

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1732, Page 1, in the Title, Line 3, by
2 deleting the word "regulation" and inserting in lieu thereof the word "operation"; and

3
4 Further amend said bill and page, Section A, Line 2, by inserting immediately after all of said line
5 the following:

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7 "302.171. 1. The director shall verify that an applicant for a driver's license is a Missouri
8 resident or national of the United States or a noncitizen with a lawful immigration status, and a
9 Missouri resident before accepting the application. The director shall not issue a driver's license for
10 a period that exceeds the duration of an applicant's lawful immigration status in the United States.
11 The director may establish procedures to verify the Missouri residency or United States
12 naturalization or lawful immigration status and Missouri residency of the applicant and establish the
13 duration of any driver's license issued under this section. An application for a license shall be made
14 upon an approved form furnished by the director. Every application shall state the full name, Social
15 Security number, age, height, weight, color of eyes, sex, residence, mailing address of the applicant,
16 and the classification for which the applicant has been licensed, and, if so, when and by what state,
17 and whether or not such license has ever been suspended, revoked, or disqualified, and, if revoked,
18 suspended or disqualified, the date and reason for such suspension, revocation or disqualification
19 and whether the applicant is making a one dollar donation to promote an organ donation program as
20 prescribed in subsection 2 of this section. A driver's license, nondriver's license, or instruction
21 permit issued under this chapter shall contain the applicant's legal name as it appears on a birth
22 certificate or as legally changed through marriage or court order. No name change by common
23 usage based on common law shall be permitted. The application shall also contain such information
24 as the director may require to enable the director to determine the applicant's qualification for
25 driving a motor vehicle; and shall state whether or not the applicant has been convicted in this or
26 any other state for violating the laws of this or any other state or any ordinance of any municipality,
27 relating to driving without a license, careless driving, or driving while intoxicated, or failing to stop
28 after an accident and disclosing the applicant's identity, or driving a motor vehicle without the
29 owner's consent. The application shall contain a certification by the applicant as to the truth of the
30 facts stated therein. Every person who applies for a license to operate a motor vehicle who is less
31 than twenty-one years of age shall be provided with educational materials relating to the hazards of
32 driving while intoxicated, including information on penalties imposed by law for violation of the
33 intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is less than
34 eighteen years of age, the applicant must comply with all requirements for the issuance of an
35 intermediate driver's license pursuant to section 302.178. For persons mobilized and deployed with
36 the United States Armed Forces, an application under this subsection shall be considered

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1 satisfactory by the department of revenue if it is signed by a person who holds general power of
 2 attorney executed by the person deployed, provided the applicant meets all other requirements set
 3 by the director.

4 2. An applicant for a license may make a donation of one dollar to promote an organ donor
 5 program. The director of revenue shall collect the donations and deposit all such donations in the
 6 state treasury to the credit of the organ donor program fund established in sections 194.297 to
 7 194.304. Moneys in the organ donor program fund shall be used solely for the purposes established
 8 in sections 194.297 to 194.304 except that the department of revenue shall retain no more than one
 9 percent for its administrative costs. The donation prescribed in this subsection is voluntary and may
 10 be refused by the applicant for the license at the time of issuance or renewal of the license. The
 11 director shall make available an informational booklet or other informational sources on the
 12 importance of organ and tissue donations to applicants for licensure as designed by the organ
 13 donation advisory committee established in sections 194.297 to 194.304. The director shall inquire
 14 of each applicant at the time the licensee presents the completed application to the director whether
 15 the applicant is interested in making the one dollar donation prescribed in this subsection [and
 16 whether the applicant is interested in inclusion in the organ donor registry and shall also specifically
 17 inform the licensee of the ability to consent to organ donation by completing the form on the reverse
 18 of the license that the applicant will receive in the manner prescribed by subdivision (1) of
 19 subsection 1 of section 194.225. A symbol shall be placed on the front of the document indicating
 20 the applicant's desire to be listed in the registry]. The department of revenue shall modify the
 21 driver's license application and renewal process to advise all applicants that, at the time of applying
 22 for or renewing a driver's license, the applicant shall be deemed to have consented to anatomical
 23 donation of his or her organs and tissue upon the determination of the applicant's legal death unless
 24 the applicant expressly elects not to be an organ and tissue donor. The department shall provide the
 25 following statement and instructions at the time of application or renewal for a driver's license:

26
 27 "You are automatically deemed to have consented to being an organ and tissue donor
 28 and this designation will appear on your driver's license. If you do not want to be
 29 considered an organ and tissue donor, you must elect to not be included on the organ donor
 30 registry by inserting your initials on the line below.

31 _____ At this time, I do not wish to be included on the organ donor registry."

32
 33 Unless an applicant responds that he or she does not want to be considered a possible organ and
 34 tissue donor, the applicant shall be deemed to have consented to organ and tissue donation. The
 35 consent is sufficient to satisfy all requirements necessary to evidence the applicant's consent to
 36 anatomical donation of the applicant's organs and tissue. The director shall notify the department of
 37 health and senior services of information obtained from applicants who [indicate to the director that
 38 they are interested in registry participation] have not opted out of the organ donor registry, and the
 39 department of health and senior services shall enter the complete name, address, date of birth, race,
 40 gender and a unique personal identifier in the registry established in subsection 1 of section
 41 194.304.

42 3. An applicant for a license may make a donation of one dollar to promote a blindness
 43 education, screening and treatment program. The director of revenue shall collect the donations and
 44 deposit all such donations in the state treasury to the credit of the blindness education, screening and
 45 treatment program fund established in section 209.015. Moneys in the blindness education,
 46 screening and treatment program fund shall be used solely for the purposes established in section
 47 209.015; except that the department of revenue shall retain no more than one percent for its
 48 administrative costs. The donation prescribed in this subsection is voluntary and may be refused by

1 the applicant for the license at the time of issuance or renewal of the license. The director shall
2 inquire of each applicant at the time the licensee presents the completed application to the director
3 whether the applicant is interested in making the one dollar donation prescribed in this subsection.

4 4. Beginning July 1, 2005, the director shall deny the driving privilege of any person who
5 commits fraud or deception during the examination process or who makes application for an
6 instruction permit, driver's license, or nondriver's license which contains or is substantiated with
7 false or fraudulent information or documentation, or who knowingly conceals a material fact or
8 otherwise commits a fraud in any such application. The period of denial shall be one year from the
9 effective date of the denial notice sent by the director. The denial shall become effective ten days
10 after the date the denial notice is mailed to the person. The notice shall be mailed to the person at
11 the last known address shown on the person's driving record. The notice shall be deemed received
12 three days after mailing unless returned by the postal authorities. No such individual shall reapply
13 for a driver's examination, instruction permit, driver's license, or nondriver's license until the period
14 of denial is completed. No individual who is denied the driving privilege under this section shall be
15 eligible for a limited driving privilege issued under section 302.309.

16 5. All appeals of denials under this section shall be made as required by section 302.311.

17 6. The period of limitation for criminal prosecution under this section shall be extended
18 under subdivision (1) of subsection 3 of section 556.036.

19 7. The director may promulgate rules and regulations necessary to administer and enforce
20 this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall
21 become effective unless it has been promulgated pursuant to chapter 536.

22 8. Notwithstanding any provision of this chapter that requires an applicant to provide proof
23 of Missouri residency for renewal of a noncommercial driver's license, noncommercial instruction
24 permit, or nondriver's license, an applicant who is sixty-five years and older and who was
25 previously issued a Missouri noncommercial driver's license, noncommercial instruction permit, or
26 Missouri nondriver's license is exempt from showing proof of Missouri residency.

27 9. Notwithstanding any provision of this chapter, for the renewal of a noncommercial
28 driver's license, noncommercial instruction permit, or nondriver's license, a photocopy of an
29 applicant's United States birth certificate along with another form of identification approved by the
30 department of revenue, including, but not limited to, United States military identification or United
31 States military discharge papers, shall constitute sufficient proof of Missouri citizenship.

32 10. Notwithstanding any other provision of this chapter, if an applicant does not meet the
33 requirements of subsection 8 of this section and does not have the required documents to prove
34 Missouri residency, United States naturalization, or lawful immigration status, the department may
35 issue a one-year driver's license renewal. This one-time renewal shall only be issued to an applicant
36 who previously has held a Missouri noncommercial driver's license, noncommercial instruction
37 permit, or nondriver's license for a period of fifteen years or more and who does not have the
38 required documents to prove Missouri residency, United States naturalization, or lawful immigration
39 status. After the expiration of the one-year period, no further renewal shall be provided without the
40 applicant producing proof of Missouri residency, United States naturalization, or lawful immigration
41 status."; and

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43 Further amend said bill by amending the title, enacting clause, and intersectional references
44 accordingly.