be affixed on multiyear personalized license plates within the plate area prescribed
72 by the director of revenue and as provided in this section. Any contribution to the organization

73 derived from the emblem-use contribution, except reasonable administrative costs, shall be used
74 solely for the purposes of the organization. Any member of the organization or nonmember, if
75 applicable, may annually apply for the use of the emblem, if applicable.

76 [10.] **9.** The department shall begin production and distribution of each new specialty
77 license plate within one year after approval of the specialty license plate by the joint committee
78 on transportation oversight.

79 [11.] **10.** The department shall issue a specialty license plate to the owner who meets the
80 requirements for issuance of the specialty plate for any motor vehicle such owner owns, either
81 solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed
82 in excess of eighteen thousand pounds gross weight.

83 [12.] **11.** Each new or renewed application for an approved specialty license plate shall
84 be made to the department of revenue, accompanied by an additional fee of fifteen dollars and
85 the appropriate emblem-use authorization statement.

86 [13.] **12.** The appropriate registration fees, fifteen dollar specialty plate fee, processing
87 fees and documents otherwise required for the issuance of registration of the motor vehicle as
88 set forth by law must be submitted at the time the specialty plates are actually issued and
89 renewed or as otherwise provided by law. However, no additional fee for the personalization of
90 this plate shall be charged.

91 [14.] **13.** Once a specialty plate design is approved, a request for such plate may be made
92 any time during a registration period. If a request is made for a specialty license plate to replace
93 a current valid license plate, all documentation, credits, and fees provided for in this chapter
94 when replacing a current license plate shall apply.

95 [15.] **14.** A vehicle owner who was previously issued a plate with an organization
96 emblem authorized by this section, but who does not provide an emblem-use authorization
97 statement at a subsequent time of registration if required, shall be issued a new plate which does
98 not bear the organization's emblem, as otherwise provided by law.

99 [16.] **15.** Specialty license plates shall bear a design approved by the organization
100 submitting the original application for approval by the joint committee on transportation
101 oversight. The design shall be within the plate area prescribed by the director of revenue, and
102 the designated organization's name or slogan shall be in place of the words "SHOW-ME
103 STATE". Such license plates shall be made with fully reflective material with a common color
104 scheme, shall be clearly visible at night, shall have a reflective white background in the area of
105 the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130 and
106 as provided in this section. In addition to a design, the specialty license plates shall be in
107 accordance with criteria and plate design set forth in this chapter.

108 [17. The department is authorized to discontinue the issuance and renewal of a specialty
109 license plate if the organization has stopped providing services and emblem-use authorization
110 statements are no longer being issued by the organization. Such organizations shall notify the
111 department immediately to discontinue the issuance of a specialty plate.

112 18.] **16.** The organization that requested the specialty license plate shall not redesign the
113 specialty personalized license plate unless such organization pays the director in advance all
114 redesigned plate fees. All plate holders of such plates must pay the replacement fees prescribed
115 in section 301.300 for the replacement of the existing specialty plate. All other applicable
116 license plate fees in accordance with this chapter shall be required.

301.3158. Any person who has been awarded the military service award known as
2 **the legion of merit medal may apply for special motor vehicle license plates for any vehicle**
3 **such person owns, either solely or jointly, other than an apportioned motor vehicle or a**
4 **commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.**
5 **Any such person shall make application for the special license plates on a form provided**
6 **by the director of revenue and furnish such proof as a recipient of the legion of merit**
7 **medal as the director may require. The director shall then issue license plates bearing**
8 **letters or numbers or a combination thereof as determined by the advisory committee**
9 **established in section 301.129, with the words "LEGION OF MERIT" in place of the**
10 **words "SHOW-ME STATE". Such license plates shall be made with fully reflective**
11 **material with a common color scheme and design, shall be clearly visible at night, and shall**
12 **be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an**
13 **image of the legion of merit medal. There shall be an additional fee charged for each set**
14 **of legion of merit license plates issued under this section equal to the fee charged for**
15 **personalized license plates. There shall be no limit on the number of license plates any**
16 **person qualified under this section may obtain so long as each set of license plates issued**
17 **under this section is issued for vehicles owned solely or jointly by such person. License**
18 **plates issued under the provisions of this section shall not be transferable to any other**
19 **person except that any registered co-owner of the motor vehicle shall be entitled to operate**
20 **the motor vehicle with such plates for the duration of the year licensed in the event of the**
21 **death of the qualified person.**

301.3160. 1. Notwithstanding any other provision of law to the contrary, any
2 **person, after an annual payment of an emblem-use fee to the National Multiple Sclerosis**
3 **Society, may receive special personalized license plates for any vehicle the person owns,**
4 **either solely or jointly, other than an apportioned motor vehicle or a commercial motor**
5 **vehicle licensed in excess of eighteen thousand pounds gross weight. The National Multiple**
6 **Sclerosis Society hereby authorizes the use of its official emblem to be affixed on multi-year**

7 personalized license plates as provided in this section. Any contribution to the National
8 Multiple Sclerosis Society derived from this section, except reasonable administrative costs,
9 shall be used solely for the purposes of the National Multiple Sclerosis Society. Any vehicle
10 owner may annually apply for the use of the emblem.

11 2. Upon annual application and payment of a twenty-five dollar emblem-use
12 contribution to the National Multiple Sclerosis Society, the National Multiple Sclerosis
13 Society shall issue to the vehicle owner, without further charge, an emblem-use
14 authorization statement, which shall be presented by the vehicle owner to the director of
15 revenue at the time of registration. Upon presentation of the annual statement and
16 payment of a twenty-five dollar fee in addition to the regular registration fees, and
17 presentation of any documents which may be required by law, the director of revenue shall
18 issue to the vehicle owner a special license plate which shall bear the emblem of the
19 National Multiple Sclerosis Society. Such license plates shall be made with fully reflective
20 material with a common color scheme and design, shall be clearly visible at night, and shall
21 be aesthetically attractive, as prescribed by section 301.130. In addition, upon such set of
22 license plates shall be inscribed, in lieu of the words "SHOW-ME STATE", the words
23 "JOIN THE MOVEMENT". Notwithstanding the provisions of section 301.144, no
24 additional fee shall be charged for the personalization of license plates issued pursuant to
25 this section.

26 3. A vehicle owner who was previously issued a plate with the National Multiple
27 Sclerosis Society's emblem authorized by this section, but who does not provide an
28 emblem-use authorization statement at a subsequent time of registration, shall be issued
29 a new plate which does not bear the National Multiple Sclerosis Society's emblem, as
30 otherwise provided by law. The director of revenue shall make necessary rules and
31 regulations for the enforcement of this section, and shall design all necessary forms
32 required by this section.

33 4. Prior to the issuance of a National Multiple Sclerosis Society's specialty plate
34 authorized under this section the department of revenue must be in receipt of an
35 application, as prescribed by the director, which shall be accompanied by a list of at least
36 two hundred potential applicants who plan to purchase the specialty plate, the proposed
37 art design for the specialty license plate, and an application fee, not to exceed five thousand
38 dollars, to defray the department's cost for issuing, developing, and programming the
39 implementation of the specialty plate. Once the plate design is approved, the director of
40 revenue shall not authorize the manufacture of the material to produce such specialized
41 license plates with the individual seal, logo, or emblem until such time as the director has
42 received two hundred applications, the twenty-five dollar specialty plate fee per

43 application, and emblem-use statements, if applicable, and other required documents or
44 fees for such plates.

301.4006. 1. Notwithstanding any other provision of law, any person, after an
2 annual payment of an emblem-use fee to the Nixa Education Foundation, may receive
3 personalized specialty license plates for any vehicle owned, either solely or jointly, other
4 than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of
5 eighteen thousand pounds gross weight. The Nixa Education Foundation hereby
6 authorizes the use of its official emblem to be affixed on multi-year personalized specialty
7 license plates as provided in this section. Any contribution to the Nixa Education
8 Foundation derived from this section, except reasonable administrative costs, shall be used
9 solely for the purposes of the Nixa Education Foundation. Any person may annually apply
10 for the use of the emblem.

11 2. Upon annual application and payment of a fifteen dollar emblem-use
12 contribution to the Nixa Education Foundation, the Nixa Education Foundation shall issue
13 to the vehicle owner, without further charge, an emblem-use authorization statement,
14 which shall be presented by the vehicle owner to the director of revenue at the time of
15 registration. Upon presentation of the annual emblem-use authorization statement and
16 payment of a fifteen dollar fee in addition to the regular registration fees, and presentation
17 of any documents which may be required by law, the director of revenue shall issue to the
18 vehicle owner a personalized specialty license plate which shall bear the emblem of the
19 Nixa Education Foundation. Such license plates shall be made with fully reflective
20 material with a common color scheme and design, shall be clearly visible at night, and shall
21 be aesthetically attractive, as prescribed by section 301.130. In addition, upon each set of
22 license plates shall be inscribed, in lieu of the words "SHOW-ME STATE", the words
23 "NIXA EDUCATION FOUNDATION". Notwithstanding the provisions of section
24 301.144, no additional fee shall be charged for the personalized specialty plates issued
25 under this section.

26 3. A vehicle owner who was previously issued a plate with the Nixa Education
27 Foundation's emblem authorized by this section, but who does not provide an emblem-use
28 authorization statement at a subsequent time of registration, shall be issued a new plate
29 which does not bear the Nixa Education Foundation's emblem, as otherwise provided by
30 law. The director of revenue shall make necessary rules and regulations for the
31 enforcement of this section, and shall design all necessary forms required by this section.

32 4. Prior to the issuance of a Nixa Education Foundation specialty plate authorized
33 under this section, the department of revenue must be in receipt of an application, as
34 prescribed by the director, which shall be accompanied by a list of at least two hundred

35 potential applicants who plan to purchase the specialty plate, the proposed art design for
36 the specialty license plate, and an application fee, not to exceed five thousand dollars, to
37 defray the department's cost for issuing, developing, and programming the implementation
38 of the specialty plate. Once the plate design is approved, the director of revenue shall not
39 authorize the manufacture of the material to produce such personalized specialty license
40 plates with the individual seal, logo, or emblem until such time as the director has received
41 two hundred applications, the fifteen dollar specialty plate fee per application, and
42 emblem-use statements, if applicable, and other required documents or fees for such plates.

301.4010. 1. Notwithstanding any other provision of law, any member of the
2 National Wild Turkey Federation, after an annual payment of an emblem-use fee to the
3 National Wild Turkey Federation, may receive personalized specialty license plates for any
4 vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle
5 or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.
6 The National Wild Turkey Federation hereby authorizes the use of its official emblem to
7 be affixed on multi-year personalized specialty license plates as provided in this section.
8 Any contribution to the National Wild Turkey Federation derived from this section, except
9 reasonable administrative costs, shall be used solely for the purposes of the National Wild
10 Turkey Federation. Any member of the National Wild Turkey Federation may annually
11 apply for the use of the emblem.

12 2. Upon annual application and payment of a fifteen dollar emblem-use
13 contribution to the National Wild Turkey Federation, the National Wild Turkey
14 Federation shall issue to the vehicle owner, without further charge, an emblem-use
15 authorization statement, which shall be presented by the vehicle owner to the director of
16 revenue at the time of registration. Upon presentation of the annual emblem-use
17 authorization statement and payment of a fifteen-dollar-fee in addition to the regular
18 registration fees, and presentation of any documents which may be required by law, the
19 director of revenue shall issue to the vehicle owner a personalized specialty license plate
20 which shall bear the emblem of the National Wild Turkey Federation. Such license plates
21 shall be made with fully reflective material with a common color scheme and design, shall
22 be clearly visible at night, and shall be aesthetically attractive, as prescribed by section
23 301.130. In addition, upon each set of license plates shall be inscribed, in lieu of the words
24 "SHOW-ME STATE", the words "National Wild Turkey Federation". Notwithstanding
25 the provisions of section 301.144, no additional fee shall be charged for the personalized
26 specialty plates issued under this section.

27 3. A vehicle owner who was previously issued a plate with the National Wild
28 Turkey Federation's emblem authorized by this section, but who does not provide an

29 **emblem-use authorization statement at a subsequent time of registration, shall be issued**
30 **a new plate which does not bear the National Wild Turkey Federation's emblem, as**
31 **otherwise provided by law. The director of revenue shall make necessary rules and**
32 **regulations for the enforcement of this section, and shall design all necessary forms**
33 **required by this section.**

34 **4. Prior to the issuance of a National Wild Turkey Federation specialty plate**
35 **authorized under this section, the department of revenue must be in receipt of an**
36 **application, as prescribed by the director, which shall be accompanied by a list of at least**
37 **two hundred potential applicants who plan to purchase the specialty plate, the proposed**
38 **art design for the specialty license plate, and an application fee, not to exceed five thousand**
39 **dollars, to defray the department's cost for issuing, developing, and programming the**
40 **implementation of the specialty plate. Once the plate design is approved, the director of**
41 **revenue shall not authorize the manufacture of the material to produce such personalized**
42 **specialty license plates with the individual seal, logo, or emblem until such time as the**
43 **director has received two hundred applications, the fifteen dollar specialty plate fee per**
44 **application, and emblem-use statements, if applicable, and other required documents or**
45 **fees for such plates.**

302.220. It shall be unlawful for any person to display or to permit to be displayed, or
2 to have in his possession, any license **or nondriver identification card** knowing the same to be
3 fictitious or to have been canceled, suspended, revoked, disqualified or altered; to lend to or
4 knowingly permit the use of by another any license **or nondriver identification card** issued to
5 the person so lending or permitting the use thereof; to display or to represent as one's own any
6 license **or nondriver identification card** not issued to the person so displaying the same, or fail
7 or refuse to surrender to the clerk of any division of the circuit court or the director **or his or her**
8 **designee**, any license **or nondriver identification card** which has been suspended, canceled,
9 disqualified or revoked, as provided by law **or that the director or his or her designee has**
10 **reasonable suspicion to believe is fictitious**; to use a false or fictitious name or give a false or
11 fictitious address on any application for a license **or nondriver identification card**, or any
12 renewal or duplicate thereof, or knowingly to make a false statement, or knowingly to conceal
13 a material fact, or otherwise commit a fraud in any such application; to authorize or consent to
14 any motor vehicle owned by him or under his control to be driven by any person, when he has
15 knowledge that such person has no legal right to do so, or for any person to drive any motor
16 vehicle in violation of any of the provisions of sections 302.010 to 302.780; to employ a person
17 to operate a motor vehicle in the transportation of persons or property, with knowledge that such
18 person has not complied with the provisions of sections 302.010 to 302.780, or whose license

19 has been revoked, suspended, canceled or disqualified; or who fails to produce his or her license
20 upon demand of any person or persons authorized to make such demand.

302.230. Any person who makes a false unsworn statement or affidavit or knowingly
2 swears or affirms falsely as to any matter or thing required by sections 302.010 to 302.540 shall
3 be deemed guilty of a class A misdemeanor. No person who pleads guilty or nolo contendere,
4 or is found guilty of making a false statement or affidavit shall be licensed to operate a motor
5 vehicle for a period of one year after such plea, finding or conviction. **Notwithstanding any
6 other provision of law, a prosecution under this section may be commenced within one year
7 after the director first discovers the falsity of any statement or affidavit required under
8 sections 302.010 to 302.540, provided that no prosecution shall commence more than six
9 years after such statement or affidavit was made.**

**304.161. Storage charges for any towed vehicle, other than a commercial motor
2 vehicle, shall not exceed forty-five dollars per day. As used in this section, the term
3 "storage charges" means the combination of all fees and other charges associated with the
4 storage of a towed vehicle, including, but not limited to, storage fees, access fees, document
5 fees, release of vehicle charges, and any other charges, the payment of which is required
6 for the release of the vehicle to the owner or his or her designee.**

304.820. 1. Except as otherwise provided in this section, no person [twenty-one years
2 of age or younger] operating a moving motor vehicle upon [the highways of] **any paved road**
3 **in** this state shall, by means of a hand-held electronic wireless communications device, send,
4 read, or write a text message or electronic message.

5 2. The provisions of subsection 1 of this section shall not apply to a person operating:

6 (1) **A motor vehicle on a private gravel road;**

7 (2) An authorized emergency vehicle; or

8 [~~2~~] (3) A moving motor vehicle while using a hand-held electronic wireless
9 communications device to:

10 (a) Report illegal activity;

11 (b) Summon medical or other emergency help;

12 (c) Prevent injury to a person or property; or

13 (d) Relay information between a transit or for-hire operator and that operator's
14 dispatcher, in which the device is permanently affixed to the vehicle.

15 3. Nothing in this section shall be construed or interpreted as prohibiting a person from
16 making or taking part in a telephone call, by means of a hand-held electronic wireless
17 communications device, while operating a motor vehicle upon the highways of this state.

18 4. As used in this section, "electronic message" means a self-contained piece of digital
19 communication that is designed or intended to be transmitted between hand-held electronic

20 wireless communication devices. "Electronic message" includes, but is not limited to, electronic
21 mail, a text message, an instant message, or a command or request to access an internet site.

22 5. As used in this section, "hand-held electronic wireless communications device"
23 includes any hand-held cellular phone, palm pilot, blackberry, or other mobile electronic device
24 used to communicate verbally or by text or electronic messaging, but shall not apply to any
25 device that is permanently embedded into the architecture and design of the motor vehicle.

26 6. As used in this section, "making or taking part in a telephone call" means listening to
27 or engaging in verbal communication through a hand-held electronic wireless communication
28 device.

29 7. As used in this section, "send, read, or write a text message or electronic message"
30 means using a hand-held electronic wireless telecommunications device to manually
31 communicate with any person by using an electronic message. Sending, reading, or writing a
32 text message or electronic message does not include reading, selecting, or entering a phone
33 number or name into a hand-held electronic wireless communications device for the purpose of
34 making a telephone call.

35 8. A violation of this section shall be deemed an infraction and shall be deemed a
36 moving violation for purposes of point assessment under section 302.302, RSMo.

37 9. The state preempts the field of regulating the use of hand-held electronic wireless
38 communications devices in motor vehicles, and the provisions of this section shall supercede any
39 local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other
40 political subdivision to regulate the use of hand-held electronic wireless communication devices
41 by the operator of a motor vehicle.

42 10. The provisions of this section shall not apply to:

43 (1) The operator of a vehicle that is lawfully parked or stopped;

44 (2) Any of the following while in the performance of their official duties: a law
45 enforcement officer; a member of a fire department; or the operator of a public or private
46 ambulance;

47 (3) The use of factory-installed or aftermarket global positioning systems (GPS) or
48 wireless communications devices used to transmit or receive data as part of a digital dispatch
49 system;

50 (4) The use of voice-operated technology;

51 (5) The use of two-way radio transmitters or receivers by a licensee of the Federal
52 Communications Commission in the Amateur Radio Service.

**304.870. No person, except law enforcement or emergency personnel, shall climb
2 on, or stand or work atop any tanker trailer stopped along any highway of this state unless
3 proper safety precautions are taken, including use of safety tie-off apparatus or other**

4 **supporting structure. Any person who fails to comply with the requirements of this section**
5 **is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less**
6 **than fifty dollars nor more than one hundred dollars.**

2 **389.1150. 1. All vehicles operated by a contract carrier, as defined in subsection**
3 **2 of this section, either purchased, leased, or otherwise newly placed in service after**
4 **February 28, 2011, shall be equipped with one or more operable oscillating amber light or**
5 **white strobe light which shall be mounted to either the roof of the vehicle in the rear one**
6 **third portion, or on or integrated into the rear bumper of the vehicle, and shall be utilized**
7 **to provide warning to other motorists whenever the vehicle has stopped on or directly**

8 **2. For purposes of this section, "contract carrier" means a passenger contract**
9 **carrier that for compensation transports railroad employees.**

10 **3. The provisions of this section shall be considered minimum standards and shall**
11 **not be construed to supercede or abrogate any law, rule, or regulation that imposes stricter**
12 **standards or regulations upon the operation of contract carriers that transport railroad**
13 **employees.**

2 [301.129. There is established in this section an advisory committee for
3 the department of revenue, which shall exist solely to develop uniform designs
4 and common colors for motor vehicle license plates issued under this chapter and
5 to determine appropriate license plate parameters for all license plates issued
6 under this chapter. The advisory committee may adopt more than one type of
7 design and color scheme for license plates issued under this chapter; however,
8 each license plate of a distinct type shall be uniform in design and color scheme
9 with all other license plates of that distinct type. The specifications for the fully
10 reflective material used for the plates, as required by section 301.130, shall be
11 determined by the committee. Such plates shall meet any specific requirements
12 prescribed in this chapter. The advisory committee shall consist of the director
13 of revenue, the superintendent of the highway patrol, the correctional enterprises
14 administrator, and the respective chairpersons of both the senate and house of
15 representatives transportation committees. Notwithstanding section 226.200,
16 RSMo, to the contrary, the general assembly may appropriate state highways and
17 transportation department funds for the requirements of section 301.130 and this
18 section. Prior to January 1, 2007, the committee shall meet, select a chairman
19 from among their members, and develop uniform design and license plate
20 parameters for the motor vehicle license plates issued under this chapter. Prior
21 to determining the final design of the plates, the committee shall hold at least
22 three public meetings in different areas of the state to invite public input on the
23 final design. Members of the committee shall be reimbursed for their actual and
24 necessary expenses incurred in the performance of their duties under this section
out of funds appropriated for that purpose. The committee shall direct the

25 director of revenue to implement its final design of the uniform motor vehicle
26 license plates and any specific parameters for all license plates developed by the
27 committee not later than January 1, 2007. The committee shall be dissolved upon
28 completion of its duties under this section.]
29

 Section B. The repeal and reenactment of sections 301.032, 301.069, and 301.562, of
2 section A of this act shall become effective January 1, 2011.

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