

FIRST REGULAR SESSION

HOUSE BILL NO. 204

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HOSKINS (Sponsor), LARGENT, WYATT, SCHAD, LAMPE,
TORPEY AND JONES (117) (Co-sponsors).

0139L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 41.950, RSMo, and to enact in lieu thereof two new sections relating to driver's license renewal for military personnel.

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

Section A. Section 41.950, RSMo, is repealed and two new sections enacted in lieu
2 thereof, to be known as sections 41.950 and 302.186, to read as follows:

41.950. 1. Any resident of this state who is a member of the national guard or of any
2 reserve component of the armed forces of the United States or who is a member of the United
3 States Army, the United States Navy, the United States Air Force, the United States Marine
4 Corps, the United States Coast Guard or an officer of the United States Public Health Service
5 detailed by proper authority for duty with any branch of the United States armed forces described
6 in this section and who is engaged in the performance of active duty in the military service of the
7 United States in a military conflict in which reserve components have been called to active duty
8 under the authority of 10 U.S.C. 672(d) or 10 U.S.C. 673b or any such subsequent call or order
9 by the President or Congress for any period of thirty days or more shall be relieved from certain
10 provisions of state law, as follows:

11 (1) No person performing such military service who owns a motor vehicle shall be
12 required to maintain financial responsibility on such motor vehicle as required under section
13 303.025 until such time as that person completes such military service, unless any person shall
14 be operating such motor vehicle while the vehicle owner is performing such military service;

15 (2) No person failing to renew his **or her** driver's license while performing such military
16 service shall be required to take a complete examination as required under section 302.173 when

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.

17 renewing his **or her** license within [sixty] **ninety** days after completing such military service **and**
18 **reestablishing residence within the state;**

19 (3) Any motor vehicle registration required under chapter 301 that expires for any person
20 performing such military service may be renewed by such person within sixty days of completing
21 such military service without being required to pay a delinquent registration fee; however, such
22 motor vehicle shall not be operated while the person is performing such military service unless
23 the motor vehicle registration is renewed;

24 (4) Any person enrolled by the supreme court of Missouri or licensed, registered or
25 certified under chapter 168, 256, 317, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334,
26 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 375, 640 or 644, and interpreters
27 licensed under sections 209.319 to 209.339, whose license, registration or certification expires
28 while performing such military service, may renew such license, registration or certification
29 within sixty days of completing such military service without penalty;

30 (5) In the case of corporate registration reports, franchise tax reports or other reports
31 required to be filed with the office of secretary of state, where the filing of such report would be
32 delayed because of a person performing such military service, such reports shall be filed without
33 penalty within one hundred twenty days of the completion of such military service;

34 (6) No person performing such military service who is subject to a criminal summons
35 for a traffic violation shall be subject to nonappearance sanctions for such violation until after
36 one hundred eighty days after the completion of such military service;

37 (7) No person performing such military service who is required under state law to file
38 financial disclosure reports shall be required to file such reports while performing such military
39 service; however, such reports covering that period of time that such military service is
40 performed shall be filed within one hundred eighty days after the completion of such military
41 service;

42 (8) Any person with an indebtedness, liability or obligation for state income tax or
43 property tax on personal or real property who is performing such military service or a spouse of
44 such person filing a combined return or owning property jointly shall be granted an extension
45 to file any papers or to pay any obligation until one hundred eighty days after the completion of
46 such military service or continuous hospitalization as a result of such military service
47 notwithstanding the provisions of section 143.991 to the contrary and shall be allowed to pay
48 such tax without penalty or interest if paid within the one hundred eighty-day period;

49 (9) Notwithstanding other provisions of the law to the contrary, for the purposes of this
50 section, interest shall be allowed and paid on any overpayment of tax imposed by sections
51 143.011 to 143.998 at the rate of six percent per annum from the original due date of the return
52 or the date the tax was paid, whichever is later;

53 (10) No state agency, board, commission or administrative tribunal shall take any
54 administrative action against any person performing such military service for that person's failure
55 to take any required action or meet any required obligation not already provided for in
56 subdivisions (1) to (8) of this subsection until one hundred eighty days after the completion of
57 such military service, except that any agency, board, commission or administrative tribunal
58 affected by this subdivision may, in its discretion, extend the time required to take such action
59 or meet such obligation beyond the one hundred eighty-day period;

60 (11) Any disciplinary or administrative action or proceeding before any state agency,
61 board, commission or administrative tribunal where the person performing such military service
62 is a necessary party, which occurs during such period of military service, shall be stayed by the
63 administrative entity before which it is pending until sixty days after the end of such military
64 service.

65 2. Upon completing such military service, the person shall provide the appropriate
66 agency, board, commission or administrative tribunal an official order from the appropriate
67 military authority as evidence of such military service.

68 3. The provisions of this section shall apply to any individual described in subsection 1
69 of this section who performs such military service on or after August 2, 1990.

**302.186. 1. Notwithstanding any other law, if the driver's license of any person
2 expires while such person is on active duty in the armed forces of the United States, the
3 license of such person shall be renewable, without examination, at any time prior to the end
4 of the sixth month following the discharge of such person from the armed forces, or within
5 ninety days after reestablished residence within the state, whichever time is sooner.
6 Missouri residents on active duty in the armed forces of the United States or any dependent
7 thereof age twenty-one or older residing outside the state of Missouri or the United States
8 may renew their driver's license by mail.**

9 **2. The department of revenue may promulgate rules necessary to implement the
10 provisions of this section. Any rule or portion of a rule, as that term is defined in section
11 536.010, that is created under the authority delegated in this section shall become effective
12 only if it complies with and is subject to all of the provisions of chapter 536 and, if
13 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of
14 the powers vested with the general assembly pursuant to chapter 536 to review, to delay
15 the effective date, or to disapprove and annul a rule are subsequently held
16 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
17 after August 28, 2011, shall be invalid and void.**