

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 568

96TH GENERAL ASSEMBLY

2012

4756S.11T

AN ACT

To repeal sections 94.700, 301.140, 301.147, 301.190, 301.193, 302.341, 302.700, 304.022, 304.180, 304.190, 306.127, and 306.532, RSMo, and to enact in lieu thereof thirteen new sections relating to transportation, with penalty provisions, an emergency clause for a certain section, an effective date for a certain section, and contingent effective dates for certain sections.

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

Section A. Sections 94.700, 301.140, 301.147, 301.190, 301.193, 302.341, 2 302.700, 304.022, 304.180, 304.190, 306.127, and 306.532, RSMo, are repealed and 3 thirteen new sections enacted in lieu thereof, to be known as sections 94.700, 4 301.140, 301.147, 301.190, 301.193, 302.341, 302.700, 302.768, 304.022, 304.180, 5 304.190, 306.127, and 306.532, to read as follows:

94.700. The following words, as used in sections 94.700 to 94.755, shall 2 have the following meaning unless a different meaning clearly appears from the 3 context:

4 (1) "City" shall mean any incorporated city, town, or village in the state 5 of Missouri with a population of one hundred or more, but the term "city" does not 6 include any city not within a county or any city of over four hundred thousand 7 inhabitants wholly or partially within a first class county;

8 (2) "City transit authority" shall mean a commission or board created by 9 city charter provision or by ordinance of a city, and which operates a public mass 10 transportation system;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

11 (3) "City utilities board" shall mean a board or commission created by city
12 charter provision or by ordinance of a city, which controls and operates
13 city-owned utilities including a public mass transportation system;

14 (4) "Director of revenue" shall mean the director of revenue of the state
15 of Missouri;

16 (5) "Interstate transportation authority" shall mean any political
17 subdivision created by compact between this state and another state, which is a
18 body corporate and politic and a political subdivision of both contracting states,
19 and which operates a public mass transportation system;

20 (6) "Interstate transportation district" shall mean that geographical area
21 set forth and defined in the particular compact between this state and another
22 state;

23 (7) "Person" shall mean an individual, corporation, partnership, or other
24 entity;

25 (8) "Public mass transportation system" shall mean a transportation
26 system or systems owned and operated by an interstate transportation authority,
27 a municipality, a city transit authority, or a city utilities board, employing motor
28 buses, rails or any other means of conveyance, by whatsoever type or power,
29 operated for public use in the conveyance of persons, mainly providing local
30 transportation service within an interstate transportation district or municipality;

31 (9) "Transportation purposes" shall mean financial support of a "public
32 mass transportation system"; the construction, reconstruction, repair and
33 maintenance of streets, roads, **sidewalks, trails, community-owned parking**
34 **lots**, and bridges within a municipality; the construction, reconstruction, repair
35 and maintenance of airports owned and operated by municipalities; the
36 acquisition of lands and rights-of-way for streets, roads, **sidewalks, trails,**
37 **community-owned parking lots**, bridges, and airports; and planning and
38 feasibility studies for streets, roads, **sidewalks, trails, community-owned**
39 **parking lots**, bridges, and airports. "Bridges" shall include bridges connecting
40 a municipality with another municipality either within or without the state, with
41 an unincorporated area of the state, or with another state or an unincorporated
42 area thereof.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer,
2 the certificate of registration and the right to use the number plates shall expire
3 and the number plates shall be removed by the owner at the time of the transfer
4 of possession, and it shall be unlawful for any person other than the person to

5 whom such number plates were originally issued to have the same in his or her
6 possession whether in use or not, unless such possession is solely for charitable
7 purposes; except that the buyer of a motor vehicle or trailer who trades in a motor
8 vehicle or trailer may attach the license plates from the traded-in motor vehicle
9 or trailer to the newly purchased motor vehicle or trailer. The operation of a
10 motor vehicle with such transferred plates shall be lawful for no more than thirty
11 days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall
12 include any single motor vehicle or trailer sold by the buyer of the newly
13 purchased vehicle or trailer, as long as the license plates for the trade-in motor
14 vehicle or trailer are still valid.

15 2. In the case of a transfer of ownership the original owner may register
16 another motor vehicle under the same number, upon the payment of a fee of two
17 dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a
18 passenger-carrying commercial motor vehicle) seating capacity, not in excess of
19 that originally registered. When such motor vehicle is of greater horsepower,
20 gross weight or (in the case of a passenger-carrying commercial motor vehicle)
21 seating capacity, for which a greater fee is prescribed, applicant shall pay a
22 transfer fee of two dollars and a pro rata portion for the difference in fees. When
23 such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying
24 commercial motor vehicle) seating capacity, for which a lesser fee is prescribed,
25 applicant shall not be entitled to a refund.

26 3. License plates may be transferred from a motor vehicle which will no
27 longer be operated to a newly purchased motor vehicle by the owner of such
28 vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased
29 vehicle is of horsepower, gross weight or (in the case of a passenger-carrying
30 commercial motor vehicle) seating capacity, not in excess of that of the vehicle
31 which will no longer be operated. When the newly purchased motor vehicle is of
32 greater horsepower, gross weight or (in the case of a passenger-carrying
33 commercial motor vehicle) seating capacity, for which a greater fee is prescribed,
34 the applicant shall pay a transfer fee of two dollars and a pro rata portion of the
35 difference in fees. When the newly purchased vehicle is of less horsepower, gross
36 weight or (in the case of a passenger-carrying commercial motor vehicle) seating
37 capacity, for which a lesser fee is prescribed, the applicant shall not be entitled
38 to a refund.

39 4. [Upon the sale of a motor vehicle or trailer by a dealer, a buyer who
40 has made application for registration, by mail or otherwise, may operate the same

41 for a period of thirty days after taking possession thereof, if during such period
42 the motor vehicle or trailer shall have attached thereto, in the manner required
43 by section 301.130, number plates issued to the dealer. Upon application and
44 presentation of proof of financial responsibility as required under subsection 5 of
45 this section and satisfactory evidence that the buyer has applied for registration,
46 a dealer may furnish such number plates to the buyer for such temporary use. In
47 such event, the dealer shall require the buyer to deposit the sum of ten dollars
48 and fifty cents to be returned to the buyer upon return of the number plates as
49 a guarantee that said buyer will return to the dealer such number plates within
50 thirty days. The director shall issue a temporary permit authorizing the
51 operation of a motor vehicle or trailer by a buyer for not more than thirty days
52 of the date of purchase.

53 **5.] The director of the department of revenue shall have authority**
54 **to produce or allow others to produce a weather resistant, nontearing**
55 **temporary permit authorizing the operation of a motor vehicle or**
56 **trailer by a buyer for not more than thirty days from the date of**
57 **purchase.** The temporary permit [shall be made available by the director of
58 revenue and] **authorized under this section** may be purchased by the
59 **purchaser of a motor vehicle or trailer** from the **central office of the**
60 **department of revenue or from an authorized agent of the department of**
61 **revenue** upon proof of purchase of a motor vehicle or trailer for which the buyer
62 has no registration plate available for transfer and upon proof of financial
63 responsibility, or from a **motor vehicle** dealer upon purchase of a motor vehicle
64 or trailer for which the buyer has no registration plate available for transfer, **or**
65 **from a motor vehicle dealer upon purchase of a motor vehicle or trailer**
66 **for which the buyer has registered and is awaiting receipt of**
67 **registration plates.** The director [shall] **of the department of revenue or**
68 **a producer authorized by the director of the department of revenue**
69 **may** make temporary permits available to registered dealers in this state [or],
70 authorized agents of the department of revenue [in sets of ten permits] **or the**
71 **department of revenue.** The [fee for the temporary permit shall be seven
72 dollars and fifty cents for each permit or plate issued] **price paid by a motor**
73 **vehicle dealer, an authorized agent of the department of revenue or the**
74 **department of revenue for a temporary permit shall not exceed five**
75 **dollars for each permit.** The director of the department of revenue
76 **shall direct motor vehicle dealers and authorized agents to obtain**

77 **temporary permits from an authorized producer. Amounts received by**
78 **the director of the department of revenue for temporary permits shall**
79 **constitute state revenue; however, amounts received by an authorized**
80 **producer other than the director of the department of revenue shall not**
81 **constitute state revenue and any amounts received by motor vehicle**
82 **dealers or authorized agents for temporary permits purchased from a**
83 **producer other than the director of the department of revenue shall not**
84 **constitute state revenue. In no event shall revenues from the general**
85 **revenue fund or any other state fund be utilized to compensate motor**
86 **vehicle dealers or other producers for their role in producing**
87 **temporary permits as authorized under this section. Amounts that do**
88 **not constitute state revenue under this section shall also not constitute**
89 **fees for registration or certificates of title to be collected by the**
90 **director of the department of revenue under section 301.190. No motor**
91 **vehicle dealer [or], authorized agent or the department of revenue shall**
92 **charge more than [seven dollars and fifty cents] five dollars for each permit**
93 **issued. The permit shall be valid for a period of thirty days from the date of**
94 **purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle**
95 **or trailer by a motor vehicle dealer for which the purchaser obtains a permit**
96 **as set out above. No permit shall be issued for a vehicle under this section unless**
97 **the buyer shows proof of financial responsibility. Each temporary permit**
98 **issued shall be securely fastened to the back or rear of the motor**
99 **vehicle in a manner and place on the motor vehicle consistent with**
100 **registration plates so that all parts and qualities of the temporary**
101 **permit thereof shall be plainly and clearly visible, reasonably clean and**
102 **are not impaired in any way.**

103 [6.] 5. The permit shall be issued on a form prescribed by the director of
104 **the department of revenue** and issued only for the applicant's [use in the]
105 **temporary** operation of the motor vehicle or trailer purchased to enable the
106 applicant to [legally] **temporarily** operate the **motor** vehicle while proper title
107 and registration [plate] **plates** are being obtained, **or while awaiting receipt**
108 **of registration plates**, and shall be displayed on no other **motor**
109 vehicle. Temporary permits issued pursuant to this section shall not be
110 transferable or renewable and shall not be valid upon issuance of proper
111 registration plates for the motor vehicle or trailer. The director **of the**
112 **department of revenue** shall determine the size [and], **material, design,**

113 numbering configuration, construction, and color of the permit. **The director**
114 **of the department of revenue, at his or her discretion, shall have the**
115 **authority to reissue, and thereby extend the use of, a temporary permit**
116 **previously and legally issued for a motor vehicle or trailer while proper**
117 **title and registration are being obtained.**

118 [7. The dealer or authorized agent shall insert the date of issuance and
119 expiration date, year, make, and manufacturer's number of vehicle on the permit
120 when issued to the buyer. The dealer shall also insert such dealer's number on
121 the permit.]

122 **6. Every motor vehicle dealer that issues [a] temporary [permit]**
123 **permits shall keep, for inspection [of] by proper officers, [a correct] an**
124 **accurate record of each permit issued by recording the permit [or plate] number,**
125 **the motor vehicle dealer's number, buyer's name and address, the motor**
126 **vehicle's year, make, and manufacturer's vehicle identification number [on**
127 **which the permit is to be used], and the permit's date of issuance and**
128 **expiration date. Upon the issuance of a temporary permit by either the**
129 **central office of the department of revenue, a motor vehicle dealer or**
130 **an authorized agent of the department of revenue, the director of the**
131 **department of revenue shall make the information associated with the**
132 **issued temporary permit immediately available to the law enforcement**
133 **community of the state of Missouri.**

134 [8.] **7. Upon the transfer of ownership of any currently registered motor**
135 **vehicle wherein the owner cannot transfer the license plates due to a change of**
136 **motor vehicle category, the owner may surrender the license plates issued to the**
137 **motor vehicle and receive credit for any unused portion of the original**
138 **registration fee against the registration fee of another motor vehicle. Such credit**
139 **shall be granted based upon the date the license plates are surrendered. No**
140 **refunds shall be made on the unused portion of any license plates surrendered for**
141 **such credit.**

142 **8. The provisions of subsections 4, 5, and 6 of this section shall**
143 **expire July 1, 2019.**

144 **9. The director of the department of revenue may promulgate all**
145 **necessary rules and regulations for the administration of this**
146 **section. Any rule or portion of a rule, as that term is defined in section**
147 **536.010, that is created under the authority delegated in this section**
148 **shall become effective only if it complies with and is subject to all of**

149 **the provisions of chapter 536 and, if applicable, section 536.028. This**
150 **section and chapter 536 are nonseverable and if any of the powers**
151 **vested with the general assembly pursuant to chapter 536 to review, to**
152 **delay the effective date, or to disapprove and annul a rule are**
153 **subsequently held unconstitutional, then the grant of rulemaking**
154 **authority and any rule proposed or adopted after August 28, 2012, shall**
155 **be invalid and void.**

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

9 (1) The fee collected at the time of biennial registration shall include the
10 annual registration fee plus a pro rata amount for the additional twelve months
11 of the biennial registration;

12 (2) Presentation of all documentation otherwise required by law for
13 vehicle registration including, but not limited to, a personal property tax receipt
14 or certified statement for the preceding year that no such taxes were due as set
15 forth in section 301.025, proof of a motor vehicle safety inspection and any
16 applicable emission inspection conducted within sixty days prior to the date of
17 application and proof of insurance as required by section 303.026.

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

30 3. The director of revenue shall have the authority to stagger the
31 registration period of motor vehicles other than commercial motor vehicles
32 licensed in excess of twelve thousand pounds gross weight. Once the owner of a
33 motor vehicle chooses the option of biennial registration, such registration must
34 be maintained for the full twenty-four month period.

 301.190. 1. No certificate of registration of any motor vehicle or trailer,
2 or number plate therefor, shall be issued by the director of revenue unless the
3 applicant therefor shall make application for and be granted a certificate of
4 ownership of such motor vehicle or trailer, or shall present satisfactory evidence
5 that such certificate has been previously issued to the applicant for such motor
6 vehicle or trailer. Application shall be made within thirty days after the
7 applicant acquires the motor vehicle or trailer upon a blank form furnished by the
8 director of revenue and shall contain the applicant's identification number, a full
9 description of the motor vehicle or trailer, the vehicle identification number, and
10 the mileage registered on the odometer at the time of transfer of ownership, as
11 required by section 407.536, together with a statement of the applicant's source
12 of title and of any liens or encumbrances on the motor vehicle or trailer, provided
13 that for good cause shown the director of revenue may extend the period of time
14 for making such application. When an owner wants to add or delete a name or
15 names on an application for certificate of ownership of a motor vehicle or trailer
16 that would cause it to be inconsistent with the name or names listed on the notice
17 of lien, the owner shall provide the director with documentation evidencing the
18 lienholder's authorization to add or delete a name or names on an application for
19 certificate of ownership.

20 2. The director of revenue shall use reasonable diligence in ascertaining
21 whether the facts stated in such application are true and shall, to the extent
22 possible without substantially delaying processing of the application, review any
23 odometer information pertaining to such motor vehicle that is accessible to the
24 director of revenue. If satisfied that the applicant is the lawful owner of such
25 motor vehicle or trailer, or otherwise entitled to have the same registered in his
26 name, the director shall thereupon issue an appropriate certificate over his
27 signature and sealed with the seal of his office, procured and used for such
28 purpose. The certificate shall contain on its face a complete description, vehicle
29 identification number, and other evidence of identification of the motor vehicle
30 or trailer, as the director of revenue may deem necessary, together with the
31 odometer information required to be put on the face of the certificate pursuant to

32 section 407.536, a statement of any liens or encumbrances which the application
33 may show to be thereon, and, if ownership of the vehicle has been transferred, the
34 name of the state issuing the transferor's title and whether the transferor's
35 odometer mileage statement executed pursuant to section 407.536 indicated that
36 the true mileage is materially different from the number of miles shown on the
37 odometer, or is unknown.

38 3. The director of revenue shall appropriately designate on the current
39 and all subsequent issues of the certificate the words "Reconstructed Motor
40 Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or
41 "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1,
42 1990, on all original and all subsequent issues of the certificate for motor vehicles
43 as referenced in subsections 2 and 3 of section 301.020, the director shall print
44 on the face thereof the following designation: "Annual odometer updates may be
45 available from the department of revenue.". On any duplicate certificate, the
46 director of revenue shall reprint on the face thereof the most recent of either:

47 (1) The mileage information included on the face of the immediately prior
48 certificate and the date of purchase or issuance of the immediately prior
49 certificate; or

50 (2) Any other mileage information provided to the director of revenue, and
51 the date the director obtained or recorded that information.

52 4. The certificate of ownership issued by the director of revenue shall be
53 manufactured in a manner to prohibit as nearly as possible the ability to alter,
54 counterfeit, duplicate, or forge such certificate without ready detection. In order
55 to carry out the requirements of this subsection, the director of revenue may
56 contract with a nonprofit scientific or educational institution specializing in the
57 analysis of secure documents to determine the most effective methods of
58 rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

59 5. The fee for each original certificate so issued shall be eight dollars and
60 fifty cents, in addition to the fee for registration of such motor vehicle or trailer.
61 If application for the certificate is not made within thirty days after the vehicle
62 is acquired by the applicant, a delinquency penalty fee of twenty-five dollars for
63 the first thirty days of delinquency and twenty-five dollars for each thirty days
64 of delinquency thereafter, not to exceed a total of two hundred dollars, but such
65 penalty may be waived by the director for a good cause shown. If the director of
66 revenue learns that any person has failed to obtain a certificate within thirty
67 days after acquiring a motor vehicle or trailer or has sold a vehicle without

68 obtaining a certificate, he shall cancel the registration of all vehicles registered
69 in the name of the person, either as sole owner or as a co-owner, and shall notify
70 the person that the cancellation will remain in force until the person pays the
71 delinquency penalty fee provided in this section, together with all fees, charges
72 and payments which the person should have paid in connection with the
73 certificate of ownership and registration of the vehicle. The certificate shall be
74 good for the life of the motor vehicle or trailer so long as the same is owned or
75 held by the original holder of the certificate and shall not have to be renewed
76 annually.

77 6. Any applicant for a certificate of ownership requesting the department
78 of revenue to process an application for a certificate of ownership in an
79 expeditious manner requiring special handling shall pay a fee of five dollars in
80 addition to the regular certificate of ownership fee.

81 7. It is unlawful for any person to operate in this state a motor vehicle or
82 trailer required to be registered under the provisions of the law unless a
83 certificate of ownership has been applied for as provided in this section.

84 8. Before an original Missouri certificate of ownership is issued, an
85 inspection of the vehicle and a verification of vehicle identification numbers shall
86 be made by the Missouri state highway patrol on vehicles for which there is a
87 current title issued by another state if a Missouri salvage certificate of title has
88 been issued for the same vehicle but no prior inspection and verification has been
89 made in this state, except that if such vehicle has been inspected in another state
90 by a law enforcement officer in a manner comparable to the inspection process in
91 this state and the vehicle identification numbers have been so verified, the
92 applicant shall not be liable for the twenty-five dollar inspection fee if such
93 applicant submits proof of inspection and vehicle identification number
94 verification to the director of revenue at the time of the application. The
95 applicant, who has such a title for a vehicle on which no prior inspection and
96 verification have been made, shall pay a fee of twenty-five dollars for such
97 verification and inspection, payable to the director of revenue at the time of the
98 request for the application, which shall be deposited in the state treasury to the
99 credit of the state highways and transportation department fund.

100 9. Each application for an original Missouri certificate of ownership for
101 a vehicle which is classified as a reconstructed motor vehicle, specially
102 constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor
103 vehicle, or other vehicle as required by the director of revenue shall be

104 accompanied by a vehicle examination certificate issued by the Missouri state
105 highway patrol, or other law enforcement agency as authorized by the director of
106 revenue. The vehicle examination shall include a verification of vehicle
107 identification numbers and a determination of the classification of the
108 vehicle. The owner of a vehicle which requires a vehicle examination certificate
109 shall present the vehicle for examination and obtain a completed vehicle
110 examination certificate prior to submitting an application for a certificate of
111 ownership to the director of revenue. **Notwithstanding any provision of the**
112 **law to the contrary, an owner presenting a motor vehicle which has**
113 **been issued a salvage title and which is ten years of age or older to a**
114 **vehicle examination described in this subsection in order to obtain a**
115 **certificate of ownership with the designation prior salvage motor**
116 **vehicle, shall not be required to repair or restore the vehicle to its**
117 **original appearance in order to pass or complete the vehicle**
118 **examination.** The fee for the vehicle examination application shall be
119 twenty-five dollars and shall be collected by the director of revenue at the time
120 of the request for the application and shall be deposited in the state treasury to
121 the credit of the state highways and transportation department fund. If the
122 vehicle is also to be registered in Missouri, the safety inspection required in
123 chapter 307 and the emissions inspection required under chapter 643 shall be
124 completed and the fees required by section 307.365 and section 643.315 shall be
125 charged to the owner.

126 10. When an application is made for an original Missouri certificate of
127 ownership for a motor vehicle previously registered or titled in a state other than
128 Missouri or as required by section 301.020, it shall be accompanied by a current
129 inspection form certified by a duly authorized official inspection station as
130 described in chapter 307. The completed form shall certify that the
131 manufacturer's identification number for the vehicle has been inspected, that it
132 is correctly displayed on the vehicle and shall certify the reading shown on the
133 odometer at the time of inspection. The inspection station shall collect the same
134 fee as authorized in section 307.365 for making the inspection, and the fee shall
135 be deposited in the same manner as provided in section 307.365. If the vehicle
136 is also to be registered in Missouri, the safety inspection required in chapter 307
137 and the emissions inspection required under chapter 643 shall be completed and
138 only the fees required by section 307.365 and section 643.315 shall be charged to
139 the owner. This section shall not apply to vehicles being transferred on a

140 manufacturer's statement of origin.

141 11. Motor vehicles brought into this state in a wrecked or damaged
142 condition or after being towed as an abandoned vehicle pursuant to another
143 state's abandoned motor vehicle procedures shall, in lieu of the inspection
144 required by subsection 10 of this section, be inspected by the Missouri state
145 highway patrol in accordance with subsection 9 of this section. If the inspection
146 reveals the vehicle to be in a salvage or junk condition, the director shall so
147 indicate on any Missouri certificate of ownership issued for such vehicle. Any
148 salvage designation shall be carried forward on all subsequently issued
149 certificates of title for the motor vehicle.

150 12. When an application is made for an original Missouri certificate of
151 ownership for a motor vehicle previously registered or titled in a state other than
152 Missouri, and the certificate of ownership has been appropriately designated by
153 the issuing state as a reconstructed motor vehicle, motor change vehicle, specially
154 constructed motor vehicle, or prior salvage vehicle, the director of revenue shall
155 appropriately designate on the current Missouri and all subsequent issues of the
156 certificate of ownership the name of the issuing state and such prior
157 designation. The absence of any prior designation shall not relieve a transferor
158 of the duty to exercise due diligence with regard to such certificate of ownership
159 prior to the transfer of a certificate. If a transferor exercises any due diligence
160 with regard to a certificate of ownership, the legal transfer of a certificate of
161 ownership without any designation that is subsequently discovered to have or
162 should have had a designation shall be a transfer free and clear of any liabilities
163 of the transferor associated with the missing designation.

164 13. When an application is made for an original Missouri certificate of
165 ownership for a motor vehicle previously registered or titled in a state other than
166 Missouri, and the certificate of ownership has been appropriately designated by
167 the issuing state as non-USA-std motor vehicle, the director of revenue shall
168 appropriately designate on the current Missouri and all subsequent issues of the
169 certificate of ownership the words "Non-USA-Std Motor Vehicle".

170 14. The director of revenue and the superintendent of the Missouri state
171 highway patrol shall make and enforce rules for the administration of the
172 inspections required by this section.

173 15. Each application for an original Missouri certificate of ownership for
174 a vehicle which is classified as a reconstructed motor vehicle, manufactured forty
175 or more years prior to the current model year, and which has a value of three

176 thousand dollars or less shall be accompanied by:

177 (1) A proper affidavit submitted by the owner explaining how the motor
178 vehicle or trailer was acquired and, if applicable, the reasons a valid certificate
179 of ownership cannot be furnished;

180 (2) Photocopies of receipts, bills of sale establishing ownership, or titles,
181 and the source of all major component parts used to rebuild the vehicle;

182 (3) A fee of one hundred fifty dollars in addition to the fees described in
183 subsection 5 of this section. Such fee shall be deposited in the state treasury to
184 the credit of the state highways and transportation department fund; and

185 (4) An inspection certificate, other than a motor vehicle examination
186 certificate required under subsection 9 of this section, completed and issued by
187 the Missouri state highway patrol, or other law enforcement agency as authorized
188 by the director of revenue. The inspection performed by the highway patrol or
189 other authorized local law enforcement agency shall include a check for stolen
190 vehicles. The department of revenue shall issue the owner a certificate of
191 ownership designated with the words "Reconstructed Motor Vehicle" and deliver
192 such certificate of ownership in accordance with the provisions of this
193 chapter. Notwithstanding subsection 9 of this section, no owner of a
194 reconstructed motor vehicle described in this subsection shall be required to
195 obtain a vehicle examination certificate issued by the Missouri state highway
196 patrol.

301.193. 1. Any person who purchases or is the owner of real property on
2 which vehicles, as defined in section [301.011] **301.010**, vessels or watercraft, as
3 defined in section 306.010, or outboard motors, as that term is used in section
4 306.530, have been abandoned, without the consent of said purchaser or owner
5 of the real property, may apply to the department of revenue for a certificate of
6 title. Any insurer which purchases a vehicle through the claims adjustment
7 process for which the insurer is unable to obtain a negotiable title may make an
8 application to the department of revenue for a salvage certificate of title pursuant
9 to this section. Prior to making application for a certificate of title on a vehicle
10 under this section, the insurer or owner of the real estate shall have the vehicle
11 inspected by law enforcement pursuant to subsection 9 of section 301.190, and
12 shall have law enforcement perform a check in the national crime information
13 center and any appropriate statewide law enforcement computer to determine if
14 the vehicle has been reported stolen and the name and address of the person to
15 whom the vehicle was last titled and any lienholders of record. The insurer or

16 owner or purchaser of the real estate shall, thirty days prior to making
17 application for title, notify any owners or lienholders of record for the vehicle by
18 certified mail that the owner intends to apply for a certificate of title from the
19 director for the abandoned vehicle. The application for title shall be accompanied
20 by:

21 (1) A statement explaining the circumstances by which the property came
22 into the insurer, owner or purchaser's possession; a description of the property
23 including the year, make, model, vehicle identification number and any decal or
24 license plate that may be affixed to the vehicle; the current location of the
25 property; and the retail value of the property;

26 (2) An inspection report of the property, if it is a vehicle, by a law
27 enforcement agency pursuant to subsection 9 of section 301.190; and

28 (3) A copy of the thirty-day notice and certified mail receipt mailed to any
29 owner and any person holding a valid security interest of record.

30 2. Upon receipt of the application and supporting documents, the director
31 shall search the records of the department of revenue, or initiate an inquiry with
32 another state, if the evidence presented indicated the property described in the
33 application was registered or titled in another state, to verify the name and
34 address of any owners and any lienholders. If the latest owner or lienholder was
35 not notified the director shall inform the insurer, owner, or purchaser of the real
36 estate of the latest owner and lienholder information so that notice may be given
37 as required by subsection 1 of this section. Any owner or lienholder receiving
38 notification may protest the issuance of title by, within the thirty-day notice
39 period and may file a petition to recover the vehicle, naming the insurer or owner
40 of the real estate and serving a copy of the petition on the director of
41 revenue. The director shall not be a party to such petition but shall, upon receipt
42 of the petition, suspend the processing of any further certificate of title until the
43 rights of all parties to the vehicle are determined by the court. Once all
44 requirements are satisfied the director shall issue one of the following:

45 (1) An original certificate of title if the vehicle examination certificate, as
46 provided in section 301.190, indicates that the vehicle was not previously in a
47 salvaged condition or rebuilt;

48 (2) An original certificate of title designated as prior salvage if the vehicle
49 examination certificate as provided in section 301.190 indicates the vehicle was
50 previously in a salvaged condition or rebuilt;

51 (3) A salvage certificate of title designated with the words

52 "salvage/abandoned property" or junking certificate based on the condition of the
53 property as stated in the inspection report. An insurer purchasing a vehicle
54 through the claims adjustment process under this section shall only be eligible
55 to obtain a salvage certificate of title or junking certificate.

56 **3. Any insurer which purchases a vehicle that is currently titled**
57 **in Missouri through the claims adjustment process for which the**
58 **insurer is unable to obtain a negotiable title may make application to**
59 **the department of revenue for a salvage certificate of title or junking**
60 **certificate. Such application may be made by the insurer or its**
61 **designated salvage pool on a form provided by the department and**
62 **signed under penalty of perjury. The application shall include a**
63 **declaration that the insurer has made at least two written attempts to**
64 **obtain the certificate of title, transfer documents, or other acceptable**
65 **evidence of title, and be accompanied by proof of claims payment from**
66 **the insurer, evidence that letters were delivered to the vehicle owner,**
67 **a statement explaining the circumstances by which the property came**
68 **into the insurer's possession, a description of the property including**
69 **the year, make, model, vehicle identification number, and current**
70 **location of the property, and the fee prescribed in subsection 5 of**
71 **section 301.190. The insurer shall, thirty days prior to making**
72 **application for title, notify any owners or lienholders of record for the**
73 **vehicle that the insurer intends to apply for a certificate of title from**
74 **the director for the vehicle. Upon receipt of the application and**
75 **supporting documents, the director shall search the records of the**
76 **department of revenue to verify the name and address of any owners**
77 **and any lienholders. After thirty days from receipt of the application,**
78 **if no valid lienholders have notified the department of the existence of**
79 **a lien, the department shall issue a salvage certificate of title or**
80 **junking certificate for the vehicle in the name of the insurer.**

302.341. 1. If a Missouri resident charged with a moving traffic violation
2 of this state or any county or municipality of this state fails to dispose of the
3 charges of which the resident is accused through authorized prepayment of fine
4 and court costs and fails to appear on the return date or at any subsequent date
5 to which the case has been continued, or without good cause fails to pay any fine
6 or court costs assessed against the resident for any such violation within the
7 period of time specified or in such installments as approved by the court or as
8 otherwise provided by law, any court having jurisdiction over the charges shall

9 within ten days of the failure to comply inform the defendant by ordinary mail
10 at the last address shown on the court records that the court will order the
11 director of revenue to suspend the defendant's driving privileges if the charges
12 are not disposed of and fully paid within thirty days from the date of
13 mailing. Thereafter, if the defendant fails to timely act to dispose of the charges
14 and fully pay any applicable fines and court costs, the court shall notify the
15 director of revenue of such failure and of the pending charges against the
16 defendant. Upon receipt of this notification, the director shall suspend the
17 license of the driver, effective immediately, and provide notice of the suspension
18 to the driver at the last address for the driver shown on the records of the
19 department of revenue. Such suspension shall remain in effect until the court
20 with the subject pending charge requests setting aside the noncompliance
21 suspension pending final disposition, or satisfactory evidence of disposition of
22 pending charges and payment of fine and court costs, if applicable, is furnished
23 to the director by the individual. Upon proof of disposition of charges and
24 payment of fine and court costs, if applicable, and payment of the reinstatement
25 fee as set forth in section 302.304, the director shall return the license and
26 remove the suspension from the individual's driving record **if the individual**
27 **was not operating a commercial motor vehicle or a commercial driver's**
28 **license holder at the time of the offense.** The filing of financial
29 responsibility with the bureau of safety responsibility, department of revenue,
30 shall not be required as a condition of reinstatement of a driver's license
31 suspended solely under the provisions of this section.

32 2. If any city, town or village receives more than thirty-five percent of its
33 annual general operating revenue from fines and court costs for traffic violations
34 occurring on state highways, all revenues from such violations in excess of
35 thirty-five percent of the annual general operating revenue of the city, town or
36 village shall be sent to the director of the department of revenue and shall be
37 distributed annually to the schools of the county in the same manner that
38 proceeds of all penalties, forfeitures and fines collected for any breach of the
39 penal laws of the state are distributed. For the purpose of this section the words
40 "state highways" shall mean any state or federal highway, including any such
41 highway continuing through the boundaries of a city, town or village with a
42 designated street name other than the state highway number. The director of the
43 department of revenue shall set forth by rule a procedure whereby excess
44 revenues as set forth above shall be sent to the department of revenue. If any

45 city, town, or village disputes a determination that it has received excess
46 revenues required to be sent to the department of revenue, such city, town, or
47 village may submit to an annual audit by the state auditor under the authority
48 of article IV, section 13 of the Missouri Constitution. Any rule or portion of a
49 rule, as that term is defined in section 536.010, that is created under the
50 authority delegated in this section shall become effective only if it complies with
51 and is subject to all of the provisions of chapter 536 and, if applicable, section
52 536.028. This section and chapter 536 are nonseverable and if any of the powers
53 vested with the general assembly under chapter 536 to review, to delay the
54 effective date, or to disapprove and annul a rule are subsequently held
55 unconstitutional, then the grant of rulemaking authority and any rule proposed
56 or adopted after August 28, 2009, shall be invalid and void.

302.700. 1. Sections 302.700 to 302.780 may be cited as the "Uniform
2 Commercial Driver's License Act".

3 2. When used in sections 302.700 to 302.780, the following words and
4 phrases mean:

5 (1) "Alcohol", any substance containing any form of alcohol, including, but
6 not limited to, ethanol, methanol, propanol and isopropanol;

7 (2) "Alcohol concentration", the number of grams of alcohol per one
8 hundred milliliters of blood or the number of grams of alcohol per two hundred
9 ten liters of breath or the number of grams of alcohol per sixty-seven milliliters
10 of urine;

11 (3) **"CDLIS driver record", the electronic record of the individual**
12 **commercial driver's status and history stored by the state of record as**
13 **part of the Commercial Driver's License Information System (CDLIS)**
14 **established under 49 U.S.C. Section 31309, et seq.;**

15 (4) **"CDLIS motor vehicle record (CDLIS MVR)", a report**
16 **generated from the CDLIS driver record which meets the requirements**
17 **for access to CDLIS information and is provided by states to users**
18 **authorized in 49 CFR Part 384, subject to the provisions of the Driver**
19 **Privacy Protection Act, 18 U.S.C. Sections 2721 to 2725, et seq.;**

20 (5) "Commercial driver's instruction permit", a permit issued pursuant to
21 section 302.720;

22 [(4)] (6) "Commercial driver's license", a license issued by this state to
23 an individual which authorizes the individual to operate a commercial motor
24 vehicle;

- 25 **[(5)] (7) "Commercial driver's license downgrade", occurs when:**
26 **(a) A driver changes the self-certification to interstate, but**
27 **operates exclusively in transportation or operation excepted from 49**
28 **CFR Part 391, as provided in 49 CFR Part 390.3(f), 391.2, 391.68, or**
29 **398.3;**
- 30 **(b) A driver changes the self-certification to intrastate only, if**
31 **the driver qualifies under the state's physical qualification**
32 **requirements for intrastate only;**
- 33 **(c) A driver changes the self-certification to intrastate, but**
34 **operating exclusively in transportation or operations excepted from all**
35 **or part of the state driver qualification requirements; or**
- 36 **(d) The state removes the commercial driver's license privilege**
37 **from the driver's license;**
- 38 **(8) "Commercial driver's license information system (CDLIS)", the**
39 **information system established pursuant to the Commercial Motor Vehicle Safety**
40 **Act of 1986 (Title XII of Pub. Law 99-570) to serve as a clearinghouse for locating**
41 **information related to the licensing and identification of commercial motor vehicle**
42 **drivers;**
- 43 **[(6)] (9) "Commercial motor vehicle", a motor vehicle designed or used to**
44 **transport passengers or property:**
- 45 **(a) If the vehicle has a gross combination weight rating of twenty-six**
46 **thousand one or more pounds inclusive of a towed unit which has a gross vehicle**
47 **weight rating of ten thousand one pounds or more;**
- 48 **(b) If the vehicle has a gross vehicle weight rating of twenty-six thousand**
49 **one or more pounds or such lesser rating as determined by federal regulation;**
- 50 **(c) If the vehicle is designed to transport sixteen or more passengers,**
51 **including the driver; or**
- 52 **(d) If the vehicle is transporting hazardous materials and is required to**
53 **be placarded under the Hazardous Materials Transportation Act (46 U.S.C. 1801,**
54 **et seq.);**
- 55 **[(7)] (10) "Controlled substance", any substance so classified under**
56 **Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), and includes**
57 **all substances listed in schedules I through V of 21 CFR part 1308, as they may**
58 **be revised from time to time;**
- 59 **[(8)] (11) "Conviction", an unvacated adjudication of guilt, including**
60 **pleas of guilt and nolo contendere, or a determination that a person has violated**

61 or failed to comply with the law in a court of original jurisdiction or an authorized
62 administrative proceeding, an unvacated forfeiture of bail or collateral deposited
63 to secure the person's appearance in court, the payment of a fine or court cost, or
64 violation of a condition of release without bail, regardless of whether the penalty
65 is rebated, suspended or prorated, including an offense for failure to appear or
66 pay;

67 [(9)] (12) "Director", the director of revenue or his authorized
68 representative;

69 [(10)] (13) "Disqualification", any of the following three actions:

70 (a) The suspension, revocation, or cancellation of a commercial driver's
71 license;

72 (b) Any withdrawal of a person's privileges to drive a commercial motor
73 vehicle by a state, **Canada, or Mexico** as the result of a violation of federal,
74 state, county, municipal, or local law relating to motor vehicle traffic control or
75 violations committed through the operation of motor vehicles, other than parking,
76 vehicle weight, or vehicle defect violations;

77 (c) A determination by the Federal Motor Carrier Safety Administration
78 that a person is not qualified to operate a commercial motor vehicle under 49
79 CFR Part 383.52 or Part 391;

80 [(11)] (14) "Drive", to drive, operate or be in physical control of a
81 commercial motor vehicle;

82 [(12)] (15) "Driver", any person who drives, operates, or is in physical
83 control of a motor vehicle, or who is required to hold a commercial driver's
84 license;

85 (16) "Driver applicant", an individual who applies to obtain,
86 transfer, upgrade, or renew a commercial driver's license in this state;

87 [(13)] (17) "Driving under the influence of alcohol", the commission of
88 any one or more of the following acts:

89 (a) Driving a commercial motor vehicle with the alcohol concentration of
90 four one-hundredths of a percent or more as prescribed by the secretary or such
91 other alcohol concentration as may be later determined by the secretary by
92 regulation;

93 (b) Driving a commercial or noncommercial motor vehicle while
94 intoxicated in violation of any federal or state law, or in violation of a county or
95 municipal ordinance;

96 (c) Driving a commercial or noncommercial motor vehicle with excessive

97 blood alcohol content in violation of any federal or state law, or in violation of a
98 county or municipal ordinance;

99 (d) Refusing to submit to a chemical test in violation of section 577.041,
100 section 302.750, any federal or state law, or a county or municipal ordinance; or

101 (e) Having any state, county or municipal alcohol-related enforcement
102 contact, as defined in subsection 3 of section 302.525; provided that any
103 suspension or revocation pursuant to section 302.505, committed in a
104 noncommercial motor vehicle by an individual twenty-one years of age or older
105 shall have been committed by the person with an alcohol concentration of at least
106 eight-hundredths of one percent or more, or in the case of an individual who is
107 less than twenty-one years of age, shall have been committed by the person with
108 an alcohol concentration of at least two-hundredths of one percent or more, and
109 if committed in a commercial motor vehicle, a concentration of four-hundredths
110 of one percent or more;

111 [(14)] (18) "Driving under the influence of a controlled substance", the
112 commission of any one or more of the following acts in a commercial or
113 noncommercial motor vehicle;

114 (a) Driving a commercial or noncommercial motor vehicle while under the
115 influence of any substance so classified under Section 102(6) of the Controlled
116 Substances Act (21 U.S.C. 802(6)), including any substance listed in schedules I
117 through V of 21 CFR Part 1308, as they may be revised from time to time;

118 (b) Driving a commercial or noncommercial motor vehicle while in a
119 drugged condition in violation of any federal or state law or in violation of a
120 county or municipal ordinance; or

121 (c) Refusing to submit to a chemical test in violation of section 577.041,
122 section 302.750, any federal or state law, or a county or municipal ordinance;

123 [(15)] (19) "Employer", any person, including the United States, a state,
124 or a political subdivision of a state, who owns or leases a commercial motor
125 vehicle or assigns a driver to operate such a vehicle;

126 (20) "Endorsement", an authorization on an individual's
127 commercial driver's license permitting the individual to operate certain
128 types of commercial motor vehicles;

129 [(16)] (21) "Farm vehicle", a commercial motor vehicle controlled and
130 operated by a farmer used exclusively for the transportation of agricultural
131 products, farm machinery, farm supplies, or a combination of these, within one
132 hundred fifty miles of the farm, other than one which requires placarding for

133 hazardous materials as defined in this section, or used in the operation of a
134 common or contract motor carrier, except that a farm vehicle shall not be a
135 commercial motor vehicle when the total combined gross weight rating does not
136 exceed twenty-six thousand one pounds when transporting fertilizers as defined
137 in subdivision [(21)] **(27)** of this subsection;

138 [(17)] **(22)** "Fatality", the death of a person as a result of a motor vehicle
139 accident;

140 [(18)] **(23)** "Felony", any offense under state or federal law that is
141 punishable by death or imprisonment for a term exceeding one year;

142 **(24) "Foreign", outside the fifty states of the United States and**
143 **the District of Columbia;**

144 [(19)] **(25)** "Gross combination weight rating" or "GCWR", the value
145 specified by the manufacturer as the loaded weight of a combination (articulated)
146 vehicle. In the absence of a value specified by the manufacturer, GCWR will be
147 determined by adding the GVWR of the power unit and the total weight of the
148 towed unit and any load thereon;

149 [(20)] **(26)** "Gross vehicle weight rating" or "GVWR", the value specified
150 by the manufacturer as the loaded weight of a single vehicle;

151 [(21)] **(27)** "Hazardous materials", any material that has been designated
152 as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart
153 F of CFR Part 172 or any quantity of a material listed as a select agent or toxin
154 in 42 CFR Part 73. Fertilizers, including but not limited to ammonium nitrate,
155 phosphate, nitrogen, anhydrous ammonia, lime, potash, motor fuel or special fuel,
156 shall not be considered hazardous materials when transported by a farm vehicle
157 provided all other provisions of this definition are followed;

158 [(22)] **(28)** "Imminent hazard", the existence of a condition that presents
159 a substantial likelihood that death, serious illness, severe personal injury, or a
160 substantial endangerment to health, property, or the environment may occur
161 before the reasonably foreseeable completion date of a formal proceeding begins
162 to lessen the risk of that death, illness, injury, or endangerment;

163 [(23)] **(29)** "Issuance", the initial licensure, license transfers, license
164 renewals, and license upgrades;

165 **(30) "Medical examiner", a person who is licensed, certified, or**
166 **registered, in accordance with applicable state laws and regulations,**
167 **to perform physical examinations. The term includes, but is not limited**
168 **to, doctors of medicine, doctors of osteopathy, physician assistants,**

169 **advanced practice nurses, and doctors of chiropractic;**

170 **(31) "Medical variance", when a driver has received one of the**
171 **following that allows the driver to be issued a medical certificate:**

172 **(a) An exemption letter permitting operation of a commercial**
173 **motor vehicle under 49 CFR Part 381, Subpart C or 49 CFR Part 391.64;**

174 **(b) A skill performance evaluation certificate permitting**
175 **operation of a commercial motor vehicle under 49 CFR Part 391.49;**

176 **[(24)] (32) "Motor vehicle", any self-propelled vehicle not operated**
177 **exclusively upon tracks;**

178 **[(25)] (33) "Noncommercial motor vehicle", a motor vehicle or**
179 **combination of motor vehicles not defined by the term "commercial motor vehicle"**
180 **in this section;**

181 **[(26)] (34) "Out of service", a temporary prohibition against the operation**
182 **of a commercial motor vehicle by a particular driver, or the operation of a**
183 **particular commercial motor vehicle, or the operation of a particular motor**
184 **carrier;**

185 **[(27)] (35) "Out-of-service order", a declaration by [the Federal Highway**
186 **Administration, or any] an authorized enforcement officer of a federal, state,**
187 **[Commonwealth of Puerto Rico,] Canadian, Mexican or any local jurisdiction, that**
188 **a driver, or a commercial motor vehicle, or a motor carrier operation, is out of**
189 **service under 49 CFR Part 386.72, 392.5, 392.9a, 395.13, or 396.9, or**
190 **comparable laws, or the North American Standard Out-of-Service**
191 **Criteria;**

192 **[(28)] (36) "School bus", a commercial motor vehicle used to transport**
193 **preprimary, primary, or secondary school students from home to school, from**
194 **school to home, or to and from school-sponsored events. School bus does not**
195 **include a bus used as a common carrier as defined by the Secretary;**

196 **[(29)] (37) "Secretary", the Secretary of Transportation of the United**
197 **States;**

198 **[(30)] (38) "Serious traffic violation", driving a commercial motor vehicle**
199 **in such a manner that the driver receives a conviction for the following offenses**
200 **or driving a noncommercial motor vehicle when the driver receives a conviction**
201 **for the following offenses and the conviction results in the suspension or**
202 **revocation of the driver's license or noncommercial motor vehicle driving**
203 **privilege:**

204 **(a) Excessive speeding, as defined by the Secretary by regulation;**

205 (b) Careless, reckless or imprudent driving which includes, but shall not
206 be limited to, any violation of section 304.016, any violation of section 304.010,
207 or any other violation of federal or state law, or any county or municipal
208 ordinance while driving a commercial motor vehicle in a willful or wanton
209 disregard for the safety of persons or property, or improper or erratic traffic lane
210 changes, or following the vehicle ahead too closely, but shall not include careless
211 and imprudent driving by excessive speed;

212 (c) A violation of any federal or state law or county or municipal ordinance
213 regulating the operation of motor vehicles arising out of an accident or collision
214 which resulted in death to any person, other than a parking violation;

215 (d) Driving a commercial motor vehicle without obtaining a commercial
216 driver's license in violation of any federal or state or county or municipal
217 ordinance;

218 (e) Driving a commercial motor vehicle without a commercial driver's
219 license in the driver's possession in violation of any federal or state or county or
220 municipal ordinance. Any individual who provides proof to the court which has
221 jurisdiction over the issued citation that the individual held a valid commercial
222 driver's license on the date that the citation was issued shall not be guilty of this
223 offense;

224 (f) Driving a commercial motor vehicle without the proper commercial
225 driver's license class or endorsement for the specific vehicle group being operated
226 or for the passengers or type of cargo being transported in violation of any federal
227 or state law or county or municipal ordinance; or

228 (g) Any other violation of a federal or state law or county or municipal
229 ordinance regulating the operation of motor vehicles, other than a parking
230 violation, as prescribed by the secretary by regulation;

231 [(31)] (39) "State", a state[, territory or possession] of the United States[,
232 the District of Columbia, the Commonwealth of Puerto Rico, Mexico, and any
233 province of Canada];

234 [(32)] (40) "United States", the fifty states and the District of Columbia.

**302.768. 1. Any applicant for a commercial driver's license or
2 commercial driver's instruction permit shall comply with the Federal
3 Motor Carrier Safety Administration application requirements of 49
4 CFR Part 383.71 by certifying to one of the following applicable
5 statements relating to federal and state driver qualification rules:**

6 (1) **Nonexcepted interstate: Certifies the applicant is a driver**

7 **operating or expecting to operate in interstate or foreign commerce, or**
8 **is otherwise subject to and meets requirements of 49 CFR Part 391 and**
9 **is required to obtain a medical examiner's certificate as defined in 49**
10 **CFR Part 391.45;**

11 **(2) Excepted interstate: Certifies the applicant is a driver**
12 **operating or expecting to operate entirely in interstate commerce that**
13 **is not subject to Part 391 and is subject to Missouri driver**
14 **qualifications and not required to obtain a medical examiner's**
15 **certificate;**

16 **(3) Nonexcepted intrastate: Certifies the applicant is a driver**
17 **operating only in intrastate commerce and is subject to Missouri driver**
18 **qualifications;**

19 **(4) Excepted intrastate: Certifies the applicant operates or**
20 **expects to operate only in intrastate commerce, and engaging only in**
21 **operations excepted from all parts of the Missouri driver qualification**
22 **requirements.**

23 **2. Any applicant who cannot meet certification requirements**
24 **under one of the categories defined in subsection 1 of this section shall**
25 **be denied issuance of a commercial driver's license or commercial**
26 **driver's instruction permit.**

27 **3. An applicant certifying to operation in nonexcepted interstate**
28 **or nonexcepted intrastate commerce shall provide the state with an**
29 **original or copy of a current medical examiners certificate or a medical**
30 **examiners certificate accompanied by a medical variance or**
31 **waiver. The state shall retain the original or copy of the**
32 **documentation of physical qualification for a minimum of three years**
33 **beyond the date the certificate was issued.**

34 **4. Applicants certifying to operation in nonexcepted interstate**
35 **commerce or nonexcepted intrastate commerce shall provide an**
36 **updated medical certificate or variance documents to maintain a**
37 **certified status during the term of the commercial driver's license or**
38 **commercial driver's instruction permit in order to retain commercial**
39 **privileges.**

40 **5. The director shall post the medical examiners certificate of**
41 **information, medical variance if applicable, the applicant's self-**
42 **certification and certification status to the Missouri driver record**
43 **within ten calendar days and such information will become part of the**

44 **CDLIS driver record.**

45 **6. Applicants certifying to operation in nonexcepted interstate**
46 **commerce or nonexcepted intrastate commerce who fail to provide or**
47 **maintain a current medical examiners certificate, or if the state has**
48 **received notice of a medical variance or waiver expiring or being**
49 **rescinded, the state shall, within ten calendar days, update the driver's**
50 **medical certification status to "not certified". The state shall notify the**
51 **driver of the change in certification status and require the driver to**
52 **annually comply with requirements for a commercial driver's license**
53 **downgrade within sixty days of the expiration of the applicant**
54 **certification.**

55 **7. The department of revenue may, by rule, establish the cost and**
56 **criteria for submission of updated medical certification status**
57 **information as required under this section.**

58 **8. Any person who falsifies any information in an application for**
59 **or update of medical certification status information for a commercial**
60 **driver's license shall not be licensed to operate a commercial motor**
61 **vehicle, or the person's commercial driver's license shall be canceled**
62 **for a period of one year after the director discovers such falsification.**

63 **9. The director may promulgate rules and regulations necessary**
64 **to administer and enforce this section. Any rule or portion of a rule,**
65 **as that term is defined in section 536.010, that is created under the**
66 **authority delegated in this section shall become effective only if it**
67 **complies with and is subject to all of the provisions of chapter 536 and,**
68 **if applicable, section 536.028. This section and chapter 536 are**
69 **nonseverable and if any of the powers vested with the general assembly**
70 **pursuant to chapter 536 to review, to delay the effective date, or to**
71 **disapprove and annul a rule are subsequently held unconstitutional,**
72 **then the grant of rulemaking authority and any rule proposed or**
73 **adopted after August 28, 2012, shall be invalid and void.**

304.022. 1. Upon the immediate approach of an emergency vehicle giving
2 audible signal by siren or while having at least one lighted lamp exhibiting red
3 light visible under normal atmospheric conditions from a distance of five hundred
4 feet to the front of such vehicle or a flashing blue light authorized by section
5 307.175, the driver of every other vehicle shall yield the right-of-way and shall
6 immediately drive to a position parallel to, and as far as possible to the right of,
7 the traveled portion of the highway and thereupon stop and remain in such

8 position until such emergency vehicle has passed, except when otherwise directed
9 by a police or traffic officer.

10 2. Upon approaching a stationary emergency vehicle displaying lighted
11 red or red and blue lights, **or a stationary vehicle owned by the state**
12 **highways and transportation commission and operated by an**
13 **authorized employee of the department of transportation displaying**
14 **lighted amber or amber and white lights**, the driver of every motor vehicle
15 shall:

16 (1) Proceed with caution and yield the right-of-way, if possible with due
17 regard to safety and traffic conditions, by making a lane change into a lane not
18 adjacent to that of the stationary vehicle, if on a roadway having at least four
19 lanes with not less than two lanes proceeding in the same direction as the
20 approaching vehicle; or

21 (2) Proceed with due caution and reduce the speed of the vehicle,
22 maintaining a safe speed for road conditions, if changing lanes would be unsafe
23 or impossible.

24 3. The motorman of every streetcar shall immediately stop such car clear
25 of any intersection and keep it in such position until the emergency vehicle has
26 passed, except as otherwise directed by a police or traffic officer.

27 4. An "emergency vehicle" is a vehicle of any of the following types:

28 (1) A vehicle operated by the state highway patrol, the state water patrol,
29 the Missouri capitol police, a conservation agent, or a state park ranger, those
30 vehicles operated by enforcement personnel of the state highways and
31 transportation commission, police or fire department, sheriff, constable or deputy
32 sheriff, federal law enforcement officer authorized to carry firearms and to make
33 arrests for violations of the laws of the United States, traffic officer or coroner or
34 by a privately owned emergency vehicle company;

35 (2) A vehicle operated as an ambulance or operated commercially for the
36 purpose of transporting emergency medical supplies or organs;

37 (3) Any vehicle qualifying as an emergency vehicle pursuant to section
38 307.175;

39 (4) Any wrecker, or tow truck or a vehicle owned and operated by a public
40 utility or public service corporation while performing emergency service;

41 (5) Any vehicle transporting equipment designed to extricate human
42 beings from the wreckage of a motor vehicle;

43 (6) Any vehicle designated to perform emergency functions for a civil

44 defense or emergency management agency established pursuant to the provisions
45 of chapter 44;

46 (7) Any vehicle operated by an authorized employee of the department of
47 corrections who, as part of the employee's official duties, is responding to a riot,
48 disturbance, hostage incident, escape or other critical situation where there is the
49 threat of serious physical injury or death, responding to mutual aid call from
50 another criminal justice agency, or in accompanying an ambulance which is
51 transporting an offender to a medical facility;

52 (8) Any vehicle designated to perform hazardous substance emergency
53 functions established pursuant to the provisions of sections 260.500 to 260.550;
54 or

55 **(9) Any vehicle owned by the state highways and transportation**
56 **commission and operated by an authorized employee of the department**
57 **of transportation that is marked as a department of transportation**
58 **emergency response or motorist assistance vehicle.**

59 5. (1) The driver of any vehicle referred to in subsection 4 of this section
60 shall not sound the siren thereon or have the front red lights or blue lights on
61 except when such vehicle is responding to an emergency call or when in pursuit
62 of an actual or suspected law violator, or when responding to, but not upon
63 returning from, a fire.

64 (2) The driver of an emergency vehicle may:

65 (a) Park or stand irrespective of the provisions of sections 304.014 to
66 304.025;

67 (b) Proceed past a red or stop signal or stop sign, but only after slowing
68 down as may be necessary for safe operation;

69 (c) Exceed the prima facie speed limit so long as the driver does not
70 endanger life or property;

71 (d) Disregard regulations governing direction of movement or turning in
72 specified directions.

73 (3) The exemptions granted to an emergency vehicle pursuant to
74 subdivision (2) of this subsection shall apply only when the driver of any such
75 vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle
76 as may be reasonably necessary, and when the vehicle is equipped with at least
77 one lighted lamp displaying a red light or blue light visible under normal
78 atmospheric conditions from a distance of five hundred feet to the front of such
79 vehicle.

80 6. No person shall purchase an emergency light as described in this
 81 section without furnishing the seller of such light an affidavit stating that the
 82 light will be used exclusively for emergency vehicle purposes.

83 7. Violation of this section shall be deemed a class A misdemeanor.

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

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

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

21 Distance in feet
 22 between the extremes
 23 of any group of two or
 24 more consecutive axles,
 25 measured to the nearest
 26 foot, except where
 27 indicated otherwise

Maximum load in pounds

	2 axles	3 a xles	4 axles	5 a xles	6 axles
28 feet					
29 4	34,000				
30 5	34,000				
31 6	34,000				

32	7	34,000				
33	8	34,000	34,000			
34	More than 8	38,000	42,000			
35	9	39,000	42,500			
36	10	40,000	43,500			
37	11	40,000	44,000			
38	12	40,000	45,000	50,000		
39	13	40,000	45,500	50,500		
40	14	40,000	46,500	51,500		
41	15	40,000	47,000	52,000		
42	16	40,000	48,000	52,500	58,000	
43	17	40,000	48,500	53,500	58,500	
44	18	40,000	49,500	54,000	59,000	
45	19	40,000	50,000	54,500	60,000	
46	20	40,000	51,000	55,500	60,500	66,000
47	21	40,000	51,500	56,000	61,000	66,500
48	22	40,000	52,500	56,500	61,500	67,000
49	23	40,000	53,000	57,500	62,500	68,000
50	24	40,000	54,000	58,000	63,000	68,500
51	25	40,000	54,500	58,500	63,500	69,000
52	26	40,000	55,500	59,500	64,000	69,500
53	27	40,000	56,000	60,000	65,000	70,000
54	28	40,000	57,000	60,500	65,500	71,000
55	29	40,000	57,500	61,500	66,000	71,500
56	30	40,000	58,500	62,000	66,500	72,000
57	31	40,000	59,000	62,500	67,500	72,500
58	32	40,000	60,000	63,500	68,000	73,000
59	33	40,000	60,000	64,000	68,500	74,000
60	34	40,000	60,000	64,500	69,000	74,500
61	35	40,000	60,000	65,500	70,000	75,000
62	36		60,000	66,000	70,500	75,500
63	37		60,000	66,500	71,000	76,000

64	38	60,000	67,500	72,000	77,000
65	39	60,000	68,000	72,500	77,500
66	40	60,000	68,500	73,000	78,000
67	41	60,000	69,500	73,500	78,500
68	42	60,000	70,000	74,000	79,000
69	43	60,000	70,500	75,000	80,000
70	44	60,000	71,500	75,500	80,000
71	45	60,000	72,000	76,000	80,000
72	46	60,000	72,500	76,500	80,000
73	47	60,000	73,500	77,500	80,000
74	48	60,000	74,000	78,000	80,000
75	49	60,000	74,500	78,500	80,000
76	50	60,000	75,500	79,000	80,000
77	51	60,000	76,000	80,000	80,000
78	52	60,000	76,500	80,000	80,000
79	53	60,000	77,500	80,000	80,000
80	54	60,000	78,000	80,000	80,000
81	55	60,000	78,500	80,000	80,000
82	56	60,000	79,500	80,000	80,000
83	57	60,000	80,000	80,000	80,000

84 Notwithstanding the above table, two consecutive sets of tandem axles may carry
85 a gross load of thirty-four thousand pounds each if the overall distance between
86 the first and last axles of such consecutive sets of tandem axles is thirty-six feet
87 or more.

88 4. Whenever the state highways and transportation commission finds that
89 any state highway bridge in the state is in such a condition that use of such
90 bridge by vehicles of the weights specified in subsection 3 of this section will
91 endanger the bridge, or the users of the bridge, the commission may establish
92 maximum weight limits and speed limits for vehicles using such bridge. The
93 governing body of any city or county may grant authority by act or ordinance to
94 the state highways and transportation commission to enact the limitations
95 established in this section on those roadways within the purview of such city or
96 county. Notice of the weight limits and speed limits established by the

97 commission shall be given by posting signs at a conspicuous place at each end of
98 any such bridge.

99 5. Nothing in this section shall be construed as permitting lawful axle
100 loads, tandem axle loads or gross loads in excess of those permitted under the
101 provisions of Section 127 of Title 23 of the United States Code.

102 6. Notwithstanding the weight limitations contained in this section, any
103 vehicle or combination of vehicles operating on highways other than the interstate
104 highway system may exceed single axle, tandem axle and gross weight limitations
105 in an amount not to exceed two thousand pounds. However, total gross weight
106 shall not exceed eighty thousand pounds, except as provided in [subsection 9]
107 **subsections 9 and 10** of this section.

108 7. Notwithstanding any provision of this section to the contrary, the
109 department of transportation shall issue a single-use special permit, or upon
110 request of the owner of the truck or equipment, shall issue an annual permit, for
111 the transporting of any concrete pump truck or well-drillers' equipment. The
112 department of transportation shall set fees for the issuance of permits pursuant
113 to this subsection. Notwithstanding the provisions of section 301.133, concrete
114 pump trucks or well-drillers' equipment may be operated on state-maintained
115 roads and highways at any time on any day.

116 8. Notwithstanding the provision of this section to the contrary, the
117 maximum gross vehicle limit and axle weight limit for any vehicle or combination
118 of vehicles equipped with an idle reduction technology may be increased by a
119 quantity necessary to compensate for the additional weight of the idle reduction
120 system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the
121 additional weight increase allowed by this subsection be greater than four
122 hundred pounds. Upon request by an appropriate law enforcement officer, the
123 vehicle operator shall provide proof that the idle reduction technology is fully
124 functional at all times and that the gross weight increase is not used for any
125 purpose other than for the use of idle reduction technology.

126 9. Notwithstanding subsection 3 of this section or any other provision of
127 law to the contrary, the total gross weight of any vehicle or combination of
128 vehicles hauling livestock may be as much as, but shall not exceed, eighty-five
129 thousand five hundred pounds while operating on U.S. Highway 36 from St.
130 Joseph to U.S. Highway [65, and] **63**, on U.S. Highway 65 from the Iowa state
131 line to U.S. Highway 36, and on **U.S. Highway 63 from the Iowa state line**
132 **to U.S. Highway 36. The provisions of this subsection shall not apply**

133 to vehicles operated on the Dwight D. Eisenhower System of Interstate
134 and Defense Highways.

135 10. Notwithstanding any provision of this section or any other
136 law to the contrary, the total gross weight of any vehicle or
137 combination of vehicles hauling milk from a farm to a processing
138 facility may be as much as, but shall not exceed, eighty-five thousand
139 five hundred pounds while operating on highways other than the
140 interstate highway system. The provisions of this subsection shall not
141 apply to vehicles operated on the Dwight D. Eisenhower System of
142 Interstate and Defense Highways.

304.190. 1. No motor vehicle, unladen or with load, operating exclusively
2 within the corporate limits of cities containing seventy-five thousand inhabitants
3 or more or within two miles of the corporate limits of the city or within the
4 commercial zone of the city shall exceed fifteen feet in height.

5 2. No motor vehicle operating exclusively within any said area shall have
6 a greater weight than twenty-two thousand four hundred pounds on one axle.

7 3. The "commercial zone" of the city is defined to mean that area within
8 the city together with the territory extending one mile beyond the corporate limits
9 of the city and one mile additional for each fifty thousand population or portion
10 thereof provided, however[,]:

11 (1) The commercial zone surrounding a city not within a county shall
12 extend twenty-five miles beyond the corporate limits of any such city not located
13 within a county and shall also extend throughout any county with a charter form
14 of government which adjoins that city and throughout any county with a charter
15 form of government and with more than two hundred fifty thousand but fewer
16 than three hundred fifty thousand inhabitants that is adjacent to such county
17 adjoining such city; [further, provided, however,]

18 (2) The commercial zone of a city with a population of at least four
19 hundred thousand inhabitants but not more than four hundred fifty thousand
20 inhabitants shall extend twelve miles beyond the corporate limits of any such
21 city; except that this zone shall extend from the southern border of such city's
22 limits, beginning with the western-most freeway, following said freeway south to
23 the first intersection with a multilane undivided highway, where the zone shall
24 extend south along said freeway to include a city of the fourth classification with
25 more than eight thousand nine hundred but less than nine thousand inhabitants,
26 and shall extend north from the intersection of said freeway and multilane

27 undivided highway along the multilane undivided highway to the city limits of
28 a city with a population of at least four hundred thousand inhabitants but not
29 more than four hundred fifty thousand inhabitants, and shall extend east from
30 the city limits of a special charter city with more than two hundred seventy-five
31 but fewer than three hundred seventy-five inhabitants along state route 210 and
32 northwest from the intersection of state route 210 and state route 10 to include
33 the boundaries of any city of the third classification with more than ten thousand
34 eight hundred but fewer than ten thousand nine hundred inhabitants and located
35 in more than one county[; further provided, however,]. **The commercial zone**
36 **shall continue east along state route 10 from the intersection of state**
37 **route 10 and state route 210 to the eastern city limit of a city of the**
38 **fourth classification with more than five hundred fifty but fewer than**
39 **six hundred twenty-five inhabitants and located in any county of the**
40 **third classification without a township form of government and with**
41 **more than twenty-three thousand but fewer than twenty-six thousand**
42 **inhabitants and with a city of the third classification with more than**
43 **five thousand but fewer than six thousand inhabitants as the county**
44 **seat. The commercial zone described in this subdivision shall be**
45 **extended to also include the stretch of state route 45 from its**
46 **intersection with Interstate 29 extending northwest to the city limits**
47 **of any village with more than forty but fewer than fifty inhabitants and**
48 **located in any county of the first classification with more than eighty-**
49 **three thousand but fewer than ninety-two thousand inhabitants and**
50 **with a city of the fourth classification with more than four thousand**
51 **five hundred but fewer than five thousand inhabitants as the county**
52 **seat;**

53 (3) The commercial zone of a city of the third classification with more
54 than nine thousand six hundred fifty but fewer than nine thousand eight hundred
55 inhabitants shall extend south from the city limits along U.S. Highway 61 to the
56 intersection of state route OO in a county of the third classification without a
57 township form of government and with more than seventeen thousand eight
58 hundred but fewer than seventeen thousand nine hundred inhabitants.

59 4. In no case shall the commercial zone of a city be reduced due to a loss
60 of population. The provisions of this section shall not apply to motor vehicles
61 operating on the interstate highways in the area beyond two miles of a corporate
62 limit of the city unless the United States Department of Transportation increases

63 the allowable weight limits on the interstate highway system within commercial
64 zones. In such case, the mileage limits established in this section shall be
65 automatically increased only in the commercial zones to conform with those
66 authorized by the United States Department of Transportation.

67 [4.] 5. Nothing in this section shall prevent a city, county, or
68 municipality, by ordinance, from designating the routes over which such vehicles
69 may be operated.

70 [5.] 6. No motor vehicle engaged in interstate commerce, whether
71 unladen or with load, whose operations in the state of Missouri are limited
72 exclusively to the commercial zone of a first class home rule municipality located
73 in a county with a population between eighty thousand and ninety-five thousand
74 inhabitants which has a portion of its corporate limits contiguous with a portion
75 of the boundary between the states of Missouri and Kansas, shall have a greater
76 weight than twenty-two thousand four hundred pounds on one axle, nor shall
77 exceed fifteen feet in height.

306.127. 1. Beginning January 1, 2005, every person born after January
2 1, 1984, or as required pursuant to section 306.128, who operates a vessel on the
3 lakes of this state shall possess, on the vessel, a boating safety identification card
4 issued by the Missouri state water patrol or its agent which shows that he or she
5 has:

6 (1) Successfully completed a boating safety course approved by the
7 National Association of State Boating Law Administrators and certified by the
8 Missouri state water patrol. The boating safety course may include a course
9 sponsored by the United States Coast Guard Auxiliary or the United States
10 Power Squadron. The Missouri state water patrol may appoint agents to
11 administer a boater education course or course equivalency examination and issue
12 boater identification cards under guidelines established by the water patrol. The
13 Missouri state water patrol shall maintain a list of approved courses; or

14 (2) Successfully passed an equivalency examination prepared by the
15 Missouri state water patrol and administered by the Missouri state water patrol
16 or its agent. The equivalency examination shall have a degree of difficulty equal
17 to, or greater than, that of the examinations given at the conclusion of an
18 approved boating safety course; or

19 (3) A valid master's, mate's, or operator's license issued by the United
20 States Coast Guard.

21 2. The Missouri state water patrol or its agent shall issue a permanent

22 boating safety identification card to each person who complies with the
23 requirements of this section which is valid for life unless invalidated pursuant to
24 law.

25 3. The Missouri state water patrol may charge a fee for such card or any
26 replacement card that does not substantially exceed the costs of administrating
27 this section. The Missouri state water patrol or its designated agent shall collect
28 such fees. These funds shall be forwarded to general revenue.

29 4. The provisions of this section shall not apply to any person who:

30 (1) Is licensed by the United States Coast Guard to serve as master of a
31 vessel;

32 (2) Operates a vessel only on a private lake or pond that is not classified
33 as waters of the state;

34 (3) Until January 1, 2006, is a nonresident who is visiting the state for
35 sixty days or less;

36 (4) Is participating in an event or regatta approved by the water patrol;

37 (5) Is a nonresident who has proof of a valid boating certificate or license
38 issued by another state if the boating course is approved by the National
39 Association of State Boating Law Administrators (NASBLA);

40 (6) Is exempted by rule of the water patrol;

41 (7) Is currently serving in any branch of the United States armed forces,
42 reserves, or Missouri national guard, or any spouse of a person currently in such
43 service; or

44 (8) Has previously successfully completed a boating safety education
45 course approved by the National Association of State Boating Law Administrators
46 (NASBLA).

47 5. The Missouri state water patrol shall inform other states of the
48 requirements of this section.

49 6. No individual shall be detained or stopped strictly for the purpose of
50 checking whether the individual possesses a boating safety identification card or
51 a temporary boater education permit.

52 7. [Beginning January 1, 2006, any nonresident born after January 1,
53 1984, desiring to operate a rental vessel on the lakes of this state, may obtain a
54 temporary boater education permit by completing and passing a written
55 examination developed by the Missouri state water patrol, provided the person
56 meets the minimum age requirements for operating a vessel in this state. The
57 Missouri state water patrol is authorized to promulgate rules for developing the

58 examination and any requirements necessary for issuance of the temporary boater
59 education permit. The temporary boater education permit shall expire when the
60 nonresident obtains a permanent identification card pursuant to subsection 2 of
61 this section or thirty days after issuance, whichever occurs first. The Missouri
62 state water patrol may charge a fee not to exceed ten dollars for such temporary
63 permit. Upon successful completion of an examination and prior to renting a
64 vessel, the business entity responsible for giving the examination shall collect
65 such fee and forward all collected fees to the Missouri state water patrol on a
66 monthly basis for deposit in the state general revenue fund. Such business entity
67 shall incur no additional liability in accepting the responsibility for administering
68 the examination. This subsection shall terminate on December 31, 2010.] **Any**
69 **person or company that rents or sells vessels may issue a temporary**
70 **boating safety identification card to a nonresident of the state to**
71 **operate a rented vessel or a vessel being considered for sale, for a**
72 **period of up to seven days, provided that the individual meets the**
73 **minimum age requirements for operating a vessel in this state. In**
74 **order to qualify for the temporary boating safety identification card,**
75 **the applicant shall provide a valid driver's license establishing that the**
76 **applicant is a nonresident and shall sign an affidavit that he or she has**
77 **reviewed the Missouri State Highway Patrol Handbook of Missouri**
78 **Boating Laws and Responsibilities. Any nonresident holding a valid**
79 **temporary boating safety identification card shall be deemed in**
80 **compliance with the requirements of this section. The Missouri state**
81 **highway patrol shall charge a fee of nine dollars for such temporary**
82 **boating safety identification card. Nonresidents shall not be eligible**
83 **for more than one temporary boating safety identification card. No**
84 **person or company may issue a temporary boating safety identification**
85 **card to a nonresident under the provisions of this subsection unless**
86 **such person or company is capable of submitting the applicant's**
87 **temporary boating safety identification card information and payment**
88 **in an electronic format as prescribed by the Missouri state highway**
89 **patrol. The business entity issuing a temporary boating safety**
90 **identification card to a nonresident under the provisions of this**
91 **subsection shall transmit the applicant's temporary boating safety**
92 **identification card information electronically to the Missouri state**
93 **highway patrol, in a manner and format prescribed by the**
94 **superintendent, using an electronic online registration process**

95 **developed and provided by the Missouri state highway patrol. The**
96 **electronic online process developed and provided by the Missouri state**
97 **highway patrol shall allow the applicant to pay the temporary boating**
98 **safety identification card fee by credit card or debit**
99 **card. Notwithstanding any provision in section 306.185 to the contrary,**
100 **all fees collected under the authority of this subsection shall be**
101 **deposited in the water patrol division fund. The Missouri state**
102 **highway patrol shall promulgate rules for developing the temporary**
103 **boating safety identification card and any requirements necessary to**
104 **the issuance, processing, and payment of the temporary boating safety**
105 **identification card. The Missouri state highway patrol shall, by rule,**
106 **develop a boating safety checklist for each applicant seeking a**
107 **temporary boating safety identification card. The provisions of this**
108 **subsection shall expire on December 31, 2022.**

306.532. Effective [January 1, 2011] **August 28, 2012**, the certificate of
2 title for a new outboard motor shall designate the year the outboard motor was
3 manufactured as the "Year Manufactured" and shall further designate the year
4 the dealer received the new outboard motor from the manufacturer as the "Model
5 Year-NEW". **Any outboard motor manufactured on or after July first of**
6 **any year shall be labeled "Year Manufactured" with the calendar year**
7 **immediately following the year manufactured unless the manufacturer**
8 **indicates a specific model or program year.**

Section B. Because of the need to ensure that out-of-state residents are
2 knowledgeable in the safe operation of vessels, the repeal and reenactment of
3 section 306.127 of this act is deemed necessary for the immediate preservation of
4 the public health, welfare, peace and safety, and is hereby declared to be an
5 emergency act within the meaning of the constitution, and the repeal and
6 reenactment of section 306.127 of this act shall be in full force and effect upon its
7 passage and approval.

Section C. The repeal and reenactment of section 302.700 and the
2 enactment of section 302.768 of this act shall become effective on the date the
3 director of the department of revenue begins accepting commercial driver license
4 medical certifications under sections 302.700 and 302.768, or on May 1, 2013,
5 whichever occurs first. If the director of revenue begins accepting commercial
6 driver license medical certifications under sections 302.700 and 302.768 prior to
7 May 1, 2013, the director of the department of revenue shall notify the revisor of

8 statutes of such fact.

Section D. The repeal and reenactment of section 301.140 of this act shall
2 become effective on the date the department of revenue or a producer authorized
3 by the director of the department of revenue begins producing temporary permits
4 described in subsection 4 of such section, or on July 1, 2013, whichever occurs
5 first. If the director of revenue or a producer authorized by the director of the
6 department of revenue begins producing temporary permits prior to July 1, 2013,
7 the director of the department of revenue shall notify the revisor of statutes of
8 such fact.

Section E. The repeal and reenactment of section 301.147 shall become
2 effective July 1, 2015.

✓

Bill

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