

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 2286

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLY (141).

6166H.01P

D. ADAM CRUMBLISS, ChiefClerk

AN ACT

To repeal sections 301.010 and 301.140, RSMo, and to enact in lieu thereof two new sections relating to local log trucks.

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

Section A. Sections 301.010 and 301.140, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 301.010 and 301.140, to read as follows:

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260,
2 and sections 307.010 to 307.175, the following terms mean:

3 (1) “All-terrain vehicle”, any motorized vehicle manufactured and used exclusively for
4 off-highway use which is fifty inches or less in width, with an unladen dry weight of one
5 thousand five hundred pounds or less, traveling on three, four or more nonhighway tires;

6 (2) “Automobile transporter”, any vehicle combination capable of carrying cargo on the
7 power unit and designed and used for the transport of assembled motor vehicles, including truck
8 camper units;

9 (3) “Axle load”, the total load transmitted to the road by all wheels whose centers are
10 included between two parallel transverse vertical planes forty inches apart, extending across the
11 full width of the vehicle;

12 (4) “Backhaul”, the return trip of a vehicle transporting cargo or general freight,
13 especially when carrying goods back over all or part of the same route;

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.

14 (5) "Boat transporter", any vehicle combination capable of carrying cargo on the power
15 unit and designed and used specifically to transport assembled boats and boat hulls. Boats may
16 be partially disassembled to facilitate transporting;

17 (6) "Body shop", a business that repairs physical damage on motor vehicles that are not
18 owned by the shop or its officers or employees by mending, straightening, replacing body parts,
19 or painting;

20 (7) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more
21 passengers but not including shuttle buses;

22 (8) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying
23 freight and merchandise, or more than eight passengers but not including vanpools or shuttle
24 buses;

25 (9) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at
26 speeds less than forty miles per hour from field to field or from field to market and return;

27 (10) "Dealer", any person, firm, corporation, association, agent or subagent engaged in
28 the sale or exchange of new, used or reconstructed motor vehicles or trailers;

29 (11) "Director" or "director of revenue", the director of the department of revenue;

30 (12) "Driveaway operation":

31 (a) The movement of a motor vehicle or trailer by any person or motor carrier other than
32 a dealer over any public highway, under its own power singly, or in a fixed combination of two
33 or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

34 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting
35 the commodity being transported, by a person engaged in the business of furnishing drivers and
36 operators for the purpose of transporting vehicles in transit from one place to another by the
37 driveaway or towaway methods; or

38 (c) The movement of a motor vehicle by any person who is lawfully engaged in the
39 business of transporting or delivering vehicles that are not the person's own and vehicles of a
40 type otherwise required to be registered, by the driveaway or towaway methods, from a point of
41 manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent
42 of a manufacturer or to any consignee designated by the shipper or consignor;

43 (13) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth
44 wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor
45 equipped with a dromedary may carry part of a load when operating independently or in a
46 combination with a semitrailer;

47 (14) "Farm tractor", a tractor used exclusively for agricultural purposes;

48 (15) "Fleet", any group of ten or more motor vehicles owned by the same owner;

49 (16) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

50 (17) "Fullmount", a vehicle mounted completely on the frame of either the first or last
51 vehicle in a saddlemount combination;

52 (18) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus
53 the weight of any load thereon;

54 (19) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the
55 result of the impact of hail;

56 (20) "Highway", any public thoroughfare for vehicles, including state roads, county
57 roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

58 (21) "Improved highway", a highway which has been paved with gravel, macadam,
59 concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

60 (22) "Intersecting highway", any highway which joins another, whether or not it crosses
61 the same;

62 (23) "Junk vehicle", a vehicle which:

63 (a) Is incapable of operation or use upon the highways and has no resale value except as
64 a source of parts or scrap; or

65 (b) Has been designated as junk or a substantially equivalent designation by this state
66 or any other state;

67 (24) "Kit vehicle", a motor vehicle assembled by a person other than a generally
68 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
69 an authorized manufacturer and accompanied by a manufacturer's statement of origin;

70 (25) "Land improvement contractors' commercial motor vehicle", any not-for-hire
71 commercial motor vehicle the operation of which is confined to:

72 (a) An area that extends not more than a radius of one hundred miles from its home base
73 of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or
74 from projects involving soil and water conservation, or to and from equipment dealers'
75 maintenance facilities for maintenance purposes; or

76 (b) An area that extends not more than a radius of fifty miles from its home base of
77 operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from
78 projects not involving soil and water conservation.

79

80 Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered
81 as a commercial motor vehicle or local commercial motor vehicle;

82 (26) "Local commercial motor vehicle", a commercial motor vehicle whose operations
83 are confined to a municipality and that area extending not more than fifty miles therefrom, or a
84 commercial motor vehicle whose property-carrying operations are confined solely to the
85 transportation of property owned by any person who is the owner or operator of such vehicle to

86 or from a farm owned by such person or under the person's control by virtue of a landlord and
87 tenant lease; provided that any such property transported to any such farm is for use in the
88 operation of such farm;

89 (27) "Local log truck", a commercial motor vehicle which is registered pursuant to this
90 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
91 state, used to transport harvested forest products, operated solely at a forested site and in an area
92 extending not more than a one hundred mile radius from such site, carries a load with dimensions
93 not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on
94 the national system of interstate and defense highways described in 23 U.S.C. Section 103, as
95 amended, or outside the one hundred mile radius from such site with an extended distance local
96 log truck permit, such vehicle shall not exceed the weight limits of section 304.180, does not
97 have more than four axles, and does not pull a trailer which has more than ~~two~~ **three** axles.
98 Harvesting equipment which is used specifically for cutting, felling, trimming, delimiting,
99 debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local
100 log truck. A local log truck may not exceed the limits required by law, however, if the truck does
101 exceed such limits as determined by the inspecting officer, then notwithstanding any other
102 provisions of law to the contrary, such truck shall be subject to the weight limits required by such
103 sections as licensed for eighty thousand pounds;

104 (28) "Local log truck tractor", a commercial motor vehicle which is registered under this
105 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
106 state, used to transport harvested forest products, operated at a forested site and in an area
107 extending not more than a one hundred mile radius from such site, operates with a weight not
108 exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding
109 forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national
110 system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, or
111 outside the one hundred mile radius from such site with an extended distance local log truck
112 permit, such vehicle does not exceed the weight limits contained in section 304.180, and does
113 not have more than three axles and does not pull a trailer which has more than ~~two~~ **three** axles.
114 Violations of axle weight limitations shall be subject to the load limit penalty as described for
115 in sections 304.180 to 304.220;

116 (29) "Local transit bus", a bus whose operations are confined wholly within a municipal
117 corporation, or wholly within a municipal corporation and a commercial zone, as defined in
118 section 390.020, adjacent thereto, forming a part of a public transportation system within such
119 municipal corporation and such municipal corporation and adjacent commercial zone;

120 (30) "Log truck", a vehicle which is not a local log truck or local log truck tractor and
121 is used exclusively to transport harvested forest products to and from forested sites which is

122 registered pursuant to this chapter to operate as a motor vehicle on the public highways of this
123 state for the transportation of harvested forest products;

124 (31) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly,
125 and front clip, as those terms are defined by the director of revenue pursuant to rules and
126 regulations or by illustrations;

127 (32) "Manufacturer", any person, firm, corporation or association engaged in the
128 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

129 (33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
130 receives a new, rebuilt or used engine, and which used the number stamped on the original
131 engine as the vehicle identification number;

132 (34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
133 except farm tractors;

134 (35) "Motor vehicle primarily for business use", any vehicle other than a recreational
135 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over
136 twelve thousand pounds:

137 (a) Offered for hire or lease; or

138 (b) The owner of which also owns ten or more such motor vehicles;

139 (36) "Motorcycle", a motor vehicle operated on two wheels;

140 (37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic
141 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which
142 produces less than three gross brake horsepower, and is capable of propelling the device at a
143 maximum speed of not more than thirty miles per hour on level ground;

144 (38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle
145 while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel.
146 A motortricycle shall not be included in the definition of all-terrain vehicle;

147 (39) "Municipality", any city, town or village, whether incorporated or not;

148 (40) "Nonresident", a resident of a state or country other than the state of Missouri;

149 (41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in
150 compliance with United States emissions or safety standards;

151 (42) "Operator", any person who operates or drives a motor vehicle;

152 (43) "Owner", any person, firm, corporation or association, who holds the legal title to
153 a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease
154 thereof with the right of purchase upon performance of the conditions stated in the agreement
155 and with an immediate right of possession vested in the conditional vendee or lessee, or in the
156 event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee
157 or mortgagor shall be deemed the owner;

158 (44) "Public garage", a place of business where motor vehicles are housed, stored,
159 repaired, reconstructed or repainted for persons other than the owners or operators of such place
160 of business;

161 (45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the
162 rebuilder, but does not include certificated common or contract carriers of persons or property;

163 (46) "Reconstructed motor vehicle", a vehicle that is altered from its original
164 construction by the addition or substitution of two or more new or used major component parts,
165 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

166 (47) "Recreational motor vehicle", any motor vehicle designed, constructed or
167 substantially modified so that it may be used and is used for the purposes of temporary housing
168 quarters, including therein sleeping and eating facilities which are either permanently attached
169 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.
170 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor
171 vehicle if the motor vehicle could otherwise be so registered;

172 (48) "Recreational off-highway vehicle", any motorized vehicle manufactured and used
173 exclusively for off-highway use which is more than fifty inches but no more than sixty-seven
174 inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four
175 or more nonhighway tires and which may have access to ATV trails;

176 (49) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,
177 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a
178 wrecker or towing service;

179 (50) "Saddlemount combination", a combination of vehicles in which a truck or truck
180 tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth
181 wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of
182 the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth
183 wheel kingpin connection. When two vehicles are towed in this manner the combination is
184 called a "double saddlemount combination". When three vehicles are towed in this manner, the
185 combination is called a "triple saddlemount combination";

186 (51) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for
187 the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

188 (52) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

189 (a) Was damaged during a year that is no more than six years after the manufacturer's
190 model year designation for such vehicle to the extent that the total cost of repairs to rebuild or
191 reconstruct the vehicle to its condition immediately before it was damaged for legal operation
192 on the roads or highways exceeds eighty percent of the fair market value of the vehicle
193 immediately preceding the time it was damaged;

194 (b) By reason of condition or circumstance, has been declared salvage, either by its
195 owner, or by a person, firm, corporation, or other legal entity exercising the right of security
196 interest in it;

197 (c) Has been declared salvage by an insurance company as a result of settlement of a
198 claim;

199 (d) Ownership of which is evidenced by a salvage title; or

200 (e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157
201 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild
202 or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling
203 inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on
204 parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair
205 market value" means the retail value of a motor vehicle as:

206 a. Set forth in a current edition of any nationally recognized compilation of retail values,
207 including automated databases, or from publications commonly used by the automotive and
208 insurance industries to establish the values of motor vehicles;

209 b. Determined pursuant to a market survey of comparable vehicles with regard to
210 condition and equipment; and

211 c. Determined by an insurance company using any other procedure recognized by the
212 insurance industry, including market surveys, that is applied by the company in a uniform
213 manner;

214 (53) "School bus", any motor vehicle used solely to transport students to or from school
215 or to transport students to or from any place for educational purposes;

216 (54) "Scrap processor", a business that, through the use of fixed or mobile equipment,
217 flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or
218 transportation to a shredder or scrap metal operator for recycling;

219 (55) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
220 corporation as an incidental service to transport patrons or customers of the regular business of
221 such person, firm, or corporation to and from the place of business of the person, firm, or
222 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
223 buses or as commercial motor vehicles;

224 (56) "Special mobile equipment", every self-propelled vehicle not designed or used
225 primarily for the transportation of persons or property and incidentally operated or moved over
226 the highways, including farm equipment, implements of husbandry, road construction or
227 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,
228 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt
229 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,

230 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump
231 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and
232 shall not operate to exclude other such vehicles which are within the general terms of this
233 section;

234 (57) "Specially constructed motor vehicle", a motor vehicle which shall not have been
235 originally constructed under a distinctive name, make, model or type by a manufacturer of motor
236 vehicles. The term specially constructed motor vehicle includes kit vehicles;

237 (58) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel
238 is located on a drop frame located behind and below the rearmost axle of the power unit;

239 (59) "Tandem axle", a group of two or more axles, arranged one behind another, the
240 distance between the extremes of which is more than forty inches and not more than ninety-six
241 inches apart;

242 (60) "Towaway trailer transporter combination", a combination of vehicles consisting
243 of a trailer transporter towing unit and two trailers or semitrailers, with a total weight that does
244 not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry no
245 property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers
246 or semitrailers;

247 (61) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed
248 for drawing other vehicles, but not for the carriage of any load when operating independently.
249 When attached to a semitrailer, it supports a part of the weight thereof;

250 (62) "Trailer", any vehicle without motive power designed for carrying property or
251 passengers on its own structure and for being drawn by a self-propelled vehicle, except those
252 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
253 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
254 rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers
255 as defined in this section and shall not include manufactured homes as defined in section
256 700.010;

257 (63) "Trailer transporter towing unit", a power unit that is not used to carry property
258 when operating in a towaway trailer transporter combination;

259 (64) "Truck", a motor vehicle designed, used, or maintained for the transportation of
260 property;

261 (65) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two
262 trailing units are connected with a B-train assembly which is a rigid frame extension attached to
263 the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second
264 semitrailer and has one less articulation point than the conventional A-dolly connected
265 truck-tractor semitrailer-trailer combination;

266 (66) "Truck-trailer boat transporter combination", a boat transporter combination
267 consisting of a straight truck towing a trailer using typically a ball and socket connection with
268 the trailer axle located substantially at the trailer center of gravity rather than the rear of the
269 trailer but so as to maintain a downward force on the trailer tongue;

270 (67) "Used parts dealer", a business that buys and sells used motor vehicle parts or
271 accessories, but not including a business that sells only new, remanufactured or rebuilt parts.
272 Business does not include isolated sales at a swap meet of less than three days;

273 (68) "Utility vehicle", any motorized vehicle manufactured and used exclusively for
274 off-highway use which is more than fifty inches but no more than sixty-seven inches in width,
275 with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to
276 be used primarily for landscaping, lawn care, or maintenance purposes;

277 (69) "Vanpool", any van or other motor vehicle used or maintained by any person, group,
278 firm, corporation, association, city, county or state agency, or any member thereof, for the
279 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
280 and from their place of employment; however, a vanpool shall not be included in the definition
281 of the term bus or commercial motor vehicle as defined in this section, nor shall a vanpool driver
282 be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool
283 vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an
284 unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a
285 ride-sharing arrangement;

286 (70) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
287 on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power,
288 or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs
289 operated by handicapped persons;

290 (71) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed
291 and used to assist or render aid and transport or tow disabled or wrecked vehicles from a
292 highway, road, street or highway rights-of-way to a point of storage or repair, including towing
293 a replacement vehicle to replace a disabled or wrecked vehicle;

294 (72) "Wrecker or towing service", the act of transporting, towing or recovering with a
295 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker,
296 tow truck, rollback or car carrier for which the operator directly or indirectly receives
297 compensation or other personal gain.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate
2 of registration and the right to use the number plates shall expire and the number plates shall be
3 removed by the owner at the time of the transfer of possession, and it shall be unlawful for any
4 person other than the person to whom such number plates were originally issued to have the

5 same in his or her possession whether in use or not, unless such possession is solely for
6 charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor
7 vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the
8 newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred
9 plates shall be lawful for no more than thirty days, or no more than ninety days if the dealer is
10 selling the motor vehicle under the provisions of section 301.213. As used in this subsection,
11 the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold
12 by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-
13 in motor vehicle or trailer are still valid.

14 2. In the case of a transfer of ownership the original owner may register another motor
15 vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle
16 is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle)
17 seating capacity, not in excess of that originally registered. When such motor vehicle is of
18 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
19 vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee
20 of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less
21 horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating
22 capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

23 3. License plates may be transferred from a motor vehicle which will no longer be
24 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay
25 a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in
26 the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that
27 of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of
28 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
29 vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer
30 fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased
31 vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial
32 motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be
33 entitled to a refund.

34 4. The director of the department of revenue shall have authority to produce or allow
35 others to produce a weather resistant, nontearing temporary permit authorizing the operation of
36 a motor vehicle or trailer by a buyer for not more than thirty days, or no more than ninety days
37 if issued by a dealer selling the motor vehicle under the provisions of section 301.213, from the
38 date of purchase. The temporary permit authorized under this section may be purchased by the
39 purchaser of a motor vehicle or trailer from the central office of the department of revenue or
40 from an authorized agent of the department of revenue upon proof of purchase of a motor vehicle

41 or trailer for which the buyer has no registration plate available for transfer and upon proof of
42 financial responsibility, or from a motor vehicle dealer upon purchase of a motor vehicle or
43 trailer for which the buyer has no registration plate available for transfer, or from a motor vehicle
44 dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is
45 awaiting receipt of registration plates. The director of the department of revenue or a producer
46 authorized by the director of the department of revenue may make temporary permits available
47 to registered dealers in this state, authorized agents of the department of revenue or the
48 department of revenue. The price paid by a motor vehicle dealer, an authorized agent of the
49 department of revenue or the department of revenue for a temporary permit shall not exceed five
50 dollars for each permit. The director of the department of revenue shall direct motor vehicle
51 dealers and authorized agents to obtain temporary permits from an authorized producer.
52 Amounts received by the director of the department of revenue for temporary permits shall
53 constitute state revenue; however, amounts received by an authorized producer other than the
54 director of the department of revenue shall not constitute state revenue and any amounts received
55 by motor vehicle dealers or authorized agents for temporary permits purchased from a producer
56 other than the director of the department of revenue shall not constitute state revenue. In no
57 event shall revenues from the general revenue fund or any other state fund be utilized to
58 compensate motor vehicle dealers or other producers for their role in producing temporary
59 permits as authorized under this section. Amounts that do not constitute state revenue under this
60 section shall also not constitute fees for registration or certificates of title to be collected by the
61 director of the department of revenue under section 301.190. No motor vehicle dealer,
62 authorized agent or the department of revenue shall charge more than five dollars for each permit
63 issued. The permit shall be valid for a period of thirty days, or no more than ninety days if issued
64 by a dealer selling the motor vehicle under the provisions of section 301.213, from the date of
65 purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by
66 a motor vehicle dealer for which the purchaser obtains a permit as set out above. No permit shall
67 be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.
68 Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle
69 in a manner and place on the motor vehicle consistent with registration plates so that all parts and
70 qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and
71 are not impaired in any way.

72 5. The permit shall be issued on a form prescribed by the director of the department of
73 revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer
74 purchased to enable the applicant to temporarily operate the motor vehicle while proper title and
75 registration plates are being obtained, or while awaiting receipt of registration plates, and shall
76 be displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall

77 not be transferable or renewable, ~~and~~ shall not be valid upon issuance of proper registration
78 plates for the motor vehicle or trailer, **and shall be returned to the department or to the**
79 **department's agent upon the issuance of such proper registration plates. Any temporary**
80 **permit returned to the department or to the department's agent shall be immediately**
81 **destroyed. The provisions of this subsection shall not apply to temporary permits issued**
82 **for commercial motor vehicles licensed in excess of twenty-four thousand pounds gross**
83 **weight.** The director of the department of revenue shall determine the size, material, design,
84 numbering configuration, construction, and color of the permit. The director of the department
85 of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use
86 of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper
87 title and registration are being obtained.

88 6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection
89 by proper officers, an accurate record of each permit issued by recording the permit number, the
90 motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and
91 manufacturer's vehicle identification number, and the permit's date of issuance and expiration
92 date. Upon the issuance of a temporary permit by either the central office of the department of
93 revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director
94 of the department of revenue shall make the information associated with the issued temporary
95 permit immediately available to the law enforcement community of the state of Missouri.

96 7. Upon the transfer of ownership of any currently registered motor vehicle wherein the
97 owner cannot transfer the license plates due to a change of motor vehicle category, the owner
98 may surrender the license plates issued to the motor vehicle and receive credit for any unused
99 portion of the original registration fee against the registration fee of another motor vehicle. Such
100 credit shall be granted based upon the date the license plates are surrendered. No refunds shall
101 be made on the unused portion of any license plates surrendered for such credit.

102 8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.

103 9. An additional temporary license plate produced in a manner and of materials
104 determined by the director to be the most cost-effective means of production with a configuration
105 that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be
106 placed in the interior of the vehicle's rear window such that the driver's view out of the rear
107 window is not obstructed and the plate configuration is clearly visible from the outside of the
108 vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the
109 actual plate. Such temporary plate is only authorized for use when the matching actual plate is
110 affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee
111 charged for the temporary plate shall be equal to the fee charged for a temporary permit issued
112 under subsection 4 of this section. Replacement temporary plates authorized in this subsection

113 may be issued as needed upon the payment of a fee equal to the fee charged for a temporary
114 permit under subsection 4 of this section. The newly produced third plate may only be used on
115 the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a
116 third plate and only used for the purpose specified in this subsection.

117 10. Notwithstanding the provisions of section 301.217, the director may issue a
118 temporary permit to an individual who possesses a salvage motor vehicle which requires an
119 inspection under subsection 9 of section 301.190. The operation of a salvage motor vehicle for
120 which the permit has been issued shall be limited to the most direct route from the residence,
121 maintenance, or storage facility of the individual in possession of such motor vehicle to the
122 nearest authorized inspection facility and return to the originating location. Notwithstanding any
123 other requirements for the issuance of a temporary permit under this section, an individual
124 obtaining a temporary permit for the purpose of operating a motor vehicle to and from an
125 examination facility as prescribed in this subsection shall also purchase the required motor
126 vehicle examination form which is required to be completed for an examination under subsection
127 9 of section 301.190 and provide satisfactory evidence that such vehicle has passed a motor
128 vehicle safety inspection for such vehicle as required in section 307.350.

129 11. The director of the department of revenue may promulgate all necessary rules and
130 regulations for the administration of this section. Any rule or portion of a rule, as that term is
131 defined in section 536.010, that is created under the authority delegated in this section shall
132 become effective only if it complies with and is subject to all of the provisions of chapter 536
133 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of
134 the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
135 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
136 grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be
137 invalid and void.

138 12. The repeal and reenactment of this section shall become effective on the date the
139 department of revenue or a producer authorized by the director of the department of revenue
140 begins producing temporary permits described in subsection 4 of such section, or on July 1,
141 2013, whichever occurs first. If the director of revenue or a producer authorized by the director
142 of the department of revenue begins producing temporary permits prior to July 1, 2013, the
143 director of the department of revenue shall notify the revisor of statutes of such fact.

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