

FIRST REGULAR SESSION

HOUSE BILL NO. 168

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES NOLTE (Sponsor), WYATT, KELLEY (126),
GATSCHENBERGER AND COX (Co-sponsors).

0549L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 302.130, 302.177, 302.181, 302.720, and 302.735, RSMo, and to enact in lieu thereof five new sections relating to driver's licenses of noncitizens.

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

Section A. Sections 302.130, 302.177, 302.181, 302.720, and 302.735, RSMo, are
2 repealed and five new sections enacted in lieu thereof, to be known as sections 302.130, 302.177,
3 302.181, 302.720, and 302.735, to read as follows:

302.130. 1. Any person at least fifteen years of age who, except for age or lack of
2 instruction in operating a motor vehicle, would otherwise be qualified to obtain a license
3 pursuant to sections 302.010 to 302.340 may apply for and the director shall issue a temporary
4 instruction permit entitling the applicant, while having such permit in the applicant's immediate
5 possession, to drive a motor vehicle of the appropriate class upon the highways for a period of
6 twelve months, but any such person, except when operating a motorcycle or motortricycle, must
7 be accompanied by a licensed operator for the type of motor vehicle being operated who is
8 actually occupying a seat beside the driver for the purpose of giving instruction in driving the
9 motor vehicle, who is at least twenty-one years of age, and in the case of any driver under sixteen
10 years of age, the licensed operator occupying the seat beside the driver shall be a grandparent,
11 parent, guardian, a driver training instructor holding a valid driver education endorsement on a
12 teaching certificate issued by the department of elementary and secondary education or a
13 qualified instructor of a private drivers' education program who has a valid driver's license. An
14 applicant for a temporary instruction permit shall successfully complete a vision test and a test
15 of the applicant's ability to understand highway signs which regulate, warn or direct traffic and

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.

16 practical knowledge of the traffic laws of this state, pursuant to section 302.173. In addition,
17 beginning January 1, 2007, no permit shall be granted pursuant to this subsection unless a parent
18 or legal guardian gives written permission by signing the application and in so signing, state they,
19 or their designee as set forth in subsection 2 of this section, will provide a minimum of forty
20 hours of behind-the- wheel driving instruction, including a minimum of ten hours of
21 behind-the-wheel driving instruction that occurs during the nighttime hours falling between
22 sunset and sunrise. The forty hours of behind-the-wheel driving instruction that is completed
23 pursuant to this subsection may include any time that the holder of an instruction permit has
24 spent operating a motor vehicle in a driver training program taught by a driver training instructor
25 holding a valid driver education endorsement on a teaching certificate issued by the department
26 of elementary and secondary education or by a qualified instructor of a private drivers' education
27 program. If the applicant for a permit is enrolled in a federal residential job training program,
28 the instructor, as [defined] **described** in subsection 5 of this section, is authorized to sign the
29 application stating that the applicant will receive the behind-the-wheel driving instruction
30 required by this section.

31 2. In the event the parent, grandparent or guardian of the person under sixteen years of
32 age has a physical disability which prohibits or disqualifies said parent, grandparent or guardian
33 from being a qualified licensed operator pursuant to this section, said parent, grandparent or
34 guardian may designate a maximum of two individuals authorized to accompany the applicant
35 for the purpose of giving instruction in driving the motor vehicle. An authorized designee must
36 be a licensed operator for the type of motor vehicle being operated and have attained twenty-one
37 years of age. At least one of the designees must occupy the seat beside the applicant while
38 giving instruction in driving the motor vehicle. The name of the authorized designees must be
39 provided to the department of revenue by the parent, grandparent or guardian at the time of
40 application for the temporary instruction permit. The name of each authorized designee shall be
41 printed on the temporary instruction permit, however, the director may delay the time at which
42 permits are printed bearing such names until the inventories of blank permits and related forms
43 existing on August 28, 1998, are exhausted.

44 3. The director, upon proper application on a form prescribed by the director, in his or
45 her discretion, may issue a restricted instruction permit effective for a school year or more
46 restricted period to an applicant who is enrolled in a high school driver training program taught
47 by a driver training instructor holding a valid driver education endorsement on a teaching
48 certificate issued by the state department of elementary and secondary education even though the
49 applicant has not reached the age of sixteen years but has passed the age of fifteen years. Such
50 instruction permit shall entitle the applicant, when the applicant has such permit in his or her
51 immediate possession, to operate a motor vehicle on the highways, but only when a driver

52 training instructor holding a valid driver education endorsement on a teaching certificate issued
53 by the state department of elementary and secondary education is occupying a seat beside the
54 driver.

55 4. The director, in his or her discretion, may issue a temporary driver's permit to an
56 applicant who is otherwise qualified for a license permitting the applicant to operate a motor
57 vehicle while the director is completing the director's investigation and determination of all facts
58 relative to such applicant's rights to receive a license. Such permit must be in the applicant's
59 immediate possession while operating a motor vehicle, and it shall be invalid when the
60 applicant's license has been issued or for good cause has been refused.

61 5. In the event that the applicant for a temporary instruction permit described in
62 subsection 1 of this section is a participant in a federal residential job training program, the
63 permittee may operate a motor vehicle accompanied by a driver training instructor who holds a
64 valid driver education endorsement issued by the department of elementary and secondary
65 education and a valid driver's license.

66 6. A person at least fifteen years of age may operate a motor vehicle as part of a driver
67 training program taught by a driver training instructor holding a valid driver education
68 endorsement on a teaching certificate issued by the department of elementary and secondary
69 education or a qualified instructor of a private drivers' education program.

70 7. Beginning January 1, 2003, the director shall issue with every temporary instruction
71 permit issued pursuant to subsection 1 of this section a sticker or sign bearing the words
72 "PERMIT DRIVER". The design and size of such sticker or sign shall be determined by the
73 director by regulation. Every applicant issued a temporary instruction permit and sticker on or
74 after January 1, 2003, may display or affix the sticker or sign on the rear window of the motor
75 vehicle. Such sticker or sign may be displayed on the rear window of the motor vehicle whenever
76 the holder of the instruction permit operates a motor vehicle during his or her temporary permit
77 licensure period.

78 8. Beginning July 1, 2005, the director shall verify that an applicant for an instruction
79 permit issued under this section is lawfully present in the United States before accepting the
80 application. The director shall not issue an instruction permit for a period that exceeds an
81 applicant's lawful presence in the United States. The director may establish procedures to verify
82 the lawful presence of the applicant and establish the duration of any permit issued under this
83 section. **An emblem shall be placed on the instruction permit indicating noncitizen status**
84 **for any applicant who is not a United States citizen but who is lawfully present in the**
85 **United States.**

86 9. The director may adopt rules and regulations necessary to carry out the provisions of
87 this section.

302.177. 1. To all applicants for a license or renewal to transport persons or property
2 classified in section 302.015 who are at least twenty-one years of age and under the age of
3 seventy, and who submit a satisfactory application and meet the requirements of sections
4 302.010 to 302.605, the director shall issue or renew such license; except that no license shall
5 be issued if an applicant's license is currently suspended, canceled, revoked, disqualified, or
6 deposited in lieu of bail. Such license shall expire on the applicant's birthday in the sixth year
7 of issuance, unless the license must be issued for a shorter period due to other requirements of
8 law or for transition or staggering of work as determined by the director. The license must be
9 renewed on or before the date of expiration, which date shall be shown on the license.

10 2. To all applicants for a license or renewal to transport persons or property classified
11 in section 302.015 who are less than twenty-one years of age or greater than sixty-nine years of
12 age, and who submit a satisfactory application and meet the requirements of sections 302.010
13 to 302.605, the director shall issue or renew such license; except that no license shall be issued
14 if an applicant's license is currently suspended, canceled, revoked, disqualified, or deposited in
15 lieu of bail. Such license shall expire on the applicant's birthday in the third year of issuance,
16 unless the license must be issued for a shorter period due to other requirements of law or for
17 transition or staggering of work as determined by the director. The license must be renewed on
18 or before the date of expiration, which date shall be shown on the license. A license issued under
19 this section to an applicant who is over the age of sixty- nine and contains a school bus
20 endorsement shall not be issued for a period that exceeds one year.

21 3. To all other applicants for a license or renewal of a license who are at least twenty-one
22 years of age and under the age of seventy, and who submit a satisfactory application and meet
23 the requirements of sections 302.010 to 302.605, the director shall issue or renew such license;
24 except that no license shall be issued if an applicant's license is currently suspended, canceled,
25 revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's
26 birthday in the sixth year of issuance, unless the license must be issued for a shorter period due
27 to other requirements of law or for transition or staggering of work as determined by the director.
28 The license must be renewed on or before the date of expiration, which date shall be shown on
29 the license.

30 4. To all other applicants for a license or renewal of a license who are less than
31 twenty-one years of age or greater than sixty-nine years of age, and who submit a satisfactory
32 application and meet the requirements of sections 302.010 to 302.605, the director shall issue
33 or renew such license; except that no license shall be issued if an applicant's license is currently
34 suspended, canceled, revoked, disqualified, or deposited in lieu of bail. Such license shall expire
35 on the applicant's birthday in the third year of issuance, unless the license must be issued for a
36 shorter period due to other requirements of law or for transition or staggering of work as

37 determined by the director. The license must be renewed on or before the date of expiration,
38 which date shall be shown on the license.

39 5. The fee for a license issued for a period which exceeds [three] **six** years under
40 subsection 1 of this section shall be thirty dollars.

41 6. The fee for a license issued for a period of three years or less under subsection 2 of
42 this section shall be fifteen dollars, except that the fee for a license issued for one year or less
43 which contains a school bus endorsement shall be five dollars, except renewal fees shall be
44 waived for applicants seventy years of age or older seeking school bus endorsements.

45 7. The fee for a license issued for a period which exceeds [three] **six** years under
46 subsection 3 of this section shall be fifteen dollars.

47 8. The fee for a license issued for a period of three years or less under subsection 4 of
48 this section shall be seven dollars and fifty cents.

49 9. Beginning July 1, 2005, the director shall not issue a driver's license for a period that
50 exceeds an applicant's lawful presence in the United States. The director may establish
51 procedures to verify the lawful presence of the applicant and establish the duration of any driver's
52 license issued under this section. **An emblem shall be placed on the driver's license**
53 **indicating noncitizen status for any applicant who is not a United States citizen but who**
54 **is lawfully present in the United States.**

55 10. The director of revenue may adopt any rules and regulations necessary to carry out
56 the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority
57 of this section shall become effective unless it has been promulgated pursuant to the provisions
58 of chapter 536.

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340
2 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic
3 or other comparable material. All licenses shall be manufactured of materials and processes that
4 will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate
5 any license without ready detection. All licenses shall bear the licensee's Social Security number,
6 if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that
7 the licensee does not possess a Social Security number, or, if applicable, a certified statement
8 must be submitted as provided in subsection 4 of this section. The license shall also bear the
9 expiration date of the license, the classification of the license, the name, date of birth, residence
10 address including the county of residence or a code number corresponding to such county
11 established by the department, and brief description and colored photograph or digitized image
12 of the licensee, and a facsimile of the signature of the licensee. The director shall provide by
13 administrative rule the procedure and format for a licensee to indicate on the back of the license
14 together with the designation for an anatomical gift as provided in section 194.240 the name and

15 address of the person designated pursuant to sections 404.800 to 404.865 as the licensee's
16 attorney in fact for the purposes of a durable power of attorney for health care decisions. No
17 license shall be valid until it has been so signed by the licensee. If any portion of the license is
18 prepared by a private firm, any contract with such firm shall be made in accordance with the
19 competitive purchasing procedures as established by the state director of the division of
20 purchasing. For all licenses issued or renewed after March 1, 1992, the applicant's Social
21 Security number shall serve as the applicant's license number. Where the licensee has no Social
22 Security number, or where the licensee is issued a license without a Social Security number in
23 accordance with subsection 4 of this section, the director shall issue a license number for the
24 licensee and such number shall also include an indicator showing that the number is not a Social
25 Security number.

26 2. All film involved in the production of photographs for licenses shall become the
27 property of the department of revenue.

28 3. The license issued shall be carried at all times by the holder thereof while driving a
29 motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any
30 police officer or peace officer, or any other duly authorized person, for inspection when demand
31 is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any
32 duly authorized officer shall be presumptive evidence that such person is not a duly licensed
33 operator.

34 4. The director of revenue shall issue a commercial or noncommercial driver's license
35 without a Social Security number to an applicant therefor, who is otherwise qualified to be
36 licensed, upon presentation to the director of a certified statement that the applicant objects to
37 the display of the Social Security number on the license. The director shall assign an
38 identification number, that is not based on a Social Security number, to the applicant which shall
39 be displayed on the license in lieu of the Social Security number.

40 5. The director of revenue shall not issue a license without a facial photograph or digital
41 image of the license applicant, except as provided pursuant to subsection 8 of this section. A
42 photograph or digital image of the applicant's full facial features shall be taken in a manner
43 prescribed by the director. No photograph or digital image will be taken wearing anything which
44 cloaks the facial features of the individual.

45 6. The department of revenue may issue a temporary license or a full license without the
46 photograph or with the last photograph or digital image in the department's records to members
47 of the armed forces, except that where such temporary license is issued it shall be valid only until
48 the applicant shall have had time to appear and have his or her picture taken and a license with
49 his or her photograph issued.

50 7. The department of revenue shall issue upon request a nondriver's license card
51 containing essentially the same information and photograph or digital image, except as provided
52 pursuant to subsection 8 of this section, as the driver's license upon payment of six dollars. All
53 nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A
54 person who has passed his or her seventieth birthday shall upon application be issued a
55 nonexpiring nondriver's license card. The nondriver's license card shall be used for identification
56 purposes only and shall not be valid as a license.

57 8. If otherwise eligible, an applicant may receive a driver's license or nondriver's license
58 without a photograph or digital image of the applicant's full facial features except that such
59 applicant's photograph or digital image shall be taken and maintained by the director and not
60 printed on such license.

61 In order to qualify for a license without a photograph or digital image pursuant to this section the
62 applicant must:

63 (1) Present a form provided by the department of revenue requesting the applicant's
64 photograph be omitted from the license or nondriver's license due to religious affiliations. The
65 form shall be signed by the applicant and another member of the religious tenant verifying the
66 photograph or digital image exemption on the license or nondriver's license is required as part
67 of their religious affiliation. The required signatures on the prescribed form shall be properly
68 notarized;

69 (2) Provide satisfactory proof to the director that the applicant has been a U.S. citizen
70 for at least five years and a resident of this state for at least one year, except that an applicant
71 moving to this state possessing a valid driver's license from another state without a photograph,
72 shall be exempt from the one-year state residency requirement. The director may establish rules
73 necessary to determine satisfactory proof of citizenship and residency pursuant to this section;

74 (3) Applications for a driver's license or nondriver's license without a photograph or
75 digital image must be made in person at a license office determined by the director. The director
76 is authorized to limit the number of offices that may issue a driver's or nondriver's license
77 without a photograph or digital image pursuant to this section.

78 9. The department of revenue shall make available, at one or more locations within the
79 state, an opportunity for individuals to have their full facial photograph taken by an employee
80 of the department of revenue, or their designee, who is of the same sex as the individual being
81 photographed, in a segregated location.

82 10. Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's
83 license for a period that exceeds an applicant's lawful presence in the United States. The director
84 may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and
85 establish the duration of any driver's license or nondriver's license issued under this section. **An**

86 **emblem shall be placed on the driver's license or nondriver's license indicating noncitizen**
87 **status for any applicant who is not a United States citizen but who is lawfully present in**
88 **the United States.**

89 11. No rule or portion of a rule promulgated pursuant to the authority of this chapter
90 shall become effective unless it is promulgated pursuant to the provisions of chapter 536.

302.720. 1. Except when operating under an instruction permit as described in this
2 section, no person may drive a commercial motor vehicle unless the person has been issued a
3 commercial driver's license with applicable endorsements valid for the type of vehicle being
4 operated as specified in sections 302.700 to 302.780. A commercial driver's instruction permit
5 shall allow the holder of a valid license to operate a commercial motor vehicle when
6 accompanied by the holder of a commercial driver's license valid for the vehicle being operated
7 and who occupies a seat beside the individual, or reasonably near the individual in the case of
8 buses, for the purpose of giving instruction in driving the commercial motor vehicle. A
9 commercial driver's instruction permit shall be valid for the vehicle being operated for a period
10 of not more than six months, and shall not be issued until the permit holder has met all other
11 requirements of sections 302.700 to 302.780, except for the driving test. A permit holder, unless
12 otherwise disqualified, may be granted one six-month renewal within a one-year period. The fee
13 for such permit or renewal shall be five dollars. In the alternative, a commercial driver's
14 instruction permit shall be issued for a thirty-day period to allow the holder of a valid driver's
15 license to operate a commercial motor vehicle if the applicant has completed all other
16 requirements except the driving test. The permit may be renewed for one additional thirty-day
17 period and the fee for the permit and for renewal shall be five dollars.

18 2. No person may be issued a commercial driver's license until he has passed written and
19 driving tests for the operation of a commercial motor vehicle which complies with the minimum
20 federal standards established by the Secretary and has satisfied all other requirements of the
21 Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570), as well as any
22 other requirements imposed by state law. Applicants for a hazardous materials endorsement
23 must also meet the requirements of the U.S. Patriot Act of 2001 (Title X of Public Law 107-56)
24 as specified and required by regulations promulgated by the Secretary. Nothing contained in this
25 subsection shall be construed as prohibiting the director from establishing alternate testing
26 formats for those who are functionally illiterate; provided, however, that any such alternate test
27 must comply with the minimum requirements of the Commercial Motor Vehicle Safety Act of
28 1986 (Title XII of Pub. Law 99-570) as established by the Secretary.

29 (1) The written and driving tests shall be held at such times and in such places as the
30 superintendent may designate. A twenty-five dollar examination fee shall be paid by the
31 applicant upon completion of any written or driving test, except the examination fee shall be

32 waived for applicants seventy years of age or older renewing a license with a school bus
33 endorsement. The director shall delegate the power to conduct the examinations required under
34 sections 302.700 to 302.780 to any member of the highway patrol or any person employed by
35 the highway patrol qualified to give driving examinations. The written test shall only be
36 administered in the English language. No translators shall be allowed for applicants taking the
37 test.

38 (2) The director shall adopt and promulgate rules and regulations governing the
39 certification of third-party testers by the department of revenue. Such rules and regulations shall
40 substantially comply with the requirements of 49 CFR Part 383, Section 383.75. A certification
41 to conduct third-party testing shall be valid for one year, and the department shall charge a fee
42 of one hundred dollars to issue or renew the certification of any third-party tester.

43 (3) Beginning August 28, 2006, the director shall only issue or renew third-party tester
44 certification to community colleges established under chapter 178 or to private companies who
45 own, lease, or maintain their own fleet and administer in-house testing to their employees, or to
46 school districts and their agents that administer in-house testing to the school district's or agent's
47 employees. Any third-party tester who violates any of the rules and regulations adopted and
48 promulgated pursuant to this section shall be subject to having his certification revoked by the
49 department. The department shall provide written notice and an opportunity for the third-party
50 tester to be heard in substantially the same manner as provided in chapter 536. If any applicant
51 submits evidence that he has successfully completed a test administered by a third-party tester,
52 the actual driving test for a commercial driver's license may then be waived.

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

59 (5) The director shall have the authority to waive the driving skills test for any qualified
60 military applicant for a commercial driver's license who is currently licensed at the time of
61 application for a commercial driver's license. The director shall impose conditions and
62 limitations to restrict the applicants from whom the department may accept alternative
63 requirements for the skills test described in federal regulation 49 C.F.R. 383.77. An applicant
64 must certify that, during the two-year period immediately preceding application for a commercial
65 driver's license, all of the following apply:

- 66 (a) The applicant has not had more than one license;
67 (b) The applicant has not had any license suspended, revoked, or cancelled;

68 (c) The applicant has not had any convictions for any type of motor vehicle for the
69 disqualifying offenses contained in this chapter or federal rule 49 C.F.R. 383.51(b);

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

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

75 (f) The applicant is regularly employed in a job requiring operation of a commercial
76 motor vehicle and has operated the vehicle for at least sixty days during the two years
77 immediately preceding application for a commercial driver's license. The vehicle must be
78 representative of the commercial motor vehicle the driver applicant operates or expects to
79 operate;

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

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

85 (i) The applicant must meet all federal and state qualifications to operate a commercial
86 vehicle; and

87 (j) The applicant will be required to complete all applicable knowledge tests.

88 3. A commercial driver's license may not be issued to a person while the person is
89 disqualified from driving a commercial motor vehicle, when a disqualification is pending in any
90 state or while the person's driver's license is suspended, revoked, or canceled in any state; nor
91 may a commercial driver's license be issued unless the person first surrenders in a manner
92 prescribed by the director any commercial driver's license issued by another state, which license
93 shall be returned to the issuing state for cancellation.

94 4. Beginning July 1, 2005, the director shall not issue an instruction permit under this
95 section unless the director verifies that the applicant is lawfully present in the United States
96 before accepting the application. The director may, by rule or regulation, establish procedures
97 to verify the lawful presence of the applicant under this section. **An emblem shall be placed**
98 **on the instruction permit indicating noncitizen status for any applicant who is not a United**
99 **States citizen but who is lawfully present in the United States.** No rule or portion of a rule
100 promulgated pursuant to the authority of this section shall become effective unless it has been
101 promulgated pursuant to chapter 536.

102 5. Notwithstanding the provisions of this section or any other law to the contrary,
103 beginning August 28, 2008, the director of the department of revenue shall certify as a third-party

104 tester any municipality that owns, leases, or maintains its own fleet that requires certain
105 employees as a condition of employment to hold a valid commercial driver's license; and that
106 administered in-house testing to such employees prior to August 28, 2006.

302.735. 1. An application shall not be taken from a nonresident after September 30,
2 2005. The application for a commercial driver's license shall include, but not be limited to, the
3 applicant's legal name, mailing and residence address, if different, a physical description of the
4 person, including sex, height, weight and eye color, the person's Social Security number, date
5 of birth and any other information deemed appropriate by the director. The application shall also
6 require, beginning September 30, 2005, the applicant to provide the names of all states where
7 the applicant has been previously licensed to drive any type of motor vehicle during the
8 preceding ten years.

9 2. A commercial driver's license shall expire on the applicant's birthday in the sixth year
10 after issuance, unless the license must be issued for a shorter period due to other requirements
11 of law or for transition or staggering of work as determined by the director, and must be renewed
12 on or before the date of expiration. When a person changes such person's name an application
13 for a duplicate license shall be made to the director of revenue. When a person changes such
14 person's mailing address or residence the applicant shall notify the director of revenue of said
15 change, however, no application for a duplicate license is required. A commercial license issued
16 pursuant to this section to an applicant less than twenty-one years of age and seventy years of age
17 and older shall expire on the applicant's birthday in the third year after issuance, unless the
18 license must be issued for a shorter period as determined by the director.

19 3. A commercial driver's license containing a hazardous materials endorsement issued
20 to an applicant who is between the age of twenty-one and sixty-nine shall not be issued for a
21 period exceeding five years from the approval date of the security threat assessment as
22 determined by the Transportation Security Administration.

23 4. The director shall issue an annual commercial driver's license containing a school bus
24 endorsement to an applicant who is seventy years of age or older. The fee for such license shall
25 be seven dollars and fifty cents.

26 5. A commercial driver's license containing a hazardous materials endorsement issued
27 to an applicant who is seventy years of age or older shall not be issued for a period exceeding
28 three years. The director shall not require such drivers to obtain a security threat assessment
29 more frequently than such assessment is required by the Transportation Security Administration
30 under the Uniting and Strengthening America by Providing Appropriate Tools Required to
31 Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001.

32 (1) The state shall immediately revoke a hazardous materials endorsement upon receipt
33 of an initial determination of threat assessment and immediate revocation from the
34 Transportation Security Administration as defined by 49 CFR 1572.13(a).

35 (2) The state shall revoke or deny a hazardous materials endorsement within fifteen days
36 of receipt of a final determination of threat assessment from the Transportation Security
37 Administration as required by CFR 1572.13(a).

38 6. The fee for a commercial driver's license or renewal commercial driver's license issued
39 for a period greater than three years shall be forty dollars.

40 7. The fee for a commercial driver's license or renewal commercial driver's license issued
41 for a period of three years or less shall be twenty dollars.

42 8. The fee for a duplicate commercial driver's license shall be twenty dollars.

43 9. In order for the director to properly transition driver's license requirements under the
44 Motor Carrier Safety Improvement Act of 1999 and the Uniting and Strengthening America by
45 Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT
46 ACT) of 2001, the director is authorized to stagger expiration dates and make adjustments for
47 any fees, including driver examination fees that are incurred by the driver as a result of the initial
48 issuance of a transitional license required to comply with such acts.

49 10. Within thirty days after moving to this state, the holder of a commercial driver's
50 license shall apply for a commercial driver's license in this state. The applicant shall meet all
51 other requirements of sections 302.700 to 302.780, except that the director may waive the driving
52 test for a commercial driver's license as required in section 302.720 if the applicant for a
53 commercial driver's license has a valid commercial driver's license from a state which has
54 requirements for issuance of such license comparable to those in this state.

55 11. Any person who falsifies any information in an application or test for a commercial
56 driver's license shall not be licensed to operate a commercial motor vehicle, or the person's
57 commercial driver's license shall be canceled, for a period of one year after the director discovers
58 such falsification.

59 12. Beginning July 1, 2005, the director shall not issue a commercial driver's license
60 under this section unless the director verifies that the applicant is lawfully present in the United
61 States before accepting the application. If lawful presence is granted for a temporary period, no
62 commercial driver's license shall be issued. The director may, by rule or regulation, establish
63 procedures to verify the lawful presence of the applicant and establish the duration of any
64 commercial driver's license issued under this section. **An emblem shall be placed on the**
65 **commercial driver's license indicating noncitizen status for any applicant who is not a**
66 **United States citizen but who is lawfully present in the United States.** No rule or portion of

67 a rule promulgated pursuant to the authority of this section shall become effective unless it has
68 been promulgated pursuant to chapter 536.

69 13. (1) Effective December 19, 2005, notwithstanding any provisions of subsections 1
70 and 5 of this section to the contrary, the director may issue a nonresident commercial driver's
71 license to a resident of a foreign jurisdiction if the United States Secretary of Transportation has
72 determined that the commercial motor vehicle testing and licensing standards in the foreign
73 jurisdiction do not meet the testing standards established in 49 C.F.R. Part 383.

74 (2) Any applicant for a nonresident commercial driver's license must present evidence
75 satisfactory to the director that the applicant currently has employment with an employer in this
76 state. The nonresident applicant must meet the same testing, driver record requirements,
77 conditions, and is subject to the same disqualification and conviction reporting requirements
78 applicable to resident commercial drivers.

79 (3) The nonresident commercial driver's license will expire on the same date that the
80 documents establishing lawful presence for employment expire. The word "nonresident" shall
81 appear on the face of the nonresident commercial driver's license. Any applicant for a Missouri
82 nonresident commercial driver's license must first surrender any nonresident commercial driver's
83 license issued by another state.

84 (4) The nonresident commercial driver's license applicant must pay the same fees as
85 required for the issuance of a resident commercial driver's license.

86 14. Foreign jurisdiction for purposes of issuing a nonresident commercial driver's license
87 under this section shall not include any of the fifty states of the United States or Canada or
88 Mexico.