

CCS HCS SB 568 -- TRANSPORTATION

This bill changes the laws regarding transportation.

TRANSPORTATION SALES TAX (Section 94.700, RSMo)

Construction, reconstruction, repair, and maintenance of sidewalks, trails, and community-owned parking lots are added to the definition of "transportation purposes" as it applies to expenditures of the transportation sales tax in certain cities.

TEMPORARY MOTOR VEHICLE PERMITS (Section 301.140)

The Director of the Department of Revenue is authorized to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than 30 days from the date of purchase. The temporary permit may be purchased from the central office of the department, an authorized agent of the department, or a motor vehicle dealer upon the purchase of a motor vehicle or trailer that the buyer has registered and for which he or she is awaiting receipt of registration plates. The fee for a temporary permit cannot exceed \$5. Currently, the fee is \$7.50. The department director must direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer.

The distribution of funds from the temporary permits sold by motor vehicle dealers and license offices is revised. Revenues collected by an authorized producer will not constitute state revenue moneys; only permits sold directly by the department to purchasers must continue to be credited to the State Highway Department Fund. No state funds can be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits.

Each temporary permit issued must be securely fastened to the back or rear of the motor vehicle in a manner and place consistent with registration plates so that all parts and qualities are plainly and clearly visible, reasonably clean, and not impaired in any way. The department director may reissue a temporary registration permit at his or her discretion for a motor vehicle or trailer while proper title and registration are being obtained. Upon the issuance of a temporary permit by the department, agent, or dealer, the department director must make the information associated with the permit immediately available to law enforcement.

These provisions expire July 1, 2019.

BIENNIAL REGISTRATION OF COMMERCIAL VEHICLES (Section 301.147)

The owner of a commercial vehicle licensed under 54,000 pounds is allowed the option of biennially registering the vehicle. Currently, the option is available to the owner of a commercial vehicle licensed under 12,000 pounds.

SALVAGE MOTOR VEHICLES (Sections 301.190 and 301.193)

An owner presenting a motor vehicle that is at least 10 years old and has been issued a salvage title to a vehicle examination in order to obtain a certificate of ownership with the prior salvage motor vehicle designation cannot be required to repair or restore the vehicle to its original appearance in order to pass or complete the vehicle examination.

The bill allows an insurer who purchases a vehicle that is titled in Missouri through the claims adjustment process for which he or she is unable to obtain a negotiable title to apply to the Department of Revenue for a salvage certificate of title or junking certificate. The application must declare that the insurer has made at least two written attempts to obtain the certificate of title, transfer documents, or other acceptable evidence of title and be accompanied by proof of claims payment from the insurer, proof of delivery of the letters to the vehicle owner, a statement explaining how the vehicle came into the insurer's possession, a description of the vehicle, the current location of the vehicle, and the \$8.50 fee. Thirty days prior to applying for a title, an insurer must notify any owners or lienholders of record for the vehicle that the insurer intends to apply to the department director for a certificate of title for the vehicle. Upon receipt of the application and supporting documents, the department director must search the records of the department to verify the name and address of any owners and any lienholders. Any lienholder will have 30 days to notify the department before the department issues a salvage certificate of title or junking certificate for the vehicle in the name of the insurer.

FAILURE TO APPEAR IN COURT (Section 302.341)

Currently, if a person fails to timely dispose of a traffic ticket, the court will notify the Director of the Department of Revenue of the fact and the department director must suspend the offender's driver's license until the person pays the fines and applicable court costs. Upon proof of disposition of the charges and payment of a reinstatement fee, the department director must return the license and remove the suspension from the person's driver's record. The bill specifies that if the individual was operating a commercial motor vehicle or was a holder of a

commercial driver's license at the time of the offense, he or she will not be eligible to have his or her license returned and the suspension removed from his or her driving record.

UNIFORM COMMERCIAL DRIVER'S LICENSE ACT (Sections 302.700 and 302.768)

The bill requires an applicant for a commercial driver's license or commercial driver's instruction permit to comply with the specified requirements of the Federal Motor Carrier Safety Administration by certifying that he or she is:

- (1) A driver operating or expecting to operate in interstate or foreign commerce or is otherwise subject to and meets specified federal rules and is required to obtain a medical examiner's certificate;
- (2) A driver operating or expecting to operate entirely in interstate commerce that is exempt from federal law, is subject to Missouri driver qualifications, and is not required to obtain a medical examiner's certificate;
- (3) A driver operating only in intrastate commerce and is subject to Missouri driver qualifications; or
- (4) A driver operating or expecting to operate only in intrastate commerce and engaging only in operations exempt from all Missouri driver qualification requirements.

An applicant for a commercial driver's license certifying to operation in nonexempt commerce must provide the state with a current medical examiner's certificate or a medical examiner's certificate accompanied by a medical variance or waiver. The bill specifies the certification process. The state must retain the physical qualification document for at least three years beyond the date the certificate was issued. An applicant must provide an updated medical certificate or variance documents in order to maintain a certified status during the term of his or her license in order to retain commercial motor vehicle driving privileges. The Director of the Department of Revenue must post the medical examiner's certificate of information, medical variance if applicable, the applicant's self-certification, and certification status to the Missouri driver record within 10 days, and the information will become part of the Commercial Driver's License Information System driver record. A person who falsifies any information in an application for or an update of medical certification status information cannot be licensed to operate a commercial vehicle or his or her commercial driver's license must be canceled for a period of one year after the department director discovers the falsification.

YIELDING TO EMERGENCY VEHICLES (Section 304.022)

The bill adds any vehicle owned by the State Highways and Transportation Commission and operated by an authorized employee of the Department of Transportation that is marked as a Department of Transportation emergency response or motorist assistance vehicle to the definition of "emergency vehicle" as it applies to Section 304.022.

Upon approaching a stationary emergency response or motorist assistance vehicle displaying lighted amber or amber and white lights, every motor vehicle driver is required to proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationery vehicle or reducing the speed of the vehicle if changing lanes would be unsafe or impossible.

VEHICLES HAULING LIVESTOCK, AGRICULTURAL PRODUCTS, OR MILK (Section 304.180)

Currently, a vehicle or combination of vehicles hauling livestock with a total gross weight of more than 85,500 pounds cannot operate on U.S. Highway 36 from St. Joseph to U.S. Highway 65 and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36. The bill prohibits these vehicles from operating on U.S. Highway 36 from St. Joseph to U.S. Highway 63, on U.S. Highway 65 from the Iowa state line to U.S. Highway 36, and on U.S. Highway 63 from the Iowa state line to U.S. Highway 36. The weight limit cannot apply to a vehicle operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.

The bill allows a vehicle or a combination of vehicles weighing 85,500 pounds or less to haul milk from a farm to a processing facility on highways other than the interstate highway system. The weight limit cannot apply to a vehicle operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.

KANSAS CITY COMMERCIAL ZONE (Section 304.190)

The bill expands the Kansas City commercial zone by including State Route 10 from its intersection with State Route 210 to the eastern city limits of Hardin and the portion of State Route 45 from its intersection with Interstate 29 to the city limits of Iatan.

BOATING SAFETY IDENTIFICATION CARD (Section 306.127)

The bill repeals the current provisions regarding the issuance of a temporary boater education permit to a nonresident of the state

and allows any person or company that rents or sells vessels to issue a temporary boating safety identification card to a nonresident to operate a rented vessel or a vessel being considered for sale, for a period of up to seven days, if the individual meets the minimum age requirements for operating a vessel in this state. In order to qualify for the card, the applicant must provide a valid driver's license establishing that he or she is a nonresident and must sign an affidavit stating that he or she has reviewed the Missouri State Highway Patrol Handbook of Missouri Boating Laws and Responsibilities. The patrol must charge a fee of \$9 for the card. A nonresident will not be eligible for more than one card. The bill authorizes the patrol to develop the card and any necessary requirements and requires a business that issues a card to transmit the applicant's information and payment to the highway patrol using an electronic online registration process developed and provided by the highway patrol. The fee must be deposited into the Water Patrol Division Fund.

These provisions expire December 31, 2022.

OUTBOARD MOTOR TITLES (Section 306.532)

The bill requires, effective August 28, 2012, any outboard motor manufactured on or after July 1 of any year to be labeled "Year Manufactured" with the year immediately following the year manufactured unless the manufacturer indicates a specific model or program year.

The provisions of the bill regarding the commercial driver medical certification become effective on the date the Director of the Department of Revenue begins accepting medical certifications or on May 1, 2013, whichever occurs first; the provisions regarding temporary motor vehicle permits become effective on the date the Department of Revenue or an authorized producer begins producing permits, or on July 1, 2013, whichever occurs first; and the provisions regarding the biennial registration of commercial vehicles become effective July 1, 2015.

The provisions of the bill regarding temporary boating safety identification cards contain an emergency clause.