

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 686
100TH GENERAL ASSEMBLY

3809H.04C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 32.056, 68.075, 136.055, 137.115, 143.441, 144.805, 227.600, 230.205, 301.010, 301.030, 301.032, 301.451, 301.3139, 301.3174, 302.020, 302.171, 302.768, 304.170, 304.172, 304.180, 306.127, 307.179, 407.1025, 407.1028, 407.1031, 407.1034, 407.1035, 407.1037, 407.1043, 407.1047, 407.1049, and 407.1329, RSMo, and to enact in lieu thereof fifty new sections relating to transportation, with penalty provisions and a delayed effective date for a certain section.

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

Section A. Sections 32.056, 68.075, 136.055, 137.115, 143.441, 144.805, 227.600, 230.205, 301.010, 301.030, 301.032, 301.451, 301.3139, 301.3174, 302.020, 302.171, 302.768, 304.170, 304.172, 304.180, 306.127, 307.179, 407.1025, 407.1028, 407.1031, 407.1034, 407.1035, 407.1037, 407.1043, 407.1047, 407.1049, and 407.1329, RSMo, are repealed and fifty new sections enacted in lieu thereof, to be known as sections 32.056, 32.450, 68.075, 136.055, 137.115, 143.441, 144.805, 217.850, 227.479, 227.485, 227.600, 230.205, 301.010, 301.030, 301.032, 301.451, 301.576, 301.3069, 301.3139, 301.3159, 301.3174, 302.020, 302.026, 302.171, 302.205, 302.768, 304.170, 304.172, 304.180, 305.800, 305.802, 305.804, 305.806, 305.808, 305.810, 306.127, 307.179, 407.1025, 407.1028, 407.1031, 407.1034, 407.1035, 407.1037, 407.1043, 407.1047, 407.1049, 407.1329, 577.011, 577.800, and 632.460, to read as follows:

32.056. Except for uses permitted under 18 U.S.C. Section 2721(b)(1), the department of revenue shall not release the home address of or any information that identifies any vehicle owned or leased by any person who is a county, state or federal parole officer~~]~~ ; a federal pretrial officer~~]~~ ; a peace officer pursuant to section 590.010~~]~~ ; **a person employed by the Missouri department of corrections; any jailer or corrections officer of the state or any**

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

6 **political subdivision of the state**; a person vested by Article V, Section 1 of the Missouri
7 Constitution with the judicial power of the state[;] ; a member of the federal judiciary[;] ; or a
8 member of such person's immediate family contained in the department's motor vehicle or driver
9 registration records, based on a specific request for such information from any person. Any such
10 person may notify the department of his or her status and the department shall protect the
11 confidentiality of the home address and vehicle records on such a person and his or her
12 immediate family as required by this section. This section shall not prohibit the department from
13 releasing information on a motor registration list pursuant to section 32.055 or from releasing
14 information on any officer who holds a class A, B or C commercial driver's license pursuant to
15 the Motor Carrier Safety Improvement Act of 1999, as amended, 49 U.S.C. 31309.

**32.450. 1. Notwithstanding any biometric data restrictions contained in section
2 302.170, the department of revenue is hereby authorized to design and implement a secure
3 digital driver's license program that allows applicants applying for a driver's license in
4 accordance with chapter 302 to obtain a secure digital driver's license in addition to the
5 physical card-based driver's license.**

6 **2. (1) A digital driver's license issued under this section shall be acceptable for all
7 purposes for which a license, as defined in section 302.010, is used.**

8 **(2) The department may contract with one or more entities to develop the secure
9 digital driver's license system. The department or entity may develop a mobile software
10 application capable of being utilized through a person's electronic device to access an
11 electronic image of the person's secure digital driver's license.**

12 **(3) The department shall suspend, disable, or terminate a person's participation in
13 the secure digital driver's license program if:**

14 **(a) The person's driving privilege is suspended, revoked, denied, withdrawn, or
15 cancelled as provided in chapter 302; or**

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

18 **3. The department of revenue may promulgate rules necessary to implement the
19 provisions of this section. Any rule or portion of a rule, as that term is defined in section
20 536.010, that is created under the authority delegated in this section shall become effective
21 only if it complies with and is subject to all of the provisions of chapter 536 and, if
22 applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of
23 the powers vested with the general assembly pursuant to chapter 536 to review, to delay
24 the effective date, or to disapprove and annul a rule are subsequently held
25 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
26 after August 28, 2020, shall be invalid and void.**

68.075. 1. This section shall be known and may be cited as the "Advanced Industrial
2 Manufacturing Zones Act".

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

4 (1) "AIM zone", an area identified through a resolution passed by the port authority
5 board of commissioners appointed under section 68.045 that is being developed or redeveloped
6 for any purpose so long as any infrastructure and building built or improved is in the
7 development area. The port authority board of commissioners shall file an annual report
8 indicating the established AIM zones with the department of revenue;

9 (2) "County average wage", the average wage in each county as determined by the
10 Missouri department of economic development for the most recently completed full calendar
11 year. However, if the computed county average wage is above the statewide average wage, the
12 statewide average wage shall be deemed the county average wage for such county for the purpose
13 of determining eligibility;

14 (3) "New job", the number of full-time employees located at the project facility that
15 exceeds the project facility base employment less any decrease in the number of full-time
16 employees at related facilities below the related facility base employment. No job that was
17 created prior to the date of the notice of intent shall be deemed a new job. An employee that
18 spends less than fifty percent of the employee's work time at the facility is still considered to be
19 located at a facility if the employee receives his or her directions and control from that facility,
20 is on the facility's payroll, one hundred percent of the employee's income from such employment
21 is Missouri income, and the employee is paid at or above the county average wage;

22 (4) "Related facility", a facility operated by a company or a related company prior to the
23 establishment of the AIM zone in question located within any port district, as defined under
24 section 68.015, which is directly related to the operations of the facility within the new AIM
25 zone.

26 3. Any port authority located in this state may establish an AIM zone. Such zone may
27 only include the area within the port authority's jurisdiction, ownership, or control, and may
28 include any such area. The port authority shall determine the boundaries for each AIM zone, and
29 more than one AIM zone may exist within the port authority's jurisdiction or under the port
30 authority's ownership or control, and may be expanded or contracted by resolution of the port
31 authority board of commissioners.

32 4. Fifty percent of the state tax withholdings imposed by sections 143.191 to 143.265
33 on new jobs within such zone after development or redevelopment has commenced shall not be
34 remitted to the general revenue fund of the state of Missouri. Such moneys shall be deposited
35 into the port authority AIM zone fund established under subsection 5 of this section for the
36 purpose of continuing to expand, develop, and redevelop AIM zones identified by the port

37 authority board of commissioners and may be used for managerial, engineering, legal, research,
38 promotion, planning, satisfaction of bonds issued under section 68.040, and any other expenses.

39 5. There is hereby created in the state treasury the "Port Authority AIM Zone Fund",
40 which shall consist of money collected under this section. The state treasurer shall be custodian
41 of the fund and shall approve disbursements from the fund in accordance with sections 30.170
42 and 30.180 to the port authorities from which the funds were collected, less the pro-rata portion
43 appropriated by the general assembly to be used solely for the administration of this section
44 which shall not exceed ten percent of the total amount collected within the zones of a port
45 authority. Notwithstanding the provisions of section 33.080 to the contrary, any moneys
46 remaining in the fund at the end of the biennium shall not revert to the credit of the general
47 revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other
48 funds are invested. Any interest and moneys earned on such investments shall be credited to the
49 fund.

50 6. The port authority shall approve any projects that begin construction and disperse any
51 money collected under this section. The port authority shall submit an annual budget for the
52 funds to the department of economic development explaining how and when such money will
53 be spent.

54 7. The provision of section 23.253 notwithstanding, no AIM zone may be established
55 after August 28, ~~[2023]~~ **2030**. Any AIM zone created prior to that date shall continue to exist
56 and be coterminous with the retirement of all debts incurred under subsection 4 of this section.
57 No debts may be incurred or reauthorized using AIM zone revenue after August 28, ~~[2023]~~ **2030**.

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

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

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

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

15 (4) For each notice of lien processed, six dollars;

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

17 2. (1) The director of revenue shall award fee office contracts under this section through
18 a competitive bidding process. The competitive bidding process shall give priority to
19 organizations and entities that are ~~[exempt from taxation under Section 501(c)(3), 501(c)(6), or~~
20 ~~501(c)(4), except those civic organizations that would be considered action organizations under~~
21 ~~26 C.F.R. Section 1.501-(c)(3)-1(c)(3), of the Internal Revenue Code of 1986, as amended]~~
22 **Missouri not-for-profit corporations**, with special consideration given to those organizations
23 and entities that reinvest a minimum of seventy-five percent of the net proceeds to charitable
24 organizations in Missouri, and political subdivisions, including but not limited to, municipalities,
25 counties, and fire protection districts. The director of the department of revenue ~~[may]~~ **shall**
26 promulgate rules and regulations necessary to carry out the provisions of this subsection. Any
27 rule or portion of a rule, as that term is defined in section 536.010, that is created under the
28 authority delegated in this subsection shall become effective only if it complies with and is
29 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
30 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
31 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule
32 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
33 proposed or adopted after August 28, 2009, shall be invalid and void.

34 (2) **Rules promulgated pursuant to subdivision (1) of this subsection for evaluating**
35 **bids shall include a preference for persons and entities that are based in a location near the**
36 **fee office location. If the department utilizes any scoring mechanism for evaluating bids**
37 **pursuant to this section, such scoring mechanism shall ensure that:**

38 (a) **A person or entity based no more than thirty-five miles from the fee office**
39 **location shall be awarded a bonus of fifteen percent of the total available points;**

40 (b) **A person or entity based more than thirty-five miles but no more than sixty**
41 **miles from the fee office location shall be awarded a bonus of ten percent of the total**
42 **available points;**

43 (c) **A person or entity that is a resident of this state shall be awarded a bonus of ten**
44 **percent of the total available points. For the purposes of this paragraph, "resident" shall**
45 **have the same meaning as defined pursuant to section 143.101. In the case of for-profit**
46 **corporations, each person with an ownership interest in such organization with the right**
47 **to manage the company or direct its operations either solely or as part of a larger group**
48 **shall be a resident of this state; and**

49 (d) **A person or entity based more than sixty miles but no more than seventy-five**
50 **miles from the fee office location shall be awarded a bonus of seven percent of the total**
51 **available points.**

52 **(3) No fee office contract shall be awarded to any person or entity that is not in**
53 **compliance with the rules promulgated pursuant to this subsection.**

54 **(4) The department of revenue shall not consider for a contract award any entity**
55 **that has not been registered with the office of the secretary of state for at least one year.**

56 3. All fees collected by a tax-exempt organization may be retained and used by the
57 organization.

58 4. All fees charged shall not exceed those in this section. The fees imposed by this
59 section shall be collected by all permanent offices and all full-time or temporary offices
60 maintained by the department of revenue.

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

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

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

137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's
2 deputies in all counties of this state including the City of St. Louis shall annually make a list of
3 all real and tangible personal property taxable in the assessor's city, county, town or district.
4 Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor
5 shall annually assess all personal property at thirty-three and one-third percent of its true value
6 in money as of January first of each calendar year. The assessor shall annually assess all real
7 property, including any new construction and improvements to real property, and possessory
8 interests in real property at the percent of its true value in money set in subsection 5 of this
9 section. The true value in money of any possessory interest in real property in subclass (3),
10 where such real property is on or lies within the ultimate airport boundary as shown by a federal
11 airport layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR Part 139
12 certification and owned by a political subdivision, shall be the otherwise applicable true value
13 in money of any such possessory interest in real property, less the total dollar amount of costs
14 paid by a party, other than the political subdivision, towards any new construction or
15 improvements on such real property completed after January 1, 2008, and which are included in

16 the above-mentioned possessory interest, regardless of the year in which such costs were incurred
17 or whether such costs were considered in any prior year. The assessor shall annually assess all
18 real property in the following manner: new assessed values shall be determined as of January
19 first of each odd-numbered year and shall be entered in the assessor's books; those same assessed
20 values shall apply in the following even-numbered year, except for new construction and
21 property improvements which shall be valued as though they had been completed as of January
22 first of the preceding odd-numbered year. The assessor may call at the office, place of doing
23 business, or residence of each person required by this chapter to list property, and require the
24 person to make a correct statement of all taxable tangible personal property owned by the person
25 or under his or her care, charge or management, taxable in the county. On or before January first
26 of each even-numbered year, the assessor shall prepare and submit a two-year assessment
27 maintenance plan to the county governing body and the state tax commission for their respective
28 approval or modification. The county governing body shall approve and forward such plan or
29 its alternative to the plan to the state tax commission by February first. If the county governing
30 body fails to forward the plan or its alternative to the plan to the state tax commission by
31 February first, the assessor's plan shall be considered approved by the county governing body.
32 If the state tax commission fails to approve a plan and if the state tax commission and the
33 assessor and the governing body of the county involved are unable to resolve the differences, in
34 order to receive state cost-share funds outlined in section 137.750, the county or the assessor
35 shall petition the administrative hearing commission, by May first, to decide all matters in
36 dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter
37 may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by
38 the parties. The final decision of the administrative hearing commission shall be subject to
39 judicial review in the circuit court of the county involved. In the event a valuation of subclass
40 (1) real property within any county with a charter form of government, or within a city not within
41 a county, is made by a computer, computer-assisted method or a computer program, the burden
42 of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be
43 on the assessor at any hearing or appeal. In any such county, unless the assessor proves
44 otherwise, there shall be a presumption that the assessment was made by a computer, computer-
45 assisted method or a computer program. Such evidence shall include, but shall not be limited
46 to, the following:

47 (1) The findings of the assessor based on an appraisal of the property by generally
48 accepted appraisal techniques; and

49 (2) The purchase prices from sales of at least three comparable properties and the address
50 or location thereof. As used in this subdivision, the word "comparable" means that:

51 (a) Such sale was closed at a date relevant to the property valuation; and

52 (b) Such properties are not more than one mile from the site of the disputed property,
53 except where no similar properties exist within one mile of the disputed property, the nearest
54 comparable property shall be used. Such property shall be within five hundred square feet in size
55 of the disputed property, and resemble the disputed property in age, floor plan, number of rooms,
56 and other relevant characteristics.

57 2. Assessors in each county of this state and the City of St. Louis may send personal
58 property assessment forms through the mail.

59 3. The following items of personal property shall each constitute separate subclasses of
60 tangible personal property and shall be assessed and valued for the purposes of taxation at the
61 following percentages of their true value in money:

62 (1) Grain and other agricultural crops in an unmanufactured condition, one-half of one
63 percent;

64 (2) Livestock, twelve percent;

65 (3) Farm machinery, twelve percent;

66 (4) Motor vehicles which are eligible for registration as and are registered as historic
67 motor vehicles ~~[pursuant to]~~ **under** section 301.131 and aircraft which are at least twenty-five
68 years old and which are used solely for noncommercial purposes and are operated less than ~~[fifty]~~
69 **two hundred** hours per year or aircraft that are home built from a kit, five percent;

70 (5) Poultry, twelve percent; and

71 (6) Tools and equipment used for pollution control and tools and equipment used in
72 retooling for the purpose of introducing new product lines or used for making improvements to
73 existing products by any company which is located in a state enterprise zone and which is
74 identified by any standard industrial classification number cited in subdivision (5) of section
75 135.200, twenty-five percent.

76 4. The person listing the property shall enter a true and correct statement of the property,
77 in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed
78 and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered
79 to the assessor.

80 5. (1) All subclasses of real property, as such subclasses are established in Section 4(b)
81 of Article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the
82 following percentages of true value:

83 (a) For real property in subclass (1), nineteen percent;

84 (b) For real property in subclass (2), twelve percent; and

85 (c) For real property in subclass (3), thirty-two percent.

86 (2) A taxpayer may apply to the county assessor, or, if not located within a county, then
87 the assessor of such city, for the reclassification of such taxpayer's real property if the use or

88 purpose of such real property is changed after such property is assessed under the provisions of
89 this chapter. If the assessor determines that such property shall be reclassified, he or she shall
90 determine the assessment under this subsection based on the percentage of the tax year that such
91 property was classified in each subclassification.

92 6. Manufactured homes, as defined in section 700.010, which are actually used as
93 dwelling units shall be assessed at the same percentage of true value as residential real property
94 for the purpose of taxation. The percentage of assessment of true value for such manufactured
95 homes shall be the same as for residential real property. If the county collector cannot identify
96 or find the manufactured home when attempting to attach the manufactured home for payment
97 of taxes owed by the manufactured home owner, the county collector may request the county
98 commission to have the manufactured home removed from the tax books, and such request shall
99 be granted within thirty days after the request is made; however, the removal from the tax books
100 does not remove the tax lien on the manufactured home if it is later identified or found. For
101 purposes of this section, a manufactured home located in a manufactured home rental park, rental
102 community or on real estate not owned by the manufactured home owner shall be considered
103 personal property. For purposes of this section, a manufactured home located on real estate
104 owned by the manufactured home owner may be considered real property.

105 7. Each manufactured home assessed shall be considered a parcel for the purpose of
106 reimbursement ~~[pursuant to]~~ **under** section 137.750, unless the manufactured home is **deemed**
107 **to be** real estate ~~[as defined in]~~ **under** subsection 7 of section 442.015 and assessed as a realty
108 improvement to the existing real estate parcel.

109 8. Any amount of tax due and owing based on the assessment of a manufactured home
110 shall be included on the personal property tax statement of the manufactured home owner unless
111 the manufactured home is **deemed to be** real estate ~~[as defined in]~~ **under** subsection 7 of section
112 442.015, in which case the amount of tax due and owing on the assessment of the manufactured
113 home as a realty improvement to the existing real estate parcel shall be included on the real
114 property tax statement of the real estate owner.

115 9. The assessor of each county and each city not within a county shall use the trade-in
116 value published in the October issue of the National Automobile Dealers' Association Official
117 Used Car Guide, or its successor publication, as the recommended guide of information for
118 determining the true value of motor vehicles described in such publication. The assessor shall
119 not use a value that is greater than the average trade-in value in determining the true value of the
120 motor vehicle without performing a physical inspection of the motor vehicle. For vehicles two
121 years old or newer from a vehicle's model year, the assessor may use a value other than average
122 without performing a physical inspection of the motor vehicle. In the absence of a listing for a
123 particular motor vehicle in such publication, the assessor shall use such information or

124 publications which in the assessor's judgment will fairly estimate the true value in money of the
125 motor vehicle.

126 10. Before the assessor may increase the assessed valuation of any parcel of subclass (1)
127 real property by more than fifteen percent since the last assessment, excluding increases due to
128 new construction or improvements, the assessor shall conduct a physical inspection of such
129 property.

130 11. If a physical inspection is required, ~~[pursuant to]~~ **under** subsection 10 of this section,
131 the assessor shall notify the property owner of that fact in writing and shall provide the owner
132 clear written notice of the owner's rights relating to the physical inspection. If a physical
133 inspection is required, the property owner may request that an interior inspection be performed
134 during the physical inspection. The owner shall have no less than thirty days to notify the
135 assessor of a request for an interior physical inspection.

136 12. A physical inspection, as required by subsection 10 of this section, shall include, but
137 not be limited to, an on-site personal observation and review of all exterior portions of the land
138 and any buildings and improvements to which the inspector has or may reasonably and lawfully
139 gain external access, and shall include an observation and review of the interior of any buildings
140 or improvements on the property upon the timely request of the owner ~~[pursuant to]~~ **under**
141 subsection 11 of this section. Mere observation of the property via a drive-by inspection or the
142 like shall not be considered sufficient to constitute a physical inspection as required by this
143 section.

144 13. The provisions of subsections 11 and 12 of this section shall only apply in any county
145 with a charter form of government with more than one million inhabitants.

146 14. A county or city collector may accept credit cards as proper form of payment of
147 outstanding property tax or license due. No county or city collector may charge surcharge for
148 payment by credit card which exceeds the fee or surcharge charged by the credit card bank,
149 processor, or issuer for its service. A county or city collector may accept payment by electronic
150 transfers of funds in payment of any tax or license and charge the person making such payment
151 a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic
152 payment.

153 15. Any county or city not within a county in this state may, by an affirmative vote of
154 the governing body of such county, opt out of the provisions of this section and sections 137.073,
155 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly,
156 second regular session and section 137.073 as modified by house committee substitute for senate
157 substitute for senate committee substitute for senate bill no. 960, ninety-second general
158 assembly, second regular session, for the next year of the general reassessment, prior to January
159 first of any year. No county or city not within a county shall exercise this opt-out provision after

160 implementing the provisions of this section and sections 137.073, 138.060, and 138.100 as
161 enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and
162 section 137.073 as modified by house committee substitute for senate substitute for senate
163 committee substitute for senate bill no. 960, ninety-second general assembly, second regular
164 session, in a year of general reassessment. For the purposes of applying the provisions of this
165 subsection, a political subdivision contained within two or more counties where at least one of
166 such counties has opted out and at least one of such counties has not opted out shall calculate a
167 single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general
168 assembly, second regular session. A governing body of a city not within a county or a county
169 that has opted out under the provisions of this subsection may choose to implement the
170 provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill
171 no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as
172 modified by house committee substitute for senate substitute for senate committee substitute for
173 senate bill no. 960, ninety-second general assembly, second regular session, for the next year of
174 general reassessment, by an affirmative vote of the governing body prior to December thirty-first
175 of any year.

176 16. The governing body of any city of the third classification with more than twenty-six
177 thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located
178 in any county that has exercised its authority to opt out under subsection 15 of this section may
179 levy separate and differing tax rates for real and personal property only if such city bills and
180 collects its own property taxes or satisfies the entire cost of the billing and collection of such
181 separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax
182 rate ceiling.

183 17. Any portion of real property that is available as reserve for strip, surface, or coal
184 mining for minerals for purposes of excavation for future use or sale to others that has not been
185 bonded and permitted under chapter 444 shall be assessed based upon how the real property is
186 currently being used. Any information provided to a county assessor, state tax commission, state
187 agency, or political subdivision responsible for the administration of tax policies shall, in the
188 performance of its duties, make available all books, records, and information requested, except
189 such books, records, and information as are by law declared confidential in nature, including
190 individually identifiable information regarding a specific taxpayer or taxpayer's mine property.
191 For purposes of this subsection, "mine property" shall mean all real property that is in use or
192 readily available as a reserve for strip, surface, or coal mining for minerals for purposes of
193 excavation for current or future use or sale to others that has been bonded and permitted under
194 chapter 444.

143.441. 1. The term "corporation" means every corporation, association, joint stock

2 company and joint stock association organized, authorized or existing under the laws of this state
3 and includes:

4 (1) Every corporation, association, joint stock company, and joint stock association
5 organized, authorized, or existing under the laws of this state, and every corporation, association,
6 joint stock company, and joint stock association, licensed to do business in this state, or doing
7 business in this state, and not organized, authorized, or existing under the laws of this state, or
8 by any receiver in charge of the property of any such corporation, association, joint stock
9 company or joint stock association;

10 (2) Every railroad corporation or receiver in charge of the property thereof which
11 operates over rails owned or leased by it and every corporation operating any buslines, trucklines,
12 airlines, or other forms of transportation, **including, but not limited to, qualified air freight**
13 **forwarders**, operating over fixed routes owned, leased, or used by it extending from this state
14 to another state or states. **For purposes of this subdivision, "qualified air freight forwarder"**
15 **means a taxpayer who meets all of the following requirements:**

16 (a) **The taxpayer is primarily engaged in the facilitation of the transportation of**
17 **property by air;**

18 (b) **The taxpayer does not itself operate the aircraft; and**

19 (c) **The taxpayer is in the same affiliated group as an airline;**

20 (3) Every corporation, or receiver in charge of the property thereof, which owns or
21 operates a bridge between this and any other state; and

22 (4) Every corporation, or receiver in charge of the property thereof, which operates a
23 telephone line or lines extending from this state to another state or states or a telegraph line or
24 lines extending from this state to another state or states.

25 2. The tax on corporations provided in subsection 1 of section 143.431 and section
26 143.071 shall not apply to:

27 (1) A corporation which by reason of its purposes and activities is exempt from federal
28 income tax. The preceding sentence shall not apply to unrelated business taxable income and
29 other income on which chapter 1 of the Internal Revenue Code imposes the federal income tax
30 or any other tax measured by income;

31 (2) An express company which pays an annual tax on its gross receipts in this state;

32 (3) An insurance company which is subject to an annual tax on its gross premium
33 receipts in this state;

34 (4) A Missouri mutual or an extended Missouri mutual insurance company organized
35 under chapter 380; and

36 (5) Any other corporation that is exempt from Missouri income taxation under the laws
37 of Missouri or the laws of the United States.

144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 2 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 3 144.525, sections 144.600 to 144.746, and section 238.235, and the provisions of any local sales 4 tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or 5 payable pursuant to sections 144.010 to 144.525, sections 144.600 to 144.746, and section 6 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of 7 aviation jet fuel in a given calendar year to common carriers engaged in the interstate air 8 transportation of passengers and cargo, and the storage, use and consumption of such aviation 9 jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, 10 in accordance with the provisions of this chapter, state sales and use taxes pursuant to the 11 foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation 12 jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of 13 state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common 14 carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant 15 to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The 16 director of revenue shall permit any such common carrier to enter into a direct-pay agreement 17 with the department of revenue, pursuant to which such common carrier may pay directly to the 18 department of revenue any applicable sales and use taxes on such aviation jet fuel up to the 19 maximum aggregate amount of one million five hundred thousand dollars in each calendar year. 20 The director of revenue shall adopt appropriate rules and regulations to implement the provisions 21 of this section, and to permit appropriate claims for refunds of any excess sales and use taxes 22 collected in calendar year 1993 or any subsequent year with respect to any such common carrier 23 and aviation jet fuel. 24

3. The provisions of this section shall apply to all purchases and deliveries of aviation 25 jet fuel from and after May 10, 1993. 26

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, 27 less the amounts specifically designated pursuant to the constitution or pursuant to section 28 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established 29 pursuant to section 155.090; provided however, the amount of such state sales and use tax 30 revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars 31 in each calendar year. 32

5. The provisions of this section and section 144.807 shall expire on December 31, 33 ~~2023~~ 2033. 34

217.850. 1. A person commits the offense of unlawful use of unmanned aircraft 2 over a correctional center if he or she purposely:

- 3 **(1) Operates an unmanned aircraft within a vertical distance of four hundred feet**
4 **over a correctional center's secure perimeter fence; or**
- 5 **(2) Allows an unmanned aircraft to make contact with a correctional center,**
6 **including any person or object on the premises of or within the facility.**
- 7 **2. For purposes of this section, "correctional center" shall include:**
- 8 **(1) Any correctional center as defined in section 217.010;**
9 **(2) Any private jail as defined in section 221.095; and**
10 **(3) Any county or municipal jail.**
- 11 **3. The provisions of this section shall not prohibit the operation of an unmanned**
12 **aircraft by:**
- 13 **(1) An employee of the correctional center at the direction of the chief**
14 **administrative officer of the facility;**
- 15 **(2) A person who has written consent from the chief administrative officer of the**
16 **facility;**
- 17 **(3) An employee of a law enforcement agency, fire department, or emergency**
18 **medical service in the exercise of official duties;**
- 19 **(4) A government official or employee in the exercise of official duties;**
20 **(5) A public utility or a rural electric cooperative if:**
- 21 **(a) The unmanned aircraft is used for the purpose of inspecting, repairing, or**
22 **maintaining utility transmission or distribution lines or other utility equipment or**
23 **infrastructure;**
- 24 **(b) The utility notifies the correctional center before flying the unmanned aircraft,**
25 **except during an emergency; and**
- 26 **(c) The person operating the unmanned aircraft does not physically enter the**
27 **prohibited space without an escort provided by the correctional center;**
- 28 **(6) An employee of a railroad in the exercise of official duties on any land owned**
29 **or operated by a railroad corporation regulated by the Federal Railroad Administration;**
30 **or**
- 31 **(7) A person operating an unmanned aircraft pursuant to and in compliance with**
32 **any waiver issued by the Federal Aviation Authority under 14 C.F.R. Section 107.200.**
- 33 **4. The offense of unlawful use of unmanned aircraft over a correctional center shall**
34 **be punishable as an infraction unless the person uses an unmanned aircraft for the purpose**
35 **of:**
- 36 **(1) Delivering a gun, knife, weapon, or other article that may be used in such**
37 **manner to endanger the life of an offender or correctional center employee, in which case**
38 **the offense is a class B felony;**

39 **(2) Facilitating an escape from confinement under section 575.210, in which case**
40 **the offense is a class C felony; or**

41 **(3) Delivering a controlled substance, as that term is defined under section 195.010,**
42 **in which case the offense is a class D felony.**

43 **5. Each correctional center shall post a sign warning of the provisions of this**
44 **section. The sign shall be at least eleven inches by fourteen inches and posted in a**
45 **conspicuous place.**

227.479. The portion of State Highway D from the intersection with State Highway
2 **84 continuing north to County Road 321 in Pemiscot County shall be designated the**
3 **"Duane S Michie Memorial Highway". The department of transportation shall erect and**
4 **maintain appropriate signs designating such highway, with the costs to be paid by private**
5 **donations.**

227.485. The portion of State Highway H from Interstate 44 West continuing north
2 **to County Road 88 in Greene County shall be designated as "Deputy Sheriff Aaron P**
3 **Roberts Memorial Highway". The department of transportation shall erect and maintain**
4 **appropriate signs designating such highway, with the costs to be paid by private donations.**

 227.600. 1. Sections 227.600 to 227.669 shall be known and may be cited as the
2 "Missouri Public-Private Partnerships Transportation Act".

3 2. As used in sections 227.600 to 227.669, unless the context clearly requires otherwise,
4 the following terms mean:

5 (1) "Commission", the Missouri highways and transportation commission;

6 (2) "Comprehensive agreement", the final binding written comprehensive project
7 agreement between a private partner and the commission required in section 227.621 to finance,
8 develop, and/or operate the project;

9 (3) "Department", the Missouri department of transportation;

10 (4) "Develop" or "development", to plan, locate, relocate, establish, acquire, lease,
11 design, or construct;

12 (5) "Finance", to fund the costs, expenses, liabilities, fees, profits, and all other charges
13 incurred to finance, develop, and/or operate the project;

14 (6) "Interim agreement", a preliminary binding written agreement between a private
15 partner and the commission that provides for completion of studies and any other activities to
16 advance the financing, development, and/or operation of the project required by section 227.618;

17 (7) "Material default", any uncured default by a private partner in the performance of its
18 duties that jeopardizes adequate service to the public from the project as determined by the
19 commission;

20 (8) "Operate" or "operation", to improve, maintain, equip, modify, repair, administer, or
21 collect user fees;

22 (9) "Private partner", any natural person, corporation, partnership, limited liability
23 company, joint venture, business trust, nonprofit entity, other business entity, or any combination
24 thereof;

25 (10) "Project", exclusively includes any pipeline, ferry, port facility, water facility, water
26 way, water supply facility or pipeline, stormwater facility or system, wastewater system or
27 treatment facility, public building, airport, railroad, light rail, vehicle parking facility, mass
28 transit facility, **tube transport system**, or other similar facility currently available or to be made
29 available to a government entity for public use, including any structure, parking area,
30 appurtenance and other property required to operate the structure or facility to be financed,
31 developed, and/or operated under agreement between the commission and a private partner. The
32 commission or private partner shall not have the authority to collect user fees in connection with
33 the project from motor carriers as defined in section 227.630. Project shall not include any
34 highway, interstate or bridge construction, or any rest area, rest stop, or truck parking facility
35 connected to an interstate or other highway under the authority of the commission. Any project
36 not specifically included in this subdivision shall not be financed, developed, or operated by a
37 private partner until such project is approved by a vote of the people;

38 (11) "Public use", a finding by the commission that the project to be financed, developed,
39 and/or operated by a private partner under sections 227.600 to 227.669 will improve or is needed
40 as a necessary addition to the state transportation system;

41 (12) "Revenues", include but are not limited to the following which arise out of or in
42 connection with the financing, development, and/or operation of the project:

43 (a) Income;

44 (b) Earnings;

45 (c) Proceeds;

46 (d) User fees;

47 (e) Lease payments;

48 (f) Allocations;

49 (g) Federal, state, and local moneys; or

50 (h) Private sector moneys, grants, bond proceeds, and/or equity investments;

51 (13) "State", the state of Missouri;

52 (14) "State highway system", the state system of highways and bridges planned, located,
53 relocated, established, acquired, constructed, and maintained by the commission under Section
54 30(b), Article IV, Constitution of Missouri;

55 (15) "State transportation system", the state system of nonhighway transportation
 56 programs, including but not limited to aviation, transit and mass transportation, railroads, ports,
 57 waterborne commerce, freight and intermodal connections;

58 (16) "**Tube transport system**", a **high-speed transportation system, including**
 59 **infrastructure and facilities, in which pressurized pods containing passengers or freight**
 60 **ride or coast upon a cushion of air through magnetic levitation within a reduced-pressure**
 61 **or vacuum tube, propelled by electric power;**

62 (17) "User fees", tolls, fees, or other charges authorized to be imposed by the
 63 commission and collected by the private partner for the use of all or a portion of a project under
 64 a comprehensive agreement.

65 **3. The commission shall have the authority to enter into an agreement with a**
 66 **private partner to utilize rights-of-way of a state-maintained roadway, including but not**
 67 **limited to any interstate or other federal-aid highway, for the construction and operation**
 68 **of a tube transport system.**

69 **4. When an agreement is reached under subsection 3 of this section, the director of**
 70 **the department of transportation shall apply for any necessary federal approvals to utilize**
 71 **the right-of-way of the state-maintained roadway for a tube transport system.**

230.205. 1. The alternative county highway commission provided by sections 230.200
 2 to 230.260 shall not become operative in any county unless adopted by a vote of the majority of
 3 the voters of the county voting upon the question at an election. All counties of this state which
 4 have adopted the alternative county highway commission may abolish it [~~and return to the county~~
 5 ~~highway commission provided for by sections 230.010 to 230.110]~~ by submitting the question
 6 to a vote of the voters of the county in the manner provided by law **or by a vote of the**
 7 **governing body.**

8 2. Any county which does not adopt the alternative county highway commission
 9 provided by sections 230.200 to 230.260, or any county in which [~~a majority of the voters of the~~
 10 ~~county voting upon the question reject]~~ the alternative county highway commission provided by
 11 sections 230.200 to 230.260 **is abolished** shall [~~retain~~] **adopt either** the county highway
 12 commission provided by sections 230.010 to 230.110 **or the provisions of sections 231.010 to**
 13 **231.130.**

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

3 (1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
 4 off-highway use which is fifty inches or less in width, with an unladen dry weight of one
 5 thousand five hundred pounds or less, traveling on three, four or more nonhighway tires;

6 (2) "Autocycle", a three-wheeled motor vehicle which the drivers and passengers ride
7 in a partially or completely enclosed nonstraddle seating area~~], that is designed to be controlled~~
8 ~~with a steering wheel and pedals,]~~ and that has met applicable Department of Transportation
9 National Highway Traffic Safety Administration requirements or federal motorcycle safety
10 standards;

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

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

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

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

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

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

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

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

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

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

35 (13) "Driveaway operation":

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

39 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting
40 the commodity being transported, by a person engaged in the business of furnishing drivers and

41 operators for the purpose of transporting vehicles in transit from one place to another by the
42 driveaway or towaway methods; or

43 (c) The movement of a motor vehicle by any person who is lawfully engaged in the
44 business of transporting or delivering vehicles that are not the person's own and vehicles of a
45 type otherwise required to be registered, by the driveaway or towaway methods, from a point of
46 manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent
47 of a manufacturer or to any consignee designated by the shipper or consignor;

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

52 (15) "Farm tractor", a tractor used exclusively for agricultural purposes;

53 (16) "Fleet", any group of ten or more motor vehicles owned by the same owner;

54 (17) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

55 (18) "Fullmount", a vehicle mounted completely on the frame of either the first or last
56 vehicle in a saddlemount combination;

57 (19) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus
58 the weight of any load thereon;

59 (20) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the
60 result of the impact of hail;

61 (21) "Highway", any public thoroughfare for vehicles, including state roads, county roads
62 and public streets, avenues, boulevards, parkways or alleys in any municipality;

63 (22) "Improved highway", a highway which has been paved with gravel, macadam,
64 concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

65 (23) "Intersecting highway", any highway which joins another, whether or not it crosses
66 the same;

67 (24) "Junk vehicle", a vehicle which:

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

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

72 (25) "Kit vehicle", a motor vehicle assembled by a person other than a generally
73 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
74 an authorized manufacturer and accompanied by a manufacturer's statement of origin;

75 (26) "Land improvement contractors' commercial motor vehicle", any not-for-hire
76 commercial motor vehicle the operation of which is confined to:

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

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

84

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

87 (27) "Local commercial motor vehicle", a commercial motor vehicle whose operations
88 are confined to a municipality and that area extending not more than fifty miles therefrom, or a
89 commercial motor vehicle whose property-carrying operations are confined solely to the
90 transportation of property owned by any person who is the owner or operator of such vehicle to
91 or from a farm owned by such person or under the person's control by virtue of a landlord and
92 tenant lease; provided that any such property transported to any such farm is for use in the
93 operation of such farm;

94 (28) "Local log truck", a commercial motor vehicle which is registered pursuant to this
95 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
96 state, used to transport harvested forest products, operated solely at a forested site and in an area
97 extending not more than a one hundred mile radius from such site, carries a load with dimensions
98 not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on
99 the national system of interstate and defense highways described in 23 U.S.C. Section 103, as
100 amended, or outside the one hundred mile radius from such site with an extended distance local
101 log truck permit, such vehicle shall not exceed the weight limits of section 304.180, does not
102 have more than four axles, and does not pull a trailer which has more than three axles.
103 Harvesting equipment which is used specifically for cutting, felling, trimming, delimiting,
104 debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local
105 log truck. A local log truck may not exceed the limits required by law, however, if the truck does
106 exceed such limits as determined by the inspecting officer, then notwithstanding any other
107 provisions of law to the contrary, such truck shall be subject to the weight limits required by such
108 sections as licensed for eighty thousand pounds;

109 (29) "Local log truck tractor", a commercial motor vehicle which is registered under this
110 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
111 state, used to transport harvested forest products, operated at a forested site and in an area
112 extending not more than a one hundred mile radius from such site, operates with a weight not

113 exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding
114 forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national
115 system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, or
116 outside the one hundred mile radius from such site with an extended distance local log truck
117 permit, such vehicle does not exceed the weight limits contained in section 304.180, and does
118 not have more than three axles and does not pull a trailer which has more than three axles.
119 Violations of axle weight limitations shall be subject to the load limit penalty as described for
120 in sections 304.180 to 304.220;

121 (30) "Local transit bus", a bus whose operations are confined wholly within a municipal
122 corporation, or wholly within a municipal corporation and a commercial zone, as defined in
123 section 390.020, adjacent thereto, forming a part of a public transportation system within such
124 municipal corporation and such municipal corporation and adjacent commercial zone;

125 (31) "Log truck", a vehicle which is not a local log truck or local log truck tractor and
126 is used exclusively to transport harvested forest products to and from forested sites which is
127 registered pursuant to this chapter to operate as a motor vehicle on the public highways of this
128 state for the transportation of harvested forest products;

129 (32) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly,
130 and front clip, as those terms are defined by the director of revenue pursuant to rules and
131 regulations or by illustrations;

132 (33) "Manufacturer", any person, firm, corporation or association engaged in the
133 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

134 (34) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
135 receives a new, rebuilt or used engine, and which used the number stamped on the original
136 engine as the vehicle identification number;

137 (35) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
138 except farm tractors;

139 (36) "Motor vehicle primarily for business use", any vehicle other than a recreational
140 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over
141 twelve thousand pounds:

142 (a) Offered for hire or lease; or

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

144 (37) "Motorcycle", a motor vehicle operated on two wheels;

145 (38) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic
146 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which
147 produces less than three gross brake horsepower, and is capable of propelling the device at a
148 maximum speed of not more than thirty miles per hour on level ground;

149 (39) "Motortricycle", a motor vehicle upon which the operator straddles or sits astride
150 that is designed to be controlled by handle bars and is operated on three wheels, including a
151 motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of
152 a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

153 (40) "Municipality", any city, town or village, whether incorporated or not;

154 (41) "Nonresident", a resident of a state or country other than the state of Missouri;

155 (42) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in
156 compliance with United States emissions or safety standards;

157 (43) "Operator", any person who operates or drives a motor vehicle;

158 (44) "Owner", any person, firm, corporation or association, who holds the legal title to
159 a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease
160 thereof with the right of purchase upon performance of the conditions stated in the agreement
161 and with an immediate right of possession vested in the conditional vendee or lessee, or in the
162 event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee
163 or mortgagor shall be deemed the owner;

164 (45) "Public garage", a place of business where motor vehicles are housed, stored,
165 repaired, reconstructed or repainted for persons other than the owners or operators of such place
166 of business;

167 (46) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the
168 rebuilder, but does not include certificated common or contract carriers of persons or property;

169 (47) "Reconstructed motor vehicle", a vehicle that is altered from its original
170 construction by the addition or substitution of two or more new or used major component parts,
171 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

172 (48) "Recreational motor vehicle", any motor vehicle designed, constructed or
173 substantially modified so that it may be used and is used for the purposes of temporary housing
174 quarters, including therein sleeping and eating facilities which are either permanently attached
175 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.
176 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor
177 vehicle if the motor vehicle could otherwise be so registered;

178 (49) "Recreational off-highway vehicle", any motorized vehicle manufactured and used
179 exclusively for off-highway use which is more than fifty inches but no more than sixty-seven
180 inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four
181 or more nonhighway tires and which may have access to ATV trails;

182 (50) "Recreational trailer", any trailer designed, constructed, or substantially modified
183 so that it may be used and is used for the purpose of temporary housing quarters, including

184 therein sleeping or eating facilities, which can be temporarily attached to a motor vehicle or
185 attached to a unit which is securely attached to a motor vehicle;

186 (51) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,
187 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a
188 wrecker or towing service;

189 (52) "Saddlemount combination", a combination of vehicles in which a truck or truck
190 tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth
191 wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of
192 the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth
193 wheel kingpin connection. When two vehicles are towed in this manner the combination is
194 called a "double saddlemount combination". When three vehicles are towed in this manner, the
195 combination is called a "triple saddlemount combination";

196 (53) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for
197 the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

198 (54) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

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

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

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

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

210 (e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157
211 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild
212 or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling
213 inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on
214 parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair
215 market value" means the retail value of a motor vehicle as:

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

219 b. Determined pursuant to a market survey of comparable vehicles with regard to
220 condition and equipment; and

221 c. Determined by an insurance company using any other procedure recognized by the
222 insurance industry, including market surveys, that is applied by the company in a uniform
223 manner;

224 (55) "School bus", any motor vehicle used solely to transport students to or from school
225 or to transport students to or from any place for educational purposes;

226 (56) "Scrap processor", a business that, through the use of fixed or mobile equipment,
227 flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or
228 transportation to a shredder or scrap metal operator for recycling;

229 (57) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
230 corporation as an incidental service to transport patrons or customers of the regular business of
231 such person, firm, or corporation to and from the place of business of the person, firm, or
232 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
233 buses or as commercial motor vehicles;

234 (58) "Special mobile equipment", every self-propelled vehicle not designed or used
235 primarily for the transportation of persons or property and incidentally operated or moved over
236 the highways, including farm equipment, implements of husbandry, road construction or
237 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,
238 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt
239 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
240 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump
241 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and
242 shall not operate to exclude other such vehicles which are within the general terms of this
243 section;

244 (59) "Specially constructed motor vehicle", a motor vehicle which shall not have been
245 originally constructed under a distinctive name, make, model or type by a manufacturer of motor
246 vehicles. The term specially constructed motor vehicle includes kit vehicles;

247 (60) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel
248 is located on a drop frame located behind and below the rearmost axle of the power unit;

249 (61) "Tandem axle", a group of two or more axles, arranged one behind another, the
250 distance between the extremes of which is more than forty inches and not more than ninety-six
251 inches apart;

252 (62) "Towaway trailer transporter combination", a combination of vehicles consisting
253 of a trailer transporter towing unit and two trailers or semitrailers, with a total weight that does
254 not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry no

255 property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers
256 or semitrailers;

257 (63) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed
258 for drawing other vehicles, but not for the carriage of any load when operating independently.
259 When attached to a semitrailer, it supports a part of the weight thereof;

260 (64) "Trailer", any vehicle without motive power designed for carrying property or
261 passengers on its own structure and for being drawn by a self-propelled vehicle, except those
262 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
263 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
264 rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers
265 as defined in this section and shall not include manufactured homes as defined in section
266 700.010;

267 (65) "Trailer transporter towing unit", a power unit that is not used to carry property
268 when operating in a towaway trailer transporter combination;

269 (66) "Truck", a motor vehicle designed, used, or maintained for the transportation of
270 property;

271 (67) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two
272 trailing units are connected with a B-train assembly which is a rigid frame extension attached to
273 the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second
274 semitrailer and has one less articulation point than the conventional A-dolly connected
275 truck-tractor semitrailer-trailer combination;

276 (68) "Truck-trailer boat transporter combination", a boat transporter combination
277 consisting of a straight truck towing a trailer using typically a ball and socket connection with
278 the trailer axle located substantially at the trailer center of gravity rather than the rear of the
279 trailer but so as to maintain a downward force on the trailer tongue;

280 (69) "Used parts dealer", a business that buys and sells used motor vehicle parts or
281 accessories, but not including a business that sells only new, remanufactured or rebuilt parts.
282 Business does not include isolated sales at a swap meet of less than three days;

283 (70) "Utility vehicle", any motorized vehicle manufactured and used exclusively for
284 off-highway use which is more than fifty inches but no more than sixty-seven inches in width,
285 with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to
286 be used primarily for landscaping, lawn care, or maintenance purposes;

287 (71) "Vanpool", any van or other motor vehicle used or maintained by any person, group,
288 firm, corporation, association, city, county or state agency, or any member thereof, for the
289 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
290 and from their place of employment; however, a vanpool shall not be included in the definition

291 of the term bus or commercial motor vehicle as defined in this section, nor shall a vanpool driver
292 be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool
293 vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an
294 unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a
295 ride-sharing arrangement;

296 (72) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
297 on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power,
298 or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs
299 operated by handicapped persons;

300 (73) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed
301 and used to assist or render aid and transport or tow disabled or wrecked vehicles from a
302 highway, road, street or highway rights-of-way to a point of storage or repair, including towing
303 a replacement vehicle to replace a disabled or wrecked vehicle;

304 (74) "Wrecker or towing service", the act of transporting, towing or recovering with a
305 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker,
306 tow truck, rollback or car carrier for which the operator directly or indirectly receives
307 compensation or other personal gain.

301.030. 1. The director shall provide for the retention of license plates by the owners
2 of motor vehicles, other than commercial motor vehicles, and shall establish a system of
3 registration on a monthly series basis to distribute the work of registering motor vehicles as
4 uniformly as practicable throughout the twelve months of the calendar year. For the purpose of
5 assigning license plate numbers, each type of motor vehicle shall be considered a separate class.
6 Commencing July 1, 1949, motor vehicles, other than commercial motor vehicles, shall be
7 registered for a period of twelve consecutive calendar months. There are established twelve
8 registration periods, each of which shall start on the first day of each calendar month of the year
9 and shall end on the last date of the twelfth month from the date of beginning. **Fees for the**
10 **renewal of noncommercial motor vehicle registrations shall be payable no later than the**
11 **last day of the month that follows the twelfth month of the expired registration period. No**
12 **delinquent renewal penalty shall be assessed under section 301.050, and no violation shall**
13 **be issued under section 301.020 for an expired registration, prior to the second month that**
14 **follows the twelfth month of the expired registration period.**

15 2. Motor vehicles, other than commercial motor vehicles, operated for the first time upon
16 the public highways of this state, to and including the fifteenth day of any given month, shall be
17 subject to registration and payment of a fee for the twelve-month period commencing the first
18 day of the month of such operation; motor vehicles, other than commercial motor vehicles,
19 operated for the first time on the public highways of this state after the fifteenth day of any given

20 month shall be subject to registration and payment of a fee for the twelve-month period
21 commencing the first day of the next following calendar month.

22 3. All commercial motor vehicles and trailers, except those licensed under section
23 301.035 and those operated under agreements as provided for in sections 301.271 to 301.279,
24 shall be registered either on a calendar year basis or on a prorated basis as provided in this
25 section. The fees for commercial motor vehicles, trailers, semitrailers, and driveaway vehicles,
26 other than those to be operated under agreements as provided for in sections 301.271 to 301.279
27 shall be payable not later than the last day of February of each year, except when such vehicle
28 is licensed between April first and July first the fee shall be three-fourths the annual fee, when
29 licensed between July first and October first the fee shall be one-half the annual fee and when
30 licensed on or after October first the fee shall be one-fourth the annual fee. Such license plates
31 shall be made with fully reflective material with a common color scheme and design, shall be
32 clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.
33 Local commercial motor vehicle license plates may also be so stamped, marked or designed as
34 to indicate they are to be used only on local commercial motor vehicles and, in addition to such
35 stamp, mark or design, the letter "F" shall also be displayed on local commercial motor vehicle
36 license plates issued to motor vehicles used for farm or farming transportation operations as
37 defined in section 301.010 in the manner prescribed by the advisory committee established in
38 section 301.129. In addition, all commercial motor vehicle license plates may be so stamped or
39 marked with a letter, figure or other emblem as to indicate the gross weight for which issued.

40 4. The director shall, upon application, issue registration and license plates for nine
41 thousand pounds gross weight for property-carrying commercial motor vehicles referred to
42 herein, upon payment of the fees prescribed for twelve thousand pounds gross weight as provided
43 in section 301.057.

44 5. Notwithstanding any other provision of law to the contrary, any motorcycle or
45 motortricycle registration issued by the Missouri department of revenue shall expire on June
46 thirtieth.

301.032. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the
2 contrary, the director of revenue shall establish a system of registration of all fleet vehicles
3 owned or purchased by a fleet owner registered pursuant to this section. The director of revenue
4 shall prescribe the forms for such fleet registration and the forms and procedures for the
5 registration updates prescribed in this section. Any owner of ten or more motor vehicles which
6 must be registered in accordance with this chapter may register as a fleet owner. All registered
7 fleet owners may, at their option, register all motor vehicles included in the fleet on a calendar
8 year or biennial basis pursuant to this section in lieu of the registration periods provided in

9 sections 301.030, 301.035, and 301.147. The director shall issue an identification number to
10 each registered owner of fleet vehicles.

11 2. All fleet vehicles included in the fleet of a registered fleet owner shall be registered
12 during April of the corresponding year or on a prorated basis as provided in subsection 3 of this
13 section. Fees of all vehicles in the fleet to be registered on a calendar year basis or on a biennial
14 basis shall be payable not later than the last day of April of the corresponding year, with two
15 years' fees due for biennially-registered vehicles. Notwithstanding the provisions of section
16 307.355, an application for registration of a fleet vehicle must be accompanied by a certificate
17 of inspection and approval issued no more than one hundred twenty days prior to the date of
18 application. The fees for vehicles added to the fleet which must be licensed at the time of
19 registration shall be payable at the time of registration, except that when such vehicle is licensed
20 between July first and September thirtieth the fee shall be three-fourths the annual fee, when
21 licensed between October first and December thirty-first the fee shall be one-half the annual fee
22 and when licensed on or after January first the fee shall be one-fourth the annual fee. When
23 biennial registration is sought for vehicles added to a fleet, an additional year's annual fee will
24 be added to the partial year's prorated fee.

25 3. At any time during the calendar year in which an owner of a fleet purchases or
26 otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle,
27 the owner shall present to the director of revenue the identification number as a fleet number and
28 may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet
29 owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant
30 to this subsection.

31 4. Except as specifically provided in this subsection, all fleet vehicles registered pursuant
32 to this section shall be issued a special license plate which shall have the words "Fleet Vehicle"
33 in place of the words "Show-Me State" in the manner prescribed by the advisory committee
34 established in section 301.129. Alternatively, for a one-time additional five dollar per-vehicle
35 fee beyond the regular registration fee, a fleet owner of at least fifty fleet vehicles may apply for
36 fleet license plates bearing a company name or logo, the size and design thereof subject to
37 approval by the director. All fleet license plates shall be made with fully reflective material with
38 a common color scheme and design, shall be clearly visible at night, and shall be aesthetically
39 attractive, as prescribed by section 301.130. Fleet vehicles shall be issued multiyear license
40 plates as provided in this section which shall not require issuance of a renewal tab. Upon
41 payment of appropriate registration fees, the director of revenue shall issue a registration
42 certificate or other suitable evidence of payment of the annual or biennial fee, and such evidence
43 of payment shall be carried at all times in the vehicle for which it is issued.

44 5. Notwithstanding the provisions of sections 307.350 to 307.390 to the contrary, a fleet
45 vehicle registered in Missouri is exempt from the requirements of sections 307.350 to 307.390
46 if at the time of the annual fleet registration, such fleet vehicle is situated outside the state of
47 Missouri.

48 6. (1) Notwithstanding any other provisions of law to the contrary, any person, company,
49 or corporation engaged in the business of renting or leasing three thousand five hundred or more
50 motor vehicles which are to be used exclusively for rental or leasing purposes and not for resale
51 that has applied to the director of revenue for authority to operate as a lease or rental company
52 as prescribed in section 144.070 may operate as a registered fleet owner as prescribed in the
53 provisions of this subsection to subsection 10 of this section.

54 (2) The director of revenue may issue license plates after presentment of an application,
55 as designed by the director, and payment of an annual fee of three hundred sixty dollars for the
56 first ten plates and thirty-six dollars for each additional plate. The payment and issuance of such
57 plates shall be in lieu of registering each motor vehicle with the director as otherwise provided
58 by law.

59 (3) **The registration fees for vehicles in the registered fleet owner's fleet shall be**
60 **fully payable at the time such plates are ordered, except that when such plate is ordered**
61 **after the first month of registration, the fees payable shall be prorated by the month the**
62 **plates were ordered. When biennial registration is sought, an additional year's annual fee**
63 **shall be added to the partial year's prorated fee.**

64 (4) Such motor vehicles within the fleet shall not be exempted from the safety inspection
65 and emissions inspection provisions as prescribed in chapters 307 and 643, but notwithstanding
66 the provisions of section 307.355, such inspections shall not be required to be presented to the
67 director of revenue.

68 7. A recipient of a lease or rental company license issued by the director of revenue as
69 prescribed in section 144.070 operating as a registered fleet owner under this section shall
70 register such fleet with the director of revenue on an annual or biennial basis in lieu of the
71 individual motor vehicle registration periods as prescribed in sections 301.030, 301.035, and
72 301.147. If an applicant elects a biennial fleet registration, the annual fleet license plate fees
73 prescribed in subdivision (1) of subsection 6 of this section shall be doubled. An agent fee as
74 prescribed in subdivision (1) of subsection 1 of section 136.055 shall apply to the issuance of
75 fleet registrations issued under subsections 6 to 10 of this section, and if a biennial fleet
76 registration is elected, the agent fee shall be collected in an amount equal to the fee for two years.

77 8. Prior to the issuance of fleet license plates under subsections 6 to 10 of this section,
78 the applicant shall provide proof of insurance as required under section 303.024 or 303.026.

79 9. The authority of a recipient of a lease or rental company license issued by the director
80 of revenue as prescribed in section 144.070 to operate as a fleet owner as provided in this section
81 shall expire on January first of the licensure period.

82 10. A lease or rental company operating fleet license plates issued under subsections 6
83 to 10 of this section shall make available, upon request, to the director of revenue and all
84 Missouri law enforcement agencies any corresponding vehicle and registration information that
85 may be requested as prescribed by rule.

86 11. The director shall make all necessary rules and regulations for the administration of
87 this section and shall design all necessary forms required by this section. Any rule or portion of
88 a rule, as that term is defined in section 536.010, that is created under the authority delegated in
89 this section shall become effective only if it complies with and is subject to all the provisions of
90 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
91 and if any of the powers vested with the general assembly under chapter 536 to review, to delay
92 the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
93 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2019, shall
94 be invalid and void.

 301.451. (1) Any person who has been awarded the purple heart medal may apply for
2 special motor vehicle license plates for any vehicle he or she owns, either solely or jointly, other
3 than commercial vehicles weighing over twenty-four thousand pounds.

4 (2) Any such person shall make application for the special license plates on a form
5 provided by the director of revenue and furnish such proof as a recipient of the purple heart
6 medal as the director may require. The director shall then issue license plates bearing letters or
7 numbers or a combination thereof, with the words "PURPLE HEART" in place of the words
8 "SHOW-ME STATE" in a form prescribed by the advisory committee established in section
9 301.129.

10 (3) Such license plates shall be made with fully reflective material with a common color
11 scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as
12 prescribed by section 301.130.

13 (4) There shall be no fee **charged for the first set of license plates issued to an eligible**
14 **person under this section. A second or subsequent set of license plates issued to the eligible**
15 **person under this section shall be subject to regular registration fees but not to any fee in**
16 addition to regular registration fees [~~for the purple heart license plates issued to the applicant~~].

17 (5) There shall be no limit on the number of license plates any person qualified under
18 this section may obtain so long as each set of license plates issued under this section is issued
19 for vehicles owned solely or jointly by such person.

20 (6) License plates issued under the provisions of this section shall not be transferable to
21 any other person, except that, **in the event of the death of the qualified person**, any registered
22 co-owner of the motor vehicle shall be entitled to ~~[operate the motor vehicle for the duration of~~
23 ~~the year licensed in the event of the death of the qualified person]~~ **use and renew the license**
24 **plates until he or she remarries or, if he or she does not remarry, for the remainder of his**
25 **or her life.**

301.576. A motor vehicle dealer, as defined in section 301.550, and the dealer's
2 **owners, shareholders, officers, employees, and agents who, in conjunction with the actual**
3 **or potential sale or lease of a motor vehicle, arrange to provide, actually provide, or**
4 **otherwise make available to a vehicle purchaser, lessee, or other person any third-party**
5 **motor vehicle history report shall not be liable to the vehicle purchaser, lessee, or other**
6 **person for any errors, omissions, or other inaccuracies contained in the third-party motor**
7 **vehicle history report that are not based on information provided directly to the preparer**
8 **of the third-party motor vehicle history report by that dealer. For purposes of this section,**
9 **a "third-party motor vehicle report" means any information prepared by a party other**
10 **than the dealer relating to any one or more of the following: vehicle ownership or titling**
11 **history; liens on the vehicle; vehicle service, maintenance, or repair history; vehicle**
12 **condition; or vehicle accident or collision history. This section shall not apply in the case**
13 **of any dealer having actual knowledge about a vehicle's accident, salvage, or service**
14 **history which is different from, or not disclosed on, any third-party motor vehicle report.**

301.3069. 1. Any Missouri resident may receive special license plates as prescribed
2 **in this section after an annual payment of an emblem-use authorization fee to Central**
3 **Missouri Honor Flight. Central Missouri Honor Flight hereby authorizes the use of its**
4 **official emblem to be affixed on multiyear personalized license plates as provided in this**
5 **section for any vehicle the person owns, either solely or jointly, other than an apportioned**
6 **motor vehicle or commercial motor vehicle licensed in excess of twenty-four thousand**
7 **pounds gross weight. Any contribution to Central Missouri Honor Flight derived from this**
8 **section, except reasonable administrative costs, shall be used solely for financial assistance**
9 **to transport veterans to Washington D.C. to view various veteran memorials. Any**
10 **Missouri resident may annually apply to Central Missouri Honor Flight for the use of the**
11 **emblem.**

12 **2. Upon annual application and payment of a twenty-five dollar emblem-use**
13 **contribution to Central Missouri Honor Flight, the organization shall issue to the vehicle**
14 **owner, without further charge, an emblem-use authorization statement, which shall be**
15 **presented by the vehicle owner to the department of revenue at the time of registration of**
16 **a motor vehicle. Upon presentation of the annual statement and payment of the fee**

17 required for personalized license plates in section 301.144, and other fees and documents
18 which may be required by law, the department of revenue shall issue personalized license
19 plates, which shall bear the emblem of Central Missouri Honor Flight, to the vehicle owner.

20 **3. The license plate or plates authorized by this section shall be of a design**
21 **submitted by Central Missouri Honor Flight and approved by the department, shall be**
22 **made with fully reflective material with a common color scheme and design, shall be**
23 **clearly visible at night, and shall be aesthetically attractive, as prescribed by section**
24 **301.130. The bidding process used to select a vendor for the material to manufacture the**
25 **license plates authorized by this section shall consider the aesthetic appearance of the**
26 **plates.**

27 **4. A vehicle owner who was previously issued plates with the Central Missouri**
28 **Honor Flight emblem authorized by this section but who does not provide an emblem-use**
29 **authorization statement at a subsequent time of registration shall be issued new plates**
30 **which do not bear the Central Missouri Honor Flight emblem, as otherwise provided by**
31 **law. The director of revenue shall make necessary rules and regulations for the**
32 **enforcement of this section and shall design all necessary forms required by this section.**

301.3139. 1. Any Boy Scout of appropriate age as prescribed by law or parent of a Boy
2 Scout may receive special license plates as prescribed by this section, for any motor vehicle such
3 person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial
4 motor vehicle licensed in excess of twenty-four thousand pounds gross weight, after an annual
5 payment of an emblem-use authorization fee to the Boy Scouts of America Council of which the
6 person is a member or the parent of a member. The Boy Scouts of America hereby authorizes
7 the use of its official emblem to be affixed on multiyear personalized license plates as provided
8 in this section. Any contribution to the Boy Scouts of America derived from this section, except
9 reasonable administrative costs, shall be used solely for the purposes of the Boy Scouts of
10 America. Any Boy Scout or parent of a Boy Scout may annually apply for the use of the emblem
11 and pay the twenty-five dollar emblem-use authorization fee at any local district council in the
12 state.

13 2. Upon annual application and payment of a twenty-five dollar emblem-use contribution
14 to the Boy Scouts of America, the organization shall issue to the vehicle owner, without further
15 charge, an emblem-use authorization statement, which shall be presented by the owner to the
16 department of revenue at the time of registration of a motor vehicle. Upon presentation of the
17 annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents
18 which may be required by law, the department of revenue shall issue to the vehicle owner a
19 personalized license plate which shall bear the emblem of the Boy Scouts of America and the
20 words "BOY SCOUTS OF AMERICA" in place of the words "SHOW-ME STATE". Such

21 license plates shall be made with fully reflective material with a common color scheme and
22 design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by
23 section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be
24 charged for the personalization of license plates pursuant to this section. **Notwithstanding**
25 **subdivision (2) of subsection 1 of section 301.3150, the Boy Scouts of America shall not be**
26 **required to submit a list of applicants who plan to purchase the specialty plate established**
27 **under this section.**

28 3. A vehicle owner, who was previously issued a plate with the Boy Scouts of America
29 emblem authorized by this section but who does not provide an emblem-use authorization
30 statement at a subsequent time of registration, shall be issued a new plate which does not bear
31 the Boy Scouts of America emblem, as otherwise provided by law. The director of revenue shall
32 make necessary rules and regulations for the administration of this section, and shall design all
33 necessary forms required by this section. No rule or portion of a rule promulgated pursuant to
34 the authority of this section shall become effective unless it has been promulgated pursuant to
35 the provisions of chapter 536. Any rule or portion of a rule, as that term is defined in section
36 536.010, that is created under the authority delegated in this section shall become effective only
37 if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
38 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
39 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove
40 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority
41 and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

301.3159. Any person who has been awarded the military service award known as
2 **the meritorious service medal may apply for special motor vehicle license plates for any**
3 **motor vehicle such person owns, either solely or jointly, other than an apportioned motor**
4 **vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds**
5 **gross weight. Any such person shall make application for the special license plates on a**
6 **form provided by the director of revenue and furnish such proof as a recipient of the**
7 **meritorious service medal as the director may require. The director shall then issue license**
8 **plates bearing letters or numbers or a combination thereof as determined by the advisory**
9 **committee established in section 301.129, with the words "MERITORIOUS SERVICE"**
10 **in place of the words "SHOW-ME STATE". Such license plates shall be made with fully**
11 **reflective material with a common color scheme and design, shall be clearly visible at night,**
12 **and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall**
13 **also bear an image of the meritorious service medal. There shall be an additional fee**
14 **charged for each set of meritorious service license plates issued under this section equal to**
15 **the fee charged for personalized license plates. There shall be no limit on the number of**

16 **license plates any person qualified under this section may obtain so long as each set of**
17 **license plates issued under this section is issued for vehicles owned solely or jointly by such**
18 **person. License plates issued under the provisions of this section shall not be transferable**
19 **to any other person except that any registered co-owner of the motor vehicle shall be**
20 **entitled to operate the motor vehicle with such plates for the duration of the year licensed**
21 **in the event of the death of the qualified person.**

301.3174. 1. Any Missouri resident may receive special license plates as prescribed in
2 this section after an annual payment of an emblem-use authorization fee to the Association of
3 Missouri Electric Cooperatives. The Association of Missouri Electric Cooperatives hereby
4 authorizes the use of its official lineman emblem to be affixed on multiyear personalized license
5 plates as provided in this section for any vehicle the person owns, either solely or jointly[; ~~other~~
6 ~~than an apportioned motor vehicle or commercial motor vehicle licensed in excess of twenty-four~~
7 ~~thousand pounds gross weight~~]. Any contribution to such association derived from this section,
8 except reasonable administrative costs, shall be used solely for financial assistance for lineman
9 training programs. Any Missouri resident may annually apply to the association for the use of
10 the emblem.

11 2. Upon annual application and payment of a twenty-five dollar emblem-use contribution
12 to the Association of Missouri Electric Cooperatives, the association shall issue to the vehicle
13 owner, without further charge, an emblem-use authorization statement, which shall be presented
14 by the vehicle owner to the department of revenue at the time of registration of a motor vehicle.
15 Upon presentation of the annual statement and payment of the fee required for personalized
16 license plates in section 301.144, and other fees and documents which may be required by law,
17 the department of revenue shall issue a personalized license plate or plates, which shall bear the
18 emblem of the Association of Missouri Electric Cooperatives' lineman, to the vehicle owner.
19 **Notwithstanding any provision of law to the contrary, the department of revenue shall**
20 **issue the license plate or plates, as authorized in this section, for non-apportioned vehicles**
21 **of any classification for which it issues a license plate or plates.**

22 3. The license plate or plates authorized by this section shall be of a design submitted
23 by the Association of Missouri Electric Cooperatives and approved by the department, shall be
24 made with fully reflective material with a common color scheme and design, shall be clearly
25 visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. The
26 bidding process used to select a vendor for the material to manufacture the license plates
27 authorized by this section shall consider the aesthetic appearance of the plate or plates.

28 4. A vehicle owner, who was previously issued a plate or plates with the Association of
29 Missouri Electric Cooperatives' lineman emblem authorized by this section but who does not
30 provide an emblem-use authorization statement at a subsequent time of registration, shall be

31 issued a new plate or plates which do not bear the Association of Missouri Electric Cooperatives'
32 lineman emblem, as otherwise provided by law. The director of revenue shall make necessary
33 rules and regulations for the enforcement of this section, and shall design all necessary forms
34 required by this section.

302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person,
2 except those expressly exempted by section 302.080, to:

3 (1) Operate any vehicle upon any highway in this state unless the person has a valid
4 license;

5 (2) Operate a motorcycle or motortricycle upon any highway of this state unless such
6 person has a valid license that shows the person has successfully passed an examination for the
7 operation of a motorcycle or motortricycle as prescribed by the director. The director may
8 indicate such upon a valid license issued to such person, or shall issue a license restricting the
9 applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required
10 by section 302.173, is conducted on such vehicle;

11 (3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person
12 or under such person's control to be driven upon any highway by any person whose license does
13 not indicate that the person has passed the examination for the operation of a motorcycle or
14 motortricycle or has been issued an instruction permit therefor;

15 (4) Operate a motor vehicle with an instruction permit or license issued to another
16 person.

17 2. Every person **under eighteen years of age who is** operating or riding as a passenger
18 on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state
19 shall wear protective headgear at all times the vehicle is in motion; **except that, any person**
20 **eighteen years of age or older operating any motorcycle or motortricycle who has been**
21 **issued an instruction permit shall wear protective headgear at all times the vehicle is in**
22 **motion.** The protective headgear shall meet reasonable standards and specifications established
23 by the director.

24 3. Notwithstanding the provisions of section 302.340 any person convicted of violating
25 subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation
26 of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class D
27 misdemeanor. A second violation of subdivision (1) or (2) of subsection 1 of this section shall
28 be punishable as a class A misdemeanor. Any person convicted a third or subsequent time of
29 violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class E felony.
30 Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of
31 subsection 1 of this section is a misdemeanor, the first violation punishable as a class D
32 misdemeanor, a second or subsequent violation of this section punishable as a class C

33 misdemeanor, and the penalty for failure to wear protective headgear as required by subsection
34 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be
35 imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court
36 costs shall be imposed upon any person due to such violation. No points shall be assessed
37 pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty
38 and prior findings of guilty shall be pleaded and proven in the same manner as required by
39 section 558.021.

**302.026. 1. Any qualified motorcycle operator who is eighteen years of age or older
2 may operate a motorcycle or motortricycle upon any highway of this state without wearing
3 protective headgear if he or she in addition to maintaining proof of financial responsibility
4 in accordance with chapter 303, is covered by a health insurance policy or other form of
5 insurance which will provide the person with medical benefits for injuries incurred as a
6 result of an accident while operating or riding on a motorcycle or motortricycle.**

**7 2. Proof of coverage required by subsection 1 of this section shall be provided, upon
8 request by authorized law enforcement, by showing a copy of the qualified operator's
9 insurance card.**

302.171. 1. The director shall verify that an applicant for a driver's license is a Missouri
2 resident or national of the United States or a noncitizen with a lawful immigration status, and a
3 Missouri resident before accepting the application. The director shall not issue a driver's license
4 for a period that exceeds the duration of an applicant's lawful immigration status in the United
5 States. The director may establish procedures to verify the Missouri residency or United States
6 naturalization or lawful immigration status and Missouri residency of the applicant and establish
7 the duration of any driver's license issued under this section. **Notwithstanding any other
8 provision of law to the contrary, the director shall accept electronic versions of the
9 documents required to verify Missouri residency.** An application for a license shall be made
10 upon an approved form furnished by the director. Every application shall state the full name,
11 Social Security number, age, height, weight, color of eyes, sex, residence, mailing address of the
12 applicant, and the classification for which the applicant has been licensed, and, if so, when and
13 by what state, and whether or not such license has ever been suspended, revoked, or disqualified,
14 and, if revoked, suspended or disqualified, the date and reason for such suspension, revocation
15 or disqualification and whether the applicant is making a one dollar donation to promote an
16 organ donation program as prescribed in subsection 2 of this section. A driver's license,
17 nondriver's license, or instruction permit issued under this chapter shall contain the applicant's
18 legal name as it appears on a birth certificate or as legally changed through marriage or court
19 order. No name change by common usage based on common law shall be permitted. The
20 application shall also contain such information as the director may require to enable the director

21 to determine the applicant's qualification for driving a motor vehicle; and shall state whether or
22 not the applicant has been convicted in this or any other state for violating the laws of this or any
23 other state or any ordinance of any municipality, relating to driving without a license, careless
24 driving, or driving while intoxicated, or failing to stop after an accident and disclosing the
25 applicant's identity, or driving a motor vehicle without the owner's consent. The application shall
26 contain a certification by the applicant as to the truth of the facts stated therein. Every person
27 who applies for a license to operate a motor vehicle who is less than twenty-one years of age
28 shall be provided with educational materials relating to the hazards of driving while intoxicated,
29 including information on penalties imposed by law for violation of the intoxication-related
30 offenses of the state. Beginning January 1, 2001, if the applicant is less than eighteen years of
31 age, the applicant must comply with all requirements for the issuance of an intermediate driver's
32 license pursuant to section 302.178. For persons mobilized and deployed with the United States
33 Armed Forces, an application under this subsection shall be considered satisfactory by the
34 department of revenue if it is signed by a person who holds general power of attorney executed
35 by the person deployed, provided the applicant meets all other requirements set by the director.

36 2. An applicant for a license may make a donation of one dollar to promote an organ
37 donor program. The director of revenue shall collect the donations and deposit all such
38 donations in the state treasury to the credit of the organ donor program fund established in
39 sections 194.297 to 194.304. Moneys in the organ donor program fund shall be used solely for
40 the purposes established in sections 194.297 to 194.304 except that the department of revenue
41 shall retain no more than one percent for its administrative costs. The donation prescribed in this
42 subsection is voluntary and may be refused by the applicant for the license at the time of issuance
43 or renewal of the license. The director shall make available an informational booklet or other
44 informational sources on the importance of organ and tissue donations to applicants for licensure
45 as designed by the organ donation advisory committee established in sections 194.297 to
46 194.304. The director shall inquire of each applicant at the time the licensee presents the
47 completed application to the director whether the applicant is interested in making the one dollar
48 donation prescribed in this subsection and whether the applicant is interested in inclusion in the
49 organ donor registry and shall also specifically inform the licensee of the ability to consent to
50 organ donation by placing a donor symbol sticker authorized and issued by the department of
51 health and senior services on the back of his or her driver's license or identification card as
52 prescribed by subdivision (1) of subsection 1 of section 194.225. A symbol may be placed on
53 the front of the license or identification card indicating the applicant's desire to be listed in the
54 registry at the applicant's request at the time of his or her application for a driver's license or
55 identification card, or the applicant may instead request an organ donor sticker from the
56 department of health and senior services by application on the department of health and senior

57 services' website. Upon receipt of an organ donor sticker sent by the department of health and
58 senior services, the applicant shall place the sticker on the back of his or her driver's license or
59 identification card to indicate that he or she has made an anatomical gift. The director shall
60 notify the department of health and senior services of information obtained from applicants who
61 indicate to the director that they are interested in registry participation, and the department of
62 health and senior services shall enter the complete name, address, date of birth, race, gender and
63 a unique personal identifier in the registry established in subsection 1 of section 194.304.

64 3. An applicant for a license may make a donation of one dollar to promote a blindness
65 education, screening and treatment program. The director of revenue shall collect the donations
66 and deposit all such donations in the state treasury to the credit of the blindness education,
67 screening and treatment program fund established in section 209.015. Moneys in the blindness
68 education, screening and treatment program fund shall be used solely for the purposes
69 established in section 209.015; except that the department of revenue shall retain no more than
70 one percent for its administrative costs. The donation prescribed in this subsection is voluntary
71 and may be refused by the applicant for the license at the time of issuance or renewal of the
72 license. The director shall inquire of each applicant at the time the licensee presents the
73 completed application to the director whether the applicant is interested in making the one dollar
74 donation prescribed in this subsection.

75 4. Beginning July 1, 2005, the director shall deny the driving privilege of any person who
76 commits fraud or deception during the examination process or who makes application for an
77 instruction permit, driver's license, or nondriver's license which contains or is substantiated with
78 false or fraudulent information or documentation, or who knowingly conceals a material fact or
79 otherwise commits a fraud in any such application. The period of denial shall be one year from
80 the effective date of the denial notice sent by the director. The denial shall become effective ten
81 days after the date the denial notice is mailed to the person. The notice shall be mailed to the
82 person at the last known address shown on the person's driving record. The notice shall be
83 deemed received three days after mailing unless returned by the postal authorities. No such
84 individual shall reapply for a driver's examination, instruction permit, driver's license, or
85 nondriver's license until the period of denial is completed. No individual who is denied the
86 driving privilege under this section shall be eligible for a limited driving privilege issued under
87 section 302.309.

88 5. All appeals of denials under this section shall be made as required by section 302.311.

89 6. The period of limitation for criminal prosecution under this section shall be extended
90 under subdivision (1) of subsection 3 of section 556.036.

91 7. The director may promulgate rules and regulations necessary to administer and enforce
92 this section. No rule or portion of a rule promulgated pursuant to the authority of this section
93 shall become effective unless it has been promulgated pursuant to chapter 536.

94 8. Notwithstanding any provision of this chapter that requires an applicant to provide
95 proof of Missouri residency for renewal of a noncommercial driver's license, noncommercial
96 instruction permit, or nondriver's license, an applicant who is sixty-five years and older and who
97 was previously issued a Missouri noncommercial driver's license, noncommercial instruction
98 permit, or Missouri nondriver's license is exempt from showing proof of Missouri residency.

99 9. Notwithstanding any provision of this chapter, for the renewal of a noncommercial
100 driver's license, noncommercial instruction permit, or nondriver's license, a photocopy of an
101 applicant's United States birth certificate along with another form of identification approved by
102 the department of revenue, including, but not limited to, United States military identification or
103 United States military discharge papers, shall constitute sufficient proof of Missouri citizenship.

104 10. Notwithstanding any other provision of this chapter, if an applicant does not meet
105 the requirements of subsection 8 of this section and does not have the required documents to
106 prove Missouri residency, United States naturalization, or lawful immigration status, the
107 department may issue a one-year driver's license renewal. This one-time renewal shall only be
108 issued to an applicant who previously has held a Missouri noncommercial driver's license,
109 noncommercial instruction permit, or nondriver's license for a period of fifteen years or more and
110 who does not have the required documents to prove Missouri residency, United States
111 naturalization, or lawful immigration status. After the expiration of the one-year period, no
112 further renewal shall be provided without the applicant producing proof of Missouri residency,
113 United States naturalization, or lawful immigration status.

**302.205. 1. Any resident of this state may elect to have a medical alert notation
2 placed on the person's driver's license or nondriver's identification card. The following
3 conditions, illnesses, and disorders may be recorded on a driver's license or nondriver's
4 identification card as medical alert information at the request of the applicant:**

- 5 **(1) Posttraumatic stress disorder;**
- 6 **(2) Diabetes;**
- 7 **(3) Heart conditions;**
- 8 **(4) Epilepsy;**
- 9 **(5) Drug allergies;**
- 10 **(6) Alzheimer's or dementia;**
- 11 **(7) Schizophrenia;**
- 12 **(8) Autism; or**

13 **(9) Other conditions as approved by the director of the department of revenue or**
14 **his or her designee.**

15 **2. Any person requesting the inclusion of a medical alert notation on his or her**
16 **driver's license or nondriver's identification card shall submit an application form to**
17 **include a waiver of liability for the release of any medical information to the department,**
18 **any person who is eligible for access to such medical information as recorded on the**
19 **person's driving record under this chapter, and any other person who may view or receive**
20 **notice of such medical information by virtue of having seen such person's driver's license**
21 **or nondriver's identification card. Such application shall advise the person that he or she**
22 **will be consenting to the release of such medical information to anyone who sees or copies**
23 **his or her driver's license or nondriver's identification card, even if such person is**
24 **otherwise ineligible to access such medical information under state or federal law.**

25 **3. Such application shall include space for a person requesting the inclusion of a**
26 **medical alert notation on his or her driver's license or nondriver's identification card to**
27 **obtain a sworn statement from a person licensed to practice medicine or psychology in this**
28 **state verifying such diagnosis.**

29 **4. Any person who has been issued a driver's license or nondriver's identification**
30 **card bearing medical alert information may be issued a replacement driver's license or**
31 **nondriver's identification card excluding such medical alert information at his or her**
32 **request and upon payment of the fee provided in this chapter for replacement of lost**
33 **licenses or identification cards.**

34 **5. No medical alert information shall be printed on or removed from a driver's**
35 **license or nondriver's identification card without the express consent of the licensee. If the**
36 **licensee is a child under the age of eighteen, consent for the printing of medical alert**
37 **information shall be provided by the parent or guardian of the child when he or she signs**
38 **the application for the driver's license or nondriver's identification card. If the licensee is**
39 **an incapacitated adult, consent for the printing of medical alert information shall be given**
40 **by the guardian of such adult as appointed by a court of competent jurisdiction.**

41 **6. The director of the department of revenue may promulgate all necessary rules**
42 **and regulations for the administration of this section. Any rule or portion of a rule, as that**
43 **term is defined in section 536.010, that is created under the authority delegated in this**
44 **section shall become effective only if it complies with and is subject to all of the provisions**
45 **of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are**
46 **nonseverable, and if any of the powers vested with the general assembly pursuant to**
47 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**

48 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**
49 **proposed or adopted after August 28, 2020, shall be invalid and void.**

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

5 (1) Nonexcepted interstate: certifies the applicant is a driver operating or expecting to
6 operate in interstate or foreign commerce, or is otherwise subject to and meets requirements of
7 49 CFR Part 391 and is required to obtain a medical examiner's certificate as defined in 49 CFR
8 Part 391.45;

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

12 (3) Nonexcepted intrastate: certifies the applicant is a driver operating only in intrastate
13 commerce and is subject to Missouri driver qualifications;

14 (4) Excepted intrastate: certifies the applicant operates or expects to operate only in
15 intrastate commerce, and engaging only in operations excepted from all parts of the Missouri
16 driver qualification requirements.

17 2. Any applicant who cannot meet certification requirements under one of the categories
18 described in subsection 1 of this section shall be denied issuance of a commercial driver's license
19 or commercial driver's instruction permit.

20 3. An applicant certifying to operation in nonexcepted interstate or nonexcepted
21 intrastate commerce shall provide the state with an original or copy of a current medical
22 examiner's certificate or a medical examiner's certificate accompanied by a medical variance or
23 waiver, until such time as the medical examiner's certificate information is received
24 electronically through a verification system approved by the Federal Motor Carrier Safety
25 Administration. The state shall retain the documentation of physical qualification for a minimum
26 of three years beyond the date the certificate was issued.

27 4. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted
28 intrastate commerce shall provide updated medical certificate or variance information to
29 maintain a certified status during the term of the commercial driver's license or commercial
30 driver's instruction permit in order to retain commercial privileges.

31 5. The director shall post the medical examiner's certificate of information, medical
32 variance if applicable, the applicant's self-certification and certification status to the Missouri
33 driver record within ten calendar days and such information will become part of the CDLIS
34 driver record.

35 6. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted
36 intrastate commerce who fail to provide or maintain a current medical examiner's certificate, or
37 if the state has received notice of a medical variance or waiver expiring or being rescinded, the
38 state shall, within ten calendar days, update the driver's medical certification status to "not
39 certified". The state shall notify the driver of the change in certification status and require the
40 driver to annually comply with requirements for a commercial driver's license downgrade within
41 sixty days of the expiration of the applicant certification.

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

44 8. Any person who falsifies any information in an application for or update of medical
45 certification status information for a commercial driver's license shall not be licensed to operate
46 a commercial motor vehicle, or the person's commercial driver's license shall be cancelled for
47 a period of one year after the director discovers such falsification.

48 9. The director may promulgate rules and regulations necessary to administer and enforce
49 this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is
50 created under the authority delegated in this section shall become effective only if it complies
51 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
52 This section and chapter 536 are nonseverable and if any of the powers vested with the general
53 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
54 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
55 any rule proposed or adopted after August 28, 2012, shall be invalid and void.

56 **10. During a national state of emergency related to a pandemic or outbreak of**
57 **contagious disease declared by the president of the United States, the requirements of**
58 **subsections 4 and 6 that an applicant certifying to operation in nonexcepted interstate**
59 **commerce or nonexcepted intrastate commerce provide or renew a medical certification**
60 **shall be waived so long as the applicant conforms to the requirements of subsections 4 and**
61 **6 within ninety days after the end of the national state of emergency.**

304.170. 1. No vehicle operated upon the highways of this state shall have a width,
2 including load, in excess of one hundred two inches, except clearance lights, rearview mirrors
3 or other accessories required by federal, state or city law or regulation. Provided however, a
4 recreational vehicle as defined in section 700.010 may exceed the foregoing width limits if the
5 appurtenances on such recreational vehicle extend no further than the rearview mirrors. Such
6 mirrors may only extend the distance necessary to provide the required field of view before the
7 appurtenances were attached.

8 2. No vehicle operated upon the interstate highway system or upon any route designated
9 by the state highways and transportation commission shall have a height, including load, in

10 excess of fourteen feet. On all other highways, no vehicle shall have a height, including load,
11 in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles
12 transporting automobiles or other motor vehicles may have a height, including load, of not more
13 than fourteen feet.

14 3. No single motor vehicle operated upon the highways of this state shall have a length,
15 including load, in excess of forty-five feet, except as otherwise provided in this section.

16 4. No bus, recreational motor vehicle or trackless trolley coach operated upon the
17 highways of this state shall have a length in excess of forty-five feet, except that such vehicles
18 may exceed the forty-five feet length when such excess length is caused by the projection of a
19 front safety bumper or a rear safety bumper or both. Such safety bumper shall not cause the
20 length of the bus or recreational motor vehicle to exceed the forty-five feet length limit by more
21 than one foot in the front and one foot in the rear. Notwithstanding any provision of this section
22 to the contrary, an articulated bus, comprised of two or more sections connected by a flexible
23 joint or other mechanism, may be up to sixty feet in length, not including safety bumpers which
24 may extend one foot in front and one foot in the rear, and not including bicycle storage racks
25 which may extend over the safety bumper by up to five feet when in the down position
26 transporting a bicycle. The term "safety bumper" means any device which may be fitted on an
27 existing bumper or which replaces the bumper and is so constructed, treated, or manufactured
28 that it absorbs energy upon impact.

29 5. No combination of truck-tractor and semitrailer or truck-tractor equipped with
30 dromedary and semitrailer operated upon the highways of this state shall have a length, including
31 load, in excess of sixty feet; except that in order to comply with the provisions of P.L. 97-424
32 codified in Title 23 of the United States Code, 23 U.S.C. Section 101, et al., as amended, no
33 combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and
34 semitrailer operated upon the interstate highway system of this state shall have an overall length,
35 including load, in excess of the length of the truck-tractor plus the semitrailer or truck-tractor
36 equipped with dromedary and semitrailer. The length of such semitrailer shall not exceed
37 fifty-three feet.

38 6. In order to comply with the provisions of P.L. 97-424 codified in Title 23 of the
39 United States Code, 23 U.S.C. Section 101, et al., as amended, no combination of truck-tractor,
40 semitrailer and trailer operated upon the interstate highway system of this state shall have an
41 overall length, including load, in excess of the length of the truck-tractor plus the semitrailer and
42 trailer, neither of which semitrailer or trailer shall exceed twenty-eight feet in length, except that
43 any existing semitrailer or trailer up to twenty-eight and one-half feet in length actually and
44 lawfully operated on December 1, 1982, within a sixty-five foot overall length limit in any state,
45 may continue to be operated upon the interstate highways of this state. On those primary

46 highways not designated by the state highways and transportation commission as provided in
47 subsection 11 of this section, no combination of truck-tractor, semitrailer and trailer shall have
48 an overall length, including load, in excess of sixty-five feet; provided, however, the commission
49 may designate additional routes for such sixty-five foot combinations.

50 7. (1) Automobile transporters, boat transporters, truck-trailer boat transporter
51 combinations, and stinger-steered combination boat transporters having a length not in excess
52 of seventy-five feet may be operated on the interstate highways of this state and such other
53 highways as may be designated by the commission for the operation of such vehicles plus a
54 distance not to exceed ten miles from such interstate or designated highway. All length
55 provisions regarding automobile or boat transporters, truck-trailer boat transporter combinations
56 and stinger-steered combination boat transporters shall include a semitrailer length not to exceed
57 fifty-three feet and are exclusive of front and rear overhang, which shall be no greater than a
58 three-foot front overhang and no greater than a four-foot rear overhang.

59 (2) Stinger-steered combination automobile transporters having a length not in excess
60 of eighty feet may be operated on the interstate highways of this state and such other highways
61 as may be designated by the commission for the operation of such vehicles plus a distance not
62 to exceed ten miles from such interstate or designated highway. All length provisions regarding
63 stinger-steered automobile combination transporters are exclusive of front and rear overhang,
64 which shall be no greater than a four-foot front overhang and no greater than a six-foot rear
65 overhang.

66 (3) Automobile transporters may transport cargo or general freight on a backhaul, as long
67 as in compliance with weight limitations for a truck-tractor and semitrailer combination as
68 outlined in section 304.180.

69 8. Driveaway saddlemount combinations having a length not in excess of ninety-seven
70 feet may be operated on the interstate highways of this state and such other highways as may be
71 designated by the commission for the operation of such vehicles plus a distance not to exceed
72 ten miles from such interstate or designated highway. Saddlemount combinations must comply
73 with the safety requirements of Section 393.71 of Title 49 of the Code of Federal Regulations
74 and may contain no more than three saddlemounted vehicles and one fullmount.

75 9. No truck-tractor semitrailer-semitrailer combination vehicles operated upon the
76 interstate and designated primary highway system of this state shall have a semitrailer length in
77 excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and
78 lawful operation in any state on December 1, 1982, operating in a truck-tractor
79 semitrailer-semitrailer combination. The B-train assembly is excluded from the measurement
80 of semitrailer length when used between the first and second semitrailer of a truck-tractor

81 semitrailer-semitrailer combination, except that when there is no semitrailer mounted to the
82 B-train assembly, it shall be included in the length measurement of the semitrailer.

83 10. No towaway trailer transporter combination vehicles operated upon the interstate and
84 designated primary highway system of this state shall have an overall length of more than
85 eighty-two feet.

86 11. The commission is authorized to designate routes on the state highway system other
87 than the interstate system over which those combinations of vehicles of the lengths specified in
88 subsections 5, 6, 7, 8, 9, and 10 of this section may be operated. Combinations of vehicles
89 operated under the provisions of subsections 5, 6, 7, 8, 9, and 10 of this section may be operated
90 at a distance not to exceed ten miles from the interstate system and such routes as designated
91 under the provisions of this subsection.

92 12. Except as provided in subsections 5, 6, 7, 8, 9, 10, and 11 of this section, no other
93 combination of vehicles operated upon the primary or interstate highways of this state plus a
94 distance of ten miles from a primary or interstate highway shall have an overall length, unladen
95 or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other highway.

96 13. (1) Except as hereinafter provided, these restrictions shall not apply to:

97 (a) Agricultural implements operating occasionally on the highways for short distances
98 including tractor parades for fund-raising activities or special events, provided the tractors are
99 driven by licensed drivers during daylight hours only and with the approval of the superintendent
100 of the Missouri state highway patrol; ~~or to~~

101 (b) Self-propelled hay-hauling equipment or to implements of husbandry, or to the
102 movement of farm products as defined in section 400.9-102 or to vehicles temporarily
103 transporting agricultural implements or implements of husbandry or road-making machinery, or
104 road materials or towing for repair purposes vehicles that have become disabled upon the
105 highways; ~~or to~~

106 (c) **Vehicles towing trailers specifically designed to carry harvested cotton, either**
107 **as a single trailer or in tandem, with a total length, including the trailer or trailers, of not**
108 **more than ninety-three feet; such vehicles shall only be used to haul harvested cotton,**
109 **except when hauling hay within the state to areas affected by drought as determined by the**
110 **National Drought Mitigation Center; or**

111 (d) Implement dealers delivering or moving farm machinery for repairs on any state
112 highway other than the interstate system.

113 (2) Implements of husbandry and vehicles transporting such machinery or equipment and
114 the movement of farm products as defined in section 400.9-102 may be operated occasionally
115 for short distances on state highways when operated between the hours of sunrise and sunset by
116 a driver licensed as an operator or chauffeur.

117 (3) Notwithstanding any other provision of law to the contrary, agricultural machinery
118 and implements may be operated on state highways between the hours of sunset and sunrise for
119 agricultural purposes provided such vehicles are equipped with lighting meeting the requirements
120 of section 307.115.

121 14. As used in this chapter the term "implements of husbandry" means all self-propelled
122 machinery operated at speeds of less than thirty miles per hour, specifically designed for, or
123 especially adapted to be capable of, incidental over-the-road and primary offroad usage and used
124 exclusively for the application of commercial plant food materials or agricultural chemicals, and
125 not specifically designed or intended for transportation of such chemicals and materials.

126 15. Sludge disposal units may be operated on all state highways other than the interstate
127 system. Such units shall not exceed one hundred thirty-eight inches in width and may be
128 equipped with over-width tires. Such units shall observe all axle weight limits. The commission
129 shall issue special permits for the movement of such disposal units and may by such permits
130 restrict the movements to specified routes, days and hours.

304.172. The provisions of sections 304.170 to 304.240 relating to height, width,
2 ~~[weight,]~~ **and** length ~~[and load]~~ restrictions for motor vehicles shall not apply to any motor
3 vehicle and its attached apparatus which is designed for use and used by a fire department, fire
4 protection district or volunteer fire protection association or when being operated by a fire
5 apparatus manufacturer or sales organization for the purpose of sale, demonstration, exhibit, or
6 delivery to a fire department, fire protection district or volunteer fire protection association.

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

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

14 3. Subject to the limit upon the weight imposed upon a highway of this state through any
15 one axle or on any tandem axle, the total gross weight with load imposed by any group of two

16 or more consecutive axles of any vehicle or combination of vehicles shall not exceed the
 17 maximum load in pounds as set forth in the following table:

18

19 Distance in feet between the extremes of any group of two or more consecutive axles, measured
 20 to the nearest foot, except where indicated otherwise

21	Maximum load in pounds				
22 feet	2 axles	3 axles	4 axles	5 axles	6 axles
23 4	34,000				
24 5	34,000				
25 6	34,000				
26 7	34,000				
27 8	34,000	34,000			
28 More than 8	38,000	42,000			
29 9	39,000	42,500			
30 10	40,000	43,500			
31 11	40,000	44,000			
32 12	40,000	45,000	50,000		
33 13	40,000	45,500	50,500		
34 14	40,000	46,500	51,500		
35 15	40,000	47,000	52,000		
36 16	40,000	48,000	52,500	58,000	
37 17	40,000	48,500	53,500	58,500	
38 18	40,000	49,500	54,000	59,000	
39 19	40,000	50,000	54,500	60,000	
40 20	40,000	51,000	55,500	60,500	66,000
41 21	40,000	51,500	56,000	61,000	66,500
42 22	40,000	52,500	56,500	61,500	67,000
43 23	40,000	53,000	57,500	62,500	68,000
44 24	40,000	54,000	58,000	63,000	68,500
45 25	40,000	54,500	58,500	63,500	69,000
46 26	40,000	55,500	59,500	64,000	69,500
47 27	40,000	56,000	60,000	65,000	70,000
48 28	40,000	57,000	60,500	65,500	71,000
49 29	40,000	57,500	61,500	66,000	71,500
50 30	40,000	58,500	62,000	66,500	72,000
51 31	40,000	59,000	62,500	67,500	72,500

52	32	40,000	60,000	63,500	68,000	73,000
53	33	40,000	60,000	64,000	68,500	74,000
54	34	40,000	60,000	64,500	69,000	74,500
55	35	40,000	60,000	65,500	70,000	75,000
56	36		60,000	66,000	70,500	75,500
57	37		60,000	66,500	71,000	76,000
58	38		60,000	67,500	72,000	77,000
59	39		60,000	68,000	72,500	77,500
60	40		60,000	68,500	73,000	78,000
61	41		60,000	69,500	73,500	78,500
62	42		60,000	70,000	74,000	79,000
63	43		60,000	70,500	75,000	80,000
64	44		60,000	71,500	75,500	80,000
65	45		60,000	72,000	76,000	80,000
66	46		60,000	72,500	76,500	80,000
67	47		60,000	73,500	77,500	80,000
68	48		60,000	74,000	78,000	80,000
69	49		60,000	74,500	78,500	80,000
70	50		60,000	75,500	79,000	80,000
71	51		60,000	76,000	80,000	80,000
72	52		60,000	76,500	80,000	80,000
73	53		60,000	77,500	80,000	80,000
74	54		60,000	78,000	80,000	80,000
75	55		60,000	78,500	80,000	80,000
76	56		60,000	79,500	80,000	80,000
77	57		60,000	80,000	80,000	80,000

78

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

82 4. Whenever the state highways and transportation commission finds that any state
 83 highway bridge in the state is in such a condition that use of such bridge by vehicles of the
 84 weights specified in subsection 3 of this section will endanger the bridge, or the users of the
 85 bridge, the commission may establish maximum weight limits and speed limits for vehicles using
 86 such bridge. The governing body of any city or county may grant authority by act or ordinance
 87 to the commission to enact the limitations established in this section on those roadways within

88 the purview of such city or county. Notice of the weight limits and speed limits established by
89 the commission shall be given by posting signs at a conspicuous place at each end of any such
90 bridge.

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

94 6. Notwithstanding the weight limitations contained in this section, any vehicle or
95 combination of vehicles operating on highways other than the interstate highway system may
96 exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two
97 thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except
98 as provided in subsections 9, 10, 12, and 13 of this section.

99 7. Notwithstanding any provision of this section to the contrary, the commission shall
100 issue a single-use special permit, or upon request of the owner of the truck or equipment shall
101 issue an annual permit, for the transporting of any crane or concrete pump truck or well-drillers'
102 equipment. The commission shall set fees for the issuance of permits and parameters for the
103 transport of cranes pursuant to this subsection. Notwithstanding the provisions of section
104 301.133, cranes, concrete pump trucks, or well-drillers' equipment may be operated on state-
105 maintained roads and highways at any time on any day.

106 8. Notwithstanding the provision of this section to the contrary, the maximum gross
107 vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an
108 idle reduction technology may be increased by a quantity necessary to compensate for the
109 additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as
110 amended. In no case shall the additional weight increase allowed by this subsection be greater
111 than five hundred fifty pounds. Upon request by an appropriate law enforcement officer, the
112 vehicle operator shall provide proof that the idle reduction technology is fully functional at all
113 times and that the gross weight increase is not used for any purpose other than for the use of idle
114 reduction technology.

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

121 10. Notwithstanding any provision of this section or any other law to the contrary, any
122 vehicle or combination of vehicles hauling grain or grain coproducts during times of harvest may
123 be as much as, but not exceeding, ten percent over the maximum weight limitation allowable

124 under subsection 3 of this section while operating on highways other than the interstate highway
125 system. The provisions of this subsection shall not apply to vehicles operated and operating on
126 the Dwight D. Eisenhower System of Interstate and Defense Highways.

127 11. Notwithstanding any provision of this section or any other law to the contrary, the
128 commission shall issue emergency utility response permits for the transporting of utility wires
129 or cables, poles, and equipment needed for repair work immediately following a disaster where
130 utility service has been disrupted. Under exigent circumstances, verbal approval of such
131 operation may be made either by the department of transportation motor carrier compliance
132 supervisor or other designated motor carrier services representative. Utility vehicles and
133 equipment used to assist utility companies granted special permits under this subsection may be
134 operated and transported on state-maintained roads and highways at any time on any day. The
135 commission shall promulgate all necessary rules and regulations for the administration of this
136 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
137 under the authority delegated in this section shall become effective only if it complies with and
138 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
139 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
140 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule
141 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
142 proposed or adopted after August 28, 2014, shall be invalid and void.

143 12. Notwithstanding any provision of this section to the contrary, emergency vehicles
144 designed to be used under emergency conditions to transport personnel and equipment and to
145 **support the suppression of fires and** mitigate hazardous situations may have a maximum gross
146 vehicle weight of eighty-six thousand pounds inclusive of twenty-four thousand pounds on a
147 single steering axle; thirty-three thousand five hundred pounds on a single drive axle; sixty-two
148 thousand pounds on a tandem axle; or fifty-two thousand pounds on a tandem rear-drive steer
149 axle; **except that, such emergency vehicles shall only operate on the Dwight D. Eisenhower**
150 **National System of Interstate and Defense Highways.**

151 13. Notwithstanding any provision of this section to the contrary, a vehicle operated by
152 an engine fueled primarily by natural gas may operate upon the public highways of this state in
153 excess of the vehicle weight limits set forth in this section by an amount that is equal to the
154 difference between the weight of the vehicle attributable to the natural gas tank and fueling
155 system carried by that vehicle and the weight of a comparable diesel tank and fueling system.
156 In no event shall the maximum gross vehicle weight of the vehicle operating with a natural gas
157 engine exceed eighty-two thousand pounds.

305.800. As used in sections 305.800 to 305.810, the following terms mean:

2 (1) "Abandoned aircraft", an aircraft left in a wrecked, inoperative, or partially
3 dismantled condition at an airport; or an aircraft that has remained in an idle state at an
4 airport for forty-five consecutive calendar days without a contractual agreement between
5 the owner or operator of the aircraft and the airport for use of the airport premises;

6 (2) "Airport superintendent", the person or group of people authorized to make
7 decisions on behalf of an airport;

8 (3) "Derelict aircraft", any aircraft that is not in a flyable condition, does not have
9 a current certificate of airworthiness issued by the Federal Aviation Administration, and
10 is not in the process of actively being repaired.

305.802. 1. If a derelict aircraft or abandoned aircraft is discovered on airport
2 property, the airport superintendent shall:

3 (1) Make a record of the date the aircraft was discovered on the airport property;
4 and

5 (2) Inquire as to the name and address of any person having an equitable or legal
6 interest in the aircraft, including the owner and any lienholders, by:

7 (a) Contacting the Federal Aviation Administration, aircraft registration branch,
8 and making a diligent search of the appropriate records; or

9 (b) Contacting an aircraft title search company.

10 2. Within ten business days of receiving the information requested under subsection
11 1 of this section, the airport superintendent shall notify the owner and all other interested
12 parties by certified mail, return receipt requested:

13 (1) Of the location of the derelict or abandoned aircraft on the airport property;

14 (2) That fees and charges for the use of the airport by the aircraft have accrued and
15 the amount of those fees and charges;

16 (3) That the aircraft is subject to a lien under section 305.806 for any unpaid and
17 accrued fees and charges for the use of the airport and for the transportation, storage, and
18 removal of the aircraft;

19 (4) That the lien is subject to enforcement under this section;

20 (5) That the airport may use, trade, sell, or remove the aircraft as described in
21 section 305.804 if, within thirty calendar days after the date of receipt of the notice, the
22 owner or other interested party has not removed the aircraft from the airport and paid in
23 full all accrued fees and charges for the use of the airport and for the transportation,
24 storage, and removal of the aircraft; and

25 (6) That the airport superintendent may remove the aircraft in less than thirty
26 calendar days if the aircraft poses a danger to the health or safety of users of the airport,
27 as determined by the airport superintendent.

28 **3. (1) If the owner of the aircraft is unknown or cannot be found after the inquiry**
29 **required under subdivision (2) of subsection 1 of this section, the airport superintendent**
30 **shall place a notice upon the aircraft in a conspicuous place containing the information**
31 **required under subdivisions (2), (3), (4), (5), and (6) of subsection 2 of this section.**

32 **(2) The notice required under subdivision (1) of this subsection shall be not less**
33 **than eight inches by ten inches and shall be laminated or otherwise sufficiently**
34 **weatherproof to withstand normal exposure to rain, snow, and other conditions.**

305.804. 1. If the owner or other interested party has not removed the aircraft
2 **from the airport and paid in full all accrued fees and charges for the use of the airport and**
3 **for the transportation, storage, and removal of the aircraft, or shown reasonable cause for**
4 **the failure to do so within thirty calendar days of the airport superintendent posting notice**
5 **under section 305.802, the airport superintendent may:**

6 **(1) Retain the aircraft for use by the airport, the state, or the unit of local**
7 **government owning or operating the airport;**

8 **(2) Trade the aircraft to another unit of local government or a state agency;**

9 **(3) Sell the aircraft; or**

10 **(4) Dispose of the aircraft through an appropriate refuse removal company or a**
11 **company that provides salvage services for aircraft.**

12 **2. If the airport superintendent elects to sell the aircraft in accordance with**
13 **subdivision (3) of subsection 1 of this section, the aircraft shall be sold at public auction**
14 **after giving notice of the time and place of sale, at least ten calendar days prior to the date**
15 **of sale, in a newspaper of general circulation within the county where the airport is located**
16 **and after providing written notice of the intended sale to all parties known to have an**
17 **interest in the aircraft.**

18 **3. If the airport superintendent elects to dispose of the aircraft in accordance with**
19 **subdivision (4) of subsection 1 of this section, the airport superintendent shall be entitled**
20 **to negotiate with the company for a price to be received from the company in payment for**
21 **the aircraft, or, if circumstances so warrant, a price to be paid to the company by the**
22 **airport superintendent for the costs of disposing of the aircraft. All information and**
23 **records pertaining to the establishment of the price and the justification for the amount of**
24 **the price shall be prepared and maintained by the airport superintendent.**

25 **4. If the sale price or the negotiated price is less than the airport superintendent's**
26 **current fees and charges against the aircraft, the owner of the aircraft shall remain liable**
27 **to the airport superintendent for the fees and charges that are not offset by the sale price**
28 **or negotiated price.**

29 **5. All costs incurred by the airport superintendent in the removal, storage, and sale**
30 **of any aircraft shall be recoverable against the owner of the aircraft.**

305.806. 1. The airport superintendent shall have a lien on a derelict or abandoned
2 **aircraft for all unpaid fees and charges for the use of the airport by the aircraft and for all**
3 **unpaid costs incurred by the airport superintendent for the transportation, storage, and**
4 **removal of the aircraft. As a prerequisite to perfecting a lien under this section, the airport**
5 **superintendent shall serve a notice on the last registered owner and all persons having an**
6 **equitable or legal interest in the aircraft.**

7 **2. (1) For the purpose of perfecting a lien under this section, the airport**
8 **superintendent shall file a claim of lien that states:**

9 **(a) The name and address of the airport;**

10 **(b) The name of the last registered owner of the aircraft and all persons having a**
11 **legal or equitable interest in the aircraft;**

12 **(c) The fees and charges incurred by the aircraft for the use of the airport and the**
13 **costs for the transportation, storage, and removal of the aircraft; and**

14 **(d) A description of the aircraft sufficient for identification.**

15 **(2) The claim of lien shall be signed and sworn to or affirmed by the airport**
16 **superintendent's director or the director's designee.**

17 **(3) The claim of lien shall be served on the last registered owner of the aircraft and**
18 **all persons having an equitable or legal interest in the aircraft. The claim of lien shall be**
19 **served before filing.**

20 **(4) The claim of lien shall be filed with the proper office according to section**
21 **400-9.501. The filing of the claim of lien shall be constructive notice to all persons of the**
22 **contents and effect of such claim. The lien shall attach at the time of filing and shall take**
23 **priority as of that time.**

305.808. 1. If the aircraft is sold, the airport superintendent shall satisfy the airport
2 **superintendent's lien, plus the reasonable expenses of notice, advertisement, and sale from**
3 **the proceeds of the sale.**

4 **2. The balance of the proceeds of the sale, if any, shall be held by the airport**
5 **superintendent and delivered on demand to the owner of the aircraft.**

6 **3. If no person claims the balance within twelve months of the date of sale, the**
7 **airport shall retain the funds and use the funds for airport operations.**

305.810. 1. Any person acquiring a legal interest in an aircraft under sections
2 **305.800 to 305.810 shall be the lawful owner of the aircraft and all other legal or equitable**
3 **interests in that aircraft shall be divested; provided that, the holder of any legal or**

4 **equitable interest was notified of the intended disposal of the aircraft as required under**
5 **sections 305.800 to 305.810.**

6 **2. The airport superintendent may issue documents of disposition to the purchaser**
7 **or recipient of an aircraft disposed of under sections 305.800 to 305.810.**

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

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

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

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

18 2. The water patrol division or its agent shall issue a permanent boating safety
19 identification card to each person who complies with the requirements of this section which is
20 valid for life unless invalidated pursuant to law.

21 3. The water patrol division may charge a fee for such card or any replacement card that
22 does not substantially exceed the costs of administrating this section. The water patrol division
23 or its designated agent shall collect such fees. These funds shall be forwarded to general
24 revenue.

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

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

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

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

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

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

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

35 (7) Is currently serving in any branch of the United States Armed Forces, reserves, or
36 Missouri National Guard, or any spouse of a person currently in such service; or

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

39 5. The water patrol division shall inform other states of the requirements of this section.

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

43 7. Any person or company that rents or sells vessels may issue a temporary boating
44 safety identification card to an individual to operate a rented vessel or a vessel being considered
45 for sale, for a period of up to seven days, provided that the individual meets the minimum age
46 requirements for operating a vessel in this state. In order to qualify for the temporary boating
47 safety identification card, the applicant shall provide a valid driver's license and shall sign an
48 affidavit that he or she has reviewed the Missouri state highway patrol handbook of Missouri
49 boating laws and responsibilities. Any individual holding a valid temporary boating safety
50 identification card shall be deemed in compliance with the requirements of this section. The
51 Missouri state highway patrol shall charge a fee of nine dollars for such temporary boating safety
52 identification card. Individuals shall not be eligible for more than one temporary boating safety
53 identification card. No person or company may issue a temporary boating safety identification
54 card to an individual under the provisions of this subsection unless such person or company is
55 capable of submitting the applicant's temporary boating safety identification card information
56 and payment in an electronic format as prescribed by the Missouri state highway patrol. The
57 business entity issuing a temporary boating safety identification card to an individual under the
58 provisions of this subsection shall transmit the applicant's temporary boating safety identification
59 card information electronically to the Missouri state highway patrol, in a manner and format
60 prescribed by the superintendent, using an electronic online registration process developed and
61 provided by the Missouri state highway patrol. The electronic online process developed and
62 provided by the Missouri state highway patrol shall allow the applicant to pay the temporary
63 boating safety identification card fee by credit card or debit card. Notwithstanding any provision
64 in section 306.185 to the contrary, all fees collected under the authority of this subsection shall
65 be deposited in the water patrol division fund. The Missouri state highway patrol shall
66 promulgate rules for developing the temporary boating safety identification card and any

67 requirements necessary to the issuance, processing, and payment of the temporary boating safety
 68 identification card. The Missouri state highway patrol shall, by rule, develop a boating safety
 69 checklist for each applicant seeking a temporary boating safety identification card. Nothing in
 70 this subsection shall allow a holder of a temporary boating safety identification card to receive
 71 a notation on the person's driver's license or nondriver identification under section 302.184. The
 72 provisions of this subsection shall expire on December 31, ~~2022~~ **2032**.

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

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

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

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

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

13 (1) **Children shall be secured in a rear-facing child passenger restraint system until**
 14 **the child reaches two years of age;**

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

17 ~~[(2)]~~ (3) Children weighing less than forty pounds, regardless of age, shall be secured
 18 in a child passenger restraint system appropriate for that child;

19 ~~[(3)]~~ (4) Children at least four years of age but less than eight years of age, who also
 20 weigh at least forty pounds but less than eighty pounds, and who are also less than four feet, nine
 21 inches tall, shall be secured in a child passenger restraint system or booster seat appropriate for
 22 that child;

23 ~~[(4)]~~ (5) Children at least eighty pounds or children more than four feet, nine inches in
 24 height shall be secured by a vehicle safety belt or booster seat appropriate for that child;

25 ~~[(5)]~~ (6) A child who otherwise would be required to be secured in a booster seat may
 26 be transported in the back seat of a motor vehicle while wearing only a lap belt if the back seat
 27 of the motor vehicle is not equipped with a combination lap and shoulder belt for booster seat
 28 installation;

29 ~~[(6)]~~ (7) When transporting children in the immediate family when there are more
 30 children than there are seating positions in the enclosed area of a motor vehicle, the children who

31 are not able to be restrained by a child safety restraint device appropriate for the child shall sit
32 in the area behind the front seat of the motor vehicle unless the motor vehicle is designed only
33 for a front seat area. The driver transporting children referred to in this subsection is not in
34 violation of this section.

35

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

38 3. Any driver who violates subdivision (1), (2), ~~[(3)]~~ **or (4)** of subsection 2 of this
39 section is guilty of an infraction and, upon conviction, may be punished by a fine of not more
40 than fifty dollars and court costs. Any driver who violates subdivision ~~[(4)]~~ **(5)** of subsection 2
41 of this section shall be subject to the penalty in subsection 6 of section 307.178. If a driver
42 receives a citation for violating subdivision (1), (2), ~~[(3)]~~ **or (4)** of subsection 2 of this
43 section, the charges shall be dismissed or withdrawn if the driver prior to or at his or her hearing
44 provides evidence of acquisition of a child passenger restraint system or child booster seat which
45 is satisfactory to the court or the party responsible for prosecuting the driver's citation.

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

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

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

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

5 (2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
6 off-highway use which is fifty inches or less in width, with an unladen dry weight of six hundred
7 pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be
8 straddled by the operator, and handlebars for steering control;

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

11 (a) Good faith recommendations, exposition, argument, persuasion or attempts at
12 persuasion;

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

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

17 (d) Any other conduct set forth in sections 407.1025 to 407.1049 that is permitted of the
18 franchisor or is expressly excluded from coercion or a violation of sections 407.1025 to
19 407.1049;

20 (4) "Franchise", a written arrangement or contract for a definite or indefinite period, in
21 which a person grants to another person a license to use, or the right to grant to others a license
22 to use, a trade name, trademark, service mark, or related characteristics, in which there is a
23 community of interest in the marketing of goods or services, or both, at wholesale or retail, by
24 agreement, lease or otherwise, and in which the operation of the franchisee's business with
25 respect to such franchise is substantially reliant on the franchisor for the continued supply of
26 franchised new ~~[motorcycles or all-terrain]~~ **powersport** vehicles, parts and accessories for sale
27 at wholesale or retail;

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

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

30 (7) "Motorcycle", a motor vehicle operated on two wheels;

31 (8) "New", when referring to ~~[motorcycles or all-terrain]~~ **powersport** vehicles or parts,
32 means those ~~[motorcycles or all-terrain]~~ **powersport** vehicles or parts which have not been held
33 except as inventory, as that term is defined in subdivision (4) of section 400.9-109;

34 (9) "Person", a sole proprietor, partnership, corporation, or any other form of business
35 organization;

36 **(10) "Powersport vehicle", includes but is not limited to any motorcycle, all-terrain**
37 **vehicle, motorized bicycle, motortricycle, recreational off-highway vehicle, or utility**
38 **vehicle, as defined in section 301.010, or personal watercraft as defined in section 306.010.**

407.1028. Any person who is engaged or engages directly or indirectly in purposeful
2 contacts within the state of Missouri in connection with the offering, advertising, purchasing,
3 selling, or contracting to purchase or to sell new ~~[motorcycles or all-terrain]~~ **powersport**
4 vehicles, or who, being a ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisor, is transacting
5 or transacts any business with a ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee who
6 maintains a place of business within the state and with whom the person has a franchise, shall
7 be subject to the jurisdiction of the courts of the state of Missouri, upon service of process in
8 accordance with the provisions of section 506.510, irrespective of whether such person is a
9 manufacturer, importer, distributor or dealer in new ~~[motorcycles or all-terrain]~~ **powersport**
10 vehicles.

407.1031. 1. Any party seeking relief pursuant to the provisions of sections 407.1025
2 to 407.1049 may file an application for a hearing with the administrative hearing commission
3 within the time periods specified in this section. The application for a hearing shall comply with
4 the requirements for a request for agency action set forth in chapter 536. Simultaneously, with
5 the filing of the application for a hearing with the administrative hearing commission, the
6 applicant shall send by certified mail, return receipt requested, a copy of the application to the
7 party or parties against whom relief is sought. Within ten days of receiving a timely application
8 for a hearing, the administrative hearing commission shall enter an order fixing a date, time and
9 place for a hearing on the record. Such hearing shall be within forty-five days of the date of the
10 order but the administrative hearing commission may continue the hearing date up to twenty-five
11 additional days by agreement of the parties or upon a finding of good cause. The administrative
12 hearing commission shall send by certified mail, return receipt requested, a copy of the order to
13 the party seeking relief and to the party or parties against whom relief is sought. The order shall
14 also state that the party against whom relief is sought shall not proceed with the initiation of its
15 activity or activities until the administrative hearing commission issues its final decision or order.

16 2. Unless otherwise expressly provided in sections 407.1025 to 407.1049, the provisions
17 of chapter 536 shall govern hearings and prehearing procedures conducted pursuant to the
18 authority of this section. The administrative hearing commission shall issue a final decision or
19 order, in proceedings arising pursuant to the provisions of sections 407.1025 to 407.1049, within
20 forty-five days from the conclusion of the hearing. Any final decisions shall be subject to review
21 pursuant to a petition for review to be filed in the court of appeals in the district in which the
22 hearing, or any part of the hearing, is held and by delivery of copies of the petition to each party
23 of record, within thirty days after the mailing or delivery of the final decision and notice of the
24 final decision in such a case. Review pursuant to this section shall be exclusive and decisions
25 of the administrative hearing commission reviewable pursuant to this section shall not be
26 reviewable in any other proceeding, and no other official or court shall have power to review any
27 such decision by an action in the nature of mandamus or otherwise, except pursuant to the
28 provisions of this section. The party seeking review shall be responsible for the filing of the
29 transcript and record of all proceedings before the administrative hearing commission with the
30 appropriate court of appeals.

31 3. Any franchisee receiving a notice from a franchisor pursuant to the provisions of
32 sections 407.1025 to 407.1049, or any franchisee adversely affected by a franchisor's acts or
33 proposed acts described in the provisions of sections 407.1025 to 407.1049, shall be entitled to
34 file an application for a hearing before the administrative hearing commission for a
35 determination as to whether the franchisor has good cause for its acts or proposed acts.

36 4. Not less than sixty days before the effective date of the initiation of any enumerated
37 act pursuant to subdivisions (5), (6), (7) and (14) of section 407.1034, a franchisor shall give
38 written notice to the affected franchisee or franchisees, by certified mail, return receipt requested,
39 except as follows:

40 (1) Upon the initiation of an act pursuant to subdivision (5) of section 407.1034, such
41 notice shall be given not less than fifteen days before the effective date of such act only if the
42 grounds for the notice include the following:

43 (a) Transfer of any ownership or interest in the franchised dealership without the consent
44 of the ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisor;

45 (b) Material misrepresentation by the ~~[motorcycle or all-terrain]~~ **powersport** vehicle
46 franchisee in applying for the franchise;

47 (c) Insolvency of the ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee or the
48 filing of any petition by or against the ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee
49 under any bankruptcy or receivership law;

50 (d) Any unfair business practice by the ~~[motorcycle or all-terrain]~~ **powersport** vehicle
51 franchisee after the ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisor has issued a written
52 warning to the ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee to desist from such
53 practice;

54 (e) Conviction of the ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee of a
55 crime which is a felony;

56 (f) Failure of the ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee to conduct
57 customary sales and service operations during customary business hours for at least seven
58 consecutive business days unless such closing is due to an act of God, strike or labor difficulty
59 or other cause over which ~~[the motorcycle or all-terrain vehicle]~~ **such** franchisee has no control;
60 or

61 (g) Revocation of the ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee's license
62 **to operate as a dealer of powersport vehicles;**

63 (2) Upon initiation of an act pursuant to subdivision (7) of section 407.1034, such notice
64 shall be given within sixty days of the franchisor's receipt of a written proposal to consummate
65 such sale or transfer and the receipt of all necessary information and documents generally used
66 by the franchisor to conduct its review. The franchisor's notice of disapproval shall also specify
67 the reasonable standard which the franchisor contends is not satisfied and the reason the
68 franchisor contends such standard is not satisfied. Failure on the part of the franchisor to provide
69 such notice shall be conclusively deemed an approval by the franchisor of the proposed sale or
70 transfer to the proposed transferee. A franchisee's application for a hearing shall be filed with

71 the administrative hearing commission within fifteen days from receipt of such franchisor's
72 notice;

73 (3) Pursuant to paragraphs (a) and (b) of subdivision (14) of section 407.1034, such
74 notice shall be given within sixty days of the franchisor's receipt of a deceased or incapacitated
75 franchisee's designated family member's intention to succeed to the franchise or franchises or of
76 the franchisor's receipt of the personal and financial data of the designated family member,
77 whichever is later.

78 5. A franchisor's notice to a franchisee or franchisees pursuant to subdivisions (5), (6),
79 (7) and (14) of section 407.1034 shall contain a statement of the particular grounds supporting
80 the intended action or activity which shall include any reasonable standards which were not
81 satisfied. The notice shall also contain at a minimum, on the first page thereof, a conspicuous
82 statement which reads as follows:

83 "NOTICE TO FRANCHISEE: YOU MAY BE ENTITLED TO FILE A PROTEST
84 WITH THE MISSOURI ADMINISTRATIVE HEARING COMMISSION IN JEFFERSON
85 CITY, MISSOURI, AND HAVE A HEARING IN WHICH YOU MAY PROTEST THE
86 CONTENTS OF THIS NOTICE. ANY ACTION MUST BE FILED WITHIN FIFTEEN DAYS
87 FROM RECEIPT OF THIS NOTICE."

88 6. When more than one application for a hearing is filed with the administrative hearing
89 commission, the administrative hearing commission may consolidate the applications into one
90 proceeding to expedite the disposition of all relevant issues.

91 7. In all proceedings before the administrative hearing commission pursuant to this
92 section and section 407.1034, where the franchisor is required to give notice pursuant to
93 subsection 5 of this section, the franchisor shall have the burden of proving by a preponderance
94 of the evidence that good cause exists for its actions. In all other actions, the franchisee shall
95 have the burden of proof.

407.1034. Notwithstanding the terms of any franchise agreement, the performance,
2 whether by act or omission, by a ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisor of any
3 or all of the following acts enumerated in this section are hereby defined as unlawful practices,
4 the remedies for which are set forth in section 407.1043:

5 (1) To engage in any conduct which is capricious, in bad faith, or unconscionable and
6 which causes damage to a ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee or to the
7 public; provided, that good faith conduct engaged in by ~~[motorcycle or all-terrain]~~ **powersport**
8 vehicle franchisors as sellers of new ~~[motorcycles, all-terrain]~~ **powersport** vehicles or parts or
9 as holders of security interests therein, in pursuit of rights or remedies accorded to sellers of
10 goods or to holders of security interests pursuant to the provisions of chapter 400, uniform
11 commercial code, shall not constitute unfair practices pursuant to sections 407.1025 to 407.1049;

12 (2) To coerce any ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee to accept
13 delivery of any new ~~[motorcycle, motorcycles, all-terrain]~~ **powersport** vehicles, equipment, parts
14 or accessories therefor, or any other commodity or commodities which such ~~[motorcycle or~~
15 ~~all-terrain]~~ **powersport** vehicle franchisee has not ordered after such ~~[motorcycle or all-terrain]~~
16 **powersport** vehicle franchisee has rejected such commodity or commodities. It shall not be
17 deemed a violation of sections 407.1025 to 407.1049 for a ~~[motorcycle or all-terrain]~~
18 **powersport** vehicle franchisor to require a ~~[motorcycle or all-terrain]~~ **powersport** vehicle
19 franchisee to have an inventory of parts, tools and equipment reasonably necessary to service the
20 ~~[motorcycles or all-terrain]~~ **powersport** vehicles sold by a ~~[motorcycle or all-terrain]~~
21 **powersport** vehicle franchisor; or new ~~[motorcycles or all-terrain]~~ **powersport** vehicles
22 reasonably necessary to meet the demands of dealers or the public;

23 (3) To unreasonably refuse to deliver in reasonable quantities and within a reasonable
24 time after receipt of orders for new ~~[motorcycles or all-terrain]~~ **powersport** vehicles, such
25 ~~[motorcycles or all-terrain]~~ **powersport** vehicles as are so ordered and as are covered by such
26 franchise and as are specifically publicly advertised by such ~~[motorcycle or all-terrain]~~
27 **powersport** vehicle franchisor to be available for immediate delivery; provided, however, the
28 failure to deliver any ~~[motorcycle or all-terrain]~~ **powersport** vehicle shall not be considered a
29 violation of sections 407.1025 to 407.1049 if such failure is due to an act of God, work stoppage,
30 or delay due to a strike or labor difficulty, shortage of products or materials, freight delays,
31 embargo or other cause of which such ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisor
32 has no control;

33 (4) To coerce any ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee to enter into
34 any agreement with such ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisor or to do any
35 other act prejudicial to such ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee, by
36 threatening to cancel any franchise or any contractual agreement existing between such
37 ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisor and ~~[motorcycle or all-terrain]~~
38 **powersport** vehicle franchisee; provided, however, that notice in good faith to any ~~[motorcycle~~
39 ~~or all-terrain]~~ **powersport** vehicle franchisee of such ~~[motorcycle or all-terrain]~~ **powersport**
40 vehicle franchisee's violation of any provisions of such franchise or contractual agreement shall
41 not constitute a violation of sections 407.1025 to 407.1049;

42 (5) To terminate, cancel or refuse to continue any franchise, directly or indirectly through
43 the actions of the franchisor, unless such new ~~[motorcycle or all-terrain]~~ **powersport** vehicle
44 franchisee substantially defaults in the performance of such franchisee's reasonable and lawful
45 obligations under such franchisee's franchise, or such new ~~[motorcycle or all-terrain]~~ **powersport**
46 vehicle franchisor discontinues the sale in the state of Missouri of such franchisor's products
47 which are the subject of the franchise:

48 (a) Notwithstanding the terms of any franchise agreement to the contrary, good cause to
49 terminate, cancel, or refuse to continue any franchise agreement shall not be established based
50 upon the fact that the ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee owns, has an
51 investment in, participates in the management of or holds a franchise agreement for the sale or
52 service of another make or line of new ~~[motorcycles or all-terrain]~~ **powersport** vehicles or the
53 ~~[motorcycle or all-terrain]~~ **powersport** vehicle dealer has established another make or line of
54 new ~~[motorcycles or all-terrain]~~ **powersport** vehicles or service in the same dealership facilities
55 as those of the ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisor prior to February 1,
56 1998, or such establishment is approved in writing by the franchisee and the franchisor.
57 However, a franchisor may require a franchisee to maintain a reasonable line of credit for each
58 franchise and to comply with each franchisor's reasonable requirements concerning capital,
59 management and facilities. If the franchise agreement requires the approval of the franchisor,
60 such approval shall be requested in writing by the franchisee and the franchisor shall approve or
61 disapprove such a request in writing within sixty days of receipt of such request. A request from
62 a franchisee shall be deemed to have been approved if the franchisor fails to notify the
63 franchisee, in writing, of its disapproval within sixty days after its receipt of the written request;

64 (b) In determining whether good cause exists, the administrative hearing commission
65 shall take into consideration the existing circumstances, including, but not limited to, the
66 following factors:

- 67 a. The franchisee's sales in relation to sales in the market;
- 68 b. The franchisee's investment and obligations;
- 69 c. Injury to the public welfare;
- 70 d. The adequacy of the franchisee's service facilities, equipment, parts and personnel in
71 relation to those of other franchisees of the same line-make;
- 72 e. Whether warranties are being honored by the franchisee;
- 73 f. The parties' compliance with their franchise agreement;
- 74 g. The desire of a franchisor for market penetration or a market study, if any, prepared
75 by the franchisor or franchisee are two factors which may be considered;
- 76 h. The harm to the franchisor;

77 (6) To prevent by contract or otherwise, any ~~[motorcycle or all-terrain]~~ **powersport**
78 vehicle franchisee from changing the capital structure of the franchisee's franchise of such
79 ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee or the means by or through which the
80 franchisee finances the operation of the franchisee's franchise, provided the ~~[motorcycle or~~
81 ~~all-terrain]~~ **powersport** vehicle franchisee at all times meets any reasonable capital standards
82 agreed to between the ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee and the
83 ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisor and grants to the ~~[motorcycle or~~

84 ~~all-terrain~~ **powersport** vehicle franchisor a purchase money security interest in the new
85 ~~[motorcycles or all-terrain]~~ **powersport** vehicles, new parts and accessories purchased from the
86 ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisor;

87 (7) (a) Prevent, by contract or otherwise, any sale or transfer of a franchisee's franchise
88 or franchises or interest or management thereof; provided, if the franchise specifically permits
89 the franchisor to approve or disapprove any such proposed sale or transfer, a franchisor shall only
90 be allowed to disapprove a proposed sale or transfer if the interest being sold or transferred when
91 added to any other interest owned by the transferee constitutes fifty percent or more of the
92 ownership interest in the franchise and if the proposed transferee fails to satisfy any standards
93 of the franchisor which are in fact normally relied upon by the franchisor prior to its entering into
94 a franchise, and which relate to the proposed management or ownership of the franchise
95 operations or to the qualification, capitalization, integrity or character of the proposed transferee
96 and which are reasonable. A franchisee may request, at any time, that the franchisor provide a
97 copy of the standards which are normally relied upon by the franchisor to evaluate a proposed
98 sale or transfer and a proposed transferee;

99 (b) The franchisee and the prospective franchisee shall cooperate fully with the
100 franchisor in providing information relating to the prospective transferee's qualifications,
101 capitalization, integrity and character;

102 (c) In the event of a proposed sale or transfer of a franchise, the franchisor shall be
103 permitted to exercise a right of first refusal to acquire the franchisee's assets or ownership if:

104 a. The franchise agreement permits the franchisor to exercise a right of first refusal to
105 acquire the franchisee's assets or ownership in the event of a proposed sale or transfer;

106 b. Such sale or transfer is conditioned upon the franchisor or franchisee entering a
107 franchise agreement with the proposed transferee;

108 c. The exercise of the right of first refusal shall result in the franchisee and the
109 franchisee's owners receiving the same or greater consideration and the same terms and
110 conditions as contracted to receive in connection with the proposed sale or transfer;

111 d. The sale or transfer does not involve the sale or transfer to an immediate member or
112 members of the family of one or more franchisee owners, defined as a spouse, child, grandchild,
113 spouse of a child or grandchild, brother, sister or parent of the franchisee owner, or to the
114 qualified manager, defined as an individual who has been employed by the franchisee for at least
115 two years and who otherwise qualifies as a franchisee operator, or a partnership or corporation
116 controlled by such persons; and

117 e. The franchisor agrees to pay the reasonable expenses, including attorney's fees which
118 do not exceed the usual, customary and reasonable fees charged for similar work done for other
119 clients, incurred by the proposed transferee prior to the franchisor's exercise of its right of first

120 refusal in negotiating and implementing the contract for the proposed sale or transfer of the
121 franchise or the franchisee's assets. Notwithstanding the foregoing, no payment of such expenses
122 and attorney's fees shall be required if the franchisee has not submitted or caused to be submitted
123 an accounting of those expenses within fourteen days of the franchisee's receipt of the
124 franchisor's written request for such an accounting. Such accounting may be requested by a
125 franchisor before exercising its right of first refusal;

126 (d) For determining whether good cause exists for the purposes of this subdivision, the
127 administrative hearing commission shall take into consideration the existing circumstances,
128 including, but not limited to, the following factors:

129 a. Whether the franchise agreement specifically permits the franchisor to approve or
130 disapprove any proposed sale or transfer;

131 b. Whether the interest to be sold or transferred when added to any other interest owned
132 by the proposed transferee constitutes fifty percent or more of the ownership interest in the
133 franchise;

134 c. Whether the proposed transferee fails to satisfy any standards of the franchisor which
135 are in fact normally relied upon by the franchisor prior to its entering into a franchise, and which
136 are related to the proposed management or ownership of the franchise operations or to the
137 qualification, capitalization, integrity or character of the proposed transferee which are
138 reasonable;

139 d. Injury to the public welfare;

140 e. The harm to the franchisor;

141 (8) To prevent by contract or otherwise any ~~[motorcycle or all-terrain]~~ **powersport**
142 vehicle franchisee from changing the executive management of ~~[motorcycle or all-terrain]~~
143 **powersport** vehicle franchisee's business, except that any attempt by a ~~[motorcycle or all-terrain]~~
144 **powersport** vehicle franchisor to demonstrate by giving reasons that such change in executive
145 management will be detrimental to the distribution of the ~~[motorcycle or all-terrain]~~ **powersport**
146 vehicle franchisor's ~~[motorcycles]~~ **vehicles** shall not constitute a violation of this subdivision;

147 (9) To impose unreasonable standards of performance upon a ~~[motorcycle or all-terrain]~~
148 **powersport** vehicle franchisee;

149 (10) To require a ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee at the time
150 of entering into a franchise arrangement to assent to a release, assignment, novation, waiver or
151 estoppel which would relieve any person from liability imposed by sections 407.1025 to
152 407.1049;

153 (11) To prohibit directly or indirectly the right of free association among ~~[motorcycle or~~
154 ~~all-terrain]~~ **powersport** vehicle franchisees for any lawful purpose;

155 (12) To provide any term or condition in any lease or other agreement ancillary or
156 collateral to a franchise, which term or condition directly or indirectly violates the provisions of
157 sections 407.1025 to 407.1049;

158 (13) Upon any termination, cancellation or refusal to continue any franchise or any
159 discontinuation of any line-make or parts or products related to such line-make by a franchisor,
160 fail to pay reasonable compensation to a franchisee as follows:

161 (a) ~~[Any new, undamaged and unsold motorcycles or all-terrain vehicles in the~~
162 ~~franchisee's inventory of either the current model year or purchased from the franchisor within~~
163 ~~one hundred twenty days prior to receipt of a notice of termination or nonrenewal, provided the~~
164 ~~motorcycle or all-terrain vehicle has less than twenty miles registered on the odometer, including~~
165 ~~mileage incurred in delivery from the franchisor or in transporting the motorcycle or all-terrain~~
166 ~~vehicle between dealers for sale, at the dealer's net acquisition cost]~~ **The dealer's net**
167 **acquisition cost for any new, undamaged, and unsold and untitled powersport vehicles in**
168 **the franchisee's inventory of either the current model year, or purchased from the**
169 **franchisor within one hundred twenty days prior to receipt of a notice of termination or**
170 **nonrenewal, provided the powersport vehicle has less than seventy-five miles registered on**
171 **the odometer, including mileage incurred in delivery from the franchisor or in transporting**
172 **the powersport vehicle between dealers for sale;**

173 (b) The current parts catalog cost to the dealer of each new, unused, undamaged and
174 unsold part or accessory if the part or accessory is in the current parts catalog, less applicable
175 allowances. If the part or accessory was purchased by the franchisee from an outgoing
176 authorized franchisee, the franchisor shall purchase the part for either the price in the current
177 parts catalog or the franchisee's actual purchase price of the part, whichever is less;

178 (c) The depreciated value determined pursuant to generally accepted accounting
179 principles of each undamaged sign owned by the franchisee which bears a trademark or trade
180 name used or claimed by the franchisor if the sign was purchased from, or purchased at the
181 request of, the franchisor;

182 (d) The fair market value of all special tools, data processing equipment and ~~[motorcycle~~
183 ~~or all-terrain]~~ **powersport** vehicle service equipment owned by the franchisee which were
184 recommended in writing and designated as special tools and equipment and purchased from, or
185 purchased at the request of, the franchisor within three years of the termination of the franchise,
186 if the tools and equipment are in usable and good condition, except for reasonable wear and tear;
187 and

188 (e) The franchisor shall pay the franchisee the amounts specified in this subdivision
189 within ninety days after the tender of the property subject to the franchisee providing evidence
190 of good and clear title upon return of the property to the franchisor. Unless previous

191 arrangements have been made and agreed upon, the franchisee is under no obligation to provide
192 insurance for the property left after one hundred eighty days;

193 (14) To prevent or refuse to honor the succession to a franchise or franchises by any legal
194 heir or devisee under the will of a franchisee, under any written instrument filed with the
195 franchisor designating any person as the person's successor franchisee, or pursuant to the laws
196 of descent and distribution of this state; provided:

197 (a) Any designated family member of a deceased or incapacitated franchisee shall
198 become the succeeding franchisee of such deceased or incapacitated franchisee if such designated
199 family member gives the franchisor written notice of such family member's intention to succeed
200 to the franchise or franchises within forty-five days after the death or incapacity of the franchisee,
201 and agrees to be bound by all of the terms and conditions of the current franchise agreement, and
202 the designated family member meets the current reasonable criteria generally applied by the
203 franchisor in qualifying franchisees. A franchisee may request, at any time, that the franchisor
204 provide a copy of such criteria generally applied by the franchisor in qualifying franchisees;

205 (b) The franchisor may request from a designated family member such personal and
206 financial data as is reasonably necessary to determine whether the existing franchise agreement
207 should be honored. The designated family member shall supply the personal and financial data
208 promptly upon the request;

209 (c) If the designated family member does not meet the reasonable criteria generally
210 applied by the franchisor in qualifying franchisees, the discontinuance of the current franchise
211 agreement shall take effect not less than ninety days after the date the franchisor serves the
212 required notice on the designated family member pursuant to subsection 5 of section 407.1031;

213 (d) The provisions of this subdivision shall not preclude a franchisee from designating
214 any person as the person's successor by written instrument filed with the franchisor, and if such
215 an instrument is filed, it alone shall determine the succession rights to the management and
216 operation of the franchise; and

217 (e) For determining whether good cause exists, the administrative hearing commission
218 shall take into consideration the existing circumstances, including, but not limited to, the
219 following factors:

220 a. Whether the franchise agreement specifically permits the franchisor to approve or
221 disapprove any successor;

222 b. Whether the proposed successor fails to satisfy any standards of the franchisor which
223 are in fact normally relied upon by the franchisor prior to the successor entering into a franchise,
224 and which relate to the proposed management or ownership of the franchise operation or to the
225 qualification, capitalization, integrity or character of the proposed successor and which are
226 reasonable;

227 c. Injury to the public welfare;

228 d. The harm to the franchisor;

229 (15) To coerce, threaten, intimidate or require a franchisee under any condition affecting
230 or related to a franchise agreement, or to waive, limit or disclaim a right that the franchisee may
231 have pursuant to the provisions of sections 407.1025 to 407.1049. Any contracts or agreements
232 which contain such provisions shall be deemed against the public policy of the state of Missouri
233 and are void and unenforceable. Nothing in this section shall be construed to prohibit voluntary
234 settlement agreements;

235 (16) To initiate any act enumerated in this subsection on grounds that it has advised a
236 franchisee of its intention to discontinue representation at the time of a franchisee change.

407.1035. 1. For purposes of this section, "relevant market area" means:

2 (1) For a proposed franchisee or franchisee who plans to relocate his or her place of
3 business in a county having a population which is greater than one hundred thousand, the area
4 within a radius of ten miles of the intended site of the proposed or relocated franchisee. The
5 ten-mile distance shall be determined by measuring the distance between the nearest surveyed
6 boundary of the existing franchisee's principal place of business and the nearest surveyed
7 boundary line of the proposed or relocated franchisee's principal place of business; or

8 (2) For a proposed franchisee or a franchisee who plans to relocate his or her place of
9 business in a county having a population which is not greater than one hundred thousand, the
10 area within a radius of twenty miles of the intended site of the proposed or relocated franchisee,
11 or the county line, whichever is closer to the intended site. The twenty-mile distance shall be
12 determined by measuring the distance between the nearest surveyed boundary line of the existing
13 franchisee's principal place of business and the nearest surveyed boundary line of the proposed
14 or relocated franchisee's principal place of business.

15 2. As used in this section, "relocate" and "relocation" shall not include the relocation of
16 a franchisee within two miles of its established place of business.

17 3. As used in this section, "motor vehicle" shall include ~~motorcycles and all-terrain~~
18 **powersport** vehicles as defined in section 407.1025.

19 4. Before a franchisor enters into a franchise establishing or relocating a franchisee
20 within a relevant market area where the same line-make is represented, the franchisor shall give
21 written notice to each franchisee of the same line-make in the relevant market area of its
22 intention to establish an additional franchisee or to relocate an existing franchisee within that
23 relevant market area.

24 5. Within thirty days after receiving the notice provided for in subsection 4 of this
25 section, or within thirty days after the end of any appeal procedure provided by the franchisor,

26 a franchisee may bring an action pursuant to section 407.1031 to determine whether good cause
27 exists for the establishing or relocating of a proposed franchisee.

28 6. This section shall not apply to the reopening or replacement in a relevant market area
29 of a closed dealership that has been closed within the preceding year, if the established place of
30 business of the reopened or replacement franchisee is within two miles of the established place
31 of business of the closed dealership.

32 7. In determining whether good cause exists for establishing or relocating an additional
33 franchisee for the same line-make, the court shall take into consideration the existing
34 circumstances, including but not limited to the following:

35 (1) Permanency of the investment;

36 (2) Effect on the retail motor vehicle business and the consuming public in the relevant
37 market area;

38 (3) Whether it is injurious or beneficial to the public welfare;

39 (4) Whether the franchisees of the same line-make in that relevant market area are
40 providing adequate competition and convenient consumer care for the motor vehicles of that
41 line-make in the market area, including the adequacy of the motor vehicle sales and qualified
42 service personnel;

43 (5) Whether the establishment or relocation of the franchisee would promote
44 competition;

45 (6) Growth or decline of the population and the number of new motor vehicle
46 registrations in the relevant market area; and

47 (7) Effect on the relocating franchisee of a denial of its relocations into the relevant
48 market area.

49 8. The remedies and relief available pursuant to section 407.1049 shall apply to this
50 section.

 407.1037. When a franchised dealer or manufacturer proposes to establish or relocate
2 a ~~[motorcycle or all-terrain]~~ **powersport** vehicle dealership within any city not within a county,
3 the dealer or manufacturer shall make reasonable efforts to establish or relocate such dealership
4 in an area within such city that improves the equitable distribution of dealerships within such city
5 and is conveniently located to serve minorities who reside in such city.

 407.1043. It shall be a defense for a ~~[motorcycle or all-terrain]~~ **powersport** vehicle
2 franchisor, to any action brought pursuant to sections 407.1025 to 407.1049 by a ~~[motorcycle or~~
3 ~~all-terrain]~~ **powersport** vehicle franchisee, if it is shown that such ~~[motorcycle or all-terrain]~~
4 **powersport** vehicle franchisee has failed to substantially comply with reasonable and lawful
5 requirements imposed by the franchise and other agreements ancillary or collateral thereto, or
6 if the ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee, or any of its officers, have been

7 convicted of a felony relevant to business honesty or business practices, or if [~~the motorcycle or~~
8 ~~all-terrain vehicle~~] **such** franchisee has ceased conducting its business or has abandoned the
9 franchise, or is insolvent as that term is defined in subdivision (23) of section 400.1-201, or has
10 filed a voluntary petition in bankruptcy, or has made an assignment for benefit of creditors, or
11 has been the subject of an involuntary proceeding under the Federal Bankruptcy Act or under any
12 state insolvency law which is not vacated within twenty days from the institution thereof, or there
13 has been an appointment of a receiver or other officer having similar powers for the [~~motorcycle~~
14 ~~or all-terrain~~] **powersport** vehicle franchisee or [~~the motorcycle or all-terrain vehicle~~] **such**
15 franchisee's business who is not removed within twenty days from the person's appointment, or
16 there has been a levy under attachment, execution or similar process which is not within ten days
17 vacated or removed by payment or bonding, and it shall be a defense to any action brought
18 pursuant to sections 407.1025 to 407.1049 that the complained of conduct by a [~~motorcycle or~~
19 ~~all-terrain~~] **powersport** vehicle franchisor was undertaken in good faith in pursuit of rights or
20 remedies accorded to [~~a motorcycle or all-terrain vehicle~~] **such** franchisor as a seller of goods
21 or a holder of a security interest pursuant to the provisions of chapter 400.

407.1047. 1. The provisions of this section shall apply to franchisors and franchisees
2 engaged in the sale of [~~motorcycles and all-terrain~~] **powersport** vehicles.

3 2. Each franchisor shall specify in writing to each of its franchisees in this state the
4 franchisee's obligations for preparation, delivery, and warranty service on its **powersport vehicle**
5 products. The franchisor shall compensate the franchisee for warranty service required of the
6 franchisee by the franchisor.

7 3. The franchisor shall provide the franchisee with the schedule of compensation to be
8 paid to the franchisee for parts, work, and service, and the time allowance for the performance
9 of the work and service. The schedule of compensation shall include reasonable compensation
10 for diagnostic work, as well as repair service and labor. Time allowances for the diagnosis and
11 performance of warranty work and service shall be reasonable and adequate for the work
12 performed. In the determination of what constitutes reasonable compensation under this section,
13 the principal factor to be given consideration shall be the prevailing wage rates being paid by the
14 franchisees in the community in which the franchisee is doing business, and in no event shall the
15 compensation of a franchisee for warranty labor be less than the rates charged by the franchisee
16 for like service to retail customers for nonwarranty service and repairs, provided that such rates
17 are reasonable.

18 4. A franchisor shall not:

19 (1) Fail to perform any warranty obligation;

20 (2) Fail to include in written notices of franchisor recalls to owners of new ~~[motorcycles~~
21 ~~and all-terrain]~~ **powersport** vehicles the expected date by which necessary parts and equipment
22 will be available to franchisees for the correction of the defects; or

23 (3) Fail to compensate any of the franchisees in this state for repairs effected by the
24 recall.

25 5. All claims made by a franchisee pursuant to this section for labor and parts shall be
26 paid within thirty days after their approval. All claims shall be either approved or disapproved
27 by the franchisor within thirty days after their receipt on a proper form generally used by the
28 franchisor and containing the usually required information therein. Any claims not specifically
29 disapproved in writing within thirty days after the receipt of the form shall be considered to be
30 approved and payment shall be made within thirty days. A claim that has been approved and
31 paid may not be charged back to the franchisee unless the franchisor can show that the claim was
32 fraudulent, false, or unsubstantiated, except that a charge back for false or fraudulent claims shall
33 not be made more than two years after payment, and a charge back for unsubstantiated claims
34 shall not be made more than fifteen months after payment. A franchisee shall maintain all
35 records of warranty repairs, including the related time records of its employees, for at least two
36 years following payment of any warranty claim.

37 6. A franchisor shall compensate the franchisee for franchisor-sponsored sales or service
38 promotion events, programs, or activities in accordance with established guidelines for such
39 events, programs, or activities.

40 7. All claims made by a franchisee pursuant to subsection 5 of this section for promotion
41 events, programs, or activities shall be paid within twenty-five days after their approval or
42 program close, whichever comes later. All claims except those of the type set forth in
43 subdivisions (1) and (2) of this subsection shall be either approved or disapproved by the
44 franchisor within thirty days after their receipt on a proper form generally used by the franchisor
45 and containing the usually required information therein. Any claim not specifically disapproved
46 in writing within thirty days after the receipt of this form shall be considered to be approved, and
47 payment shall be made within thirty days. The franchisor has the right to charge back any claim
48 for twelve months after the later of either the close of the promotion event, program, or activity,
49 or the date of the payment. The provisions of this subsection shall not apply to:

50 (1) Claims related to holdbacks, retail sales bonuses, or similar programs in which the
51 franchisor accrues a certain portion of the vehicle sales price for the franchisee and then at a later
52 point in time pays that amount to the franchisee, in which event the franchisor shall compensate
53 a franchisee no later than forty-five days following the payment date that the franchisor specified
54 in the program;

55 (2) Claims related to franchisor's use of a "balance forward account" to make
 56 reimbursement, in which event the franchisor shall compensate a franchisee no later than
 57 seventy-five days following the date that the franchisee properly registered the manufacturer's
 58 limited warranty for the vehicle.

407.1049. In addition to the administrative relief provided in sections 407.1025 to
 2 407.1049, any ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee may bring an action in
 3 any court of competent jurisdiction against a ~~[motorcycle or all-terrain]~~ **powersport** vehicle
 4 franchisor with whom the franchisee has a franchise, for an act or omission which constitutes an
 5 unlawful practice as defined in section 407.1034 to recover damages sustained by reason thereof,
 6 and, where appropriate, such ~~[motorcycle or all-terrain]~~ **powersport** vehicle franchisee shall be
 7 entitled to injunctive relief, but the remedies set forth in this section shall not be deemed
 8 exclusive and shall be in addition to any other remedies permitted by law.

407.1329. If the RV dealer agreement is terminated, cancelled, or not renewed by the
 2 manufacturer for cause, **or if the dealer voluntarily terminates an RV dealer agreement in**
 3 **a manner permitted by such agreement, or if the manufacturer terminates or discontinues**
 4 **a franchise by discontinuing a line-make, ceasing to do business in the state, or changing**
 5 **the distributor or method of distribution of its products in the state**, the manufacturer shall,
 6 at the election of the RV dealer, within thirty days of termination, repurchase:

7 (1) ~~[(a) All new, untitled current model year recreation vehicle inventory, acquired from~~
 8 ~~the manufacturer, which has not been used (except for demonstration purposes), altered or~~
 9 ~~damaged to the extent that such damage must be disclosed to the consumer pursuant to section~~
 10 ~~407.1343, at one hundred percent of the net invoice cost, including transportation, less applicable~~
 11 ~~rebates and discounts to the dealer; and~~

12 ~~—(b) All new, untitled recreation vehicle inventory of the prior model year, acquired from~~
 13 ~~the manufacturer, provided the prior model year vehicles have not been altered, used (except for~~
 14 ~~demonstration purposes) or damaged to the extent that such damage must be disclosed to the~~
 15 ~~consumer pursuant to section 407.1343, and were drafted on the dealer's financing source or paid~~
 16 ~~within one hundred twenty days prior to the effective date of the termination, cancellation, or~~
 17 ~~nonrenewal.—~~

18
 19 ~~In the event any of the vehicles repurchased pursuant to this subdivision are damaged, but do not~~
 20 ~~trigger the consumer disclosure requirement, the amount due the dealer shall be reduced by the~~
 21 ~~cost to repair the vehicle. Damage prior to delivery to dealer that is disclosed at the time of~~
 22 ~~delivery will not disqualify repurchase under this provision]~~ **All new, untitled recreation**
 23 **vehicle inventory, acquired from the manufacturer in the previous eighteen months, which**
 24 **has not been altered or damaged to the extent that such damage must be disclosed to the**

25 **consumer pursuant to section 407.1343, at one hundred percent of the net invoice cost,**
26 **including transportation, less applicable rebates and discounts to the dealer;**

27 (2) All current and undamaged manufacturer's accessories and proprietary parts sold to
28 the dealer for resale, if accompanied by the original invoice, at one hundred five percent of the
29 original net price paid to the manufacturer to compensate the dealer for handling, packing, and
30 shipping the parts; and

31 (3) Any fully and correctly functioning diagnostic equipment, special tools, current
32 signage and other equipment and machinery, at one hundred percent of the dealer's net cost plus
33 freight, destination, delivery and distribution charges and sales taxes, if any, provided it was
34 purchased by the dealer within five years before termination and upon the manufacturer's request
35 and can no longer be used in the normal course of the dealer's ongoing business. The
36 manufacturer shall pay the dealer within thirty days of receipt of [~~the returned~~] all items
37 **returned for repurchase under this section.**

577.011. In addition to other terms and conditions imposed on a person who has
2 **pled guilty to or been found guilty of driving while intoxicated under section 577.010,**
3 **except for good cause shown, such person shall complete a victim impact program**
4 **approved by the court. Such person shall be responsible for any charges imposed by the**
5 **victim impact program.**

577.800. 1. A person commits the offense of unlawful use of unmanned aircraft
2 **over an open-air facility if he or she purposely:**

3 (1) Operates an unmanned aircraft within a vertical distance of four hundred feet
4 from the ground and within the property line of an open-air facility; or

5 (2) Uses an unmanned aircraft with the purpose of delivering to a person within an
6 open-air facility any object described in subdivision (1) or (2) of subsection 4 of this section.

7 2. For purposes of this section, "open-air facility" shall mean any sports, theater,
8 music, performing arts, or other entertainment facility with a capacity of five thousand
9 people or more and not completely enclosed by a roof or other structure.

10 3. The provisions of this section shall not prohibit the operation of an unmanned
11 aircraft by:

12 (1) An employee of an open-air facility at the direction of the president or chief
13 executive officer of the open-air facility;

14 (2) A person who has written consent from the president or chief executive officer
15 of the open-air facility;

16 (3) An employee of a law enforcement agency, fire department, or emergency
17 medical service in the exercise of official duties;

18 (4) A government official or employee in the exercise of official duties;

- 19 **(5) A public utility or a rural electric cooperative if:**
20 **(a) The unmanned aircraft is used for the purpose of inspecting, repairing, or**
21 **maintaining utility transmission or distribution lines or other utility equipment or**
22 **infrastructure;**
23 **(b) The utility or cooperative notifies the open-air facility before flying the**
24 **unmanned aircraft, except during an emergency; and**
25 **(c) The person operating the unmanned aircraft does not physically enter the**
26 **prohibited space without an escort provided by the open-air facility; or**
27 **(6) An employee of a railroad in the exercise of official duties on any land owned**
28 **or operated by a railroad corporation regulated by the Federal Railroad Administration.**
29 **4. The offense of unlawful use of unmanned aircraft over an open-air facility shall**
30 **be punishable as a class A misdemeanor unless the person uses an unmanned aircraft for:**
31 **(1) Delivering a gun, knife, weapon, or other article that may be used in such**
32 **manner to endanger the life of an employee or guest at an open-air facility, in which case**
33 **the offense is a class B felony; or**
34 **(2) Delivering a controlled substance, as that term is defined under section 195.010,**
35 **in which case the offense is a class D felony.**
36 **5. Each open-air facility shall post a sign warning of the provisions of this section.**
37 **The sign shall be at least eleven inches by fourteen inches and posted in a conspicuous**
38 **place.**
- 632.460. 1. A person commits the offense of unlawful use of unmanned aircraft**
2 **over a mental health hospital if he or she purposely:**
3 **(1) Operates an unmanned aircraft within a vertical distance of four hundred feet**
4 **over the mental health hospital's property line; or**
5 **(2) Uses an unmanned aircraft to deliver to a person confined in a mental health**
6 **hospital any object described in subdivision (1) or (3) of subsection 6 of this section.**
7 **2. For the purposes of subsection 1 of this section, vertical distance extends from**
8 **ground level.**
9 **3. For purposes of this section, "mental health hospital" shall mean a facility**
10 **operated by the department of mental health to provide inpatient evaluation, treatment,**
11 **or care to persons suffering from a mental disorder, as defined under section 630.005;**
12 **mental illness, as defined under section 630.005; or mental abnormality, as defined under**
13 **section 632.480.**
14 **4. The provisions of this section shall not prohibit the operation of an unmanned**
15 **aircraft by:**

16 **(1) An employee of the mental health hospital at the direction of the chief**
17 **administrative officer of the mental health hospital;**

18 **(2) A person who has written consent from the chief administrative officer of the**
19 **mental health hospital;**

20 **(3) An employee of a law enforcement agency, fire department, or emergency**
21 **medical service in the exercise of official duties;**

22 **(4) A government official or employee in the exercise of official duties;**

23 **(5) A public utility or a rural electric cooperative if:**

24 **(a) The unmanned aircraft is used for the purpose of inspecting, repairing, or**
25 **maintaining utility transmission or distribution lines or other utility equipment or**
26 **infrastructure;**

27 **(b) The utility notifies the mental health hospital before flying the unmanned**
28 **aircraft, except during an emergency; and**

29 **(c) The person operating the unmanned aircraft does not physically enter the**
30 **prohibited space without an escort provided by the mental health hospital;**

31 **(6) An employee of a railroad in the exercise of official duties on any land owned**
32 **or operated by a railroad corporation regulated by the Federal Railway Administration;**
33 **or**

34 **(7) A person operating an unmanned aircraft pursuant to and in compliance with**
35 **any waiver issued by the Federal Aviation Authority under 14 C.F.R. Section 107.200.**

36 **5. Each mental health hospital shall post a sign warning of the provisions of this**
37 **section. The sign shall be at least eleven inches by fourteen inches and posted in a**
38 **conspicuous place.**

39 **6. The offense of unlawful use of unmanned aircraft over a mental health hospital**
40 **shall be punishable as an infraction unless the person uses an unmanned aircraft for the**
41 **purpose of:**

42 **(1) Delivering a gun, knife, weapon, or other article that may be used in such**
43 **manner to endanger the life of a patient or mental health hospital employee, in which case**
44 **the offense is a class B felony;**

45 **(2) Facilitating an escape from commitment or detention under section 575.195, in**
46 **which case the offense is a class C felony; or**

47 **(3) Delivering a controlled substance, as that term is defined under section 195.010,**
48 **in which case the offense is a class D felony.**

 Section B. The enactment of section 302.205 of section A of this act shall become
2 effective on July 31, 2021.

✓