

SECOND REGULAR SESSION

# HOUSE BILL NO. 1947

100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BARNES.

4399H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal sections 302.177, 302.181, 302.185, 302.188, and 302.735, RSMo, and to enact in lieu thereof five new sections relating to driver's license fees for disabled veterans.

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

Section A. Sections 302.177, 302.181, 302.185, 302.188, and 302.735, RSMo, are  
2 repealed and five new sections enacted in lieu thereof, to be known as sections 302.177, 302.181,  
3 302.185, 302.188, and 302.735, to read as follows:

302.177. 1. To all applicants for a license or renewal to transport persons or property  
2 classified in section 302.015 who are at least twenty-one years of age and under the age of  
3 seventy, and who submit a satisfactory application and meet the requirements of sections  
4 302.010 to 302.605, the director shall issue or renew such license; except that no license shall  
5 be issued if an applicant's license is currently suspended, cancelled, revoked, disqualified, or  
6 deposited in lieu of bail. Such license shall expire on the applicant's birthday in the sixth year  
7 of issuance, unless the license must be issued for a shorter period due to other requirements of  
8 law or for transition or staggering of work as determined by the director. The license must be  
9 renewed on or before the date of expiration, which date shall be shown on the license.

10 2. To all applicants for a license or renewal to transport persons or property classified  
11 in section 302.015 who are less than twenty-one years of age or greater than sixty-nine years of  
12 age, and who submit a satisfactory application and meet the requirements of sections 302.010  
13 to 302.605, the director shall issue or renew such license; except that no license shall be issued  
14 if an applicant's license is currently suspended, cancelled, revoked, disqualified, or deposited in  
15 lieu of bail. Such license shall expire on the applicant's birthday in the third year of issuance,  
16 unless the license must be issued for a shorter period due to other requirements of law or for

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 transition or staggering of work as determined by the director. The license must be renewed on  
18 or before the date of expiration, which date shall be shown on the license. A license issued under  
19 this section to an applicant who is over the age of sixty-nine and contains a school bus  
20 endorsement shall not be issued for a period that exceeds one year.

21         3. To all other applicants for a license or renewal of a license who are at least twenty-one  
22 years of age and under the age of seventy, and who submit a satisfactory application and meet  
23 the requirements of sections 302.010 to 302.605, the director shall issue or renew such license;  
24 except that no license shall be issued if an applicant's license is currently suspended, cancelled,  
25 revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's  
26 birthday in the sixth year of issuance, unless the license must be issued for a shorter period due  
27 to other requirements of law or for transition or staggering of work as determined by the director.  
28 The license must be renewed on or before the date of expiration, which date shall be shown on  
29 the license.

30         4. To all other applicants for a license or renewal of a license who are less than  
31 twenty-one years of age or greater than sixty-nine years of age, and who submit a satisfactory  
32 application and meet the requirements of sections 302.010 to 302.605, the director shall issue  
33 or renew such license; except that no license shall be issued if an applicant's license is currently  
34 suspended, cancelled, revoked, disqualified, or deposited in lieu of bail. Such license shall  
35 expire on the applicant's birthday in the third year of issuance, unless the license must be issued  
36 for a shorter period due to other requirements of law or for transition or staggering of work as  
37 determined by the director. The license must be renewed on or before the date of expiration,  
38 which date shall be shown on the license.

39         5. The fee for a license issued for a period which exceeds three years under subsection  
40 1 of this section shall be thirty dollars.

41         6. The fee for a license issued for a period of three years or less under subsection 2 of  
42 this section shall be fifteen dollars, except that the fee for a license issued for one year or less  
43 which contains a school bus endorsement shall be five dollars, except renewal fees shall be  
44 waived for applicants seventy years of age or older seeking school bus endorsements.

45         7. The fee for a license issued for a period which exceeds three years under subsection  
46 3 of this section shall be fifteen dollars.

47         8. The fee for a license issued for a period of three years or less under subsection 4 of  
48 this section shall be seven dollars and fifty cents.

49         9. **Notwithstanding subsections 5, 6, 7, and 8 of this section, the fee for any license**  
50 **issued under this section shall be waived for any legal resident of the state of Missouri who**  
51 **is a veteran of service in the Armed Forces of the United States and who is rated as having**

52 **one hundred percent permanent service-connected disability by the Veteran's**  
53 **Administration.**

54 **10.** Beginning July 1, 2005, the director shall not issue a driver's license for a period that  
55 exceeds an applicant's lawful presence in the United States. The director may establish  
56 procedures to verify the lawful presence of the applicant and establish the duration of any driver's  
57 license issued under this section.

58 [10.] **11.** The director of revenue may adopt any rules and regulations necessary to carry  
59 out the provisions of this section. No rule or portion of a rule promulgated pursuant to the  
60 authority of this section shall become effective unless it has been promulgated pursuant to the  
61 provisions of chapter 536.

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

26           2. All film involved in the production of photographs for licenses shall become the  
27 property of the department of revenue.

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

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

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

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

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

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

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

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

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

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

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

91 **11. Notwithstanding any provision of this section or any other law to the contrary,**  
92 **the fee for any license or nondriver's identification card issued under this chapter shall be**  
93 **waived for any legal resident of the state of Missouri who is a veteran of service in the**  
94 **Armed Forces of the United States and who is rated as having one hundred percent**  
95 **permanent service-connected disability by the Veteran's Administration.**

96 **12.** No rule or portion of a rule promulgated pursuant to the authority of this chapter  
97 shall become effective unless it is promulgated pursuant to the provisions of chapter 536.

302.185. 1. In the event that a license issued under sections 302.010 to 302.780 shall be lost or destroyed or when a veteran seeks a veteran designation under section 302.188 prior to the expiration of a license or when a person who has a license or identification card issued prior to August 28, 2017, applies for a REAL ID compliant driver's license or identification card because noncompliant driver's licenses or identification cards issued by this state are no longer accepted as sufficient identification for domestic air travel, but not where a license has been suspended, taken up, revoked, disqualified, or deposited in lieu of bail, hereinafter provided, the person to whom the license as was issued may obtain a duplicate license upon furnishing proper identification and satisfactory proof to the director or his authorized license agents that the license has been lost or destroyed, and upon payment of a fee of fifteen dollars for a duplicate license if the person transports persons or property as classified in section 302.015, and a fee of seven dollars and fifty cents for all other duplicate classifications of license. The department of revenue shall not collect a duplicate license fee for issuance of a REAL ID compliant driver's license or identification card to a person not previously issued a REAL ID compliant driver's license or identification card.

2. **Notwithstanding any provision of this section or any other law to the contrary, the fee for any duplicate license issued under this section shall be waived for any legal resident of the state of Missouri who is a veteran of service in the Armed Forces of the United States and who is rated as having one hundred percent permanent service-connected disability by the Veteran's Administration.**

302.188. 1. A person may apply to the department of revenue to obtain a veteran designation on a driver's license or identification card issued under this chapter by providing:

- (1) A United States Department of Defense discharge document, otherwise known as a DD Form 214, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's service in the Armed Forces of the United States; or
- (2) A United States Uniformed Services Identification Card, otherwise known as a DD Form 2, that includes a discharge status of "retired" or "reserve retired" establishing the person's service in the Armed Forces of the United States; or
- (3) A United States Department of Veterans Affairs photo identification card; or
- (4) A discharge document WD AGO 53, WD AGO 55, WD AGO 53-55, NAVPERS 553, NAVMC 78 PD, NAVCG 553, or DD 215 form that shows a discharge status of "honorable" or "general under honorable conditions"; and
- (5) Payment of the fee for the driver's license or identification card authorized under this chapter, **unless exempt from such fee under subsection 3 of this section.**

2. If the person is seeking a duplicate driver's license with the veteran designation and his or her driver's license has not expired, the fee shall be as provided under section 302.185.

17           3. The department of revenue may determine the appropriate placement of the veteran  
18 designation on the driver's licenses and identification cards authorized under this section and may  
19 promulgate the necessary rules for administration of this section.

20           4. **Notwithstanding any provision of law to the contrary, the fee for any license or**  
21 **nondriver's identification card issued under this chapter shall be waived for any legal**  
22 **resident of the state of Missouri who is a veteran of service in the Armed Forces of the**  
23 **United States and who is rated as having one hundred percent permanent service-**  
24 **connected disability by the Veteran's Administration.**

25           5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
26 under the authority delegated in this section shall become effective only if it complies with and  
27 is subject to all of the provisions of chapter 536 and if applicable, section 536.028. This section  
28 and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
29 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule  
30 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule  
31 proposed or adopted after August 28, 2012, shall be invalid and void.

302.735. 1. An application shall not be taken from a nonresident after September 30,  
2 2005. The application for a commercial driver's license shall include, but not be limited to, the  
3 applicant's legal name, mailing and residence address, if different, a physical description of the  
4 person, including sex, height, weight and eye color, the person's Social Security number, date  
5 of birth and any other information deemed appropriate by the director. The application shall also  
6 require, beginning September 30, 2005, the applicant to provide the names of all states where  
7 the applicant has been previously licensed to drive any type of motor vehicle during the  
8 preceding ten years.

9           2. A commercial driver's license shall expire on the applicant's birthday in the sixth year  
10 after issuance, unless the license must be issued for a shorter period due to other requirements  
11 of law or for transition or staggering of work as determined by the director, and must be renewed  
12 on or before the date of expiration. When a person changes such person's name an application  
13 for a duplicate license shall be made to the director of revenue. When a person changes such  
14 person's mailing address or residence the applicant shall notify the director of revenue of said  
15 change, however, no application for a duplicate license is required. A commercial license issued  
16 pursuant to this section to an applicant less than twenty-one years of age and seventy years of age  
17 and older shall expire on the applicant's birthday in the third year after issuance, unless the  
18 license must be issued for a shorter period as determined by the director.

19           3. A commercial driver's license containing a hazardous materials endorsement issued  
20 to an applicant who is between the age of twenty-one and sixty-nine shall not be issued for a

21 period exceeding five years from the approval date of the security threat assessment as  
22 determined by the Transportation Security Administration.

23 4. The director shall issue an annual commercial driver's license containing a school bus  
24 endorsement to an applicant who is seventy years of age or older. The fee for such license shall  
25 be seven dollars and fifty cents.

26 5. A commercial driver's license containing a hazardous materials endorsement issued  
27 to an applicant who is seventy years of age or older shall not be issued for a period exceeding  
28 three years. The director shall not require such drivers to obtain a security threat assessment  
29 more frequently than such assessment is required by the Transportation Security Administration  
30 under the Uniting and Strengthening America by Providing Appropriate Tools Required to  
31 Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001.

32 (1) The state shall immediately revoke a hazardous materials endorsement upon receipt  
33 of an initial determination of threat assessment and immediate revocation from the  
34 Transportation Security Administration as defined by 49 CFR 1572.13(a).

35 (2) The state shall revoke or deny a hazardous materials endorsement within fifteen days  
36 of receipt of a final determination of threat assessment from the Transportation Security  
37 Administration as required by CFR 1572.13(a).

38 6. The fee for a commercial driver's license or renewal commercial driver's license issued  
39 for a period greater than three years shall be forty dollars.

40 7. The fee for a commercial driver's license or renewal commercial driver's license issued  
41 for a period of three years or less shall be twenty dollars.

42 8. The fee for a duplicate commercial driver's license shall be twenty dollars.

43 9. **Notwithstanding subsections 6, 7, and 8 of this section, the fee for any license**  
44 **issued under this section shall be waived for any legal resident of the state of Missouri who**  
45 **is a veteran of service in the Armed Forces of the United States and who is rated as having**  
46 **one hundred percent permanent service-connected disability by the Veteran's**  
47 **Administration.**

48 10. In order for the director to properly transition driver's license requirements under the  
49 Motor Carrier Safety Improvement Act of 1999 and the Uniting and Strengthening America by  
50 Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT  
51 ACT) of 2001, the director is authorized to stagger expiration dates and make adjustments for  
52 any fees, including driver examination fees that are incurred by the driver as a result of the initial  
53 issuance of a transitional license required to comply with such acts.

54 [10.] 11. Within thirty days after moving to this state, the holder of a commercial driver's  
55 license shall apply for a commercial driver's license in this state. The applicant shall meet all  
56 other requirements of sections 302.700 to 302.780, except that the director may waive the driving



57 test for a commercial driver's license as required in section 302.720 if the applicant for a  
58 commercial driver's license has a valid commercial driver's license from a state which has  
59 requirements for issuance of such license comparable to those in this state.

60 ~~[11.]~~ **12.** Any person who falsifies any information in an application or test for a  
61 commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the  
62 person's commercial driver's license shall be cancelled, for a period of one year after the director  
63 discovers such falsification.

64 ~~[12.]~~ **13.** Beginning July 1, 2005, the director shall not issue a commercial driver's  
65 license under this section unless the director verifies that the applicant is lawfully present in the  
66 United States before accepting the application. If lawful presence is granted for a temporary  
67 period, no commercial driver's license shall be issued. The director may, by rule or regulation,  
68 establish procedures to verify the lawful presence of the applicant and establish the duration of  
69 any commercial driver's license issued under this section. No rule or portion of a rule  
70 promulgated pursuant to the authority of this section shall become effective unless it has been  
71 promulgated pursuant to chapter 536.

72 ~~[13.]~~ **14.** (1) Effective December 19, 2005, notwithstanding any provisions of  
73 subsections 1 and 5 of this section to the contrary, the director may issue a nondomiciled  
74 commercial driver's license or commercial driver's instruction permit to a resident of a foreign  
75 jurisdiction if the United States Secretary of Transportation has determined that the commercial  
76 motor vehicle testing and licensing standards in the foreign jurisdiction do not meet the testing  
77 standards established in 49 CFR 383.

78 (2) Any applicant for a nondomiciled commercial driver's license or commercial driver's  
79 instruction permit must present evidence satisfactory to the director that the applicant currently  
80 has employment with an employer in this state. The nondomiciled applicant must meet the same  
81 testing, driver record requirements, conditions, and is subject to the same disqualification and  
82 conviction reporting requirements applicable to resident commercial drivers.

83 (3) The nondomiciled commercial driver's license will expire on the same date that the  
84 documents establishing lawful presence for employment expire. The word "nondomiciled" shall  
85 appear on the face of the nondomiciled commercial driver's license. Any applicant for a  
86 Missouri nondomiciled commercial driver's license or commercial driver's instruction permit  
87 must first surrender any nondomiciled commercial driver's license issued by another state.

88 (4) The nondomiciled commercial driver's license applicant must pay the same fees as  
89 required for the issuance of a resident commercial driver's license or commercial driver's  
90 instruction permit.

91            ~~[14.]~~ **15.** Foreign jurisdiction for purposes of issuing a nondomiciled commercial driver's  
92 license or commercial driver's instruction permit under this section shall not include any of the  
93 fifty states of the United States or Canada or Mexico.

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