SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1963

AN ACT

To repeal sections 32.300, 143.441, 144.070, 144.805, 227.600, 300.010, 301.010, 301.030, 301.032, 301.140, 301.190, 301.193, 301.210, 301.213, 301.280, 301.560, 301.564, 301.3174, 302.020, 302.170, 302.181, 302.720, 303.026, 303.200, 304.170, 304.172, 304.180, 306.127, 307.015, 407.815, 407.1025, 407.1329, and 577.001 RSMo, and to enact in lieu thereof forty-nine new sections relating to transportation, with existing penalty provisions and a delayed effective date for a certain section.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Section A. Sections 32.300, 143.441, 144.070, 144.805, 227.600, 300.010, 301.010, 301.030, 301.032, 301.140, 301.190, 301.193, 301.210, 301.213, 301.280, 301.560, 301.564, 301.3174, 302.020, 302.170, 302.181, 302.720, 303.026, 303.200, 304.170, 304.172, 304.180, and 577.001 RSMo, is repealed and forty-nine new sections enacted in lieu thereof, to be known as sections 32.300, 143.441, 144.070, 144.805, 227.600, 227.476, 227.803, 227.804, 300.010, 301.010, 301.030, 301.032, 301.140, 301.190, 301.193, 301.210, 301.213, 301.280, 301.560, 301.564, 301.3174, 301.3176, 302.020, 302.026, 302.170, 302.181, 302.205, 302.720, 302.723, 303.026, 303.200, 304.170, 304.172, 304.180.
305.800, 305.802, 305.804, 305.806, 305.808, 305.810, 306.127, 307.015, 407.815, 407.1025, 407.1329, and 577.001, to read as follows:

32.300. 1. In a county where personal property tax records are accessible via computer, and when proof of motor vehicle liability insurance, safety inspections and emission inspections where required are verifiable by computer, the department of revenue shall design and implement a motor vehicle license renewal system which may be used through the department's internet website connection. [The online license renewal system shall be available no later than January 1, 2002.] The department of revenue shall also design and implement an online system allowing the filing and payment of Missouri state taxes through the department's internet website connection. The online tax filing and payment system shall be available for the payment of Missouri state taxes for tax years beginning on or after January 1, 2002.

2. The department of revenue is hereby authorized to design and implement a remote driver's license renewal system which may be used through the department's internet website connection or through self-service terminals available at one or more locations within the state. Any remote driver's license renewal system implemented by the department shall be compliant with the provisions of the federal REAL ID Act of 2005 (Public Law 108-13), as amended, the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Public Law 99-570), as amended, the USA PATRIOT Act of 2001 (Title X of Public Law 107-56), as amended, and any regulations related thereto.
3. Notwithstanding any provision of law to the contrary, applicants who have applied in person and received a driver's or nondriver's license in accordance with chapter 302 may apply for no more than one consecutive three-year or six-year license renewal remotely in accordance with this section. Remote application for renewal shall be made within six months before or after the expiration date of the license in accordance with section 302.173.

4. Applicants for remote driver's license renewal in accordance with this section shall not be required to complete the highway sign recognition test required under section 302.173 unless the department has technology that may be used remotely for such purpose. Applicants for remote driver's license renewal in accordance with this section shall not be required to complete the vision test established under section 302.175, provided the applicant shall certify under penalty of law that the applicant's vision satisfies the requirements of section 302.175 and that the applicant has undergone an examination of eyesight by a licensed ophthalmologist or a licensed optometrist within the last twelve months. As a condition for renewal in accordance with this section, the applicant shall authorize the exchange of vision and medical information between the department and the applicant's ophthalmologist or optometrist, and shall be at least twenty-one years of age but less than fifty years of age. The ophthalmologist or optometrist shall have four business days to confirm or deny the vision and medical information of the applicant. If no response is received by the department, the department shall accept the vision and medical information.
provided for processing the renewal application.

143.441. 1. The term "corporation" means every corporation, association, joint stock company and joint stock association organized, authorized or existing under the laws of this state and includes:

(1) Every corporation, association, joint stock company, and joint stock association organized, authorized, or existing under the laws of this state, and every corporation, association, joint stock company, and joint stock association, licensed to do business in this state, or doing business in this state, and not organized, authorized, or existing under the laws of this state, or by any receiver in charge of the property of any such corporation, association, joint stock company or joint stock association;

(2) Every railroad corporation or receiver in charge of the property thereof which operates over rails owned or leased by it and every corporation operating any buslines, trucklines, airlines, or other forms of transportation, including qualified air freight forwarders, operating over fixed routes owned, leased, or used by it extending from this state to another state or states. For purposes of this subdivision, "qualified air freight forwarder" means a taxpayer who meets all of the following requirements:

(a) The taxpayer is primarily engaged in the facilitation of the transportation of property by air;

(b) The taxpayer does not itself operate the aircraft; and

(c) The taxpayer is in the same affiliated group as an airline;
Every corporation, or receiver in charge of the property thereof, which owns or operates a bridge between this and any other state; and

Every corporation, or receiver in charge of the property thereof, which operates a telephone line or lines extending from this state to another state or states or a telegraph line or lines extending from this state to another state or states.

2. The tax on corporations provided in subsection 1 of section 143.431 and section 143.071 shall not apply to:

1. A corporation which by reason of its purposes and activities is exempt from federal income tax. The preceding sentence shall not apply to unrelated business taxable income and other income on which chapter 1 of the Internal Revenue Code imposes the federal income tax or any other tax measured by income;

2. An express company which pays an annual tax on its gross receipts in this state;

3. An insurance company which is subject to an annual tax on its gross premium receipts in this state;

4. A Missouri mutual or an extended Missouri mutual insurance company organized under chapter 380; and

5. Any other corporation that is exempt from Missouri income taxation under the laws of Missouri or the laws of the United States.

144.070. 1. At the time the owner of any new or used motor vehicle, trailer, boat, or outboard motor which was acquired in a transaction subject to sales tax under the Missouri sales tax law

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makes application to the director of revenue for an official
certificate of title and the registration of the motor vehicle,
trailer, boat, or outboard motor as otherwise provided by law,
the owner shall present to the director of revenue evidence
satisfactory to the director of revenue showing the purchase
price exclusive of any charge incident to the extension of credit
paid by or charged to the applicant in the acquisition of the
motor vehicle, trailer, boat, or outboard motor, or that no sales
tax was incurred in its acquisition, and if sales tax was
incurred in its acquisition, the applicant shall pay or cause to
be paid to the director of revenue the sales tax provided by the
Missouri sales tax law in addition to the registration fees now
or hereafter required according to law, and the director of
revenue shall not issue a certificate of title for any new or
used motor vehicle, trailer, boat, or outboard motor subject to
sales tax as provided in the Missouri sales tax law until the tax
levied for the sale of the same under sections 144.010 to 144.510
has been paid as provided in this section or is registered under
the provisions of subsection 5 of this section.

2. As used in subsection 1 of this section, the term
"purchase price" shall mean the total amount of the contract
price agreed upon between the seller and the applicant in the
acquisition of the motor vehicle, trailer, boat, or outboard
motor, regardless of the medium of payment therefor.

3. In the event that the purchase price is unknown or
undisclosed, or that the evidence thereof is not satisfactory to
the director of revenue, the same shall be fixed by appraisement
by the director.
4. The director of the department of revenue shall endorse upon the official certificate of title issued by the director upon such application an entry showing that such sales tax has been paid or that the motor vehicle, trailer, boat, or outboard motor represented by such certificate is exempt from sales tax and state the ground for such exemption.

5. Any person, company, or corporation engaged in the business of renting or leasing motor vehicles, trailers, boats, or outboard motors, which are to be used exclusively for rental or lease purposes, and not for resale, may apply to the director of revenue for authority to operate as a leasing or rental company and pay an annual fee of two hundred fifty dollars for such authority. Any company approved by the director of revenue may pay the tax due on any motor vehicle, trailer, boat, or outboard motor as required in section 144.020 at the time of registration thereof or in lieu thereof may pay a sales tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A sales tax shall be charged to and paid by a leasing company which does not exercise the option of paying in accordance with section 144.020, on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in this state. Any motor vehicle, trailer, boat, or outboard motor which is leased as the result of a contract executed in this state shall be presumed to be domiciled in this state.

6. Every applicant to be a [lease or rental company] registered fleet owner as described in subsections 6 to 10 of section 301.032 shall furnish with the application to operate as
a registered fleet owner a corporate surety bond or irrevocable letter of credit, as defined in section 400.5-102, issued by any state or federal financial institution in the penal sum of one hundred thousand dollars, on a form approved by the department. The bond or irrevocable letter of credit shall be conditioned upon the [lease or rental company] registered fleet owner complying with the provisions of any statutes applicable to [lease or rental companies] registered fleet owners, and the bond shall be an indemnity for any loss sustained by reason of the acts of the person bonded when such acts constitute grounds for the suspension or revocation of the [lease or rental] registered fleet owner license. The bond shall be executed in the name of the state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of credit shall name the state of Missouri as the beneficiary; except that, the aggregate liability of the surety or financial institution to the aggrieved parties shall, in no event, exceed the amount of the bond or irrevocable letter of credit. The proceeds of the bond or irrevocable letter of credit shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party.

7. Any corporation may have one or more of its divisions separately apply to the director of revenue for authorization to operate as a leasing company, provided that the corporation:

(1) Has filed a written consent with the director authorizing any of its divisions to apply for such authority;

(2) Is authorized to do business in Missouri;

(3) Has agreed to treat any sale of a motor vehicle,
trailer, boat, or outboard motor from one of its divisions to another of its divisions as a sale at retail;

(4) Has registered under the fictitious name provisions of sections 417.200 to 417.230 each of its divisions doing business in Missouri as a leasing company; and

(5) Operates each of its divisions on a basis separate from each of its other divisions. However, when the transfer of a motor vehicle, trailer, boat or outboard motor occurs within a corporation which holds a license to operate as a motor vehicle or boat dealer pursuant to sections 301.550 to 301.573 the provisions in subdivision (3) of this subsection shall not apply.

8. If the owner of any motor vehicle, trailer, boat, or outboard motor desires to charge and collect sales tax as provided in this section, the owner shall make application to the director of revenue for a permit to operate as a motor vehicle, trailer, boat, or outboard motor leasing company. The director of revenue shall promulgate rules and regulations determining the qualifications of such a company, and the method of collection and reporting of sales tax charged and collected. Such regulations shall apply only to owners of motor vehicles, trailers, boats, or outboard motors, electing to qualify as motor vehicle, trailer, boat, or outboard motor leasing companies under the provisions of subsection 5 of this section, and no motor vehicle renting or leasing, trailer renting or leasing, or boat or outboard motor renting or leasing company can come under sections 144.010, 144.020, 144.070 and 144.440 unless all motor vehicles, trailers, boats, and outboard motors held for renting and leasing are included.
9. Any person, company, or corporation engaged in the business of renting or leasing three thousand five hundred or more motor vehicles which are to be used exclusively for rental or leasing purposes and not for resale, and that has applied to the director of revenue for authority to operate as a leasing company may also operate as a registered fleet owner as prescribed in section 301.032.

10. Beginning July 1, 2010, any motor vehicle dealer licensed under section 301.560 engaged in the business of selling motor vehicles or trailers may apply to the director of revenue for authority to collect and remit the sales tax required under this section on all motor vehicles sold by the motor vehicle dealer. A motor vehicle dealer receiving authority to collect and remit the tax is subject to all provisions under sections 144.010 to 144.525. Any motor vehicle dealer authorized to collect and remit sales taxes on motor vehicles under this subsection shall be entitled to deduct and retain an amount equal to two percent of the motor vehicle sales tax pursuant to section 144.140. Any amount of the tax collected under this subsection that is retained by a motor vehicle dealer pursuant to section 144.140 shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers for their role in collecting and remitting sales taxes on motor vehicles. In the event this subsection or any portion thereof is held to violate Article IV, Section 30(b) of the Missouri Constitution, no motor vehicle dealer shall be authorized to collect and remit sales taxes on motor vehicles under this section. No motor vehicle dealer shall
seek compensation from the state of Missouri or its agencies if a
court of competent jurisdiction declares that the retention of
two percent of the motor vehicle sales tax is unconstitutional
and orders the return of such revenues.

144.805. 1. In addition to the exemptions granted pursuant
to the provisions of section 144.030, there shall also be
specifically exempted from the provisions of sections 144.010 to
144.525, sections 144.600 to 144.746, and section 238.235, and
the provisions of any local sales tax law, as defined in section
32.085, and from the computation of the tax levied, assessed or
payable pursuant to sections 144.010 to 144.525, sections 144.600
to 144.746, and section 238.235, and the provisions of any local
sales tax law, as defined in section 32.085, all sales of
aviation jet fuel in a given calendar year to common carriers
engaged in the interstate air transportation of passengers and
cargo, and the storage, use and consumption of such aviation jet
fuel by such common carriers, if such common carrier has first
paid to the state of Missouri, in accordance with the provisions
of this chapter, state sales and use taxes pursuant to the
foregoing provisions and applicable to the purchase, storage, use
or consumption of such aviation jet fuel in a maximum and
aggregate amount of one million five hundred thousand dollars of
state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1
of this section, the common carrier shall furnish to the seller a
certificate in writing to the effect that an exemption pursuant
to this section is applicable to the aviation jet fuel so
purchased, stored, used and consumed. The director of revenue
shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, [2023] 2033.

227.476. The portion of State Highway 9 from Nodaway Street to Park College Entrance Drive in Platte County shall be designated as "Bill Grigsby Memorial Highway". The department of transportation shall erect and maintain appropriate signs
designating such highway, with the costs to be paid by private
donations.

227.600. 1. Sections 227.600 to 227.669 shall be known and
may be cited as the "Missouri Public-Private Partnerships
Transportation Act".

2. As used in sections 227.600 to 227.669, unless the
context clearly requires otherwise, the following terms mean:
(1) "Commission", the Missouri highways and transportation
commission;
(2) "Comprehensive agreement", the final binding written
comprehensive project agreement between a private partner and the
commission required in section 227.621 to finance, develop,
and/or operate the project;
(3) "Department", the Missouri department of
transportation;
(4) "Develop" or "development", to plan, locate, relocate,
establish, acquire, lease, design, or construct;
(5) "Finance", to fund the costs, expenses, liabilities,
fees, profits, and all other charges incurred to finance,
develop, and/or operate the project;
(6) "Interim agreement", a preliminary binding written
agreement between a private partner and the commission that
provides for completion of studies and any other activities to
advance the financing, development, and/or operation of the
project required by section 227.618;
(7) "Material default", any uncured default by a private
partner in the performance of its duties that jeopardizes
adequate service to the public from the project as determined by
the commission;

(8) "Operate" or "operation", to improve, maintain, equip, modify, repair, administer, or collect user fees;

(9) "Private partner", any natural person, corporation, partnership, limited liability company, joint venture, business trust, nonprofit entity, other business entity, or any combination thereof;

(10) "Project", exclusively includes any pipeline, ferry, port facility, water facility, water way, water supply facility or pipeline, stormwater facility or system, wastewater system or treatment facility, public building, airport, railroad, light rail, vehicle parking facility, mass transit facility, tube transport system, or other similar facility currently available or to be made available to a government entity for public use, including any structure, parking area, appurtenance and other property required to operate the structure or facility to be financed, developed, and/or operated under agreement between the commission and a private partner. The commission or private partner shall not have the authority to collect user fees in connection with the project from motor carriers as defined in section 227.630. Project shall not include any highway, interstate or bridge construction, or any rest area, rest stop, or truck parking facility connected to an interstate or other highway under the authority of the commission. Any project not specifically included in this subdivision shall not be financed, developed, or operated by a private partner until such project is approved by a vote of the people;

(11) "Public use", a finding by the commission that the
project to be financed, developed, and/or operated by a private partner under sections 227.600 to 227.669 will improve or is needed as a necessary addition to the state transportation system;

(12) "Revenues", include but are not limited to the following which arise out of or in connection with the financing, development, and/or operation of the project:
   (a) Income;
   (b) Earnings;
   (c) Proceeds;
   (d) User fees;
   (e) Lease payments;
   (f) Allocations;
   (g) Federal, state, and local moneys; or
   (h) Private sector moneys, grants, bond proceeds, and/or equity investments;

(13) "State", the state of Missouri;

(14) "State highway system", the state system of highways and bridges planned, located, relocated, established, acquired, constructed, and maintained by the commission under Section 30(b), Article IV, Constitution of Missouri;

(15) "State transportation system", the state system of nonhighway transportation programs, including but not limited to aviation, transit and mass transportation, railroads, ports, waterborne commerce, freight and intermodal connections;

(16) "Tube transport system", a high-speed transportation system, including infrastructure and facilities, in which pressurized pods containing passengers or freight ride or coast
upon a cushion of air through magnetic levitation within a reduced-pressure or vacuum tube, propelled by electric power;

(17) “User fees”, tolls, fees, or other charges authorized to be imposed by the commission and collected by the private partner for the use of all or a portion of a project under a comprehensive agreement.

3. Notwithstanding any provision of law to the contrary, the power of eminent domain shall not apply to the tube transport system.

4. Under section 23.253 of the Missouri sunset act:
(1) The provisions authorizing the financing, development, or operation of a tube transport system under this section shall automatically sunset on August 28, 2025, unless reauthorized by an act of the general assembly; and

(2) If the tube transport system is reauthorized, the authority under this section to finance, develop, or operate the tube transport system shall automatically sunset five years after the effective date of the reauthorization of this section; and

(3) The provisions of this section authorizing the financing, development, or operation of a tube transport system shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

227.803. The portion of State Highway 7 from County Road 221 West continuing to Calvird Drive in the city of Clinton in Henry County shall be designated as "Police Officer Christopher Ryan Morton Memorial Highway". The department shall erect and maintain appropriate signs designating such highway with the
227.804. The portion of State Highway 13 from State Highway 52 West continuing to Calvird Drive in the city of Clinton in Henry County shall be designated as "Police Officer Gary Lee Michael, Jr. Memorial Highway". The department shall erect and maintain appropriate signs designating such highway with the costs to be paid for by private donations.

300.010. The following words and phrases when used in this ordinance mean:

(1) "Alley" or "alleyway", any street with a roadway of less than twenty feet in width;

(2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use [which is fifty inches or less in width], with an unladen dry weight of [six] one thousand five hundred pounds or less, traveling on three, four or more [low pressure] nonhighway tires, with either:

(a) A seat designed to be straddled by the operator, and handlebars for steering control; or

(b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement;

(3) "Authorized emergency vehicle", a vehicle publicly owned and operated as an ambulance, or a vehicle publicly owned and operated by the state highway patrol, police or fire department, sheriff or constable or deputy sheriff, traffic officer or any privately owned vehicle operated as an ambulance when responding to emergency calls;

(4) "Business district", the territory contiguous to and
including a highway when within any six hundred feet along the
highway there are buildings in use for business or industrial
purposes, including but not limited to hotels, banks, or office
buildings, railroad stations and public buildings which occupy at
least three hundred feet of frontage on one side or three hundred
feet collectively on both sides of the highway;

(5) "Central business (or traffic) district", all streets
and portions of streets within the area described by city
ordinance as such;

(6) "Commercial vehicle", every vehicle designed,
maintained, or used primarily for the transportation of property;

(7) "Controlled access highway", every highway, street or
roadway in respect to which owners or occupants of abutting lands
and other persons have no legal right of access to or from the
same except at such points only and in such manner as may be
determined by the public authority having jurisdiction over the
highway, street or roadway;

(8) "Crosswalk",

(a) That part of a roadway at an intersection included
within the connections of the lateral lines of the sidewalks on
opposite sides of the highway measured from the curbs, or in the
absence of curbs from the edges of the traversable roadway;

(b) Any portion of a roadway at an intersection or
elsewhere distinctly indicated for pedestrian crossing by lines
or other markings on the surface;

(9) "Curb loading zone", a space adjacent to a curb
reserved for the exclusive use of vehicles during the loading or
unloading of passengers or materials;
(10) "Driver", every person who drives or is in actual
physical control of a vehicle;

(11) "Freight curb loading zone", a space adjacent to a
curb for the exclusive use of vehicles during the loading or
unloading of freight (or passengers);

(12) "Highway", the entire width between the boundary lines
of every way publicly maintained when any part thereof is open to
the use of the public for purposes of vehicular travel;

(13) "Intersection",

(a) The area embraced within the prolongation or connection
of the lateral curb lines, or, if none, then the lateral boundary
lines of the roadways of two highways which join one another at,
or approximately at, right angles, or the area within which
vehicles traveling upon different highways joining at any other
angle may come in conflict;

(b) Where a highway includes two roadways thirty feet or
more apart, then every crossing of each roadway of such divided
highway by an intersecting highway shall be regarded as a
separate intersection. In the event such intersecting highway
also includes two roadways thirty feet or more apart, then every
crossing of two roadways of such highways shall be regarded as a
separate intersection;

(14) "Laned roadway", a roadway which is divided into two
or more clearly marked lanes for vehicular traffic;

(15) "Motor vehicle", any self-propelled vehicle not
operated exclusively upon tracks, except farm tractors and
motorized bicycles;

(16) "Motorcycle", every motor vehicle having a seat or
saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor;

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

(18) "Official time standard", whenever certain hours are named herein they shall mean standard time or daylight-saving time as may be in current use in the city;

(19) "Official traffic control devices", all signs, signals, markings and devices not inconsistent with this ordinance placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic;

(20) "Park" or "parking", the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;

(21) "Passenger curb loading zone", a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers;

(22) "Pedestrian", any person afoot;

(23) "Person", every natural person, firm, copartnership, association or corporation;

(24) "Police officer", every officer of the municipal
police department or any officer authorized to direct or regulate
traffic or to make arrests for violations of traffic regulations;

(25) "Private road" or "driveway", every way or place in
private ownership and used for vehicular travel by the owner and
those having express or implied permission from the owner, but
not by other persons;

(26) "Railroad", a carrier of persons or property upon
cars, other than streetcars, operated upon stationary rails;

(27) "Railroad train", a steam engine, electric or other
motor, with or without cars coupled thereto, operated upon rails,
except streetcars;

(28) "Residence district", the territory contiguous to and
including a highway not comprising a business district when the
property on such highway for a distance of three hundred feet or
more is in the main improved with residences or residences and
buildings in use for business;

(29) "Right-of-way", the right of one vehicle or pedestrian
to proceed in a lawful manner in preference to another vehicle or
pedestrian approaching under such circumstances of direction,
speed and proximity as to give rise to danger of collision unless
one grants precedence to the other;

(30) "Roadway", that portion of a highway improved,
designed or ordinarily used for vehicular travel, exclusive of
the berm or shoulder. In the event a highway includes two or
more separate roadways the term "roadway" as used herein shall
refer to any such roadway separately but not to all such roadways
collectively;

(31) "Safety zone", the area or space officially set apart
within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone;

(32) "Sidewalk", that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians;

(33) "Stand" or "standing", the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers;

(34) "Stop", when required, complete cessation from movement;

(35) "Stop" or "stopping", when prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal;

(36) "Street" or "highway", the entire width between the lines of every way publicly maintained when any part thereof is open to the uses of the public for purposes of vehicular travel. "State highway", a highway maintained by the state of Missouri as a part of the state highway system;

(37) "Through highway", every highway or portion thereof on which vehicular traffic is given preferential rights-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield rights-of-way to vehicles on such through highway in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this ordinance;
(38) "Traffic", pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances either singly or together while using any highway for purposes of travel;

(39) "Traffic control signal", any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed;

(40) "Traffic division", the traffic division of the police department of the city, or in the event a traffic division is not established, then said term whenever used herein shall be deemed to refer to the police department of the city;

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

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

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

(a) A seat designed to be straddled by the operator, and handlebars for steering control; or

(b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or
steering arrangement;

(2) "Autocycle", a three-wheeled motor vehicle which the
drivers and passengers ride in a partially or completely enclosed
nonstraddle seating area, that is designed to be controlled with
a steering wheel and pedals, and that has met applicable
Department of Transportation National Highway Traffic Safety
Administration requirements or federal motorcycle safety
standards;

(3) "Automobile transporter", any vehicle combination
capable of carrying cargo on the power unit and designed and used
for the transport of assembled motor vehicles, including truck
camper units;

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

(5) "Backhaul", the return trip of a vehicle transporting
cargo or general freight, especially when carrying goods back
over all or part of the same route;

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

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

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

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

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

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

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

(13) "Driveaway operation":

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

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

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

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

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

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

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

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

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

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

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

(22) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;
(23) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(24) "Junk vehicle", a vehicle which:

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

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

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

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

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

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

Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle
(27) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

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

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

(30) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;
(31) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

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

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

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

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

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

(a) Offered for hire or lease; or

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

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

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

(39) "Motortricycle", a motor vehicle upon which the operator straddles or sits astride that is designed to be controlled by handle bars and is operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

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

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

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

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

(44) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or who has executed a buyer's order or retail installment sales contract with a motor vehicle dealer licensed under sections 301.550 to 301.580 for the purchase of a vehicle with an immediate right of possession vested in the transferee, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof.
with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner;

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

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

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

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

(49) "Recreational off-highway vehicle", any motorized
vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven eighty inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of two thousand five hundred pounds or less, traveling on four or more nonhighway tires and which may have access to ATV trails;

(50) "Recreational trailer", any trailer designed, constructed, or substantially modified so that it may be used and is used for the purpose of temporary housing quarters, including therein sleeping or eating facilities, which can be temporarily attached to a motor vehicle or attached to a unit which is securely attached to a motor vehicle;

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

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

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

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

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

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

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

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

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

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated
1 databases, or from publications commonly used by the automotive
2 and insurance industries to establish the values of motor
3 vehicles;
4 b. Determined pursuant to a market survey of comparable
5 vehicles with regard to condition and equipment; and
6 c. Determined by an insurance company using any other
7 procedure recognized by the insurance industry, including market
8 surveys, that is applied by the company in a uniform manner;
9 (55) "School bus", any motor vehicle used solely to
10 transport students to or from school or to transport students to
11 or from any place for educational purposes;
12 (56) "Scrap processor", a business that, through the use of
13 fixed or mobile equipment, flattens, crushes, or otherwise
14 accepts motor vehicles and vehicle parts for processing or
15 transportation to a shredder or scrap metal operator for
16 recycling;
17 (57) "Shuttle bus", a motor vehicle used or maintained by
18 any person, firm, or corporation as an incidental service to
19 transport patrons or customers of the regular business of such
20 person, firm, or corporation to and from the place of business of
21 the person, firm, or corporation providing the service at no fee
22 or charge. Shuttle buses shall not be registered as buses or as
23 commercial motor vehicles;
24 (58) "Special mobile equipment", every self-propelled
25 vehicle not designed or used primarily for the transportation of
26 persons or property and incidentally operated or moved over the
27 highways, including farm equipment, implements of husbandry, road
28 construction or maintenance machinery, ditch-digging apparatus,
stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

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

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

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

(62) "Towaway trailer transporter combination", a combination of vehicles consisting of a trailer transporter towing unit and two trailers or semitrailers, with a total weight that does not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers;
"Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

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

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

"Truck", a motor vehicle designed, used, or maintained for the transportation of property;

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

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

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

(70) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five hundred pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

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

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

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

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

301.030. 1. The director shall provide for the retention of license plates by the owners of motor vehicles, other than commercial motor vehicles, and shall establish a system of registration on a monthly series basis to distribute the work of registering motor vehicles as uniformly as practicable throughout the twelve months of the calendar year. For the purpose of assigning license plate numbers, each type of motor vehicle shall be considered a separate class. Commencing July 1, 1949, motor vehicles, other than commercial motor vehicles, shall be
registered for a period of twelve consecutive calendar months. There are established twelve registration periods, each of which shall start on the first day of each calendar month of the year and shall end on the last date of the twelfth month from the date of beginning. Fees for the renewal of noncommercial motor vehicle registrations shall be payable no later than the last day of the month that follows the twelfth month of the expired registration period. No delinquent renewal penalty shall be assessed under section 301.050, and no violation shall be issued under section 301.020 for an expired registration, prior to the second month that follows the twelfth month of the expired registration period.

2. Motor vehicles, other than commercial motor vehicles, operated for the first time upon the public highways of this state, to and including the fifteenth day of any given month, shall be subject to registration and payment of a fee for the twelve-month period commencing the first day of the month of such operation; motor vehicles, other than commercial motor vehicles, operated for the first time on the public highways of this state after the fifteenth day of any given month shall be subject to registration and payment of a fee for the twelve-month period commencing the first day of the next following calendar month.

3. All commercial motor vehicles and trailers, except those licensed under section 301.035 and those operated under agreements as provided for in sections 301.271 to 301.279, shall be registered either on a calendar year basis or on a prorated basis as provided in this section. The fees for commercial motor vehicles, trailers, semitrailers, and driveaway vehicles, other
than those to be operated under agreements as provided for in
sections 301.271 to 301.279 shall be payable not later than the
last day of February of each year, except when such vehicle is
licensed between April first and July first the fee shall be
three-fourths the annual fee, when licensed between July first
and October first the fee shall be one-half the annual fee and
when licensed on or after October first the fee shall be
one-fourth the annual fee. Such license plates 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.

Local commercial motor vehicle license plates may also be so
stamped, marked or designed as to indicate they are to be used
only on local commercial motor vehicles and, in addition to such
stamp, mark or design, the letter "F" shall also be displayed on
local commercial motor vehicle license plates issued to motor
vehicles used for farm or farming transportation operations as
defined in section 301.010 in the manner prescribed by the
advisory committee established in section 301.129. In addition,
all commercial motor vehicle license plates may be so stamped or
marked with a letter, figure or other emblem as to indicate the
gross weight for which issued.

4. The director shall, upon application, issue registration
and license plates for nine thousand pounds gross weight for
property-carrying commercial motor vehicles referred to herein,
upon payment of the fees prescribed for twelve thousand pounds
gross weight as provided in section 301.057.

5. Notwithstanding any other provision of law to the
contrary, any motorcycle or motortricycle registration issued by
the Missouri department of revenue shall expire on June
thirtieth.

301.032. 1. Notwithstanding the provisions of sections
301.030 and 301.035 to the contrary, the director of revenue
shall establish a system of registration of all fleet vehicles
owned or purchased by a fleet owner registered pursuant to this
section. The director of revenue shall prescribe the forms for
such fleet registration and the forms and procedures for the
registration updates prescribed in this section. Any owner of
ten or more motor vehicles which must be registered in accordance
with this chapter may register as a fleet owner. All registered
fleet owners may, at their option, register all motor vehicles
included in the fleet on a calendar year or biennial basis
pursuant to this section in lieu of the registration periods
provided in sections 301.030, 301.035, and 301.147. The director
shall issue an identification number to each registered owner of
fleet vehicles.

2. All fleet vehicles included in the fleet of a registered
fleet owner shall be registered during April of the corresponding
year or on a prorated basis as provided in subsection 3 of this
section. Fees of all vehicles in the fleet to be registered on a
calendar year basis or on a biennial basis shall be payable not
later than the last day of April of the corresponding year, with
two years' fees due for biennially-registered vehicles.
Notwithstanding the provisions of section 307.355, an application
for registration of a fleet vehicle must be accompanied by a
certificate of inspection and approval issued no more than one
hundred twenty days prior to the date of application. The fees for vehicles added to the fleet which must be licensed at the time of registration shall be payable at the time of registration, except that when such vehicle is licensed between July first and September thirtieth the fee shall be three-fourths the annual fee, when licensed between October first and December thirty-first the fee shall be one-half the annual fee and when licensed on or after January first the fee shall be one-fourth the annual fee. When biennial registration is sought for vehicles added to a fleet, an additional year's annual fee will be added to the partial year's prorated fee.

3. At any time during the calendar year in which an owner of a fleet purchases or otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle, the owner shall present to the director of revenue the identification number as a fleet number and may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant to this subsection.

4. Except as specifically provided in this subsection, all fleet vehicles registered pursuant to this section shall be issued a special license plate which shall have the words "Fleet Vehicle" in place of the words "Show-Me State" in the manner prescribed by the advisory committee established in section 301.129. Alternatively, for a one-time additional five dollar per-vehicle fee beyond the regular registration fee, a fleet owner of at least fifty fleet vehicles may apply for fleet license plates bearing a company name or logo, the size and
design thereof subject to approval by the director. All fleet license plates 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. Fleet vehicles shall be issued multiyear license plates as provided in this section which shall not require issuance of a renewal tab. Upon payment of appropriate registration fees, the director of revenue shall issue a registration certificate or other suitable evidence of payment of the annual or biennial fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

5. Notwithstanding the provisions of sections 307.350 to 307.390 to the contrary, a fleet vehicle registered in Missouri is exempt from the requirements of sections 307.350 to 307.390 if at the time of the annual fleet registration, such fleet vehicle is situated outside the state of Missouri.

6. (1) Notwithstanding any other provisions of law to the contrary, any person, company, or corporation engaged in the business of renting or leasing three thousand five hundred or more motor vehicles which are to be used exclusively for rental or leasing purposes and not for resale that has applied to the director of revenue for authority to operate as a lease or rental company as prescribed in section 144.070 may operate as a registered fleet owner as prescribed in the provisions of this subsection to subsection 10 of this section.

(2) The director of revenue may issue license plates after presentment of an application, as designed by the director, and payment of an annual fee of three hundred sixty dollars for the
first ten plates and thirty-six dollars for each additional plate. The payment and issuance of such plates shall be in lieu of registering each motor vehicle with the director as otherwise provided by law.

(3) The registration fees for vehicles in the registered fleet owner's fleet shall be fully payable at the time such plates are ordered, except that when such plate is ordered after the first month of registration, the fees payable shall be prorated by the month the plates were ordered. When biennial registration is sought, an additional year's annual fee shall be added to the partial year's prorated fee.

(4) Such motor vehicles within the fleet shall not be exempted from the safety inspection and emissions inspection provisions as prescribed in chapters 307 and 643, but notwithstanding the provisions of section 307.355, such inspections shall not be required to be presented to the director of revenue.

7. A recipient of a lease or rental company license issued by the director of revenue as prescribed in section 144.070 operating as a registered fleet owner under this section shall register such fleet with the director of revenue on an annual or biennial basis in lieu of the individual motor vehicle registration periods as prescribed in sections 301.030, 301.035, and 301.147. If an applicant elects a biennial fleet registration, the annual fleet license plate fees prescribed in subdivision (1) of subsection 6 of this section shall be doubled. An agent fee as prescribed in subdivision (1) of subsection 1 of section 136.055 shall apply to the issuance of fleet
registrations issued under subsections 6 to 10 of this section, and if a biennial fleet registration is elected, the agent fee shall be collected in an amount equal to the fee for two years.

8. Prior to the issuance of fleet license plates under subsections 6 to 10 of this section, the applicant shall provide proof of insurance as required under section 303.024 or 303.026.

9. The authority of a recipient of a lease or rental company license issued by the director of revenue as prescribed in section 144.070 to operate as a fleet owner as provided in this section shall expire on January first of the licensure period.

10. A lease or rental company operating fleet license plates issued under subsections 6 to 10 of this section shall make available, upon request, to the director of revenue and all Missouri law enforcement agencies any corresponding vehicle and registration information that may be requested as prescribed by rule.

11. The director shall make all necessary rules and regulations for the administration of this section and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
grant of rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be invalid and void.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days, or no more than ninety days if the dealer is selling the motor vehicle under the provisions of section 301.213, or no more than sixty days if the dealer is selling the motor vehicle under the provisions of subsection 5 of section 301.210. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

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

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

4. The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation
of a motor vehicle or trailer by a buyer for not more than thirty
days, or no more than ninety days if issued by a dealer selling
the motor vehicle under the provisions of section 301.213, or no
more than sixty days if issued by a dealer selling the motor
vehicle under the provisions of subsection 5 of section 301.210,
from the date of purchase. The temporary permit authorized under
this section may be purchased by the purchaser of a motor vehicle
or trailer from the central office of the department of revenue
or from an authorized agent of the department of revenue upon
proof of purchase of a motor vehicle or trailer for which the
buyer has no registration plate available for transfer and upon
proof of financial responsibility, or from a motor vehicle dealer
upon purchase of a motor vehicle or trailer for which the buyer
has no registration plate available for transfer, or from a motor
vehicle dealer upon purchase of a motor vehicle or trailer for
which the buyer has registered and is awaiting receipt of
registration plates. The director of the department of revenue
or a producer authorized by the director of the department of
revenue may make temporary permits available to registered
dealers in this state, authorized agents of the department of
revenue or the department of revenue. The price paid by a motor
vehicle dealer, an authorized agent of the department of revenue
or the department of revenue for a temporary permit shall not
exceed five dollars for each permit. The director of the
department of revenue shall direct motor vehicle dealers and
authorized agents to obtain temporary permits from an authorized
producer. Amounts received by the director of the department of
revenue for temporary permits shall constitute state revenue;
however, amounts received by an authorized producer other than
the director of the department of revenue shall not constitute
state revenue and any amounts received by motor vehicle dealers
or authorized agents for temporary permits purchased from a
producer other than the director of the department of revenue
shall not constitute state revenue. In no event shall revenues
from the general revenue fund or any other state fund be utilized
to compensate motor vehicle dealers or other producers for their
role in producing temporary permits as authorized under this
section. Amounts that do not constitute state revenue under this
section shall also not constitute fees for registration or
certificates of title to be collected by the director of the
department of revenue under section 301.190. No motor vehicle
dealer, authorized agent or the department of revenue shall
charge more than five dollars for each permit issued. The permit
shall be valid for a period of thirty days, or no more than
ninety days if issued by a dealer selling the motor vehicle under
the provisions of section 301.213, or no more than sixty days if
issued by a dealer selling the motor vehicle under the provisions
of subsection 5 of section 301.210, from the date of purchase of
a motor vehicle or trailer, or from the date of sale of the motor
vehicle or trailer by a motor vehicle dealer for which the
purchaser obtains a permit as set out above. No permit shall be
issued for a vehicle under this section unless the buyer shows
proof of financial responsibility. Each temporary permit issued
shall be securely fastened to the back or rear of the motor
vehicle in a manner and place on the motor vehicle consistent
with registration plates so that all parts and qualities of the
temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.

5. The permit shall be issued on a form prescribed by the director of the department of revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer purchased to enable the applicant to temporarily operate the motor vehicle while proper title and registration plates are being obtained, or while awaiting receipt of registration plates, and shall be displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable, shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer, and shall be returned to the department or to the department's agent upon the issuance of such proper registration plates. Any temporary permit returned to the department or to the department's agent shall be immediately destroyed. The provisions of this subsection shall not apply to temporary permits issued for commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight. The director of the department of revenue shall determine the size, material, design, numbering configuration, construction, and color of the permit. The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.

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

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

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

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

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

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

301.190. 1. No certificate of registration of any motor
vehicle or trailer, or number plate therefor, shall be issued by
the director of revenue unless the applicant therefor shall make
application for and be granted a certificate of ownership of such
motor vehicle or trailer, or shall present satisfactory evidence
that such certificate has been previously issued to the applicant
for such motor vehicle or trailer. Application shall be made
within thirty days after the applicant acquires the motor vehicle
or trailer, unless the motor vehicle was acquired under section
301.213 or subsection 5 of section 301.210 in which case the
applicant shall make application within thirty days after
receiving title from the dealer, upon a blank form furnished by
the director of revenue and shall contain the applicant's
identification number, a full description of the motor vehicle or
trailer, the vehicle identification number, and the mileage
registered on the odometer at the time of transfer of ownership,
as required by section 407.536, together with a statement of the
applicant's source of title and of any liens or encumbrances on
the motor vehicle or trailer, provided that for good cause shown
the director of revenue may extend the period of time for making
such application. When an owner wants to add or delete a name or
names on an application for certificate of ownership of a motor
vehicle or trailer that would cause it to be inconsistent with
the name or names listed on the notice of lien, the owner shall
provide the director with documentation evidencing the
lienholder's authorization to add or delete a name or names on an
application for certificate of ownership.

2. The director of revenue shall use reasonable diligence
in ascertaining whether the facts stated in such application are
true and shall, to the extent possible without substantially
delaying processing of the application, review any odometer
information pertaining to such motor vehicle that is accessible
to the director of revenue. If satisfied that the applicant is
the lawful owner of such motor vehicle or trailer, or otherwise
entitled to have the same registered in his name, the director
shall thereupon issue an appropriate certificate over his
signature and sealed with the seal of his office, procured and
used for such purpose. The certificate shall contain on its face
a complete description, vehicle identification number, and other
evidence of identification of the motor vehicle or trailer, as
the director of revenue may deem necessary, together with the
odometer information required to be put on the face of the
certificate pursuant to section 407.536, a statement of any liens
or encumbrances which the application may show to be thereon,
and, if ownership of the vehicle has been transferred, the name
of the state issuing the transferor's title and whether the
transferor's odometer mileage statement executed pursuant to
section 407.536 indicated that the true mileage is materially
different from the number of miles shown on the odometer, or is
unknown.

3. The director of revenue shall appropriately designate on
the current and all subsequent issues of the certificate the
words "Reconstructed Motor Vehicle", "Motor Change Vehicle",
"Specially Constructed Motor Vehicle", or "Non-USA-Std Motor
Vehicle", as defined in section 301.010. Effective July 1, 1990,
on all original and all subsequent issues of the certificate for
motor vehicles as referenced in subsections 2 and 3 of section
301.020, the director shall print on the face thereof the
following designation: "Annual odometer updates may be available
from the department of revenue.". On any duplicate certificate,
the director of revenue shall reprint on the face thereof the
most recent of either:

(1) The mileage information included on the face of the
immediately prior certificate and the date of purchase or
issuance of the immediately prior certificate; or

(2) Any other mileage information provided to the director
of revenue, and the date the director obtained or recorded that
information.

4. The certificate of ownership issued by the director of
revenue shall be manufactured in a manner to prohibit as nearly
as possible the ability to alter, counterfeit, duplicate, or
forge such certificate without ready detection. In order to
carry out the requirements of this subsection, the director of
revenue may contract with a nonprofit scientific or educational
institution specializing in the analysis of secure documents to
determine the most effective methods of rendering Missouri
certificates of ownership nonalterable or noncounterfeitable.

5. The fee for each original certificate so issued shall be
eight dollars and fifty cents, in addition to the fee for
registration of such motor vehicle or trailer. If application
for the certificate is not made within thirty days after the
vehicle is acquired by the applicant, or where the motor vehicle
was acquired under section 301.213 or subsection 5 of section
301.210 and the applicant fails to make application within thirty
days after receiving title from the dealer, a delinquency penalty
fee of twenty-five dollars for the first thirty days of
delinquency and twenty-five dollars for each thirty days of
delinquency thereafter, not to exceed a total of two hundred
dollars, but such penalty may be waived by the director for a good cause shown. If the director of revenue learns that any person has failed to obtain a certificate within thirty days after acquiring a motor vehicle or trailer, or where the motor vehicle was acquired under section 301.213 or subsection 5 of section 301.210 and the applicant fails to make application within thirty days after receiving title from the dealer, or has sold a vehicle without obtaining a certificate, he shall cancel the registration of all vehicles registered in the name of the person, either as sole owner or as a co-owner, and shall notify the person that the cancellation will remain in force until the person pays the delinquency penalty fee provided in this section, together with all fees, charges and payments which the person should have paid in connection with the certificate of ownership and registration of the vehicle. The certificate shall be good for the life of the motor vehicle or trailer so long as the same is owned or held by the original holder of the certificate and shall not have to be renewed annually.

6. Any applicant for a certificate of ownership requesting the department of revenue to process an application for a certificate of ownership in an expeditious manner requiring special handling shall pay a fee of five dollars in addition to the regular certificate of ownership fee.

7. It is unlawful for any person to operate in this state a motor vehicle or trailer required to be registered under the provisions of the law unless a certificate of ownership has been applied for as provided in this section.

8. Before an original Missouri certificate of ownership is
issued, an inspection of the vehicle and a verification of vehicle identification numbers shall be made by the Missouri state highway patrol on vehicles for which there is a current title issued by another state if a Missouri salvage certificate of title has been issued for the same vehicle but no prior inspection and verification has been made in this state, except that if such vehicle has been inspected in another state by a law enforcement officer in a manner comparable to the inspection process in this state and the vehicle identification numbers have been so verified, the applicant shall not be liable for the twenty-five dollar inspection fee if such applicant submits proof of inspection and vehicle identification number verification to the director of revenue at the time of the application. The applicant, who has such a title for a vehicle on which no prior inspection and verification have been made, shall pay a fee of twenty-five dollars for such verification and inspection, payable to the director of revenue at the time of the request for the application, which shall be deposited in the state treasury to the credit of the state highways and transportation department fund.

9. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The vehicle examination shall include a
verification of vehicle identification numbers and a
determination of the classification of the vehicle. The owner of
a vehicle which requires a vehicle examination certificate shall
present the vehicle for examination and obtain a completed
vehicle examination certificate prior to submitting an
application for a certificate of ownership to the director of
revenue. Notwithstanding any provision of the law to the
contrary, an owner presenting a motor vehicle which has been
issued a salvage title and which is ten years of age or older to
a vehicle examination described in this subsection in order to
obtain a certificate of ownership with the designation prior
salvage motor vehicle shall not be required to repair or restore
the vehicle to its original appearance in order to pass or
complete the vehicle examination. The fee for the vehicle
examination application shall be twenty-five dollars and shall be
collected by the director of revenue at the time of the request
for the application and shall be deposited in the state treasury
to the credit of the state highways and transportation department
fund. If the vehicle is also to be registered in Missouri, the
safety inspection required in chapter 307 and the emissions
inspection required under chapter 643 shall be completed and the
fees required by section 307.365 and section 643.315 shall be
charged to the owner.

10. When an application is made for an original Missouri
certificate of ownership for a motor vehicle previously
registered or titled in a state other than Missouri or as
required by section 301.020, it shall be accompanied by a current
inspection form certified by a duly authorized official
inspection station as described in chapter 307. The completed form shall certify that the manufacturer's identification number for the vehicle has been inspected, that it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the time of inspection. The inspection station shall collect the same fee as authorized in section 307.365 for making the inspection, and the fee shall be deposited in the same manner as provided in section 307.365. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and only the fees required by section 307.365 and section 643.315 shall be charged to the owner. This section shall not apply to vehicles being transferred on a manufacturer's statement of origin.

11. Motor vehicles brought into this state in a wrecked or damaged condition or after being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle procedures shall, in lieu of the inspection required by subsection 10 of this section, be inspected by the Missouri state highway patrol in accordance with subsection 9 of this section. If the inspection reveals the vehicle to be in a salvage or junk condition, the director shall so indicate on any Missouri certificate of ownership issued for such vehicle. Any salvage designation shall be carried forward on all subsequently issued certificates of title for the motor vehicle.

12. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the
1 certificate of ownership has been appropriately designated by the
2 issuing state as a reconstructed motor vehicle, motor change
3 vehicle, specially constructed motor vehicle, or prior salvage
4 vehicle, the director of revenue shall appropriately designate on
5 the current Missouri and all subsequent issues of the certificate
6 of ownership the name of the issuing state and such prior
7 designation. The absence of any prior designation shall not
8 relieve a transferor of the duty to exercise due diligence with
9 regard to such certificate of ownership prior to the transfer of
10 a certificate. If a transferor exercises any due diligence with
11 regard to a certificate of ownership, the legal transfer of a
12 certificate of ownership without any designation that is
13 subsequently discovered to have or should have had a designation
14 shall be a transfer free and clear of any liabilities of the
15 transferor associated with the missing designation.

13. When an application is made for an original Missouri
14 certificate of ownership for a motor vehicle previously
15 registered or titled in a state other than Missouri, and the
16 certificate of ownership has been appropriately designated by the
17 issuing state as non-USA-std motor vehicle, the director of
18 revenue shall appropriately designate on the current Missouri and
19 all subsequent issues of the certificate of ownership the words
20 "Non-USA-Std Motor Vehicle".

14. The director of revenue and the superintendent of the
15 Missouri state highway patrol shall make and enforce rules for
16 the administration of the inspections required by this section.

15. Each application for an original Missouri certificate
16 of ownership for a vehicle which is classified as a reconstructed
motor vehicle, manufactured forty or more years prior to the current model year, and which has a value of three thousand dollars or less shall be accompanied by:

(1) A proper affidavit submitted by the owner explaining how the motor vehicle or trailer was acquired and, if applicable, the reasons a valid certificate of ownership cannot be furnished;

(2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the source of all major component parts used to rebuild the vehicle;

(3) A fee of one hundred fifty dollars in addition to the fees described in subsection 5 of this section. Such fee shall be deposited in the state treasury to the credit of the state highways and transportation department fund; and

(4) An inspection certificate, other than a motor vehicle examination certificate required under subsection 9 of this section, completed and issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The inspection performed by the highway patrol or other authorized local law enforcement agency shall include a check for stolen vehicles.

The department of revenue shall issue the owner a certificate of ownership designated with the words "Reconstructed Motor Vehicle" and deliver such certificate of ownership in accordance with the provisions of this chapter. Notwithstanding subsection 9 of this section, no owner of a reconstructed motor vehicle described in this subsection shall be required to obtain a vehicle examination certificate issued by the Missouri state highway patrol.
301.193. 1. Any person who purchases or is the owner of real property on which vehicles, as defined in section 301.010, vessels or watercraft, as defined in section 306.010, or outboard motors, as that term is used in section 306.530, have been abandoned, without the consent of said purchaser or owner of the real property, may apply to the department of revenue for a certificate of title. Any insurer which purchases a vehicle through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make an application to the department of revenue for a salvage certificate of title pursuant to this section. Prior to making application for a certificate of title on a vehicle under this section, the insurer or owner of the real estate shall have the vehicle inspected by law enforcement pursuant to subsection 9 of section 301.190, and shall have law enforcement perform a check in the national crime information center and any appropriate statewide law enforcement computer to determine if the vehicle has been reported stolen and the name and address of the person to whom the vehicle was last titled and any lienholders of record. The insurer or owner or purchaser of the real estate shall, thirty days prior to making application for title, notify any owners or lienholders of record for the vehicle by certified mail that the owner intends to apply for a certificate of title from the director for the abandoned vehicle. The application for title shall be accompanied by:

(1) A statement explaining the circumstances by which the property came into the insurer, owner, or purchaser's possession; a description of the property including the year, make, model, vehicle identification number, and any decal or license plate
that may be affixed to the vehicle; the current location of the property; and the retail value of the property;

(2) An inspection report of the property, if it is a vehicle, by a law enforcement agency pursuant to subsection 9 of section 301.190; and

(3) A copy of the thirty-day notice and certified mail receipt mailed to any owner and any person holding a valid security interest of record.

2. Upon receipt of the application and supporting documents, the director shall search the records of the department of revenue, or initiate an inquiry with another state, if the evidence presented indicated the property described in the application was registered or titled in another state, to verify the name and address of any owners and any lienholders. If the latest owner or lienholder was not notified the director shall inform the insurer, owner, or purchaser of the real estate of the latest owner and lienholder information so that notice may be given as required by subsection 1 of this section. Any owner or lienholder receiving notification may protest the issuance of title by, within the thirty-day or forty-five-day notice period, as applicable, and may file a petition to recover the vehicle, naming the insurer described in subsection 1, 3, or 6 of this section, as applicable; a salvage pool or salvage dealer and dismantler described in subsection 4 of this section; a used motor vehicle dealer described in subsection 5 of this section; or the owner of the real estate and serving a copy of the petition on the director of revenue. The director shall not be a party to such petition but shall, upon receipt of the petition,
suspend the processing of any further certificate of title until
the rights of all parties to the vehicle are determined by the
court. Once all requirements are satisfied the director shall
issue one of the following:

(1) An original certificate of title if the vehicle
examination certificate, as provided in section 301.190,
indicates that the vehicle was not previously in a salvaged
condition or rebuilt;

(2) An original certificate of title designated as prior
salvage if the vehicle examination certificate as provided in
section 301.190 indicates the vehicle was previously in a
salvaged condition or rebuilt;

(3) A salvage certificate of title designated with the
words "salvage/abandoned property" or junking certificate based
on the condition of the property as stated in the inspection
report. An insurer purchasing a vehicle through the claims
adjustment process under this section shall only be eligible to
obtain a salvage certificate of title or junking certificate. A
salvage pool or salvage dealer and dismantler described in
subsection 4 of this section or a used motor vehicle dealer
described in subsection 5 of this section shall only be eligible
to obtain a salvage certificate of title or junking certificate.

3. Any insurer which purchases a vehicle that is currently
titled in Missouri through the claims adjustment process for
which the insurer is unable to obtain a negotiable title may make
application to the department of revenue for a salvage
certificate of title or junking certificate. Such application
may be made by the insurer or its designated salvage pool on a
form provided by the department and signed under penalty of
perjury. The application shall include a declaration that the
insurer has made at least two written attempts to obtain the
certificate of title, transfer documents, or other acceptable
evidence of title, and be accompanied by proof of claims payment
from the insurer, evidence that letters were sent to the vehicle
owner, a statement explaining the circumstances by which the
property came into the insurer's possession, a description of the
property including the year, make, model, vehicle identification
number, and current location of the property, and the fee
prescribed in subsection 5 of section 301.190. The insurer
shall, thirty days prior to making application for title, notify
any owners or lienholders of record for the vehicle that the
insurer intends to apply for a certificate of title from the
director for the vehicle. Upon receipt of the application and
supporting documents, the director shall search the records of
the department of revenue to verify the name and address of any
owners and any lienholders. If the director identifies any
additional owner or lienholder who has not been notified by the
insurer, the director shall inform the insurer of such additional
owner or lienholder and the insurer shall notify the additional
owner or lienholder of the insurer's intent to obtain title as
prescribed in this section. If no valid lienholders have
notified the department of the existence of a lien, the
department shall issue a salvage certificate of title or junking
certificate for the vehicle in the name of the insurer.

4. Any salvage pool or salvage dealer and dismantler that
takes possession of a vehicle at the request of an insurer when
the insurer does not purchase the vehicle through the claims adjustment process may apply to the department for a salvage certificate of title or junking certificate in the name of the salvage pool or salvage dealer and dismantler if the vehicle has remained unclaimed on the salvage pool's or salvage dealer and dismantler's premises for more than forty-five days. The salvage pool or salvage dealer and dismantler shall, forty-five days prior to making application for title, notify any owners or lienholders of record for the vehicle that the salvage pool or salvage dealer and dismantler intends to apply to the director for a certificate of title for the vehicle unless the owner or lienholder removes the vehicle from the salvage pool's or salvage dealer and dismantler's premises within the forty-five days. The application for title shall be on a form provided by the department, signed under penalty of perjury, and shall be accompanied by:

(1) A statement explaining the circumstances by which the vehicle came into the salvage pool's or salvage dealer and dismantler's possession; a description of the vehicle including the year, make, model, and vehicle identification number; the current location of the property; and the fee prescribed in subsection 5 of section 301.190;

(2) A copy of the forty-five-day notice and certified mail receipt mailed, or proof that the request was delivered by a nationally recognized courier service, to any owner and any person holding a valid security interest of record; and

(3) If the vehicle is not currently titled in Missouri, an inspection report of the vehicle by a law enforcement agency
pursuant to subsection 9 of section 301.190.

Upon receipt of the application and supporting documents, the director shall search the records of the department, or initiate an inquiry with another state if the evidence presented indicated the property described in the application was registered or titled in another state, to verify the name and address of any owners and any lienholders. If the director identifies any additional owner or lienholder who has not been notified by the salvage pool or salvage dealer and dismantler, the director shall inform the salvage pool or salvage dealer and dismantler of such additional owner or lienholder and the salvage pool or salvage dealer and dismantler shall notify the additional owner or lienholder of the salvage pool's or salvage dealer and dismantler's intent to obtain title as prescribed in this section. If no valid lienholders have notified the department of the existence of a lien, the department shall issue a salvage certificate of title or junking certificate for the vehicle in the name of the salvage pool or salvage dealer and dismantler.

5. Any used motor vehicle dealer that takes possession of a vehicle at the request of an organization exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code when such organization does not provide the used motor vehicle dealer with a negotiable title may apply to the department of revenue for a salvage certificate of title or junking certificate in the name of the used motor vehicle dealer if the vehicle has remained unclaimed on the used motor vehicle dealer's premises for more than forty-five days. The used motor
vehicle dealer shall, forty-five days prior to making application
for title, notify any owners or lienholders of record for the
vehicle that the used motor vehicle dealer intends to apply for a
certificate of title from the director for the vehicle unless the
owner or lienholder removes the vehicle from the used motor
vehicle dealer's premises within the forty-five days. The
application for title shall be on a form provided by the
department, signed under penalty of perjury, and shall be
accompanied by:

(1) A statement explaining the circumstances by which the
vehicle came into the used motor vehicle dealer's possession; a
description of the vehicle including the year, make, model, and
vehicle identification number; the current location of the
property; and the fee prescribed in subsection 5 of section
301.190;

(2) A copy of the forty-five-day notice and certified mail
receipt mailed, or proof that the request was delivered by a
nationally recognized courier service, to any owner and any
person holding a valid security interest of record; and

(3) If the vehicle is not currently titled in Missouri, an
inspection report of the vehicle by a law enforcement agency
pursuant to subsection 9 of section 301.190.

Upon receipt of the application and supporting documents, the
director shall search the records of the department, or initiate
an inquiry with another state if the evidence presented indicated
the property described in the application was registered or
titled in another state, to verify the name and address of any
owners and any lienholders. If the director identifies any additional owner or lienholder who has not been notified by the used motor vehicle dealer, the director shall inform the used motor vehicle dealer of such additional owner or lienholder and the used motor vehicle dealer shall notify the additional owner or lienholder of the used motor vehicle dealer's intent to obtain title as prescribed in this section. If no valid lienholders have notified the department of the existence of a lien, the department shall issue a salvage certificate of title or junking certificate for the vehicle in the name of the used motor vehicle dealer.

6. Any insurer that purchases a vessel or watercraft that is currently titled in Missouri through the claims adjustment process and for which the insurer is unable to obtain a negotiable title may make application to the department for a certificate of title. Such application may be made by the insurer or its designated salvage pool or salvage dealer and dismantler on a form provided by the department and signed under penalty of perjury. The application shall include a declaration that the insurer has made at least two written attempts to obtain the certificate of title, transfer documents, or other acceptable evidence of title and be accompanied by proof of claims payment from the insurer; evidence that letters were sent to the vessel or watercraft owner; a statement explaining the circumstances by which the property came into the insurer's possession; a description of the property including the year, make, and hull identification number; the current location of the property; and the fee prescribed in subsection 3 of section 306.015. The
insurer shall, thirty days prior to making application for title, notify any owners or lienholders of record for the vessel or watercraft that the insurer intends to apply to the director for a certificate of title for the vessel or watercraft. Upon receipt of the application and supporting documents, the director shall search the records of the department of revenue to verify the name and address of any owners and any lienholders. If the director identifies any additional owner or lienholder who has not been notified by the insurer, the director shall inform the insurer of such additional owner or lienholder and the insurer shall notify the additional owner or lienholder of the insurer's intent to obtain title as prescribed in this section. If no valid lienholders have notified the department of the existence of a lien, the department shall issue a certificate of title for the vessel or watercraft in the name of the insurer.

301.210. 1. In the event of a sale or transfer of ownership of a motor vehicle or trailer for which a certificate of ownership has been issued, the holder of such certificate shall endorse on the same an assignment thereof, with warranty of title in form printed thereon, and prescribed by the director of revenue, with a statement of all liens or encumbrances on such motor vehicle or trailer, and deliver the same to the buyer at the time of the delivery to him of such motor vehicle or trailer; provided that, when the transfer of a motor vehicle, trailer, boat or outboard motor occurs within a corporation which holds a license to operate as a motor vehicle or boat dealer pursuant to sections 301.550 to 301.575, the provisions of subdivision (3) of subsection 7 of section 144.070 shall not apply.
2. The buyer shall then present such certificate, assigned as aforesaid, to the director of revenue, at the time of making application for the registration of such motor vehicle or trailer, whereupon a new certificate of ownership shall be issued to the buyer, the fee therefor being that prescribed in subsection 5 of section 301.190.

3. If such motor vehicle or trailer is sold to a resident of another state or country, or if such motor vehicle or trailer is destroyed or dismantled, the owner thereof shall immediately notify the director of revenue. Certificates when so signed and returned to the director of revenue shall be retained by the director of revenue and all certificates shall be appropriately indexed so that at all times it will be possible for him to expeditiously trace the ownership of the motor vehicle or trailer designated therein.

4. It shall be unlawful for any person to buy or sell in this state any motor vehicle or trailer registered under the laws of this state, unless, at the time of the delivery thereof, there shall pass between the parties such certificates of ownership with an assignment thereof, as provided in this section, and the sale of any motor vehicle or trailer registered under the laws of this state, without the assignment of such certificate of ownership, shall be presumed fraudulent and void unless the parties have executed a written agreement for delayed delivery of certificate of ownership as provided in subsection 5 of this section.

5. A motor vehicle dealer licensed under sections 301.550 to 301.580 may deliver a motor vehicle or trailer to a purchaser
with a written agreement to pass the certificate of ownership with an assignment to the purchaser within thirty days after delivery, inclusive of weekends and holidays.

(1) The form of the agreement shall be prescribed by the director of revenue. The agreement shall provide that if the motor vehicle dealer does not pass the certificate of ownership with an assignment to the purchaser within thirty days that the sale shall be voidable at purchaser's option and, in such case, dealer shall re-purchase the vehicle by paying and satisfying in full any purchase money lien against the vehicle, including accrued penalties and fees, with the remainder of one hundred percent of the sale price refunded and paid by the dealer to the buyer. As used in this subdivision, the term "sale price" shall include the negotiated price of the vehicle, the down payment, the trade-in allowance even if the allowance reflected negative equity, and the price of all optional services and products sold to the buyer under the sales and finance transaction.

(2) In the event a motor vehicle subject to this subsection has suffered physical damage covered by the purchaser's vehicle insurance policy and the vehicle is determined by the insurance company to be a total loss, the insurance company may satisfy the claim in full, with respect to the damage to the vehicle, by transferring all proceeds to such purchaser and any secured lienholder of record. The purchaser shall not assign the purchaser's corresponding insurance benefits to any party without the express written permission of the insurer. In conjunction with such satisfaction of the claim, if as part of such claim settlement the insurance company is to receive the vehicle under
subdivision (3) of this subsection, but clear title never vests with the purchaser within the thirty-day period after the date of sale prescribed by subdivision (1) of this subsection or within ten days of the claim settlement date, whichever is later, the insurance company shall notify the dealer that clear title never vested with the purchaser and the dealer shall reimburse the insurance company for the salvage value of such vehicle as determined in the claims settlement with the purchaser, and in exchange the insurance company shall assign its rights to the vehicle back to the dealer. If the dealer fails to make payment to the insurance company within fifteen days of receiving notice, the dealer shall be liable to the insurance company for the value of the salvage as determined in the claims settlement with the purchaser, plus any actual damages and any applicable court costs, in return for the right to acquire the title and apply for a salvage title under this chapter.

(3) Notwithstanding any provision of law to the contrary, completion of the requirements of this subsection shall constitute prima facie evidence of an ownership interest vested in the purchaser of the vehicle for all purposes other than for a subsequent transfer of ownership of the vehicle by the purchaser, subject to the rights of any secured lienholder of record; however, the purchaser may use a dealer-supplied copy of the agreement to transfer his or her ownership of the vehicle to an insurance company in situations where the vehicle has been declared salvage or a total loss by the insurance company as a result of a settlement of a claim. Such insurance company may apply for a salvage certificate of title or junking certificate.
under subsection 3 of section 301.193 in order to transfer its
interest in such vehicle. The purchaser may also use a
dealer-supplied copy of the agreement on the form prescribed by
the director of revenue as proof of ownership interest. Any
lender or insurance company may rely upon a copy of the signed
written agreement on the form prescribed by the director of
revenue as proof of ownership interest. Any lien placed upon a
vehicle based upon such signed written agreement shall be valid
and enforceable, notwithstanding the absence of a certificate of
ownership.

(4) No motor vehicle dealer shall be authorized under this
subsection to enter and have outstanding any such written
agreements until such dealer has provided to the director of
revenue a surety bond or irrevocable letter of credit in an
amount not less than one hundred thousand dollars in a form which
complies with the requirements of section 301.560 and in lieu of
the fifty thousand dollar bond otherwise required for licensure
as a motor vehicle dealer.

301.213. 1. Notwithstanding the provisions of sections
301.200 and 301.210, any person licensed as a motor vehicle
dealer under sections 301.550 to 301.580 that has provided to the
director of revenue a surety bond or irrevocable letter of credit
in an amount not less than one hundred thousand dollars in a form
which complies with the requirements of section 301.560 and in
lieu of the fifty thousand dollar bond otherwise required for
licensure as a motor vehicle dealer shall be authorized to
purchase or accept in trade any motor vehicle for which there has
been issued a certificate of ownership, and to receive such
vehicle subject to any existing liens thereon created and
perfected under sections 301.600 to 301.660 provided the licensed
dealer receives the following:

(1) A signed written contract between the licensed dealer
and the owner of the vehicle outlining the terms of the sale or
acceptance in trade of such motor vehicle without transfer of the
certificate of ownership; and

(2) Physical delivery of the vehicle to the licensed
dealer; and

(3) A power of attorney from the owner to the licensed
dealer, in accordance with subsection 4 of section 301.300,
authorizing the licensed dealer to obtain a duplicate or
replacement title in the owner's name and sign any title
assignments on the owner's behalf.

2. If the dealer complies with the requirements of
subsection 1 of this section, the sale or trade of the vehicle to
the dealer shall be considered final, subject to any existing
liens created and perfected under sections 301.600 to 301.660.
Once the prior owner of the motor vehicle has physically
delivered the motor vehicle to the licensed dealer, the prior
owners' insurable interest in such vehicle shall cease to exist.

3. If a licensed dealer complies with the requirements of
subsection 1 of this section, and such dealer has provided to the
director of revenue a surety bond or irrevocable letter of credit
in amount not less than one hundred thousand dollars in a form
which complies with the requirements of section 301.560 and in
lieu of the fifty thousand dollar bond otherwise required for
licensure as a motor vehicle dealer, such dealer may sell such
vehicle prior to receiving and assigning to the purchaser the certificate of ownership, provided such dealer complies with the following:

   (1) All outstanding liens created on the vehicle pursuant to sections 301.600 to 301.660 have been paid in full, and the dealer provides a copy of proof or other evidence to the purchaser; and

   (2) The dealer has obtained proof or other evidence from the department of revenue confirming that no outstanding child support liens exist upon the vehicle at the time of sale and provides a copy of said proof or other evidence to the purchaser; and

   (3) The dealer has obtained proof or other evidence from the department of revenue confirming that all applicable state sales tax has been satisfied on the sale of the vehicle to the previous owner and provides a copy of said proof or other evidence to the purchaser; and

   (4) The dealer has signed an application for duplicate or replacement title for the vehicle under subsection 4 of section 301.300 and provides a copy of the application to the purchaser, along with a copy of the power of attorney required by subsection 1 of this section, and the dealer has prepared and delivered to the purchaser an application for title for the vehicle in the purchaser's name; and

   (5) The dealer and the purchaser have entered into a written agreement for the subsequent assignment and delivery of such certificate of ownership, on a form prescribed by the director of revenue, to take place at a time, not to exceed sixty
calendar days, after the time of delivery of the motor vehicle to
the purchaser. Such agreement shall require the purchaser to
provide to the dealer proof of financial responsibility in
accordance with chapter 303 and proof of comprehensive and
collision coverage on the motor vehicle. Such dealer shall
maintain the original or an electronic copy of the signed
agreement and deliver a copy of the signed agreement to the
purchaser. Such dealer shall also complete and deliver to the
director of revenue such form as the director shall prescribe
demonstrating that the purchaser has purchased the vehicle
without contemporaneous delivery of the title.

Notwithstanding any provision of law to the contrary, completion
of the requirements of this subsection shall constitute prima
facie evidence of an ownership interest vested in the purchaser
of the vehicle for all purposes other than for a subsequent
transfer of ownership of the vehicle by the purchaser, subject to
the rights of any secured lienholder of record; however, the
purchaser may use the dealer-supplied copy of the agreement to
transfer his or her ownership of the vehicle to an insurance
company in situations where the vehicle has been declared salvage
or a total loss by the insurance company as a result of a
settlement of a claim. Such insurance company may apply for a
salvage certificate of title or junking certificate pursuant to
the provisions of subsection 3 of section 301.193 in order to
transfer its interest in such vehicle. The purchaser may also
use the dealer-supplied copy of the agreement on the form
prescribed by the director of revenue as proof of ownership
interest. Any lender or insurance company may rely upon a copy of the signed written agreement on the form prescribed by the director of revenue as proof of ownership interest. Any lien placed upon a vehicle based upon such signed written agreement shall be valid and enforceable, notwithstanding the absence of a certificate of ownership.

4. Following a sale or other transaction in which a certificate of ownership has not been assigned from the owner to the licensed dealer, the dealer shall, within ten business days, apply for a duplicate or replacement certificate of ownership. Upon receipt of a duplicate or replacement certificate of ownership applied for under subsection 4 of section 301.300, the dealer shall assign and deliver said certificate of ownership to the purchaser of the vehicle within five business days. The dealer shall maintain proof of the assignment and delivery of the certificate of ownership to the purchaser. For purposes of this subsection, a dealer shall be deemed to have delivered the certificate of ownership to the purchaser upon either:

(1) Physical delivery of the certificate of ownership to any of the purchasers identified in the contract with such dealer; or

(2) Mailing of the certificate, postage prepaid, return receipt requested, to any of the purchasers at any of their addresses identified in the contract with such dealer.

5. If a licensed dealer fails to comply with subsection 3 of this section, and the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle for actual damages, plus court costs and reasonable
attorney fees.

6. If a licensed dealer fails or is unable to comply with subsection 4 of this section, and the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle for actual damages, plus court costs and reasonable attorney fees. If the dealer cannot be found by the purchaser after making reasonable attempts, or if the dealer fails to assign and deliver the duplicate or replacement certificate of ownership to the purchaser by the date agreed upon by the dealer and the purchaser, as required by subsection 4 of this section, then the purchaser may deliver to the director a copy of the contract for sale of the vehicle, a copy of the application for duplicate title provided by the dealer to the purchaser, a copy of the secure power of attorney allowing the dealer to assign the duplicate title, and the proof or other evidence obtained by the purchaser from the dealer under subsection 3 of this section. Thereafter, the director shall mail by certified mail, return receipt requested, a notice to the dealer at the last address given to the department by that dealer. That notice shall inform the dealer that the director intends to cancel any prior certificate of title which may have been issued to the dealer on the vehicle and issue to the purchaser a certificate of title in the name of the purchaser, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle, unless the dealer, within ten business days from the date of the director's notice, files with the director a written objection to the director taking such action. If the dealer does file a timely, written objection with
the director, then the director shall not take any further action
without an order from a court of competent jurisdiction.
However, if the dealer does not file a timely, written objection
with the director, then the director shall cancel the prior
certificate of title issued to the dealer on the vehicle and
issue a certificate of title to the purchaser of the vehicle,
subject to any liens incurred by the purchaser in connection with
the purchase of the vehicle and subject to the purchaser
satisfying all applicable taxes and fees associated with
registering the vehicle.

7. If a seller misrepresents to a dealer that the seller is
the owner of a vehicle and the dealer, the owner, any subsequent
purchaser, or any prior or subsequent lienholder is thereby
damaged, then the seller shall be liable to each such party for
actual and punitive damages, plus court costs and reasonable
attorney fees.

8. When a lienholder is damaged as a result of a licensed
dealer's acts, errors, omissions, or violations of this section,
then the dealer shall be liable to the lienholder for actual
damages, plus court costs and reasonable attorney fees.

9. No court costs or attorney fees shall be awarded under
this section unless, prior to filing any such action, the
following conditions have been met:

(1) The aggrieved party seeking damages has delivered an
itemized written demand of the party's actual damages to the
party from whom damages are sought; and

(2) The party from whom damages are sought has not
satisfied the written demand within thirty days after receipt of
the written demand.

10. The department of revenue may use a dealer's repeated or intentional violation of this section as a cause to suspend, revoke, or refuse to issue or renew any license required pursuant to sections 301.550 to 301.580, in addition to the causes set forth in section 301.562. The hearing process shall be the same as that established in subsection 6 of section 301.562.

11. No dealer shall enter into a contract under this section after December 31, 2020. Any contract entered into prior to December 31, 2020, shall be enforceable as provided in this section. This section shall be repealed effective December 31, 2020.

301.280. 1. Every motor vehicle dealer and boat dealer shall make a monthly report to the department of revenue, on blanks to be prescribed by the department of revenue, giving the following information: date of the sale of each motor vehicle, boat, trailer and all-terrain vehicle sold; the name and address of the buyer; the name of the manufacturer; year of manufacture; model of vehicle; vehicle identification number; style of vehicle; odometer setting; and it shall also state whether the motor vehicle, boat, trailer or all-terrain vehicle is new or secondhand. Each monthly sales report filed by a motor vehicle dealer who collects sales tax under subsection 10 of section 144.070 shall also include the amount of state and local sales tax collected for each motor vehicle sold if sales tax was due. The odometer reading is not required when reporting the sale of any motor vehicle that is ten years old or older, any motor vehicle having a gross vehicle weight rating of more than sixteen
thousand pounds, new vehicles that are transferred on a manufacturer's statement of origin between one franchised motor vehicle dealer and another, or boats, all-terrain vehicles or trailers. The sale of all temporary permits shall be recorded in the appropriate space on the dealer's monthly sales report, unless the sale of the temporary permit is already recorded by electronic means as determined by the department. The monthly sales report shall include a statement of motor vehicles or trailers sold during the month under subsection 5 of section 301.210. The monthly sales report shall be completed in full and signed by an officer, partner, or owner of the dealership, and actually received by the department of revenue on or before the fifteenth day of the month succeeding the month for which the sales are being reported. If no sales occur in any given month, a report shall be submitted for that month indicating no sales. Any vehicle dealer who fails to file a monthly report or who fails to file a timely report shall be subject to disciplinary action as prescribed in section 301.562 or a penalty assessed by the director not to exceed three hundred dollars per violation. Every motor vehicle and boat dealer shall retain copies of the monthly sales report as part of the records to be maintained at the dealership location and shall hold them available for inspection by appropriate law enforcement officials and officials of the department of revenue. Every vehicle dealer selling twenty or more vehicles a month shall file the monthly sales report with the department in an electronic format. Any dealer filing a monthly sales report in an electronic format shall be exempt from filing the notice of transfer required by section
301.196. For any dealer not filing electronically, the notice of transfer required by section 301.196 shall be submitted with the monthly sales report as prescribed by the director.

2. Every dealer and every person operating a public garage shall keep a correct record of the vehicle identification number, odometer setting, manufacturer's name of all motor vehicles or trailers accepted by him for the purpose of sale, rental, storage, repair or repainting, together with the name and address of the person delivering such motor vehicle or trailer to the dealer or public garage keeper, and the person delivering such motor vehicle or trailer shall record such information in a file kept by the dealer or garage keeper. The record shall be kept for five years and be open for inspection by law enforcement officials, members or authorized or designated employees of the Missouri highway patrol, and persons, agencies and officials designated by the director of revenue.

3. Every dealer and every person operating a public garage in which a motor vehicle remains unclaimed for a period of fifteen days shall, within five days after the expiration of that period, report the motor vehicle as unclaimed to the director of revenue. Such report shall be on a form prescribed by the director of revenue. A motor vehicle left by its owner whose name and address are known to the dealer or his employee or person operating a public garage or his employee is not considered unclaimed. Any dealer or person operating a public garage who fails to report a motor vehicle as unclaimed as herein required forfeits all claims and liens for its garaging, parking or storing.
4. The director of revenue shall maintain appropriately indexed cumulative records of unclaimed vehicles reported to the director. Such records shall be kept open to public inspection during reasonable business hours.

5. The alteration or obliteration of the vehicle identification number on any such motor vehicle shall be prima facie evidence of larceny, and the dealer or person operating such public garage shall upon the discovery of such obliteration or alteration immediately notify the highway patrol, sheriff, marshal, constable or chief of police of the municipality where the dealer or garage keeper has his place of business, and shall hold such motor vehicle or trailer for a period of forty-eight hours for the purpose of an investigation by the officer so notified.

6. Any person who knowingly makes a false statement or omission of a material fact in a monthly sales report to the department of revenue, as described in subsection 1 of this section, shall be deemed guilty of a class A misdemeanor.

301.560. 1. In addition to the application forms prescribed by the department, each applicant shall submit the following to the department:

   (1) Every application other than a renewal application for a motor vehicle franchise dealer shall include a certification that the applicant has a bona fide established place of business. Such application shall include an annual certification that the applicant has a bona fide established place of business for the first three years and only for every other year thereafter. The certification shall be performed by a uniformed member of the
Missouri state highway patrol or authorized or designated employee stationed in the troop area in which the applicant's place of business is located; except that in counties of the first classification, certification may be performed by an officer of a metropolitan police department when the applicant's established place of business of distributing or selling motor vehicles or trailers is in the metropolitan area where the certifying metropolitan police officer is employed. When the application is being made for licensure as a boat manufacturer or boat dealer, certification shall be performed by a uniformed member of the Missouri state water patrol stationed in the district area in which the applicant's place of business is located or by a uniformed member of the Missouri state highway patrol or authorized or designated employee stationed in the troop area in which the applicant's place of business is located or, if the applicant's place of business is located within the jurisdiction of a metropolitan police department in a first class county, by an officer of such metropolitan police department. A bona fide established place of business for any new motor vehicle franchise dealer, used motor vehicle dealer, boat dealer, powersport dealer, wholesale motor vehicle dealer, trailer dealer, or wholesale or public auction shall be a permanent enclosed building or structure, either owned in fee or leased and actually occupied as a place of business by the applicant for the selling, bartering, trading, servicing, or exchanging of motor vehicles, boats, personal watercraft, or trailers and wherein the public may contact the owner or operator at any reasonable time, and wherein shall be kept and maintained the books, records,
files and other matters required and necessary to conduct the business. The applicant shall maintain a working telephone number during the entire registration year which will allow the public, the department, and law enforcement to contact the applicant during regular business hours. The applicant shall also maintain an email address during the entire registration year which may be used for official correspondence with the department. In order to qualify as a bona fide established place of business for all applicants licensed pursuant to this section there shall be an exterior sign displayed carrying the name of the business set forth in letters at least six inches in height and clearly visible to the public and there shall be an area or lot which shall not be a public street on which multiple vehicles, boats, personal watercraft, or trailers may be displayed. The sign shall contain the name of the dealership by which it is known to the public through advertising or otherwise, which need not be identical to the name appearing on the dealership's license so long as such name is registered as a fictitious name with the secretary of state, has been approved by its line-make manufacturer in writing in the case of a new motor vehicle franchise dealer and a copy of such fictitious name registration has been provided to the department. Dealers who sell only emergency vehicles as defined in section 301.550 are exempt from maintaining a bona fide place of business, including the related law enforcement certification requirements, and from meeting the minimum yearly sales;

(2) The initial application for licensure shall include a photograph, not to exceed eight inches by ten inches but no less
than five inches by seven inches, showing the business building, lot, and sign. A new motor vehicle franchise dealer applicant who has purchased a currently licensed new motor vehicle franchised dealership shall be allowed to submit a photograph of the existing dealership building, lot and sign but shall be required to submit a new photograph upon the installation of the new dealership sign as required by sections 301.550 to 301.580. Applicants shall not be required to submit a photograph annually unless the business has moved from its previously licensed location, or unless the name of the business or address has changed, or unless the class of business has changed;

(3) Every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, trailer dealer, or boat dealer shall furnish with the application a corporate surety bond or an irrevocable letter of credit as defined in section 400.5-102, issued by any state or federal financial institution in the penal sum of fifty thousand dollars on a form approved by the department. The bond or irrevocable letter of credit shall be conditioned upon the dealer complying with the provisions of the statutes applicable to new motor vehicle franchise dealers, used motor vehicle dealers, powersport dealers, wholesale motor vehicle dealers, trailer dealers, and boat dealers, and the bond shall be an indemnity for any loss sustained by reason of the acts of the person bonded when such acts constitute grounds for the suspension or revocation of the dealer's license. The bond shall be executed in the name of the state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of
credit shall name the state of Missouri as the beneficiary; except, that the aggregate liability of the surety or financial institution to the aggrieved parties shall, in no event, exceed the amount of the bond or irrevocable letter of credit. [The proceeds of the bond or irrevocable letter of credit shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party.] Additionally, every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, or boat dealer shall furnish with the application a copy of a current dealer garage policy bearing the policy number and name of the insurer and the insured. The proceeds of the bond or irrevocable letter of credit furnished by an applicant shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party. The proceeds of the bond or irrevocable letter of credit furnished by an applicant shall be paid at the order of the department and in the amount determined by the department to any buyer or interested lienholder up to the greater of the amount required for the release of the purchase money lien or the sales price paid by the buyer where a dealer has failed to fulfill the dealer's obligations under an agreement to assign and deliver title to the buyer within thirty days under a contract entered into pursuant to subsection 5 of section 301.210. The department shall direct release of the bond or irrevocable letter of credit proceeds upon presentation of a written agreement entered into pursuant to subsection 5 of
section 301.210, copies of the associated sales and finance
documents, and the affidavit or affidavits of the buyer or
lienholder stating that the certificate of title with assignment
thereof has not been passed to the buyer within thirty days of
the date of the contract entered into under subsection 5 of
section 301.210, that the dealer has not fulfilled the agreement
under the contract to re-purchase the vehicle, that the buyer or
the lienholder has notified the dealer of the claim on the bond
or letter of credit, and the amount claimed by the purchaser or
lienholder. In addition, prior to directing release and payment
of the proceeds of a bond or irrevocable letter of credit, the
department shall ensure that there is satisfactory evidence to
establish that the vehicle which is subject to the written
agreement has been returned by the buyer to the dealer or that
the buyer has represented to the department that the buyer will
surrender possession of the vehicle to the dealer upon payment of
the proceeds of the bond or letter of credit directed by the
department. Excepting ordinary wear and tear or mechanical
failures not caused by the buyer, the amount of proceeds to be
paid to the buyer under the bond or irrevocable letter of credit
shall be reduced by an amount equivalent to any damage, abuse, or
destruction incurred by the vehicle while the vehicle was in the
buyer's possession as agreed between the buyer and the dealer.
The dealer may apply to a court of competent jurisdiction to
contest the claim on the bond or letter of credit, including the
amount of the claim and the amount of any adjustment for any
damage, abuse, or destruction, by filing a petition with the
court within thirty days of the notification by the buyer or
lienholder. If the dealer does not fulfill the agreement or file a petition to request judicial relief from the terms of the agreement or contest the amount of the claim, the bond or letter of credit shall be released by the department and directed paid in the amount or amounts presented by the lienholder or buyer;

(4) Payment of all necessary license fees as established by the department. In establishing the amount of the annual license fees, the department shall, as near as possible, produce sufficient total income to offset operational expenses of the department relating to the administration of sections 301.550 to 301.580. All fees payable pursuant to the provisions of sections 301.550 to 301.580, other than those fees collected for the issuance of dealer plates or certificates of number collected pursuant to subsection 6 of this section, shall be collected by the department for deposit in the state treasury to the credit of the "Motor Vehicle Commission Fund", which is hereby created. The motor vehicle commission fund shall be administered by the Missouri department of revenue. The provisions of section 33.080 to the contrary notwithstanding, money in such fund shall not be transferred and placed to the credit of the general revenue fund until the amount in the motor vehicle commission fund at the end of the biennium exceeds two times the amount of the appropriation from such fund for the preceding fiscal year or, if the department requires permit renewal less frequently than yearly, then three times the appropriation from such fund for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the multiple of the appropriation from such fund for the preceding fiscal
year.

2. In the event a new vehicle manufacturer, boat manufacturer, motor vehicle dealer, wholesale motor vehicle dealer, boat dealer, powersport dealer, wholesale motor vehicle auction, trailer dealer, or a public motor vehicle auction submits an application for a license for a new business and the applicant has complied with all the provisions of this section, the department shall make a decision to grant or deny the license to the applicant within eight working hours after receipt of the dealer's application, notwithstanding any rule of the department.

3. Except as otherwise provided in subsection 6 of this section, upon the initial issuance of a license by the department, the department shall assign a distinctive dealer license number or certificate of number to the applicant and the department shall issue one number plate or certificate bearing the distinctive dealer license number or certificate of number and two additional number plates or certificates of number within eight working hours after presentation of the application and payment by the applicant of a fee of fifty dollars for the first plate or certificate and ten dollars and fifty cents for each additional plate or certificate. Upon renewal, the department shall issue the distinctive dealer license number or certificate of number as quickly as possible. The issuance of such distinctive dealer license number or certificate of number shall be in lieu of registering each motor vehicle, trailer, vessel or vessel trailer dealt with by a boat dealer, boat manufacturer, manufacturer, public motor vehicle auction, wholesale motor vehicle dealer, wholesale motor vehicle auction or new or used
motor vehicle dealer. The license plates described in this section 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.

4. Notwithstanding any other provision of the law to the contrary, the department shall assign the following distinctive dealer license numbers to:

New motor vehicle franchise dealers D-0 through D-999
New powersport dealers D-1000 through D-1999
Used motor vehicle and used powersport dealers D-2000 through D-9999
Wholesale motor vehicle dealers W-0 through W-1999
Wholesale motor vehicle auctions WA-0 through WA-999
New and used trailer dealers T-0 through T-9999
Motor vehicle, trailer, and boat manufacturers DM-0 through DM-999
Public motor vehicle auctions A-0 through A-1999
Boat dealers M-0 through M-9999
New and used recreational motor vehicle dealers RV-0 through RV-999

For purposes of this subsection, qualified transactions shall include the purchase of salvage titled vehicles by a licensed salvage dealer. A used motor vehicle dealer who also holds a salvage dealer's license shall be allowed one additional plate or certificate number per fifty-unit qualified transactions.
annually. In order for salvage dealers to obtain number plates
or certificates under this section, dealers shall submit to the
department of revenue on August first of each year a statement
certifying, under penalty of perjury, the dealer's number of
purchases during the reporting period of July first of the
immediately preceding year to June thirtieth of the present year.
The provisions of this subsection shall become effective on the
date the director of the department of revenue begins to reissue
new license plates under section 301.130, or on December 1, 2008,
whichever occurs first. If the director of revenue begins
reissuing new license plates under the authority granted under
section 301.130 prior to December 1, 2008, the director of the
department of revenue shall notify the revisor of statutes of
such fact.

5. Upon the sale of a currently licensed motor vehicle
dealership the department shall, upon request, authorize the new
approved dealer applicant to retain the selling dealer's license
number and shall cause the new dealer's records to indicate such
transfer. If the new approved dealer applicant elects not to
retain the selling dealer's license number, the department shall
issue the new dealer applicant a new dealer's license number and
an equal number of plates or certificates as the department had
issued to the selling dealer.

6. In the case of motor vehicle dealers, the department
shall issue one number plate bearing the distinctive dealer
license number and may issue one additional number plate to the
applicant upon payment by the dealer of a fifty dollar fee for
the number plate bearing the distinctive dealer license number
and ten dollars and fifty cents for the additional number plate. The department may issue a third plate to the motor vehicle dealer upon completion of the dealer's fifteenth qualified transaction and payment of a fee of ten dollars and fifty cents. In the case of new motor vehicle manufacturers, powersport dealers, recreational motor vehicle dealers, and trailer dealers, the department shall issue one number plate bearing the distinctive dealer license number and may issue two additional number plates to the applicant upon payment by the manufacturer or dealer of a fifty dollar fee for the number plate bearing the distinctive dealer license number and ten dollars and fifty cents for each additional number plate. Boat dealers and boat manufacturers shall be entitled to one certificate of number bearing such number upon the payment of a fifty dollar fee. Additional number plates and as many additional certificates of number may be obtained upon payment of a fee of ten dollars and fifty cents for each additional plate or certificate. New motor vehicle manufacturers shall not be issued or possess more than three hundred forty-seven additional number plates or certificates of number annually. New and used motor vehicle dealers, powersport dealers, wholesale motor vehicle dealers, boat dealers, and trailer dealers are limited to one additional plate or certificate of number per ten-unit qualified transactions annually. New and used recreational motor vehicle dealers are limited to two additional plates or certificate of number per ten-unit qualified transactions annually for their first fifty transactions and one additional plate or certificate of number per ten-unit qualified transactions thereafter. An
applicant seeking the issuance of an initial license shall indicate on his or her initial application the applicant's proposed annual number of sales in order for the director to issue the appropriate number of additional plates or certificates of number. A motor vehicle dealer, trailer dealer, boat dealer, powersport dealer, recreational motor vehicle dealer, motor vehicle manufacturer, boat manufacturer, or wholesale motor vehicle dealer obtaining a distinctive dealer license plate or certificate of number or additional license plate or additional certificate of number, throughout the calendar year, shall be required to pay a fee for such license plates or certificates of number computed on the basis of one-twelfth of the full fee prescribed for the original and duplicate number plates or certificates of number for such dealers' licenses, multiplied by the number of months remaining in the licensing period for which the dealer or manufacturers shall be required to be licensed. In the event of a renewing dealer, the fee due at the time of renewal shall not be prorated. Wholesale and public auctions shall be issued a certificate of dealer registration in lieu of a dealer number plate. In order for dealers to obtain number plates or certificates under this section, dealers shall submit to the department of revenue on August first of each year a statement certifying, under penalty of perjury, the dealer's number of sales during the reporting period of July first of the immediately preceding year to June thirtieth of the present year.

7. The plates issued pursuant to subsection 3 or 6 of this section may be displayed on any motor vehicle owned by a new motor vehicle manufacturer. The plates issued pursuant to
subsection 3 or 6 of this section may be displayed on any motor
vehicle or trailer owned and held for resale by a motor vehicle
dealer for use by a customer who is test driving the motor
vehicle, for use by any customer while the customer's vehicle is
being serviced or repaired by the motor vehicle dealer, for use
and display purposes during, but not limited to, parades, private
events, charitable events, or for use by an employee or officer,
but shall not be displayed on any motor vehicle or trailer hired
or loaned to others or upon any regularly used service or wrecker
vehicle. Motor vehicle dealers may display their dealer plates
on a tractor, truck or trailer to demonstrate a vehicle under a
loaded condition. Trailer dealers may display their dealer
license plates in like manner, except such plates may only be
displayed on trailers owned and held for resale by the trailer
dealer.

8. The certificates of number issued pursuant to subsection
3 or 6 of this section may be displayed on any vessel or vessel
trailer owned and held for resale by a boat manufacturer or a
boat dealer, and used by a customer who is test driving the
vessel or vessel trailer, or is used by an employee or officer on
a vessel or vessel trailer only, but shall not be displayed on
any motor vehicle owned by a boat manufacturer, boat dealer, or
trailer dealer, or vessel or vessel trailer hired or loaned to
others or upon any regularly used service vessel or vessel
trailer. Boat dealers and boat manufacturers may display their
certificate of number on a vessel or vessel trailer when
transporting a vessel or vessels to an exhibit or show.

9. If any law enforcement officer has probable cause to
believe that any license plate or certificate of number issued under subsection 3 or 6 of this section is being misused in violation of subsection 7 or 8 of this section, the license plate or certificate of number may be seized and surrendered to the department.

10. (1) Every application for the issuance of a used motor vehicle dealer's license shall be accompanied by proof that the applicant, within the last twelve months, has completed an educational seminar course approved by the department as prescribed by subdivision (2) of this subsection. Wholesale and public auto auctions and applicants currently holding a new or used license for a separate dealership shall be exempt from the requirements of this subsection. The provisions of this subsection shall not apply to current new motor vehicle franchise dealers or motor vehicle leasing agencies or applicants for a new motor vehicle franchise or a motor vehicle leasing agency. The provisions of this subsection shall not apply to used motor vehicle dealers who were licensed prior to August 28, 2006.

(2) The educational seminar shall include, but is not limited to, the dealer requirements of sections 301.550 to 301.580, the rules promulgated to implement, enforce, and administer sections 301.550 to 301.580, and any other rules and regulations promulgated by the department.

301.564. 1. Any person or his agent licensed or registered as a manufacturer, motor vehicle dealer, wholesale motor vehicle dealer, boat dealer, wholesale motor vehicle auction or a public motor vehicle auction pursuant to the provisions of sections 301.550 to 301.580 shall permit an employee of the department of
revenue or any law enforcement official to inspect, during normal business hours, any of the following documents which are in his possession or under his custody or control:

1. Any title to any motor vehicle or vessel;
2. Any application for title to any motor vehicle or vessel;
3. Any affidavit provided pursuant to sections 301.550 to 301.580 or chapter 407;
4. Any assignment of title to any motor vehicle or vessel;
5. Any disclosure statement or other document relating to mileage or odometer readings required by the laws of the United States or any other state;
6. Any inventory and related documentation.

2. For purposes of this section, the term "law enforcement official" shall mean any of the following:

1. Attorney general, or any person designated by him to make such an inspection;
2. Any prosecuting attorney or any person designated by a prosecuting attorney to make such an inspection;
3. Any member or authorized or designated employee of the Missouri state highway patrol (or water patrol);
4. Any sheriff or deputy sheriff;
5. Any peace officer certified pursuant to chapter 590 acting in his official capacity.

301.576. A motor vehicle dealer, as defined in section 301.550, and the dealer's owners, shareholders, officers, employees, and agents who, in conjunction with the actual or potential sale or lease of a motor vehicle, arrange to provide,
actually provide, or otherwise make available to a vehicle purchaser, lessee, or other person any third-party motor vehicle history report shall not be liable to the vehicle purchaser, lessee, or other person for any errors, omissions, or other inaccuracies contained in the third-party motor vehicle history report that are not based on information provided directly to the preparer of the third-party motor vehicle history report by that dealer. For purposes of this section, a "third-party motor vehicle report" means any information prepared by a party other than the dealer relating to any one or more of the following: vehicle ownership or titling history; liens on the vehicle; vehicle service, maintenance, or repair history; vehicle condition; or vehicle accident or collision history. This section shall not apply in the case of any dealer having actual knowledge about a vehicle's accident, salvage, or service history which is different from, or not disclosed on, any third-party motor vehicle report.

301.3069. 1. Any Missouri resident may receive special license plates as prescribed in this section after an annual payment of an emblem-use authorization fee to Central Missouri Honor Flight. Central Missouri Honor Flight hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section for any vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight. Any contribution to Central Missouri Honor Flight derived from this section, except reasonable administrative costs, shall be used
solely for financial assistance to transport veterans to Washington D.C. to view various veteran memorials. Any Missouri resident may annually apply to Central Missouri Honor Flight for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to Central Missouri Honor Flight, the organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department of revenue shall issue personalized license plates, which shall bear the emblem of Central Missouri Honor Flight, to the vehicle owner.

3. The license plate or plates authorized by this section shall be of a design submitted by Central Missouri Honor Flight and approved by the department, 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. The bidding process used to select a vendor for the material to manufacture the license plates authorized by this section shall consider the aesthetic appearance of the plates.

4. A vehicle owner who was previously issued plates with the Central Missouri Honor Flight emblem authorized by this section but who does not provide an emblem-use authorization
statement at a subsequent time of registration shall be issued new plates which do not bear the Central Missouri Honor Flight emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section and shall design all necessary forms required by this section.

301.3159. Any person who has been awarded the military service award known as the meritorious service medal may apply for special motor vehicle license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the meritorious service medal as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the advisory committee established in section 301.129, with the words "MERITORIOUS SERVICE" in place of the words "SHOW-ME STATE". Such license plates 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. Such plates shall also bear an image of the meritorious service medal. There shall be an additional fee charged for each set of meritorious service license plates issued under this section equal to the fee charged for personalized license plates. There shall be no limit on the number of license plates any person qualified under this section
may obtain so long as each set of license plates issued under
this section is issued for vehicles owned solely or jointly by
such person. License plates issued under the provisions of this
section shall not be transferable to any other person except that
any registered co-owner of the motor vehicle shall be entitled to
operate the motor vehicle with such plates for the duration of
the year licensed in the event of the death of the qualified
person.

301.3174. 1. Any Missouri resident may receive special
license plates as prescribed in this section after an annual
payment of an emblem-use authorization fee to the Association of
Missouri Electric Cooperatives. The Association of Missouri
Electric Cooperatives hereby authorizes the use of its official
lineman emblem to be affixed on multiyear personalized license
plates as provided in this section for any vehicle the person
owns, either solely or jointly[, other than an apportioned motor
vehicle or commercial motor vehicle licensed in excess of
twenty-four thousand pounds gross weight]. Any contribution to
such association derived from this section, except reasonable
administrative costs, shall be used solely for financial
assistance for lineman training programs. Any Missouri resident
may annually apply to the association for the use of the emblem.

2. Upon annual application and payment of a twenty-five
dollar emblem-use contribution to the Association of Missouri
Electric Cooperatives, the association shall issue to the vehicle
owner, without further charge, an emblem-use authorization
statement, which shall be presented by the vehicle owner to the
department of revenue at the time of registration of a motor
vehicle. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate or plates, which shall bear the emblem of the Association of Missouri Electric Cooperatives' lineman, to the vehicle owner. Notwithstanding any provision of law to the contrary, the department of revenue shall issue the license plate or plates, as authorized in this section, for non-apportioned vehicles of any classification for which it issues a license plate or plates.

3. The license plate or plates authorized by this section shall be of a design submitted by the Association of Missouri Electric Cooperatives and approved by the department, 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. The bidding process used to select a vendor for the material to manufacture the license plates authorized by this section shall consider the aesthetic appearance of the plate or plates.

4. A vehicle owner, who was previously issued a plate or plates with the Association of Missouri Electric Cooperatives' lineman emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate or plates which do not bear the Association of Missouri Electric Cooperatives' lineman emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms.
required by this section.

301.3176. 1. Any vehicle owner may apply for "BackStoppers" license plates for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight. Upon making a ten dollar contribution to the BackStoppers General Operating Fund or to the BackStoppers Education Fund, the vehicle owner may apply for the "BackStoppers" plate. If the contribution is made directly to the BackStoppers General Operating Fund or to the BackStoppers Education Fund, the organization shall issue the individual making the contribution a receipt, verifying the contribution, that may be used to apply for the "BackStoppers" license plate. If the contribution is made directly to the director of revenue pursuant to section 301.3031, the director shall note the contribution and the owner may then apply for the "BackStoppers" plate. The applicant for such plate shall pay a fifteen dollar fee in addition to the regular registration fees and present any other documentation required by law for each set of "BackStoppers" plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. The "BackStoppers" plate shall bear the emblem of a thin blue line encompassed in black as prescribed by the director of revenue and shall have the word "BACKSTOPPERS". Such license plates 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.

2. The director of revenue may promulgate rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;
(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person under twenty-six years of age who is operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion; except that, any person twenty-six years of age or older operating any motorcycle or motortricycle who has been issued an instruction permit shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director. No political subdivision of this state shall impose a protective headgear requirement on the operator or passenger of a motorcycle or motortricycle. No person shall be stopped, inspected, or detained solely to determine compliance with this subsection.

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class D misdemeanor. A second violation of subdivision (1) or (2) of subsection 1 of this
section shall be punishable as a class A misdemeanor. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class E felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable as a class D misdemeanor, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021.

302.026. 1. Any qualified motorcycle operator who is twenty-six years of age or older may operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear if he or she in addition to maintaining proof of financial responsibility in accordance with chapter 303, is covered by a health insurance policy or other form of insurance which will provide the person with medical benefits for injuries incurred as a result of an accident while operating or riding on a motorcycle or motortricycle.

2. Proof of coverage required by subsection 1 of this section shall be provided, upon request by authorized law
enforcement, by showing a copy of the qualified operator's insurance card.

3. No person shall be stopped, inspected, or detained solely to determine compliance with this section.

302.170. 1. As used in this section, the following terms shall mean:

(1) "Biometric data", shall include, but not be limited to, the following:

(a) [Facial feature pattern characteristics;

(b) ] Voice data used for comparing live speech with a previously created speech model of a person's voice;

[(c) ] (b) Iris recognition data containing color or texture patterns or codes;

[(d) ] (c) Retinal scans, reading through the pupil to measure blood vessels lining the retina;

[(e) ] (d) Fingerprint, palm prints, hand geometry, measure of any and all characteristics of biometric information, including shape and length of fingertips, or recording ridge pattern or fingertip characteristics;

[(f) ] Eye spacing;

(g) ] (e) Characteristic gait or walk;

[(h) ] (f) DNA;

[(i) ] (g) Keystroke dynamic, measuring pressure applied to key pads or other digital receiving devices;

(2) "Commercial purposes", shall not include data used or compiled solely to be used for, or obtained or compiled solely for purposes expressly allowed under Missouri law or the federal Drivers Privacy Protection Act;
(3) "Source documents", original or certified copies, where applicable, of documents presented by an applicant as required under 6 CFR Part 37 to the department of revenue to apply for a driver's license or nondriver's license. Source documents shall also include any documents required for the issuance of driver's licenses or nondriver's licenses by the department of revenue under the provisions of this chapter or accompanying regulations.

2. Except as provided in subsection 3 of this section and as required to carry out the provisions of subsection 4 of this section, the department of revenue shall not retain copies, in any format, of source documents presented by individuals applying for or holding driver's licenses or nondriver's licenses or use technology to capture digital images of source documents so that the images are capable of being retained in electronic storage in a transferable format. [Documents retained as provided or required by subsection 4 of this section shall be stored solely on a system not connected to the internet nor to a wide area network that connects to the internet. Once stored on such system, the documents and data shall be purged from any systems on which they were previously stored so as to make them irretrievable.]

3. The provisions of this section shall not apply to:

(1) Original application forms, which may be retained but not scanned except as provided in this section;

(2) Test score documents issued by state highway patrol driver examiners and Missouri commercial third-party tester examiners;

(3) Documents demonstrating lawful presence of any
applicant who is not a citizen of the United States, including documents demonstrating duration of the person's lawful presence in the United States;

(4) Any document required to be retained under federal motor carrier regulations in Title 49, Code of Federal Regulations, including but not limited to documents required by federal law for the issuance of a commercial driver's license and a commercial driver instruction permit;

(5) Documents submitted by a commercial driver's license or commercial driver's instruction permit applicant who is a Missouri resident and is a qualified current or former military service member which allow for waiver of the commercial driver's license knowledge test, skills test, or both; and

(6) Any other document at the request of and for the convenience of the applicant [where the applicant requests the department of revenue review alternative documents as proof required for issuance of a driver's license, nondriver's license, or instruction permit].

4. (1) To the extent not prohibited under subsection 13 of this section, the department of revenue shall amend procedures for applying for a driver's license or identification card in order to comply with the goals or standards of the federal REAL ID Act of 2005, any rules or regulations promulgated under the authority granted in such Act, or any requirements adopted by the American Association of Motor Vehicle Administrators for furtherance of the Act, unless such action conflicts with Missouri law.

(2) The department of revenue shall issue driver's licenses
or identification cards that are compliant with the federal REAL ID Act of 2005, as amended, to all applicants for driver's licenses or identification cards unless an applicant requests a driver's license or identification card that is not REAL ID compliant. Except as provided in subsection 3 of this section and as required to carry out the provisions of this subsection, the department of revenue shall not retain the source documents of individuals applying for driver's licenses or identification cards not compliant with REAL ID. Upon initial application for a driver's license or identification card, the department shall inform applicants of the option of being issued a REAL ID compliant driver's license or identification card or a driver's license or identification card that is not compliant with REAL ID. The department shall inform all applicants:

(a) With regard to the REAL ID compliant driver's license or identification card:

a. Such card is valid for official state purposes and for official federal purposes as outlined in the federal REAL ID Act of 2005, as amended, such as domestic air travel and seeking access to military bases and most federal facilities;

b. Electronic copies of source documents will be retained by the department and destroyed after the minimum time required for digital retention by the federal REAL ID Act of 2005, as amended;

c. The facial image capture will only be retained by the department if the application is finished and submitted to the department; and

d. Any other information the department deems necessary to
inform the applicant about the REAL ID compliant driver's license or identification card under the federal REAL ID Act;

(b) With regard to a driver's license or identification card that is not compliant with the federal REAL ID Act:

a. Such card is valid for official state purposes, but it is not valid for official federal purposes as outlined in the federal REAL ID Act of 2005, as amended, such as domestic air travel and seeking access to military bases and most federal facilities;

b. Source documents will be verified but no copies of such documents will be retained by the department unless permitted under subsection 3 of this section, except as necessary to process a request by a license or card holder or applicant;

c. Any other information the department deems necessary to inform the applicant about the driver's license or identification card.

5. The department of revenue shall not use, collect, obtain, share, or retain biometric data nor shall the department use biometric technology to produce a driver's license or nondriver's license or to uniquely identify licensees or license applicants. This subsection shall not apply to digital images nor licensee signatures required for the issuance of driver's licenses and nondriver's licenses or for the use of software for purposes of combating fraud, or to biometric data collected from employees of the department of revenue, employees of the office of administration who provide information technology support to the department of revenue, contracted license offices, and contracted manufacturers engaged in the production, processing,
or manufacture of driver's licenses or identification cards in positions which require a background check in order to be compliant with the federal REAL ID Act or any rules or regulations promulgated under the authority of such Act. Except as otherwise provided by law, applicants' source documents and Social Security numbers shall not be stored in any database accessible by any other state or the federal government. Such database shall contain only the data fields included on driver's licenses and nondriver identification cards compliant with the federal REAL ID Act, and the driving records of the individuals holding such driver's licenses and nondriver identification cards.

6. Notwithstanding any provision of this chapter that requires an applicant to provide reasonable proof of lawful presence for issuance or renewal of a noncommercial driver's license, noncommercial instruction permit, or a nondriver's license, an applicant shall not have his or her privacy rights violated in order to obtain or renew a Missouri noncommercial driver's license, noncommercial instruction permit, or a nondriver's license.

7. No citizen of this state shall have his or her privacy compromised by the state or agents of the state. The state shall within reason protect the sovereignty of the citizens the state is entrusted to protect. Any data derived from a person's application shall not be sold for commercial purposes to any other organization or any other state without the express permission of the applicant without a court order; except such information may be shared with a law enforcement agency, judge,
prosecuting attorney, or officer of the court, or with another
state for the limited purposes set out in section 302.600, or for
the purposes set forth in section 32.091, or for conducting
driver history checks in compliance with the Motor Carrier Safety
Improvement Act, 49 U.S.C. Section 31309. The state of Missouri
shall protect the privacy of its citizens when handling any
written, digital, or electronic data, and shall not participate
in any standardized identification system using driver's and
nondriver's license records except as provided in this section.

8. Other than to process a request by a license or card
holder or applicant, no person shall knowingly access,
distribute, or allow access to or distribution of any written,
digital, or electronic data collected or retained under this
section without the express permission of the applicant or a
court order, except that such information may be shared with a
law enforcement agency, judge, prosecuting attorney, or officer
of the court, or with another state for the limited purposes set
out in section 302.600 or for conducting driver history checks in
compliance with the Motor Carrier Safety Improvement Act, 49
U.S.C. Section 31309. A first violation of this subsection shall
be a class A misdemeanor. A second violation of this subsection
shall be a class E felony. A third or subsequent violation of
this subsection shall be a class D felony.

9. Any person harmed or damaged by any violation of this
section may bring a civil action for damages, including
noneconomic and punitive damages, as well as injunctive relief,
in the circuit court where that person resided at the time of the
violation or in the circuit court of Cole County to recover such
damages from the department of revenue and any persons participating in such violation. Sovereign immunity shall not be available as a defense for the department of revenue in such an action. In the event the plaintiff prevails on any count of his or her claim, the plaintiff shall be entitled to recover reasonable attorney fees from the defendants.

10. The department of revenue may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

11. Biometric data, digital images, source documents, and licensee signatures, or any copies of the same, required to be collected or retained to comply with the requirements of the federal REAL ID Act of 2005 shall be digitally retained for no longer than the minimum duration required to maintain compliance, and immediately thereafter shall be securely destroyed so as to make them irretrievable.

12. No agency, department, or official of this state or of any political subdivision thereof shall use, collect, obtain,
share, or retain radio frequency identification data from a REAL
ID compliant driver's license or identification card issued by a
state, nor use the same to uniquely identify any individual.

13. Notwithstanding any provision of law to the contrary,
the department of revenue shall not amend procedures for applying
for a driver's license or identification card, nor promulgate any
rule or regulation, for purposes of complying with modifications
made to the federal REAL ID Act of 2005 after August 28, 2017,
imposing additional requirements on applications, document
retention, or issuance of compliant licenses or cards, including
any rules or regulations promulgated under the authority granted
under the federal REAL ID Act of 2005, as amended, or any
requirements adopted by the American Association of Motor Vehicle
Administrators for furtherance thereof.

14. If the federal REAL ID Act of 2005 is modified or
repealed such that driver's licenses and identification cards
issued by this state that are not compliant with the federal REAL
ID Act of 2005 are once again sufficient for federal
identification purposes, the department shall not issue a
driver's license or identification card that complies with the
federal REAL ID Act of 2005 and shall securely destroy, within
thirty days, any source documents retained by the department for
the purpose of compliance with such Act.

[15. The provisions of this section shall expire five years
after August 28, 2017.]

302.181. 1. The license issued pursuant to the provisions
of sections 302.010 to 302.340 shall be in such form as the
director shall prescribe, but the license shall be a card made of
plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license without ready detection. [All licenses shall bear the licensee's Social Security number, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the licensee does not possess a Social Security number, or, if applicable, a certified statement must be submitted as provided in subsection 4 of this section.] The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored [photograph or] digitized image of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240 the name and address of the person designated pursuant to sections 404.800 to 404.865 as the licensee's attorney in fact for the purposes of a durable power of attorney for health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing. [For all licenses issued or renewed after March 1, 1992, the applicant's Social Security
number shall serve as the applicant's license number. Where the licensee has no Social Security number, or where the licensee is issued a license without a Social Security number in accordance with subsection 4 of this section, the director shall issue a license number for the licensee and such number shall also include an indicator showing that the number is not a Social Security number.

2. All digital images produced for licenses shall become the property of the department of revenue.

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

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

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

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

[7.] 6. The department of revenue shall issue upon request a nondriver's license card containing essentially the same information and photograph or digital image, except as provided pursuant to subsection 8 of this section, as the driver's license upon payment of six dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A person who has passed his or her seventieth birthday shall upon application be issued a nonexpiring nondriver's license card. Notwithstanding any other provision of this chapter, a nondriver's license containing a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to section 571.101, as section 571.101 existed prior to August 28, 2013. The fee for nondriver's licenses issued for a period exceeding
three years is six dollars or three dollars for nondriver's
licenses issued for a period of three years or less. The
nondriver's license card shall be used for identification
purposes only and shall not be valid as a license.

[8.] If otherwise eligible, an applicant may receive a
driver's license or nondriver's license without a photograph or
digital image of the applicant's full facial features except that
such applicant's photograph or digital image shall be taken and
maintained by the director and not printed on such license. In
order to qualify for a license without a photograph or digital
image pursuant to this section the applicant must:

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

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

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

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

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

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

10. (1) Notwithstanding any biometric data restrictions
contained in section 302.170, the department of revenue is hereby
authorized to design and implement a secure digital driver's
license program that allows applicants applying for a driver's
license in accordance with this chapter to obtain a secure
digital driver's license in addition to the physical card-based
license specified in this section.
(2) A digital driver's license as described in this subsection shall be accepted for all purposes for which a license, as defined in section 302.010, is used.

(3) The department may contract with one or more entities to develop the secure digital driver's license system. The department or entity may develop a mobile software application capable of being utilized through a person's electronic device to access the person's secure digital driver's license.

(4) The department shall suspend, disable, or terminate a person's participation in the secure digital driver's license program if:

(a) The person's driving privilege is suspended, revoked, denied, withdrawn, or cancelled as provided in this chapter; or

(b) The person reports that the person's electronic device has been lost, stolen, or compromised.

11. The director of the department of revenue may promulgate rules as necessary for the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act shall be invalid and void.
1. Any resident of this state may elect to have a medical alert notation placed on the person's driver's license or nondriver's identification card. The following conditions, illnesses, and disorders may be recorded on a driver's license or nondriver's identification card as medical alert information at the request of the applicant:

1. Posttraumatic stress disorder;
2. Diabetes;
3. Heart conditions;
4. Epilepsy;
5. Drug allergies;
6. Alzheimer's or dementia;
7. Schizophrenia;
8. Autism; or
9. Other conditions as approved by the director of the department of revenue or his or her designee.

2. Any person requesting the inclusion of a medical alert notation on his or her driver's license or nondriver's identification card shall submit an application form to include a waiver of liability for the release of any medical information to the department, any person who is eligible for access to such medical information as recorded on the person's driving record under this chapter, and any other person who may view or receive notice of such medical information by virtue of having seen such person's driver's license or nondriver's identification card. Such application shall advise the person that he or she will be consenting to the release of such medical information to anyone who sees or copies his or her driver's license or nondriver's
identification card, even if such person is otherwise ineligible
to access such medical information under state or federal law.

3. Such application shall include space for a person
requesting the inclusion of a medical alert notation on his or
her driver's license or nondriver's identification card to obtain
a sworn statement from a person licensed to practice medicine or
psychology in this state verifying such diagnosis.

4. Any person who has been issued a driver's license or
nondriver's identification card bearing medical alert information
may be issued a replacement driver's license or nondriver's
identification card excluding such medical alert information at
his or her request and upon payment of the fee provided in this
chapter for replacement of lost licenses or identification cards.

5. No medical alert information shall be printed on or
removed from a driver's license or nondriver's identification
card without the express consent of the licensee. If the
licensee is a child under the age of eighteen, consent for the
printing of medical alert information shall be provided by the
parent or guardian of the child when he or she signs the
application for the driver's license or nondriver's
identification card. If the licensee is an incapacitated adult,
consent for the printing of medical alert information shall be
given by the guardian of such adult as appointed by a court of
competent jurisdiction.

6. The director of the department of revenue may promulgate
all necessary rules and regulations for the administration of
this section. Any rule or portion of a rule, as that term is
defined in section 536.010, that is created under the authority
delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

302.720. 1. Except when operating under an instruction permit as described in this section, no person may drive a commercial motor vehicle unless the person has been issued a commercial driver's license with applicable endorsements valid for the type of vehicle being operated as specified in sections 302.700 to 302.780. A commercial driver's instruction permit shall allow the holder of a valid license to operate a commercial motor vehicle when accompanied by the holder of a commercial driver's license valid for the vehicle being operated and who occupies a seat beside the individual, or reasonably near the individual in the case of buses, for the purpose of giving instruction in driving the commercial motor vehicle. No person may be issued a commercial driver's instruction permit until he or she has passed written tests which comply with the minimum federal standards. A commercial driver's instruction permit shall be nonrenewable and shall be valid for the vehicle being operated for a period of not more than one year, and shall not be issued until the permit holder has met all other requirements of sections 302.700 to 302.780, except for the driving test. The
fee for such permit shall be ten dollars. The fee for a
duplicate of such commercial driver's instruction permit shall be
five dollars.

2. No person may be issued a commercial driver's license
until he has passed written and driving tests for the operation
of a commercial motor vehicle which complies with the minimum
federal standards established by the Secretary and has satisfied
all other requirements of the Commercial Motor Vehicle Safety Act
of 1986 (Title XII of Pub. Law 99-570), as well as any other
requirements imposed by state law. Beginning January 1, 2020,
all applicants for a commercial driver's license shall complete
any entry-level driver training program as established and
required under 49 CFR 380.609. All applicants for a commercial
driver's license shall have maintained the appropriate class of
commercial driver's instruction permit issued by this state or
any other state for a minimum of fourteen calendar days prior to
the date of taking the skills test. Applicants for a hazardous
materials endorsement must also meet the requirements of the U.S.
Patriot Act of 2001 (Title X of Public Law 107-56) as specified
and required by regulations promulgated by the Secretary.
Nothing contained in this subsection shall be construed as
prohibiting the director from establishing alternate testing
formats for those who are functionally illiterate; provided,
however, that any such alternate test must comply with the
minimum requirements of the Commercial Motor Vehicle Safety Act
of 1986 (Title XII of Pub. Law 99-570) as established by the
Secretary.

(1) The written and driving tests shall be held at such
times and in such places as the superintendent may designate. A twenty-five dollar examination fee shall be paid by the applicant upon completion of any written or driving test, except the examination fee shall be waived for applicants seventy years of age or older renewing a license with a school bus endorsement. The director shall delegate the power to conduct the examinations required under sections 302.700 to 302.780 to any member of the highway patrol or any person employed by the highway patrol qualified to give driving examinations. The written test shall only be administered in the English language. No translators shall be allowed for applicants taking the test.

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

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

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

(5) The director shall have the authority to waive the
driving skills and written tests for any qualified current or
former military service member applicant for a commercial
driver's instruction permit or a commercial driver's license who
is currently licensed at the time of application for a commercial
driver's instruction permit or commercial driver's license. The
director shall impose conditions and limitations and require
certification and evidence to restrict the applicants from whom
the department may accept the alternative requirements for the
skills and written tests described in federal regulations 49 CFR
383.71 and 49 CFR 383.77. Applicant's shall meet all federal and
state qualifications to operate a commercial vehicle. Applicants
shall be required to complete all applicable tests, except when
the applicant provides proof of approved military training sufficient for [waiver] waiver of the written knowledge and skills tests as specified in this subdivision and subdivision (5) of subsection 3 of section 302.170.

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

4. Beginning July 1, 2005, the director shall not issue an instruction permit under this section unless the director verifies that the applicant is lawfully present in the United States before accepting the application. The director may, by rule or regulation, establish procedures to verify the lawful presence of the applicant under this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.

5. Notwithstanding the provisions of this section or any other law to the contrary, beginning August 28, 2008, the director of the department of revenue shall certify as a third-party tester any municipality that owns, leases, or maintains its own fleet that requires certain employees as a condition of employment to hold a valid commercial driver's
license; and that administered in-house testing to such employees prior to August 28, 2006.

6. Notwithstanding the provisions of this section or any other law to the contrary, beginning December 1, 2019, the director of the department of revenue shall certify as a third-party tester any private education institution or other private entity, provided the institution or entity meets the necessary qualifications required by the state.

7. The director shall adopt and promulgate rules and regulations establishing a process for applicants with disabilities to request testing accommodations with respect to both the written and driving tests required under this section and to establish criteria for awarding such accommodations. The rules shall specify that a hearing test shall not be a component of the written test or driving test for any applicant who is deaf or hard of hearing. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

8. If the United States Secretary of Transportation determines that subsection 7 of this section has the effect of
placing the state of Missouri in noncompliance with any federal constitutional, statutory, or regulatory provision that would result in the loss of any federal aid funds to the Missouri highways and transportation commission, then subsection 7 of this section shall be null and void.

302.723. 1. Notwithstanding any other provision of law, any entity providing commercial driver's license training to persons preparing to apply for commercial driver's licenses under the provisions of sections 302.700 to 302.780 shall provide reasonable accommodations for persons who are deaf or hard of hearing.

2. If the United States Secretary of Transportation determines that this section or subsection 7 of section 302.720 has the effect of placing the state of Missouri in noncompliance with any federal constitutional, statutory, or regulatory provision that would result in the loss of any federal aid funds to the Missouri highways and transportation commission, then this section shall be null and void.

303.026. 1. The director shall inform each owner who registers a motor vehicle of the following:

(1) The existence of the requirement that every motor vehicle owner in the state must maintain his financial responsibility;

(2) The requirement that every motor vehicle owner show an insurance identification card, or a copy thereof, or other proof of financial responsibility at the time of vehicle registration; this notice shall be given at least thirty days prior to the month for renewal and shall be shown in bold, colored print;
(3) The penalties which apply to violations of the requirement to maintain financial responsibility;

(4) The benefits of maintaining coverages in excess of those which are required;

(5) The director's authority to conduct samples of Missouri motor vehicle owners to ensure compliance.

2. No motor vehicle owner shall be issued registration for a vehicle unless the owner, or his authorized agent, signs an affidavit provided by the director of revenue at the time of registration of the vehicle certifying that such owner has and will maintain, during the period of registration, financial responsibility with respect to each motor vehicle that is owned, licensed or operated on the streets or highways. The affidavit need not be notarized, but it shall be acknowledged by the person processing the form. The affidavit shall state clearly and in bold print the following: "Any false affidavit is a crime under section 575.050 of Missouri law.". In addition, every motor vehicle owner shall show proof of such financial responsibility by presenting his or her insurance identification card, as described in section 303.024, or a copy thereof, or some other proof of financial responsibility in the form prescribed by the director of revenue at the time of registration unless such owner registers his vehicle in conjunction with a reciprocity agreement entered into by the Missouri highway reciprocity commission pursuant to sections 301.271 to 301.279 or unless the owner insures the vehicle according to the requirements of the division of motor carrier and railroad safety pursuant to section 390.126.

3. To ensure compliance with this chapter, the director may
utilize a variety of sampling techniques including but not
limited to random samples of registrations subject to this
section, uniform traffic tickets, insurance information provided
to the director at the time of motor vehicle registration, and
persons who during the preceding year have received a disposition
of court-ordered supervision or suspension. The director may
verify the financial responsibility of any person sampled or
reported.

(1) Beginning January 1, 2001, the director may require
such information, as in his or her discretion is necessary to
enforce the requirements of subdivision (1) of subsection 1 of
this section, to be submitted from the person's insurer or
insurance company. When requested by the director of revenue,
all licensed insurance companies in this state which sell private
passenger (noncommercial) motor vehicle insurance policies shall
report information regarding the issuance, nonrenewal and
cancellation of such policies to the director, excluding policies
issued to owners of fleet or rental vehicles or issued on
vehicles that are insured pursuant to a commercial line policy.
Such information shall be reported electronically in a format as
prescribed by the director of the department of revenue by rule
[except that such rule shall provide for an exemption from
electronic reporting for insurers with a statistically
insignificant number of policies in force].

(2) When required by the director of revenue, each
insurance company shall provide to the department a record of
each policy issued, cancelled, terminated or revoked during the
period since the previous report. [Nothing in this section shall
prohibit insurance companies from reporting more frequently than once per month. The director of revenue may require insurance companies to provide such records as frequently as he or she deems necessary.

(3) The director may use reports described in subdivision (1) of this subsection for sampling purposes as provided in this section.

4. Information provided to the department by an insurance company for use in accordance with this section is the property of the insurer and is not subject to disclosure pursuant to chapter 610. Such information may be utilized by the department for enforcement of this chapter but may not be disclosed except that the department shall disclose whether an individual is maintaining the required insurance coverage upon request of the following individuals and agencies only:

(1) The individual;
(2) The parent or legal guardian of an individual if the individual is an unemancipated minor;
(3) The legal guardian of the individual if the individual is legally incapacitated;
(4) Any person who has power of attorney from the individual;
(5) Any person who submits a notarized release from the individual that is dated no more than ninety days before the request is made;
(6) Any person claiming loss or injury in a motor vehicle accident in which the individual is involved;
(7) The office of the state auditor, for the purpose of
conducting any audit authorized by law.

5. The director may adopt any rules and regulations necessary to carry out the provisions of subdivisions (1) through (3) of subsection 3 of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.

6. Any person or agency who knowingly discloses information received from insurance companies pursuant to this section for any purpose, or to a person, other than those authorized in this section is guilty of a class A misdemeanor. No insurer shall be liable to any person for performing its duties pursuant to this section unless and to the extent the insurer commits a willful and wanton act of omission.

7. The department of revenue shall notify the department of commerce and insurance of any insurer who violates any provisions of this section. The department of commerce and insurance may, against any insurer who knowingly fails to comply with this section, assess an administrative penalty up to five hundred dollars per day of noncompliance. The department of commerce and insurance may excuse the administrative penalty if an assessed
insurer provides acceptable proof that such insurer's
noncompliance was inadvertent, accidental or the result of
excusable neglect. The penalty provisions of this section shall
become effective six months after the rule issued pursuant to
subsections 3 and 5 of this section is published in the code of
state regulations.

8. To verify that financial responsibility is being
maintained, the director shall notify the owner or operator of
the need to provide, within fifteen days, proof of the existence
of the required financial responsibility. The request shall
require the owner or the operator to state whether or not the
motor vehicle was insured on the verification date stated in the
director's request. The request may include but not be limited
to a statement of the names and addresses of insurers, policy
numbers and expiration date of insurance coverage. Failure to
provide such information shall result in the suspension of the
registration of the owner's motor vehicle, and where applicable,
the owner's or the operator's driving privilege, for failing to
meet such requirements, as is provided in this chapter.

303.200. 1. After consultation with insurance companies
[authorized to issue automobile liability policies] having a
certificate of authority to do business in this state and
actively writing motor vehicle liability policies, the director
of the department of commerce and insurance, hereinafter referred
to as the "director", shall approve a reasonable plan [or plans
for the equitable apportionment among such companies of
applicants for such policies and for personal automobile and
commercial motor vehicle liability] to provide motor vehicle
insurance policies to applicants who are in good faith entitled to but are unable to procure such policies through ordinary methods. The plan shall be known as the Missouri Automobile Insurance Plan, hereinafter referred to as the "plan". When any such plan has been approved, all such insurance companies shall subscribe thereto and participate therein. [The plan manager, on the plan's behalf, shall contract with an entity or entities to accept and service applicants and policies for any company that does not elect to accept and service applicants and policies. By October first of each year any company that elects to accept and service applicants and policies for the next calendar year for any such plan shall so notify the plan. Except as provided in subsection 2 of this section, any company that does not so notify a plan established for handling coverage for personal automobile risks shall be excused from accepting and servicing applicants and policies for the next calendar year for such plan and shall pay a fee to the plan or servicing entity for providing such services. The fee shall be based on the company's market share as determined by the company's writings of personal automobile risks in the voluntary market.] Any applicant for [any such] a policy under the plan, any person insured under [any such] the plan, and any insurance company affected may appeal to the director from any ruling or decision of the [manager or committee designated to operate such] plan. Any person aggrieved hereunder by any order or act of the director may, within ten days after notice thereof, file a petition in the circuit court of the county of Cole for a review thereof. The court shall summarily hear the petition and may make any appropriate order or decree.
As used in this section, the term "personal automobile" means a private passenger nonfleet vehicle, motorcycle, camper and travel trailer, antique auto, amphibious auto, motor home, named nonowner applicant, or a low-speed vehicle subject to chapter 304 which is not primarily used for business or nonprofit interests and which is generally used for personal, family, or household purposes.

2. If the total premium volume for any one plan established for handling coverage for personal automobile risks exceeds ten million dollars in a calendar year, a company with more than five percent market share of such risks in Missouri shall not be excused from accepting and servicing applicants and policies of such plan under subsection 1 of this section for the next calendar year, unless the governing body of the plan votes to allow any company with such market share the option to be excused.

2. The plan shall perform its functions under a plan of operation and through a governing committee as prescribed in the plan of operation. Any plan of operation, prior to being placed in effect, shall be filed with and approved by the director. Any amendments to the plan of operation so adopted shall also be filed with and approved by the director prior to being placed in effect.

3. The plan of operation shall prescribe the issuance of motor vehicle insurance policies by the plan, which may include the administration of such policies by:

(1) A third-party administrator that has a certificate of authority to do business in this state;
(2) A nationally recognized management organization and
service provider that specializes in the administration of motor
vehicle insurance residual market mechanisms, subject to the
approval of the director; or

(3) An insurance company that has a certificate of
authority to do business in this state.

4. No form of a policy, endorsement, rider, manual of
classifications, rules, or rates, no rating plan, nor any
modification of any of them proposed to be used by the plan shall
be used prior to approval by the director.

5. Any policy of insurance issued by the plan shall conform
to the provisions of this chapter and any insurance law of this
state applicable to motor vehicle insurance policies, except any
law that specifically exempts the plan from the purview of the
law.

6. The plan shall:

   (1) File with the director, no later than June thirtieth of
each year, annual audited financial reports for the preceding
   year;

   (2) Be subject to examination by the director under
   sections 374.205 to 374.207;

   (3) Have the authority to make assessments on member
   insurance companies if the funds from policyholder premiums and
   other revenues are not sufficient for the sound operation of the
   plan. An assessment upon a member insurance company shall be in
   the same proportion to its share of the voluntary market premium
   for the type of policies written under the plan. The procedures
   for levying assessment shall be prescribed in the plan of
operation.

7. There shall be no liability imposed on the part of, and no cause of action of any nature shall arise against, any member insurer or any member of the governing committee for any omission or action taken by them in the performance of their powers and duties under this section.

304.170. 1. No vehicle operated upon the highways of this state shall have a width, including load, in excess of one hundred two inches, except clearance lights, rearview mirrors or other accessories required by federal, state or city law or regulation. Provided however, a recreational vehicle as defined in section 700.010 may exceed the foregoing width limits if the appurtenances on such recreational vehicle extend no further than the rearview mirrors. Such mirrors may only extend the distance necessary to provide the required field of view before the appurtenances were attached.

2. No vehicle operated upon the interstate highway system or upon any route designated by the state highways and transportation commission shall have a height, including load, in excess of fourteen feet. On all other highways, no vehicle shall have a height, including load, in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles transporting automobiles or other motor vehicles may have a height, including load, of not more than fourteen feet.

3. No single motor vehicle operated upon the highways of this state shall have a length, including load, in excess of forty-five feet, except as otherwise provided in this section.

4. No bus, recreational motor vehicle or trackless trolley
coach operated upon the highways of this state shall have a length in excess of forty-five feet, except that such vehicles may exceed the forty-five feet length when such excess length is caused by the projection of a front safety bumper or a rear safety bumper or both. Such safety bumper shall not cause the length of the bus or recreational motor vehicle to exceed the forty-five feet length limit by more than one foot in the front and one foot in the rear. Notwithstanding any provision of this section to the contrary, an articulated bus, comprised of two or more sections connected by a flexible joint or other mechanism, may be up to sixty feet in length, not including safety bumpers which may extend one foot in front and one foot in the rear, and not including bicycle storage racks which may extend over the safety bumper by up to five feet when in the down position transporting a bicycle. The term "safety bumper" means any device which may be fitted on an existing bumper or which replaces the bumper and is so constructed, treated, or manufactured that it absorbs energy upon impact.

5. No combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and semitrailer operated upon the highways of this state shall have a length, including load, in excess of sixty feet; except that in order to comply with the provisions of P.L. 97-424 codified in Title 23 of the United States Code, 23 U.S.C. Section 101, et al., as amended, no combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and semitrailer operated upon the interstate highway system of this state shall have an overall length, including load, in excess of the length of the
truck-tractor plus the semitrailer or truck-tractor equipped with
dromedary and semitrailer. The length of such semitrailer shall
not exceed fifty-three feet.

6. In order to comply with the provisions of P.L. 97-424
codified in Title 23 of the United States Code, 23 U.S.C. Section
101, et al., as amended, no combination of truck-tractor,
semitrailer and trailer operated upon the interstate highway
system of this state shall have an overall length, including
load, in excess of the length of the truck-tractor plus the
semitrailer and trailer, neither of which semitrailer or trailer
shall exceed twenty-eight feet in length, except that any
existing semitrailer or trailer up to twenty-eight and one-half
feet in length actually and lawfully operated on December 1,
1982, within a sixty-five foot overall length limit in any state,
may continue to be operated upon the interstate highways of this
state. On those primary highways not designated by the state
highways and transportation commission as provided in subsection
11 of this section, no combination of truck-tractor, semitrailer
and trailer shall have an overall length, including load, in
excess of sixty-five feet; provided, however, the commission may
designate additional routes for such sixty-five foot
combinations.

7. (1) Automobile transporters, boat transporters,
truck-trailer boat transporter combinations, and stinger-steered
combination boat transporters having a length not in excess of
seventy-five feet may be operated on the interstate highways of
this state and such other highways as may be designated by the
commission for the operation of such vehicles plus a distance not
to exceed ten miles from such interstate or designated highway.

All length provisions regarding automobile or boat transporters, truck-trailer boat transporter combinations and stinger-steered combination boat transporters shall include a semitrailer length not to exceed fifty-three feet and are exclusive of front and rear overhang, which shall be no greater than a three-foot front overhang and no greater than a four-foot rear overhang.

(2) Stinger-steered combination automobile transporters having a length not in excess of eighty feet may be operated on the interstate highways of this state and such other highways as may be designated by the commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. All length provisions regarding stinger-steered automobile combination transporters are exclusive of front and rear overhang, which shall be no greater than a four-foot front overhang and no greater than a six-foot rear overhang.

(3) Automobile transporters may transport cargo or general freight on a backhaul, as long as in compliance with weight limitations for a truck-tractor and semitrailer combination as outlined in section 304.180.

8. Driveaway saddlemount combinations having a length not in excess of ninety-seven feet may be operated on the interstate highways of this state and such other highways as may be designated by the commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. Saddlemount combinations must comply with the safety requirements of Section 393.71 of Title 49 of the Code
of Federal Regulations and may contain no more than three
saddlemounted vehicles and one fullmount.

  9. No truck-tractor semitrailer-semitrailer combination
vehicles operated upon the interstate and designated primary
highway system of this state shall have a semitrailer length in
excess of twenty-eight feet or twenty-eight and one-half feet if
the semitrailer was in actual and lawful operation in any state
on December 1, 1982, operating in a truck-tractor
semitrailer-semitrailer combination. The B-train assembly is
excluded from the measurement of semitrailer length when used
between the first and second semitrailer of a truck-tractor
semitrailer-semitrailer combination, except that when there is no
semitrailer mounted to the B-train assembly, it shall be included
in the length measurement of the semitrailer.

  10. No towaway trailer transporter combination vehicles
operated upon the interstate and designated primary highway
system of this state shall have an overall length of more than
eighty-two feet.

  11. The commission is authorized to designate routes on the
state highway system other than the interstate system over which
those combinations of vehicles of the lengths specified in
subsections 5, 6, 7, 8, 9, and 10 of this section may be
operated. Combinations of vehicles operated under the provisions
of subsections 5, 6, 7, 8, 9, and 10 of this section may be
operated at a distance not to exceed ten miles from the
interstate system and such routes as designated under the
provisions of this subsection.

  12. Except as provided in subsections 5, 6, 7, 8, 9, 10,
and 11 of this section, no other combination of vehicles operated
upon the primary or interstate highways of this state plus a
distance of ten miles from a primary or interstate highway shall
have an overall length, unladen or with load, in excess of
sixty-five feet or in excess of fifty-five feet on any other
highway.

13. (1) Except as hereinafter provided, these restrictions
shall not apply to:

   (a) Agricultural implements operating occasionally on the
highways for short distances including tractor parades for
fund-raising activities or special events, provided the tractors
are driven by licensed drivers during daylight hours only and
with the approval of the superintendent of the Missouri state
highway patrol; [or to]

   (b) Self-propelled hay-hauling equipment or to implements
of husbandry, or to the movement of farm products as defined in
section 400.9-102 or to vehicles temporarily transporting
agricultural implements or implements of husbandry or road-making
machinery, or road materials or towing for repair purposes
vehicles that have become disabled upon the highways; [or to]

   (c) Vehicles towing trailers specifically designed to carry
harvested cotton, either as a single trailer or in tandem, with a
total length, including the trailer or trailers, of not more than
ninety-three feet; such vehicles shall only be used to haul
harvested cotton, except when hauling hay within the state to
areas affected by drought as determined by the National Drought
Mitigation Center; or

   (d) Implement dealers delivering or moving farm machinery
for repairs on any state highway other than the interstate system.

(2) Implements of husbandry and vehicles transporting such machinery or equipment and the movement of farm products as defined in section 400.9-102 may be operated occasionally for short distances on state highways when operated between the hours of sunrise and sunset by a driver licensed as an operator or chauffeur.

(3) Notwithstanding any other provision of law to the contrary, agricultural machinery and implements may be operated on state highways between the hours of sunset and sunrise for agricultural purposes provided such vehicles are equipped with lighting meeting the requirements of section 307.115.

14. As used in this chapter the term "implements of husbandry" means all self-propelled machinery operated at speeds of less than thirty miles per hour, specifically designed for, or especially adapted to be capable of, incidental over-the-road and primary offroad usage and used exclusively for the application of commercial plant food materials or agricultural chemicals, and not specifically designed or intended for transportation of such chemicals and materials.

15. Sludge disposal units may be operated on all state highways other than the interstate system. Such units shall not exceed one hundred thirty-eight inches in width and may be equipped with over-width tires. Such units shall observe all axle weight limits. The commission shall issue special permits for the movement of such disposal units and may by such permits restrict the movements to specified routes, days and hours.
304.172. The provisions of sections 304.170 to 304.240 relating to height, width, [weight,] and length [and load] restrictions for motor vehicles shall not apply to any motor vehicle and its attached apparatus which is designed for use and used by a fire department, fire protection district or volunteer fire protection association or when being operated by a fire apparatus manufacturer or sales organization for the purpose of sale, demonstration, exhibit, or delivery to a fire department, fire protection district or volunteer fire protection association.

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.
3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise

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Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any
such bridge.


6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsections 9, 10, 12, and 13 of this section.

7. Notwithstanding any provision of this section to the contrary, the commission shall issue a single-use special permit, or upon request of the owner of the truck or equipment shall issue an annual permit, for the transporting of any crane or concrete pump truck or well-drillers' equipment. The commission shall set fees for the issuance of permits and parameters for the transport of cranes pursuant to this subsection. Notwithstanding the provisions of section 301.133, cranes, concrete pump trucks, or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system
as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than five hundred fifty pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk, from a farm to a processing facility or livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system. The provisions of this subsection shall not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and Defense Highways.

10. Notwithstanding any provision of this section or any other law to the contrary, any vehicle or combination of vehicles hauling grain or grain coproducts during times of harvest may be as much as, but not exceeding, ten percent over the maximum weight limitation allowable under subsection 3 of this section while operating on highways other than the interstate highway system. The provisions of this subsection shall not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and Defense Highways.

11. Notwithstanding any provision of this section or any other law to the contrary, the commission shall issue emergency
utility response permits for the transporting of utility wires or
cables, poles, and equipment needed for repair work immediately
following a disaster where utility service has been disrupted.
Under exigent circumstances, verbal approval of such operation
may be made either by the department of transportation motor
carrier compliance supervisor or other designated motor carrier
services representative. Utility vehicles and equipment used to
assist utility companies granted special permits under this
subsection may be operated and transported on state-maintained
roads and highways at any time on any day. The commission shall
promulgate all necessary rules and regulations for the
administration of this section. Any rule or portion of a rule,
as that term is defined in section 536.010, that is created under
the authority delegated in this section shall become effective
only if it complies with and is subject to all of the provisions
of chapter 536 and, if applicable, section 536.028. This section
and chapter 536 are nonseverable and if any of the powers vested
with the general assembly pursuant to chapter 536 to review, to
delay the effective date, or to disapprove and annul a rule are
subsequently held unconstitutional, then the grant of rulemaking
authority and any rule proposed or adopted after August 28, 2014,
shall be invalid and void.

12. Notwithstanding any provision of this section to the
contrary, emergency vehicles designed to be used under emergency
conditions to transport personnel and equipment and to support
the suppression of fires and mitigate hazardous situations may
have a maximum gross vehicle weight of eighty-six thousand pounds
inclusive of twenty-four thousand pounds on a single steering
axle; thirty-three thousand five hundred pounds on a single drive axle; sixty-two thousand pounds on a tandem axle; or fifty-two thousand pounds on a tandem rear-drive steer axle; except that, such emergency vehicles shall only operate on the Dwight D. Eisenhower National System of Interstate and Defense Highways.

13. Notwithstanding any provision of this section to the contrary, a vehicle operated by an engine fueled primarily by natural gas may operate upon the public highways of this state in excess of the vehicle weight limits set forth in this section by an amount that is equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system. In no event shall the maximum gross vehicle weight of the vehicle operating with a natural gas engine exceed eighty-two thousand pounds.

305.800. As used in sections 305.800 to 305.810, the following terms mean:

(1) "Abandoned aircraft", an aircraft left in a wrecked, inoperative, or partially dismantled condition at an airport; or an aircraft that has remained in an idle state at an airport for forty-five consecutive calendar days without a contractual agreement between the owner or operator of the aircraft and the airport for use of the airport premises;

(2) "Airport superintendent", the person or group of people authorized to make decisions on behalf of an airport;

(3) "Derelict aircraft", any aircraft that is not in a flyable condition, does not have a current certificate of airworthiness issued by the Federal Aviation Administration, and
is not in the process of actively being repaired.

305.802. 1. If a derelict aircraft or abandoned aircraft is discovered on airport property, the airport superintendent shall:

(1) Make a record of the date the aircraft was discovered on the airport property; and

(2) Inquire as to the name and address of any person having an equitable or legal interest in the aircraft, including the owner and any lienholders, by:

(a) Contacting the Federal Aviation Administration, aircraft registration branch, and making a diligent search of the appropriate records; or

(b) Contacting an aircraft title search company.

2. Within ten business days of receiving the information requested under subsection 1 of this section, the airport superintendent shall notify the owner and all other interested parties by certified mail, return receipt requested:

(1) Of the location of the derelict or abandoned aircraft on the airport property;

(2) That fees and charges for the use of the airport by the aircraft have accrued and the amount of those fees and charges;

(3) That the aircraft is subject to a lien under section 305.806 for any unpaid and accrued fees and charges for the use of the airport and for the transportation, storage, and removal of the aircraft;

(4) That the lien is subject to enforcement under this section;

(5) That the airport may use, trade, sell, or remove the
aircraft as described in section 305.804 if, within thirty calendar days after the date of receipt of the notice, the owner or other interested party has not removed the aircraft from the airport and paid in full all accrued fees and charges for the use of the airport and for the transportation, storage, and removal of the aircraft; and

(6) That the airport superintendent may remove the aircraft in less than thirty calendar days if the aircraft poses a danger to the health or safety of users of the airport, as determined by the airport superintendent.

3. (1) If the owner of the aircraft is unknown or cannot be found after the inquiry required under subdivision (2) of subsection 1 of this section, the airport superintendent shall place a notice upon the aircraft in a conspicuous place containing the information required under subdivisions (2), (3), (4), (5), and (6) of subsection 2 of this section.

(2) The notice required under subdivision (1) of this subsection shall be not less than eight inches by ten inches and shall be laminated or otherwise sufficiently weatherproof to withstand normal exposure to rain, snow, and other conditions.

305.804. 1. If the owner or other interested party has not removed the aircraft from the airport and paid in full all accrued fees and charges for the use of the airport and for the transportation, storage, and removal of the aircraft, or shown reasonable cause for the failure to do so within thirty calendar days of the airport superintendent posting notice under section 305.802, the airport superintendent may:

(1) Retain the aircraft for use by the airport, the state,
or the unit of local government owning or operating the airport;

(2) Trade the aircraft to another unit of local government or a state agency;

(3) Sell the aircraft; or

(4) Dispose of the aircraft through an appropriate refuse removal company or a company that provides salvage services for aircraft.

2. If the airport superintendent elects to sell the aircraft in accordance with subdivision (3) of subsection 1 of this section, the aircraft shall be sold at public auction after giving notice of the time and place of sale, at least ten calendar days prior to the date of sale, in a newspaper of general circulation within the county where the airport is located and after providing written notice of the intended sale to all parties known to have an interest in the aircraft.

3. If the airport superintendent elects to dispose of the aircraft in accordance with subdivision (4) of subsection 1 of this section, the airport superintendent shall be entitled to negotiate with the company for a price to be received from the company in payment for the aircraft, or, if circumstances so warrant, a price to be paid to the company by the airport superintendent for the costs of disposing of the aircraft. All information and records pertaining to the establishment of the price and the justification for the amount of the price shall be prepared and maintained by the airport superintendent.

4. If the sale price or the negotiated price is less than the airport superintendent's current fees and charges against the aircraft, the owner of the aircraft shall remain liable to the
airport superintendent for the fees and charges that are not
offset by the sale price or negotiated price.

5. All costs incurred by the airport superintendent in the
removal, storage, and sale of any aircraft shall be recoverable
against the owner of the aircraft.

305.806. 1. The airport superintendent shall have a lien on
a derelict or abandoned aircraft for all unpaid fees and charges
for the use of the airport by the aircraft and for all unpaid
costs incurred by the airport superintendent for the
transportation, storage, and removal of the aircraft. As a
prerequisite to perfecting a lien under this section, the airport
superintendent shall serve a notice on the last registered owner
and all persons having an equitable or legal interest in the
aircraft.

2. (1) For the purpose of perfecting a lien under this
section, the airport superintendent shall file a claim of lien
that states:

(a) The name and address of the airport;

(b) The name of the last registered owner of the aircraft
and all persons having a legal or equitable interest in the
aircraft;

(c) The fees and charges incurred by the aircraft for the
use of the airport and the costs for the transportation, storage,
and removal of the aircraft; and

(d) A description of the aircraft sufficient for
identification.

(2) The claim of lien shall be signed and sworn to or
affirmed by the airport superintendent's director or the
director's designee.

(3) The claim of lien shall be served on the last registered owner of the aircraft and all persons having an equitable or legal interest in the aircraft. The claim of lien shall be served before filing.

(4) The claim of lien shall be filed with the proper office according to section 400-9.501. The filing of the claim of lien shall be constructive notice to all persons of the contents and effect of such claim. The lien shall attach at the time of filing and shall take priority as of that time.

305.808. 1. If the aircraft is sold, the airport superintendent shall satisfy the airport superintendent's lien, plus the reasonable expenses of notice, advertisement, and sale from the proceeds of the sale.

2. The balance of the proceeds of the sale, if any, shall be held by the airport superintendent and delivered on demand to the owner of the aircraft.

3. If no person claims the balance within twelve months of the date of sale, the airport shall retain the funds and use the funds for airport operations.

305.810. 1. Any person acquiring a legal interest in an aircraft under sections 305.800 to 305.810 shall be the lawful owner of the aircraft and all other legal or equitable interests in that aircraft shall be divested; provided that, the holder of any legal or equitable interest was notified of the intended disposal of the aircraft as required under sections 305.800 to 305.810.

2. The airport superintendent may issue documents of
disposition to the purchaser or recipient of an aircraft disposed of under sections 305.800 to 305.810.

306.127. 1. Beginning January 1, 2005, every person born after January 1, 1984, or as required pursuant to section 306.128, who operates a vessel on the lakes of this state shall possess, on the vessel, a boating safety identification card issued by the water patrol division or its agent which shows that he or she has:

(1) Successfully completed a boating safety course approved by the National Association of State Boating Law Administrators and certified by the water patrol division. The boating safety course may include a course sponsored by the United States Coast Guard Auxiliary or the United States Power Squadron. The water patrol division may appoint agents to administer a boater education course or course equivalency examination and issue boater identification cards under guidelines established by the water patrol. The water patrol division shall maintain a list of approved courses; or

(2) Successfully passed an equivalency examination prepared by the water patrol division and administered by the water patrol division or its agent. The equivalency examination shall have a degree of difficulty equal to, or greater than, that of the examinations given at the conclusion of an approved boating safety course; or

(3) A valid master's, mate's, or operator's license issued by the United States Coast Guard.

2. The water patrol division or its agent shall issue a permanent boating safety identification card to each person who
complies with the requirements of this section which is valid for
life unless invalidated pursuant to law.

3. The water patrol division may charge a fee for such card
or any replacement card that does not substantially exceed the
costs of administrating this section. The water patrol division
or its designated agent shall collect such fees. These funds
shall be forwarded to general revenue.

4. The provisions of this section shall not apply to any
person who:
   (1) Is licensed by the United States Coast Guard to serve
as master of a vessel;
   (2) Operates a vessel only on a private lake or pond that
is not classified as waters of the state;
   (3) Until January 1, 2006, is a nonresident who is visiting
the state for sixty days or less;
   (4) Is participating in an event or regatta approved by the
water patrol;
   (5) Is a nonresident who has proof of a valid boating
certificate or license issued by another state if the boating
course is approved by the National Association of State Boating
Law Administrators (NASBLA);
   (6) Is exempted by rule of the water patrol;
   (7) Is currently serving in any branch of the United States
Armed Forces, reserves, or Missouri National Guard, or any spouse
of a person currently in such service; or
   (8) Has previously successfully completed a boating safety
education course approved by the National Association of State
Boating Law Administrators (NASBLA).
5. The water patrol division shall inform other states of the requirements of this section.

6. No individual shall be detained or stopped strictly for the purpose of checking whether the individual possesses a boating safety identification card or a temporary boater education permit.

7. Any person or company that rents or sells vessels may issue a temporary boating safety identification card to an individual to operate a rented vessel or a vessel being considered for sale, for a period of up to seven days, provided that the individual meets the minimum age requirements for operating a vessel in this state. In order to qualify for the temporary boating safety identification card, the applicant shall provide a valid driver's license and shall sign an affidavit that he or she has reviewed the Missouri state highway patrol handbook of Missouri boating laws and responsibilities. Any individual holding a valid temporary boating safety identification card shall be deemed in compliance with the requirements of this section. The Missouri state highway patrol shall charge a fee of nine dollars for such temporary boating safety identification card. Individuals shall not be eligible for more than one temporary boating safety identification card. No person or company may issue a temporary boating safety identification card to an individual under the provisions of this subsection unless such person or company is capable of submitting the applicant's temporary boating safety identification card information and payment in an electronic format as prescribed by the Missouri state highway patrol. The business entity issuing a temporary
boating safety identification card to an individual under the
provisions of this subsection shall transmit the applicant's
temporary boating safety identification card information
electronically to the Missouri state highway patrol, in a manner
and format prescribed by the superintendent, using an electronic
online registration process developed and provided by the
Missouri state highway patrol. The electronic online process
developed and provided by the Missouri state highway patrol shall
allow the applicant to pay the temporary boating safety
identification card fee by credit card or debit card.

Notwithstanding any provision in section 306.185 to the contrary,
all fees collected under the authority of this subsection shall
be deposited in the water patrol division fund. The Missouri
state highway patrol shall promulgate rules for developing the
temporary boating safety identification card and any requirements
necessary to the issuance, processing, and payment of the
temporary boating safety identification card. The Missouri state
highway patrol shall, by rule, develop a boating safety checklist
for each applicant seeking a temporary boating safety
identification card. Nothing in this subsection shall allow a
holder of a temporary boating safety identification card to
receive a notation on the person's driver's license or nondriver
identification under section 302.184. The provisions of this
subsection shall expire on December 31, [2022] 2032.

307.015. 1. Trucks, semitrailers, and trailers, except
utility trailers, without rear fenders, attached to a commercial
motor vehicle registered for over twenty-four thousand pounds
shall be equipped with mud flaps for the rear wheels when
operated on the public highways of this state. If mud flaps are
used, they shall be wide enough to cover the full tread width of
the tire or tires being protected; shall be so installed that
they extend from the underside of the vehicle body in a vertical
plane behind the rear wheels to within twelve inches of the
ground for dump trucks and within eight inches of the ground for
all other vehicles required to be equipped with mud flaps under
this section; and shall be constructed of a rigid material or a
flexible material which is of a sufficiently rigid character to
provide adequate protection when the vehicle is in motion. No
provisions of this section shall apply to a motor vehicle in
transit and in process of delivery equipped with temporary mud
flaps, to farm implements, or to any vehicle which is not
required to be registered.

2. For purposes of this section, "dump truck" means a truck
whose contents can be emptied without handling, where the front
end of the platform can be hydraulically raised so that the load
is discharged by gravity.

3. Any person who violates this section is guilty of an
infraction and, upon plea or finding of guilt, shall be punished
as provided by law.

407.815. As used in sections 407.810 to 407.835, unless the
context otherwise requires, the following terms mean:

(1) "Administrative hearing commission", the body
established in chapter 621 to conduct administrative hearings;

(2) "All-terrain vehicle", any motorized vehicle
manufactured and used exclusively for off-highway use [which is
fifty inches or less in width], with an unladen dry weight of
one thousand five hundred pounds or less, traveling on three, four or more low pressure nonhighway tires, with either:

(a) A seat designed to be straddled by the operator, and handlebars for steering control; or

(b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement;

(3) "Coerce", to compel or attempt to compel a person to act in a given manner by pressure, intimidation, or threat of harm, damage, or breach of contract, but shall not include the following:

(a) Good faith recommendations, exposition, argument, persuasion or attempts at persuasion without unreasonable conditions;

(b) Notice given in good faith to any franchisee of such franchisee's violation of terms or provisions of such franchise or contractual agreement; or

(c) Any conduct set forth in sections 407.810 to 407.835 that is permitted of the franchisor;

(4) "Common entity", a person:

(a) Who is either controlled or owned, beneficially or of record, by one or more persons who also control or own more than forty percent of the voting equity interest of a franchisor; or

(b) Who shares directors or officers or partners with a franchisor;

(5) "Control", to possess, directly or indirectly, the power to direct or cause the direction of the management or policies of a person, whether through the ownership of voting
securities, by contract, or otherwise; except that "control" does
not include the relationship between a franchisor and a
franchisee under a franchise agreement;

(6) "Dealer-operator", the individual who works at the
established place of business of a dealer and who is responsible
for and in charge of day-to-day operations of that place of
business;

(7) "Distributor", a person, resident or nonresident, who,
in whole or in part, sells or distributes new motor vehicles to
motor vehicle dealers in this state;

(8) "Franchise" or "franchise agreement", a written
arrangement or contract for a definite or indefinite period, in
which a person grants to another person a license to use, or the
right to grant to others a license to use, a trade name,
trademark, service mark, or related characteristics, in which
there is a community of interest in the marketing of goods or
services, or both, at wholesale or retail, by agreement, lease or
otherwise, and in which the operation of the franchisee's
business with respect to such franchise is substantially reliant
on the franchisor for the continued supply of franchised new
motor vehicles, parts and accessories for sale at wholesale or
retail. The franchise includes all portions of all agreements
between a franchisor and a franchisee, including but not limited
to a contract, new motor vehicle franchise, sales and service
agreement, or dealer agreement, regardless of the terminology
used to describe the agreement or relationship between the
franchisor and franchisee, and also includes all provisions,
schedules, attachments, exhibits and agreements incorporated by
reference therein;

(9) "Franchisee", a person to whom a franchise is granted;

(10) "Franchisor", a person who grants a franchise to
another person;

(11) "Good faith", the duty of each party to any franchise
and all officers, employees, or agents thereof, to act in a fair
and equitable manner toward each other so as to guarantee the one
party freedom from coercion, intimidation, or threat of coercion
or intimidation from the other party;

(12) "Importer", a person who has written authorization
from a foreign manufacturer of a line-make of motor vehicles to
grant a franchise to a motor vehicle dealer in this state with
respect to that line-make;

(13) "Line-make", a collection of models, series, or groups
of motor vehicles manufactured by or for a particular
manufacturer, distributor or importer offered for sale, lease or
distribution pursuant to a common brand name or mark; provided,
however:

(a) Multiple brand names or marks may constitute a single
line-make, but only when included in a common dealer agreement
and the manufacturer, distributor or importer offers such
vehicles bearing the multiple names or marks together only, and
not separately, to its authorized dealers; and

(b) Motor vehicles bearing a common brand name or mark may
constitute separate line-makes when pertaining to motor vehicles
subject to separate dealer agreements or when such vehicles are
intended for different types of use;

(14) "Manufacturer", any person, whether a resident or
nonresident of this state, who manufactures or assembles motor
vehicles or who manufactures or installs on previously assembled
truck chassis special bodies or equipment which, when installed,
form an integral part of the motor vehicle and which constitute a
major manufacturing alteration. The term "manufacturer" includes
a central or principal sales corporation or other entity, other
than a franchisee, through which, by contractual agreement or
otherwise, it distributes its products;

(15) "Motor vehicle", for the purposes of sections 407.810
to 407.835, any motor-driven vehicle required to be registered
pursuant to the provisions of chapter 301, except that,
motorcycles and all-terrain vehicles as defined in section
301.010 shall not be included. The term "motor vehicle" shall
also include any engine, transmission, or rear axle, regardless
of whether attached to a vehicle chassis, that is manufactured
for the installation in any motor-driven vehicle with a gross
vehicle weight rating of more than sixteen thousand pounds that
is registered for the operations on the highways of this state
under chapter 301;

(16) "New", when referring to motor vehicles or parts,
means those motor vehicles or parts which have not been held
except as inventory, as that term is defined in subdivision (4)
of section 400.9-109;

(17) "Person", a natural person, sole proprietor,
partnership, corporation, or any other form of business entity or
organization;

(18) "Principal investor", the owner of the majority
interest of any franchisee;
(19) "Reasonable", shall be based on the circumstances of a franchisee in the market served by the franchisee;

(20) "Require", to impose upon a franchisee a provision not required by law or previously agreed to by a franchisee in a franchise agreement;

(21) "Successor manufacturer", any manufacturer that succeeds, or assumes any part of the business of, another manufacturer, referred to as the "predecessor manufacturer", as the result of:

(a) A change in ownership, operation, or control of the predecessor manufacturer by sale or transfer of assets, corporate stock, or other equity interest, assignment, merger, consolidation, combination, joint venture, redemption, court-approved sale, operation of law, or otherwise;

(b) The termination, suspension or cessation of a part or all of the business operations of the predecessor manufacturer;

(c) The noncontinuation of the sale of the product line; or

(d) A change in distribution system by the predecessor manufacturer, whether through a change in distributor or the predecessor manufacturer's decision to cease conducting business through a distributor altogether.

407.1025. As used in sections 407.1025 to 407.1049, unless the context otherwise requires, the following terms mean:

(1) "Administrative hearing commission", the body established in chapter 621 to conduct administrative hearings;

(2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use [which is fifty inches or less in width], with an unladen dry weight of
[six] one thousand five hundred pounds or less, traveling on three, four or more [low pressure] nonhighway tires, with either:

(a) A seat designed to be straddled by the operator, and handlebars for steering control; or

(b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement;

(3) "Coerce", to force a person to act in a given manner or to compel by pressure or threat but shall not be construed to include the following:

(a) Good faith recommendations, exposition, argument, persuasion or attempts at persuasion;

(b) Notice given in good faith to any franchisee of such franchisee's violation of terms or provisions of such franchise or contractual agreement;

(c) Any other conduct set forth in section 407.1043 as a defense to an action brought pursuant to sections 407.1025 to 407.1049; or

(d) Any other conduct set forth in sections 407.1025 to 407.1049 that is permitted of the franchisor or is expressly excluded from coercion or a violation of sections 407.1025 to 407.1049;

(4) "Franchise", a written arrangement or contract for a definite or indefinite period, in which a person grants to another person a license to use, or the right to grant to others a license to use, a trade name, trademark, service mark, or related characteristics, in which there is a community of interest in the marketing of goods or services, or both, at
whole sale or retail, by agreement, lease or otherwise, and in
which the operation of the franchisee's business with respect to
such franchise is substantially reliant on the franchisor for the
continued supply of franchised new motorcycles or all-terrain
vehicles, parts and accessories for sale at wholesale or retail;
(5) "Franchisee", a person to whom a franchise is granted;
(6) "Franchisor", a person who grants a franchise to
another person;
(7) "Motorcycle", a motor vehicle operated on two wheels;
(8) "New", when referring to motorcycles or all-terrain
vehicles or parts, means those motorcycles or all-terrain
vehicles or parts which have not been held except as inventory,
as that term is defined in subdivision (4) of section 400.9-109;
(9) "Person", a sole proprietor, partnership, corporation,
or any other form of business organization.

407.1329. If the RV dealer agreement is terminated,
cancelled, or not renewed by the manufacturer for cause, or if
the dealer voluntarily terminates an RV dealer agreement in a
manner permitted by such agreement, or if the manufacturer
terminates or discontinues a franchise by discontinuing a line-
make or by ceasing to do business in this state, or if the
manufacturer changes the distributor or method of distribution of
its products in this state or alters its sales regions or
marketing areas within this state in a manner that eliminates or
diminishes the dealer's market area, the manufacturer shall, at
the election of the RV dealer, within thirty days of termination,
repurchase:
(1) [(a) All new, untitled current model year recreation
vehicle inventory, acquired from the manufacturer, which has not been used (except for demonstration purposes), altered or damaged to the extent that such damage must be disclosed to the consumer pursuant to section 407.1343, at one hundred percent of the net invoice cost, including transportation, less applicable rebates and discounts to the dealer; and

(b) All new, untitled recreation vehicle inventory of the prior model year, acquired from the manufacturer, provided the prior model year vehicles have not been altered, used (except for demonstration purposes) or damaged to the extent that such damage must be disclosed to the consumer pursuant to section 407.1343, and were drafted on the dealer's financing source or paid within one hundred twenty days prior to the effective date of the termination, cancellation, or nonrenewal.

In the event any of the vehicles repurchased pursuant to this subdivision are damaged, but do not trigger the consumer disclosure requirement, the amount due the dealer shall be reduced by the cost to repair the vehicle. Damage prior to delivery to dealer that is disclosed at the time of delivery will not disqualify repurchase under this provision] All new, untitled recreation vehicle inventory, acquired from the manufacturer in the previous eighteen months, which has not been altered or damaged to the extent that such damage must be disclosed to the consumer pursuant to section 407.1343, at one hundred percent of the net invoice cost, including transportation, less applicable rebates and discounts to the dealer;
(2) All current and undamaged manufacturer's accessories and proprietary parts sold to the dealer for resale, if accompanied by the original invoice, at one hundred five percent of the original net price paid to the manufacturer to compensate the dealer for handling, packing, and shipping the parts; and

(3) Any fully and correctly functioning diagnostic equipment, special tools, current signage and other equipment and machinery, at one hundred percent of the dealer's net cost plus freight, destination, delivery and distribution charges and sales taxes, if any, provided it was purchased by the dealer within five years before termination and upon the manufacturer's request and can no longer be used in the normal course of the dealer's ongoing business.

The manufacturer shall pay the dealer within thirty days of receipt of [the returned] all items returned for repurchase under this section.

577.001. As used in this chapter, the following terms mean:

(1) "Aggravated offender", a person who has been found guilty of:

(a) Three or more intoxication-related traffic offenses committed on separate occasions; or

(b) Two or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was
injured or killed;

(2) "Aggravated boating offender", a person who has been found guilty of:
   
   (a) Three or more intoxication-related boating offenses; or
   (b) Two or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(3) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use [which is fifty inches or less in width], with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more [low pressure] nonhighway tires, with either:

   (a) A seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control; or
   (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement;

(4) "Court", any circuit, associate circuit, or municipal court, including traffic court, but not any juvenile court or treatment court;

(5) "Chronic offender", a person who has been found guilty of:

   (a) Four or more intoxication-related traffic offenses
committed on separate occasions; or

(b) Three or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(c) Two or more intoxication-related traffic offenses committed on separate occasions where both intoxication-related traffic offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(6) "Chronic boating offender", a person who has been found guilty of:

(a) Four or more intoxication-related boating offenses; or

(b) Three or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(c) Two or more intoxication-related boating offenses committed on separate occasions where both intoxication-related boating offenses were offenses committed in violation of any
state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(7) "Continuous alcohol monitoring", automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour, regardless of the location of the person who is being monitored, and regularly transmitting the data. Continuous alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of section 217.690;

(8) "Controlled substance", a drug, substance, or immediate precursor in schedules I to V listed in section 195.017;

(9) "Drive", "driving", "operates" or "operating", physically driving or operating a vehicle or vessel;

(10) "Flight crew member", the pilot in command, copilots, flight engineers, and flight navigators;

(11) "Habitual offender", a person who has been found guilty of:

(a) Five or more intoxication-related traffic offenses committed on separate occasions; or

(b) Four or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or
(c) Three or more intoxication-related traffic offenses committed on separate occasions where at least two of the intoxication-related traffic offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(12) "Habitual boating offender", a person who has been found guilty of:

(a) Five or more intoxication-related boating offenses; or

(b) Four or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(c) Three or more intoxication-related boating offenses committed on separate occasions where at least two of the intoxication-related boating offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(d) While boating while intoxicated, the defendant acted with criminal negligence to:

a. Cause the death of any person not a passenger in the vessel operated by the defendant, including the death of an
individual that results from the defendant's vessel leaving the
water; or

b. Cause the death of two or more persons; or

c. Cause the death of any person while he or she has a
blood alcohol content of at least eighteen-hundredths of one
percent by weight of alcohol in such person's blood;

(13) "Intoxicated" or "intoxicated condition", when a
person is under the influence of alcohol, a controlled substance,
or drug, or any combination thereof;

(14) "Intoxication-related boating offense", operating a
vessel while intoxicated; boating while intoxicated; operating a
vessel with excessive blood alcohol content or an offense in
which the defendant was operating a vessel while intoxicated and
another person was injured or killed in violation of any state
law, county or municipal ordinance, any federal offense, or any
military offense;

(15) "Intoxication-related traffic offense", driving while
intoxicated, driving with excessive blood alcohol content,
driving under the influence of alcohol or drugs in violation of a
state law, county or municipal ordinance, any federal offense, or
any military offense, or an offense in which the defendant was
operating a vehicle while intoxicated and another person was
injured or killed in violation of any state law, county or
municipal ordinance, any federal offense, or any military
offense;

(16) "Law enforcement officer" or "arresting officer",
includes the definition of law enforcement officer in section
556.061 and military policemen conducting traffic enforcement
operations on a federal military installation under military
jurisdiction in the state of Missouri;

(17) "Operate a vessel", to physically control the movement
of a vessel in motion under mechanical or sail power in water;

(18) "Persistent offender", a person who has been found
guilty of:
  (a) Two or more intoxication-related traffic offenses
committed on separate occasions; or
  (b) One intoxication-related traffic offense committed in
violation of any state law, county or municipal ordinance,
federal offense, or military offense in which the defendant was
operating a vehicle while intoxicated and another person was
injured or killed;

(19) "Persistent boating offender", a person who has been
found guilty of:
  (a) Two or more intoxication-related boating offenses
committed on separate occasions; or
  (b) One intoxication-related boating offense committed in
violation of any state law, county or municipal ordinance,
federal offense, or military offense in which the defendant was
operating a vessel while intoxicated and another person was
injured or killed;

(20) "Prior offender", a person who has been found guilty
of one intoxication-related traffic offense, where such prior
offense occurred within five years of the occurrence of the
intoxication-related traffic offense for which the person is
charged;

(21) "Prior boating offender", a person who has been found
guilty of one intoxication-related boating offense, where such
prior offense occurred within five years of the occurrence of the
intoxication-related boating offense for which the person is
charged.

Section B. The enactment of section 302.205 of this act
shall become effective on July 31, 2021.