

## SENATE SUBSTITUTE

FOR

HOUSE BILL NO. 661

## AN ACT

To repeal sections 21.795, 142.869, 300.010, 301.010, 301.062, 301.131, 301.147, 301.192, 301.280, 301.558, 302.010, 302.755, 303.020, 303.025, 303.041, 304.001, 304.050, 304.153, 304.180, 304.240, 307.025, 307.128, 307.180, 307.188, 307.193, 307.350, 307.380, 365.020, 385.220, 385.320, 407.300, 407.526, 407.536, 407.556, 407.560, 407.815, 407.1025, 570.030, 578.120, 643.310, and 643.315, RSMo, and to enact in lieu thereof fifty-six new sections relating to transportation, with penalty provisions, an emergency clause for certain sections, and a delayed effective date for a certain section.

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

Section A. Sections 21.795, 142.869, 300.010, 301.010,  
 2 301.062, 301.131, 301.147, 301.192, 301.280, 301.558, 302.010,  
 3 302.755, 303.020, 303.025, 303.041, 304.001, 304.050, 304.153,  
 4 304.180, 304.240, 307.025, 307.128, 307.180, 307.188, 307.193,  
 5 307.350, 307.380, 365.020, 385.220, 385.320, 407.300, 407.526,  
 6 407.536, 407.556, 407.560, 407.815, 407.1025, 570.030, 578.120,  
 7 643.310, and 643.315, RSMo, are repealed and fifty-six new  
 8 sections enacted in lieu thereof, to be known as sections  
 9 21.795, 43.253, 142.869, 142.1000, 162.066, 227.101, 300.010,  
 10 301.010, 301.033, 301.062, 301.131, 301.147, 301.192, 301.280,  
 11 301.558, 302.010, 302.755, 303.020, 303.025, 303.041, 303.420,  
 12 303.422, 303.425, 303.430, 303.440, 304.001, 304.050, 304.153,  
 13 304.180, 304.240, 304.900, 307.025, 307.128, 307.180, 307.188,  
 14 307.193, 307.194, 307.350, 307.380, 365.020, 385.220, 385.320,  
 15 385.450, 407.005, 407.300, 407.526, 407.536, 407.556, 407.560,

16 407.815, 407.1025, 570.030, 578.120, 643.310, 643.315, and 1,  
17 to read as follows:

21.795. 1. There is established a permanent joint  
2 committee of the general assembly to be known as the "Joint  
3 Committee on Transportation Oversight" to be composed of  
4 seven members of the standing transportation committees of  
5 both the senate and the house of representatives and three  
6 nonvoting ex officio members. Of the fourteen members to be  
7 appointed to the joint committee, the seven senate members  
8 of the joint committee shall be appointed by the president  
9 pro tem of the senate and minority leader of the senate and  
10 the seven house members shall be appointed by the speaker of  
11 the house of representatives and the minority floor leader  
12 of the house of representatives. The seven senate members  
13 shall be composed, as nearly as may be, of majority and  
14 minority party members in the same proportion as the number  
15 of majority and minority party members in the senate bears  
16 to the total membership of the senate. No major party shall  
17 be represented by more than four members from the house of  
18 representatives. The ex officio members shall be the state  
19 auditor, the director of the oversight division of the  
20 committee on legislative research, and the commissioner of  
21 the office of administration or the designee of such  
22 auditor, director or commissioner. The joint committee  
23 shall be chaired jointly by both chairs of the senate and  
24 house transportation committees. A majority of the  
25 committee shall constitute a quorum, but the concurrence of  
26 a majority of the members, other than the ex officio  
27 members, shall be required for the determination of any  
28 matter within the committee's duties.

29 2. The department of transportation shall submit a  
30 written report prior to December thirty-first of each year  
31 to the governor and the lieutenant governor. The report

32 shall be posted to the department's internet website so that  
33 general assembly members may elect to access a copy of the  
34 report electronically. The written report shall contain the  
35 following:

36 (1) A comprehensive financial report of all funds for  
37 the preceding state fiscal year which shall include a report  
38 by independent certified public accountants, selected by the  
39 commissioner of the office of administration, attesting that  
40 the financial statements present fairly the financial  
41 position of the department in conformity with generally  
42 accepted government accounting principles;

43 (2) A copy of the department's most current and annual  
44 publication titled "Citizen's Guide to Transportation  
45 Funding in Missouri";

46 (3) A copy of the department's most current and annual  
47 publication titled "Financial Snapshot - An appendix to the  
48 Citizen's Guide to Transportation Funding in Missouri";

49 (4) A copy of the department's most current and annual  
50 publication titled "MoDOT Results: Accountability.  
51 Innovation. Efficiency."

52 3. Prior to February fifteenth of each year, the  
53 committee shall hold an annual meeting and call before its  
54 members, officials or employees of the state highways and  
55 transportation commission or department of transportation,  
56 as determined by the committee, for the [sole] purpose of  
57 receiving and examining the report required pursuant to  
58 subsection 2 of this section. The committee shall not have  
59 the power to modify projects or priorities of the state  
60 highways and transportation commission or department of  
61 transportation. The committee may make recommendations to  
62 the state highways and transportation commission or the  
63 department of transportation. Disposition of those  
64 recommendations shall be reported by the commission or the

65 department to the joint committee on transportation  
66 oversight.

67 4. In addition to the annual meeting required by  
68 subsection 3 of this section, the committee shall meet two  
69 times each year. The co-chairs of the committee shall  
70 establish an agenda for each meeting that may include, but  
71 not be limited to, the following items to be discussed with  
72 the committee members throughout the year during the  
73 scheduled meeting:

74 (1) Presentation of a prioritized plan for all modes  
75 of transportation;

76 (2) Discussion of department efficiencies and  
77 expenditure of cost-savings within the department;

78 (3) Presentation of a status report on department of  
79 transportation revenues and expenditures, including a  
80 detailed summary of projects funded by new state revenue as  
81 provided in paragraph (a) of subdivision (1) of subsection 2  
82 of this section; and

83 (4) Implementation of any actions as may be deemed  
84 necessary by the committee as authorized by law. The co-  
85 chairs of the committee may call special meetings of the  
86 committee with ten days' notice to the members of the  
87 committee, the director of the department of transportation,  
88 and the department of transportation.

89 5. (1) The committee shall ensure towing companies  
90 charge fair, equitable, and reasonable rates for services  
91 rendered in connection with the towing of commercial motor  
92 vehicles, and shall:

93 (a) Establish a process the committee shall use to  
94 receive, investigate, and adjudicate complaints against a  
95 towing company regarding the towing of a commercial motor  
96 vehicle, and a process the commercial motor vehicle towing  
97 adjudicative board established in subdivision (4) of this

98 subsection shall use to investigate and adjudicate any  
99 complaints referred to it by the committee;

100 (b) Establish factors the committee and the commercial  
101 motor vehicle towing adjudication board shall consider in  
102 determining whether a charge levied by a towing company in  
103 connection with the towing of a commercial motor vehicle is  
104 fair, equitable, and reasonable;

105 (c) Establish a process law enforcement agencies in  
106 the state may use to suspend or remove a towing company from  
107 their towing rotation with regard to the towing of  
108 commercial motor vehicles; and

109 (d) Establish information required to be included on  
110 any invoice associated with the towing of a commercial motor  
111 vehicle.

112 (2) The committee shall, in consultation with the  
113 department of transportation and the department of public  
114 safety, promulgate rules as necessary for the implementation  
115 of this subsection. Any rule or portion of a rule, as that  
116 term is defined in section 536.010, that is created under  
117 the authority delegated in this section shall become  
118 effective only if it complies with and is subject to all of  
119 the provisions of chapter 536 and, if applicable, section  
120 536.028. This section and chapter 536 are nonseverable and  
121 if any of the powers vested with the general assembly  
122 pursuant to chapter 536 to review, to delay the effective  
123 date, or to disapprove and annul a rule are subsequently  
124 held unconstitutional, then the grant of rulemaking  
125 authority and any rule proposed or adopted after August 28,  
126 2021, shall be invalid and void.

127 (3) The committee shall meet as necessary to carry out  
128 the requirements of this subsection and the requirements of  
129 any rules promulgated in accordance with this subsection.  
130 The meetings required under this subsection may be held

131 concurrently with the meetings held in accordance with  
132 subsections 3 or 4 of this section.

133 (4) If the committee determines a violation of the  
134 rules promulgated in accordance with this subsection may  
135 have occurred, the complaint shall be referred to the  
136 "Commercial Motor Vehicle Towing Adjudicative Board" for  
137 adjudication. The commercial motor vehicle towing  
138 adjudicative board shall consist of the chair and vice chair  
139 of the committee, the two ranking minority members of the  
140 committee, the director of the department of transportation  
141 or his or her designee, the director of the department of  
142 public safety or his or her designee, and the director of  
143 the department of revenue or his or her designee, provided  
144 that the committee shall specify by rule a recusal process  
145 through which members of the adjudicative board who may have  
146 a conflict of interest may be temporarily removed or  
147 replaced by another member of the committee. No fewer than  
148 five members of the commercial motor vehicle towing  
149 adjudicative board shall be present when the board makes a  
150 determination in accordance with this subdivision, and  
151 determinations shall be made by majority vote of the members  
152 present. If the commercial motor vehicle towing  
153 adjudicative board determines that a violation of the rules  
154 promulgated in accordance with this subsection has occurred,  
155 the towing company that committed the violation shall not be  
156 contacted by any law enforcement agency for a nonconsensual  
157 tow for a period of six months for a first violation, a  
158 period of twelve months for a second violation, and  
159 permanently for a third violation.

160 (5) The committee shall keep and maintain a record of  
161 any proceedings that occur as a result of this subsection.

162 (6) The committee may, at the discretion of the  
163 committee, make recommendations to the governor or the

164 general assembly regarding statutes governing the  
165 nonconsensual towing of commercial motor vehicles.

166 (7) As used in this subsection, the following terms  
167 shall mean:

168 (a) "Commercial motor vehicle", the same meaning as  
169 defined in section 301.010;

170 (b) "Nonconsensual tow", the towing or recovery of a  
171 commercial motor vehicle which was authorized, requested, or  
172 dispatched by any law enforcement agency in the state. When  
173 an owner or operator of a commercial motor vehicle requests  
174 a law enforcement officer or other public agency to initiate  
175 a tow, the tow shall be considered a nonconsensual tow;

176 (c) "Towing company", the same meaning as defined in  
177 section 304.153.

178 6. The committee shall also review all applications  
179 for the development of specialty plates submitted to it by  
180 the department of revenue. The committee shall approve such  
181 application by a majority vote. The committee shall approve  
182 any application unless the committee receives:

183 (1) A signed petition from five house members or two  
184 senators that they are opposed to the approval of the  
185 proposed license plate and the reason for such opposition;

186 (2) Notification that the organization seeking  
187 authorization to establish a new specialty license plate has  
188 not met all the requirements of section 301.3150;

189 (3) A proposed new specialty license plate containing  
190 objectionable language or design;

191 (4) A proposed license plate not meeting the  
192 requirements of any reason promulgated by rule.

193 The committee shall notify the director of the department of  
194 revenue upon approval or denial of an application for the  
195 development of a specialty plate.

196           [6.] 7. The committee shall submit records of its  
197 meetings to the secretary of the senate and the chief clerk  
198 of the house of representatives in accordance with sections  
199 610.020 and 610.023.

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

8           2. The superintendent of the Missouri state highway  
9 patrol may increase the minimum fee described in this  
10 section by no more than one dollar every other year  
11 beginning August 28, 2022; however, the minimum fee  
12 described in this section shall not exceed ten dollars.

13           3. A request for public records under chapter 43 or  
14 chapter 610 shall be considered withdrawn if the requester  
15 fails to remit all fees within thirty days of a request for  
16 payment of the fees by the Missouri state highway patrol.

          142.869. 1. (1) The tax imposed by this chapter  
2 shall not apply to passenger motor vehicles, buses as  
3 defined in section 301.010, or commercial motor vehicles  
4 registered in this state which are powered by alternative  
5 fuel, and for which a valid decal has been acquired as  
6 provided in this section, provided that sales made to  
7 alternative fueled vehicles powered by propane, compressed  
8 natural gas, or liquefied natural gas that do not meet the  
9 requirements of subsection 3 of this section shall be taxed  
10 exclusively pursuant to subdivisions (4) to (7) of  
11 subsection 1 of section 142.803, respectively. The owners  
12 or operators of such motor vehicles, except plug-in electric  
13 hybrids, shall, in lieu of the tax imposed by section

14 142.803, pay an annual alternative fuel decal fee as  
15 follows: seventy-five dollars on each passenger motor  
16 vehicle, school bus as defined in section 301.010, and  
17 commercial motor vehicle with a licensed gross vehicle  
18 weight of eighteen thousand pounds or less; one hundred  
19 dollars on each motor vehicle with a licensed gross weight  
20 in excess of eighteen thousand pounds but not more than  
21 thirty-six thousand pounds used for farm or farming  
22 transportation operations and registered with a license  
23 plate designated with the letter "F"; one hundred fifty  
24 dollars on each motor vehicle with a licensed gross vehicle  
25 weight in excess of eighteen thousand pounds but less than  
26 or equal to thirty-six thousand pounds, and each passenger-  
27 carrying motor vehicle subject to the registration fee  
28 provided in sections 301.059, 301.061 and 301.063; two  
29 hundred fifty dollars on each motor vehicle with a licensed  
30 gross weight in excess of thirty-six thousand pounds used  
31 for farm or farming transportation operations and registered  
32 with a license plate designated with the letter "F"; and one  
33 thousand dollars on each motor vehicle with a licensed gross  
34 vehicle weight in excess of thirty-six thousand pounds.  
35 Owners or operators of plug-in electric hybrids shall pay  
36 one-half of the stated annual alternative fuel decal fee.  
37 Notwithstanding provisions of this section to the contrary,  
38 motor vehicles licensed as historic under section 301.131  
39 which are powered by alternative fuel shall be exempt from  
40 both the tax imposed by this chapter and the alternative  
41 fuel decal requirements of this section. For the purposes  
42 of this section, a plug-in electric hybrid shall be any  
43 hybrid vehicle made by a manufacturer with a model year of  
44 2018 or newer, that has not been modified from the original  
45 manufacturer specifications, with an internal combustion

46 engine and batteries that can be recharged by connecting a  
47 plug to an electric power source.

48 (2) Notwithstanding the provisions of subdivision (1)  
49 of this subsection to the contrary, the director shall  
50 provide owners of vehicles required to purchase an  
51 alternative fuel decal under subdivision (1) of this  
52 subsection, the option of purchasing a biennial alternative  
53 fuel decal for a fee of twice the annual alternative fuel  
54 decal fee stated in subdivision (1) of this subsection.

55 2. Except interstate fuel users and vehicles licensed  
56 under a reciprocity agreement as defined in section 142.617,  
57 the tax imposed by section 142.803 shall not apply to motor  
58 vehicles registered outside this state which are powered by  
59 alternative fuel other than propane, compressed natural gas,  
60 and liquefied natural gas, and for which a valid temporary  
61 alternative fuel decal has been acquired as provided in this  
62 section. The owners or operators of such motor vehicles  
63 shall, in lieu of the tax imposed by section 142.803, pay a  
64 temporary alternative fuel decal fee of eight dollars on  
65 each such vehicle. Such decals shall be valid for a period  
66 of fifteen days from the date of issuance and shall be  
67 attached to the lower right-hand corner of the front  
68 windshield on the motor vehicle for which it was issued.  
69 Such decal and fee shall not be transferable. All proceeds  
70 from such decal fees shall be deposited as specified in  
71 section 142.345. Alternative fuel dealers selling such  
72 decals in accordance with rules and regulations prescribed  
73 by the director shall be allowed to retain fifty cents for  
74 each decal fee timely remitted to the director.

75 3. Owners or operators of passenger motor vehicles,  
76 buses as defined in section 301.010, or commercial motor  
77 vehicles registered in this state which are powered by  
78 compressed natural gas or liquefied natural gas who have

79 installed a compressed natural gas fueling station or  
80 liquefied natural gas fueling station used solely to fuel  
81 the motor vehicles they own or operate as of December 31,  
82 2015, may continue to apply for and use the alternative fuel  
83 decal in lieu of paying the tax imposed under subdivisions  
84 (4) and (5) of subsection 1 of section 142.803. Owners or  
85 operators of compressed natural gas fueling stations or  
86 liquefied natural gas fueling stations whose vehicles bear  
87 an alternative fuel decal shall be prohibited from selling  
88 or providing compressed natural gas or liquefied natural gas  
89 to any motor vehicle they do not own or operate. Owners or  
90 operators of motor vehicles powered by compressed natural  
91 gas or liquefied natural gas bearing an alternative fuel  
92 decal after January 1, 2016, that decline to renew the  
93 alternative fuel decals for such motor vehicles shall no  
94 longer be eligible to apply for and use alternative fuel  
95 decals under this subsection. Any compressed natural gas or  
96 liquefied natural gas obtained at any fueling station not  
97 owned by the owner or operator of the motor vehicle bearing  
98 an alternative fuel decal shall be subject to the tax under  
99 subdivisions (4) and (5) of subsection 1 of section 142.803.

100 4. An owner or operator of a motor vehicle powered by  
101 propane may continue to apply for and use the alternative  
102 fuel decal in lieu of paying the tax imposed under  
103 subdivision (6) of subsection 1 of section 142.803. If the  
104 appropriate motor fuel tax under subdivision (6) of  
105 subsection 1 of section 142.803 is collected at the time of  
106 fueling, an operator of a propane fueling station that uses  
107 quick-connect fueling nozzles may sell propane as a motor  
108 fuel without verifying the application of a valid Missouri  
109 alternative fuel decal. If an owner or operator of a motor  
110 vehicle powered by propane that bears an alternative fuel  
111 decal refuels at an unattended propane refueling station,

112 such owner or operator shall not be eligible for a refund of  
113 the motor fuel tax paid at such refueling.

114 5. The director shall annually or biennially, on or  
115 before January thirty-first of each year, collect or cause  
116 to be collected from owners or operators of the motor  
117 vehicles specified in subsection 1 of this section the  
118 annual or biennial decal fee. Applications for such decals  
119 shall be supplied by the department of revenue. In the case  
120 of a motor vehicle which is not in operation by January  
121 thirty-first of any year, a decal may be purchased for a  
122 fractional period of such year, or a fractional period of  
123 such year and a whole year, and the amount of the decal fee  
124 shall be reduced by one-twelfth for each complete month  
125 which shall have elapsed since the beginning of such year.  
126 This subsection shall not apply to an owner or operator of a  
127 motor vehicle powered by propane who fuels such vehicle  
128 exclusively at unattended fueling stations that collect the  
129 motor fuel tax.

130 6. Upon the payment of the fee required by subsection  
131 1 of this section, the director shall issue a decal, which  
132 shall be valid for the current calendar year, or the current  
133 calendar year and the subsequent calendar year in the case  
134 of a biennial alternative fuel decal, and shall be attached  
135 to the lower right-hand corner of the front windshield on  
136 the motor vehicle for which it was issued.

137 7. The decal fee paid pursuant to subsection 1 of this  
138 section for each motor vehicle shall be transferable upon a  
139 change of ownership of the motor vehicle and, if the LP gas  
140 or natural gas equipment is removed from a motor vehicle  
141 upon a change of ownership and is reinstalled in another  
142 motor vehicle, upon such reinstallation. Such transfers  
143 shall be accomplished in accordance with rules and  
144 regulations promulgated by the director.

145           8. It shall be unlawful for any person to operate a  
146 motor vehicle required to have an alternative fuel decal  
147 upon the highways of this state without a valid decal unless  
148 the motor vehicle is exclusively fueled at propane,  
149 compressed natural gas, or liquefied natural gas fueling  
150 stations that collect the motor fuel tax.

151           9. No person shall cause to be put, or put, any  
152 alternative fuel into the fuel supply receptacle or battery  
153 of a motor vehicle required to have an alternative fuel  
154 decal unless the motor vehicle either has a valid decal  
155 attached to it or the appropriate motor fuel tax is  
156 collected at the time of such fueling.

157           10. Any person violating any provision of this section  
158 is guilty of an infraction and shall, upon conviction  
159 thereof, be fined five hundred dollars.

160           11. Motor vehicles displaying a valid alternative fuel  
161 decal are exempt from the licensing and reporting  
162 requirements of this chapter.

142.1000. 1. There is hereby created within the  
2 department of revenue the "Electric Vehicle Task Force" to  
3 consist of the following members:

4           (1) The director of the department of revenue, or his  
5 or her designee, who shall serve as chair;

6           (2) The chairman of the public service commission, or  
7 his or her designee, who shall serve as vice chair;

8           (3) The director of the department of transportation,  
9 or his or her designee;

10           (4) The director of the division of energy of the  
11 department of natural resources, or his or her designee;

12           (5) Two members of the senate, to be appointed by the  
13 president pro tempore of the senate;

14           (6) Two members of the house of representatives, to be  
15 appointed by the speaker of the house of representatives;

16           (7) One member of the senate committee with  
17 jurisdiction over transportation matters, to be appointed by  
18 the minority floor leader of the senate;

19           (8) One member of the house of representatives  
20 committee with jurisdiction over transportation matters, to  
21 be appointed by the minority floor leader of the house of  
22 representatives;

23           (9) One representative of the trucking or heavy  
24 vehicle industry, to be appointed by the president pro  
25 tempore of the senate;

26           (10) One representative of electric vehicle  
27 manufacturers or dealers, to be appointed by the speaker of  
28 the house of representatives;

29           (11) One representative of conventional motor vehicle  
30 manufacturers or dealers, to be appointed by the president  
31 pro tempore of the senate;

32           (12) One representative of the petroleum industry or  
33 convenience stores, to be appointed by the speaker of the  
34 house of representatives;

35           (13) One representative of electric vehicle charging  
36 station manufacturers or operators, to be appointed by the  
37 president pro tempore of the senate; and

38           (14) One representative of electric utilities, to be  
39 appointed by the speaker of the house of representatives.

40           2. The task force shall analyze the following in the  
41 context of transportation funding, and make recommendations  
42 as to any actions the state should take to fund  
43 transportation infrastructure in anticipation of more  
44 widespread adoption of electric vehicles:

45           (1) Removal or mitigation of barriers to electric  
46 vehicle charging, including strategies, such as time-of-use  
47 rates, to reduce operating costs for current and future

48 electric vehicle owners without shifting costs to electric  
49 ratepayers who do not own or operate electric vehicles;

50 (2) Strategies for managing the impact of electric  
51 vehicles on, and services provided for electric vehicles by,  
52 the electricity transmission and distribution system;

53 (3) Electric system benefits and costs of electric  
54 vehicle charging, electric utility planning for electric  
55 vehicle charging, and rate design for electric vehicle  
56 charging;

57 (4) The appropriate role of electric utilities with  
58 regard to the deployment and operation of electric vehicle  
59 charging systems;

60 (5) How and on what terms, including quantity,  
61 pricing, and time of day, charging stations owned or  
62 operated by entities other than electric utilities will  
63 obtain electricity to provide to electric vehicles;

64 (6) What safety standards should apply to the charging  
65 of electric vehicles;

66 (7) The recommended scope of the jurisdiction of the  
67 public service commission, the department of revenue, and  
68 other state agencies over charging stations owned or  
69 operated by entities other than electric utilities;

70 (8) Whether charging stations owned or operated by  
71 entities other than electric utilities will be free to set  
72 the rates or prices at which they provide electricity to  
73 electric vehicles, and any other issues relevant to the  
74 appropriate oversight of the rates and prices charged by  
75 such stations, including transparency to the consumer of  
76 those rates and prices; and

77 (9) The recommended billing and complaint procedures  
78 for charging stations;

79 (10) Options to address how electric vehicle users pay  
80 toward the cost of maintaining the state's transportation

81 infrastructure, including methods to assess the impact of  
82 electric vehicles on that infrastructure and how to  
83 calculate a charge based on that impact, the potential  
84 assessment of a charge to electric vehicles as a rate per  
85 kilowatt hour delivered to an electric vehicle, varying such  
86 per-kilowatt-hour charge by size and type of electric  
87 vehicle, and phasing in such per-kilowatt-hour charge;

88 (11) The accuracy of electric metering and submetering  
89 technology for charging electric vehicles;

90 (12) Strategies to encourage electric vehicle usage  
91 without shifting costs to electric ratepayers who do not own  
92 or charge electric vehicles; and

93 (13) Any other issues the task force considers  
94 relevant.

95 3. The department of revenue shall provide such  
96 research, clerical, technical, and other services as the  
97 task force may require in the performance of its duties.

98 4. The task force may hold public meetings at which it  
99 may invite testimony from experts, or it may solicit  
100 information from any party it deems may have information  
101 relevant to its duties under this section.

102 5. No later than December 31, 2022, the task force  
103 shall provide to the general assembly and the governor a  
104 written report detailing its findings and recommendations,  
105 including identifying any recommendations that may require  
106 enabling legislation.

107 6. Members shall serve on the task force without  
108 compensation, but may, at the discretion of the director of  
109 the department of revenue, be reimbursed for actual and  
110 necessary expenses incurred in the performance of their  
111 official duties as members of the task force.

112 7. The task force shall expire on December 31, 2022.

162.066. 1. There is hereby established the "Joint Task Force on School Bus Safety" to study school bus transportation safety in public schools. The task force members shall be appointed as follows:

(1) Two members of the house of representatives appointed by the speaker of the house of representatives;

(2) Two members of the senate appointed by the president pro tempore of the senate;

(3) The commissioner of education or his or her designee;

(4) The director of the department of transportation or his or her designee; and

(5) The director of the department of public safety or his or her designee.

2. The members of the task force shall meet within thirty days after its creation to organize and select one member to serve as chair.

3. Beginning January 1, 2022, the task force shall meet at least three times annually to complete its consideration of its objectives under the provisions of this section. Members of the task force shall serve without compensation, but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their official duties.

4. The task force shall develop an annual report analyzing school bus transportation safety in public schools, including:

(1) Entrance and exit safety;

(2) Effectiveness of seat belts; and

(3) Other school bus transportation safety issues deemed worthy by the chair.

32           5. Beginning January 1, 2022, the task force shall  
33 submit its report to the governor and general assembly by  
34 December thirty-first annually.

227.101. The commission shall publish on the  
2 department of transportation's official public website its  
3 cost estimate and project completion date for any  
4 construction, maintenance, or repair work on the state  
5 highway system at the time bidding on a contract for the  
6 work first closes.

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

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

5           (2) "All-terrain vehicle", any motorized vehicle  
6 manufactured and used exclusively for off-highway use, with  
7 an unladen dry weight of one thousand five hundred pounds or  
8 less, traveling on three, four or more nonhighway tires,  
9 with either:

10           (a) A seat designed to be straddled by the operator,  
11 and handlebars for steering control, but excluding an  
12 electric bicycle; or

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

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

22           (4) "Business district", the territory contiguous to  
23 and including a highway when within any six hundred feet  
24 along the highway there are buildings in use for business or

25 industrial purposes, including but not limited to hotels,  
26 banks, or office buildings, railroad stations and public  
27 buildings which occupy at least three hundred feet of  
28 frontage on one side or three hundred feet collectively on  
29 both sides of the highway;

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

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

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

42 (8) "Crosswalk",

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

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

51 (9) "Curb loading zone", a space adjacent to a curb  
52 reserved for the exclusive use of vehicles during the  
53 loading or unloading of passengers or materials;

54 (10) "Driver", every person who drives or is in actual  
55 physical control of a vehicle;

56 (11) "Electric bicycle", a bicycle equipped with fully  
57 operable pedals, a saddle or seat for the rider, and an

58 electric motor of less than 750 watts that meets the  
59 requirements of one of the following three classes:

60 (a) "Class 1 electric bicycle", an electric bicycle  
61 equipped with a motor that provides assistance only when the  
62 rider is pedaling and that ceases to provide assistance when  
63 the bicycle reaches the speed of twenty miles per hour;

64 (b) "Class 2 electric bicycle", an electric bicycle  
65 equipped with a motor that may be used exclusively to propel  
66 the bicycle and that is not capable of providing assistance  
67 when the bicycle reaches the speed of twenty miles per hour;  
68 or

69 (c) "Class 3 electric bicycle", an electric bicycle  
70 equipped with a motor that provides assistance only when the  
71 rider is pedaling and that ceases to provide assistance when  
72 the bicycle reaches the speed of twenty-eight miles per hour;

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

76 [(12)] (13) "Highway", the entire width between the  
77 boundary lines of every way publicly maintained when any  
78 part thereof is open to the use of the public for purposes  
79 of vehicular travel;

80 [(13)] (14) "Intersection",

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

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

91 highway also includes two roadways thirty feet or more  
92 apart, then every crossing of two roadways of such highways  
93 shall be regarded as a separate intersection;

94 [(14)] (15) "Laned roadway", a roadway which is  
95 divided into two or more clearly marked lanes for vehicular  
96 traffic;

97 [(15)] (16) "Motor vehicle", any self-propelled  
98 vehicle not operated exclusively upon tracks, except farm  
99 tractors, electric bicycles, and motorized bicycles;

100 [(16)] (17) "Motorcycle", every motor vehicle having a  
101 seat or saddle for the use of the rider and designed to  
102 travel on not more than three wheels in contact with the  
103 ground, but excluding an electric bicycle and a tractor;

104 [(17)] (18) "Motorized bicycle", any two-wheeled or  
105 three-wheeled device having an automatic transmission and a  
106 motor with a cylinder capacity of not more than fifty cubic  
107 centimeters, which produces less than three gross brake  
108 horsepower, and is capable of propelling the device at a  
109 maximum speed of not more than thirty miles per hour on  
110 level ground, but excluding an electric bicycle;

111 [(18)] (19) "Official time standard", whenever certain  
112 hours are named herein they shall mean standard time or  
113 daylight-saving time as may be in current use in the city;

114 [(19)] (20) "Official traffic control devices", all  
115 signs, signals, markings and devices not inconsistent with  
116 this ordinance placed or erected by authority of a public  
117 body or official having jurisdiction, for the purpose of  
118 regulating, warning or guiding traffic;

119 [(20)] (21) "Park" or "parking", the standing of a  
120 vehicle, whether occupied or not, otherwise than temporarily  
121 for the purpose of and while actually engaged in loading or  
122 unloading merchandise or passengers;

123            [(21)] (22) "Passenger curb loading zone", a place  
124 adjacent to a curb reserved for the exclusive use of  
125 vehicles during the loading or unloading of passengers;  
126            [(22)] (23) "Pedestrian", any person afoot;  
127            [(23)] (24) "Person", every natural person, firm,  
128 copartnership, association or corporation;  
129            [(24)] (25) "Police officer", every officer of the  
130 municipal police department or any officer authorized to  
131 direct or regulate traffic or to make arrests for violations  
132 of traffic regulations;  
133            [(25)] (26) "Private road" or "driveway", every way or  
134 place in private ownership and used for vehicular travel by  
135 the owner and those having express or implied permission  
136 from the owner, but not by other persons;  
137            [(26)] (27) "Railroad", a carrier of persons or  
138 property upon cars, other than streetcars, operated upon  
139 stationary rails;  
140            [(27)] (28) "Railroad train", a steam engine, electric  
141 or other motor, with or without cars coupled thereto,  
142 operated upon rails, except streetcars;  
143            [(28)] (29) "Residence district", the territory  
144 contiguous to and including a highway not comprising a  
145 business district when the property on such highway for a  
146 distance of three hundred feet or more is in the main  
147 improved with residences or residences and buildings in use  
148 for business;  
149            [(29)] (30) "Right-of-way", the right of one vehicle  
150 or pedestrian to proceed in a lawful manner in preference to  
151 another vehicle or pedestrian approaching under such  
152 circumstances of direction, speed and proximity as to give  
153 rise to danger of collision unless one grants precedence to  
154 the other;

155            [(30)] (31) "Roadway", that portion of a highway  
156 improved, designed or ordinarily used for vehicular travel,  
157 exclusive of the berm or shoulder. In the event a highway  
158 includes two or more separate roadways the term "roadway" as  
159 used herein shall refer to any such roadway separately but  
160 not to all such roadways collectively;

161            [(31)] (32) "Safety zone", the area or space  
162 officially set apart within a roadway for the exclusive use  
163 of pedestrians and which is protected or is so marked or  
164 indicated by adequate signs as to be plainly visible at all  
165 times while set apart as a safety zone;

166            [(32)] (33) "Sidewalk", that portion of a street  
167 between the curb lines, or the lateral lines of a roadway,  
168 and the adjacent property lines, intended for use of  
169 pedestrians;

170            [(33)] (34) "Stand" or "standing", the halting of a  
171 vehicle, whether occupied or not, otherwise than for the  
172 purpose of and while actually engaged in receiving or  
173 discharging passengers;

174            [(34)] (35) "Stop", when required, complete cessation  
175 from movement;

176            [(35)] (36) "Stop" or "stopping", when prohibited, any  
177 halting even momentarily of a vehicle, whether occupied or  
178 not, except when necessary to avoid conflict with other  
179 traffic or in compliance with the directions of a police  
180 officer or traffic control sign or signal;

181            [(36)] (37) "Street" or "highway", the entire width  
182 between the lines of every way publicly maintained when any  
183 part thereof is open to the uses of the public for purposes  
184 of vehicular travel. "State highway", a highway maintained  
185 by the state of Missouri as a part of the state highway  
186 system;

187            [(37)] (38) "Through highway", every highway or  
188 portion thereof on which vehicular traffic is given  
189 preferential rights-of-way, and at the entrances to which  
190 vehicular traffic from intersecting highways is required by  
191 law to yield rights-of-way to vehicles on such through  
192 highway in obedience to either a stop sign or a yield sign,  
193 when such signs are erected as provided in this ordinance;

194            [(38)] (39) "Traffic", pedestrians, ridden or herded  
195 animals, vehicles, streetcars and other conveyances either  
196 singly or together while using any highway for purposes of  
197 travel;

198            [(39)] (40) "Traffic control signal", any device,  
199 whether manually, electrically or mechanically operated, by  
200 which traffic is alternately directed to stop and to proceed;

201            [(40)] (41) "Traffic division", the traffic division  
202 of the police department of the city, or in the event a  
203 traffic division is not established, then said term whenever  
204 used herein shall be deemed to refer to the police  
205 department of the city;

206            [(41)] (42) "Vehicle", any mechanical device on  
207 wheels, designed primarily for use, or used, on highways,  
208 except motorized bicycles, electric bicycles, vehicles  
209 propelled or drawn by horses or human power, or vehicles  
210 used exclusively on fixed rails or tracks, cotton trailers  
211 or motorized wheelchairs operated by handicapped persons.

          301.010. As used in this chapter and sections 304.010  
2 to 304.040, 304.120 to 304.260, and sections 307.010 to  
3 307.175, the following terms mean:

4            (1) "All-terrain vehicle", any motorized vehicle  
5 manufactured and used exclusively for off-highway use, with  
6 an unladen dry weight of one thousand five hundred pounds or  
7 less, traveling on three, four or more nonhighway tires,  
8 with either:

9 (a) A seat designed to be straddled by the operator,  
10 and handlebars for steering control, but excluding an  
11 electric bicycle; or

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

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

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

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

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

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

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

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

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

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

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

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

59           (13) "Driveaway operation":

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

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

72           (c) The movement of a motor vehicle by any person who  
73 is lawfully engaged in the business of transporting or  
74 delivering vehicles that are not the person's own and

75 vehicles of a type otherwise required to be registered, by  
76 the driveaway or towaway methods, from a point of  
77 manufacture, assembly or distribution or from the owner of  
78 the vehicles to a dealer or sales agent of a manufacturer or  
79 to any consignee designated by the shipper or consignor;

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

86 (15) "Electric bicycle", a bicycle equipped with fully  
87 operable pedals, a saddle or seat for the rider, and an  
88 electric motor of less than 750 watts that meets the  
89 requirements of one of the following three classes:

90 (a) "Class 1 electric bicycle", an electric bicycle  
91 equipped with a motor that provides assistance only when the  
92 rider is pedaling and that ceases to provide assistance when  
93 the bicycle reaches the speed of twenty miles per hour;

94 (b) "Class 2 electric bicycle", an electric bicycle  
95 equipped with a motor that may be used exclusively to propel  
96 the bicycle and that is not capable of providing assistance  
97 when the bicycle reaches the speed of twenty miles per hour;  
98 or

99 (c) "Class 3 electric bicycle", an electric bicycle  
100 equipped with a motor that provides assistance only when the  
101 rider is pedaling and that ceases to provide assistance when  
102 the bicycle reaches the speed of twenty-eight miles per hour;

103 (16) "Farm tractor", a tractor used exclusively for  
104 agricultural purposes;

105 [(16)] (17) "Fleet", any group of ten or more motor  
106 vehicles owned by the same owner;

107            [(17)] (18) "Fleet vehicle", a motor vehicle which is  
108 included as part of a fleet;

109            [(18)] (19) "Fullmount", a vehicle mounted completely  
110 on the frame of either the first or last vehicle in a  
111 saddlemount combination;

112            [(19)] (20) "Gross weight", the weight of vehicle  
113 and/or vehicle combination without load, plus the weight of  
114 any load thereon;

115            [(20)] (21) "Hail-damaged vehicle", any vehicle, the  
116 body of which has become dented as the result of the impact  
117 of hail;

118            [(21)] (22) "Highway", any public thoroughfare for  
119 vehicles, including state roads, county roads and public  
120 streets, avenues, boulevards, parkways or alleys in any  
121 municipality;

122            [(22)] (23) "Improved highway", a highway which has  
123 been paved with gravel, macadam, concrete, brick or asphalt,  
124 or surfaced in such a manner that it shall have a hard,  
125 smooth surface;

126            [(23)] (24) "Intersecting highway", any highway which  
127 joins another, whether or not it crosses the same;

128            [(24)] (25) "Junk vehicle", a vehicle which:

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

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

134            [(25)] (26) "Kit vehicle", a motor vehicle assembled  
135 by a person other than a generally recognized manufacturer  
136 of motor vehicles by the use of a glider kit or replica  
137 purchased from an authorized manufacturer and accompanied by  
138 a manufacturer's statement of origin;

139            [(26)] (27) "Land improvement contractors' commercial  
140 motor vehicle", any not-for-hire commercial motor vehicle  
141 the operation of which is confined to:

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

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

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

156            [(27)] (28) "Local commercial motor vehicle", a  
157 commercial motor vehicle whose operations are confined to a  
158 municipality and that area extending not more than fifty  
159 miles therefrom, or a commercial motor vehicle whose  
160 property-carrying operations are confined solely to the  
161 transportation of property owned by any person who is the  
162 owner or operator of such vehicle to or from a farm owned by  
163 such person or under the person's control by virtue of a  
164 landlord and tenant lease; provided that any such property  
165 transported to any such farm is for use in the operation of  
166 such farm;

167            [(28)] (29) "Local log truck", a commercial motor  
168 vehicle which is registered pursuant to this chapter to  
169 operate as a motor vehicle on the public highways of this  
170 state[, ]; used exclusively in this state[, ]; used to  
171 transport harvested forest products[, ]; operated solely at a

172 forested site and in an area extending not more than a one  
173 hundred fifty mile radius from such site[, carries a load  
174 with dimensions not in excess of twenty-five cubic yards per  
175 two axles with dual wheels,]; and when operated on the  
176 national system of interstate and defense highways described  
177 in 23 U.S.C. Section 103, as amended, or outside the one  
178 hundred fifty mile radius from such site with an extended  
179 distance local log truck permit, [such vehicle shall not  
180 exceed the weight limits of section 304.180,] does not have  
181 more than four axles, and does not pull a trailer which has  
182 more than three axles. Harvesting equipment which is used  
183 specifically for cutting, felling, trimming, delimiting,  
184 debarking, chipping, skidding, loading, unloading, and  
185 stacking may be transported on a local log truck[. A local  
186 log truck may not exceed the limits required by law,  
187 however, if the truck does exceed such limits as determined  
188 by the inspecting officer, then notwithstanding any other  
189 provisions of law to the contrary, such truck shall be  
190 subject to the weight limits required by such sections as  
191 licensed for eighty thousand pounds];

192 [(29)] (30) "Local log truck tractor", a commercial  
193 motor vehicle which is registered under this chapter to  
194 operate as a motor vehicle on the public highways of this  
195 state[,]; used exclusively in this state[,]; used to  
196 transport harvested forest products[,]; operated at a  
197 forested site and in an area extending not more than a one  
198 hundred fifty mile radius from such site[, operates with a  
199 weight not exceeding twenty-two thousand four hundred pounds  
200 on one axle or with a weight not exceeding forty-four  
201 thousand eight hundred pounds on any tandem axle,]; and when  
202 operated on the national system of interstate and defense  
203 highways described in 23 U.S.C. Section 103, as amended, or  
204 outside the one hundred fifty mile radius from such site

205 with an extended distance local log truck permit, [such  
206 vehicle does not exceed the weight limits contained in  
207 section 304.180, and] does not have more than three axles,  
208 and does not pull a trailer which has more than three  
209 axles[. Violations of axle weight limitations shall be  
210 subject to the load limit penalty as described for in  
211 sections 304.180 to 304.220];

212        [(30)] (31) "Local transit bus", a bus whose  
213 operations are confined wholly within a municipal  
214 corporation, or wholly within a municipal corporation and a  
215 commercial zone, as defined in section 390.020, adjacent  
216 thereto, forming a part of a public transportation system  
217 within such municipal corporation and such municipal  
218 corporation and adjacent commercial zone;

219        [(31)] (32) "Log truck", a vehicle which is not a  
220 local log truck or local log truck tractor and is used  
221 exclusively to transport harvested forest products to and  
222 from forested sites which is registered pursuant to this  
223 chapter to operate as a motor vehicle on the public highways  
224 of this state for the transportation of harvested forest  
225 products;

226        [(32)] (33) "Major component parts", the rear clip,  
227 cowl, frame, body, cab, front-end assembly, and front clip,  
228 as those terms are defined by the director of revenue  
229 pursuant to rules and regulations or by illustrations;

230        [(33)] (34) "Manufacturer", any person, firm,  
231 corporation or association engaged in the business of  
232 manufacturing or assembling motor vehicles, trailers or  
233 vessels for sale;

234        [(34)] (35) "Motor change vehicle", a vehicle  
235 manufactured prior to August, 1957, which receives a new,  
236 rebuilt or used engine, and which used the number stamped on  
237 the original engine as the vehicle identification number;

238            [(35)] (36) "Motor vehicle", any self-propelled  
239 vehicle not operated exclusively upon tracks, except farm  
240 tractors and electric bicycles;

241            [(36)] (37) "Motor vehicle primarily for business  
242 use", any vehicle other than a recreational motor vehicle,  
243 motorcycle, motortricycle, or any commercial motor vehicle  
244 licensed for over twelve thousand pounds:

245            (a) Offered for hire or lease; or

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

248            [(37)] (38) "Motorcycle", a motor vehicle operated on  
249 two wheels;

250            [(38)] (39) "Motorized bicycle", any two-wheeled or  
251 three-wheeled device having an automatic transmission and a  
252 motor with a cylinder capacity of not more than fifty cubic  
253 centimeters, which produces less than three gross brake  
254 horsepower, and is capable of propelling the device at a  
255 maximum speed of not more than thirty miles per hour on  
256 level ground, but excluding an electric bicycle;

257            [(39)] (40) "Motortricycle", a motor vehicle upon  
258 which the operator straddles or sits astride that is  
259 designed to be controlled by handle bars and is operated on  
260 three wheels, including a motorcycle while operated with any  
261 conveyance, temporary or otherwise, requiring the use of a  
262 third wheel, but excluding an electric bicycle. A  
263 motortricycle shall not be included in the definition of all-  
264 terrain vehicle;

265            [(40)] (41) "Municipality", any city, town or village,  
266 whether incorporated or not;

267            [(41)] (42) "Nonresident", a resident of a state or  
268 country other than the state of Missouri;

269            [(42)] (43) "Non-USA-std motor vehicle", a motor  
270 vehicle not originally manufactured in compliance with  
271 United States emissions or safety standards;

272            [(43)] (44) "Operator", any person who operates or  
273 drives a motor vehicle;

274            [(44)] (45) "Owner", any person, firm, corporation or  
275 association, who holds the legal title to a vehicle or who  
276 has executed a buyer's order or retail installment sales  
277 contract with a motor vehicle dealer licensed under sections  
278 301.550 to 301.580 for the purchase of a vehicle with an  
279 immediate right of possession vested in the transferee, or  
280 in the event a vehicle is the subject of an agreement for  
281 the conditional sale or lease thereof with the right of  
282 purchase upon performance of the conditions stated in the  
283 agreement and with an immediate right of possession vested  
284 in the conditional vendee or lessee, or in the event a  
285 mortgagor of a vehicle is entitled to possession, then such  
286 conditional vendee or lessee or mortgagor shall be deemed  
287 the owner;

288            [(45)] (46) "Public garage", a place of business where  
289 motor vehicles are housed, stored, repaired, reconstructed  
290 or repainted for persons other than the owners or operators  
291 of such place of business;

292            [(46)] (47) "Rebuilder", a business that repairs or  
293 rebuilds motor vehicles owned by the rebuilder, but does not  
294 include certificated common or contract carriers of persons  
295 or property;

296            [(47)] (48) "Reconstructed motor vehicle", a vehicle  
297 that is altered from its original construction by the  
298 addition or substitution of two or more new or used major  
299 component parts, excluding motor vehicles made from all new  
300 parts, and new multistage manufactured vehicles;

301            [(48)] (49) "Recreational motor vehicle", any motor  
302 vehicle designed, constructed or substantially modified so  
303 that it may be used and is used for the purposes of  
304 temporary housing quarters, including therein sleeping and  
305 eating facilities which are either permanently attached to  
306 the motor vehicle or attached to a unit which is securely  
307 attached to the motor vehicle. Nothing herein shall prevent  
308 any motor vehicle from being registered as a commercial  
309 motor vehicle if the motor vehicle could otherwise be so  
310 registered;

311            [(49)] (50) "Recreational off-highway vehicle", any  
312 motorized vehicle manufactured and used exclusively for off-  
313 highway use which is more than fifty inches but no more than  
314 eighty inches in width, measured from outside of tire rim to  
315 outside of tire rim, with an unladen dry weight of three  
316 thousand five hundred pounds or less, traveling on four or  
317 more nonhighway tires and which may have access to ATV  
318 trails;

319            [(50)] (51) "Recreational trailer", any trailer  
320 designed, constructed, or substantially modified so that it  
321 may be used and is used for the purpose of temporary housing  
322 quarters, including therein sleeping or eating facilities,  
323 which can be temporarily attached to a motor vehicle or  
324 attached to a unit which is securely attached to a motor  
325 vehicle;

326            [(51)] (52) "Rollback or car carrier", any vehicle  
327 specifically designed to transport wrecked, disabled or  
328 otherwise inoperable vehicles, when the transportation is  
329 directly connected to a wrecker or towing service;

330            [(52)] (53) "Saddlemount combination", a combination  
331 of vehicles in which a truck or truck tractor tows one or  
332 more trucks or truck tractors, each connected by a saddle to  
333 the frame or fifth wheel of the vehicle in front of it. The

334 "saddle" is a mechanism that connects the front axle of the  
335 towed vehicle to the frame or fifth wheel of the vehicle in  
336 front and functions like a fifth wheel kingpin connection.  
337 When two vehicles are towed in this manner the combination  
338 is called a "double saddlemount combination". When three  
339 vehicles are towed in this manner, the combination is called  
340 a "triple saddlemount combination";

341 [(53)] (54) "Salvage dealer and dismantler", a  
342 business that dismantles used motor vehicles for the sale of  
343 the parts thereof, and buys and sells used motor vehicle  
344 parts and accessories;

345 [(54)] (55) "Salvage vehicle", a motor vehicle,  
346 semitrailer, or house trailer which:

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

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

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

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

363 (e) Is abandoned property which is titled pursuant to  
364 section 304.155 or section 304.157 and designated with the  
365 words "salvage/abandoned property". The total cost of  
366 repairs to rebuild or reconstruct the vehicle shall not

367 include the cost of repairing, replacing, or reinstalling  
368 inflatable safety restraints, tires, sound systems, or  
369 damage as a result of hail, or any sales tax on parts or  
370 materials to rebuild or reconstruct the vehicle. For  
371 purposes of this definition, "fair market value" means the  
372 retail value of a motor vehicle as:

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

378 b. Determined pursuant to a market survey of  
379 comparable vehicles with regard to condition and equipment;  
380 and

381 c. Determined by an insurance company using any other  
382 procedure recognized by the insurance industry, including  
383 market surveys, that is applied by the company in a uniform  
384 manner;

385 [(55)] (56) "School bus", any motor vehicle used  
386 solely to transport students to or from school or to  
387 transport students to or from any place for educational  
388 purposes;

389 [(56)] (57) "Scrap processor", a business that,  
390 through the use of fixed or mobile equipment, flattens,  
391 crushes, or otherwise accepts motor vehicles and vehicle  
392 parts for processing or transportation to a shredder or  
393 scrap metal operator for recycling;

394 [(57)] (58) "Shuttle bus", a motor vehicle used or  
395 maintained by any person, firm, or corporation as an  
396 incidental service to transport patrons or customers of the  
397 regular business of such person, firm, or corporation to and  
398 from the place of business of the person, firm, or  
399 corporation providing the service at no fee or charge.

400 Shuttle buses shall not be registered as buses or as  
401 commercial motor vehicles;

402        [(58)] (59) "Special mobile equipment", every self-  
403 propelled vehicle not designed or used primarily for the  
404 transportation of persons or property and incidentally  
405 operated or moved over the highways, including farm  
406 equipment, implements of husbandry, road construction or  
407 maintenance machinery, ditch-digging apparatus, stone  
408 crushers, air compressors, power shovels, cranes, graders,  
409 rollers, well-drillers and wood-sawing equipment used for  
410 hire, asphalt spreaders, bituminous mixers, bucket loaders,  
411 ditchers, leveling graders, finished machines, motor  
412 graders, road rollers, scarifiers, earth-moving carryalls,  
413 scrapers, drag lines, concrete pump trucks, rock-drilling  
414 and earth-moving equipment. This enumeration shall be  
415 deemed partial and shall not operate to exclude other such  
416 vehicles which are within the general terms of this section;

417        [(59)] (60) "Specially constructed motor vehicle", a  
418 motor vehicle which shall not have been originally  
419 constructed under a distinctive name, make, model or type by  
420 a manufacturer of motor vehicles. The term specially  
421 constructed motor vehicle includes kit vehicles;

422        [(60)] (61) "Stinger-steered combination", a truck  
423 tractor-semitrailer wherein the fifth wheel is located on a  
424 drop frame located behind and below the rearmost axle of the  
425 power unit;

426        [(61)] (62) "Tandem axle", a group of two or more  
427 axles, arranged one behind another, the distance between the  
428 extremes of which is more than forty inches and not more  
429 than ninety-six inches apart;

430        [(62)] (63) "Towaway trailer transporter combination",  
431 a combination of vehicles consisting of a trailer  
432 transporter towing unit and two trailers or semitrailers,

433 with a total weight that does not exceed twenty-six thousand  
434 pounds; and in which the trailers or semitrailers carry no  
435 property and constitute inventory property of a  
436 manufacturer, distributor, or dealer of such trailers or  
437 semitrailers;

438 [(63)] (64) "Tractor", "truck tractor" or "truck-  
439 tractor", a self-propelled motor vehicle designed for  
440 drawing other vehicles, but not for the carriage of any load  
441 when operating independently. When attached to a  
442 semitrailer, it supports a part of the weight thereof;

443 [(64)] (65) "Trailer", any vehicle without motive  
444 power designed for carrying property or passengers on its  
445 own structure and for being drawn by a self-propelled  
446 vehicle, except those running exclusively on tracks,  
447 including a semitrailer or vehicle of the trailer type so  
448 designed and used in conjunction with a self-propelled  
449 vehicle that a considerable part of its own weight rests  
450 upon and is carried by the towing vehicle. The term trailer  
451 shall not include cotton trailers as defined in this section  
452 and shall not include manufactured homes as defined in  
453 section 700.010;

454 [(65)] (66) "Trailer transporter towing unit", a power  
455 unit that is not used to carry property when operating in a  
456 towaway trailer transporter combination;

457 [(66)] (67) "Truck", a motor vehicle designed, used,  
458 or maintained for the transportation of property;

459 [(67)] (68) "Truck-tractor semitrailer-semitrailer", a  
460 combination vehicle in which the two trailing units are  
461 connected with a B-train assembly which is a rigid frame  
462 extension attached to the rear frame of a first semitrailer  
463 which allows for a fifth-wheel connection point for the  
464 second semitrailer and has one less articulation point than

465 the conventional A-dolly connected truck-tractor semitrailer-  
466 trailer combination;

467 [(68)] (69) "Truck-trailer boat transporter  
468 combination", a boat transporter combination consisting of a  
469 straight truck towing a trailer using typically a ball and  
470 socket connection with the trailer axle located  
471 substantially at the trailer center of gravity rather than  
472 the rear of the trailer but so as to maintain a downward  
473 force on the trailer tongue;

474 [(69)] (70) "Used parts dealer", a business that buys  
475 and sells used motor vehicle parts or accessories, but not  
476 including a business that sells only new, remanufactured or  
477 rebuilt parts. Business does not include isolated sales at  
478 a swap meet of less than three days;

479 [(70)] (71) "Utility vehicle", any motorized vehicle  
480 manufactured and used exclusively for off-highway use which  
481 is more than fifty inches but no more than eighty inches in  
482 width, measured from outside of tire rim to outside of tire  
483 rim, with an unladen dry weight of three thousand five  
484 hundred pounds or less, traveling on four or six wheels, to  
485 be used primarily for landscaping, lawn care, or maintenance  
486 purposes;

487 [(71)] (72) "Vanpool", any van or other motor vehicle  
488 used or maintained by any person, group, firm, corporation,  
489 association, city, county or state agency, or any member  
490 thereof, for the transportation of not less than eight nor  
491 more than forty-eight employees, per motor vehicle, to and  
492 from their place of employment; however, a vanpool shall not  
493 be included in the definition of the term bus or commercial  
494 motor vehicle as defined in this section, nor shall a  
495 vanpool driver be deemed a chauffeur as that term is defined  
496 by section 303.020; nor shall use of a vanpool vehicle for  
497 ride-sharing arrangements, recreational, personal, or

498 maintenance uses constitute an unlicensed use of the motor  
499 vehicle, unless used for monetary profit other than for use  
500 in a ride-sharing arrangement;

501        [(72)] (73) "Vehicle", any mechanical device on  
502 wheels, designed primarily for use, or used, on highways,  
503 except motorized bicycles, electric bicycles, vehicles  
504 propelled or drawn by horses or human power, or vehicles  
505 used exclusively on fixed rails or tracks, or cotton  
506 trailers or motorized wheelchairs operated by handicapped  
507 persons;

508        [(73)] (74) "Wrecker" or "tow truck", any emergency  
509 commercial vehicle equipped, designed and used to assist or  
510 render aid and transport or tow disabled or wrecked vehicles  
511 from a highway, road, street or highway rights-of-way to a  
512 point of storage or repair, including towing a replacement  
513 vehicle to replace a disabled or wrecked vehicle;

514        [(74)] (75) "Wrecker or towing service", the act of  
515 transporting, towing or recovering with a wrecker, tow  
516 truck, rollback or car carrier any vehicle not owned by the  
517 operator of the wrecker, tow truck, rollback or car carrier  
518 for which the operator directly or indirectly receives  
519 compensation or other personal gain.

301.033. 1. Notwithstanding the provisions of  
2 sections 301.030 and 301.035 to the contrary, the director  
3 of revenue shall establish a system of registration on a  
4 calendar year basis of all farm vehicles, as defined in  
5 section 302.700, owned or purchased by a farm vehicle fleet  
6 owner registered under this section. The director of  
7 revenue shall prescribe the forms for such farm vehicle  
8 fleet registration and the forms and procedures for the  
9 registration updates prescribed in this section. Any owner  
10 of more than one farm vehicle which is required to be  
11 registered under this chapter may, at his or her option,

12 register a fleet of farm vehicles on a calendar year or  
13 biennial basis under this section in lieu of the  
14 registration periods provided in sections 301.030, 301.035,  
15 and 301.147. The director shall issue an identification  
16 number to each registered owner of a fleet of farm vehicles  
17 registered under this section.

18 2. All farm vehicles included in the fleet of a  
19 registered farm vehicle fleet owner shall be registered  
20 during April of the corresponding year or on a prorated  
21 basis as provided in subsection 3 of this section. Fees of  
22 all vehicles in the farm vehicle fleet to be registered on a  
23 calendar year basis or on a biennial basis shall be payable  
24 not later than the last day of April of the corresponding  
25 year, with two years' fees due for biennially-registered  
26 vehicles. Notwithstanding the provisions of section  
27 307.355, an application for registration of a farm vehicle  
28 fleet shall be accompanied by a certificate of inspection  
29 and approval issued no more than one hundred twenty days  
30 prior to the date of application. The fees for vehicles  
31 added to the farm vehicle fleet which are required to be  
32 licensed at the time of registration shall be payable at the  
33 time of registration, except that when such vehicle is  
34 licensed between July first and September thirtieth the fee  
35 shall be three-fourths the annual fee, when licensed between  
36 October first and December thirty-first the fee shall be one-  
37 half the annual fee, and when licensed on or after January  
38 first the fee shall be one-fourth the annual fee. If  
39 biennial registration is sought for vehicles added to a farm  
40 vehicle fleet, an additional year's annual fee shall be  
41 added to the partial year's prorated fee.

42 3. At any time during the calendar year in which an  
43 owner of a farm vehicle fleet purchases or otherwise  
44 acquires a farm vehicle which is to be added to the farm

45 vehicle fleet or transfers plates to a fleet vehicle, the  
46 owner shall present to the director of revenue the  
47 identification number as a fleet number and may register the  
48 vehicle for the partial year as provided in subsection 2 of  
49 this section. The farm vehicle fleet owner shall also be  
50 charged a transfer fee of two dollars for each vehicle so  
51 transferred under this subsection.

52 4. Except as specifically provided in this subsection,  
53 all farm vehicles registered under this section shall be  
54 issued a special license plate which shall have the words  
55 "Farm Fleet Vehicle" and shall meet the requirements  
56 prescribed by section 301.130. Farm fleet vehicles shall be  
57 issued multiyear license plates as provided in this section  
58 which shall not require issuance of a renewal tab. Upon  
59 payment of appropriate registration fees, the director of  
60 revenue shall issue a registration certificate or other  
61 suitable evidence of payment of the annual or biennial fee,  
62 and such evidence of payment shall be carried at all times  
63 in the vehicle for which it is issued.

64 5. The director shall make all necessary rules and  
65 regulations for the administration of this section and shall  
66 design all necessary forms required by this section. Any  
67 rule or portion of a rule, as that term is defined in  
68 section 536.010, that is created under the authority  
69 delegated in this section shall become effective only if it  
70 complies with and is subject to all the provisions of  
71 chapter 536 and, if applicable, section 536.028. This  
72 section and chapter 536 are nonseverable, and if any of the  
73 powers vested with the general assembly under chapter 536 to  
74 review, to delay the effective date, or to disapprove and  
75 annul a rule are subsequently held unconstitutional, then  
76 the grant of rulemaking authority and any rule proposed or  
77 adopted after August 28, 2021, shall be invalid and void.

301.062. 1. The annual registration fee for a local  
2 log truck, registered pursuant to this chapter, is three  
3 hundred dollars.

4 2. A local log truck may receive an extended distance  
5 local log truck permit for an additional fee of three  
6 hundred dollars. A local log truck with an extended  
7 distance local log truck permit shall be allowed to  
8 transport harvested or processed forest products outside of  
9 the [one hundred mile] radius from the forested site  
10 specified in section 301.010 at the weight limits for  
11 commercial vehicles specified in section 304.180. For the  
12 purposes of this section, "processed forest products" shall  
13 mean wood products that are produced from the initial  
14 processing of a round log and have received no additional  
15 manufacturing or packaging to prepare the material for any  
16 retail market including, but not limited to, sawdust, wood  
17 chips, bark, slabs, and green square edged lumber products.

301.131. 1. Any motor vehicle over twenty-five years  
2 old which is owned solely as a collector's item and which is  
3 used and intended to be used for exhibition and educational  
4 purposes shall be permanently registered upon payment of a  
5 registration fee of twenty-five dollars. Upon the transfer  
6 of the title to any such vehicle the registration shall be  
7 cancelled and the license plates issued therefor shall be  
8 returned to the director of revenue.

9 2. The owner of any such vehicle shall file an  
10 application in a form prescribed by the director, if such  
11 vehicle meets the requirements of this section, and a  
12 certificate of registration shall be issued therefor. Such  
13 certificate need not specify the horsepower of the motor  
14 vehicle.

15 3. The director shall issue to the owner of any motor  
16 vehicle registered pursuant to this section the same number

17 of license plates which would be issued with a regular  
18 annual registration, containing the number assigned to the  
19 registration certificate issued by the director of revenue.  
20 Such license plates shall be made with fully reflective  
21 material with a common color scheme and design, shall be  
22 clearly visible at night, and shall be aesthetically  
23 attractive, as prescribed by section 301.130.

24 4. [Historic vehicles may be driven to and from repair  
25 facilities one hundred miles from the vehicle's location,  
26 and in addition may be driven up to one thousand miles per  
27 year for personal use. The owner of the historic vehicle  
28 shall be responsible for keeping a log of the miles driven  
29 for personal use each calendar year. Such log must be kept  
30 in the historic vehicle when the vehicle is driven on any  
31 state road. The historic vehicle's mileage driven in an  
32 antique auto tour or event and mileage driven to and from  
33 such a tour or event shall not be considered mileage driven  
34 for the purpose of the mileage limitations in this section.  
35 Violation of this section shall be punishable under section  
36 301.440 and in addition to any other penalties prescribed by  
37 law, upon plea or finding of guilt thereof, the director of  
38 revenue shall revoke the historic motor vehicle license  
39 plates of such violator which were issued pursuant to this  
40 section.

41 5.] Notwithstanding any provisions of this section to  
42 the contrary, any person possessing a license plate issued  
43 by the state of Missouri that is over twenty-five years old,  
44 in which the year of the issuance of such plate is  
45 consistent with the year of the manufacture of the vehicle,  
46 the owner of the vehicle may register such plate as an  
47 historic vehicle plate as set forth in subsections 1 and 2  
48 of this section, provided that the configuration of letters,  
49 numbers or combination of letters and numbers of such plate

50 are not identical to the configuration of letters, numbers  
51 or combination of letters and numbers of any plates already  
52 issued to an owner by the director. Such license plate  
53 shall not be required to possess the characteristic features  
54 of reflective material and common color scheme and design as  
55 prescribed in section 301.130. The owner of the historic  
56 vehicle registered pursuant to this subsection shall keep  
57 the certificate of registration in the vehicle at all times.  
58 The certificate of registration shall be prima facie  
59 evidence that the vehicle has been properly registered with  
60 the director and that all fees have been paid.

301.147. 1. Notwithstanding the provisions of section  
2 301.020 to the contrary, beginning July 1, 2000, the  
3 director of revenue may provide owners of motor vehicles,  
4 other than commercial motor vehicles licensed in excess of  
5 fifty-four thousand pounds gross weight, the option of  
6 biennially registering motor vehicles[. Any vehicle  
7 manufactured as an even-numbered model year vehicle shall be  
8 renewed each even-numbered calendar year and any such  
9 vehicle manufactured as an odd-numbered model year vehicle  
10 shall be renewed each odd-numbered calendar year], subject  
11 to the following requirements:

12 (1) The fee collected at the time of biennial  
13 registration shall include the annual registration fee plus  
14 a pro rata amount for the additional twelve months of the  
15 biennial registration;

16 (2) Presentation of all documentation otherwise  
17 required by law for vehicle registration including, but not  
18 limited to, a personal property tax receipt or certified  
19 statement for the preceding year that no such taxes were due  
20 as set forth in section 301.025, proof of a motor vehicle  
21 safety inspection and any applicable emission inspection

22 conducted within sixty days prior to the date of application  
23 and proof of insurance as required by section 303.026.

24 2. The director of revenue may prescribe rules and  
25 regulations for the effective administration of this  
26 section. The director is authorized to adopt those rules  
27 that are reasonable and necessary to accomplish the limited  
28 duties specifically delegated within this section. Any rule  
29 or portion of a rule, as that term is defined in section  
30 536.010, that is promulgated pursuant to the authority  
31 delegated in this section shall become effective only if it  
32 has been promulgated pursuant to the provisions of chapter  
33 536. This section and chapter 536 are nonseverable and if  
34 any of the powers vested with the general assembly pursuant  
35 to chapter 536 to review, to delay the effective date or to  
36 disapprove and annul a rule are subsequently held  
37 unconstitutional, then the grant of rulemaking authority and  
38 any rule proposed or adopted after July 1, 2000, shall be  
39 invalid and void.

40 3. The director of revenue shall have the authority to  
41 stagger the registration period of motor vehicles other than  
42 commercial motor vehicles licensed in excess of twelve  
43 thousand pounds gross weight. Once the owner of a motor  
44 vehicle chooses the option of biennial registration, such  
45 registration must be maintained for the full twenty-four  
46 month period.

301.192. 1. In addition to any other requirements of  
2 section 301.190, when application is made for a certificate  
3 of ownership for a motor vehicle or trailer seven years old  
4 or older and the value of vehicle does not exceed three  
5 thousand dollars, for which no record of any prior  
6 application for a certificate of ownership exists in the  
7 records of the director of revenue or for which the records  
8 of the director of revenue reflect incomplete or conflicting

9 documentation of ownership, the director of revenue may  
10 issue a certificate of ownership, not less than thirty days  
11 after receiving the completed application, provided it is  
12 accompanied by:

13 (1) An affidavit explaining how the motor vehicle or  
14 trailer was acquired and the reasons a valid certificate of  
15 ownership cannot be furnished;

16 (2) Presentation of all evidence of ownership in the  
17 applicant's possession;

18 (3) Title verification from a state in which the  
19 vehicle was previously titled or registered if known,  
20 provided the vehicle was so previously titled or registered;

21 (4) A notarized lien release from any lienholder of  
22 record;

23 (5) A vehicle examination certificate issued by the  
24 Missouri state highway patrol, or other law enforcement  
25 agency as authorized by the director of revenue. The  
26 vehicle examination shall include a verification of the  
27 vehicle's identification number and a determination that the  
28 vehicle has not been reported stolen in Missouri or any  
29 other state. The fee for the vehicle examination  
30 certificate shall be twenty-five dollars and shall be  
31 collected by the director of revenue at the time of the  
32 request for the application;

33 (6) A statement certifying the odometer reading of the  
34 motor vehicle if the motor vehicle has a model year of 2011  
35 or new and is less than [ten] twenty years of age; and

36 (7) A surety bond or a suitable financial security  
37 instrument in a form prescribed by the director of revenue  
38 and executed by the applicant and a person authorized to  
39 conduct surety business in this state. The bond shall be an  
40 amount equal to two times the value of the vehicle as  
41 determined by the Kelly Blue Book, NADA Used Car Guide or

42 two appraisals from a licensed motor vehicle dealer. The  
43 bond shall be for a minimum of one hundred dollars and  
44 conditioned to indemnify any prior owner or lienholder and  
45 any subsequent purchaser of the vehicle or person acquiring  
46 any security interest in it, and their respective successors  
47 in interest, against any expense, loss or damage including  
48 reasonable attorneys fees, by reason of the issuance of the  
49 certificate of ownership of the vehicle or on account of any  
50 defect in or undisclosed security interest upon the right,  
51 title and interest of the applicant in and to the vehicle.  
52 Any such interested person has a right of action to recover  
53 on the bond for any breach of its conditions, but the  
54 aggregate liability of the surety to all persons shall not  
55 exceed the amount of the bond. The bond shall be returned  
56 at the end of three years, unless the department has been  
57 notified of the pendency of an action to recover on the bond.

58 2. Upon satisfaction with the genuineness of the  
59 application and supporting documents, the director of  
60 revenue shall issue a new certificate of ownership. The  
61 certificate of ownership shall appropriately be designated  
62 with the words "BONDED VEHICLE".

301.280. 1. Every motor vehicle dealer and boat  
2 dealer shall make a monthly report to the department of  
3 revenue, on blanks to be prescribed by the department of  
4 revenue, giving the following information: date of the sale  
5 of each motor vehicle, boat, trailer and all-terrain vehicle  
6 sold; the name and address of the buyer; the name of the  
7 manufacturer; year of manufacture; model of vehicle; vehicle  
8 identification number; style of vehicle; odometer setting;  
9 and it shall also state whether the motor vehicle, boat,  
10 trailer or all-terrain vehicle is new or secondhand. Each  
11 monthly sales report filed by a motor vehicle dealer who  
12 collects sales tax under subsection 10 of section 144.070

13 shall also include the amount of state and local sales tax  
14 collected for each motor vehicle sold if sales tax was due.  
15 The odometer reading is not required when reporting the sale  
16 of any motor vehicle with a model year prior to 2011, any  
17 motor vehicle that is [~~ten~~] twenty years old or older, any  
18 motor vehicle having a gross vehicle weight rating of more  
19 than sixteen thousand pounds, new vehicles that are  
20 transferred on a manufacturer's statement of origin between  
21 one franchised motor vehicle dealer and another, or boats,  
22 all-terrain vehicles or trailers. The sale of all temporary  
23 permits shall be recorded in the appropriate space on the  
24 dealer's monthly sales report, unless the sale of the  
25 temporary permit is already recorded by electronic means as  
26 determined by the department. The monthly sales report  
27 shall include a statement of motor vehicles or trailers sold  
28 during the month under subsection 5 of section 301.210. The  
29 monthly sales report shall be completed in full and signed  
30 by an officer, partner, or owner of the dealership, and  
31 actually received by the department of revenue on or before  
32 the fifteenth day of the month succeeding the month for  
33 which the sales are being reported. If no sales occur in  
34 any given month, a report shall be submitted for that month  
35 indicating no sales. Any vehicle dealer who fails to file a  
36 monthly report or who fails to file a timely report shall be  
37 subject to disciplinary action as prescribed in section  
38 301.562 or a penalty assessed by the director not to exceed  
39 three hundred dollars per violation. Every motor vehicle  
40 and boat dealer shall retain copies of the monthly sales  
41 report as part of the records to be maintained at the  
42 dealership location and shall hold them available for  
43 inspection by appropriate law enforcement officials and  
44 officials of the department of revenue. Every vehicle  
45 dealer selling twenty or more vehicles a month shall file

46 the monthly sales report with the department in an  
47 electronic format. Any dealer filing a monthly sales report  
48 in an electronic format shall be exempt from filing the  
49 notice of transfer required by section 301.196. For any  
50 dealer not filing electronically, the notice of transfer  
51 required by section 301.196 shall be submitted with the  
52 monthly sales report as prescribed by the director.

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

67 3. Every dealer and every person operating a public  
68 garage in which a motor vehicle remains unclaimed for a  
69 period of fifteen days shall, within five days after the  
70 expiration of that period, report the motor vehicle as  
71 unclaimed to the director of revenue. Such report shall be  
72 on a form prescribed by the director of revenue. A motor  
73 vehicle left by its owner whose name and address are known  
74 to the dealer or his employee or person operating a public  
75 garage or his employee is not considered unclaimed. Any  
76 dealer or person operating a public garage who fails to  
77 report a motor vehicle as unclaimed as herein required

78 forfeits all claims and liens for its garaging, parking or  
79 storing.

80 4. The director of revenue shall maintain  
81 appropriately indexed cumulative records of unclaimed  
82 vehicles reported to the director. Such records shall be  
83 kept open to public inspection during reasonable business  
84 hours.

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

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

301.558. 1. A motor vehicle dealer, boat dealer, or  
2 powersport dealer may fill in the blanks on standardized  
3 forms in connection with the sale or lease of a new or used  
4 motor vehicle, vessel, or vessel trailer if the motor  
5 vehicle dealer, boat dealer, or powersport dealer does not  
6 charge for the services of filling in the blanks or  
7 otherwise charge for preparing documents.

8 2. A motor vehicle dealer, boat dealer, or powersport  
9 dealer may charge an administrative fee in connection with  
10 the sale or lease of a new or used motor vehicle, vessel, or  
11 vessel trailer for the storage of documents or any other  
12 administrative or clerical services not prohibited by this

13 section. A portion of the administrative fee may result in  
14 profit to the motor vehicle dealer, boat dealer, or  
15 powersport dealer.

16 3. (1) Ten percent of any fee authorized under this  
17 section and charged by motor vehicle dealers shall be  
18 remitted to the motor vehicle administration technology fund  
19 established in this subsection, for the development of the  
20 system specified in this subsection. Following the  
21 development of the system specified in this subsection, the  
22 director of the department of revenue shall notify motor  
23 vehicle dealers and implement the system, and the percentage  
24 of any fee authorized under this section required to be  
25 remitted to the fund shall be reduced to one percent, which  
26 shall be used for maintenance of the system. This  
27 subsection shall expire on January 1, 2037.

28 (2) There is hereby created in the state treasury the  
29 "Motor Vehicle Administration Technology Fund", which shall  
30 consist of money collected as specified in this subsection.  
31 The state treasurer shall be custodian of the fund. In  
32 accordance with sections 30.170 and 30.180, the state  
33 treasurer may approve disbursements. The fund shall be a  
34 dedicated fund and money in the fund shall be used solely by  
35 the department of revenue for the purpose of development and  
36 maintenance of a modernized, integrated system for the  
37 titling of vehicles, issuance and renewal of vehicle  
38 registrations, issuance and renewal of driver's licenses and  
39 identification cards, and perfection and release of liens  
40 and encumbrances on vehicles.

41 (3) Notwithstanding the provisions of section 33.080  
42 to the contrary, any moneys remaining in the fund at the end  
43 of the biennium shall not revert to the credit of the  
44 general revenue fund.

45           (4) The state treasurer shall invest moneys in the  
46 fund in the same manner as other funds are invested. Any  
47 interest and moneys earned on such investments shall be  
48 credited to the fund.

49           4. No motor vehicle dealer, boat dealer, or powersport  
50 dealer that sells or leases new or used motor vehicles,  
51 vessels, or vessel trailers and imposes an administrative  
52 fee of [less than two] five hundred dollars or less in  
53 connection with the sale or lease of a new or used vehicle,  
54 vessel, or vessel trailer for the storage of documents or  
55 any other administrative or clerical services shall be  
56 deemed to be engaging in the unauthorized practice of law.  
57 The maximum administrative fee permitted under this  
58 subsection shall be increased annually by an amount equal to  
59 the percentage change in the annual average of the Consumer  
60 Price Index for All Urban Consumers or its successor index,  
61 as reported by the federal Bureau of Labor Statistics or its  
62 successor agency, or by zero, whichever is greater. The  
63 director of the department of revenue shall annually furnish  
64 the maximum administrative fee determined under this section  
65 to the secretary of state, who shall publish such value in  
66 the Missouri register as soon as practicable after January  
67 fourteenth of each year.

68           [4.] 5. If an administrative fee is charged under this  
69 section, the same administrative fee shall be charged to all  
70 retail customers [and] unless the fee is limited by the  
71 dealer's franchise agreement to certain classes of  
72 customers. The fee shall be disclosed on the retail buyer's  
73 order form as a separate itemized charge.

74           [5.] 6. A preliminary worksheet on which a sale price  
75 is computed and that is shown to the purchaser, a retail  
76 buyer's order form from the purchaser, or a retail  
77 installment contract shall include, in reasonable proximity

78 to the place on the document where the administrative fee  
79 authorized by this section is disclosed, the amount of the  
80 administrative fee and the following notice in type that is  
81 boldfaced, capitalized, underlined, or otherwise  
82 conspicuously set out from the surrounding written material:

83 "AN ADMINISTRATIVE FEE IS NOT AN OFFICIAL FEE  
84 AND IS NOT REQUIRED BY LAW BUT MAY BE CHARGED BY  
85 A DEALER. THIS ADMINISTRATIVE FEE MAY RESULT IN  
86 A PROFIT TO DEALER. NO PORTION OF THIS  
87 ADMINISTRATIVE FEE IS FOR THE DRAFTING,  
88 PREPARATION, OR COMPLETION OF DOCUMENTS OR THE  
89 PROVIDING OF LEGAL ADVICE. THIS NOTICE IS  
90 REQUIRED BY LAW."

91 [6.] 7. The general assembly believes that an  
92 administrative fee charged in compliance with this section  
93 is not the unauthorized practice of law or the unauthorized  
94 business of law so long as the activity or service for which  
95 the fee is charged is in compliance with the provisions of  
96 this section and does not result in the waiver of any rights  
97 or remedies. Recognizing, however, that the judiciary is  
98 the sole arbitrator of what constitutes the practice of law,  
99 in the event that a court determines that an administrative  
100 fee charged in compliance with this section, and that does  
101 not waive any rights or remedies of the buyer, is the  
102 unauthorized practice of law or the unauthorized business of  
103 law, then no person who paid that administrative fee may  
104 recover said fee or treble damages, as permitted under  
105 section 484.020, and no person who charged that fee shall be  
106 guilty of a misdemeanor, as provided under section 484.020.

302.010. Except where otherwise provided, when used in  
2 this chapter, the following words and phrases mean:

3 (1) "Circuit court", each circuit court in the state;

4           (2) "Commercial motor vehicle", a motor vehicle  
5 designed or regularly used for carrying freight and  
6 merchandise, or more than fifteen passengers;

7           (3) "Conviction", any final conviction; also a  
8 forfeiture of bail or collateral deposited to secure a  
9 defendant's appearance in court, which forfeiture has not  
10 been vacated, shall be equivalent to a conviction, except  
11 that when any conviction as a result of which points are  
12 assessed pursuant to section 302.302 is appealed, the term  
13 "conviction" means the original judgment of conviction for  
14 the purpose of determining the assessment of points, and the  
15 date of final judgment affirming the conviction shall be the  
16 date determining the beginning of any license suspension or  
17 revocation pursuant to section 302.304;

18           (4) "Criminal history check", a search of criminal  
19 records, including criminal history record information as  
20 defined in section 43.500, maintained by the Missouri state  
21 highway patrol in the Missouri criminal records repository  
22 or by the Federal Bureau of Investigation as part of its  
23 criminal history records, including, but not limited to, any  
24 record of conviction, plea of guilty or nolo contendere, or  
25 finding of guilty in any state for any offense related to  
26 alcohol, controlled substances, or drugs;

27           (5) "Director", the director of revenue acting  
28 directly or through the director's authorized officers and  
29 agents;

30           (6) "Farm tractor", every motor vehicle designed and  
31 used primarily as a farm implement for drawing plows, mowing  
32 machines and other implements of husbandry;

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

36           (8) "Incompetent to drive a motor vehicle", a person  
37 who has become physically incapable of meeting the  
38 prescribed requirements of an examination for an operator's  
39 license, or who has been adjudged by a probate division of  
40 the circuit court in a capacity hearing of being  
41 incapacitated;

42           (9) "License", a license issued by a state to a person  
43 which authorizes a person to operate a motor vehicle;

44           (10) "Motor vehicle", any self-propelled vehicle not  
45 operated exclusively upon tracks except motorized bicycles,  
46 as defined in section 307.180 and electric bicycles, as  
47 defined in section 301.010;

48           (11) "Motorcycle", a motor vehicle operated on two  
49 wheels; however, this definition shall not include motorized  
50 bicycles or electric bicycles as such terms are defined in  
51 section 301.010;

52           (12) "Motortricycle", a motor vehicle operated on  
53 three wheels, including a motorcycle operated with any  
54 conveyance, temporary or otherwise, requiring the use of a  
55 third wheel, but excluding an electric bicycle as defined in  
56 section 301.010;

57           (13) "Moving violation", that character of traffic  
58 violation where at the time of violation the motor vehicle  
59 involved is in motion, except that the term does not include  
60 the driving of a motor vehicle without a valid motor vehicle  
61 registration license, or violations of sections 304.170 to  
62 304.240, inclusive, relating to sizes and weights of  
63 vehicles;

64           (14) "Municipal court", every division of the circuit  
65 court having original jurisdiction to try persons for  
66 violations of city ordinances;

67           (15) "Nonresident", every person who is not a resident  
68 of this state;

69           (16) "Operator", every person who is in actual  
70 physical control of a motor vehicle upon a highway;

71           (17) "Owner", a person who holds the legal title of a  
72 vehicle or in the event a vehicle is the subject of an  
73 agreement for the conditional sale or lease thereof with the  
74 right of purchase upon performance of the conditions stated  
75 in the agreement and with an immediate right of possession  
76 vested in the conditional vendee or lessee, or in the event  
77 a mortgagor of a vehicle is entitled to possession, then  
78 such conditional vendee or lessee or mortgagor shall be  
79 deemed the owner for the purpose of sections 302.010 to  
80 302.540;

81           (18) "Record" includes, but is not limited to, papers,  
82 documents, facsimile information, microphotographic process,  
83 electronically generated or electronically recorded  
84 information, digitized images, deposited or filed with the  
85 department of revenue;

86           (19) "Residence address", "residence", or "resident  
87 address" shall be the location at which a person has been  
88 physically present, and that the person regards as home. A  
89 residence address is a person's true, fixed, principal, and  
90 permanent home, to which a person intends to return and  
91 remain, even though currently residing elsewhere;

92           (20) "Restricted driving privilege", a sixty-day  
93 driving privilege issued by the director of revenue  
94 following a suspension of driving privileges for the limited  
95 purpose of driving in connection with the driver's business,  
96 occupation, employment, formal program of secondary,  
97 postsecondary or higher education, or for an alcohol  
98 education or treatment program or certified ignition  
99 interlock provider, or a ninety-day interlock restricted  
100 privilege issued by the director of revenue for the limited  
101 purpose of driving in connection with the driver's business,

102 occupation, employment, seeking medical treatment for such  
103 driver or a dependent family member, attending school or  
104 other institution of higher education, attending alcohol- or  
105 drug-treatment programs, seeking the required services of a  
106 certified ignition interlock provider, fulfilling court  
107 obligations, including required appearances and probation  
108 and parole obligations, religious services, the care of a  
109 child or children, including scheduled visitation or  
110 custodial obligations pursuant to a court order, fueling  
111 requirements for any vehicle utilized, and seeking basic  
112 nutritional requirements;

113 (21) "School bus", when used in sections 302.010 to  
114 302.540, means any motor vehicle, either publicly or  
115 privately owned, used to transport students to and from  
116 school, or to transport pupils properly chaperoned to and  
117 from any place within the state for educational purposes.  
118 The term "school bus" shall not include a bus operated by a  
119 public utility, municipal corporation or common carrier  
120 authorized to conduct local or interstate transportation of  
121 passengers when such bus is not traveling a specific school  
122 bus route but is:

123 (a) On a regularly scheduled route for the  
124 transportation of fare-paying passengers; or

125 (b) Furnishing charter service for the transportation  
126 of persons enrolled as students on field trips or other  
127 special trips or in connection with other special events;

128 (22) "School bus operator", an operator who operates a  
129 school bus as defined in subdivision (21) of this section in  
130 the transportation of any schoolchildren and who receives  
131 compensation for such service. The term "school bus  
132 operator" shall not include any person who transports  
133 schoolchildren as an incident to employment with a school or  
134 school district, such as a teacher, coach, administrator,

135 secretary, school nurse, or janitor unless such person is  
136 under contract with or employed by a school or school  
137 district as a school bus operator;

138 (23) "Signature", any method determined by the  
139 director of revenue for the signing, subscribing or  
140 verifying of a record, report, application, driver's  
141 license, or other related document that shall have the same  
142 validity and consequences as the actual signing by the  
143 person providing the record, report, application, driver's  
144 license or related document;

145 (24) "Substance abuse traffic offender program", a  
146 program certified by the division of alcohol and drug abuse  
147 of the department of mental health to provide education or  
148 rehabilitation services pursuant to a professional  
149 assessment screening to identify the individual needs of the  
150 person who has been referred to the program as the result of  
151 an alcohol- or drug-related traffic offense. Successful  
152 completion of such a program includes participation in any  
153 education or rehabilitation program required to meet the  
154 needs identified in the assessment screening. The  
155 assignment recommendations based upon such assessment shall  
156 be subject to judicial review as provided in subsection 14  
157 of section 302.304 and subsections 1 and 5 of section  
158 302.540;

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

302.755. 1. A person is disqualified from driving a  
2 commercial motor vehicle for a period of not less than one  
3 year if convicted of a first violation of:

4 (1) Driving a motor vehicle under the influence of  
5 alcohol or a controlled substance, or of an alcohol-related  
6 enforcement contact as defined in subsection 3 of section  
7 302.525;

8 (2) Driving a commercial motor vehicle which causes a  
9 fatality through the negligent operation of the commercial  
10 motor vehicle, including but not limited to the offenses of  
11 vehicular manslaughter, homicide by motor vehicle, and  
12 negligent homicide;

13 (3) Driving a commercial motor vehicle while revoked  
14 pursuant to section 302.727;

15 (4) Leaving the scene of an accident involving a  
16 commercial or noncommercial motor vehicle operated by the  
17 person;

18 (5) Using a commercial or noncommercial motor vehicle  
19 in the commission of any felony, as defined in section  
20 302.700, except a felony as provided in subsection 4 of this  
21 section.

22 2. If any of the violations described in subsection 1  
23 of this section occur while transporting a hazardous  
24 material the person is disqualified for a period of not less  
25 than three years.

26 3. Any person is disqualified from operating a  
27 commercial motor vehicle for life if convicted of two or  
28 more violations of any of the offenses specified in  
29 subsection 1 of this section, or any combination of those  
30 offenses, arising from two or more separate incidents. The  
31 director may issue rules and regulations, in accordance with  
32 guidelines established by the Secretary, under which a  
33 disqualification for life under this section may be reduced  
34 to a period of not less than ten years.

35 4. Any person is disqualified from driving a  
36 commercial motor vehicle for life who uses a commercial or

37 noncommercial motor vehicle in the commission of any felony  
38 involving the manufacture, distribution, or dispensing of a  
39 controlled substance, or possession with intent to  
40 manufacture, distribute, or dispense a controlled substance.

41 5. Any person is disqualified from operating a  
42 commercial motor vehicle for a period of not less than sixty  
43 days if convicted of two serious traffic violations or one  
44 hundred twenty days if convicted of three serious traffic  
45 violations, arising from separate incidents occurring within  
46 a three-year period.

47 6. Any person found to be operating a commercial motor  
48 vehicle while having any measurable alcohol concentration  
49 shall immediately be issued a continuous twenty-four-hour  
50 out-of-service order by a law enforcement officer in this  
51 state.

52 7. Any person who is convicted of operating a  
53 commercial motor vehicle beginning at the time of issuance  
54 of the out-of-service order until its expiration is guilty  
55 of a class A misdemeanor.

56 8. Any person convicted for the first time of driving  
57 while out of service shall be disqualified from driving a  
58 commercial motor vehicle in the manner prescribed in 49 CFR  
59 383, or as amended by the Secretary.

60 9. Any person convicted of driving while out of  
61 service on a second occasion during any ten-year period,  
62 involving separate incidents, shall be disqualified in the  
63 manner prescribed in 49 CFR 383, or as amended by the  
64 Secretary.

65 10. Any person convicted of driving while out of  
66 service on a third or subsequent occasion during any ten-  
67 year period, involving separate incidents, shall be  
68 disqualified for a period of three years.

69           11. Any person convicted of a first violation of an  
70 out-of-service order while transporting hazardous materials  
71 or while operating a motor vehicle designed to transport  
72 sixteen or more passengers, including the driver, is  
73 disqualified for a period of one hundred eighty days.

74           12. Any person convicted of any subsequent violation  
75 of an out-of-service order in a separate incident within ten  
76 years after a previous violation, while transporting  
77 hazardous materials or while operating a motor vehicle  
78 designed to transport fifteen passengers, including the  
79 driver, is disqualified for a period of three years.

80           13. Any person convicted of any other offense as  
81 specified by regulations promulgated by the Secretary of  
82 Transportation shall be disqualified in accordance with such  
83 regulations.

84           14. After suspending, revoking, cancelling, or  
85 disqualifying a driver, the director shall update records to  
86 reflect such action and notify a nonresident's licensing  
87 authority and the commercial driver's license information  
88 system within ten days in the manner prescribed in 49 CFR  
89 384, or as amended by the Secretary.

90           15. Any person disqualified from operating a  
91 commercial motor vehicle pursuant to subsection 1, 2, 3 or 4  
92 of this section shall have such commercial driver's license  
93 cancelled, and upon conclusion of the period of  
94 disqualification shall take the written and driving tests  
95 and meet all other requirements of sections 302.700 to  
96 302.780. Such disqualification and cancellation shall not  
97 be withdrawn by the director until such person reapplies for  
98 a commercial driver's license in this or any other state  
99 after meeting all requirements of sections 302.700 to  
100 302.780.

101           16. The director shall disqualify a driver upon  
102 receipt of notification that the Secretary has determined a  
103 driver to be an imminent hazard pursuant to 49 CFR 383.52.  
104 Due process of a disqualification determined by the  
105 Secretary pursuant to this section shall be held in  
106 accordance with regulations promulgated by the Secretary.  
107 The period of disqualification determined by the Secretary  
108 pursuant to this section shall be served concurrently to any  
109 other period of disqualification which may be imposed by the  
110 director pursuant to this section. Both disqualifications  
111 shall appear on the driving record of the driver.

112           17. The director shall disqualify a commercial license  
113 holder or operator of a commercial motor vehicle from  
114 operation of any commercial motor vehicle upon receipt of a  
115 conviction for an offense of failure to appear or pay, and  
116 such disqualification shall remain in effect until the  
117 director receives notice that the person has complied with  
118 the requirement to appear or pay.

119           18. The disqualification period must be in addition to  
120 any other previous periods of disqualification in the manner  
121 prescribed in 49 CFR 383, or as amended by the Secretary,  
122 except when the major or serious violations are a result of  
123 the same incident.

124           19. Any person is disqualified from driving a  
125 commercial motor vehicle for life if convicted of using a  
126 commercial motor vehicle in the commission of a felony  
127 involving an act or practice of severe forms of trafficking  
128 in persons, as defined in 22 U.S.C. Section 7102 (11). A  
129 disqualification for life under this subsection shall not be  
130 reduced.

          303.020. As used in this chapter the following words  
2 and phrases shall mean:

3 (1) "Chauffeur", a person who is employed for the  
4 principal purpose of operating a motor vehicle or any person  
5 who drives a motor vehicle while in use as a public or  
6 common carrier of persons or property for hire;

7 (2) "Director", director of revenue of the state of  
8 Missouri, acting directly or through his authorized officers  
9 and agents;

10 (3) "Judgment", a final judgment by a court of  
11 competent jurisdiction of any state or of the United States,  
12 upon a claim for relief for damages, including damages for  
13 care and loss of services, because of bodily injury to or  
14 death of any person, or for damages because of injury to or  
15 destruction of property, including the loss of use thereof,  
16 or upon a claim for relief on any agreement or settlement  
17 for such damages arising out of the ownership, maintenance  
18 or use of any motor vehicle;

19 (4) "License", an operator's or driver's license,  
20 temporary instruction permit, chauffeur's or registered  
21 operator's license issued under the laws of this state;

22 (5) "Motor vehicle", a self-propelled vehicle which is  
23 designed for use upon a highway, except trailers designed  
24 for use with such vehicles, traction engines, road rollers,  
25 farm tractors, tractor cranes, power shovels, well drillers  
26 [and], motorized bicycles[, ] as defined in section 307.180,  
27 electric bicycles as defined in section 301.010, and every  
28 vehicle which is propelled by electric power obtained from  
29 overhead wires but not operated upon rails;

30 (6) "Nonresident", a person not a resident of the  
31 state of Missouri;

32 (7) "Nonresident's operating privilege", the privilege  
33 conferred upon a nonresident by the laws of this state  
34 pertaining to the operation by him of a motor vehicle, or  
35 the use of a motor vehicle owned by him in this state;

36 (8) "Operator", a person who is in actual physical  
37 control of a motor vehicle;

38 (9) "Owner", a person who holds the legal title to a  
39 motor vehicle; or in the event a motor vehicle is the  
40 subject of an agreement for the conditional sale or lease  
41 thereof with the right of purchase upon performance of the  
42 conditions stated in the agreement and with an immediate  
43 right of possession vested in the conditional vendee or  
44 lessee, or in the event a mortgagor of a motor vehicle is  
45 entitled to possession thereof, then such conditional vendee  
46 or lessee or mortgagor;

47 (10) "Proof of financial responsibility", proof of  
48 ability to respond in damages for liability, on account of  
49 accidents occurring subsequent to the effective date of said  
50 proof, arising out of the ownership, maintenance or use of a  
51 motor vehicle, in the amount of twenty-five thousand dollars  
52 because of bodily injury to or death of one person in any  
53 one accident, and, subject to said limit for one person, in  
54 the amount of fifty thousand dollars because of bodily  
55 injury to or death of two or more persons in any one  
56 accident, and in the amount of twenty-five thousand dollars  
57 because of injury to or destruction of property of others in  
58 any one accident;

59 (11) "Registration", registration certificate or  
60 certificates and registration plates issued under the laws  
61 of this state pertaining to the registration of motor  
62 vehicles;

63 (12) "State", any state, territory or possession of  
64 the United States, the District of Columbia, or any province  
65 of the Dominion of Canada;

66 (13) "Street" or "highway", the entire width between  
67 property lines of every way or place of whatever nature when

68 any part thereof is open to the use of the public, as a  
69 matter of right, for purposes of vehicular traffic.

303.025. 1. No owner of a motor vehicle registered in  
2 this state, or required to be registered in this state,  
3 shall operate, register or maintain registration of a motor  
4 vehicle, or permit another person to operate such vehicle,  
5 unless the owner maintains the financial responsibility  
6 which conforms to the requirements of the laws of this  
7 state. No nonresident shall operate or permit another  
8 person to operate in this state a motor vehicle registered  
9 to such nonresident unless the nonresident maintains the  
10 financial responsibility which conforms to the requirements  
11 of the laws of the nonresident's state of residence.  
12 Furthermore, no person shall operate a motor vehicle owned  
13 by another with the knowledge that the owner has not  
14 maintained financial responsibility unless such person has  
15 financial responsibility which covers the person's operation  
16 of the other's vehicle; however, no owner or nonresident  
17 shall be in violation of this subsection if he or she fails  
18 to maintain financial responsibility on a motor vehicle  
19 which is inoperable or being stored and not in operation.  
20 The director of the department of revenue shall establish by  
21 rule a process for voluntary suspension of motor vehicle  
22 registration for vehicles which are inoperable or being  
23 stored and not in operation. The owner or nonresident shall  
24 not further operate the vehicle until the owner or  
25 nonresident notifies the department of revenue that the  
26 vehicle will be in use, and the department shall reinstate  
27 the motor vehicle registration upon receipt of proof of  
28 financial responsibility. Owners or nonresidents who  
29 operate a motor vehicle during a period of inoperability or  
30 storage claimed under this subsection shall be guilty of a  
31 class B misdemeanor and may additionally be guilty of a

32 violation of this subsection. Notwithstanding any provision  
33 of law to the contrary, the department of revenue may verify  
34 motor vehicle financial responsibility as provided by law,  
35 but shall not otherwise take legal or administrative action  
36 to enforce the requirements of this section unless, in the  
37 discretion of the director, the motor vehicle is determined  
38 to have been operated in violation of this section, a motor  
39 vehicle registration is applied for in violation of this  
40 section, or the motor vehicle on two separate occasions  
41 thirty days apart is determined to have its registration  
42 maintained in violation of this section. The director may  
43 prescribe rules and regulations for the implementation of  
44 this section.

45         2. A motor vehicle owner shall maintain the owner's  
46 financial responsibility in a manner provided for in section  
47 303.160, or with a motor vehicle liability policy which  
48 conforms to the requirements of the laws of this state. A  
49 nonresident motor vehicle owner shall maintain the owner's  
50 financial responsibility which conforms to the requirements  
51 of the laws of the nonresident's state of residence.

52         3. Any person who violates this section is guilty of a  
53 misdemeanor. A first violation of this section shall be  
54 punishable as a class D misdemeanor. A second or subsequent  
55 violation of this section [~~shall~~] may be [~~punishable~~]  
56 punished by imprisonment in the county jail for a term not  
57 to exceed fifteen days [~~and/or~~] and shall be punished by a  
58 fine not less than two hundred dollars but not to exceed  
59 five hundred dollars. Prior pleas of guilty and prior  
60 findings of guilty shall be pleaded and proven in the same  
61 manner as required by section 558.021. However, no person  
62 shall be found guilty of violating this section if the  
63 operator demonstrates to the court that he or she met the  
64 financial responsibility requirements of this section at the

65 time the peace officer, commercial vehicle enforcement  
66 officer or commercial vehicle inspector wrote the citation.  
67 In addition to any other authorized punishment, the court  
68 shall notify the director of revenue of any person convicted  
69 pursuant to this section and shall do one of the following:

70 (1) Enter an order suspending the driving privilege as  
71 of the date of the court order. If the court orders the  
72 suspension of the driving privilege, the court shall require  
73 the defendant to surrender to it any driver's license then  
74 held by such person. The length of the suspension shall be  
75 as prescribed in subsection 2 of section 303.042. The court  
76 shall forward to the director of revenue the order of  
77 suspension of driving privilege and any license surrendered  
78 within ten days;

79 (2) Forward the record of the conviction for an  
80 assessment of four points;

81 (3) In lieu of an assessment of points, render an  
82 order of supervision as provided in section 302.303. An  
83 order of supervision shall not be used in lieu of points  
84 more than one time in any thirty-six-month period. Every  
85 court having jurisdiction pursuant to the provisions of this  
86 section shall forward a record of conviction to the Missouri  
87 state highway patrol, or at the written direction of the  
88 Missouri state highway patrol, to the department of revenue,  
89 in a manner approved by the director of the department of  
90 public safety. The director shall establish procedures for  
91 the record keeping and administration of this section; or

92 (4) For a nonresident, suspend the nonresident's  
93 driving privileges in this state in accordance with section  
94 303.030 and notify the official in charge of the issuance of  
95 licenses and registration certificates in the state in which  
96 such nonresident resides in accordance with section 303.080.

97 4. Nothing in sections 303.010 to 303.050, 303.060,  
98 303.140, 303.220, 303.290, 303.330 and 303.370 shall be  
99 construed as prohibiting the department of commerce and  
100 insurance from approving or authorizing those exclusions and  
101 limitations which are contained in automobile liability  
102 insurance policies and the uninsured motorist provisions of  
103 automobile liability insurance policies.

104 5. If a court enters an order of suspension, the  
105 offender may appeal such order directly pursuant to chapter  
106 512 and the provisions of section 302.311 shall not apply.

107 6. Any fines owed to the state pursuant to this  
108 section may be eligible for payment in installments. The  
109 director shall promulgate rules for the application of  
110 payment plans, which shall take into account individuals'  
111 ability to pay.

303.041. 1. Except as otherwise provided in  
2 subsection 7 of section 303.425, if the director determines  
3 [that as a result of a verification sample or accident  
4 report that the owner of a motor vehicle has not maintained  
5 financial responsibility, or if the director determines as a  
6 result of an order of supervision] that the owner or  
7 operator of a motor vehicle has not maintained the financial  
8 responsibility as required in this chapter, the director  
9 shall thirty-three days after mailing notice, suspend the  
10 driving privilege of the owner or operator and/or the  
11 registration of the vehicle failing to meet such  
12 requirement. The notice of suspension shall be mailed to  
13 the person at the last known address shown on the  
14 department's records. The notice of suspension is deemed  
15 received three days after mailing. The notice of suspension  
16 shall clearly specify the reason and statutory grounds for  
17 the suspension and the effective date of the suspension, the  
18 right of the person to request a hearing, the procedure for

19 requesting a hearing, and the date by which that request for  
20 a hearing must be made. If the request for a hearing is  
21 received by the department prior to the effective date of  
22 the suspension, the effective date of the suspension will be  
23 stayed until a final order is issued following the hearing.

24 2. Except as otherwise provided by law, neither the  
25 fact that subsequent to the date of verification or  
26 conviction, the owner acquired the required liability  
27 insurance policy nor the fact that the owner terminated  
28 ownership of the motor vehicle, shall have any bearing upon  
29 the director's decision to suspend. Until it is terminated,  
30 the suspension shall remain in force after the registration  
31 is renewed or a new registration is acquired for the motor  
32 vehicle. The suspension also shall apply to any motor  
33 vehicle to which the owner transfers the registration.  
34 Effective January 1, 2000, the department shall not extend  
35 any suspension for failure to pay a delinquent late  
36 surrender fee pursuant to this subsection.

303.420. 1. As used in sections 303.420 to 303.440,  
2 unless the context requires otherwise, the following terms  
3 shall mean:

4 (1) "Law enforcement agency", the department of  
5 revenue, the Missouri state highway patrol, the prosecuting  
6 attorney or sheriff's office of any county or city not  
7 within a county, the chiefs of police of any city or  
8 municipality, or any other authorized law enforcement agency  
9 recognized by the state;

10 (2) "Program", the motor vehicle financial  
11 responsibility enforcement and compliance incentive program  
12 established under section 303.425;

13 (3) "System" or "verification system", the web-based  
14 resource established under section 303.430 for online  
15 verification of motor vehicle financial responsibility.

303.422. 1. There is hereby created in the state  
treasury the "Motor Vehicle Financial Responsibility  
Verification and Enforcement Fund", which shall consist of  
money collected under sections 303.420 to 303.440. The  
state treasurer shall be custodian of the fund. In  
accordance with sections 30.170 and 30.180, the state  
treasurer may approve disbursements. The fund shall be a  
dedicated fund and money in the fund shall be used solely by  
the department of revenue for the administration of sections  
303.420 to 303.440.

2. Notwithstanding the provisions of section 33.080 to  
the contrary, any moneys remaining in the fund at the end of  
the biennium shall not revert to the credit of the general  
revenue fund.

3. The state treasurer shall invest moneys in the fund  
in the same manner as other funds are invested. Any  
interest and moneys earned on such investments shall be  
credited to the fund.

303.425. 1. There is hereby created within the  
department of revenue the motor vehicle financial  
responsibility enforcement and compliance incentive program.  
The department of revenue may enter into contractual  
agreements with third-party vendors to facilitate the  
necessary technology and equipment, maintenance thereof, and  
associated program management services. The department of  
revenue or its third-party vendor shall utilize technology  
to compare vehicle registration information with the  
financial responsibility information accessible through the  
system. The department of revenue shall utilize this  
information to identify motorists who are in violation of  
the motor vehicle financial responsibility law. All fees  
paid to or collected by such third-party vendors may come  
from violator diversion fees generated by the pretrial

16 diversion option established under this section. The  
17 department of revenue may offer offenders under this program  
18 the option of pretrial diversion as an alternative to  
19 statutory fines or reinstatement fees prescribed under the  
20 motor vehicle financial responsibility law as a method of  
21 encouraging compliance and discouraging recidivism.

22 2. The department of revenue may authorize law  
23 enforcement agencies or third-party vendors to use  
24 technology to collect data for the investigation, detection,  
25 analysis, and enforcement of the motor vehicle financial  
26 responsibility law.

27 3. The department of revenue may authorize traffic  
28 enforcement officers or third-party vendors to administer  
29 the processing and issuance of notices of violation, and the  
30 collection of fees for a violation of the motor vehicle  
31 financial responsibility law, under the program.

32 4. Access to the system shall be restricted to  
33 authorized law enforcement agency users in the program, the  
34 department of revenue, and the third-party vendors with  
35 which the department of revenue contracts for purposes of  
36 the program, provided that any third-party vendor with which  
37 a contract is executed to provide necessary technology,  
38 equipment, or maintenance for the program shall be  
39 authorized as necessary to collaborate for required updates  
40 and maintenance of system software.

41 5. For purposes of the program, any data collected and  
42 matched to a corresponding vehicle insurance record as  
43 verified through the system, and any Missouri vehicle  
44 registration database, may be used to identify violations of  
45 the motor vehicle financial responsibility law. Such images  
46 and corresponding data shall constitute evidence of the  
47 violations.

48           6. Except as otherwise provided in this section, the  
49 department of revenue shall suspend, in accordance with  
50 section 303.041, the registration of any motor vehicle that  
51 is determined under the program to be in violation of the  
52 motor vehicle financial responsibility law.

53           7. The department of revenue shall send to an owner  
54 whose vehicle is identified under the program as being in  
55 violation of the motor vehicle financial responsibility law  
56 a notice that the vehicle's registration may be suspended  
57 unless the owner, within thirty days, provides proof of  
58 financial responsibility for the vehicle or proof, in a form  
59 specified by the department of revenue, that the owner has a  
60 pending criminal charge for a violation of the motor vehicle  
61 financial responsibility law. The notice shall include  
62 information on steps an individual may take to obtain proof  
63 of financial responsibility and a web address to a page on  
64 the department of revenue's website where information on  
65 obtaining proof of financial responsibility shall be  
66 provided. If proof of financial responsibility or a pending  
67 criminal charge is not provided within the time allotted,  
68 the department of revenue shall provide a notice of  
69 suspension and suspend the vehicle's registration in  
70 accordance with section 303.041, or shall send a notice of  
71 vehicle registration suspension, clearly specifying the  
72 reason and statutory grounds for the suspension and the  
73 effective date of the suspension, the right of the vehicle  
74 owner to request a hearing, the procedure for requesting a  
75 hearing, and the date by which that request for a hearing  
76 must be made, as well as informing the owner that the matter  
77 will be referred for prosecution if a satisfactory response  
78 is not received in the time allotted, informing the owner  
79 that the minimum penalty for the violation is three hundred  
80 dollars and four license points, and offering the owner

81 participation in a pretrial diversion option to preclude  
82 referral for prosecution and registration suspension under  
83 sections 303.420 to 303.440. The notice of vehicle  
84 registration suspension shall give a period of thirty-three  
85 days from mailing for the vehicle owner to respond, and  
86 shall be deemed received three days after mailing. If no  
87 request for a hearing or agreement to participate in the  
88 diversion option is received by the department of revenue  
89 prior to the date provided on the notice of vehicle  
90 registration suspension, the director shall suspend the  
91 vehicle's registration, effective immediately, and refer the  
92 case to the appropriate prosecuting attorney. If an  
93 agreement by the vehicle owner to participate in the  
94 diversion option is received by the department of revenue  
95 prior to the effective date provided on the notice of  
96 vehicle registration suspension, then upon payment of a  
97 diversion participation fee not to exceed two hundred  
98 dollars, agreement to secure proof of financial  
99 responsibility within the time provided on the notice of  
100 suspension, and agreement that such financial responsibility  
101 shall be maintained for a minimum of two years, no points  
102 shall be assessed to the vehicle owner's driver's license  
103 under section 302.302 and the department of revenue shall  
104 not take further action against the vehicle owner under  
105 sections 303.420 to 303.440, subject to compliance with the  
106 terms of the pretrial diversion option. The department of  
107 revenue shall suspend the vehicle registration of, and shall  
108 refer the case to the appropriate prosecuting attorney for  
109 prosecution of, participating vehicle owners who violate the  
110 terms of the pretrial diversion option. If a request for  
111 hearing is received by the department of revenue prior to  
112 the effective date provided on the notice of vehicle  
113 registration suspension, then for all purposes other than

114 eligibility for participation in the diversion option, the  
115 effective date of the suspension shall be stayed until a  
116 final order is issued following the hearing. The department  
117 of revenue shall suspend the registration of vehicles  
118 determined under the final order to have violated the motor  
119 vehicle financial responsibility law, and shall refer the  
120 case to the appropriate prosecuting attorney for  
121 prosecution. Notices under this subsection shall be mailed  
122 to the vehicle owner at the last known address shown on the  
123 department of revenue's records. The department of revenue  
124 or its third-party vendor shall issue receipts for the  
125 collection of diversion participation fees. All such fees  
126 received by the department of revenue or its third-party  
127 vendor shall be deposited into the motor vehicle financial  
128 responsibility verification and enforcement fund established  
129 in section 303.422. A vehicle owner whose registration has  
130 been suspended under sections 303.420 to 303.440 may obtain  
131 reinstatement of the registration upon providing proof of  
132 financial responsibility and payment to the department of  
133 revenue of a nonrefundable reinstatement fee equal to the  
134 fee that would be applicable under subsection 2 of section  
135 303.042 if the registration had been suspended under section  
136 303.041.

137 8. Data collected or retained under the program shall  
138 not be used by any entity for purposes other than  
139 enforcement of the motor vehicle financial responsibility  
140 law. Data collected and stored by law enforcement under the  
141 program shall be considered evidence if noncompliance with  
142 the motor vehicle financial responsibility law is confirmed.  
143 The evidence, and an affidavit stating that the evidence  
144 and system have identified a particular vehicle as being in  
145 violation of the motor vehicle financial responsibility law,  
146 shall constitute probable cause for prosecution and shall be

147 forwarded in accordance with subsection 7 of this section to  
148 the appropriate prosecuting attorney.

149 9. Owners of vehicles identified under the program as  
150 being in violation of the motor vehicle financial  
151 responsibility law shall be provided with options for  
152 disputing such claims which do not require appearance at any  
153 state or local court of law, or administrative facility.  
154 Any person who presents timely proof that he or she was in  
155 compliance with the motor vehicle financial responsibility  
156 law at the time of the alleged violation shall be entitled  
157 to dismissal of the charge with no assessment of fees or  
158 fines. Proof provided by a vehicle owner to the department  
159 of revenue that the vehicle was in compliance at the time of  
160 the suspected violation of the motor vehicle financial  
161 responsibility law shall be recorded in the system  
162 established by the department of revenue under section  
163 303.430.

164 10. The collection of data or use of any technology  
165 pursuant to this section shall be done in a manner that  
166 prohibits any bias towards a specific community, race,  
167 gender, or socioeconomic status of vehicle owner.

168 11. Law enforcement agencies, third-party vendors, or  
169 other entities authorized to operate under the program shall  
170 not sell data collected or retained under the program for  
171 any purpose or share it for any purpose not expressly  
172 authorized in this section. All data shall be secured and  
173 any third-party vendor may be liable for any data security  
174 breach.

175 12. The department of revenue shall not take action  
176 under sections 303.420 to 303.440 against vehicles  
177 registered as fleet vehicles under section 301.032, or  
178 against vehicles known to the department of revenue to be  
179 insured under a policy of commercial auto coverage, as such

180 term is defined in subdivision (10) of subsection 2 of  
181 section 303.430.

182 13. Following one year after the implementation of the  
183 program, and every year thereafter, the department of  
184 revenue shall provide a report to the president pro tempore  
185 of the senate, the speaker of the house of representatives,  
186 the chairs of the house and senate committees with  
187 jurisdictions over insurance or transportation matters, and  
188 the chairs of the house budget and senate appropriations  
189 committees. The report shall include an evaluation of  
190 program operations, information as to the costs of the  
191 program incurred by the department of revenue, insurers, and  
192 the public, information as to the effectiveness of the  
193 program in reducing the number of uninsured motor vehicles,  
194 and anonymized demographic information including the race  
195 and zip code of vehicle owners identified under the program  
196 as being in violation of the motor vehicle financial  
197 responsibility law, and may include any additional  
198 information and recommendations for improvement of the  
199 program deemed appropriate by the department of revenue.  
200 The department of revenue may, by rule, require the state,  
201 counties, and municipalities to provide information in order  
202 to complete the report.

303.430. 1. The department of revenue shall establish  
2 and maintain a web-based system for the verification of  
3 motor vehicle financial responsibility, shall provide access  
4 to insurance reporting data and vehicle registration and  
5 financial responsibility data, and shall require motor  
6 vehicle insurers to establish functionality for the  
7 verification system, as provided in sections 303.420 to  
8 303.440. The verification system, including any exceptions  
9 as provided for in sections 303.420 to 303.440 or in the  
10 implementation guide developed to support the program, shall

11 supersede any existing verification system, and shall be the  
12 sole system used for the purpose of verifying financial  
13 responsibility required under this chapter.

14 2. The system established pursuant to subsection 1 of  
15 this section shall be subject to the following:

16 (1) The verification system shall transmit requests to  
17 insurers for verification of motor vehicle insurance  
18 coverage via web services established by the insurers  
19 through the internet in compliance with the specifications  
20 and standards of the Insurance Industry Committee on Motor  
21 Vehicle Administration, or "IICMVA". Insurance company  
22 systems shall respond to each request with a prescribed  
23 response upon evaluation of the data provided in the  
24 request. The system shall include appropriate protections  
25 to secure its data against unauthorized access, and the  
26 department of revenue shall maintain a historical record of  
27 the system data for a period of no more than twelve months  
28 from the date of all requests and responses. The system  
29 shall be used for verification of the financial  
30 responsibility required under this chapter. The system  
31 shall be accessible to authorized personnel of the  
32 department of revenue, the courts, law enforcement  
33 personnel, and other entities authorized by the state as  
34 permitted by state or federal privacy laws, and it shall be  
35 interfaced, wherever appropriate, with existing state  
36 systems. The system shall include information enabling the  
37 department of revenue to submit inquiries to insurers  
38 regarding motor vehicle insurance which are consistent with  
39 insurance industry and IICMVA recommendations,  
40 specifications, and standards by using the following data  
41 elements for greater matching accuracy: insurer National  
42 Association of Insurance Commissioners, or "NAIC", company  
43 code; vehicle identification number; policy number;

44 verification date; or as otherwise described in the  
45 specifications and standards of the IICMVA. The department  
46 of revenue shall promulgate rules to offer insurers who  
47 insure one thousand or fewer vehicles within this state an  
48 alternative method for verifying motor vehicle insurance  
49 coverage in lieu of web services, and to provide for the  
50 verification of financial responsibility when financial  
51 responsibility is proven to the department to be maintained  
52 by means other than a policy of motor vehicle insurance.  
53 Insurers shall not be required to verify insurance coverage  
54 for vehicles registered in other jurisdictions;

55 (2) The verification system shall respond to each  
56 request within a time period established by the department  
57 of revenue. An insurer's system shall respond within the  
58 time period prescribed by the IICMVA's specifications and  
59 standards. Insurer systems shall be permitted reasonable  
60 system downtime for maintenance and other work with advance  
61 notice to the department of revenue. Insurers shall not be  
62 subject to enforcement fees or other sanctions under such  
63 circumstances, or when systems are not available because of  
64 emergency, outside attack, or other unexpected outages not  
65 planned by the insurer and reasonably outside its control;

66 (3) The system shall assist in identifying violations  
67 of the motor vehicle financial responsibility law in the  
68 most effective way possible. Responses to individual  
69 insurance verification requests shall have no bearing on  
70 whether insurance coverage is determined to be in force at  
71 the time of a claim. Claims shall be individually  
72 investigated to determine the existence of coverage.  
73 Nothing in sections 303.420 to 303.440 shall prohibit the  
74 department of revenue from contracting with a third-party  
75 vendor or vendors who have successfully implemented similar

76 systems in other states to assist in establishing and  
77 maintaining this verification system;

78 (4) The department of revenue shall consult with  
79 representatives of the insurance industry and may consult  
80 with third-party vendors to determine the objectives,  
81 details, and deadlines related to the system by  
82 establishment of an advisory council. The advisory council  
83 shall consist of voting members comprised of:

84 (a) The director of the department of commerce and  
85 insurance, or his or her designee, who shall serve as chair;

86 (b) Two representatives of the department of revenue,  
87 to be appointed by the director of the department of revenue;

88 (c) One representative of the department of commerce  
89 and insurance, to be appointed by the director of the  
90 department of commerce and insurance;

91 (d) Three representatives of insurance companies, to  
92 be appointed by the director of the department of commerce  
93 and insurance;

94 (e) One representative from the Missouri Insurance  
95 Coalition;

96 (f) One representative chosen by the National  
97 Association of Mutual Insurance Companies;

98 (g) One representative chosen by the American Property  
99 and Casualty Insurance Association;

100 (h) One representative chosen by the Missouri  
101 Independent Agents Association; and

102 (i) Such other representatives as may be appointed by  
103 the director of the department of commerce and insurance;

104 (5) The department of revenue shall publish for  
105 comment, and then issue, a detailed implementation guide for  
106 its online verification system;

107 (6) The department of revenue and its third-party  
108 vendors, if any, shall each maintain a contact person for

109 insurers during the establishment, implementation, and  
110 operation of the system;

111 (7) If the department of revenue has reason to believe  
112 a vehicle owner does not maintain financial responsibility  
113 as required under this chapter, it may also request an  
114 insurer to verify the existence of such financial  
115 responsibility in a form approved by the department of  
116 revenue. In addition, insurers shall cooperate with the  
117 department of revenue in establishing and maintaining the  
118 verification system established under this section, and  
119 shall provide motor vehicle insurance policy status  
120 information as provided in the rules promulgated by the  
121 department of revenue;

122 (8) Every property and casualty insurance company  
123 licensed to issue motor vehicle insurance or authorized to  
124 do business in this state shall comply with sections 303.420  
125 to 303.440, and corresponding rules promulgated by the  
126 department of revenue, for the verification of such  
127 insurance for every vehicle insured by that company in this  
128 state;

129 (9) Insurers shall maintain a historical record of  
130 insurance data for a minimum period of six months from the  
131 date of policy inception or policy change for the purpose of  
132 historical verification inquiries;

133 (10) For the purposes of this section, "commercial  
134 auto coverage" shall mean any coverage provided to an  
135 insured, regardless of number of vehicles or entities  
136 covered, under a commercial coverage form and rated from a  
137 commercial manual approved by the department of commerce and  
138 insurance. Sections 303.420 to 303.440 shall not apply to  
139 vehicles insured under commercial auto coverage; however,  
140 insurers of such vehicles may participate on a voluntary  
141 basis, and vehicle owners may provide proof at or subsequent

142 to the time of vehicle registration that a vehicle is  
143 insured under commercial auto coverage, which the department  
144 of revenue shall record in the system;

145 (11) Insurers shall provide commercial or fleet  
146 automobile customers with evidence reflecting that the  
147 vehicle is insured under a commercial or fleet automobile  
148 liability policy. Sufficient evidence shall include an  
149 insurance identification card clearly marked with a suitable  
150 identifier such as "commercial auto insurance identification  
151 card", "fleet auto insurance identification card", or other  
152 clear identification that the vehicle is insured under a  
153 fleet or commercial policy;

154 (12) Insurers shall be immune from civil and  
155 administrative liability for good faith efforts to comply  
156 with the terms of sections 303.420 to 303.440;

157 (13) Nothing in this section shall prohibit an insurer  
158 from using the services of a third-party vendor for  
159 facilitating the verification system required under sections  
160 303.420 to 303.440.

161 3. The department of revenue shall promulgate rules as  
162 necessary for the implementation of sections 303.420 to  
163 303.440. Any rule or portion of a rule, as that term is  
164 defined in section 536.010, that is created under the  
165 authority delegated in this section shall become effective  
166 only if it complies with and is subject to all of the  
167 provisions of chapter 536 and, if applicable, section  
168 536.028. This section and chapter 536 are nonseverable and  
169 if any of the powers vested with the general assembly  
170 pursuant to chapter 536 to review, to delay the effective  
171 date, or to disapprove and annul a rule are subsequently  
172 held unconstitutional, then the grant of rulemaking  
173 authority and any rule proposed or adopted after August 28,  
174 2021, shall be invalid and void.

2 303.440. The verification system established under  
3 section 303.430 shall be installed and fully operational by  
4 January 1, 2023, following an appropriate testing or pilot  
5 period of not less than nine months. Until the successful  
6 completion of the testing or pilot period in the judgment of  
7 the director of the department of revenue, no enforcement  
8 action shall be taken based on the system, including but not  
9 limited to action taken under the program established under  
section 303.425.

2 304.001. As used in this chapter and chapter 307, the  
3 following terms shall mean:

4 (1) "Abandoned property", any unattended motor  
5 vehicle, trailer, all-terrain vehicle, outboard motor or  
6 vessel removed or subject to removal from public or private  
7 property as provided in sections 304.155 and 304.157,  
8 whether or not operational. For any vehicle towed from the  
9 scene of an accident at the request of law enforcement and  
10 not retrieved by the vehicle's owner within five days of the  
11 accident, the agency requesting the tow shall be required to  
12 write an abandoned property report or a crime inquiry and  
13 inspection report;

14 (2) "Commercial vehicle enforcement officers",  
15 employees of the Missouri state highway patrol who are not  
16 members of the patrol but who are appointed by the  
17 superintendent of the highway patrol to enforce the laws,  
18 rules, and regulations pertaining to commercial vehicles,  
19 trailers, special mobile equipment and drivers of such  
20 vehicles;

21 (3) "Commercial vehicle inspectors", employees of the  
22 Missouri state highway patrol who are not members of the  
23 patrol but who are appointed by the superintendent of the  
24 highway patrol to supervise or operate permanent or portable  
weigh stations in the enforcement of commercial vehicle laws;

- 25           (4) "Commission", the state highways and  
26 transportation commission;
- 27           (5) "Department", the state transportation department;
- 28           (6) "Freeway", a divided state highway with four or  
29 more lanes, with no access to the throughways except the  
30 established interchanges and with no at-grade crossings;
- 31           (7) "Interstate highway", a state highway included in  
32 the national system of interstate highways located within  
33 the boundaries of Missouri, as officially designated or as  
34 may be hereafter designated by the state highways and  
35 transportation commission with the approval of the Secretary  
36 of Transportation, pursuant to Title 23, U.S.C., as amended;
- 37           (8) "Members of the patrol", the superintendent,  
38 lieutenant colonel, majors, captains, director of radio,  
39 lieutenants, sergeants, corporals and patrolmen of the  
40 Missouri state highway patrol;
- 41           (9) "Off-road vehicle", any vehicle designed for or  
42 capable of cross-country travel on or immediately over land,  
43 water, ice, snow, marsh, swampland, or other natural terrain  
44 without benefit of a road or trail:
- 45           (a) Including, without limitation, the following:
- 46           a. Jeeps;
- 47           b. All-terrain vehicles;
- 48           c. Dune buggies;
- 49           d. Multiwheel drive or low-pressure tire vehicles;
- 50           e. Vehicle using an endless belt, or tread or treads,  
51 or a combination of tread and low-pressure tires;
- 52           f. Motorcycles, trail bikes, minibikes and related  
53 vehicles;
- 54           g. Any other means of transportation deriving power  
55 from any source other than muscle or wind; and
- 56           (b) Excluding the following:
- 57           a. Registered motorboats;

58           b. Aircraft;

59           c. Any military, fire or law enforcement vehicle;

60           d. Farm-type tractors and other self-propelled  
61 equipment for harvesting and transporting farm or forest  
62 products;

63           e. Any vehicle being used for farm purposes, earth  
64 moving, or construction while being used for such purposes  
65 on the work site;

66           f. Self-propelled lawnmowers, or lawn or garden  
67 tractors, or golf carts, while being used exclusively for  
68 their designed purpose; and

69           g. Any vehicle being used for the purpose of  
70 transporting a handicapped person;

71           h. Electric bicycles, as defined in section 301.010;

72           (10) "Person", any natural person, corporation, or  
73 other legal entity;

74           (11) "Right-of-way", the entire width of land between  
75 the boundary lines of a state highway, including any roadway;

76           (12) "Roadway", that portion of a state highway  
77 ordinarily used for vehicular travel, exclusive of the berm  
78 or shoulder;

79           (13) "State highway", a highway constructed or  
80 maintained by the state highways and transportation  
81 commission with the aid of state funds or United States  
82 government funds, or any highway included by authority of  
83 law in the state highway system, including all right-of-way;

84           (14) "Towing company", any person or entity which  
85 tows, removes or stores abandoned property;

86           (15) "Urbanized area", an area with a population of  
87 fifty thousand or more designated by the Bureau of the  
88 Census, within boundaries to be fixed by the state highways  
89 and transportation commission and local officials in  
90 cooperation with each other and approved by the Secretary of

91 Transportation. The boundary of an urbanized area shall, at  
92 a minimum, encompass the entire urbanized area as designed  
93 by the Bureau of the Census.

304.050. 1. (1) The driver of a vehicle upon a  
2 highway upon meeting or overtaking from either direction any  
3 school bus which has stopped on the highway for the purpose  
4 of receiving or discharging any school children and whose  
5 driver has in the manner prescribed by law given the signal  
6 to stop, shall stop the vehicle before reaching such school  
7 bus and shall not proceed until such school bus resumes  
8 motion, or until signaled by its driver to proceed.

9 (2) School buses under the provisions of subsections  
10 1, 2, 5, 6, 7, 8, and 9 of this section shall include Head  
11 Start buses that have been certified by the Missouri highway  
12 patrol as meeting the provisions of section 307.375, are  
13 operated by a holder of a valid school bus endorsed  
14 commercial driver's license, and who meet the equivalent  
15 medical requirements prescribed in section 162.064, and  
16 which are transporting Head Start students to and from Head  
17 Start.

18 2. Every bus used for the transportation of school  
19 children shall bear upon the front and rear thereon a  
20 plainly visible sign containing the words "school bus" in  
21 letters not less than eight inches in height. Each bus  
22 shall have lettered on the rear in plain and distinct type  
23 the following: "State Law: Stop while bus is loading and  
24 unloading". Each school bus subject to the provisions of  
25 sections 304.050 to 304.070 shall be equipped with a  
26 mechanical and electrical signaling device approved by the  
27 state board of education, which will display a signal  
28 plainly visible from the front and rear and indicating  
29 intention to stop.

30           3. Every school bus operated to transport students in  
31 the public school system which has a gross vehicle weight  
32 rating of more than ten thousand pounds, which has the  
33 engine mounted entirely in front of the windshield and the  
34 entrance door behind the front wheels, and which is used for  
35 the transportation of school children shall be equipped no  
36 later than August 1, 1998, with a crossing control arm. The  
37 crossing control arm, when activated, shall extend a minimum  
38 of five feet six inches from the face of the front bumper.  
39 The crossing control arm shall be attached on the right side  
40 of the front bumper and shall be activated by the same  
41 controls which activate the mechanical and electrical  
42 signaling devices described in subsection 2 of this section.

43       This subsection may be cited as "Jessica's Law" in  
44 commemoration of Jessica Leicht and all other Missouri  
45 schoolchildren who have been injured or killed during the  
46 operation of a school bus.

47           4. Except as otherwise provided in this section, the  
48 driver of a school bus in the process of loading or  
49 unloading students upon a street or highway shall activate  
50 the mechanical and electrical signaling devices, in the  
51 manner prescribed by the state board of education, to  
52 communicate to drivers of other vehicles that students are  
53 loading or unloading. A public school district shall have  
54 the authority pursuant to this section to adopt a policy  
55 which provides that the driver of a school bus in the  
56 process of loading or unloading students upon a divided  
57 highway of four or more lanes may pull off of the main  
58 roadway and load or unload students without activating the  
59 mechanical and electrical signaling devices in a manner  
60 which gives the signal for other drivers to stop and may use  
61 the amber signaling devices to alert motorists that the  
62 school bus is slowing to a stop; provided that the

63 passengers are not required to cross any traffic lanes and  
64 also provided that the emergency flashing signal lights are  
65 activated in a manner which indicates that drivers should  
66 proceed with caution, and in such case, the driver of a  
67 vehicle may proceed past the school bus with due caution.

68 5. No driver of a school bus shall take on or  
69 discharge passengers at any location upon a highway  
70 consisting of four or more lanes of traffic, whether or not  
71 divided by a median or barrier, in such manner as to require  
72 the passengers to cross more than two lanes of traffic; nor  
73 shall any passengers be taken on or discharged while the  
74 vehicle is upon the road or highway proper unless the  
75 vehicle so stopped is plainly visible for at least five  
76 hundred feet in each direction to drivers of other vehicles  
77 in the case of a highway with no shoulder and a speed limit  
78 greater than sixty miles per hour and at least three hundred  
79 feet in each direction to drivers of other vehicles upon  
80 other highways, and on all highways, only for such time as  
81 is actually necessary to take on and discharge passengers.

82 [5.] 6. The driver of a vehicle upon a highway with  
83 separate roadways need not stop upon meeting or overtaking a  
84 school bus which is on a different roadway, or which is  
85 proceeding in the opposite direction on a highway containing  
86 four or more lanes of traffic, or which is stopped in a  
87 loading zone constituting a part of, or adjacent to, a  
88 limited or controlled access highway at a point where  
89 pedestrians are not permitted to cross the roadway.

90 [6.] 7. The driver of any school bus driving upon the  
91 highways of this state after loading or unloading school  
92 children, shall remain stopped if the bus is followed by  
93 three or more vehicles, until such vehicles have been  
94 permitted to pass the school bus, if the conditions  
95 prevailing make it safe to do so.

96           [7.] 8. If any vehicle is witnessed by a peace officer  
97 or the driver of a school bus to have violated the  
98 provisions of this section and the identity of the operator  
99 is not otherwise apparent, it shall be a rebuttable  
100 presumption that the person in whose name such vehicle is  
101 registered committed the violation. In the event that  
102 charges are filed against multiple owners of a motor  
103 vehicle, only one of the owners may be convicted and court  
104 costs may be assessed against only one of the owners. If  
105 the vehicle which is involved in the violation is registered  
106 in the name of a rental or leasing company and the vehicle  
107 is rented or leased to another person at the time of the  
108 violation, the rental or leasing company may rebut the  
109 presumption by providing the peace officer or prosecuting  
110 authority with a copy of the rental or lease agreement in  
111 effect at the time of the violation. No prosecuting  
112 authority may bring any legal proceedings against a rental  
113 or leasing company under this section unless prior written  
114 notice of the violation has been given to that rental or  
115 leasing company by registered mail at the address appearing  
116 on the registration and the rental or leasing company has  
117 failed to provide the rental or lease agreement copy within  
118 fifteen days of receipt of such notice.

119           [8.] 9. Notwithstanding the provisions in section  
120 301.130, every school bus shall be required to have two  
121 license plates.

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

3           (1) "Law enforcement officer", any public servant,  
4 other than a patrol officer, who is defined as a law  
5 enforcement officer under section 556.061;

6           (2) "Motor club", [an organization which motor vehicle  
7 drivers and owners may join that provide certain benefits

8 relating to driving a motor vehicle] a legal entity that, in  
9 consideration of dues, assessments, or periodic payments of  
10 money, promises to provide motor club services to its  
11 members or subscribers in accordance with section 385.450;

12 (3) "Patrol officer", a Missouri state highway patrol  
13 officer;

14 (4) "Tow list", a list of approved towing companies  
15 compiled, maintained, and utilized by the Missouri state  
16 highway patrol or its designee;

17 (5) "Tow management company", any sole proprietorship,  
18 partnership, corporation, fiduciary, association, or other  
19 business entity that manages towing logistics for government  
20 agencies or motor clubs;

21 (6) "Tow truck", a rollback or car carrier, wrecker,  
22 or tow truck as defined under section 301.010;

23 (7) "Towing", moving or removing, or the preparation  
24 therefor, of a vehicle by another vehicle for which a  
25 service charge is made, either directly or indirectly,  
26 including any dues or other charges of clubs or associations  
27 which provide towing services;

28 (8) "Towing company", any person, partnership,  
29 corporation, fiduciary, association, or other entity that  
30 operates a wrecker or towing service as defined under  
31 section 301.010.

32 2. In authorizing a towing company to perform  
33 services, any patrol officer or law enforcement officer  
34 within the officer's jurisdiction, or Missouri department of  
35 transportation employee, may utilize the services of a tow  
36 management company or tow list, provided:

37 (1) The Missouri state highway patrol is under no  
38 obligation to include or retain the services of any towing  
39 company in any contract or agreement with a tow management  
40 company or any tow list established pursuant to this

41 section. A towing company is subject to removal from a tow  
42 list at any time;

43 (2) Notwithstanding any other provision of law or any  
44 regulation established pursuant to this section, an owner or  
45 operator's request for a specific towing company shall be  
46 honored by the Missouri state highway patrol unless:

47 (a) The requested towing company cannot or does not  
48 respond in a reasonable time, as determined by a law  
49 enforcement officer; or

50 (b) The vehicle to be towed poses an immediate traffic  
51 hazard, as determined by a law enforcement officer.

52 3. A patrol officer shall not use a towing company  
53 located outside of Missouri under this section except under  
54 the following circumstances:

55 (1) A state or federal emergency has been declared; or

56 (2) The driver or owner of the vehicle, or a motor  
57 club of which the driver or owner is a member, requests a  
58 specific out-of-state towing company.

59 4. A towing company shall not tow a vehicle to a  
60 location outside of Missouri without the consent of the  
61 driver or owner of the motor vehicle, or without the consent  
62 of a motor club of which the driver or owner of the motor  
63 vehicle is a member.

64 5. Any towing company or tow truck arriving at the  
65 scene of an accident that has not been called by a patrol  
66 officer, a law enforcement officer, a Missouri department of  
67 transportation employee, the driver or owner of the motor  
68 vehicle or his or her authorized agent, including a motor  
69 club of which the driver or owner is a member, shall be  
70 prohibited from towing the vehicle from the scene of the  
71 accident, unless the towing company or tow truck operator is  
72 rendering emergency aid in the interest of public safety, or

73 is operating during a declared state of emergency under  
74 section 44.100.

75 6. A tow truck operator that stops and tows a vehicle  
76 from the scene of an accident in violation of subsection 5  
77 of this section shall be guilty of a class D misdemeanor  
78 upon conviction or pleading guilty for the first violation,  
79 and such tow truck shall be subject to impounding. The  
80 penalty for a second violation shall be a class A  
81 misdemeanor, and the penalty for any third or subsequent  
82 violation shall be a class D felony. A violation of this  
83 section shall not preclude the tow truck operator from being  
84 charged with tampering under chapter 569.

85 7. The provisions of this section shall also apply to  
86 motor vehicles towed under section 304.155 or 304.157.

87 8. The provisions of this section shall not apply to  
88 counties of the third or fourth classification.

304.180. 1. No vehicle or combination of vehicles  
2 shall be moved or operated on any highway in this state  
3 having a greater weight than twenty thousand pounds on one  
4 axle, no combination of vehicles operated by transporters of  
5 general freight over regular routes as defined in section  
6 390.020 shall be moved or operated on any highway of this  
7 state having a greater weight than the vehicle  
8 manufacturer's rating on a steering axle with the maximum  
9 weight not to exceed twelve thousand pounds on a steering  
10 axle, and no vehicle shall be moved or operated on any state  
11 highway of this state having a greater weight than thirty-  
12 four thousand pounds on any tandem axle; the term "tandem  
13 axle" shall mean a group of two or more axles, arranged one  
14 behind another, the distance between the extremes of which  
15 is more than forty inches and not more than ninety-six  
16 inches apart.

17           2. An "axle load" is defined as the total load  
 18 transmitted to the road by all wheels whose centers are  
 19 included between two parallel transverse vertical planes  
 20 forty inches apart, extending across the full width of the  
 21 vehicle.

22           3. Subject to the limit upon the weight imposed upon a  
 23 highway of this state through any one axle or on any tandem  
 24 axle, the total gross weight with load imposed by any group  
 25 of two or more consecutive axles of any vehicle or  
 26 combination of vehicles shall not exceed the maximum load in  
 27 pounds as set forth in the following table:

28 29 30 31 32	Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise					
33	Maximum load in pounds					
34 35	feet	2 axles	3 axles	4 axles	5 axles	6 axles
36	4	34,000				
37	5	34,000				
38	6	34,000				
39	7	34,000				
40	8	34,000	34,000			
41	More than 8	38,000	42,000			
42	9	39,000	42,500			
43	10	40,000	43,500			
44	11	40,000	44,000			
45	12	40,000	45,000	50,000		

46	13	40,000	45,500	50,500		
47	14	40,000	46,500	51,500		
48	15	40,000	47,000	52,000		
49	16	40,000	48,000	52,500	58,000	
50	17	40,000	48,500	53,500	58,500	
51	18	40,000	49,500	54,000	59,000	
52	19	40,000	50,000	54,500	60,000	
53	20	40,000	51,000	55,500	60,500	66,000
54	21	40,000	51,500	56,000	61,000	66,500
55	22	40,000	52,500	56,500	61,500	67,000
56	23	40,000	53,000	57,500	62,500	68,000
57	24	40,000	54,000	58,000	63,000	68,500
58	25	40,000	54,500	58,500	63,500	69,000
59	26	40,000	55,500	59,500	64,000	69,500
60	27	40,000	56,000	60,000	65,000	70,000
61	28	40,000	57,000	60,500	65,500	71,000
62	29	40,000	57,500	61,500	66,000	71,500
63	30	40,000	58,500	62,000	66,500	72,000
64	31	40,000	59,000	62,500	67,500	72,500
65	32	40,000	60,000	63,500	68,000	73,000
66	33	40,000	60,000	64,000	68,500	74,000
67	34	40,000	60,000	64,500	69,000	74,500
68	35	40,000	60,000	65,500	70,000	75,000
69	36		60,000	66,000	70,500	75,500

70	37		60,000	66,500	71,000	76,000
71	38		60,000	67,500	72,000	77,000
72	39		60,000	68,000	72,500	77,500
73	40		60,000	68,500	73,000	78,000
74	41		60,000	69,500	73,500	78,500
75	42		60,000	70,000	74,000	79,000
76	43		60,000	70,500	75,000	80,000
77	44		60,000	71,500	75,500	80,000
78	45		60,000	72,000	76,000	80,000
79	46		60,000	72,500	76,500	80,000
80	47		60,000	73,500	77,500	80,000
81	48		60,000	74,000	78,000	80,000
82	49		60,000	74,500	78,500	80,000
83	50		60,000	75,500	79,000	80,000
84	51		60,000	76,000	80,000	80,000
85	52		60,000	76,500	80,000	80,000
86	53		60,000	77,500	80,000	80,000
87	54		60,000	78,000	80,000	80,000
88	55		60,000	78,500	80,000	80,000
89	56		60,000	79,500	80,000	80,000
90	57		60,000	80,000	80,000	80,000

91 Notwithstanding the above table, two consecutive sets of  
92 tandem axles may carry a gross load of thirty-four thousand  
93 pounds each if the overall distance between the first and

94 last axles of such consecutive sets of tandem axles is  
95 thirty-six feet or more.

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

110 5. Nothing in this section shall be construed as  
111 permitting lawful axle loads, tandem axle loads or gross  
112 loads in excess of those permitted under the provisions of  
113 P.L. 97-424 codified in Title 23 of the United States Code  
114 (23 U.S.C. Section 101, et al.), as amended.

115 6. Notwithstanding the weight limitations contained in  
116 this section, any vehicle or combination of vehicles  
117 operating on highways other than the interstate highway  
118 system may exceed single axle, tandem axle and gross weight  
119 limitations in an amount not to exceed two thousand pounds.  
120 However, total gross weight shall not exceed eighty thousand  
121 pounds, except as provided in subsections 9, 10, 12, [and]  
122 13, and 14 of this section.

123 7. Notwithstanding any provision of this section to  
124 the contrary, the commission shall issue a single-use  
125 special permit, or upon request of the owner of the truck or  
126 equipment shall issue an annual permit, for the transporting

127 of any crane or concrete pump truck or well-drillers'  
128 equipment. The commission shall set fees for the issuance  
129 of permits and parameters for the transport of cranes  
130 pursuant to this subsection. Notwithstanding the provisions  
131 of section 301.133, cranes, concrete pump trucks, or well-  
132 drillers' equipment may be operated on state-maintained  
133 roads and highways at any time on any day.

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

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

157 10. Notwithstanding any provision of this section or  
158 any other law to the contrary, any vehicle or combination of  
159 vehicles hauling grain or grain coproducts during times of

160 harvest may be as much as, but not exceeding, ten percent  
161 over the maximum weight limitation allowable under  
162 subsection 3 of this section while operating on highways  
163 other than the interstate highway system. The provisions of  
164 this subsection shall not apply to vehicles operated and  
165 operating on the Dwight D. Eisenhower System of Interstate  
166 and Defense Highways.

167 11. Notwithstanding any provision of this section or  
168 any other law to the contrary, the commission shall issue  
169 emergency utility response permits for the transporting of  
170 utility wires or cables, poles, and equipment needed for  
171 repair work immediately following a disaster where utility  
172 service has been disrupted. Under exigent circumstances,  
173 verbal approval of such operation may be made either by the  
174 department of transportation motor carrier compliance  
175 supervisor or other designated motor carrier services  
176 representative. Utility vehicles and equipment used to  
177 assist utility companies granted special permits under this  
178 subsection may be operated and transported on state-  
179 maintained roads and highways at any time on any day. The  
180 commission shall promulgate all necessary rules and  
181 regulations for the administration of this section. Any  
182 rule or portion of a rule, as that term is defined in  
183 section 536.010, that is created under the authority  
184 delegated in this section shall become effective only if it  
185 complies with and is subject to all of the provisions of  
186 chapter 536 and, if applicable, section 536.028. This  
187 section and chapter 536 are nonseverable and if any of the  
188 powers vested with the general assembly pursuant to chapter  
189 536 to review, to delay the effective date, or to disapprove  
190 and annul a rule are subsequently held unconstitutional,  
191 then the grant of rulemaking authority and any rule proposed  
192 or adopted after August 28, 2014, shall be invalid and void.

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

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

217           14. Notwithstanding any provision of law to the  
218 contrary, local log trucks and local log truck tractors, as  
219 defined in section 301.010, may be operated with a weight  
220 not exceeding twenty-two thousand four hundred pounds on one  
221 axle or a weight not exceeding forty-four thousand eight  
222 hundred pounds on any tandem axle, except the front steering  
223 axle shall not exceed fifteen thousand pounds or the gross  
224 vehicle weight rating set by the manufacturer, and may have  
225 a total weight of up to one hundred five thousand pounds.

226 Provided however, when operating on the national system of  
227 interstate and defense highways described in 23 U.S.C.  
228 Section 103, as amended, or outside the radius from the  
229 forested site specified in section 301.010 with an extended  
230 distance local log truck permit, the vehicle shall not  
231 exceed the weight limits otherwise specified in this section.

304.240. 1. Any person, firm, corporation,  
2 partnership or association violating any of the provisions  
3 of sections 304.170 to 304.230 shall be deemed guilty of a  
4 misdemeanor and upon conviction thereof shall be punished by  
5 a fine of not less than five dollars or by confinement in a  
6 county jail for not more than twelve months, or by both the  
7 fine and confinement; provided, however, that where load  
8 limits as defined in sections 304.180 to 304.220 have been  
9 violated, the fine shall be two cents for each pound of  
10 excess weight up to and including five hundred, and five  
11 cents for each pound of excess weight above five hundred and  
12 not exceeding one thousand, and ten cents for each pound in  
13 excess weight above one thousand; provided that, when any  
14 vehicle is being operated under a special permit as provided  
15 in section 304.200, the term "excess weight" means only  
16 weight in excess of the amount permitted in the permit as  
17 issued. The court may, in its discretion, cause to be  
18 impounded the motor vehicle operated by any person violating  
19 the provisions of this section until such time as the fine  
20 and cost assessed by the court under this section is paid.

21 2. Notwithstanding subsection 1 of this section, the  
22 fine for a load-limit violation under sections 304.180 to  
23 304.220 involving a local log truck or a local log truck  
24 tractor, as such terms are defined in section 301.010, shall  
25 be as follows:

26           (1) If the weight exceeds the limit by one pound to  
27 four thousand nine hundred ninety-nine pounds, the fine  
28 shall be ten cents for each pound of excess weight;

29           (2) If the weight exceeds the limit by five thousand  
30 pounds to nine thousand nine hundred ninety-nine pounds, the  
31 fine shall be twenty cents for each pound of excess weight;  
32 and

33           (3) If the weight exceeds the limit by ten thousand  
34 pounds or more, the fine shall be fifty cents for each pound  
35 of excess weight.

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

3           (1) "Agent", a person given the responsibility, by an  
4 entity, of navigating and operating a personal delivery  
5 device;

6           (2) "Personal delivery device", a powered device  
7 operated primarily on sidewalks and crosswalks, intended  
8 primarily for the transport of property on public rights-of-  
9 way, and capable of navigating with or without the active  
10 control or monitoring of a natural person. Notwithstanding  
11 any other provision of law, a "personal delivery device"  
12 shall not be defined as a motor vehicle or a vehicle;

13           (3) "Personal delivery device operator", an entity or  
14 its agent that exercises physical control or monitoring over  
15 the navigation system and operation of a personal delivery  
16 device. A "personal delivery device operator" does not  
17 include an entity or person that requests or receives the  
18 services of a personal delivery device for the purpose of  
19 transporting property or an entity or person who merely  
20 arranges for and dispatches the requested services of a  
21 personal delivery device.

22           2. Notwithstanding any other provision of law, a  
23 personal delivery device is authorized to operate in this  
24 state:

25           (1) On any sidewalk or crosswalk of any county or  
26 municipality in the state; and

27           (2) On any roadway of any county or municipality in  
28 the state, provided that the personal delivery device shall  
29 not unreasonably interfere with motor vehicles or traffic.

30           3. A personal delivery device shall:

31           (1) Not block public rights-of-way;

32           (2) Obey all traffic and pedestrian control signals  
33 and devices;

34           (3) Operate at a speed that does not exceed a maximum  
35 speed of ten miles per hour on a sidewalk or crosswalk;

36           (4) Contain a unique identifying number that is  
37 displayed on the device;

38           (5) Include a means of identifying the personal  
39 delivery device operator; and

40           (6) Be equipped with a system that enables the  
41 personal delivery device to come to a controlled stop.

42           4. Subject to the requirements of this section, a  
43 personal delivery device operating on a sidewalk or  
44 crosswalk shall have all the responsibilities applicable to  
45 a pedestrian under the same circumstances.

46           5. A personal delivery device shall be exempt from  
47 motor vehicle registration requirements.

48           6. A personal delivery device operator shall maintain  
49 an insurance policy that provides general liability coverage  
50 of at least one hundred thousand dollars for damages arising  
51 from the combined operations of personal delivery devices  
52 under a personal delivery device operator's control.

53           7. If the personal delivery device is being operated  
54 between sunset and sunrise, it shall be equipped with

55 lighting on both the front and rear of the personal delivery  
56 device visible in clear weather from a distance of at least  
57 five hundred feet to the front and rear of the personal  
58 delivery device.

59 8. A personal delivery device shall not be used for  
60 the transportation of hazardous material regulated under the  
61 Hazardous Materials Transportation Act, 49 USC Section 5103,  
62 and required to be placarded under 49 CFR Part 172, Subpart  
63 F.

64 9. Nothing in this section shall prohibit a political  
65 subdivision from regulating the operation of personal  
66 delivery devices on a highway or pedestrian area to insure  
67 the welfare and safety of its residents. However, political  
68 subdivisions shall not regulate the design, manufacture and  
69 maintenance of a personal delivery device nor the types of  
70 property that may be transported by a personal delivery  
71 device. Additionally, no political subdivision shall treat  
72 personal delivery devices differently for the purposes of  
73 assessment and taxation or other charges from personal  
74 property that is similar in nature.

75 10. A personal delivery device operator may not sell  
76 or disclose a personally identifiable likeness to a third  
77 party in exchange for monetary compensation. For purposes  
78 of this section, a personally identifiable likeness includes  
79 photographic images, videos, digital image files, or other  
80 digital data that can be used to either directly or  
81 indirectly identify an individual. "Personally identifiable  
82 likeness" does not include aggregated or anonymized data.  
83 The use of any personally identifiable likeness by a  
84 personal delivery device operator to improve their products  
85 and services is allowed under this section. Information  
86 that would otherwise be protected under this section as

87 confidential shall only be provided to a law enforcement  
88 entity with a properly executed, lawful subpoena.

307.025. The subsequent provisions of this chapter  
2 with respect to equipment and lights on vehicles shall not  
3 apply to agricultural machinery and implements, road  
4 machinery, road rollers, traction engines, motorized  
5 bicycles, electric bicycles as defined in section 301.010,  
6 or farm tractors except as in this chapter made applicable.

307.128. 1. A headlamp on a motorcycle may be wired  
2 to modulate either the upper beam or the lower beam from its  
3 maximum intensity to a lesser intensity provided that:

4 (1) The rate of modulation shall be two hundred forty  
5 plus or minus forty cycles per minute;

6 (2) The headlamp shall be operated at a maximum power  
7 for fifty to seventy percent of each cycle;

8 (3) The lowest intensity at any test point shall not  
9 be less than seventeen percent of the maximum intensity  
10 measured at the same point;

11 (4) The modulator switch shall be wired in the power  
12 lead of the beam filament being modulated and not in the  
13 ground side of the circuit;

14 (5) Means shall be provided so that both the lower  
15 beam and the upper beam remain operable in the event of a  
16 modulation failure;

17 (6) The system shall include a sensor mounted with the  
18 axis of its sensing element perpendicular to a horizontal  
19 plane. Headlamp modulation shall cease whenever the level  
20 of light emitted by a tungsten filament operating at three  
21 thousand degrees kelvin is either less than two hundred  
22 seventy lux of direct light for upward pointing sensors or  
23 less than sixty lux of reflected light for downward pointing  
24 sensors. The light is measured by a silicon cell type light  
25 meter that is located at the sensor and pointing in the same

26 direction as the sensor. A photo gray card is placed at  
27 ground level to simulate the road surface in testing  
28 downward pointing sensors;

29 (7) Means shall be provided so that both the lower and  
30 upper beam function at design voltage when the headlamp  
31 control switch is in either the lower or upper beam position  
32 when the modulator is off.

33 2. Each motorcycle headlamp modulator not intended as  
34 original equipment, or its container, shall be labeled with  
35 the maximum wattage, and the minimum wattage appropriate for  
36 its use. Additionally, each such modulator shall comply  
37 with the provisions of subdivisions (1) to (7) of subsection  
38 1 of this section when connected to a headlamp of the  
39 maximum-rated power and headlamp of the minimum-rated power,  
40 and shall provide means so that the modulated beam functions  
41 at design voltage when the modulator is off. Instructions,  
42 with a diagram, shall be provided for mounting the light  
43 sensor including location on the motorcycle, distance above  
44 the road surface, and orientation with respect to the light.

45 3. Notwithstanding any other provision of law, subject  
46 to the requirements of subsection 4 of this section, a  
47 motorcycle may be equipped with, and an operator of a  
48 motorcycle may use, the following auxiliary lighting:

49 (1) ~~Amber and white illumination~~ Any color  
50 illumination;

51 (2) Standard bulb running lights; or

52 (3) Light-emitting diode pods and strips.

53 4. Lighting under subsection 3 of this section shall  
54 be:

55 (1) Nonblinking;

56 (2) Nonflashing;

57 (3) Nonoscillating; and

58           (4) Directed toward the engine and the drive train of  
59 the motorcycle to prevent interference with the driver's  
60 operation of the vehicle.

307.180. As used in sections 307.180 to 307.193:

2           (1) The word "bicycle" shall mean every vehicle  
3 propelled solely by human power upon which any person may  
4 ride, having two tandem wheels, or two parallel wheels and  
5 one or two forward or rear wheels, all of which are more  
6 than fourteen inches in diameter, except scooters and  
7 similar devices;

8           (2) The term "motorized bicycle" shall mean any two-  
9 or three-wheeled device having an automatic transmission and  
10 a motor with a cylinder capacity of not more than fifty  
11 cubic centimeters, which produces less than three gross  
12 brake horsepower, and is capable of propelling the device at  
13 a maximum speed of not more than thirty miles per hour on  
14 level ground, but excluding an electric bicycle, as defined  
15 in section 301.010. A motorized bicycle shall be considered  
16 a motor vehicle for purposes of any homeowners' or renters'  
17 insurance policy.

307.188. Every person riding a bicycle, electric  
2 bicycle, or motorized bicycle upon a street or highway shall  
3 be granted all of the rights and shall be subject to all of  
4 the duties applicable to the driver of a vehicle as provided  
5 by chapter 304, except as to special regulations in sections  
6 307.180 to 307.193 and except as to those provisions of  
7 chapter 304 which by their nature can have no application.

307.193. Any person seventeen years of age or older  
2 who violates any provision of sections 307.180 to **[307.193]**  
3 307.194 is guilty of an infraction and, upon conviction  
4 thereof, shall be punished by a fine of not less than five  
5 dollars nor more than twenty-five dollars. Such an  
6 infraction does not constitute a crime and conviction shall

7 not give rise to any disability or legal disadvantage based  
8 on conviction of a criminal offense. If any person under  
9 seventeen years of age violates any provision of sections  
10 307.180 to ~~[307.193]~~ 307.194 in the presence of a peace  
11 officer possessing the duty and power of arrest for  
12 violation of the general criminal laws of the state or for  
13 violation of ordinances of counties or municipalities of the  
14 state, said officer may impound the bicycle or motorized  
15 bicycle involved for a period not to exceed five days upon  
16 issuance of a receipt to the child riding it or to its owner.

307.194. 1. Except as otherwise provided in this  
2 section, every person riding an electric bicycle shall be  
3 granted all of the rights and shall be subject to all of the  
4 duties applicable to the operator of a bicycle. An electric  
5 bicycle shall be considered a vehicle to the same extent as  
6 a bicycle.

7 2. An electric bicycle or a person operating an  
8 electric bicycle is not subject to provisions of law that  
9 are applicable to motor vehicles, all-terrain vehicles, off-  
10 road vehicles, off-highway vehicles, motor vehicle rentals,  
11 motor vehicle dealers or franchises, or motorcycle dealers  
12 or franchises, including vehicle registration, certificates  
13 of title, drivers' licenses, and financial responsibility.

14 3. Beginning August 28, 2021, manufacturers and  
15 distributors of electric bicycles shall apply a permanent  
16 label to each electric bicycle. The label, which shall be  
17 affixed to the electric bicycle in a prominent location,  
18 shall contain the classification number, top assisted speed,  
19 and motor wattage of the electric bicycle. The text on the  
20 label shall be arial font and in at least nine-point type.

21 4. No person shall tamper with or modify an electric  
22 bicycle so as to change the motor-powered speed capability  
23 or engagement of an electric bicycle unless he or she

24 replaces the label required under subsection 3 of this  
25 section with a new label indicating the new classification.

26 5. An electric bicycle shall comply with the equipment  
27 and manufacturing requirements for bicycles adopted by the  
28 United States Consumer Product Safety Commission, 16 CFR  
29 1512.

30 6. An electric bicycle shall operate in a manner so  
31 that the electric motor is disengaged or ceases to function  
32 when the rider stops pedaling or when the brakes are applied.

33 7. An electric bicycle may be ridden where bicycles  
34 are permitted to travel, subject to the following provisions:

35 (1) An electric bicycle may be ridden on bicycle or  
36 multi-use paths where bicycles are permitted;

37 (2) Following notice and a public hearing, a  
38 municipality, local authority, or state agency having  
39 jurisdiction over a bicycle or multi-use path may prohibit  
40 the operation of a class 1 electric bicycle or class 2  
41 electric bicycle on that path if it finds that such a  
42 restriction is needed for safety reasons or compliance with  
43 other laws or legal obligations;

44 (3) A municipality, local authority, or state agency  
45 having jurisdiction over a bicycle or multi-use path may  
46 prohibit the operation of a class 3 electric bicycle on that  
47 path; and

48 (4) The provisions of this subsection shall not apply  
49 to a trail that is specifically designated as nonmotorized  
50 and that has a natural surface tread that is made by  
51 clearing and grading the native soil with no added surfacing  
52 materials. A local authority or agency of the state having  
53 jurisdiction over a trail described in this subsection may  
54 regulate the use of an electric bicycle on that trail.

55 8. The use of class 3 electric bicycles shall be  
56 subject to the following provisions:

57           (1) No person under sixteen years of age shall operate  
58 a class 3 electric bicycle. A person under sixteen years of  
59 age may ride as a passenger on a class 3 electric bicycle  
60 that is designed to accommodate passengers; and

61           (2) All class 3 electric bicycles shall be equipped  
62 with a speedometer that is capable of displaying the speed  
63 an electric bicycle is traveling in miles per hour.

307.350. 1. The owner of every motor vehicle as  
2 defined in section 301.010 which is required to be  
3 registered in this state, except:

4           (1) Motor vehicles having less than one hundred fifty  
5 thousand miles, for the ten-year period following their  
6 model year of manufacture, excluding prior salvage vehicles  
7 immediately following a rebuilding process and vehicles  
8 subject to the provisions of section 307.380;

9           (2) Those motor vehicles which are engaged in  
10 interstate commerce and are proportionately registered in  
11 this state with the Missouri highway reciprocity commission,  
12 although the owner may request that such vehicle be  
13 inspected by an official inspection station, and a peace  
14 officer may stop and inspect such vehicles to determine  
15 whether the mechanical condition is in compliance with the  
16 safety regulations established by the United States  
17 Department of Transportation; and

18           (3) Historic motor vehicles registered pursuant to  
19 section 301.131;

20           (4) Vehicles registered in excess of twenty-four  
21 thousand pounds for a period of less than twelve months;

22 shall submit such vehicles to a biennial inspection of their  
23 mechanism and equipment in accordance with the provisions of  
24 sections 307.350 to 307.390 and obtain a certificate of  
25 inspection and approval and a sticker, seal, or other device  
26 from a duly authorized official inspection station. The

27 inspection, except the inspection of school buses which  
28 shall be made at the time provided in section 307.375, shall  
29 be made at the time prescribed in the rules and regulations  
30 issued by the superintendent of the Missouri state highway  
31 patrol; but the inspection of a vehicle shall not be made  
32 more than sixty days prior to the date of application for  
33 registration or within sixty days of when a vehicle's  
34 registration is transferred; however, if a vehicle was  
35 purchased from a motor vehicle dealer and a valid inspection  
36 had been made within sixty days of the purchase date, the  
37 new owner shall be able to utilize an inspection performed  
38 within ninety days prior to the application for registration  
39 or transfer. [Any vehicle manufactured as an even-numbered  
40 model year vehicle shall be inspected and approved pursuant  
41 to the safety inspection program established pursuant to  
42 sections 307.350 to 307.390 in each even-numbered calendar  
43 year and any such vehicle manufactured as an odd-numbered  
44 model year vehicle shall be inspected and approved pursuant  
45 to sections 307.350 to 307.390 in each odd-numbered year.]  
46 The certificate of inspection and approval shall be a  
47 sticker, seal, or other device or combination thereof, as  
48 the superintendent of the Missouri state highway patrol  
49 prescribes by regulation and shall be displayed upon the  
50 motor vehicle or trailer as prescribed by the regulations  
51 established by him. The replacement of certificates of  
52 inspection and approval which are lost or destroyed shall be  
53 made by the superintendent of the Missouri state highway  
54 patrol under regulations prescribed by him.

55 2. For the purpose of obtaining an inspection only, it  
56 shall be lawful to operate a vehicle over the most direct  
57 route between the owner's usual place of residence and an  
58 inspection station of such owner's choice, notwithstanding  
59 the fact that the vehicle does not have a current state

60 registration license. It shall also be lawful to operate  
61 such a vehicle from an inspection station to another place  
62 where repairs may be made and to return the vehicle to the  
63 inspection station notwithstanding the absence of a current  
64 state registration license.

65 3. No person whose motor vehicle was duly inspected  
66 and approved as provided in this section shall be required  
67 to have the same motor vehicle again inspected and approved  
68 for the sole reason that such person wishes to obtain a set  
69 of any special personalized license plates available  
70 pursuant to section 301.144 or a set of any license plates  
71 available pursuant to section 301.142, prior to the  
72 expiration date of such motor vehicle's current registration.

73 4. Notwithstanding the provisions of section 307.390,  
74 violation of this section shall be deemed an infraction.

307.380. 1. Every vehicle of the type required to be  
2 inspected upon having been involved in an accident and when  
3 so directed by a police officer must be inspected and an  
4 official certificate of inspection and approval, sticker,  
5 seal or other device be obtained for such vehicle before it  
6 is again operated on the highways of this state. At the  
7 seller's expense every used motor vehicle of the type  
8 required to be inspected by section 307.350[, whether new or  
9 used,] shall immediately prior to sale be fully inspected  
10 regardless of any current certificate of inspection and  
11 approval, and an appropriate new certificate of inspection  
12 and approval, sticker, seal or other device shall be  
13 obtained.

14 2. Nothing contained in the provisions of this section  
15 shall be construed to prohibit a dealer or any other person  
16 from selling a vehicle without a certificate of inspection  
17 and approval if the vehicle is sold for junk, salvage, or  
18 for rebuilding, or for vehicles sold at public auction or

19 from dealer to dealer. The purchaser of any vehicle which  
20 is purchased for junk, salvage, or for rebuilding, shall  
21 give to the seller an affidavit, on a form prescribed by the  
22 superintendent of the Missouri state highway patrol, stating  
23 that the vehicle is being purchased for one of the reasons  
24 stated herein. No vehicle of the type required to be  
25 inspected by section 307.350 which is purchased as junk,  
26 salvage, or for rebuilding shall again be registered in this  
27 state until the owner has submitted the vehicle for  
28 inspection and obtained an official certificate of  
29 inspection and approval, sticker, seal or other device for  
30 such vehicle.

31 3. Notwithstanding the provisions of section 307.390,  
32 violation of this section shall be deemed an infraction.

2 365.020. Unless otherwise clearly indicated by the  
3 context, the following words and phrases have the meanings  
4 indicated:

4 (1) "Cash sale price", the price stated in a retail  
5 installment contract for which the seller would have sold to  
6 the buyer, and the buyer would have bought from the seller,  
7 the motor vehicle which is the subject matter of the retail  
8 installment contract, if the sale had been a sale for cash  
9 or at a cash price instead of a retail installment  
10 transaction at a time sale price. The cash sale price may  
11 include any taxes, registration, certificate of title,  
12 license and other fees and charges for accessories and their  
13 installment and for delivery, servicing, repairing or  
14 improving the motor vehicle;

15 (2) "Director", the office of the director of the  
16 division of finance;

17 (3) "Holder" of a retail installment contract, the  
18 retail seller of the motor vehicle under the contract or, if

19 the contract is purchased by a sales finance company or  
20 other assignee, the sales finance company or other assignee;

21 (4) "Insurance company", any form of lawfully  
22 authorized insurer in this state;

23 (5) "Motor vehicle", any new or used automobile,  
24 mobile home, manufactured home as defined in section  
25 700.010, excluding a manufactured home with respect to which  
26 the requirements of subsections 1 to 3 of section 700.111,  
27 as applicable, have been satisfied, motorcycle, all-terrain  
28 vehicle, motorized bicycle, electric bicycle as defined in  
29 section 301.010, moped, motortricycle, truck, trailer,  
30 semitrailer, truck tractor, or bus primarily designed or  
31 used to transport persons or property on a public highway,  
32 road or street;

33 (6) "Official fees", the fees prescribed by law for  
34 filing, recording or otherwise perfecting and releasing or  
35 satisfying any title or lien retained or taken by a seller  
36 in connection with a retail installment transaction;

37 (7) "Person", an individual, partnership, corporation,  
38 association, and any other group however organized;

39 (8) "Principal balance", the cash sale price of the  
40 motor vehicle which is the subject matter of the retail  
41 installment transaction plus the amounts, if any, included  
42 in the sale, if a separate identified charge is made  
43 therefor and stated in the contract, for insurance and other  
44 benefits, including any amounts paid or to be paid by the  
45 seller pursuant to an agreement with the buyer to discharge  
46 a security interest, lien, or lease interest on property  
47 traded in and official fees, minus the amount of the buyer's  
48 down payment in money or goods. Notwithstanding any law to  
49 the contrary, any amount actually paid by the seller  
50 pursuant to an agreement with the buyer to discharge a  
51 security interest, lien or lease on property traded in which

52 was included in a contract prior to August 28, 1999, is  
53 valid and legal;

54 (9) "Retail buyer" or "buyer", a person who buys a  
55 motor vehicle from a retail seller in a retail installment  
56 transaction under a retail installment contract;

57 (10) "Retail installment contract" or "contract", an  
58 agreement evidencing a retail installment transaction  
59 entered into in this state pursuant to which the title to or  
60 a lien upon the motor vehicle, which is the subject matter  
61 of the retail installment transaction is retained or taken  
62 by the seller from the buyer as security for the buyer's  
63 obligation. The term includes a chattel mortgage or a  
64 conditional sales contract;

65 (11) "Retail installment transaction", a sale of a  
66 motor vehicle by a retail seller to a retail buyer on time  
67 under a retail installment contract for a time sale price  
68 payable in one or more deferred installments;

69 (12) "Retail seller" or "seller", a person who sells a  
70 motor vehicle, not principally for resale, to a retail buyer  
71 under a retail installment contract;

72 (13) "Sales finance company", a person engaged, in  
73 whole or in part, in the business of purchasing retail  
74 installment contracts from one or more sellers. The term  
75 includes but is not limited to a bank, trust company, loan  
76 and investment company, savings and loan association,  
77 financing institution, or registrant pursuant to sections  
78 367.100 to 367.200, if so engaged. The term shall not  
79 include a person who makes only isolated purchases of retail  
80 installment contracts, which purchases are not being made in  
81 the course of repeated or successive purchases of retail  
82 installment contracts from the same seller;

83 (14) "Time price differential", the amount, however  
84 denominated or expressed, as limited by section 365.120, in

85 addition to the principal balance to be paid by the buyer  
86 for the privilege of purchasing the motor vehicle on time to  
87 be paid for by the buyer in one or more deferred  
88 installments;

89 (15) "Time sale price", the total of the cash sale  
90 price of the motor vehicle and the amount, if any, included  
91 for insurance and other benefits if a separate identified  
92 charge is made therefor and the amounts of the official fees  
93 and time price differential.

385.220. 1. The provisions of sections 385.200 to  
2 385.220 shall not apply to:

- 3 (1) Warranties;
- 4 (2) Maintenance agreements;
- 5 (3) Commercial transactions; [and]
- 6 (4) Service contracts sold or offered for sale to  
7 persons other than consumers; or
- 8 (5) Motor club contracts, as defined in section  
9 385.450.

10 2. Manufacturer's contracts on the manufacturer's  
11 products need only comply with the provisions of sections  
12 385.206, 385.208, and 385.216.

385.320. 1. Sections 385.300 to 385.320 shall not  
2 apply to:

- 3 (1) Warranties;
- 4 (2) Maintenance agreements;
- 5 (3) Warranties, service contracts, or maintenance  
6 agreements offered by public utilities on their transmission  
7 devices to the extent they are regulated under the laws of  
8 this state;
- 9 (4) Service contracts sold or offered for sale to  
10 persons other than consumers;
- 11 (5) Service contracts sold or offered to nonresidents  
12 of this state regardless of whether the entity selling or

13 offering such contracts is located or doing business in this  
14 state;

15 (6) Motor vehicle extended service contracts, as  
16 defined in section 385.200; [and]

17 (7) Motor club contracts, as defined in section  
18 385.450; or

19 (8) Agreements or warranties which provide for the  
20 service, repair, replacement, or maintenance of the systems,  
21 appliances, and structural components of residential or  
22 commercial real property.

23 2. Manufacturer's service contracts on the  
24 manufacturer's products need only comply with the provisions  
25 of sections 385.306, 385.308, and 385.316.

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

3 (1) "Motor club", a legal entity that, in  
4 consideration of dues, assessments, or periodic payments of  
5 money, promises to provide motor club services to its  
6 members or subscribers;

7 (2) "Motor club contract", an agreement whereby a  
8 motor club promises to render, furnish, or procure motor  
9 club services to or for its members or subscribers;

10 (3) "Motor club services", services that assist a  
11 member or subscriber of a motor club in matters relating to  
12 motor travel or the operation, use, or maintenance of a  
13 motor vehicle by supplying services that may include, but  
14 are not limited to, towing service, emergency road service,  
15 bail and guaranteed arrest bond certificate service,  
16 discount service, theft service, map service, touring  
17 service, legal fee reimbursement service in the defense of  
18 traffic offenses, and participation in an accident and  
19 sickness or accidental death insurance benefit program

20 issued by an insurance company authorized to do business in  
21 this state.

22 2. Fees collected from the sale of motor club  
23 contracts shall not be subject to taxation of premiums under  
24 chapter 148.

25 3. Motor clubs complying with the provisions of this  
26 section shall not be required to comply with the provisions  
27 of chapter 374 or 375, or any other provisions governing  
28 insurance companies, except as specifically provided.

407.005. As used in this chapter, unless the context  
2 clearly requires otherwise, the term "digital electronic  
3 equipment" shall mean any product that depends for its  
4 functioning, in whole or in part, on digital electronics  
5 embedded in or attached to the product; provided however,  
6 that such term shall not include any motor vehicle  
7 manufacturer, manufacturer of motor vehicle equipment, or  
8 motor vehicle dealer, or any product or service of a motor  
9 vehicle manufacturer, manufacturer of motor vehicle  
10 equipment, or motor vehicle dealer acting in that capacity.

407.300. 1. Every purchaser or collector of, or  
2 dealer in, junk, scrap metal, or any secondhand property who  
3 obtains items for resale or profit shall keep a register  
4 containing a written or electronic record for each purchase  
5 or trade in which each type of material subject to the  
6 provisions of this section is obtained for value. There  
7 shall be a separate record for each transaction involving  
8 any:

9 (1) Copper, brass, or bronze;

10 (2) Aluminum wire, cable, pipe, tubing, bar, ingot,  
11 rod, fitting, or fastener;

12 (3) Material containing copper or aluminum that is  
13 knowingly used for farming purposes as farming is defined in

14 section 350.010; whatever may be the condition or length of  
15 such metal;

16 (4) Detached catalytic converter; or

17 (5) Motor vehicle, heavy equipment, or tractor battery.

18 2. The record required by this section shall contain  
19 the following data:

20 (1) A copy of the driver's license or photo  
21 identification issued by the state or by the United States  
22 government or agency thereof ~~[to]~~ of the person from whom  
23 the material is obtained;

24 (2) The current address, gender, birth date, and a  
25 color photograph of the person from whom the material is  
26 obtained if not included or are different from the  
27 identification required in subdivision (1) of this  
28 subsection;

29 (3) The date, time, and place of the transaction;

30 (4) The license plate number of the vehicle used by  
31 the seller during the transaction; and

32 (5) A full description of the material, including the  
33 weight and purchase price.

34 3. The records required under this section shall be  
35 maintained for a minimum of ~~[twenty-four]~~ thirty-six months  
36 from when such material is obtained and shall be available  
37 for inspection by any law enforcement officer.

38 4. [Anyone convicted of violating this section shall  
39 be guilty of a class B misdemeanor.] No transaction that  
40 includes a detached catalytic converter shall occur at any  
41 location other than the fixed place of business of the  
42 purchaser or collector of, or dealer in, junk, scrap metal,  
43 or any secondhand property. No detached catalytic converter  
44 shall be altered, modified, disassembled, or destroyed until  
45 it has been in the purchaser's, collector's, or dealer's  
46 possession for five business days.

47           5. Anyone licensed under section 301.218 who knowingly  
48 purchases a stolen detached catalytic converter shall be  
49 subject to the following penalties:

50           (1) For a first violation, a fine in the amount of  
51 five-thousand dollars;

52           (2) For a second violation, a fine in the amount of  
53 ten-thousand dollars; and

54           (3) For a third violation, revocation of the license  
55 for a business described under section 301.218.

56           6. This section shall not apply to [any] either of the  
57 following transactions:

58           (1) [Any transaction for which the total amount paid  
59 for all regulated material purchased or sold does not exceed  
60 fifty dollars, unless the material is a catalytic converter;

61           (2)] Any transaction for which the seller[, including  
62 a farm or farmer,] has an existing business relationship  
63 with the scrap metal dealer and is known to the scrap metal  
64 dealer making the purchase to be an established business or  
65 political subdivision that operates a business with a fixed  
66 location that can be reasonably expected to generate  
67 regulated scrap metal and can be reasonably identified as  
68 such a business, and for which the seller is paid by check  
69 or by electronic funds transfer, or the seller produces an  
70 acceptable identification, which shall be a copy of the  
71 driver's license or photo identification issued by the state  
72 or by the United States government or agency thereof, and a  
73 copy is retained by the purchaser; or

74           [(3)] (2) Any transaction for which the type of metal  
75 subject to subsection 1 of this section is a minor part of a  
76 larger item, except for equipment used in the generation and  
77 transmission of electrical power or telecommunications.

407.526. 1. A person commits the crime of odometer  
2 fraud in the third degree if, with the intent to defraud, he

3 operates a motor vehicle less than ~~[ten]~~ twenty years old  
4 with a model year of 2011 or newer on any street or highway  
5 knowing that the odometer of the motor vehicle is  
6 disconnected or not functioning.

7 2. Odometer fraud in the third degree is a class C  
8 misdemeanor.

407.536. 1. Any person transferring ownership of a  
2 motor vehicle previously titled in this or any other state  
3 shall do so by assignment of title and shall place the  
4 mileage registered on the odometer at the time of transfer  
5 above the signature of the transferor. The signature of the  
6 transferor below the mileage shall constitute an odometer  
7 mileage statement. The transferee shall sign such odometer  
8 mileage statement before an application for certificate of  
9 ownership may be made. If the true mileage is known to the  
10 transferor to be different from the number of miles shown on  
11 the odometer or the true mileage is unknown, a statement  
12 from the transferor shall accompany the assignment of title  
13 which shall contain all facts known by the transferor  
14 concerning the true mileage of the motor vehicle. That  
15 statement shall become a part of the permanent record of the  
16 motor vehicle with the Missouri department of revenue. The  
17 department of revenue shall place on all new titles issued  
18 after September 28, 1977, a box titled "mileage at the time  
19 of transfer".

20 2. Any person transferring the ownership of a motor  
21 vehicle previously untitled in this or any other state to  
22 another person shall give an odometer mileage statement to  
23 the transferee. The statement shall include above the  
24 signature of the transferor and transferee the cumulative  
25 mileage registered on the odometer at the time of transfer.  
26 If the true mileage is known to the transferor to be  
27 different from the number of miles shown on the odometer or

28 the true mileage is unknown, a statement from the transferor  
29 shall accompany the assignment of title which shall contain  
30 all facts known by the transferor concerning the true  
31 mileage of the motor vehicle. That statement shall become a  
32 permanent part of the records of the Missouri department of  
33 revenue.

34 3. If, upon receiving an application for registration  
35 or for a certificate of ownership of a motor vehicle, the  
36 director of revenue has credible evidence that the odometer  
37 reading provided by a transferor is materially inaccurate,  
38 he may place an asterisk on the face of the title document  
39 issued by the Missouri department of revenue, provided that  
40 the process required thereby does not interfere with his  
41 obligations under subdivision (2) of subsection 3 of section  
42 301.190. The asterisk shall refer to a statement on the  
43 face and at the bottom of the title document which shall  
44 read as follows: "This may not be the true and accurate  
45 mileage of this motor vehicle. Consult the documents on  
46 file with the Missouri department of revenue for an  
47 explanation of the inaccuracy.". Nothing in this section  
48 shall prevent any person from challenging the determination  
49 by the director of revenue in the circuit courts of the  
50 state of Missouri. The burden of proof shall be on the  
51 director of the department of revenue in all such  
52 proceedings.

53 4. The mileage disclosed by the odometer mileage  
54 statement for a new or used motor vehicle as described in  
55 subsections 1 and 2 of this section shall be placed by the  
56 transferor on any title or document evidencing ownership.  
57 Additional statements shall be placed on the title document  
58 as follows:

59 (1) If the transferor states that to the best of his  
60 knowledge the mileage disclosed is the actual mileage of the

61 motor vehicle, an asterisk shall follow the mileage on the  
62 face of the title or document of ownership issued by the  
63 Missouri department of revenue. The asterisk shall  
64 reference to a statement on the face and bottom of the title  
65 document which shall read as follows: "Actual Mileage";

66 (2) Where the transferor has submitted an explanation  
67 why this mileage is incorrect, an asterisk shall follow the  
68 mileage on the face of the title or document of ownership  
69 issued by the Missouri department of revenue. The asterisk  
70 shall reference to a statement on the face and at the bottom  
71 of the title document which shall read as follows: "This is  
72 not the true and accurate mileage of this motor vehicle.  
73 Consult the documents on file with the Missouri department  
74 of revenue for an explanation of the inaccuracy.". Further  
75 wording shall be included as follows:

76 (a) If the transferor states that the odometer  
77 reflects the amount of mileage in excess of the designed  
78 mechanical odometer limit, the above statement on the face  
79 of the title document shall be followed by the words:  
80 "Mileage exceeds the mechanical limits";

81 (b) If the transferor states that the odometer reading  
82 differs from the mileage and that the difference is greater  
83 than that caused by odometer calibration error and the  
84 odometer reading does not reflect the actual mileage and  
85 should not be relied upon, the above statement on the face  
86 of the title document shall be preceded by the words:  
87 "Warning Odometer Discrepancy".

88 5. The department of revenue shall notify all motor  
89 vehicle ownership transferees of the civil and criminal  
90 penalties involving odometer fraud.

91 6. Any person defacing or obscuring or otherwise  
92 falsifying any odometer reading on any document required by  
93 this section shall be guilty of a class E felony.

94           7. The granting or creation of a security interest or  
95 lien shall not be considered a change of ownership for the  
96 purpose of this section, and the grantor of such lien or  
97 security interest shall not be required to make an odometer  
98 mileage statement. The release of a lien by a mortgage  
99 holder shall not be considered a change of ownership of the  
100 motor vehicle for the purposes of this section. The  
101 mortgage holder or lienholder shall not be required to make  
102 an odometer disclosure statement or state the current  
103 odometer setting at the time of the release of the lien  
104 where there is no change of ownership.

105           8. For the purposes of the mileage disclosure  
106 requirements of this section, if a certificate of ownership  
107 is held by a lienholder, if the transferor makes application  
108 for a duplicate certificate of ownership, or as otherwise  
109 provided in the federal Motor Vehicle Information and Cost  
110 Savings Act and related federal regulations, the transferor  
111 may execute a written power of attorney authorizing a  
112 transfer of ownership. The person granted such power of  
113 attorney shall restate exactly on the assignment of title  
114 the actual mileage disclosed at the time of transfer. The  
115 power of attorney shall accompany the certificate of  
116 ownership and the original power of attorney and a copy of  
117 the certificate of ownership shall be returned to the  
118 issuing state in the manner prescribed by the director of  
119 revenue, unless otherwise provided by federal law, rule or  
120 regulation. The department of revenue may prescribe a  
121 secure document for use in executing a written power of  
122 attorney, and may allow electronic signatures on such  
123 document. The department shall collect a fee for each form  
124 issued, not to exceed the cost of procuring the form.

          407.556. 1. A violation of the provisions of sections  
2 407.511 to 407.556 by any person licensed or registered as a

3 manufacturer or dealer pursuant to the provisions of chapter  
4 301, shall be considered a violation of the provisions of  
5 that chapter, subjecting that person to revocation or  
6 suspension of any license issued pursuant to the provisions  
7 of that chapter.

8 2. The provisions of sections 407.511 to 407.556 do  
9 not apply to the following motor vehicles:

10 (1) Any motor vehicle having a gross vehicle weight  
11 rating of more than sixteen thousand pounds;

12 (2) Any motor vehicle with a model year prior to 2011,  
13 or any motor vehicle that is [ten] twenty years old or older;

14 (3) Any motor vehicle sold directly by the  
15 manufacturer to any agency of the United States in  
16 conformity with contractual specifications; or

17 (4) Any new vehicle prior to its first transfer for  
18 purposes other than resale.

407.560. As used in sections 407.560 to 407.579, the  
2 following terms mean:

3 (1) "Collateral charges", those additional charges to  
4 a consumer not directly attributable to a manufacturer's  
5 suggested retail price label for the new motor vehicle. For  
6 the purposes of sections 407.560 to 407.579, "collateral  
7 charges" includes all sales tax, license fees, registration  
8 fees, title fees and motor vehicle inspections;

9 (2) "Comparable motor vehicle", an identical or  
10 reasonably equivalent motor vehicle;

11 (3) "Consumer", the purchaser, other than for the  
12 purposes of resale, of a new motor vehicle, primarily used  
13 for personal, family, or household purposes, and any person  
14 to whom such new motor vehicle is transferred for the same  
15 purposes during the duration of an express warranty  
16 applicable to such new motor vehicle, and any other person

17 entitled by the terms of such warranty to enforce the  
18 obligations of the warranty;

19 (4) "Express warranty", any written affirmation of the  
20 fact or promise made by a manufacturer to a consumer in  
21 connection with the sale of new motor vehicles which relates  
22 to the nature of the material or workmanship or will meet a  
23 specified level of performance over a specified period of  
24 time;

25 (5) "Manufacturer", any person engaged in the  
26 manufacturing or assembling of new motor vehicles as a  
27 regular business;

28 (6) "New motor vehicle", any motor vehicle being  
29 transferred for the first time from a manufacturer,  
30 distributor or new vehicle dealer, which has not been  
31 registered or titled in this state or any other state and  
32 which is offered for sale, barter or exchange by a dealer  
33 who is franchised to sell, barter or exchange that  
34 particular make of new motor vehicle. The term "new motor  
35 vehicle" shall include only those vehicles propelled by  
36 power other than muscular power, but the term shall not  
37 include vehicles used as a commercial motor vehicle, off-  
38 road vehicles, mopeds, electric bicycles as defined in  
39 section 300.010, motorcycles or recreational motor vehicles  
40 as defined in section 301.010, except for the chassis,  
41 engine, powertrain and component parts of recreational motor  
42 vehicles. The term "new motor vehicle" shall also include  
43 demonstrators or lease-purchase vehicles as long as a  
44 manufacturer's warranty was issued as a condition of sale.

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

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

7 (2) "All-terrain vehicle", any motorized vehicle  
8 manufactured and used exclusively for off-highway use, with  
9 an unladen dry weight of one thousand five hundred pounds or  
10 less, traveling on three, four or more nonhighway tires,  
11 with either:

12 (a) A seat designed to be straddled by the operator,  
13 and handlebars for steering control, but excluding an  
14 electric bicycle as defined in section 301.010; or

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

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

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

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

28 (c) Any conduct set forth in sections 407.810 to  
29 407.835 that is permitted of the franchisor;

30 (4) "Common entity", a person:

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

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

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

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

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

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

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

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

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

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

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

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

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

99           (14) "Manufacturer", any person, whether a resident or  
100 nonresident of this state, who manufactures or assembles  
101 motor vehicles or who manufactures or installs on previously  
102 assembled truck chassis special bodies or equipment which,

103 when installed, form an integral part of the motor vehicle  
104 and which constitute a major manufacturing alteration. The  
105 term "manufacturer" includes a central or principal sales  
106 corporation or other entity, other than a franchisee,  
107 through which, by contractual agreement or otherwise, it  
108 distributes its products;

109 (15) "Motor vehicle", for the purposes of sections  
110 407.810 to 407.835, any motor-driven vehicle required to be  
111 registered pursuant to the provisions of chapter 301, except  
112 that, motorcycles, electric bicycles, and all-terrain  
113 vehicles as defined in section 301.010 shall not be  
114 included. The term "motor vehicle" shall also include any  
115 engine, transmission, or rear axle, regardless of whether  
116 attached to a vehicle chassis, that is manufactured for the  
117 installation in any motor-driven vehicle with a gross  
118 vehicle weight rating of more than sixteen thousand pounds  
119 that is registered for the operations on the highways of  
120 this state under chapter 301;

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

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

128 (18) "Principal investor", the owner of the majority  
129 interest of any franchisee;

130 (19) "Reasonable", shall be based on the circumstances  
131 of a franchisee in the market served by the franchisee;

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

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

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

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

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

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

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

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

7           (2) "All-terrain vehicle", any motorized vehicle  
8 manufactured and used exclusively for off-highway use, with  
9 an unladen dry weight of one thousand five hundred pounds or  
10 less, traveling on three, four or more nonhighway tires,  
11 with either:

12           (a) A seat designed to be straddled by the operator,  
13 and handlebars for steering control, but excluding an  
14 electric bicycle as defined in section 301.010; or

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

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

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

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

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

29 (d) Any other conduct set forth in sections 407.1025  
30 to 407.1049 that is permitted of the franchisor or is  
31 expressly excluded from coercion or a violation of sections  
32 407.1025 to 407.1049;

33 (4) "Franchise", a written arrangement or contract for  
34 a definite or indefinite period, in which a person grants to  
35 another person a license to use, or the right to grant to  
36 others a license to use, a trade name, trademark, service  
37 mark, or related characteristics, in which there is a  
38 community of interest in the marketing of goods or services,  
39 or both, at wholesale or retail, by agreement, lease or  
40 otherwise, and in which the operation of the franchisee's  
41 business with respect to such franchise is substantially  
42 reliant on the franchisor for the continued supply of  
43 franchised new motorcycles or all-terrain vehicles, parts  
44 and accessories for sale at wholesale or retail;

45 (5) "Franchisee", a person to whom a franchise is  
46 granted;

47 (6) "Franchisor", a person who grants a franchise to  
48 another person;

49 (7) "Motorcycle", a motor vehicle operated on two  
50 wheels, but excluding an electric bicycle as defined in  
51 section 301.010;

52 (8) "New", when referring to motorcycles or all-  
53 terrain vehicles or parts, means those motorcycles or all-  
54 terrain vehicles or parts which have not been held except as  
55 inventory, as that term is defined in subdivision (4) of  
56 section 400.9-109;

57 (9) "Person", a sole proprietor, partnership,  
58 corporation, or any other form of business organization.

570.030. 1. A person commits the offense of stealing  
2 if he or she:

3 (1) Appropriates property or services of another with  
4 the purpose to deprive him or her thereof, either without  
5 his or her consent or by means of deceit or coercion;

6 (2) Attempts to appropriate anhydrous ammonia or  
7 liquid nitrogen of another with the purpose to deprive him  
8 or her thereof, either without his or her consent or by  
9 means of deceit or coercion; or

10 (3) For the purpose of depriving the owner of a lawful  
11 interest therein, receives, retains or disposes of property  
12 of another knowing that it has been stolen, or believing  
13 that it has been stolen.

14 2. The offense of stealing is a class A felony if the  
15 property appropriated consists of any of the following  
16 containing any amount of anhydrous ammonia: a tank truck,  
17 tank trailer, rail tank car, bulk storage tank, field nurse,  
18 field tank or field applicator.

19 3. The offense of stealing is a class B felony if:

20 (1) The property appropriated or attempted to be  
21 appropriated consists of any amount of anhydrous ammonia or  
22 liquid nitrogen;

23 (2) The property consists of any animal considered  
24 livestock as the term livestock is defined in section  
25 144.010, or any captive wildlife held under permit issued by  
26 the conservation commission, and the value of the animal or  
27 animals appropriated exceeds three thousand dollars and that  
28 person has previously been found guilty of appropriating any  
29 animal considered livestock or captive wildlife held under  
30 permit issued by the conservation commission.

31 Notwithstanding any provision of law to the contrary, such  
32 person shall serve a minimum prison term of not less than  
33 eighty percent of his or her sentence before he or she is  
34 eligible for probation, parole, conditional release, or  
35 other early release by the department of corrections;

36 (3) A person appropriates property consisting of a  
37 motor vehicle, watercraft, or aircraft, and that person has  
38 previously been found guilty of two stealing-related  
39 offenses committed on two separate occasions where such  
40 offenses occurred within ten years of the date of occurrence  
41 of the present offense;

42 (4) The property appropriated or attempted to be  
43 appropriated consists of any animal considered livestock as  
44 the term is defined in section 144.010 if the value of the  
45 livestock exceeds ten thousand dollars; or

46 (5) The property appropriated or attempted to be  
47 appropriated is owned by or in the custody of a financial  
48 institution and the property is taken or attempted to be  
49 taken physically from an individual person to deprive the  
50 owner or custodian of the property.

51           4. The offense of stealing is a class C felony if the  
52 value of the property or services appropriated is twenty-  
53 five thousand dollars or more.

54           5. The offense of stealing is a class D felony if:

55           (1) The value of the property or services appropriated  
56 is seven hundred fifty dollars or more;

57           (2) The offender physically takes the property  
58 appropriated from the person of the victim; or

59           (3) The property appropriated consists of:

60           (a) Any motor vehicle, watercraft or aircraft;

61           (b) Any will or unrecorded deed affecting real  
62 property;

63           (c) Any credit device, debit device or letter of  
64 credit;

65           (d) Any firearms;

66           (e) Any explosive weapon as defined in section 571.010;

67           (f) Any United States national flag designed, intended  
68 and used for display on buildings or stationary flagstaffs  
69 in the open;

70           (g) Any original copy of an act, bill or resolution,  
71 introduced or acted upon by the legislature of the state of  
72 Missouri;

73           (h) Any pleading, notice, judgment or any other record  
74 or entry of any court of this state, any other state or of  
75 the United States;

76           (i) Any book of registration or list of voters  
77 required by chapter 115;

78           (j) Any animal considered livestock as that term is  
79 defined in section 144.010;

80           (k) Any live fish raised for commercial sale with a  
81 value of seventy-five dollars or more;

82           (l) Any captive wildlife held under permit issued by  
83 the conservation commission;

84 (m) Any controlled substance as defined by section  
85 195.010;

86 (n) Ammonium nitrate;

87 (o) Any wire, electrical transformer, or metallic wire  
88 associated with transmitting telecommunications, video,  
89 internet, or voice over internet protocol service, or any  
90 other device or pipe that is associated with conducting  
91 electricity or transporting natural gas or other combustible  
92 fuels; or

93 (p) Any material appropriated with the intent to use  
94 such material to manufacture, compound, produce, prepare,  
95 test or analyze amphetamine or methamphetamine or any of  
96 their analogues.

97 6. The offense of stealing is a class E felony if:

98 (1) The property appropriated is an animal; [or]

99 (2) The property is a catalytic converter; or

100 (3) A person has previously been found guilty of three  
101 stealing-related offenses committed on three separate  
102 occasions where such offenses occurred within ten years of  
103 the date of occurrence of the present offense.

104 7. The offense of stealing is a class D misdemeanor if  
105 the property is not of a type listed in subsection 2, 3, 5,  
106 or 6 of this section, the property appropriated has a value  
107 of less than one hundred fifty dollars, and the person has  
108 no previous findings of guilt for a stealing-related offense.

109 8. The offense of stealing is a class A misdemeanor if  
110 no other penalty is specified in this section.

111 9. If a violation of this section is subject to  
112 enhanced punishment based on prior findings of guilt, such  
113 findings of guilt shall be pleaded and proven in the same  
114 manner as required by section 558.021.

115 10. The appropriation of any property or services of a  
116 type listed in subsection 2, 3, 5, or 6 of this section or

117 of a value of seven hundred fifty dollars or more may be  
118 considered a separate felony and may be charged in separate  
119 counts.

120 11. The value of property or services appropriated  
121 pursuant to one scheme or course of conduct, whether from  
122 the same or several owners and whether at the same or  
123 different times, constitutes a single criminal episode and  
124 may be aggregated in determining the grade of the offense,  
125 except as set forth in subsection 10 of this section.

578.120. 1. Notwithstanding any provision in this  
2 chapter to the contrary, no dealer, distributor or  
3 manufacturer licensed under section 301.559 may keep open,  
4 operate, or assist in keeping open or operating any  
5 established place of business for the purpose of buying,  
6 selling, bartering or exchanging, or offering for sale,  
7 barter or exchange, any motor vehicle, whether new or used,  
8 on Sunday. However, this section does not apply to the sale  
9 of manufactured housing; the sale of recreational motor  
10 vehicles; the sale of motorcycles as that term is defined in  
11 section 301.010; the sale of motortricycles, motorized  
12 bicycles, electric bicycles as defined in section 300.010,  
13 all-terrain vehicles, recreational off-highway vehicles,  
14 utility vehicles, personal watercraft, or other motorized  
15 vehicles customarily sold by powersports dealers licensed  
16 pursuant to sections 301.550 to 301.560; washing, towing,  
17 wrecking or repairing operations; the sale of petroleum  
18 products, tires, and repair parts and accessories; or new  
19 vehicle shows or displays participated in by five or more  
20 franchised dealers or in towns or cities with five or fewer  
21 dealers, a majority.

22 2. No association consisting of motor vehicle dealers,  
23 distributors or manufacturers licensed under section 301.559  
24 shall be in violation of antitrust or restraint of trade

25 statutes under chapter 416 or regulation promulgated  
26 thereunder solely because it encourages its members not to  
27 open or operate on Sunday a place of business for the  
28 purpose of buying, selling, bartering or exchanging any  
29 motor vehicle.

30 3. Any person who violates the provisions of this  
31 section shall be guilty of a class C misdemeanor.

643.310. 1. The commission may, by rule, establish a  
2 decentralized motor vehicle emissions inspection program  
3 pursuant to sections 643.300 to 643.355 for any portion of a  
4 nonattainment area located within the area described in  
5 subsection 1 of section 643.305, except that no  
6 decentralized motor vehicle emissions inspection program  
7 shall be established in any county with a charter form of  
8 government and with more than three hundred thousand but  
9 fewer than four hundred fifty thousand inhabitants or any  
10 county of the first classification with more than one  
11 hundred one thousand but fewer than one hundred fifteen  
12 thousand inhabitants or any county with a charter form of  
13 government and with more than two hundred thousand but fewer  
14 than three hundred fifty thousand inhabitants. The  
15 decentralized motor vehicle emissions inspection program  
16 shall be implemented and applied in the same manner  
17 throughout every portion of a nonattainment area located  
18 within the area described in subsection 1 of section 643.305  
19 except any county with a charter form of government and with  
20 more than three hundred thousand but fewer than four hundred  
21 fifty thousand inhabitants or any county of the first  
22 classification with more than one hundred one thousand but  
23 fewer than one hundred fifteen thousand inhabitants or any  
24 county with a charter form of government and with more than  
25 two hundred thousand but fewer than three hundred fifty  
26 thousand inhabitants. The commission shall ensure that, for

27 each nonattainment area, the state implementation plan  
28 established pursuant to subsection 1 of section 643.305  
29 incorporates and receives all applicable credits allowed by  
30 the United States Environmental Protection Agency for  
31 emission reduction programs in other nonattainment areas of  
32 like designation in other states. The commission shall  
33 ensure that emission reduction amounts established pursuant  
34 to subsection 2 of section 643.305 shall be consistent with  
35 and not exceed the emissions reduction amounts required by  
36 the United States Environmental Protection Agency for other  
37 nonattainment areas of like designation in other states. No  
38 motor vehicle emissions inspection program shall be required  
39 to comply with subsection 1 of section 643.305 unless the  
40 plan established thereunder takes full advantage of any  
41 changes in requirements or any agreements made or entered  
42 into by the United States Environmental Protection Agency  
43 and any entity or entities on behalf of a nonattainment area  
44 concerning compliance with National Ambient Air Quality  
45 Standards of the federal Clean Air Act, as amended, 42  
46 U.S.C. Section 7401, et seq., and the regulations  
47 promulgated thereunder. If the exception of certain  
48 counties from provisions of this subsection has the effect  
49 of placing the state of Missouri in noncompliance with any  
50 federal constitutional, statutory, or regulatory provision  
51 that results in the loss of any federal funds to the state,  
52 the exception of certain counties shall expire three years  
53 from the date the state is deemed to be in noncompliance.

54 2. (1) The department, with the cooperation and  
55 approval of the commissioner of administration, shall select  
56 a person or persons to operate an inspection facility or  
57 inspection program pursuant to sections 643.300 to 643.355,  
58 under a bid procedure or under a negotiated process or a  
59 combination thereof based on criteria and expectations

60 established by the department. This process may use either  
61 a licensing arrangement or contractual arrangement with the  
62 selected party or parties. The selection of persons to  
63 operate inspection facilities or inspection programs shall  
64 be exempt from the provisions of all site procurement laws.  
65 Each person who is authorized to operate a station pursuant  
66 to this section shall be capable of providing adequate and  
67 cost-effective service to customers.

68 (2) Service management, coordination and data  
69 processing may be provided by the department or by another  
70 person, including a contractor or licensee, based upon the  
71 most cost-effective proposal for service.

72 (3) A license or contract shall be for a period of up  
73 to seven years, consistent with the provisions of Article  
74 IV, Section 28 of the Missouri Constitution, and licenses or  
75 contracts shall be annually reviewed. A license or contract  
76 may be suspended or revoked if the licensee or contractor is  
77 not meeting the conditions of sections 643.300 to 643.355,  
78 all applicable rules, the license agreement or contract as  
79 determined by the department. A licensee or contractor  
80 found to have violated sections 643.300 to 643.355,  
81 applicable rules or the conditions of the license agreement  
82 or contract shall be in violation of section 643.151 and  
83 subject to the penalties provided thereunder.

84 3. The commission, the department of economic  
85 development and the office of administration shall, in  
86 cooperation with the minority business advocacy commission,  
87 select the contractor or contractors to provide an  
88 inspection program which satisfies the minimum requirements  
89 of this section in accordance with the requirements of  
90 section 37.014 and chapter 34. The commission, the office  
91 of administration and the department of economic  
92 development, in cooperation with the minority business

93 advocacy commission, shall ensure adequate minority business  
94 participation in the selection of the contractor or  
95 contractors to provide an inspection program pursuant to  
96 this section. The commission, the office of administration  
97 and the department of economic development shall ensure  
98 adequate participation of Missouri businesses in the  
99 selection of the contractor or contractors to provide an  
100 inspection program pursuant to this section.

101 4. With approval of the commission and pursuant to  
102 rules adopted by the commission, an organization whose  
103 members are motor vehicle dealers or leasing companies may  
104 establish one or more additional emissions inspection  
105 facilities, which may be either mobile or stationary, to be  
106 used solely to inspect motor vehicles owned and held for  
107 sale or lease by the members of the organization. With  
108 approval of the commission and pursuant to rules adopted by  
109 the commission, any person operating a fleet of motor  
110 vehicles may establish one or more additional emissions  
111 inspection facilities, which may be either mobile or  
112 stationary, to be used solely to inspect motor vehicles  
113 owned or leased and operated by the person establishing the  
114 facility. The inspections performed in facilities  
115 established pursuant to this subsection shall be performed  
116 by a contractor selected by the commission pursuant to this  
117 section and the contractor performing such inspections shall  
118 be responsible solely to the department and shall satisfy  
119 all applicable requirements of sections 643.300 to 643.355.

120 5. If the governor applies to the administrator of the  
121 Environmental Protection Agency to require federal  
122 reformulated gasoline in nonattainment areas, nothing in  
123 sections 643.300 to 643.355 shall prevent the storage of  
124 conventional gasoline in nonattainment areas which is  
125 intended for sale to agricultural, commercial or retail

126 customers outside said nonattainment areas subject to  
127 reformulated gasoline.

643.315. 1. Except as provided in sections 643.300 to  
2 643.355, all motor vehicles which are domiciled, registered  
3 or primarily operated in an area for which the commission  
4 has established a motor vehicle emissions inspection program  
5 pursuant to sections 643.300 to 643.355 shall be inspected  
6 and approved prior to sale or transfer; provided that, if  
7 such vehicle is inspected and approved prior to sale or  
8 transfer, such vehicle shall not be subject to another  
9 emissions inspection for ninety days after the date of sale  
10 or transfer of such vehicle. [In addition, any such vehicle  
11 manufactured as an even-numbered model year vehicle shall be  
12 inspected and approved under the emissions inspection  
13 program established pursuant to sections 643.300 to 643.355  
14 in each even-numbered calendar year and any such vehicle  
15 manufactured as an odd-numbered model year vehicle shall be  
16 inspected and approved under the emissions inspection  
17 program established pursuant to sections 643.300 to 643.355  
18 in each odd-numbered calendar year.] All motor vehicles  
19 subject to the inspection requirements of sections 643.300  
20 to 643.355 shall display a valid emissions inspection  
21 sticker, and when applicable, a valid emissions inspection  
22 certificate shall be presented at the time of registration,  
23 or at least biennially for registration renewal, of such  
24 motor vehicle. The department of revenue shall require  
25 evidence of the safety and emission inspection and approval  
26 required by this section in issuing the motor vehicle  
27 [annual] registration in conformity with the procedure  
28 required by sections 307.350 to 307.390 and sections 643.300  
29 to 643.355. The director of revenue may verify that a  
30 successful safety and emissions inspection was completed via  
31 electronic means.

32           2. The inspection requirement of subsection 1 of this  
33 section shall apply to all motor vehicles except:

34           (1) Motor vehicles with a manufacturer's gross vehicle  
35 weight rating in excess of eight thousand five hundred  
36 pounds;

37           (2) Motorcycles and motortricycles if such vehicles  
38 are exempted from the motor vehicle emissions inspection  
39 under federal regulation and approved by the commission by  
40 rule;

41           (3) Model year vehicles manufactured prior to 1996;

42           (4) Vehicles which are powered exclusively by electric  
43 or hydrogen power or by fuels other than gasoline which are  
44 exempted from the motor vehicle emissions inspection under  
45 federal regulation and approved by the commission by rule;

46           (5) Motor vehicles registered in an area subject to  
47 the inspection requirements of sections 643.300 to 643.355  
48 which are domiciled and operated exclusively in an area of  
49 the state not subject to the inspection requirements of  
50 sections 643.300 to 643.355, but only if the owner of such  
51 vehicle presents to the department an affidavit that the  
52 vehicle will be operated exclusively in an area of the state  
53 not subject to the inspection requirements of sections  
54 643.300 to 643.355 for the next twenty-four months, and the  
55 owner applies for and receives a waiver which shall be  
56 presented at the time of registration or registration  
57 renewal;

58           (6) New and unused motor vehicles, of model years of  
59 the current calendar year and of any calendar year within  
60 two years of such calendar year, which have an odometer  
61 reading of less than six thousand miles at the time of  
62 original sale by a motor vehicle manufacturer or licensed  
63 motor vehicle dealer to the first user;

64 (7) Historic motor vehicles registered pursuant to  
65 section 301.131;

66 (8) School buses;

67 (9) Heavy-duty diesel-powered vehicles with a gross  
68 vehicle weight rating in excess of eight thousand five  
69 hundred pounds;

70 (10) New motor vehicles that have not been previously  
71 titled and registered, for the four-year period following  
72 their model year of manufacture, provided the odometer  
73 reading for such motor vehicles are under forty thousand  
74 miles at their first required biennial safety inspection  
75 conducted under sections 307.350 to 307.390; otherwise such  
76 motor vehicles shall be subject to the emissions inspection  
77 requirements of subsection 1 of this section during the same  
78 period that the biennial safety inspection is conducted;

79 (11) Motor vehicles that are driven fewer than twelve  
80 thousand miles between biennial safety inspections; and

81 (12) Qualified plug-in electric drive vehicles. For  
82 the purposes of this section, "qualified plug-in electric  
83 drive vehicle" shall mean a plug-in electric drive vehicle  
84 that is made by a manufacturer, has not been modified from  
85 original manufacturer specifications, and can operate solely  
86 on electric power and is capable of recharging its battery  
87 from an on-board generation source and an off-board  
88 electricity source.

89 3. The commission may, by rule, allow inspection  
90 reciprocity with other states having equivalent or more  
91 stringent testing and waiver requirements than those  
92 established pursuant to sections 643.300 to 643.355.

93 4. (1) At the time of sale, a licensed motor vehicle  
94 dealer, as defined in section 301.550, may choose to sell a  
95 motor vehicle subject to the inspection requirements of  
96 sections 643.300 to 643.355 either:

97 (a) With prior inspection and approval as provided in  
98 subdivision (2) of this subsection; or

99 (b) Without prior inspection and approval as provided  
100 in subdivision (3) of this subsection.

101 (2) If the dealer chooses to sell the vehicle with  
102 prior inspection and approval, the dealer shall disclose, in  
103 writing, prior to sale, whether the vehicle obtained  
104 approval by meeting the emissions standards established  
105 pursuant to sections 643.300 to 643.355 or by obtaining a  
106 waiver pursuant to section 643.335. A vehicle sold pursuant  
107 to this subdivision by a licensed motor vehicle dealer shall  
108 be inspected and approved within the one hundred twenty days  
109 immediately preceding the date of sale, and, for the purpose  
110 of registration of such vehicle, such inspection shall be  
111 considered timely.

112 (3) If the dealer chooses to sell the vehicle without  
113 prior inspection and approval, the purchaser may return the  
114 vehicle within ten days of the date of purchase, provided  
115 that the vehicle has no more than one thousand additional  
116 miles since the time of sale, if the vehicle fails, upon  
117 inspection, to meet the emissions standards specified by the  
118 commission and the dealer shall have the vehicle inspected  
119 and approved without the option for a waiver of the  
120 emissions standard and return the vehicle to the purchaser  
121 with a valid emissions certificate and sticker within five  
122 working days or the purchaser and dealer may enter into any  
123 other mutually acceptable agreement. If the dealer chooses  
124 to sell the vehicle without prior inspection and approval,  
125 the dealer shall disclose conspicuously on the sales  
126 contract and bill of sale that the purchaser has the option  
127 to return the vehicle within ten days, provided that the  
128 vehicle has no more than one thousand additional miles since  
129 the time of sale, to have the dealer repair the vehicle and

130 provide an emissions certificate and sticker within five  
131 working days if the vehicle fails, upon inspection, to meet  
132 the emissions standards established by the commission, or  
133 enter into any mutually acceptable agreement with the  
134 dealer. A violation of this subdivision shall be an  
135 unlawful practice as defined in section 407.020. No  
136 emissions inspection shall be required pursuant to sections  
137 643.300 to 643.360 for the sale of any motor vehicle which  
138 may be sold without a certificate of inspection and  
139 approval, as provided pursuant to subsection 2 of section  
140 307.380.

Section 1. No business located within five hundred  
2 feet of real property owned or leased by a hospital shall  
3 offer overnight parking for commercial motor vehicles, as  
4 defined in section 301.010, unless a public hearing is held  
5 by the city council of the municipality in which the  
6 business is located and all owners and lessors of real  
7 property located within five hundred feet of the business  
8 property have been timely notified of such public hearing  
9 and given an opportunity to be heard at such public hearing.

Section B. Because of the importance of combating  
2 human trafficking, and because of the importance of securing  
3 federal highway funding to maintain a safe and adequate  
4 system of highways in this state, the repeal and reenactment  
5 of sections 301.192, 301.280, 302.755, 407.526, 407.536, and  
6 407.556 of this act is deemed necessary for the immediate  
7 preservation of the public health, welfare, peace, and  
8 safety, and is hereby declared to be an emergency act within  
9 the meaning of the constitution, and the repeal and  
10 reenactment of sections 301.192, 301.280, 302.755, 407.526,  
11 407.536, and 407.556 of this act shall be in full force and  
12 effect upon its passage and approval.

Section C. The repeal and reenactment of section  
2 303.025 of this act shall become effective on January 1,  
3 2023.