

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 47
102ND GENERAL ASSEMBLY

0902H.03C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 136.055, 193.265, 302.178, and 302.181, RSMo, and to enact in lieu thereof five new sections relating to fees collected by the department of revenue.

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

Section A. Sections 136.055, 193.265, 302.178, and 302.181, RSMo, are repealed
2 and five new sections enacted in lieu thereof, to be known as sections 136.055, 193.265,
3 302.178, 302.181, and 408.900, to read as follows:

136.055. 1. **Except as provided in subsection 8 of this section**, any person who is
2 selected or appointed by the state director of revenue as provided in subsection 2 of this
3 section to act as an agent of the department of revenue, whose duties shall be the processing
4 of motor vehicle title and registration transactions and the collection of sales and use taxes
5 when required under sections 144.070 and 144.440, and who receives no salary from the
6 department of revenue, shall be authorized to collect from the party requiring such services
7 additional fees as compensation in full and for all services rendered on the following basis:

8 (1) For each motor vehicle or trailer registration issued, renewed or transferred, ~~six~~
9 **nine** dollars and ~~twelve~~ **eighteen** dollars for those licenses sold or biennially renewed
10 pursuant to section 301.147;

11 (2) For each application or transfer of title, ~~six~~ **nine** dollars;

12 (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's
13 license issued for a period of three years or less, ~~six~~ **nine** dollars and ~~twelve~~ **eighteen**
14 dollars for licenses or instruction permits issued or renewed for a period exceeding three
15 years;

16 (4) For each notice of lien processed, ~~six~~ **nine** dollars;

17 (5) Notary fee or electronic transmission per processing, two dollars.

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

18 2. The director of revenue shall award fee office contracts under this section through
19 a competitive bidding process. The competitive bidding process shall give priority to
20 organizations and entities that are exempt from taxation under Section 501(c)(3), 501(c)(6), or
21 501(c)(4), except those civic organizations that would be considered action organizations
22 under 26 C.F.R. Section 1.501 (c)(3)-1(c)(3), of the Internal Revenue Code of 1986, as
23 amended, with special consideration given to those organizations and entities that reinvest a
24 minimum of seventy-five percent of the net proceeds to charitable organizations in Missouri,
25 and political subdivisions, including but not limited to, municipalities, counties, and fire
26 protection districts. **Notwithstanding any law to the contrary, the director of revenue**
27 **shall not award any fee office contract under this section to any entity affiliated in any**
28 **manner with a current employee of the department of revenue or with a former**
29 **employee of the department of revenue for the one-year period following the former**
30 **employee's termination of employment with the department. For purposes of this**
31 **subsection, "affiliated in any manner" includes owning the entity that is applying for a**
32 **fee office contract, or serving as an officer or board member of such entity.** The director
33 of the department of revenue may promulgate rules and regulations necessary to carry out the
34 provisions of this subsection. Any rule or portion of a rule, as that term is defined in section
35 536.010, that is created under the authority delegated in this subsection shall become effective
36 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
37 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
38 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
39 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
40 of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be
41 invalid and void.

42 3. **Except as otherwise provided in subsection 9 of this section,** all fees **authorized**
43 **under this section** collected by a ~~[tax-exempt-organization]~~ **contract fee office** may be
44 retained and used by the ~~[organization]~~ **entity operating the contract fee office, and all fees**
45 **authorized under this section collected by a fee office operated by the department of**
46 **revenue shall be considered state revenue.**

47 4. All fees charged shall not exceed those in this section. The fees ~~[imposed by]~~
48 **authorized under** this section ~~[shall]~~ **may** be collected by all ~~[permanent]~~ **contract fee**
49 **offices and shall be collected by** all full-time or temporary offices ~~[maintained]~~ **operated by**
50 **the department of revenue.**

51 5. Any person acting as agent of the department of revenue for the sale and issuance
52 of registrations, licenses, and other documents related to motor vehicles shall have an
53 insurable interest in all license plates, licenses, tabs, forms and other documents held on
54 behalf of the department.

55 6. The fees authorized by this section shall not be collected by motor vehicle dealers
56 acting as agents of the department of revenue under section 32.095 or those motor vehicle
57 dealers authorized to collect and remit sales tax under subsection 10 of section 144.070.

58 7. Notwithstanding any other provision of law to the contrary, the state auditor may
59 audit all records maintained and established by the fee office in the same manner as the
60 auditor may audit any agency of the state, and the department shall ensure that this audit
61 requirement is a necessary condition for the award of all fee office contracts. No confidential
62 records shall be divulged in such a way to reveal personally identifiable information.

63 **8. The fees described in subsection 1 of this section shall not be collected from**
64 **any person who qualifies as a homeless child or homeless youth, as defined in subsection**
65 **1 of section 167.020, or as an unaccompanied youth as defined in 42 U.S.C. Section**
66 **11434a(6). Such person's status as a homeless child or youth or unaccompanied youth**
67 **shall be verified by a letter signed by one of the following persons:**

68 **(1) A director or designee of a governmental or nonprofit agency that receives**
69 **public or private funding to provide services to homeless persons;**

70 **(2) A local education agency liaison for homeless children and youth designated**
71 **under 42 U.S.C. Section 11432(g)(1)(J)(ii), or a school social worker or counselor; or**

72 **(3) A licensed attorney representing the minor in any legal matter.**

73 **9. Notwithstanding any other provision of law to the contrary, one dollar of any**
74 **fee authorized and charged under subdivision (1), (2), (3), or (4) of subsection 1 of this**
75 **section by a fee office not operated by the department of revenue shall be remitted to the**
76 **license office distribution fund established under subsection 10 of this section. Money**
77 **remitted to the license office distribution fund under this subsection shall be held in**
78 **trust for the entities awarded fee contracts under this section, and shall not be**
79 **considered state revenue. In the event a court of competent jurisdiction issues a final**
80 **judgment specifying that money remitted under this subsection is subject to Article IV,**
81 **Section 30(b) of the Missouri Constitution, the provisions of this subsection shall be null**
82 **and void.**

83 **10. (1) There is hereby created in the state treasury the "License Office**
84 **Distribution Fund", which shall consist of moneys collected as provided under**
85 **subsection 9 of this section. The state treasurer shall be custodian of the fund. In**
86 **accordance with sections 30.170 and 30.180, the state treasurer may approve**
87 **disbursements. The fund shall be a dedicated fund and shall be used solely for the**
88 **purposes specified in this subsection.**

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

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

95 **(4) Beginning after December 31, 2024, but no later than February 15, 2025,**
96 **quarterly disbursements shall be made from the fund to the fee offices awarded**
97 **contracts under this section. Except as otherwise specified in subdivision (5) of this**
98 **subsection, the disbursement to each fee office shall be equal. The total funds disbursed**
99 **following each quarter shall be equal to the amount of moneys received by the fund**
100 **under subsection 9 of this section during the quarter.**

101 **(5) Quarterly disbursements under this subsection shall be distributed to the**
102 **entity holding each fee office contract when the quarterly disbursement occurs,**
103 **provided that in the case that a contract fee office transitions between two contractors**
104 **during the quarter, the disbursement for that fee office shall be divided between the**
105 **contractors in proportion to the number of transactions the office processed under each**
106 **contractor during the quarter for which the transfer is taking place.**

107 **(6) Quarterly disbursements under this subsection shall be made as follows:**

108 **(a) Disbursements for transactions occurring from January first to March**
109 **thirty-first shall occur no later than May fifteenth of each year;**

110 **(b) Disbursements for transactions occurring from April first to June thirtieth**
111 **shall occur no later than August fifteenth of each year;**

112 **(c) Disbursements for transactions occurring from July first to September**
113 **thirtieth shall occur no later than November fifteenth of each year; and**

114 **(d) Disbursements for transactions occurring from October first to December**
115 **thirty-first shall occur no later than February fifteenth of the following calendar year**
116 **each year.**

193.265. 1. For the issuance of a certification or copy of a death record, the applicant
2 shall pay a fee of fourteen dollars for the first certification or copy and a fee of eleven dollars
3 for each additional copy ordered at that time. For the issuance of a certification or copy of a
4 birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars.
5 No fee shall be required or collected for a certification of birth, death, or marriage if the
6 request for certification is made by the children's division, the division of youth services, a
7 guardian ad litem, or a juvenile officer on behalf of a child or person under twenty-one years
8 of age who has come under the jurisdiction of the juvenile court under section 211.031. All
9 fees collected under this subsection shall be deposited to the state department of revenue.
10 Beginning August 28, 2004, for each vital records fee collected, the director of revenue shall
11 credit four dollars to the general revenue fund, five dollars to the children's trust fund, one
12 dollar shall be credited to the endowed care cemetery audit fund, one dollar for each

13 certification or copy of death records to the Missouri state coroners' training fund established
14 in section 58.208, and three dollars for the first copy of death records and five dollars for
15 birth, marriage, divorce, and fetal death records shall be credited to the Missouri public health
16 services fund established in section 192.900. Money in the endowed care cemetery audit fund
17 shall be available by appropriation to the division of professional registration to pay its
18 expenses in administering sections 214.270 to 214.410. All interest earned on money
19 deposited in the endowed care cemetery audit fund shall be credited to the endowed care
20 cemetery fund. Notwithstanding the provisions of section 33.080 to the contrary, money
21 placed in the endowed care cemetery audit fund shall not be transferred and placed to the
22 credit of general revenue until the amount in the fund at the end of the biennium exceeds three
23 times the amount of the appropriation from the endowed care cemetery audit fund for the
24 preceding fiscal year. The money deposited in the public health services fund under this
25 section shall be deposited in a separate account in the fund, and moneys in such account, upon
26 appropriation, shall be used to automate and improve the state vital records system, and
27 develop and maintain an electronic birth and death registration system. For any search of the
28 files and records, when no record is found, the state shall be entitled to a fee equal to the
29 amount for a certification of a vital record for a five-year search to be paid by the applicant.
30 For the processing of each legitimation, adoption, court order or recording after the
31 registrant's twelfth birthday, the state shall be entitled to a fee equal to the amount for a
32 certification of a vital record. Except whenever a certified copy or copies of a vital record is
33 required to perfect any claim of any person on relief, or any dependent of any person who was
34 on relief for any claim upon the government of the state or United States, the state registrar
35 shall, upon request, furnish a certified copy or so many certified copies as are necessary,
36 without any fee or compensation therefor.

37 2. For the issuance of a certification of a death record by the local registrar, the
38 applicant shall pay a fee of fourteen dollars for the first certification or copy and a fee of
39 eleven dollars for each additional copy ordered at that time. For each fee collected under this
40 subsection, one dollar shall be deposited to the state department of revenue and the remainder
41 shall be deposited to the official city or county health agency. The director of revenue shall
42 credit all fees deposited to the state department of revenue under this subsection to the
43 Missouri state coroners' training fund established in section 58.208.

44 3. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal
45 death record, the applicant shall pay a fee of fifteen dollars; except that, in any county with a
46 charter form of government and with more than six hundred thousand but fewer than seven
47 hundred thousand inhabitants, a donation of one dollar may be collected by the local registrar
48 over and above any fees required by law when a certification or copy of any marriage license
49 or birth certificate is provided, with such donations collected to be forwarded monthly by the

50 local registrar to the county treasurer of such county and the donations so forwarded to be
51 deposited by the county treasurer into the housing resource commission fund to assist
52 homeless families and provide financial assistance to organizations addressing homelessness
53 in such county. The local registrar shall include a check-off box on the application form for
54 such copies. All fees collected under this subsection, other than the donations collected in
55 any county with a charter form of government and with more than six hundred thousand but
56 fewer than seven hundred thousand inhabitants for marriage licenses and birth certificates,
57 shall be deposited to the official city or county health agency.

58 4. A certified copy of a death record by the local registrar can only be issued within
59 twenty-four hours of receipt of the record by the local registrar. Computer-generated
60 certifications of death records may be issued by the local registrar after twenty-four hours of
61 receipt of the records. The fees paid to the official county health agency shall be retained by
62 the local agency for local public health purposes.

63 5. No fee under this section shall be required or collected from a parent or guardian of
64 a homeless child or homeless youth, as defined in subsection 1 of section 167.020, or an
65 unaccompanied youth, as defined in 42 U.S.C. Section 11434a(6), for the issuance of a
66 certification, or copy of such certification, of birth of such child or youth. An unaccompanied
67 youth shall be eligible to receive a certification or copy of his or her own birth record without
68 the consent or signature of his or her parent or guardian; provided, that only one certificate
69 under this provision shall be provided without cost to the unaccompanied or homeless youth.
70 For the issuance of any additional certificates, the statutory fee shall be paid.

71 6. (1) **Notwithstanding any provision of law to the contrary, no fee shall be**
72 **required or collected for a certification of birth if the request is made by a victim of**
73 **domestic violence or abuse, as those terms are defined in section 455.010, and the victim**
74 **provides documentation signed by an employee, agent, or volunteer of a victim service**
75 **provider, an attorney, or a health care or mental health professional, from whom the**
76 **victim has sought assistance relating to the domestic violence or abuse. Such**
77 **documentation shall state that, under penalty of perjury, the employee, agent, or**
78 **volunteer of a victim service provider, the attorney, or the health care or mental health**
79 **professional believes that the victim has been involved in an incident of domestic**
80 **violence or abuse.**

81 (2) **A victim may be eligible only one time for a fee waiver under this subsection.**

302.178. 1. Any person between the ages of sixteen and eighteen years who is
2 qualified to obtain a license pursuant to sections 302.010 to 302.340 may apply for, and the
3 director shall issue, an intermediate driver's license entitling the applicant, while having such
4 license in his or her possession, to operate a motor vehicle of the appropriate class upon the
5 highways of this state in conjunction with the requirements of this section. An intermediate

6 driver's license shall be readily distinguishable from a license issued to those over the age of
7 eighteen. All applicants for an intermediate driver's license shall:

8 (1) Successfully complete the examination required by section 302.173;

9 (2) Pay the fee required by subsection 4 of this section;

10 (3) Have had a temporary instruction permit issued pursuant to subsection 1 of
11 section 302.130 for at least a six-month period or a valid license from another state; and

12 (4) Have a parent, grandparent, legal guardian, or, if the applicant is a participant in a
13 federal residential job training program, a driving instructor employed by a federal residential
14 job training program, sign the application stating that the applicant has completed at least
15 forty hours of supervised driving experience under a temporary instruction permit issued
16 pursuant to subsection 1 of section 302.130, or, if the applicant is an emancipated minor, the
17 person over twenty-one years of age who supervised such driving. For purposes of this
18 section, the term "emancipated minor" means a person who is at least sixteen years of age, but
19 less than eighteen years of age, who:

20 (a) Marries with the consent of the legal custodial parent or legal guardian pursuant to
21 section 451.080;

22 (b) Has been declared emancipated by a court of competent jurisdiction;

23 (c) Enters active duty in the Armed Forces;

24 (d) Has written consent to the emancipation from the custodial parent or legal
25 guardian; ~~or~~

26 (e) Through employment or other means provides for such person's own food, shelter
27 and other cost-of-living expenses; or

28 **(f) Qualifies as a homeless child or homeless youth, as defined in subsection 1 of**
29 **section 167.020, or as an unaccompanied youth as defined in 42 U.S.C. Section 11434a**
30 **(6), and whose status as such is verified as provided under subsection 10 of this section;**

31 (5) Have had no alcohol-related enforcement contacts as defined in section 302.525
32 during the preceding twelve months; and

33 (6) Have no nonalcoholic traffic convictions for which points are assessed pursuant to
34 section 302.302, within the preceding six months.

35 2. An intermediate driver's license grants the licensee the same privileges to operate
36 that classification of motor vehicle as a license issued pursuant to section 302.177, except that
37 no person shall operate a motor vehicle on the highways of this state under such an
38 intermediate driver's license between the hours of 1:00 a.m. and 5:00 a.m. unless
39 accompanied by a person described in subsection 1 of section 302.130; except the licensee
40 may operate a motor vehicle without being accompanied if the travel is to or from a school or
41 educational program or activity, a regular place of employment or in emergency situations as
42 defined by the director by regulation.

43 3. Each intermediate driver's license shall be restricted by requiring that the driver
44 and all passengers in the licensee's vehicle wear safety belts at all times. This safety belt
45 restriction shall not apply to a person operating a motorcycle. For the first six months after
46 issuance of the intermediate driver's license, the holder of the license shall not operate a motor
47 vehicle with more than one passenger who is under the age of nineteen who is not a member
48 of the holder's immediate family. As used in this subsection, an intermediate driver's license
49 holder's immediate family shall include brothers, sisters, stepbrothers or stepsisters of the
50 driver, including adopted or foster children residing in the same household of the intermediate
51 driver's license holder. After the expiration of the first six months, the holder of an
52 intermediate driver's license shall not operate a motor vehicle with more than three passengers
53 who are under nineteen years of age and who are not members of the holder's immediate
54 family. The passenger restrictions of this subsection shall not be applicable to any
55 intermediate driver's license holder who is operating a motor vehicle being used in
56 agricultural work-related activities.

57 4. Notwithstanding the provisions of section 302.177 to the contrary, the fee for an
58 intermediate driver's license shall be five dollars and such license shall be valid for a period of
59 two years. **Such fee shall be waived for any person qualifying as an emancipated minor
60 under subdivision (4) of subsection 1 of this section.**

61 5. Any intermediate driver's licensee accumulating six or more points in a twelve-
62 month period may be required to participate in and successfully complete a driver-
63 improvement program approved by the state highways and transportation commission. The
64 driver-improvement program ordered by the director of revenue shall not be used in lieu of
65 point assessment.

66 6. (1) An intermediate driver's licensee who has, for the preceding twelve-month
67 period, had no alcohol-related enforcement contacts, as defined in section 302.525 and no
68 traffic convictions for which points are assessed, upon reaching the age of eighteen years or
69 within the thirty days immediately preceding their eighteenth birthday may apply for and
70 receive without further examination, other than a vision test as prescribed by section 302.173,
71 a license issued pursuant to this chapter granting full driving privileges. Such person shall
72 pay the required fee for such license as prescribed in section 302.177.

73 (2) If an intermediate driver's license expires on a Saturday, Sunday, or legal holiday,
74 such license shall remain valid for the five business days immediately following the
75 expiration date. In no case shall a licensee whose intermediate driver's license expires on a
76 Saturday, Sunday, or legal holiday be guilty of an offense of driving with an expired or invalid
77 driver's license if such offense occurred within five business days immediately following an
78 expiration date that occurs on a Saturday, Sunday, or legal holiday.

79 (3) The director of revenue shall deny an application for a full driver's license until
80 the person has had no traffic convictions for which points are assessed for a period of twelve
81 months prior to the date of application for license or until the person is eligible to apply for a
82 six-year driver's license as provided for in section 302.177, provided the applicant is
83 otherwise eligible for full driving privileges. An intermediate driver's license shall expire
84 when the licensee is eligible and receives a full driver's license as prescribed in subdivision
85 (1) of this section.

86 7. No person upon reaching the age of eighteen years whose intermediate driver's
87 license and driving privilege is denied, suspended, cancelled or revoked in this state or any
88 other state for any reason may apply for a full driver's license until such license or driving
89 privilege is fully reinstated. Any such person whose intermediate driver's license has been
90 revoked pursuant to the provisions of sections 302.010 to 302.540 shall, upon receipt of
91 reinstatement of the revocation from the director, pass the complete driver examination, apply
92 for a new license, and pay the proper fee before again operating a motor vehicle upon the
93 highways of this state.

94 8. A person shall be exempt from the intermediate licensing requirements if the
95 person has reached the age of eighteen years and meets all other licensing requirements.

96 9. Any person who violates any of the provisions of this section relating to
97 intermediate drivers' licenses or the provisions of section 302.130 relating to temporary
98 instruction permits is guilty of an infraction, and no points shall be assessed to his or her
99 driving record for any such violation.

100 10. **A person's status as a homeless child or youth or unaccompanied youth**
101 **under paragraph (f) of subdivision (4) of subsection 1 of this section shall be verified by**
102 **a letter signed by one of the following persons:**

103 (1) **A director or designee of a governmental or nonprofit agency that receives**
104 **public or private funding to provide services to homeless persons;**

105 (2) **A local education agency liaison for homeless children and youth designated**
106 **under 42 U.S.C. Section 11432(g)(1)(J)(ii), or a school social worker or counselor; or**

107 (3) **A licensed attorney representing the minor in any legal matter.**

108 11. Any rule or portion of a rule, as that term is defined in section 536.010, that is
109 created under the authority delegated in this section shall become effective only if it complies
110 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
111 This section and chapter 536 are nonseverable and if any of the powers vested with the
112 general assembly pursuant to chapter 536 to review, to delay the effective date or to
113 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
114 rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid
115 and void.

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license without ready detection. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored digitized image of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240 the name and address of the person designated pursuant to sections 404.800 to 404.865 as the licensee's attorney in fact for the purposes of a durable power of attorney for health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing.

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

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

4. The director of revenue shall not issue a license without a facial digital image of the license applicant, except as provided pursuant to subsection 7 of this section. A digital image of the applicant's full facial features shall be taken in a manner prescribed by the director. No digital image shall be taken wearing anything which cloaks the facial features of the individual.

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

6. The department of revenue shall issue upon request a nondriver's license card containing essentially the same information and photograph or digital image, except as

38 provided pursuant to subsection 7 of this section, as the driver's license upon payment of six
39 dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after
40 issuance. A person who has passed his or her seventieth birthday shall upon application be
41 issued a nonexpiring nondriver's license card. Notwithstanding any other provision of this
42 chapter, a nondriver's license containing a concealed carry endorsement shall expire three
43 years from the date the certificate of qualification was issued pursuant to section 571.101, as
44 section 571.101 existed prior to August 28, 2013. The fee for nondriver's licenses issued for a
45 period exceeding three years is six dollars or three dollars for nondriver's licenses issued for a
46 period of three years or less. The nondriver's license card shall be used for identification
47 purposes only and shall not be valid as a license. **No fee shall be required or collected from**
48 **a homeless child or homeless youth, as defined in subsection 1 of section 167.020, or**
49 **unaccompanied youth, as defined in 42 U.S.C. Section 11434a(6), for a first nondriver's**
50 **license card issued under this subsection. Such person's status as a homeless child or**
51 **youth or unaccompanied youth shall be verified by a letter signed by one of the**
52 **following persons:**

53 (1) **A director or designee of a governmental or nonprofit agency that receives**
54 **public or private funding to provide services to homeless persons;**

55 (2) **A local education agency liaison for homeless children and youth designated**
56 **under 42 U.S.C. Section 11432(g)(1)(J)(ii), or a school social worker or counselor; or**

57 (3) **A licensed attorney representing the minor in any legal matter.**

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

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

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

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

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

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

88 10. (1) Notwithstanding any biometric data restrictions contained in section 302.170,
89 the department of revenue is hereby authorized to design and implement a secure digital
90 driver's license program that allows applicants applying for a driver's license in accordance
91 with this chapter to obtain a secure digital driver's license in addition to the physical card-
92 based license specified in this section.

93 (2) A digital driver's license as described in this subsection shall be accepted for all
94 purposes for which a license, as defined in section 302.010, is used.

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

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

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

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

105 11. The director of the department of revenue may promulgate rules as necessary for
106 the implementation of this section. Any rule or portion of a rule, as that term is defined in
107 section 536.010 that is created under the authority delegated in this section shall become
108 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
109 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
110 powers vested with the general assembly pursuant to chapter 536 to review, to delay the
111 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then

112 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020,
113 shall be invalid and void.

408.900. 1. For purposes of this section, the following terms shall mean:

2 (1) "Blockchain network", a group of computers working together to run a
3 consensus mechanism to agree upon and verify data in a digital record;

4 (2) "Digital asset", any cryptocurrencies, natively electronic assets, including
5 stable coins, non-fungible tokens, and other digital-only assets that confer economic,
6 proprietary, or access rights or powers;

7 (3) "Digital asset mining", using electricity to power a computer for the purpose
8 of securing a blockchain network;

9 (4) "Digital asset mining business", a group of computers working at a single site
10 that consume more than one megawatt of energy for the purpose of generating digital
11 assets by securing a blockchain network;

12 (5) "Discriminatory rates", electricity rates substantially different from other
13 industrial uses of electricity in similar geographic areas;

14 (6) "Home digital asset mining", mining digital assets in areas zoned for
15 residential use;

16 (7) "Money transmitter", any person, as that term is defined in section 361.700,
17 that is subject to sections 361.700 to 361.727;

18 (8) "Node", a computational device that contains a copy of a blockchain ledger.

19 2. (1) Any person may run a node or a series of nodes in Missouri for the
20 purpose of home digital asset mining at the person's private residence.

21 (2) A person or entity may have a digital asset mining business in any area in this
22 state that is zoned for industrial use.

23 (3) Any person engaged in home digital asset mining or digital asset mining
24 business shall not be considered a money transmitter.

25 3. A political subdivision shall not:

26 (1) Limit the sound decibels generated from home digital asset mining other
27 than limits set for sound pollution generally.

28 (2) Impose any requirements on a digital asset mining business that is not also a
29 requirement for data centers in such political subdivision.

30 (3) Rezone the area in which a digital asset mining business is located without
31 complying with applicable state and local zoning laws or rezone any area with the intent
32 or effect of discriminating against a digital asset mining business.

33 4. A digital asset mining business may appeal a change in zoning pursuant to any
34 applicable state or local zoning laws.

35 **5. The public service commission can set rates reflective of cost to serve, but shall**
36 **not establish a rate schedule for digital asset mining that creates discriminatory rates**
37 **for digital asset mining businesses.**

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