

SECOND REGULAR SESSION

HOUSE BILL NO. 1673

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ZERR (Sponsor) AND FUNDERBURK (Co-sponsor).

3118L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 307.365, RSMo, and to enact in lieu thereof one new section relating to motor vehicle safety inspections, with a penalty provision.

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

Section A. Section 307.365, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 307.365, to read as follows:

307.365. 1. No permit for an official inspection station shall be assigned or transferred or used at any location other than therein designated and every permit shall be posted in a conspicuous place at the location designated. The superintendent of the Missouri state highway patrol shall design and furnish each official inspection station, at no cost, one official sign made of metal or other durable material to be displayed in a conspicuous location to designate the station as an official inspection station. Additional signs may be obtained by an official inspection station for a fee equal to the cost to the state. Each inspection station shall also be supplied with one or more posters which must be displayed in a conspicuous location at the place of inspection and which informs the public that required repairs or corrections need not be made at the inspection station.

2. No person operating an official inspection station pursuant to the provisions of sections 307.350 to 307.390 may issue a certificate of inspection and approval for any vehicle except upon an official **watermarked** form furnished by the superintendent of the Missouri state highway patrol for that purpose and only after inspecting the vehicle and determining that its brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust system, glazing, air pollution control devices, fuel system and any other safety equipment as required by the state are in proper condition and adjustment to be

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

18 operated upon the public highways of this state with safety to the driver or operator, other
19 occupants therein, as well as other persons and property upon the highways, as provided by
20 sections 307.350 to 307.390 and the regulations prescribed by the superintendent of the Missouri
21 state highway patrol. Brakes may be inspected for safety by means of visual inspection or
22 computerized brake testing. No person operating an official inspection station shall furnish,
23 loan, give or sell a certificate of inspection and approval to any other person except those entitled
24 to receive it under provisions of sections 307.350 to 307.390. No person shall have in such
25 person's possession any certificate of inspection and approval and/or inspection sticker with
26 knowledge that the certificate and/or inspection sticker has been illegally purchased, stolen or
27 counterfeited.

28 3. The superintendent of the Missouri state highway patrol may require officially
29 designated stations to furnish reports upon forms furnished by the superintendent for that purpose
30 as the superintendent considers reasonably necessary for the proper and efficient administration
31 of sections 307.350 to 307.390.

32 4. If, upon inspection, defects or unsafe conditions are found, the owner may correct
33 them or shall have them corrected at any place the owner chooses within twenty days after the
34 defect or unsafe condition is found, and shall have the right to remove the vehicle to such place
35 for correction, but before the vehicle is operated thereafter upon the public highways of this state,
36 a certificate of inspection and approval must be obtained. The inspecting personnel of the
37 official inspection station must inform the owner that the corrections need not be made at the
38 inspection station.

39 5. A fee, not to exceed twelve dollars, as determined by each official inspection station,
40 may be charged by an official inspection station for each official inspection including the
41 issuance of the certificate of inspection and approval, sticker, seal or other device and a total fee,
42 not to exceed ten dollars, as determined by each official inspection station, may be charged for
43 an official inspection of a trailer or motorcycle, which shall include the issuance of the certificate
44 of inspection and approval, sticker, seal or other device. Such fee shall be conspicuously posted
45 on the premises of each such official inspection station. No owner shall be charged an additional
46 inspection fee upon having corrected defects or unsafe conditions found in an inspection
47 completed within the previous twenty consecutive days, excluding Saturdays, Sundays and
48 holidays, if such follow-up inspection is made by the station making the initial inspection. Every
49 inspection for which a fee is charged shall be a complete inspection, and upon completion of the
50 inspection, if any defects are found the owner of the vehicle shall be furnished a list of the
51 defects and a receipt for the fee paid for the inspection. If the owner of a vehicle decides to have
52 any necessary repairs or corrections made at the official inspection station, the owner shall be
53 furnished a written estimate of the cost of such repairs before such repairs or corrections are

54 made by the official inspection station. The written estimate shall have plainly written upon it
55 that the owner understands that the corrections need not be made by the official inspection
56 station and shall have a signature line for the owner. The owner must sign below the statement
57 on the signature line before any repairs are made.

58 6. Certificates of inspection and approval, sticker, seal or other device shall be purchased
59 by the official inspection stations from the superintendent of the Missouri state highway patrol.
60 The superintendent of the Missouri state highway patrol shall collect a fee of one dollar and fifty
61 cents for each certificate of inspection, sticker, seal or other device issued to the official
62 inspection stations, except that no charge shall be made for certificates of inspection, sticker, seal
63 or other device issued to official inspection stations operated by governmental entities. All fees
64 collected shall be deposited in the state treasury with one dollar of each fee collected credited to
65 the state highway fund and, for the purpose of administering and enforcing the state motor
66 vehicle laws and traffic regulations, fifty cents credited to the "Highway Patrol Inspection Fund"
67 which is hereby created. The moneys collected and deposited in the highway patrol inspection
68 fund shall be expended subject to appropriations by the general assembly for the administration
69 and enforcement of sections 307.350 to 307.390 by the Missouri state highway patrol. The
70 unexpended balance in the fund at the end of each biennium exceeding the amount of the
71 appropriations from the fund for the first two fiscal years shall be transferred to the state road
72 fund, and the provisions of section 33.080, RSMo, relating to the transfer of funds to the general
73 revenue fund at the end of the biennium, shall not apply to the fund.

74 7. The owner or operator of any inspection station who discontinues operation during
75 the period that a station permit is valid or whose station permit is suspended or revoked shall
76 return all official signs and posters and any current unused inspection stickers, seals or other
77 devices to the superintendent of the Missouri state highway patrol and shall receive a full refund
78 on request except for official signs and posters, provided the request is made during the calendar
79 year or within sixty days thereafter in the manner prescribed by the superintendent of the
80 Missouri state highway patrol. Stations which have a valid permit shall exchange unused
81 previous year issue inspection stickers and/or decals for an identical number of current year
82 issue, provided the unused stickers and/or decals are submitted for exchange not later than April
83 thirtieth of the current calendar year, in the manner prescribed by the superintendent of the
84 Missouri state highway patrol.

85 8. Notwithstanding the provisions of section 307.390 to the contrary, a violation of this
86 section shall be a class C misdemeanor.

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