

FIRST REGULAR SESSION

[CORRECTED]

# HOUSE BILL NO. 371

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WILSON.

0392H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 301.069, 301.071, 301.072, 301.073, 301.120, 301.130, 301.134, 301.142, 301.144, 301.145, 301.301, 301.441, 301.443, and 301.444, RSMo, and to enact in lieu thereof fourteen new sections relating to motor vehicle license plates.

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

Section A. Sections 301.069, 301.071, 301.072, 301.073, 301.120, 301.130, 301.134, 2 301.142, 301.144, 301.145, 301.301, 301.441, 301.443, and 301.444, RSMo, are repealed and 3 fourteen new sections enacted in lieu thereof, to be known as sections 301.069, 301.071, 4 301.072, 301.073, 301.120, 301.130, 301.134, 301.142, 301.144, 301.145, 301.301, 301.441, 5 301.443, and 301.444, to read as follows:

301.069. 1. A driveway 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 driveway license 6 there shall be paid an annual license fee of forty-four dollars and fifty cents for one [set of plates] 7 **plate** or such insignia as the director may issue which shall be attached to the motor vehicle as 8 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.

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.

12           2. No driveaway license [plates] **plate** shall be issued by the director of revenue unless  
13 the 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 the  
15 applicant;

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

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

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

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

34           4. Any violation of this section or misrepresentation contained in an application for  
35 driveaway license plate shall result in the revocation of the applicant's driveaway license plate  
36 and any subsequent application for a driveaway license plate shall be denied for two years from  
37 the date of violation. "Applicant" shall include any officer of a business or any employee or  
38 agent thereof.

39           5. Any person who knowingly uses a revoked driveaway license plate shall be deemed  
40 guilty of a class A misdemeanor.

          301.071. Any person who has served in the Armed Forces of the United States and who  
2 has been honorably discharged or separated therefrom and who has a service connected disability  
3 of such a nature that it would, if it had been incurred in service, have entitled him to be awarded  
4 an automobile by the United States Federal Government, or who is receiving compensation from  
5 the Veterans Administration for total service connected disability, may apply for a special motor  
6 vehicle license [plates] **plate** as provided in this section.

301.072. Any such person shall make application for the special license [plates] **plate** on a form prescribed by the director of revenue, and shall submit the application and proof of his disability in the form of a statement from the United States Veterans Administration verifying the person was awarded an automobile by the United States Federal Government because of a service incurred disability and/or the person is receiving compensation for total service connected disability.

301.073. The director of revenue shall thereupon issue a license [plates] **plate**, a registration number and the words "Disabled Veteran". The advisory committee established in section 301.129 shall determine the characteristic features of the license plate, except that such license plate shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, and such plate shall include the international wheelchair accessibility symbol when the applicant is physically disabled as defined in section 301.142, as such symbol is placed on license plates described in section 301.142.

301.120. When the owner of a motor vehicle moves the vehicle to another state, he shall return the license **plate or** plates to the director of revenue within ninety days or upon the expiration of the period of reciprocity granted by the new state of residence; or if the owner of a motor vehicle ceases to operate the vehicle in Missouri, he shall return the license **plate or** plates to the director of revenue within ninety days.

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] **one** license [plates] **plate**, or other evidence of registration, as provided by this section. Each [set of] license [plates] **plate** 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] **plate** 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] **plate** shall be clearly visible at night, and shall be aesthetically attractive. A special [plates] **plate** for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license [plates] **plate** in preference to the words "SHOW-ME STATE" and a special [plates] **plate** 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.

18           3. All property-carrying commercial motor vehicles to be registered at a gross weight  
19 in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local  
20 transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and  
21 driveaway vehicles shall be registered with the director of revenue as provided for in subsection  
22 3 of section 301.030, or with the state highways and transportation commission as otherwise  
23 provided in this chapter, but only one license plate shall be issued for each such vehicle, except  
24 as provided in this subsection. The applicant for registration of any property-carrying  
25 commercial vehicle registered at a gross weight in excess of twelve thousand pounds may request  
26 and be issued two license plates for such vehicle, and if such plates are issued, the director of  
27 revenue shall provide for distinguishing marks on the plates indicating one plate is for the front  
28 and the other is for the rear of such vehicle. The director may assess and collect an additional  
29 charge from the applicant in an amount not to exceed the fee prescribed for personalized license  
30 plates in subsection 1 of section 301.144.

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

34           5. No motor vehicle or trailer shall be operated on any highway of this state unless it  
35 shall have displayed thereon the license plate [or set of license plates] issued by the director of  
36 revenue or the state highways and transportation commission and authorized by section 301.140.  
37 Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all  
38 parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof  
39 are not impaired. Each such plate may be encased in a transparent cover so long as the plate is  
40 plainly visible and its reflective qualities are not impaired. License plates shall be fastened to  
41 all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of  
42 twelve thousand pounds on the front [and rear] of such vehicles not less than eight nor more than  
43 forty-eight inches above the ground, with the letters and numbers thereon right side up. The  
44 license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on  
45 the rear of such vehicles, with the letters and numbers thereon right side up. The license plate  
46 on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed  
47 in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than  
48 eight nor more than forty-eight inches above the ground, with the letters and numbers thereon  
49 right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section,  
50 displayed in the same manner on the front and rear of such vehicles. The license plate or plates  
51 authorized by section 301.140, when properly attached, shall be prima facie evidence that the  
52 required fees have been paid.

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

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

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

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

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

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

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

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

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

301.134. 1. Daughters of the American Revolution who have obtained an emblem-use  
2 authorization statement from the Missouri State Society Daughters of the American Revolution  
3 may apply for a Missouri State Society Daughters of the American Revolution license [plates]  
4 **plate** for any motor vehicle the person owns, either solely or jointly, other than an apportioned  
5 motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds  
6 gross weight. The Missouri State Society Daughters of the American Revolution hereby  
7 authorizes the use of its official emblem to be affixed on a multiyear personalized license [plates]  
8 **plate** as provided in this section.

9           2. Upon application and payment of a one-time twenty-five dollar emblem-use  
10 contribution to the Missouri State Society Daughters of the American Revolution, the Missouri  
11 State Society Daughters of the American Revolution shall issue to the vehicle owner, without  
12 further charge, an emblem-use authorization statement, which shall be presented to the  
13 department of revenue at the time of registration of a motor vehicle.

14           3. Upon presentation of the statement and payment of a fifteen dollar fee in addition to  
15 the regular registration fees and presentation of other documents which may be required by law,  
16 the department of revenue shall issue a personalized license plate to the vehicle owner, which  
17 shall bear the emblem of the Missouri State Society Daughters of the American Revolution and  
18 the words "MISSOURI STATE SOCIETY DAUGHTERS OF THE AMERICAN  
19 REVOLUTION" and shall engrave the words "SHOW-ME STATE". Such license plates shall  
20 be made with fully reflective material with a common color scheme and design, shall be clearly  
21 visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. A fee for  
22 the issuance of a personalized license [plates] **plate** issued pursuant to section 301.144 shall not  
23 be required for plates issued pursuant to this section.

24           4. The director of revenue may promulgate rules and regulations for the administration  
25 of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
26 created under the authority delegated in this section shall become effective only if it complies  
27 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
28 This section and chapter 536 are nonseverable and if any of the powers vested with the general  
29 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and  
30 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
31 any rule proposed or adopted after August 28, 2004, shall be invalid and void.

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

- 2           (1) "Department", the department of revenue;
- 3           (2) "Director", the director of the department of revenue;
- 4           (3) "Other authorized health care practitioner" includes advanced practice registered  
5 nurses licensed pursuant to chapter 335, physician assistants licensed pursuant to chapter 334,  
6 chiropractors licensed pursuant to chapter 331, podiatrists licensed pursuant to chapter 330, and  
7 optometrists licensed pursuant to chapter 336;
- 8           (4) "Physically disabled", a [natural] **blind** person [who is blind], as defined in section  
9 8.700, or a natural person with medical disabilities which prohibits, limits, or severely impairs  
10 one's ability to ambulate or walk, as determined by a licensed physician or other authorized  
11 health care practitioner as follows:
  - 12           (a) The person cannot ambulate or walk fifty or less feet without stopping to rest due to  
13 a severe and disabling arthritic, neurological, orthopedic condition, or other severe and disabling  
14 condition; or
  - 15           (b) The person cannot ambulate or walk without the use of, or assistance from, a brace,  
16 cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or

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

20 (d) Uses portable oxygen; or

21 (e) Has a cardiac condition to the extent that the person's functional limitations are  
22 classified in severity as class III or class IV according to standards set by the American Heart  
23 Association; or

24 (f) A person's age, in and of itself, shall not be a factor in determining whether such  
25 person is physically disabled or is otherwise entitled to disabled license plates and/or disabled  
26 windshield hanging placards within the meaning of sections 301.141 to 301.143;

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

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

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

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

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

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

40 3. A physician's statement shall:

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

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

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

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

48 4. If it is the professional opinion of the physician or other authorized health care  
49 practitioner issuing the statement that the physical disability of the applicant, user, or member  
50 of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the  
51 physician or other authorized health care practitioner shall note on the statement the anticipated  
52 length of the disability which period may not exceed one hundred eighty days. If the physician

53 or health care practitioner fails to record an expiration date on the physician's statement, the  
54 director shall issue a temporary windshield placard for a period of thirty days.

55         5. A physician or other authorized health care practitioner who issues or signs a  
56 physician's statement so that a disabled [plates] **plate** or a disabled windshield placard may be  
57 obtained shall maintain in such disabled person's medical chart documentation that such a  
58 certificate has been issued, the date the statement was signed, the diagnosis or condition which  
59 existed that qualified the person as disabled pursuant to this section and shall contain sufficient  
60 documentation so as to objectively confirm that such condition exists.

61         6. The medical or other records of the physician or other authorized health care  
62 practitioner who issued a physician's statement shall be open to inspection and review by such  
63 practitioner's licensing board, in order to verify compliance with this section. Information  
64 contained within such records shall be confidential unless required for prosecution, disciplinary  
65 purposes, or otherwise required to be disclosed by law.

66         7. Owners of motor vehicles who are residents of the state of Missouri, and who are  
67 physically disabled, owners of motor vehicles operated at least fifty percent of the time by a  
68 physically disabled person, or owners of motor vehicles used to primarily transport physically  
69 disabled members of the owner's household may obtain a disabled person license [plates] **plate**.  
70 Such owners, upon application, accompanied by the documents and fees provided for in this  
71 section, a current physician's statement which has been issued within ninety days proceeding the  
72 date the application is made and proof of compliance with the state motor vehicle laws relating  
73 to registration and licensing of motor vehicles, shall be issued a motor vehicle license [plates]  
74 **plate** for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four  
75 thousand pounds, upon which shall be inscribed the international wheelchair accessibility symbol  
76 and the word "DISABLED" in addition to a combination of letters and numbers. Such license  
77 plates shall be made with fully reflective material with a common color scheme and design, shall  
78 be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

79         8. The director shall further issue, upon request, to such applicant one, and for good  
80 cause shown, as the director may define by rule and regulations, not more than two, removable  
81 disabled windshield hanging placards for use when the disabled person is occupying a vehicle  
82 or when a vehicle not bearing the permanent handicap plate is being used to pick up, deliver, or  
83 collect the physically disabled person issued the disabled motor vehicle license plate or disabled  
84 windshield hanging placard.

85         9. No additional fee shall be paid to the director for the issuance of the special license  
86 [plates] **plate** provided in this section, except for a special personalized license [plates] **plate** and  
87 other license plates described in this subsection. Priority for any specific [set of] special license  
88 [plates] **plate** shall be given to the applicant who received the number in the immediately

89 preceding license period subject to the applicant's compliance with the provisions of this section  
90 and any applicable rules or regulations issued by the director. If determined feasible by the  
91 advisory committee established in section 301.129, any special license plate issued pursuant to  
92 this section may be adapted to also include the international wheelchair accessibility symbol and  
93 the word "DISABLED" as prescribed in this section and such plate may be issued to any  
94 applicant who meets the requirements of this section and the other appropriate provision of this  
95 chapter, subject to the requirements and fees of the appropriate provision of this chapter.

96 10. Any physically disabled person, or the parent or guardian of any such person, or any  
97 not-for-profit group, organization, or other entity which transports more than one physically  
98 disabled person, may apply to the director of revenue for a removable windshield placard. The  
99 placard may be used in motor vehicles which do not bear the permanent handicap symbol on the  
100 license plate. Such placards must be hung from the front, middle rearview mirror of a parked  
101 motor vehicle and may not be hung from the mirror during operation. These placards may only  
102 be used during the period of time when the vehicle is being used by a disabled person, or when  
103 the vehicle is being used to pick up, deliver, or collect a disabled person. When there is no  
104 rearview mirror, the placard shall be displayed on the dashboard on the driver's side.

105 11. The removable windshield placard shall conform to the specifications, in respect to  
106 size, color, and content, as set forth in federal regulations published by the Department of  
107 Transportation. The removable windshield placard shall be renewed every four years. The  
108 director may stagger the expiration dates to equalize workload. Only one removable placard may  
109 be issued to an applicant who has been issued disabled person license plates. Upon request, one  
110 additional windshield placard may be issued to an applicant who has not been issued a disabled  
111 person license [plates] **plate**.

112 12. A temporary windshield placard shall be issued to any physically disabled person,  
113 or the parent or guardian of any such person who otherwise qualifies except that the physical  
114 disability, in the opinion of the physician, is not expected to exceed a period of one hundred  
115 eighty days. The temporary windshield placard shall conform to the specifications, in respect  
116 to size, color, and content, as set forth in federal regulations published by the Department of  
117 Transportation. The fee for the temporary windshield placard shall be two dollars. Upon  
118 request, and for good cause shown, one additional temporary windshield placard may be issued  
119 to an applicant. Temporary windshield placards shall be issued upon presentation of the  
120 physician's statement provided by this section and shall be displayed in the same manner as  
121 removable windshield placards. A person or entity shall be qualified to possess and display a  
122 temporary removable windshield placard for six months and the placard may be renewed once  
123 for an additional six months if a physician's statement pursuant to this section is supplied to the  
124 director of revenue at the time of renewal.

125           13. Application for a license [plates] **plate** or windshield placards issued pursuant to this  
126 section shall be made to the director of revenue and shall be accompanied by a statement signed  
127 by a licensed physician or other authorized health care practitioner which certifies that the  
128 applicant, user, or member of the applicant's household is a physically disabled person as defined  
129 by this section.

130           14. The placard shall be renewable only by the person or entity to which the placard was  
131 originally issued. Any placard issued pursuant to this section shall only be used when the  
132 physically disabled occupant for whom the disabled plate or placard was issued is in the motor  
133 vehicle at the time of parking or when a physically disabled person is being delivered or  
134 collected. A disabled license plate and/or a removable windshield hanging placard are not  
135 transferable and may not be used by any other person whether disabled or not.

136           15. At the time the disabled [plates] **plate** or windshield hanging placards are issued, the  
137 director shall issue a registration certificate which shall include the applicant's name, address,  
138 and other identifying information as prescribed by the director, or if issued to an agency, such  
139 agency's name and address. This certificate shall further contain the disabled license plate  
140 number or, for windshield hanging placards, the registration or identifying number stamped on  
141 the placard. The validated registration receipt given to the applicant shall serve as the  
142 registration certificate.

143           16. The director shall, upon issuing any disabled registration certificate for a license  
144 [plates] **plate** and/or windshield hanging placards, provide information which explains that such  
145 [plates] **plate** or windshield hanging placards are nontransferable, and the restrictions explaining  
146 who and when a person or vehicle which bears or has the disabled [plates] **plate** or windshield  
147 hanging placards may be used or be parked in a disabled reserved parking space, and the  
148 penalties prescribed for violations of the provisions of this act.

149           17. Every new applicant for a disabled license plate or placard shall be required to  
150 present a new physician's statement dated no more than ninety days prior to such application.  
151 Renewal applicants will be required to submit a physician's statement dated no more than ninety  
152 days prior to such application upon their first renewal occurring on or after August 1, 2005.  
153 Upon completing subsequent renewal applications, a physician's statement dated no more than  
154 ninety days prior to such application shall be required every fourth year. Such physician's  
155 statement shall state the expiration date for the temporary windshield placard. If the physician  
156 fails to record an expiration date on the physician's statement, the director shall issue the  
157 temporary windshield placard for a period of thirty days. The director may stagger the  
158 requirement of a physician's statement on all renewals for the initial implementation of a  
159 four-year period.

160           18. The director of revenue upon receiving a physician's statement pursuant to this  
161 subsection shall check with the state board of registration for the healing arts created in section  
162 334.120, or the Missouri state board of nursing established in section 335.021, with respect to  
163 physician's statements signed by advanced practice registered nurses, or the Missouri state board  
164 of chiropractic examiners established in section 331.090, with respect to physician's statements  
165 signed by licensed chiropractors, or with the board of optometry established in section 336.130,  
166 with respect to physician's statements signed by licensed optometrists, or the state board of  
167 podiatric medicine created in section 330.100, with respect to physician's statements signed by  
168 physicians of the foot or podiatrists to determine whether the physician is duly licensed and  
169 registered pursuant to law. If such applicant obtaining a disabled license plate or placard  
170 presents proof of disability in the form of a statement from the United States Veterans'  
171 Administration verifying that the person is permanently disabled, the applicant shall be exempt  
172 from the four-year certification requirement of this subsection for renewal of the plate or placard.  
173 Initial applications shall be accompanied by the physician's statement required by this section.  
174 Notwithstanding the provisions of paragraph (f) of subdivision (4) of subsection 1 of this section,  
175 any person seventy-five years of age or older who provided the physician's statement with the  
176 original application shall not be required to provide a physician's statement for the purpose of  
177 renewal of a disabled persons license [plates] **plate** or windshield placards.

178           19. The boards shall cooperate with the director and shall supply information requested  
179 pursuant to this subsection. The director shall, in cooperation with the boards which shall assist  
180 the director, establish a list of all Missouri physicians and other authorized health care  
181 practitioners and of any other information necessary to administer this section.

182           20. Where the owner's application is based on the fact that the vehicle is used at least  
183 fifty percent of the time by a physically disabled person, the applicant shall submit a statement  
184 stating this fact, in addition to the physician's statement. The statement shall be signed by both  
185 the owner of the vehicle and the physically disabled person. The applicant shall be required to  
186 submit this statement with each application for a license [plates] **plate**. No person shall willingly  
187 or knowingly submit a false statement and any such false statement shall be considered perjury  
188 and may be punishable pursuant to section 301.420.

189           21. The director of revenue shall retain all physicians' statements and all other documents  
190 received in connection with a person's application for a disabled license [plates] **plate** and/or  
191 disabled windshield placards.

192           22. The director of revenue shall enter into reciprocity agreements with other states or  
193 the federal government for the purpose of recognizing disabled person license plates or  
194 windshield placards issued to physically disabled persons.

195           23. When a person to whom **a** disabled person license [plates] **plate** or a removable or  
196 temporary windshield placard or both have been issued dies, the personal representative of the  
197 decedent or such other person who may come into or otherwise take possession of the disabled  
198 license [plates] **plate** or disabled windshield placard shall return the same to the director of  
199 revenue under penalty of law. Failure to return such plates or placards shall constitute a class  
200 B misdemeanor.

201           24. The director of revenue may order any person issued **a** disabled person license  
202 [plates] **plate** or windshield placards to submit to an examination by a chiropractor, osteopath,  
203 or physician, or to such other investigation as will determine whether such person qualifies for  
204 the special [plates] **plate** or placards.

205           25. If such person refuses to submit or is found to no longer qualify for **a** special [plates]  
206 **plate** or placards provided for in this section, the director of revenue shall collect the special  
207 [plates] **plate** or placards, and shall furnish **a** license [plates] **plate** to replace the ones collected  
208 as provided by this chapter.

209           26. In the event a removable or temporary windshield placard is lost, stolen, or mutilated,  
210 the lawful holder thereof shall, within five days, file with the director of revenue an application  
211 and an affidavit stating such fact, in order to purchase a new placard. The fee for the  
212 replacement windshield placard shall be four dollars.

213           27. Fraudulent application, renewal, issuance, procurement or use of **a** disabled person  
214 license [plates] **plate** or windshield placards shall be a class A misdemeanor. It is a class B  
215 misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual  
216 or family member is qualified for a license plate or windshield placard based on a disability, the  
217 diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis.

301.144. 1. The director of revenue shall establish and issue special personalized license  
2 plates containing letters or numbers or combinations of letters and numbers. Such license plates  
3 shall be made with fully reflective material with a common color scheme and design, shall be  
4 clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.  
5 Any person desiring to obtain a special personalized license plate for any motor vehicle the  
6 person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial  
7 motor vehicle licensed in excess of eighteen thousand pounds gross weight shall apply to the  
8 director of revenue on a form provided by the director and shall pay a fee of fifteen dollars in  
9 addition to the regular registration fees. The director of revenue shall issue rules and regulations  
10 setting the standards and establishing the procedure for application for and issuance of the  
11 special personalized license plates and shall provide a deadline each year for the applications.  
12 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the  
13 authority delegated in this section shall become effective only if it complies with and is subject

14 to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
15 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant  
16 to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are  
17 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed  
18 or adopted after August 28, 2001, shall be invalid and void. No two owners shall be issued  
19 identical plates. An owner shall make a new application and pay a new fee each year such owner  
20 desires to obtain or retain a special personalized license [plates] **plate**; however, notwithstanding  
21 the provisions of subsection 8 of section 301.130 to the contrary, the director shall allow the  
22 special personalized license [plates] **plate** to be replaced with a new [plates] **plate** every three  
23 years without any additional charge, above the fee established in this section, to the renewal  
24 applicant. Any person currently in possession of an approved personalized license plate shall  
25 have first priority on that particular plate for each of the following years that timely and  
26 appropriate application is made.

27         2. Upon application for a personalized plate by the owner of a motor vehicle for which  
28 the owner has no registration plate available for transfer as prescribed by section 301.140, the  
29 director shall issue a temporary permit authorizing the operation of the motor vehicle until the  
30 personalized plate is issued.

31         3. No personalized license plates shall be issued containing any letters, numbers or  
32 combination of letters and numbers which are obscene, profane, patently offensive or  
33 contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present  
34 an unreasonable danger to the health or safety of the applicant, of other users of streets and  
35 highways, or of the public in any location where the vehicle with such a plate may be found. The  
36 director may recall any personalized license plates, including those issued prior to August 28,  
37 1992, if the director determines that the plates are obscene, profane, patently offensive or  
38 contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present  
39 an unreasonable danger to the health or safety of the applicant, of other users of streets and  
40 highways, or of the public in any location where the vehicle with such a plate may be found.  
41 Where the director recalls such plates pursuant to the provisions of this subsection, the director  
42 shall reissue a personalized license [plates] **plate** to the owner of the motor vehicle for which  
43 they were issued at no charge, if the new plates proposed by the owner of the motor vehicle meet  
44 the standards established pursuant to this section. The director shall not apply the provisions of  
45 this statute in a way that violates the Missouri or United States Constitutions as interpreted by  
46 the courts with controlling authority in the state of Missouri. The primary purpose of motor  
47 vehicle license plates is to identify motor vehicles. Nothing in the issuance of a personalized  
48 license plate creates a designated or limited public forum. Nothing contained in this subsection

49 shall be interpreted to prohibit the use of license plates, which are no longer valid for registration  
50 purposes, as collector's items or for decorative purposes.

51 4. The director may also establish categories of special license plates from which license  
52 plates may be issued. Any such person, other than a person exempted from the additional fee  
53 pursuant to subsection 7 of this section, that desires a personalized special license plate from any  
54 such category shall pay the same additional fee and make the same kind of application as that  
55 required by subsection 1 of this section, and the director shall issue such plates in the same  
56 manner as other personalized special license plates are issued.

57 5. The director of revenue shall issue to residents of the state of Missouri who hold an  
58 unrevoked and unexpired official amateur radio license issued by the Federal Communications  
59 Commission, upon application and upon payment of the additional fee specified in subsection  
60 1 of this section, except for a person exempted from the additional fee pursuant to subsection 7  
61 of this section, a personalized special license [plates] **plate** bearing the official amateur radio call  
62 letters assigned by the Federal Communications Commission to the applicant with the words  
63 "AMATEUR RADIO" in place of the words "SHOW-ME STATE". The application shall be  
64 accompanied by a statement stating that the applicant has an unrevoked and unexpired amateur  
65 radio license **plate** issued by the Federal Communications Commission and the official radio call  
66 letters assigned by the Federal Communications Commission to the applicant. An owner making  
67 a new application and paying a new fee to retain an amateur radio plate may request a  
68 replacement plate with the words "AMATEUR RADIO" in place of the words "SHOW-ME  
69 STATE". If application is made to retain [a] **an amateur radio license** plate that is three years  
70 old or older, the replacement plate shall be issued upon the payment of required fees.

71 6. Notwithstanding any other provision to the contrary, any business that repossesses  
72 motor vehicles or trailers and sells or otherwise disposes of them shall be issued a placard  
73 displaying the word "Repossessed", provided such business pays the license fees presently  
74 required of a manufacturer, distributor, or dealer in section 301.560. Such placard shall bear a  
75 number and shall be in such form as the director of revenue shall determine, and shall be only  
76 used for demonstrations when displayed substantially as provided for number plates on the [rear  
77 of the] repossessed motor vehicle or trailer.

78 7. Notwithstanding any provision of law to the contrary, any person who has retired from  
79 any branch of the United States Armed Forces or reserves, the United States Coast Guard or  
80 reserve, the United States Merchant Marines or reserve, the National Guard, or any subdivision  
81 of any such services shall be exempt from the additional fee required for personalized license  
82 plates issued pursuant to section 301.441. As used in this subsection, "retired" means having  
83 served twenty or more years in the appropriate branch of service and having received an  
84 honorable discharge.

301.145. Any person who has been awarded the Congressional Medal of Honor may  
2 apply for a special motor vehicle license [plates] **plate** for any vehicle he owns, either solely or  
3 jointly, other than commercial vehicles weighing over twelve thousand pounds, as provided in  
4 this section. Any such person shall make application for the special license [plates] **plate** on a  
5 form provided by the director of revenue and furnish such proof of receipt of the Congressional  
6 Medal of Honor as the director may require. The director shall then issue a license [plates] **plate**  
7 bearing the words "CONGRESSIONAL MEDAL OF HONOR" in a form prescribed by the  
8 advisory committee established in section 301.129, except that such license [plates] **plate** shall  
9 be made with fully reflective material with a common color scheme and design, shall be clearly  
10 visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

301.301. Any person replacing a stolen license plate tab may receive at no cost up to  
2 [two sets of] two license plate tabs per year when the application for the replacement tab is  
3 accompanied with a notarized affidavit verifying that such license plate tab [or tabs were] **was**  
4 stolen.

301.441. Any person who is a retired member of the United States Army, Navy, Air  
2 Force, Marine Corps or Coast Guard may apply for a retired military motor vehicle license  
3 [plates] **plate** for any motor vehicle the person owns, either solely or jointly, other than an  
4 apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen  
5 thousand pounds gross weight. There shall be no limit on the number of license plates any  
6 person qualified pursuant to this section may obtain so long as each [set of] license [plates] **plate**  
7 issued pursuant to this section is issued for a vehicle owned solely or jointly by such person. No  
8 additional fee shall be charged for a license [plates] **plate** issued pursuant to this section.  
9 Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the  
10 personalization of a license [plates] **plate** issued pursuant to this section. Such person shall  
11 make application for the license [plates] **plate** on a form provided by the director of revenue and  
12 furnish such proof of retired status from that particular branch of the United States Armed Forces  
13 as the director may require. The plates shall have a white background with a blue and red  
14 configuration at the discretion of the advisory committee established in section 301.129. Such  
15 plates shall bear the insignia of the respective branch the applicant served in. The director shall  
16 then issue license plates bearing the words "RETIRED MILITARY" in preference to the words  
17 "SHOW-ME STATE" in a form prescribed by the advisory committee established in section  
18 301.129. Such license plates shall be made with fully reflective material, shall be clearly visible  
19 at night, and shall be aesthetically attractive, as prescribed by section 301.130.

301.443. 1. Any legal resident of the state of Missouri who is a veteran of service in the  
2 Armed Forces of the United States and has been honorably discharged from such service and  
3 who is a former prisoner of war and any legal resident of the state of Missouri who is a former

4 prisoner of war and who was a United States citizen not in the Armed Forces of the United States  
5 during such time is, upon filing an application for registration together with such information and  
6 proof in the form of a statement from the United States Veterans Administration or the  
7 Department of Defense or any other form of proof as the director may require, entitled to receive  
8 annually one certificate of registration and one [set of] license [plates] **plate** or other evidence  
9 of registration as provided in section 301.130 for a motor vehicle other than a commercial motor  
10 vehicle licensed in excess of twelve thousand pounds gross weight. There shall be no fee  
11 charged for a license [plates] **plate** issued under the provisions of this section.

12         2. Not more than one certificate of registration and one corresponding [set of] motor  
13 vehicle license [plates] **plate** or other evidence of registration as provided in section 301.130  
14 shall be issued each year to a qualified former prisoner of war under this section.

15         3. Proof of ownership and vehicle inspection of the particular motor vehicle for which  
16 a registration certificate and [set of] license [plates] **plate** is requested must be shown at the time  
17 of application. Proof of status as a former prisoner of war as required in subsection 1 of this  
18 section shall only be required on the initial application.

19         4. As used in this section, "former prisoner of war" means any person who was taken as  
20 an enemy prisoner during World War I, World War II, the Korean Conflict, or the Vietnam  
21 Conflict.

22         5. The director shall furnish each former prisoner of war obtaining a [set of] license  
23 [plates] **plate** under the provisions of subsections 1 to 4 of this section a special [plates] **plate**  
24 which shall have the words "FORMER P.O.W." on the license [plates] **plate** in preference to the  
25 words "SHOW-ME STATE" as provided in section 301.130 in a form prescribed by the advisory  
26 committee established in section 301.129. Such license plates shall be made with fully reflective  
27 material, shall have a white background with a blue and red configuration at the discretion of the  
28 advisory committee established in section 301.129, shall be clearly visible at night, and shall be  
29 aesthetically attractive, as prescribed by section 301.130.

30         6. Registration certificates and license plates issued under the provisions of this section  
31 shall not be transferable to any other person except that any registered co-owner of the motor  
32 vehicle will be entitled to operate the motor vehicle for the duration of the year licensed in the  
33 event of the death of the qualified former prisoner of war.

34         7. (1) Notwithstanding the provisions of subsection 6 of this section to the contrary, the  
35 surviving spouse of a former prisoner of war who has not remarried and who has been issued a  
36 license [plates] **plate** described in subsection 5 of this section shall be entitled to transfer such  
37 license [plates] **plate** to the motor vehicle of the surviving spouse and receive annually one  
38 certificate of registration and one [set of] license [plates] **plate** or other evidence of registration

39 as provided in section 301.130 as if a former prisoner of war until remarriage. There shall be no  
40 fee charged for the transfer of such license plates.

41 (2) The department of revenue shall promulgate rules for the obtaining of a [set of]  
42 license [plates] **plate** described in subsection 5 of this section by the surviving spouse of the  
43 former prisoner of war when such license [plates are] **plate is** not issued prior to the death of the  
44 former prisoner of war. The surviving spouse shall be entitled to receive annually one certificate  
45 of registration and one [set of] license [plates] **plate** or other evidence of registration as provided  
46 in section 301.130 as if a former prisoner of war until remarriage. There shall be no fee charged  
47 for the license plates issued pursuant to this subdivision.

301.444. 1. Owners or a joint owner of motor vehicles who are residents of the state of  
2 Missouri, and who are directors of a fire protection district or who are compensated, partially  
3 compensated, or volunteer members of any fire department, fire protection district, or voluntary  
4 fire protection association in this state, upon application accompanied by affidavit as prescribed  
5 in this section, complying with the state motor vehicle laws relating to registration and licensing  
6 of motor vehicles, and upon payment of a fee as prescribed in this section, shall be issued a [set  
7 of] license [plates] **plate** for any motor vehicle such person owns, either solely or jointly, other  
8 than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen  
9 thousand pounds gross weight. The license [plates] **plate** shall be inscribed with a variation of  
10 the Maltese cross that signifies the universally recognized symbol for firefighters. In addition,  
11 upon such [set of] license [plates] **plate** shall be inscribed, in lieu of the words "SHOW-ME  
12 STATE", the word "FIREFIGHTER". Such license plates shall be made with fully reflective  
13 material, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by  
14 section 301.130.

15 2. Applications for a license [plates] **plate** issued under this section shall be made to the  
16 director of revenue and shall be accompanied by an affidavit stating that the applicant is a person  
17 described in subsection 1 of this section. Any person who is lawfully in possession of such  
18 [plates] a **plate** who resigns, is removed, or otherwise terminates or is terminated from his  
19 association with such fire department, fire protection district, or voluntary fire protection  
20 association shall return such special [plates] **plate** to the director within fifteen days.

21 3. An additional annual fee equal to that charged for a personalized license [plates] **plate**  
22 in section 301.144 shall be paid to the director of revenue for the issuance of the license plates  
23 provided for in this section.

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