

FIRST REGULAR SESSION  
[PERFECTED]  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 443**  
**102ND GENERAL ASSEMBLY**

0942H.02P

DANA RADEMAN MILLER, Chief Clerk

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**AN ACT**

To repeal sections 307.173, 307.179, and 307.380, RSMo, and to enact in lieu thereof four new sections relating to motor vehicle safety, with penalty provisions.

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

Section A. Sections 307.173, 307.179, and 307.380, RSMo, are repealed and four  
2 new sections enacted in lieu thereof, to be known as sections 43.253, 307.173, 307.179, and  
3 307.380, to read as follows:

**43.253. 1. Notwithstanding any other provision of law to the contrary, a  
2 minimum fee of six dollars may be charged by the Missouri state highway patrol for a  
3 records request for a Missouri Uniform Crash Report or Marine Accident Investigation  
4 Report where there are allowable fees of less than six dollars under this chapter or  
5 chapter 610. Such six-dollar fee shall be in place of any allowable fee of less than six  
6 dollars.**

**7 2. The superintendent of the Missouri state highway patrol may increase the  
8 minimum fee described in this section by no more than one dollar every other year  
9 beginning August 28, 2024; however, the minimum fee described in this section shall not  
10 exceed ten dollars.**

307.173. 1. Any person may operate a motor vehicle with front sidewing vents or  
2 windows located immediately to the left and right of the driver that have a sun-screening  
3 device, in conjunction with safety glazing material, that has a light transmission of thirty-five  
4 percent or more plus or minus three percent and a luminous reflectance of thirty-five percent  
5 or less plus or minus three percent. Except as provided in subsection 5 of this section, any  
6 sun-screening device applied to front sidewing vents or windows located immediately to the

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.

7 left and right of the driver in excess of the requirements of this section shall be prohibited  
8 without a permit pursuant to a physician's prescription as described below. A permit to  
9 operate a motor vehicle with front sidewing vents or windows located immediately to the left  
10 and right of the driver that have a sun-screening device, in conjunction with safety glazing  
11 material, which permits less light transmission and luminous reflectance than allowed under  
12 the requirements of this subsection, may be issued by the department of public safety to a  
13 person having a serious medical condition which requires the use of a sun-screening device if  
14 the permittee's physician prescribes its use. The director of the department of public safety  
15 shall promulgate rules and regulations for the issuance of the permit. The permit shall allow  
16 operation of the vehicle by any titleholder or relative within the second degree by  
17 consanguinity or affinity, which shall mean a spouse, each grandparent, parent, brother, sister,  
18 niece, nephew, aunt, uncle, child, and grandchild of a person, who resides in the household.  
19 Except as provided in subsection 2 of this section, all sun-screening devices applied to the  
20 windshield of a motor vehicle are prohibited.

21         2. This section shall not prohibit labels, stickers, decalcomania, or informational signs  
22 on motor vehicles or the application of tinted or solar screening material to recreational  
23 vehicles as defined in section 700.010, provided that such material does not interfere with the  
24 driver's normal view of the road. This section shall not prohibit factory-installed tinted glass,  
25 the equivalent replacement thereof or tinting material applied to the upper portion of the  
26 motor vehicle's windshield which is normally tinted by the manufacturer of motor vehicle  
27 safety glass.

28         3. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
29 created under the authority delegated in this section shall become effective only if it complies  
30 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
31 This section and chapter 536 are nonseverable and if any of the powers vested with the  
32 general assembly pursuant to chapter 536 to review, to delay the effective date or to  
33 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
34 rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid  
35 and void.

36         4. Any person who violates the provisions of this section is guilty of a class [€] **D**  
37 misdemeanor.

38         5. Any vehicle licensed with a historical license plate shall be exempt from the  
39 requirements of this section.

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

- 2         (1) "Child booster seat", a seating system which meets the Federal Motor Vehicle  
3 Safety Standards set forth in 49 C.F.R. 571.213, as amended, that is designed to elevate a  
4 child to properly sit in a federally approved safety belt system;

5 (2) "Child passenger restraint system", a seating system which meets the Federal  
6 Motor Vehicle Safety Standards set forth in 49 C.F.R. 571.213, as amended, and which is  
7 either permanently affixed to a motor vehicle or is affixed to such vehicle by a safety belt or a  
8 universal attachment system;

9 (3) "Driver", a person who is in actual physical control of a motor vehicle.

10 2. Every driver transporting a child under the age of sixteen years shall be  
11 responsible, when transporting such child in a motor vehicle operated by that driver on the  
12 streets or highways of this state, for providing for the protection of such child as follows:

13 (1) **Children shall be secured in a rear-facing child passenger restraint system**  
14 **until the child reaches two years of age, except that a child under two years of age may**  
15 **be secured in a forward facing system when the child reaches the highest rear-facing**  
16 **weight or height allowed by the manufacturer of the particular car safety seat;**

17 (2) Children less than four years of age, regardless of weight, shall be secured in a  
18 child passenger restraint system appropriate for that child;

19 ~~[(2)]~~ (3) Children weighing less than forty pounds, regardless of age, shall be secured  
20 in a child passenger restraint system appropriate for that child;

21 ~~[(3)]~~ (4) Children at least four years of age but less than eight years of age, who also  
22 weigh at least forty pounds ~~[but less than eighty pounds, and who are also less than four feet,~~  
23 ~~nine inches tall]~~, shall be secured in a child passenger restraint system or booster seat  
24 appropriate for that child;

25 ~~[(4)]~~ (5) Children at least eighty pounds ~~[or children]~~ and more than four feet, nine  
26 inches in height, **or at least eight years of age**, shall be secured by a vehicle safety belt ~~[or~~  
27 ~~booster seat appropriate for that child]~~ **according to section 307.178; and**

28 ~~[(5)]~~ (6) A child who otherwise would be required to be secured in a booster seat may  
29 be transported in the back seat of a motor vehicle while wearing only a lap belt if the back  
30 seat of the motor vehicle is not equipped with a combination lap and shoulder belt for booster  
31 seat installation];

32 ~~(6) When transporting children in the immediate family when there are more children~~  
33 ~~than there are seating positions in the enclosed area of a motor vehicle, the children who are~~  
34 ~~not able to be restrained by a child safety restraint device appropriate for the child shall sit in~~  
35 ~~the area behind the front seat of the motor vehicle unless the motor vehicle is designed only~~  
36 ~~for a front seat area. The driver transporting children referred to in this subsection is not in~~  
37 ~~violation of this section].~~

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39 This subsection shall only apply to the use of a child passenger restraint system or vehicle  
40 safety belt for children less than sixteen years of age being transported in a motor vehicle.

41           3. Any driver who violates ~~[subdivision (1), (2), or (3) of subsection 2 of]~~ this section  
42 is guilty of an infraction and, upon conviction, may be punished by a fine of not more than  
43 fifty dollars and court costs. ~~[Any driver who violates subdivision (4) of subsection 2 of this~~  
44 ~~section shall be subject to the penalty in subsection 6 of section 307.178. If a driver receives a~~  
45 ~~citation for violating subdivision (1), (2), or (3) of subsection 2 of this section, the charges~~  
46 ~~shall be dismissed or withdrawn if the driver prior to or at his or her hearing provides~~  
47 ~~evidence of acquisition of a child passenger restraint system or child booster seat which is~~  
48 ~~satisfactory to the court or the party responsible for prosecuting the driver's citation.]~~

49           4. The provisions of this section shall not apply to any public carrier for hire. The  
50 provisions of this section shall not apply to students four years of age or older who are  
51 passengers on a school bus designed for carrying eleven passengers or more and which is  
52 manufactured or equipped pursuant to Missouri Minimum Standards for School Buses as  
53 school buses are defined in section 301.010.

54           5. The highways and transportation commission shall initiate and develop a program  
55 of public information to develop understanding of, and ensure compliance with, the  
56 provisions of this section.

307.380. 1. Every vehicle of the type required to be inspected upon having been  
2 involved in an accident and when so directed by a police officer must be inspected and an  
3 official certificate of inspection and approval, sticker, seal or other device be obtained for  
4 such vehicle before it is again operated on the highways of this state.

5           2. At the seller's expense every used motor vehicle of the type required to be  
6 inspected by section 307.350 shall immediately prior to sale be fully inspected regardless of  
7 any current certificate of inspection and approval, and an appropriate new certificate of  
8 inspection and approval, sticker, seal or other device shall be obtained **no more than sixty**  
9 **days prior to the date of sale. Such inspection shall not be required for a motor vehicle**  
10 **having less than forty thousand miles for the three-year period following the model year**  
11 **of manufacture. The seller shall present the certificate of inspection and approval to the**  
12 **buyer at the point of sale and the buyer shall be required to submit the certificate of**  
13 **inspection when applying for registration of the vehicle.**

14           ~~[2-]~~ 3. Nothing contained in the provisions of this section shall be construed to  
15 prohibit a dealer or any other person from selling a vehicle without a certificate of inspection  
16 and approval if the vehicle is sold for junk, salvage, or for rebuilding, or for vehicles sold at  
17 public auction or from dealer to dealer. The purchaser of any vehicle which is purchased for  
18 junk, salvage, or for rebuilding shall give to the seller an affidavit, on a form prescribed by the  
19 superintendent of the Missouri state highway patrol, stating that the vehicle is being  
20 purchased for one of the reasons stated herein. No vehicle of the type required to be inspected  
21 by section 307.350 which is purchased as junk, salvage, or for rebuilding shall again be

22 registered in this state until the owner has submitted the vehicle for inspection and obtained  
23 an official certificate of inspection and approval, sticker, seal or other device for such vehicle.

24 ~~[3.]~~ 4. Notwithstanding the provisions of section 307.390, violation of this section  
25 shall be deemed an infraction.

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