

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 2331, Page 1, Section A, Line 2, by inserting after all of said section and  
2 line the following:

3  
4 "194.210. 1. Sections 194.210 to 194.294 may be cited as the "Revised Uniform  
5 Anatomical Gift Act".

6 2. As used in sections 194.210 to 194.294, the following terms mean:

7 (1) "Adult", an individual who is at least eighteen years of age;

8 (2) "Agent", an individual:

9 (a) Authorized to make health-care decisions on the principal's behalf by a power of  
10 attorney for health care; or

11 (b) Expressly authorized to make an anatomical gift on the principal's behalf by any other  
12 record signed by the principal;

13 (3) "Anatomical gift", a donation of all or part of a human body to take effect after the  
14 donor's death for the purposes of transplantation, therapy, research, or education;

15 (4) ~~["Cadaver procurement organization", an entity lawfully established and operated for the~~  
16 ~~procurement and distribution of anatomical gifts to be used as cadavers or cadaver tissue for~~  
17 ~~appropriate education or research;~~

18 ~~(5)]~~ (6) "Decedent", a deceased individual whose body or part is or may be the source of an  
19 anatomical gift. The term includes a stillborn infant but does not include an unborn child as defined  
20 in section 1.205 or 188.015 if the child has not died of natural causes;

21 ~~[(6)]~~ (5) "Disinterested witness", a witness other than the spouse, child, parent, sibling,  
22 grandchild, grandparent, or guardian of the individual who makes, amends, revokes, or refuses to  
23 make an anatomical gift. The term does not include a person to which an anatomical gift could pass  
24 under section 194.255;

25 ~~[(7)]~~ (6) "Document of gift", a donor card or other record used to make an anatomical gift.  
26 The term includes a statement or symbol on a driver's license, identification card, or donor registry;

27 ~~[(8)]~~ (7) "Donor", an individual whose body or part is the subject of an anatomical gift  
28 provided that donor does not include an unborn child as defined in section 1.205 or section 188.015  
29 if the child has not died of natural causes;

30 ~~[(9)]~~ (8) "Donor registry", a database that contains records of anatomical gifts and

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 amendments to or revocations of anatomical gifts;

2 ~~[(10)]~~ (9) "Driver's license", a license or permit issued by the department of revenue to  
3 operate a vehicle whether or not conditions are attached to the license or permit;

4 ~~[(11)]~~ (10) "Eye bank", a person that is licensed, accredited, or regulated under federal or  
5 state law to engage in the recovery, screening, testing, processing, storage, or distribution of human  
6 eyes or portions of human eyes;

7 ~~[(12)]~~ (11) "Guardian", a person appointed by a court pursuant to chapter 475. The term  
8 does not include a guardian ad litem;

9 ~~[(13)]~~ (12) "Hospital", a facility licensed as a hospital under the laws of any state or a  
10 facility operated as a hospital by the United States, a state, or a subdivision of a state;

11 ~~[(14)]~~ (13) "Identification card", an identification card issued by the department of revenue;

12 ~~[(15)]~~ (14) "Know", to have actual knowledge;

13 ~~[(16)]~~ (15) "Minor", an individual who is under eighteen years of age;

14 ~~[(17)]~~ (16) "Organ procurement organization", ~~[a person]~~ an entity designated by the United  
15 States Secretary of Health and Human Services as an organ procurement organization;

16 ~~[(18)]~~ (17) "Parent", a parent whose parental rights have not been terminated;

17 ~~[(19)]~~ (18) "Part", an organ, an eye, or tissue of a human being. The term does not include  
18 the whole body;

19 ~~[(20)]~~ (19) "Person", an individual, corporation, business trust, estate, trust, partnership,  
20 limited liability company, association, joint venture, public corporation, government or  
21 governmental subdivision, agency, or instrumentality, or any other legal or commercial entity;

22 ~~[(21)]~~ (20) "Physician", an individual authorized to practice medicine or osteopathy under  
23 the laws of any state;

24 ~~[(22)]~~ (21) "Potential donor", an individual whose body or part is the subject of an  
25 anatomical gift, except that the term "potential donor" shall not include an unborn child, as defined  
26 in section 1.205 or 188.015, if the child did not die of natural causes;

27 (22) "Procurement organization", an eye bank, organ procurement organization, [ø] tissue  
28 bank, or entity lawfully established and operated for the procurement and distribution of anatomical  
29 gifts to be used as donated organs or donated tissues or for appropriate scientific or medical  
30 research;

31 (23) "Prospective donor", an individual who is dead or near death and has been determined  
32 by a procurement organization to have a part that could be medically suitable for transplantation,  
33 therapy, research, or education. The term does not include an individual who has made a refusal;

34 (24) "Reasonably available", able to be contacted by a procurement organization with  
35 reasonable effort and willing and able to act in a timely manner consistent with existing medical  
36 criteria necessary for the making of an anatomical gift;

37 (25) "Recipient", an individual into whose body a decedent's part has been or is intended to  
38 be transplanted;

39 (26) "Record", information that is inscribed on a tangible medium or that is stored in an

1 electronic or other medium and is retrievable in perceivable form;

2 (27) "Refusal", a record created under section 194.235 that expressly states an intent to bar  
3 other persons from making an anatomical gift of an individual's body or part;

4 (28) "Sign", with the present intent to authenticate or adopt a record:

5 (a) To execute or adopt a tangible symbol; or

6 (b) To attach or logically associate with the record an electronic symbol, sound, or process;

7 (29) "State", a state of the United States, the District of Columbia, Puerto Rico, the United  
8 States Virgin Islands, or any territory or insular possession subject to the United States;

9 (30) "Technician", an individual determined to be qualified to remove or process parts by an  
10 appropriate organization that is licensed, accredited, or regulated under federal or state law. The  
11 term includes an eye enucleator;

12 (31) "Tissue", a portion of the human body other than an organ or an eye. The term does not  
13 include blood unless the blood is donated for purposes of research or education;

14 (32) "Tissue bank", a person that is licensed, accredited, or regulated under federal or state  
15 law to engage in the recovery, screening, testing, processing, storage, or distribution of tissue;

16 (33) "Transplant hospital", a hospital that furnishes organ transplants and other medical and  
17 surgical specialty services required for the care of transplant patients.

18 194.255. 1. An anatomical gift may be made to the following persons named in the  
19 document of gift:

20 (1) A hospital, accredited medical school, dental school, college, university, ~~[or organ]~~  
21 procurement organization, ~~[cadaver procurement organization,]~~ or other appropriate person for  
22 appropriate scientific or medical research or education;

23 (2) Subject to subsection 2 of this section, an individual designated by the person making  
24 the anatomical gift if the individual is the recipient of the part; or

25 (3) An eye bank or tissue bank.

26 2. If an anatomical gift to an individual under subdivision (2) of subsection 1 of this section  
27 cannot be transplanted into the individual, the part passes in accordance with subsection 7 of this  
28 section in the absence of an express, contrary indication by the person making the anatomical gift.

29 3. If an anatomical gift of one or more specific parts or of all parts is made in a document of  
30 gift that does not name a person described in subsection 1 of this section but identifies the purpose  
31 for which an anatomical gift may be used, the following rules apply:

32 (1) If the part is an eye and the gift is for the purpose of transplantation or therapy, the gift  
33 passes to the appropriate eye bank;

34 (2) If the part is tissue and the gift is for the purpose of transplantation or therapy, the gift  
35 passes to the appropriate tissue bank;

36 (3) If the part is an organ and the gift is for the purpose of transplantation or therapy, the gift  
37 passes to the appropriate organ procurement organization as custodian of the organ;

38 (4) If the part is an organ, an eye, or tissue and the gift is for the purpose of research or  
39 education, the gift passes to the appropriate procurement organization.

1           4. For the purpose of subsection 3 of this section, if there is more than one purpose of an  
2 anatomical gift set forth in the document of gift but the purposes are not set forth in any priority, the  
3 gift must be used for transplantation or therapy if suitable. If the gift cannot be used for  
4 transplantation or therapy, the gift may be used for research or education.

5           5. If an anatomical gift of one or more specific parts is made in a document of gift that does  
6 not name a person described in subsection 1 of this section and does not identify the purpose of the  
7 gift, the gift may be used only for transplantation or therapy, and the gift passes in accordance with  
8 subsection 7 of this section.

9           6. If a document of gift specifies only a general intent to make an anatomical gift by words  
10 such as "donor", "organ donor", or "body donor", or by a symbol or statement of similar import, the  
11 gift may be used only for transplantation or therapy, and the gift passes in accordance with  
12 subsection 7 of this section.

13           7. For purposes of subsections 2, 5, and 6 of this section, the following rules apply:

14           (1) If the part is an eye, the gift passes to the appropriate eye bank;

15           (2) If the part is tissue, the gift passes to the appropriate tissue bank;

16           (3) If the part is an organ, the gift passes to the appropriate organ procurement organization  
17 as custodian of the organ;

18           (4) If the gift is medically unsuitable for transplantation or therapy, the gift may be used for  
19 appropriate scientific or medical research or education and pass to the appropriate procurement  
20 organization [or cadaver procurement organization].

21           8. An anatomical gift of an organ for transplantation or therapy, other than an anatomical  
22 gift under subdivision (2) of subsection 1 of this section, passes to the organ procurement  
23 organization as custodian of the organ.

24           9. If an anatomical gift does not pass under subsections 1 through 8 of this section or the  
25 decedent's body or part is not used for transplantation, therapy, research, or education, custody of the  
26 body or part passes to the person under obligation to dispose of the body or part.

27           10. A person may not accept an anatomical gift if the person knows that the gift was not  
28 effectively made under section 194.225 or 194.250 or if the person knows that the decedent made a  
29 refusal under section 194.235 that was not revoked. For purposes of this subsection, if a person  
30 knows that an anatomical gift was made on a document of gift, the person is deemed to know of any  
31 amendment or revocation of the gift or any refusal to make an anatomical gift on the same document  
32 of gift.

33           11. A person may not accept an anatomical gift if the person knows that the gift is from the  
34 body of an executed prisoner from another country.

35           12. Except as otherwise provided in subdivision (2) of subsection 1 of this section, nothing  
36 in this act affects the allocation of organs for transplantation or therapy.

37           194.265. 1. When a hospital refers an individual at or near death to a procurement  
38 organization, the organization shall make a reasonable search of any donor registry and other  
39 applicable records that it knows exist for the geographical area in which the individual resides to

1 ascertain whether the individual has made an anatomical gift.

2 2. A procurement organization must be allowed reasonable access to information in the  
3 records of the department of health and senior services and department of revenue to ascertain  
4 whether an individual at or near death is a donor.

5 3. When a hospital refers an individual at or near death to a procurement organization, the  
6 organization may conduct any reasonable examination necessary to ensure the medical suitability of  
7 a part that is or could be the subject of an anatomical gift for transplantation, therapy, research, or  
8 education from a donor, a potential donor, or a prospective donor. During the examination period,  
9 measures necessary to ensure the medical suitability of the part may not be withdrawn unless the  
10 hospital or procurement organization knows a contrary intent had or has been expressed by the  
11 individual or an agent of the individual, or if the individual is incapacitated and he or she has no  
12 agent, knows a contrary intent has been expressed by any person listed in section 194.245 having  
13 priority to make an anatomical gift on behalf of the individual.

14 4. Unless prohibited by law other than sections 194.210 to 194.294, at any time after a  
15 donor's death, the person to which a part passes under section 194.255 may conduct any reasonable  
16 examination necessary to ensure the medical suitability of the body or part for its intended purpose.

17 5. Unless prohibited by law other than sections 194.210 to 194.294, an examination under  
18 subsection 3 or 4 of this section may include an examination of all medical records of the donor,  
19 potential donor, or prospective donor.

20 6. Upon the death of a minor who was a donor or had signed a refusal, unless a procurement  
21 organization knows the minor is emancipated, the procurement organization shall conduct a  
22 reasonable search for the parents of the minor and provide the parents with an opportunity to revoke  
23 or amend the anatomical gift or revoke a refusal.

24 7. Upon referral by a hospital under subsection 1 of this section, a procurement organization  
25 shall make a reasonable search for any person listed in section 194.245 having priority to make an  
26 anatomical gift on behalf of a donor, potential donor, or prospective donor. If a procurement  
27 organization receives information that an anatomical gift to any other person was made, amended, or  
28 revoked, it shall promptly advise the other person of all relevant information.

29 8. Subject to subsection 9 of section 194.255 and section 58.785, the rights of the person to  
30 which a part passes under section 194.255 are superior to rights of all others with respect to the part.  
31 The person may accept or reject an anatomical gift in whole or in part. Subject to the terms of the  
32 document of gift and this act, a person that accepts an anatomical gift of an entire body may allow  
33 embalming or cremation and use of remains in a funeral service. If the gift is of a part, the person to  
34 which the part passes under section 194.255, upon the death of the donor and before embalming,  
35 burial, or cremation, shall cause the part to be removed without unnecessary mutilation.

36 9. Neither the physician who attends the decedent immediately prior to or at death nor the  
37 physician who determines the time of the decedent's death may participate in the procedures for  
38 removing or transplanting a part from the decedent.

39 10. No physician who removes or transplants a part from the decedent, or a procurement

organization, shall have primary responsibility for the health care treatment, or health care decision-making for such individual's terminal condition during the hospitalization for which the individual becomes a donor.

11. A physician or technician may remove a donated part from the body of a donor that the physician or technician is qualified to remove.

194.285. 1. A person that acts in accordance with sections 194.210 to 194.294 or with the applicable anatomical gift law of another state that is not inconsistent with the provisions of sections 194.210 to 194.294 or attempts without negligence and in good faith to do so is not liable for the act in any civil action, criminal, or administrative proceeding.

2. Neither the person making an anatomical gift nor the donor's estate is liable for any injury or damage that results from the making or use of the gift.

3. In determining whether an anatomical gift has been made, amended, or revoked under sections 194.210 to 194.294, a person may rely upon representations of individuals listed in subdivision (2), (3), (4), (5), (6), (7), or (8) of subsection 1 of section 194.245 relating to the individual's relationship to the donor, potential donor, or prospective donor unless the person knows that representation is untrue.

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

(1) "Advance health-care directive", a power of attorney for health care or a record signed or authorized by a donor, potential donor, or prospective donor, containing the ~~[prospective]~~ donor's direction concerning a health-care decision for the ~~[prospective]~~ donor;

(2) "Declaration", a record, including but not limited to a living will, or a do-not-resuscitate order, signed by a donor, potential donor, or prospective donor specifying the circumstances under which a life support system may be withheld or withdrawn;

(3) "Health-care decision", any decision regarding the health care of the donor, potential donor, or prospective donor.

2. If a donor, potential donor, or prospective donor has a declaration or advance health-care directive and the terms of the declaration or directive and the express or implied terms of a potential anatomical gift are in conflict with regard to the administration of measures necessary to ensure the medical suitability of a part for transplantation or therapy, the ~~[prospective]~~ donor's attending physician and ~~[prospective]~~ donor shall confer to resolve the conflict. If the donor, potential donor, or prospective donor is incapable of resolving the conflict, an agent acting under the ~~[prospective]~~ donor's declaration or directive or, if none or the agent is not reasonably available, another person authorized by law to make health-care decisions on behalf of the ~~[prospective]~~ donor shall act for the donor to resolve the conflict. The conflict must be resolved as expeditiously as possible. Information relevant to the resolution of the conflict may be obtained from the appropriate procurement organization and any other person authorized to make an anatomical gift for the prospective donor under section 194.245. Before the resolution of the conflict, measures necessary to ensure the medical suitability of an organ for transplantation or therapy may not be withheld or withdrawn from the donor, potential donor, or prospective donor if withholding or withdrawing the

measures is not contraindicated by appropriate end-of-life care.

194.297. 1. There is established in the state treasury the "Organ Donor Program Fund"[, which shall consist of all moneys deposited by the director of revenue pursuant to subsection 2 of section 302.171 and any other moneys donated or appropriated to the fund]. The director of revenue shall credit to and deposit in the fund all amounts received under subsection 8 of section 301.020, section 301.3125, and subsection 2 of section 302.171 and any other amounts that may be received from appropriations, grants, gifts, bequests, the federal government, or any other source. Moneys in the fund shall be expended in the manner set forth in section 194.299.

2. The department of health and senior services may pursue funding to support programmatic efforts and initiatives described in section 194.299.

3. The state treasurer shall invest any moneys in excess of five hundred thousand dollars in the organ donor program fund not required for immediate disbursement or program allocation in the same manner as surplus state funds are invested under section 30.260. All earnings resulting from the investment of moneys in the fund shall be credited to the fund.

4. Private contributions, grants, and federal funds may be used and expended by the department of health and senior services for such purposes as may be specified in any requirements, terms, or conditions attached thereto or, in the absence of any specific requirements, terms, or conditions, as the department determines under section 194.299.

5. The acceptance and use of federal funds shall not commit any state funds or place any obligation upon the general assembly to continue the programs or activities outlined in the federal fund award for which the federal funds are available.

6. The state treasurer shall administer the fund, and the moneys in the fund shall be used solely, upon appropriation, by the department of health and senior services[, in consultation]. The department may consult with the organ donation advisory committee[, for implementation of organ donation awareness programs in the manner prescribed in subsection 2 of section 194.300] about implementation of programming and related expenditures.

7. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the organ donor program fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. There shall be no money appropriated from general revenue to administer the fund in the event the fund cannot sustain itself.

194.299. The moneys in the organ donor program fund shall be expended as follows:

(1) [Grants] Contracts that may be entered into by the department of health and senior services [to] with certified organ procurement organizations and other organizations, individuals, and institutions for services furthering the development and implementation of organ donation awareness programs in this state;

(2) Initiatives to increase education and awareness of organ, eye, and tissue donation; donor family recognition efforts; training and strategic planning efforts relating to organ, eye, and tissue donation; and donor registry initiatives;

(3) Publication of informational pamphlets or booklets by the department of health and

1 senior services and the advisory committee regarding organ donations and donations to the organ  
 2 donor program fund when obtaining or renewing a license to operate a motor vehicle pursuant to  
 3 subsection 2 of section 302.171;

4 ~~[(3)]~~ (4) Maintenance of a central registry of potential organ, eye, and tissue donors  
 5 pursuant to subsection 1 of section 194.304; ~~[and~~

6 ~~(4)]~~ (5) Implementation of organ donation awareness programs in the secondary schools of  
 7 this state by the department of elementary and secondary education; and

8 (6) Reimbursements for reasonable and necessary expenses incurred by members of the  
 9 organ donation advisory committee as described in subsection 2 of section 194.300.

10 194.300. 1. There is established within the department of health and senior services the  
 11 "Organ Donation Advisory Committee", which shall consist of the following members appointed by  
 12 the governor with the advice and consent of the senate:

13 (1) Four representatives of organ and tissue procurement organizations;

14 (2) Four members representative of organ recipients, families of organ recipients, organ  
 15 donors and families of organ donors;

16 (3) One health care representative from a hospital located in Missouri; and

17 (4) One representative of the department of health and senior services.

18 2. Members of the advisory committee shall receive no compensation for their services, but  
 19 may be reimbursed for the reasonable and necessary expenses incurred in the performance of their  
 20 duties out of ~~[appropriations made for that purpose]~~ the organ donor program fund established in  
 21 section 194.297. Members shall serve for five year terms and shall serve at the pleasure of the  
 22 governor.

23 194.304. 1. The department of revenue shall cooperate with any donor registry that this  
 24 state establishes, contracts for, or recognizes for the purpose of transferring to the donor registry all  
 25 relevant information regarding a donor's making, amendment to, or revocation of an anatomical gift.

26 2. A first person consent organ and tissue donor registry shall:

27 (1) Allow a donor, potential donor, prospective donor, or other person authorized under  
 28 section 194.220 to include on the donor registry a statement or symbol that the donor has made,  
 29 amended, or revoked an anatomical gift;

30 (2) Be accessible to a procurement organization to allow it to obtain relevant information on  
 31 the donor registry to determine, at or near death of the donor, a potential donor, or a prospective  
 32 donor, whether the donor ~~[or prospective donor]~~ has made, amended, or revoked an anatomical gift;  
 33 and

34 (3) Be accessible for purposes of subdivisions (1) and (2) of this subsection seven days a  
 35 week on a twenty-four-hour basis.

36 3. Personally identifiable information on ~~[a first person consent organ and tissue]~~ the donor  
 37 registry about a donor, potential donor, or prospective donor may not be used or disclosed without  
 38 the express consent of the donor~~[, prospective donor,]~~ or the person that made the anatomical gift for  
 39 any purpose other than to determine, at or near death of the donor ~~[or a prospective donor]~~, whether



1 the donor ~~[or prospective donor]~~ has made, amended, or revoked an anatomical gift.

2 301.020. 1. Every owner of a motor vehicle or trailer, which shall be operated or driven  
3 upon the highways of this state, except as herein otherwise expressly provided, shall annually file,  
4 by mail or otherwise, in the office of the director of revenue, an application for registration on a  
5 blank to be furnished by the director of revenue for that purpose containing:

6 (1) A brief description of the motor vehicle or trailer to be registered, including the name of  
7 the manufacturer, the vehicle identification number, the amount of motive power of the motor  
8 vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a motor  
9 vehicle primarily for business use as defined in section 301.010;

10 (2) The name, the applicant's identification number and address of the owner of such motor  
11 vehicle or trailer;

12 (3) The gross weight of the vehicle and the desired load in pounds if the vehicle is a  
13 commercial motor vehicle or trailer.

14 2. If the vehicle is a motor vehicle primarily for business use as defined in section 301.010  
15 and if such vehicle is ten years of age or less and has less than one hundred fifty thousand miles on  
16 the odometer, the director of revenue shall retain the odometer information provided in the vehicle  
17 inspection report, and provide for prompt access to such information, together with the vehicle  
18 identification number for the motor vehicle to which such information pertains, for a period of ten  
19 years after the receipt of such information. This section shall not apply unless:

20 (1) The application for the vehicle's certificate of ownership was submitted after July 1,  
21 1989; and

22 (2) The certificate was issued pursuant to a manufacturer's statement of origin.

23 3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business use, a  
24 recreational motor vehicle, motorcycle, motortricycle, autocycle, bus, or any commercial motor  
25 vehicle licensed for over twelve thousand pounds and if such motor vehicle is ten years of age or  
26 less and has less than one hundred fifty thousand miles on the odometer, the director of revenue  
27 shall retain the odometer information provided in the vehicle inspection report, and provide for  
28 prompt access to such information, together with the vehicle identification number for the motor  
29 vehicle to which such information pertains, for a period of ten years after the receipt of such  
30 information. This subsection shall not apply unless:

31 (1) The application for the vehicle's certificate of ownership was submitted after July 1,  
32 1990; and

33 (2) The certificate was issued pursuant to a manufacturer's statement of origin.

34 4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle, specially  
35 constructed motor vehicle, non-USA-std motor vehicle, as defined in section 301.010, or prior  
36 salvage as referenced in section 301.573, the owner or lienholder shall surrender the certificate of  
37 ownership. The owner shall make an application for a new certificate of ownership, pay the  
38 required title fee, and obtain the vehicle examination certificate required pursuant to subsection 9 of  
39 section 301.190. If an insurance company pays a claim on a salvage vehicle as defined in section

1 301.010 and the owner retains the vehicle, as prior salvage, the vehicle shall only be required to  
2 meet the examination requirements under subsection 10 of section 301.190. Notarized bills of sale  
3 along with a copy of the front and back of the certificate of ownership for all major component parts  
4 installed on the vehicle and invoices for all essential parts which are not defined as major  
5 component parts shall accompany the application for a new certificate of ownership. If the vehicle  
6 is a specially constructed motor vehicle, as defined in section 301.010, two pictures of the vehicle  
7 shall be submitted with the application. If the vehicle is a kit vehicle, the applicant shall submit the  
8 invoice and the manufacturer's statement of origin on the kit. If the vehicle requires the issuance of  
9 a special number by the director of revenue or a replacement vehicle identification number, the  
10 applicant shall submit the required application and application fee. All applications required under  
11 this subsection shall be submitted with any applicable taxes which may be due on the purchase of  
12 the vehicle or parts. The director of revenue shall appropriately designate "Reconstructed Motor  
13 Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially Constructed  
14 Motor Vehicle" on the current and all subsequent issues of the certificate of ownership of such  
15 vehicle.

16 5. Every insurance company that pays a claim for repair of a motor vehicle which as the  
17 result of such repairs becomes a reconstructed motor vehicle as defined in section 301.010 or that  
18 pays a claim on a salvage vehicle as defined in section 301.010 and the owner is retaining the  
19 vehicle shall in writing notify the owner of the vehicle, and in a first party claim, the lienholder if a  
20 lien is in effect, that he is required to surrender the certificate of ownership, and the documents and  
21 fees required pursuant to subsection 4 of this section to obtain a prior salvage motor vehicle  
22 certificate of ownership or documents and fees as otherwise required by law to obtain a salvage  
23 certificate of ownership, from the director of revenue. The insurance company shall within thirty  
24 days of the payment of such claims report to the director of revenue the name and address of such  
25 owner, the year, make, model, vehicle identification number, and license plate number of the  
26 vehicle, and the date of loss and payment.

27 6. Anyone who fails to comply with the requirements of this section shall be guilty of a  
28 class B misdemeanor.

29 7. An applicant for registration may make a donation of one dollar to promote a blindness  
30 education, screening and treatment program. The director of revenue shall collect the donations and  
31 deposit all such donations in the state treasury to the credit of the blindness education, screening and  
32 treatment program fund established in section 209.015. Moneys in the blindness education,  
33 screening and treatment program fund shall be used solely for the purposes established in section  
34 209.015; except that the department of revenue shall retain no more than one percent for its  
35 administrative costs. The donation prescribed in this subsection is voluntary and may be refused by  
36 the applicant for registration at the time of issuance or renewal. The director shall inquire of each  
37 applicant at the time the applicant presents the completed application to the director whether the  
38 applicant is interested in making the one dollar donation prescribed in this subsection.

39 8. An applicant for registration may make a donation of an amount not less than one dollar

1 to promote an organ donor program. The director of revenue shall collect the donations and deposit  
 2 all such donations in the state treasury to the credit of the organ donor program fund as established  
 3 in sections 194.297 to 194.304. Moneys in the organ donor fund shall be used solely for the  
 4 purposes established in sections 194.297 to 194.304, except that the department of revenue shall  
 5 retain no more than one percent for its administrative costs. The donation prescribed in this  
 6 subsection is voluntary and may be refused by the applicant for registration at the time of issuance  
 7 or renewal. The director shall inquire of each applicant at the time the applicant presents the  
 8 completed application to the director whether the applicant is interested in making ~~the~~ a  
 9 contribution not less than one dollar ~~[donation]~~ as prescribed in this subsection.

10 9. An applicant for registration may make a donation of one dollar to the Missouri medal of  
 11 honor recipients fund. The director of revenue shall collect the donations and deposit all such  
 12 donations in the state treasury to the credit of the Missouri medal of honor recipients fund as  
 13 established in section 226.925. Moneys in the medal of honor recipients fund shall be used solely  
 14 for the purposes established in section 226.925, except that the department of revenue shall retain no  
 15 more than one percent for its administrative costs. The donation prescribed in this subsection is  
 16 voluntary and may be refused by the applicant for registration at the time of issuance or renewal.  
 17 The director shall inquire of each applicant at the time the applicant presents the completed  
 18 application to the director whether the applicant is interested in making the one dollar donation  
 19 prescribed in this subsection.

20 302.171. 1. The director shall verify that an applicant for a driver's license is a Missouri  
 21 resident or national of the United States or a noncitizen with a lawful immigration status, and a  
 22 Missouri resident before accepting the application. The director shall not issue a driver's license for  
 23 a period that exceeds the duration of an applicant's lawful immigration status in the United States.  
 24 The director may establish procedures to verify the Missouri residency or United States  
 25 naturalization or lawful immigration status and Missouri residency of the applicant and establish the  
 26 duration of any driver's license issued under this section. An application for a license shall be made  
 27 upon an approved form furnished by the director. Every application shall state the full name, Social  
 28 Security number, age, height, weight, color of eyes, sex, residence, mailing address of the applicant,  
 29 and the classification for which the applicant has been licensed, and, if so, when and by what state,  
 30 and whether or not such license has ever been suspended, revoked, or disqualified, and, if revoked,  
 31 suspended or disqualified, the date and reason for such suspension, revocation or disqualification  
 32 and whether the applicant is making a ~~[one-dollar]~~ donation to promote an organ donation program  
 33 as prescribed in subsection 2 of this section, to promote a blindness education, screening and  
 34 treatment program as prescribed in subsection 3 of this section, or the Missouri medal of honor  
 35 recipients fund prescribed in subsection 4 of this section. A driver's license, nondriver's license, or  
 36 instruction permit issued under this chapter shall contain the applicant's legal name as it appears on  
 37 a birth certificate or as legally changed through marriage or court order. No name change by  
 38 common usage based on common law shall be permitted. The application shall also contain such  
 39 information as the director may require to enable the director to determine the applicant's

1 qualification for driving a motor vehicle; and shall state whether or not the applicant has been  
2 convicted in this or any other state for violating the laws of this or any other state or any ordinance  
3 of any municipality, relating to driving without a license, careless driving, or driving while  
4 intoxicated, or failing to stop after an accident and disclosing the applicant's identity, or driving a  
5 motor vehicle without the owner's consent. The application shall contain a certification by the  
6 applicant as to the truth of the facts stated therein. Every person who applies for a license to operate  
7 a motor vehicle who is less than twenty-one years of age shall be provided with educational  
8 materials relating to the hazards of driving while intoxicated, including information on penalties  
9 imposed by law for violation of the intoxication-related offenses of the state. Beginning January 1,  
10 2001, if the applicant is less than eighteen years of age, the applicant must comply with all  
11 requirements for the issuance of an intermediate driver's license pursuant to section 302.178. For  
12 persons mobilized and deployed with the United States Armed Forces, an application under this  
13 subsection shall be considered satisfactory by the department of revenue if it is signed by a person  
14 who holds general power of attorney executed by the person deployed, provided the applicant meets  
15 all other requirements set by the director.

16 2. An applicant for a license may make a donation of an amount not less than one dollar to  
17 promote an organ donor program. The director of revenue shall collect the donations and deposit all  
18 such donations in the state treasury to the credit of the organ donor program fund established in  
19 sections 194.297 to 194.304. Moneys in the organ donor program fund shall be used solely for the  
20 purposes established in sections 194.297 to 194.304 except that the department of revenue shall  
21 retain no more than one percent for its administrative costs. The donation prescribed in this  
22 subsection is voluntary and may be refused by the applicant for the license at the time of issuance or  
23 renewal of the license. The director shall make available an informational booklet or other  
24 informational sources on the importance of organ and tissue donations to applicants for licensure as  
25 designed by the organ donation advisory committee established in sections 194.297 to 194.304. The  
26 director shall inquire of each applicant at the time the licensee presents the completed application to  
27 the director whether the applicant is interested in making the ~~[one-dollar]~~ donation prescribed in this  
28 subsection and whether the applicant is interested in inclusion in the organ donor registry and shall  
29 also specifically inform the licensee of the ability to consent to organ donation by placing a donor  
30 symbol sticker authorized and issued by the department of health and senior services on the back of  
31 his or her driver's license or identification card as prescribed by subdivision (1) of subsection 1 of  
32 section 194.225. A symbol may be placed on the front of the license or identification card  
33 indicating the applicant's desire to be listed in the registry at the applicant's request at the time of his  
34 or her application for a driver's license or identification card, or the applicant may instead request an  
35 organ donor sticker from the department of health and senior services by application on the  
36 department of health and senior services' website. Upon receipt of an organ donor sticker sent by  
37 the department of health and senior services, the applicant shall place the sticker on the back of his  
38 or her driver's license or identification card to indicate that he or she has made an anatomical gift.  
39 The director shall notify the department of health and senior services of information obtained from

1 applicants who indicate to the director that they are interested in registry participation, and the  
2 department of health and senior services shall enter the complete name, address, date of birth, race,  
3 gender and a unique personal identifier in the registry established in subsection 1 of section 194.304.

4 3. An applicant for a license may make a donation of one dollar to promote a blindness  
5 education, screening and treatment program. The director of revenue shall collect the donations and  
6 deposit all such donations in the state treasury to the credit of the blindness education, screening and  
7 treatment program fund established in section 209.015. Moneys in the blindness education,  
8 screening and treatment program fund shall be used solely for the purposes established in section  
9 209.015; except that the department of revenue shall retain no more than one percent for its  
10 administrative costs. The donation prescribed in this subsection is voluntary and may be refused by  
11 the applicant for the license at the time of issuance or renewal of the license. The director shall  
12 inquire of each applicant at the time the licensee presents the completed application to the director  
13 whether the applicant is interested in making the one dollar donation prescribed in this subsection.

14 4. An applicant for registration may make a donation of one dollar to the Missouri medal of  
15 honor recipients fund. The director of revenue shall collect the donations and deposit all such  
16 donations in the state treasury to the credit of the Missouri medal of honor recipients fund as  
17 established in section 226.925. Moneys in the medal of honor recipients fund shall be used solely  
18 for the purposes established in section 226.925, except that the department of revenue shall retain no  
19 more than one percent for its administrative costs. The donation prescribed in this subsection is  
20 voluntary and may be refused by the applicant for registration at the time of issuance or renewal.  
21 The director shall inquire of each applicant at the time the applicant presents the completed  
22 application to the director whether the applicant is interested in making the one dollar donation  
23 prescribed in this subsection.

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

36 6. All appeals of denials under this section shall be made as required by section 302.311.

37 7. The period of limitation for criminal prosecution under this section shall be extended  
38 under subdivision (1) of subsection 3 of section 556.036.

39 8. The director may promulgate rules and regulations necessary to administer and enforce

1 this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall  
2 become effective unless it has been promulgated pursuant to chapter 536.

3 9. Notwithstanding any provision of this chapter that requires an applicant to provide proof  
4 of Missouri residency for renewal of a noncommercial driver's license, noncommercial instruction  
5 permit, or nondriver's license, an applicant who is sixty-five years and older and who was previously  
6 issued a Missouri noncommercial driver's license, noncommercial instruction permit, or Missouri  
7 nondriver's license is exempt from showing proof of Missouri residency.

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

13 11. Notwithstanding any other provision of this chapter, if an applicant does not meet the  
14 requirements of subsection 9 of this section and does not have the required documents to prove  
15 Missouri residency, United States naturalization, or lawful immigration status, the department may  
16 issue a one-year driver's license renewal. This one-time renewal shall only be issued to an applicant  
17 who previously has held a Missouri noncommercial driver's license, noncommercial instruction  
18 permit, or nondriver's license for a period of fifteen years or more and who does not have the  
19 required documents to prove Missouri residency, United States naturalization, or lawful immigration  
20 status. After the expiration of the one-year period, no further renewal shall be provided without the  
21 applicant producing proof of Missouri residency, United States naturalization, or lawful immigration  
22 status."; and

23  
24 Further amend said bill by amending the title, enacting clause, and intersectional references  
25 accordingly.