

FIRST REGULAR SESSION

HOUSE BILL NO. 685

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BRAY, JOHNSON (61), HILGEMANN, CAMPBELL,
VAN ZANDT, HARLAN, KENNEDY, HOLLINGSWORTH, TROUPE, KREIDER,
LOWE AND VILLA (Co-sponsors).

Read 1st time February 7, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1570L.011

AN ACT

To repeal sections 142.803, 144.020, 144.021, 144.440, 144.805, 226.030, 301.025, 301.032, 301.055, 301.057, 301.058, 301.059, 301.061, 301.062, 301.063, 301.065, 301.066, 301.067, 301.069, 301.190, 301.227, 301.265, 301.266, 301.300, 301.370, 301.380, 301.560, 302.140, 302.177, 302.178, 302.181, 302.185, 302.272, 302.302, 302.304, 302.309, 302.505, 302.510, 302.520, 302.541, 302.720, 302.735, 304.001, 306.112, 306.117, 577.012, 577.037, RSMo 2000, and section 301.064, as enacted by house committee substitute for senate substitute for senate bill no. 3, eighty-eighth general assembly, first regular session, and section 301.064, as enacted by house bill no. 769, eighty-ninth general assembly, first regular session, section 301.130, as enacted by house committee substitute for senate substitute for senate bill no. 3 and senate bill no. 156, eight-eighth general assembly, first regular session, and section 301.130, RSMo, as enacted by conference committee substitute for house substitute for house committee substitute for senate substitute for senate bill no. 70, eighty-eighth general assembly, first regular session, and section 301.144, as enacted by house committee substitute for senate substitute for senate bill no. 3, eighty-eighth general assembly, first regular session, and section 301.144, as enacted by conference committee substitute for house substitute for house committee substitute for senate substitute for senate bill no. 70, eighty-eighth general assembly, first regular session, relating to transportation and to enact in lieu thereof fifty-eight new sections relating to the same subject, with penalty provisions and a referendum clause.

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

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

Section A. Sections 142.803, 144.020, 144.021, 144.440, 144.805, 226.030, 301.025, 301.032, 301.055, 301.057, 301.058, 301.059, 301.061, 301.062, 301.063, 301.065, 301.066, 301.067, 301.069, 301.190, 301.227, 301.265, 301.266, 301.300, 301.370, 301.380, 301.560, 302.140, 302.177, 302.178, 302.181, 302.185, 302.272, 302.302, 302.304, 302.309, 302.505, 302.510, 302.520, 302.541, 302.720, 302.735, 304.001, 306.112, 306.117, 577.012, 577.037, RSMo 2000, and section 301.064, as enacted by house committee substitute for senate substitute for senate bill no. 3, eighty-eighth general assembly, first regular session, and section 301.064, as enacted by house bill no. 769, eighty-ninth general assembly, first regular session, section 301.130, RSMo 2000, as enacted by house committee substitute for senate substitute for senate bill no. 3 and senate bill no. 156, eighty-eighth general assembly, first regular session, and section 301.130, as enacted by conference committee substitute for house substitute for house committee substitute for senate substitute for senate bill no. 70, eighty-eighth general assembly, first regular session, and section 301.144, as enacted by house committee substitute for senate substitute for senate bill no. 3, eighty-eighth general assembly, first regular session, and section 301.144, as enacted by conference committee substitute for house substitute for house committee substitute for senate substitute for senate bill no. 70, eighty-eighth general assembly, first regular session, are repealed and fifty-eight new sections enacted in lieu thereof, to be known as sections 37.025, 142.803, 144.020, 144.021, 144.440, 144.805, 226.030, 226.035, 226.036, 226.037, 226.195, 226.915, 226.980, 301.025, 301.032, 301.055, 301.057, 301.058, 301.059, 301.061, 301.062, 301.063, 301.064, 301.065, 301.066, 301.067, 301.069, 301.130, 301.144, 301.190, 301.227, 301.265, 301.266, 301.300, 301.370, 301.380, 301.560, 302.140, 302.177, 302.178, 302.181, 302.185, 302.272, 302.302, 302.304, 302.309, 302.505, 302.510, 302.520, 302.541, 302.720, 302.735, 304.001, 304.676, 306.112, 306.117, 577.012 and 577.037, to read as follows:

37.025. 1. There is hereby created within the office of administration the "Missouri Public Capital Investment Board". The board shall be composed of nineteen members, including:

- (1) The director of the department of economic development;**
- (2) The director of the department of natural resources;**
- (3) The director of the department of transportation;**
- (4) The director of the department of conservation;**
- (5) The director of the department of social services;**
- (6) The commissioner of administration;**
- (7) The state treasurer;**
- (8) Six representatives of the political subdivisions of this state, of whom no more**

than four may belong to the same political party, to be appointed by the governor with the advice and consent of the senate, and to serve at the pleasure of the governor; and

(9) Six representatives of the general public, of whom no more than four may belong to the same political party, to be appointed by the governor with the advice and consent of the senate, and to serve at the pleasure of the governor.

2. The board shall advise the governor and the cabinet on statewide economic and quality of life goals and shall develop a coordinated, statewide, interagency plan for the investment of public capital toward achieving these goals. This plan shall include, at a minimum:

(1) A listing of state infrastructure priorities;

(2) A set of economic performance measures with benchmarks and targets for growth;

(3) A methodology for calculating the return on public capital investments in infrastructure, with annual fiscal reports to be made to the governor, the general assembly and the taxpayers; and

(4) A mechanism for shared, interagency accountability and continuous quality improvement in outcomes achieved by the investment of public capital.

3. The state highways and transportation commission, in cooperation with the regional planning commissions and metropolitan planning organizations, shall develop a statewide total transportation investment plan for the purpose of allocating transportation funds in a manner that is consistent with the priorities, methodologies and accountability mechanisms established by the Missouri public capital investment board. All revenue available for transportation needs, regardless of the source or designated purpose of such revenue, may be included in the plan. The commission shall annually update the plan. The plan shall be developed in consultation with the state agencies and departments represented on the investment board and with members of the public from all regional planning commission districts throughout the state.

4. To obtain authorization for the implementation of the plan, the highways and transportation commission shall annually present to the general assembly the plan and an analysis demonstrating the feasibility and appropriateness thereof, in conjunction with the return on investment report of the public capital investment board. The board shall annually present to the general assembly, by the tenth legislative day, the plan and an analysis demonstrating the feasibility and appropriateness thereof. The plan shall become effective no later than forty-five calendar days after the plan proposed by the board is submitted to a regular session of the general assembly, unless it is disapproved within forty-five calendar days of its submission to a regular session by a concurrent resolution

48 introduced within fourteen calendar days of the submission of the plan to a regular session
49 of the general assembly and adopted by a majority vote of the elected members of each
50 chamber. If no concurrent resolution disapproving of the plan is introduced within
51 fourteen calendar days of the submission of the plan to the general assembly, the plan shall
52 become effective immediately. The presiding officer of each chamber in which a
53 concurrent resolution disapproving of the plan has been introduced, unless the resolution
54 has been previously accepted or rejected by that chamber, shall submit it to a vote of the
55 membership not sooner than seven calendar days or later than fourteen calendar days after
56 introduction of the concurrent resolution pertaining to the plan. The presiding officer of
57 the chamber passing a concurrent resolution disapproving of the plan shall immediately
58 forward the concurrent resolution to the other chamber and the presiding officer of that
59 chamber shall submit it to a vote of the membership not sooner than seven calendar days
60 or later than fourteen calendar days of its receipt from the other legislative body. The plan
61 submitted by the board shall not be subject to amendment by either chamber and may only
62 be rejected in its entirety.

142.803. 1. A tax is levied and imposed on all motor fuel used or consumed in this state
2 as follows:

3 (1) Motor fuel, seventeen cents per gallon. Beginning April 1, [2008,] **2002**, the tax rate
4 shall become [eleven] **eighteen** cents per gallon; **beginning April 1, 2003, the tax rate shall**
5 **become nineteen cents per gallon; and beginning April 1, 2004, the tax rate shall become**
6 **twenty cents per gallon;**

7 (2) Alternative fuels, not subject to the decal fees as provided in section 142.869, with
8 a power potential equivalent of motor fuel. In the event alternative fuel, which is not commonly
9 sold or measured by the gallon, is used in motor vehicles on the highways of this state, the
10 director is authorized to assess and collect a tax upon such alternative fuel measured by the
11 nearest power potential equivalent to that of one gallon of regular grade gasoline. The
12 determination by the director of the power potential equivalent of such alternative fuel shall be
13 prima facie correct;

14 (3) Aviation fuel used in propelling aircraft with reciprocating engines, nine cents per
15 gallon as levied and imposed by section 155.080, RSMo, to be collected as required [under]
16 **pursuant to** this chapter.

17 2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be
18 precollected as described in this chapter, for the facility and convenience of the consumer. The
19 levy and assessment on other persons as specified in this chapter shall be as agents of this state
20 for the precollection of the tax.

144.020. 1. A tax is hereby levied and imposed upon all sellers for the privilege of

2 engaging in the business of selling tangible personal property or rendering taxable service at
3 retail in this state. The rate of tax shall be as follows:

4 (1) Upon every retail sale in this state of tangible personal property **except motor**
5 **vehicles, as defined in section 301.010, RSMo**, a tax equivalent to four **and one quarter of one**
6 percent of the purchase price paid or charged, or in case such sale involves the exchange of
7 property, a tax equivalent to four **and one quarter of one** percent of the consideration paid or
8 charged, including the fair market value of the property exchanged at the time and place of the
9 exchange, except as otherwise provided in section 144.025;

10 (2) A tax equivalent to four **and one quarter of one** percent of the amount paid for
11 admission and seating accommodations, or fees paid to, or in any place of amusement,
12 entertainment or recreation, games and athletic events;

13 (3) A tax equivalent to four **and one quarter of one** percent of the basic rate paid or
14 charged on all sales of electricity or electrical current, water and gas, natural or artificial, to
15 domestic, commercial or industrial consumers;

16 (4) A tax equivalent to four **and one quarter of one** percent on the basic rate paid or
17 charged on all sales of local and long distance telecommunications service to
18 telecommunications subscribers and to others through equipment of telecommunications
19 subscribers for the transmission of messages and conversations and upon the sale, rental or
20 leasing of all equipment or services pertaining or incidental thereto; except that, the payment
21 made by telecommunications subscribers or others, pursuant to section 144.060, and any
22 amounts paid for access to the Internet or interactive computer services shall not be considered
23 as amounts paid for telecommunications services;

24 (5) A tax equivalent to four **and one quarter of one** percent of the basic rate paid or
25 charged for all sales of services for transmission of messages of telegraph companies;

26 (6) A tax equivalent to four **and one quarter of one** percent on the amount of sales or
27 charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant,
28 eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms,
29 meals or drinks are regularly served to the public;

30 (7) A tax equivalent to four **and one quarter of one** percent of the amount paid or
31 charged for intrastate tickets by every person operating a railroad, sleeping car, dining car,
32 express car, boat, airplane and such buses and trucks as are licensed by the division of motor
33 carrier and railroad safety of the department of economic development of Missouri, engaged in
34 the transportation of persons for hire;

35 (8) A tax equivalent to four **and one quarter of one** percent of the amount paid or
36 charged for rental or lease of tangible personal property, provided that if the lessor or renter of
37 any tangible personal property had previously purchased the property under the conditions of

38 "sale at retail" as defined in subdivision (8) of section 144.010 or leased or rented the property
39 and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or
40 subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental
41 receipts from that property. The purchase or use of motor vehicles, trailers, boats, and outboard
42 motors shall be taxed and the tax paid as provided in sections 144.070 and 144.440. No tax shall
43 be collected on the rental or lease of motor vehicles, trailers, boats, and outboard motors, except
44 as provided in sections 144.070 and 144.440. In no event shall the rental or lease of boats and
45 outboard motors be considered a sale, charge, or fee to, for or in places of amusement,
46 entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to,
47 for, or in such places of amusement, entertainment or recreation. Rental and leased boats or
48 outboard motors shall be taxed [under] **pursuant to** the provisions of the sales tax laws as
49 provided [under] **pursuant to** such laws for motor vehicles and trailers. Tangible personal
50 property which is exempt from the sales or use tax [under] **pursuant to** section 144.030 upon
51 a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof;

52 **(9) Upon every retail sale of motor vehicles, as defined in section 301.010, RSMo,**
53 **a tax equivalent to four and one half of one percent of the purchase price paid or charged,**
54 **or in case such sale involves the exchange of property, a tax equivalent to four and one half**
55 **of one percent of the consideration paid or charged, including the fair market value of the**
56 **property exchanged at the time and place of the exchange, except as otherwise provided**
57 **in section 144.025.**

58 2. All tickets sold which are sold [under] **pursuant to** the provisions of sections 144.010
59 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed
60 thereon, the words "This ticket is subject to a sales tax."

144.021. The purpose and intent of sections 144.010 to 144.510 is to impose a tax upon
2 the privilege of engaging in the business, in this state, of selling tangible personal property and
3 those services listed in section 144.020. The primary tax burden is placed upon the seller making
4 the taxable sales of property or service and is levied at the rate provided for in section 144.020.
5 Excluding sections 144.070, 144.440 and 144.450, the extent to which a seller is required to
6 collect the tax from the purchaser of the taxable property or service is governed by section
7 144.285 and in no way affects sections 144.080 and 144.100, which require all sellers to report
8 to the director of revenue their "gross receipts", defined herein to mean the aggregate amount of
9 the sales price of all sales at retail, and remit tax at four **and one quarter of one** percent of their
10 gross receipts, **except in the case of sales of motor vehicles, in which case at four and one-**
11 **half percent of gross receipts.**

144.440. 1. In addition to all other taxes now or hereafter levied and imposed upon
2 every person for the privilege of using the highways or waterways of this state, there is hereby

3 levied and imposed a tax equivalent to four **and one-half of one** percent of the purchase price,
4 as defined in section 144.070, which is paid or charged on new and used motor vehicles, trailers,
5 boats, and outboard motors purchased or acquired for use on the highways or waters of this state
6 which are required to be registered [under] **pursuant to** the laws of the state of Missouri.

7 2. At the time the owner of any such motor vehicle, trailer, boat, or outboard motor
8 makes application to the director of revenue for an official certificate of title and the registration
9 of the same as otherwise provided by law, [he] **such owner** shall present to the director of
10 revenue evidence satisfactory to the director showing the purchase price paid by or charged to
11 the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that the
12 motor vehicle, trailer, boat, or outboard motor is not subject to the tax herein provided and, if the
13 motor vehicle, trailer, boat, or outboard motor is subject to the tax herein provided, the applicant
14 shall pay or cause to be paid to the director of revenue the tax provided herein.

15 3. In the event that the purchase price is unknown or undisclosed, or that the evidence
16 thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisement by
17 the director.

18 4. No certificate of title shall be issued for such motor vehicle, trailer, boat, or outboard
19 motor unless the tax for the privilege of using the highways or waters of this state has been paid
20 or the vehicle, trailer, boat, or outboard motor is registered [under] **pursuant to** the provisions
21 of subsection 5 of this section.

22 5. The owner of any motor vehicle, trailer, boat, or outboard motor which is to be used
23 exclusively for rental or lease purposes may pay the tax due thereon required in section 144.020
24 at the time of registration or in lieu thereof may pay a use tax as provided in sections 144.010,
25 144.020, 144.070 and 144.440. A use tax shall be charged and paid on the amount charged for
26 each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is
27 domiciled in the state. If the owner elects to pay upon each rental or lease, [he] **said owner** shall
28 make an affidavit to that effect in such form as the director of revenue shall require and shall
29 remit the tax due at such times as the director of revenue shall require.

30 6. In the event that any leasing company which rents or leases motor vehicles, trailers,
31 boats, or outboard motors elects to collect a use tax, all of its lease receipt would be subject to
32 the use tax, regardless of whether or not the leasing company previously paid a sales tax when
33 the vehicle, trailer, boat, or outboard motor was originally purchased.

34 7. The provisions of this section, and the tax imposed by this section, shall not apply to
35 manufactured homes.

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 144.748, and section 238.235, RSMo, and the provisions of any

4 local sales tax law, as defined in section 32.085, RSMo, and from the computation of the tax
5 levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to 144.748,
6 and section 238.235, RSMo, and the provisions of any local sales tax law, as defined in section
7 32.085, RSMo, all sales of aviation jet fuel in a given calendar year to common carriers engaged
8 in the interstate air transportation of passengers and cargo, and the storage, use and consumption
9 of such aviation jet fuel by such common carriers, if such common carrier has first paid to the
10 state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes
11 pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption
12 of such aviation jet fuel in a maximum and aggregate amount of one million five hundred
13 thousand dollars of state sales and use taxes in such calendar year.

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

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

27 4. Effective September 1, 1998, all sales and use tax revenues upon aviation jet fuel
28 received pursuant to this chapter, less the amounts specifically designated pursuant to the
29 constitution or pursuant to section 144.701, for other purposes, shall be deposited to the credit
30 of the aviation trust fund established pursuant to section 305.230, RSMo; provided however, the
31 amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund
32 shall not exceed five million dollars in each calendar year.

33 [5. The provisions of this section and section 144.807 shall expire on December 31,
34 2003.]

226.030. The state highways and transportation commission shall consist of [~~six~~] **nine**
2 members, **one from each United States congressional district in this state, each to thereby**
3 **represent a proportional number of the residents of this state;** who shall be appointed by the
4 governor, by and with the advice and consent of the senate, not more than [~~three~~] **five** thereof to
5 be members of the same political party. Each commissioner shall be a taxpayer and resident of

6 state for at least five years prior to his appointment. Any commissioner **appointed before**
7 **August 28, 2001**, may be removed by the governor if fully satisfied of his inefficiency, neglect
8 of duty, or misconduct in office. All commissioners appointed prior to October 13, 1965, shall
9 serve the term for which they were appointed. Commissioners appointed pursuant to this section
10 shall be appointed for terms of [six] **four** years[.] **and** upon the expiration of each of the
11 foregoing terms of these commissioners a successor shall be appointed for a term of [six] **four**
12 years or until [his] **a** successor is appointed and qualified [which term of six years shall thereafter
13 be the length of term of each member of the commission unless removed as above provided].
14 The members of the commission shall receive as compensation for their services twenty-five
15 dollars per day for the time spent in the performance of their official duties, and also their
16 necessary traveling and other expenses incurred while actually engaged in the discharge of their
17 official duties.

226.035. 1. There is hereby created the "Transportation Sales Tax Fund". The
2 **revenue derived from the rate of one-quarter of one cent on the dollar of the taxes imposed**
3 **by sections 144.010 to 144.340, RSMo, and sections 144.600 to 144.745, RSMo, shall be**
4 **deposited by the state treasurer in the fund, and all revenues derived from said tax shall**
5 **be distributed to support the transportation needs of this state and used for no other**
6 **purpose; except that, of all refunds made of taxes collected pursuant to the provisions of**
7 **sections 144.010 to 144.430, RSMo, and sections 144.600 to 144.745, RSMo, the appropriate**
8 **percentage of any refund shall be paid from the transportation sales tax fund, and except**
9 **that the state may retain a fee as a charge for collecting and disbursing moneys so**
10 **deposited. The state collection fee shall not exceed one and one-half million dollars or one**
11 **percent of the amount deposited in the fund, whichever is less. The fee shall be negotiated**
12 **annually through the appropriation process. Any balance remaining in the fund at the end**
13 **of an appropriation period shall not be transferred to general revenue, and the provisions**
14 **of section 33.080, RSMo, shall not apply to the fund. Moneys in the fund shall be invested**
15 **by the state treasurer in the same deposits and obligations in which state funds are**
16 **authorized by law to be invested.**

17 **2. Moneys in the fund shall be distributed to support the transportation needs of**
18 **this state according to the following formula:**

19 **(1) Sixty-six and one-half of one percent shall be dedicated to public transportation**
20 **and shall be allocated according to department of transportation districts, with district**
21 **four divided into urban and rural portions consistent with Mid-America regional council**
22 **boundaries, pursuant to the following formula:**

23 **(a) One quarter of the revenue dedicated to public transportation shall be allocated**
24 **to the various districts based on the percentage of the state's population residing in each**

25 district according to the last decennial census, consistent with section 1.100, RSMo;

26 (b) One-quarter of the revenue dedicated to public transportation shall be allocated
27 to the various districts based on the percentage of statewide employment existing in each
28 district according to the annual average industry employment statistics published by the
29 bureau of labor statistics of the Missouri department of economic development; and

30 (c) One-half of the revenue dedicated to public transportation shall be allocated to
31 the various districts based on the percentage of statewide transit passenger-miles associated
32 with public agencies providing transit services to the general public in each district during
33 the immediately preceding year, consistent with public transit agency data to be compiled
34 annually by the department of transportation's transit division using transit passenger-
35 mile calculation methodology prescribed by the Federal Transit Administration or its
36 successor agency for reporting on transit systems nationwide.

37

38 Only public agencies providing transit services to the general public shall be eligible for
39 funding pursuant to this subsection. The department of transportation shall establish a
40 statewide transit agency to award funds through an annual application process. The
41 department of transportation shall allocate and distribute funds to specific transit agencies
42 and projects outside the Kansas City and St. Louis metropolitan areas. The metropolitan
43 planning organizations, in cooperation with the department of transportation, shall
44 allocate and distribute funds to specific transit areas and projects located within the
45 Kansas City and St. Louis metropolitan areas;

46 (2) Thirteen percent shall be dedicated to intercity rail transportation services and
47 facilities;

48 (3) Thirteen percent shall be dedicated to transportation services and facilities of
49 political subdivisions of this state, pursuant to the following formula:

50 (a) One-half of the revenue dedicated to transportation services and facilities of
51 political subdivisions of this state shall be allocated to incorporated cities. One-half of the
52 total sum dedicated to incorporated cities shall be allocated based on the ratio of the
53 population of each such city to the total population of this state residing in such cities as
54 of the last decennial census, consistent with section 1.100, RSMo. One-half of the total sum
55 dedicated to incorporated cities shall be allocated based on the ratio of total employment
56 in each such city to the total of all employment in incorporated cities in this state as of the
57 last decennial census, consistent with section 1.100, RSMo, employment data to be derived
58 from the annual average industry employment statistics published by the bureau of labor
59 statistics of the Missouri department of economic development; and

60 (b) One-half of the revenue dedicated to transportation services and facilities of

61 political subdivisions of this state shall be allocated to counties. One-half of the total sum
62 dedicated to counties shall be allocated based on the ratio of the population residing in
63 unincorporated areas of all counties as of the last decennial census, consistent with section
64 1.100, RSMo. One-half of the total sum dedicated to counties shall be allocated based on
65 the ratio of lane-miles of county-owned and -maintained roadways in each county to the
66 total lane-miles of all county-owned and -maintained roadways in this state;

67 (4) Three percent shall be dedicated to port facilities on navigable waters;

68 (5) One and one-half of one percent shall be dedicated to intercity bus facilities and
69 services;

70 (6) One and one-half of one percent shall be dedicated to bicycle and pedestrian
71 facilities which are integrated with other transportation facilities and rights-of-way; and

72 (7) One and one-half of one percent shall be dedicated to the support of the
73 activities of the public capital investment board created by section 37.025, RSMo, the
74 regional planning commissions and metropolitan planning organizations, to be used for the
75 purpose of transportation planning and development.

226.036. There is hereby created the "Transportation User Fee Fund". The
2 revenue credited to this fund pursuant to section 142.803, RSMo, chapter 301, RSMo, and
3 chapter 302, RSMo, shall be distributed as provided by this section and shall be used solely
4 to support highways. The moneys in this fund shall be allocated according to department
5 of transportation districts, with district four divided into urban and rural portions
6 consistent with Mid-America regional council boundaries, pursuant to the following
7 formula:

8 (1) One-third of such revenue shall be allocated to the various districts based on the
9 percentage of the statewide population residing in each district as of the last decennial
10 census, consistent with section 1.100, RSMo;

11 (2) One-third of such revenue shall be allocated to the various districts based on the
12 percentage of statewide employment which is located in the district, employment data to
13 be derived from the annual average industry employment statistics published by the
14 bureau of labor statistics of the department of economic development; and

15 (3) One third of such revenue shall be allocated to the various districts based on the
16 percentage of total statewide vehicle-miles traveled on and off the state system in each
17 district during the immediately preceding year. Vehicle-miles traveled data shall be
18 derived from annual statistics developed by the department of transportation to meet
19 requirements of the federal highway performance monitoring system.

20

21 The department of transportation shall allocate and distribute funds to specific projects

22 in districts outside the Kansas City and St. Louis metropolitan areas. The regional
23 planning commissions and the metropolitan planning organizations, in cooperation with
24 the department of transportation, shall jointly allocate and distribute funds to specific
25 projects located within the Kansas City and St. Louis metropolitan areas.

226.037. There is hereby created the "Toll Road Fund". The revenue derived from
2 any tolls collected on the use of the roads or highways of this state shall be deposited by the
3 state treasurer in the fund. Such revenues may be used solely for the improvement,
4 necessary expansion and maintenance of the highways for the use of which a toll is
5 imposed.

226.195. The department of transportation is authorized to use the design-build
2 method of contracting for projects on the state highway system.

226.915. The provisions of sections 226.900 to 226.910 notwithstanding, in any
2 construction project funded by revenues deposited in any fund created by section 226.035,
3 226.036 or 226.037, all federal laws and regulations concerning the participation of
4 disadvantaged business enterprises and applying to the federal highway aid program shall
5 be followed. The department of transportation shall monitor compliance with this section
6 for any and all projects funded by said funds, whether such projects are undertaken by the
7 state or by political subdivisions thereof.

226.980. 1. The highways and transportation commission is authorized to impose
2 tolls upon users of interstate highway 70, interstate highway 44, and interstate highway 55
3 within this state.

4 2. Any toll which is imposed pursuant to this section shall be set at a level which,
5 in the best estimate of the department of transportation, will generate no more than eighty
6 million dollars of revenue in any year, except that the limit of eighty million dollars shall
7 be adjusted annually in accordance with the Consumer Price Index as published by the
8 United States Department of Labor, Bureau of Labor Statistics, or its successor
9 organization, so that the adjusted limit retains the same constant value as eighty million
10 dollars had at the time this section was enacted.

11 3. Should total receipts from any toll imposed pursuant to this section generate in
12 any one fiscal year more than eighty million dollars, or a sum equivalent in inflation-
13 adjusted value to the value of eighty million dollars at the time this section was enacted,
14 pursuant to subsection 2 of this section, the department of transportation shall, in the
15 subsequent fiscal year, reduce the level of the toll accordingly, so that the rolling average
16 of tolls collected in any two consecutive fiscal years does not exceed eighty million dollars,
17 or a sum equivalent in inflation-adjusted value to the value of eighty million dollars at the
18 time this section was enacted, pursuant to subsection 2 of this section.

19 **4. Any tolls collected pursuant to this section shall be deposited in the toll road fund**
20 **created by section 226.037.**

301.025. 1. No state registration license to operate any motor vehicle in this state shall
2 be issued unless the application for license of a motor vehicle or trailer is accompanied by a tax
3 receipt for the tax year which immediately precedes the year in which the vehicle's or trailer's
4 registration is due and which reflects that all taxes, including delinquent taxes from prior years,
5 have been paid, or a statement certified by the county or township collector of the county or
6 township in which the applicant's property was assessed showing that the state and county
7 tangible personal property taxes for such previous tax year and all delinquent taxes due have
8 been paid by the applicant or that no such taxes were due or, if the applicant is not a resident of
9 this state and serving in the armed forces of the United States, the application is accompanied
10 by a leave and earnings statement from such person verifying such status. In the event the
11 registration is a renewal of a registration made two or three years previously, the application shall
12 be accompanied by proof that taxes were not due or have been paid for the two or three years
13 which immediately precede the year in which the motor vehicle's or trailer's registration is due.
14 The county or township collector shall not be required to issue a receipt for the immediately
15 preceding tax year until all personal property taxes, including all delinquent taxes currently due,
16 are paid. If the applicant was a resident of another county of this state in the applicable
17 preceding years, he or she must submit to the collector in the county or township of residence
18 proof that the personal property tax was paid in the applicable tax years. Every county and
19 township collector shall give each person a tax receipt or a certified statement of tangible
20 personal property taxes paid. The receipt issued by the county collector in any county of the first
21 classification with a charter form of government which contains part of a city with a population
22 of at least three hundred fifty thousand inhabitants which is located in more than one county, any
23 county of the first classification without a charter form of government with a population of at
24 least one hundred fifty thousand inhabitants which contains part of a city with a population of
25 at least three hundred fifty thousand inhabitants which is located in more than one county and
26 any county of the first classification without a charter form of government with a population of
27 at least one hundred ten thousand but less than one hundred fifty thousand inhabitants shall be
28 determined null and void if the person paying tangible personal property taxes issues or passes
29 a check or other similar sight order which is returned to the collector because the account upon
30 which the check or order was drawn was closed or did not have sufficient funds at the time of
31 presentation for payment by the collector to meet the face amount of the check or order. The
32 collector may assess and collect in addition to any other penalty or interest that may be owed, a
33 penalty of ten dollars or five percent of the total amount of the returned check or order whichever
34 amount is greater to be deposited in the county general revenue fund, but in no event shall such

35 penalty imposed exceed one hundred dollars. The collector may refuse to accept any check or
36 other similar sight order in payment of any tax currently owed plus penalty or interest from a
37 person who previously attempted to pay such amount with a check or order that was returned to
38 the collector unless the remittance is in the form of a cashier's check, certified check or money
39 order. If a person does not comply with the provisions of this section, a tax receipt issued
40 pursuant to this section is null and void and no state registration license shall be issued or
41 renewed. Where no such taxes are due each such collector shall, upon request, certify such fact
42 and transmit such statement to the person making the request. Each receipt or statement shall
43 describe by type the total number of motor vehicles on which personal property taxes were paid,
44 and no renewal of any state registration license shall be issued to any person for a number greater
45 than that shown on his or her tax receipt or statement except for a vehicle which was purchased
46 without another vehicle being traded therefor, or for a vehicle previously registered in another
47 state, provided the application for title or other evidence shows that the date the vehicle was
48 purchased or was first registered in this state was such that no personal property tax was owed
49 on such vehicle as of the date of the last tax receipt or certified statement prior to the renewal.
50 The director of revenue shall make necessary rules and regulations for the enforcement of this
51 section, and shall design all necessary forms. If electronic data is not available, residents of
52 counties with a township form of government and with township collectors shall present personal
53 property tax receipts which have been paid for the preceding two years when registering [under]
54 **pursuant to** this section.

55 2. Every county collector in counties with a population of over six hundred thousand and
56 less than nine hundred thousand shall give priority to issuing tax receipts or certified statements
57 pursuant to this section for any person whose motor vehicle registration expires in January. Such
58 collector shall send tax receipts or certified statements for personal property taxes for the
59 previous year within three days to any person who pays the person's personal property tax in
60 person, and within twenty working days, if the payment is made by mail. Any person wishing
61 to have priority pursuant to this subsection shall notify the collector at the time of payment of
62 the property taxes that a motor vehicle registration expires in January. Any person purchasing
63 a new vehicle in December and licensing such vehicle in January of the following year, may use
64 the personal property tax receipt of the prior year as proof of payment.

65 3. In addition to all other requirements, the director of revenue shall not register any
66 vehicle subject to the heavy vehicle use tax imposed by Section 4481 of the Internal Revenue
67 Code of 1954 unless the applicant presents proof of payment, or that such tax is not owing, in
68 such form as may be prescribed by the United States Secretary of the Treasury. No proof of
69 payment of such tax shall be required by the director until the form for proof of payment has
70 been prescribed by the Secretary of the Treasury.

71 4. Beginning July 1, 2000, a county or township collector may notify, by ordinary mail,
72 any owner of a motor vehicle for which personal property taxes have not been paid that if full
73 payment is not received within thirty days the collector may notify the director of revenue to
74 suspend the motor vehicle registration for such vehicle. Any notification returned to the
75 collector by the post office shall not result in the notification to the director of revenue for
76 suspension of a motor vehicle registration. Thereafter, if the owner fails to timely pay such taxes
77 the collector may notify the director of revenue of such failure. Such notification shall be on
78 forms designed and provided by the department of revenue and shall list the motor vehicle
79 owner's full name, including middle initial, the owner's address, and the year, make, model and
80 vehicle identification number of such motor vehicle. Upon receipt of this notification the
81 director of revenue may provide notice of suspension of motor vehicle registration to the owner
82 at the owner's last address shown on the records of the department of revenue. Any suspension
83 imposed may remain in effect until the department of revenue receives notification from a county
84 or township collector that the personal property taxes have been paid in full. Upon the owner
85 furnishing proof of payment of such taxes and paying a [twenty-dollar] reinstatement fee of
86 **twenty dollars prior to January 1, 2002, or twenty-five dollars between January 1, 2002,**
87 **and December 31, 2002, and thereafter thirty dollars,** to the director of revenue the motor
88 vehicle or vehicles registration shall be reinstated, **the portion of any such fee which is in**
89 **excess of twenty-five dollars to be credited to the transportation user fee fund created by**
90 **section 226.036, RSMo.** In the event a motor vehicle registration is suspended for nonpayment
91 of personal property tax the owner so aggrieved may appeal to the circuit court of the county of
92 his or her residence for review of such suspension at any time within thirty days after notice of
93 motor vehicle registration suspension. Upon such appeal the cause shall be heard de novo in the
94 manner provided by chapter 536, RSMo, for the review of administrative decisions. The circuit
95 court may order the director to reinstate such registration, sustain the suspension of registration
96 by the director or set aside or modify such suspension. Appeals from the judgment of the circuit
97 court may be taken as in civil cases. The prosecuting attorney of the county where such appeal
98 is taken shall appear in behalf of the director, and prosecute or defend, as the case may require.

99 5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that
100 is created [under] **pursuant to** the authority delegated in this section shall become effective only
101 if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
102 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and
103 if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review,
104 to delay the effective date or to disapprove and annul a rule are subsequently held
105 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
106 August 28, 2000, shall be invalid and void.

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

2. All fleet vehicles included in the fleet of a registered fleet owner shall be registered during April each year or on a prorated basis as provided in subsection 3 of this section. Fees of all vehicles in the fleet to be registered on a calendar year basis shall be payable not later than the last day of April of each year. The fees for vehicles added to the fleet which must be licensed at the time of registration shall be payable at the time of registration, except that when such vehicle is licensed between July first and September thirtieth the fee shall be three-fourths the annual fee, when licensed between October first and December thirty-first the fee shall be one-half the annual fee and when licensed on or after January first the fee shall be one-fourth the annual fee.

3. At any time during the calendar year in which an owner of a fleet purchases or otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle, the owner shall present to the director of revenue the identification number as a fleet number and may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant to this subsection **prior to January 1, 2002, of two dollars and fifty cents between January 1, 2002, and December 31, 2002, and thereafter of three dollars, that portion of any such fee in excess of two dollars to be credited to the transportation user fee fund created by section 226.036, RSMo.**

4. All fleet vehicles registered pursuant to this section shall be issued a special license plate which shall have the words "Fleet Vehicle" in place of the words "Show-Me State" in the manner prescribed by the advisory committee established in section 301.129. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Fleet vehicles shall be issued multiyear license plates as provided in this section which shall not require issuance of a renewal tab. Upon payment of appropriate registration fees, the director of revenue shall issue a registration certificate or other suitable evidence of payment of the

37 annual fee, and such evidence of payment shall be carried at all times in the vehicle for which
 38 it is issued. The director of revenue shall promulgate rules and regulations establishing the
 39 procedure for application and issuance of fleet vehicle license plates.

40 5. Notwithstanding the provisions of sections 307.350 to 307.390, RSMo, to the
 41 contrary, a fleet vehicle registered in Missouri is exempt from the requirements of sections
 42 307.350 to 307.390, RSMo, if at the time of the annual fleet registration, such fleet vehicle is
 43 situated outside the state of Missouri.

301.055. 1. The annual registration fee for motor vehicles other than commercial motor
 2 vehicles **which are registered prior to January 1, 2002**, is:

3 Less than 12 horsepower	\$18.00
4 12 horsepower and less than 24 horsepower	21.00
5 24 horsepower and less than 36 horsepower	24.00
6 36 horsepower and less than 48 horsepower	33.00
7 48 horsepower and less than 60 horsepower	39.00
8 60 horsepower and less than 72 horsepower	45.00
9 72 horsepower and more	51.00
10 Motorcycles	8.50
11 Motortricycles	10.00

12 2. The annual registration fee for motor vehicles other than commercial motor
 13 vehicles **which are registered between January 1, 2002, and December 31, 2002**, is:

14 Less than 12 horsepower	\$22.50
15 12 horsepower and less than 24 horsepower	26.25
16 24 horsepower and less than 36 horsepower	30.00
17 36 horsepower and less than 48 horsepower	41.25
18 48 horsepower and less than 60 horsepower	48.75
19 60 horsepower and less than 72 horsepower	56.25
20 72 horsepower and more	63.75
21 Motorcycles	10.63
22 Motortricycles	12.50

23 3. The annual registration fee for motor vehicles other than commercial motor
 24 vehicles **which are registered after December 31, 2002**, is:

25 Less than 12 horsepower	\$27.00
26 12 horsepower and less than 24 horsepower	31.50
27 24 horsepower and less than 36 horsepower	36.00
28 36 horsepower and less than 48 horsepower	49.50
29 48 horsepower and less than 60 horsepower	58.50

30	60 horsepower and less than 72 horsepower	67.50
31	72 horsepower and more	76.50
32	Motorcycles	12.75
33	Motor tricycles	15.00
34	4. The portion of any fee collected pursuant to this section which exceeds the	
35	amount of the fee which would have been collected pursuant to this section before January	
36	1, 2002, shall be credited to the transportation user fee fund created by section 226.036,	
37	RSMo.	

301.057. 1. The annual registration fee for property-carrying commercial motor vehicles,		
not including property-carrying local commercial motor vehicles, or land improvement		
contractors' commercial motor vehicles, which are registered before January 1, 2002, based		
on gross weight is:		
5	6,000 pounds and under	\$ 25.50
6	6,001 pounds to 9,000 pounds	38.00
7	9,001 pounds to 12,000 pounds	38.00
8	12,001 pounds to 18,000 pounds	63.00
9	18,001 pounds to 24,000 pounds	100.50
10	24,001 pounds to 26,000 pounds	127.00
11	26,001 pounds to 30,000 pounds	180.00
12	30,001 pounds to 36,000 pounds	275.50
13	36,001 pounds to 42,000 pounds	413.00
14	42,001 pounds to 48,000 pounds	550.50
15	48,001 pounds to 54,000 pounds	688.00
16	54,001 pounds to 60,010 pounds	825.50
17	60,011 pounds to 66,000 pounds	1,100.50
18	66,001 pounds to 73,280 pounds	1,375.50
19	73,281 pounds to 78,000 pounds	1,650.50
20	Over 78,000 pounds	1,719.50

21	2. The annual registration fee for property-carrying commercial motor vehicles,	
22	not including property-carrying local commercial motor vehicles, or land improvement	
23	contractors' commercial motor vehicles, which are registered between January 1, 2002, and	
24	December 31, 2002, based on gross weight is:	
25	6,000 pounds and under	\$ 31.88
26	6,001 pounds to 9,000 pounds	47.50
27	9,001 pounds to 12,000 pounds	47.50
28	12,001 pounds to 18,000 pounds	78.75

29	18,001 pounds to 24,000 pounds	125.63
30	24,001 pounds to 26,000 pounds	158.75
31	26,001 pounds to 30,000 pounds	225.00
32	30,001 pounds to 36,000 pounds	343.75
33	36,001 pounds to 42,000 pounds	516.25
34	42,001 pounds to 48,000 pounds	688.13
35	48,001 pounds to 54,000 pounds	860.00
36	54,001 pounds to 60,010 pounds	1,031.88
37	60,011 pounds to 66,000 pounds	1,375.63
38	66,001 pounds to 73,280 pounds	1,719.38
39	73,281 pounds to 78,000 pounds	2,063.13
40	Over 78,000 pounds	2,149.38

41 **3. The annual registration fee for property-carrying commercial motor vehicles,**
42 **not including property-carrying local commercial motor vehicles, or land improvement**
43 **contractors' commercial motor vehicles, which are registered after December 31, 2002,**
44 **based on gross weight is:**

45	6,000 pounds and under	\$ 38.25
46	6,001 pounds to 9,000 pounds	57.00
47	9,001 pounds to 12,000 pounds	57.00
48	12,001 pounds to 18,000 pounds	94.50
49	18,001 pounds to 24,000 pounds	150.75
50	24,001 pounds to 26,000 pounds	190.50
51	26,001 pounds to 30,000 pounds	270.00
52	30,001 pounds to 36,000 pounds	413.25
53	36,001 pounds to 42,000 pounds	619.50
54	42,001 pounds to 48,000 pounds	825.75
55	48,001 pounds to 54,000 pounds	1,032.00
56	54,001 pounds to 60,010 pounds	1,238.25
57	60,011 pounds to 66,000 pounds	1,650.75
58	66,001 pounds to 73,280 pounds	2,063.25
59	73,281 pounds to 78,000 pounds	2,475.75
60	Over 78,000 pounds	2,579.25

61 **4. The portion of any fee collected pursuant to this section which exceeds the**
62 **amount of the fee which would have been collected pursuant to this section before January**
63 **1, 2002, shall be credited to the transportation user fee fund created by section 226.036,**
64 **RSMo.**

301.058. 1. The annual registration fee for property-carrying local commercial motor vehicles, other than a land improvement contractors' commercial motor vehicles, **which are registered before January 1, 2002**, based on gross weight is:

6,000 pounds and under	\$ 15.50
6,001 pounds to 12,000 pounds	18.00
12,001 pounds to 18,000 pounds	20.50
18,001 pounds to 24,000 pounds	27.50
24,001 pounds to 26,000 pounds	33.50
26,001 pounds to 30,000 pounds	45.50
30,001 pounds to 36,000 pounds	67.50
36,001 pounds to 42,000 pounds	100.50
42,001 pounds to 48,000 pounds	135.50
48,001 pounds to 54,000 pounds	170.50
54,001 pounds to 60,010 pounds	200.50
60,011 pounds to 66,000 pounds	270.50
66,001 pounds to 72,000 pounds	335.50
Over 72,000 pounds	350.50

2. **The annual registration fee for property-carrying local commercial motor vehicles, other than a land improvement contractors' commercial motor vehicles, which are registered between January 1, 2002, and December 31, 2002, based on gross weight is:**

6,000 pounds and under	\$ 19.38
6,001 pounds to 12,000 pounds	22.50
12,001 pounds to 18,000 pounds	25.63
18,001 pounds to 24,000 pounds	34.38
24,001 pounds to 26,000 pounds	41.88
26,001 pounds to 30,000 pounds	56.88
30,001 pounds to 36,000 pounds	84.38
36,001 pounds to 42,000 pounds	125.63
42,001 pounds to 48,000 pounds	169.38
48,001 pounds to 54,000 pounds	213.13
54,001 pounds to 60,010 pounds	250.63
60,011 pounds to 66,000 pounds	338.13
66,001 pounds to 72,000 pounds	419.38
Over 72,000 pounds	438.13

3. **The annual registration fee for property-carrying local commercial motor vehicles, other than a land improvement contractors' commercial motor vehicles, which are**

37 registered after December 31, 2002, based on gross weight is:

38	6,000 pounds and under	\$ 23.25
39	6,001 pounds to 12,000 pounds	27.00
40	12,001 pounds to 18,000 pounds	30.75
41	18,001 pounds to 24,000 pounds	41.25
42	24,001 pounds to 26,000 pounds	50.25
43	26,001 pounds to 30,000 pounds	68.25
44	30,001 pounds to 36,000 pounds	101.25
45	36,001 pounds to 42,000 pounds	150.75
46	42,001 pounds to 48,000 pounds	203.25
47	48,001 pounds to 54,000 pounds	255.75
48	54,001 pounds to 60,010 pounds	300.75
49	60,011 pounds to 66,000 pounds	405.75
50	66,001 pounds to 72,000 pounds	503.25
51	Over 72,000 pounds	525.75

52 4. The portion of any fee collected pursuant to this section which exceeds the
53 amount of the fee which would have been collected pursuant to this section before January
54 1, 2002, shall be credited to the transportation user fee fund created by section 226.036,
55 RSMo.

56 5. Any person found to have improperly registered a motor vehicle in excess of fifty-four
57 thousand pounds when [he was] not entitled to shall be required to purchase the proper license
58 plates and, in addition to all other penalties provided by law, shall be subject to the annual
59 registration fee for the full calendar year for the vehicle's gross weight as prescribed in section
60 301.057.

301.059. 1. The annual registration fee for passenger-carrying commercial motor		
2 vehicles (not including passenger-carrying local commercial motor vehicles, school buses or		
3 local transit buses) which are registered before January 1, 2002 , based on seating capacity is:		
4	10 passengers or less	\$ 100.50
5	11 to 18 passengers	180.50
6	19 to 25 passengers	250.50
7	26 to 29 passengers	290.50
8	30 to 33 passengers	330.50
9	34 to 37 passengers	370.50
10	38 to 41 passengers	410.50
11	42 to 45 passengers	450.50

12 2. The annual registration fee for passenger-carrying commercial motor vehicles

13 **(not including passenger-carrying local commercial motor vehicles, school buses or local**
 14 **transit buses) which are registered between January 1, 2002, and December 31, 2002, based**
 15 **on seating capacity is:**

16	10 passengers or less	\$ 125.63
17	11 to 18 passengers	225.63
18	19 to 25 passengers	313.13
19	26 to 29 passengers	363.13
20	30 to 33 passengers	413.13
21	34 to 37 passengers	463.13
22	38 to 41 passengers	513.13
23	42 to 45 passengers	563.13

24 **3. The annual registration fee for passenger-carrying commercial motor vehicles**
 25 **(not including passenger-carrying local commercial motor vehicles, school buses or local**
 26 **transit buses) which are registered after December 31, 2002, based on seating capacity is:**

27	10 passengers or less	\$ 150.75
28	11 to 18 passengers	270.75
29	19 to 25 passengers	375.75
30	26 to 29 passengers	435.75
31	30 to 33 passengers	495.75
32	34 to 37 passengers	555.75
33	38 to 41 passengers	615.75
34	42 to 45 passengers	675.75

301.061. 1. The annual registration fee for passenger-carrying local commercial motor
 2 vehicles **which are registered before January 1, 2002**, based on seating capacity is:

3	10 passengers or less	\$ 50.50
4	11 to 18 passengers	90.50
5	19 to 25 passengers	125.50
6	26 to 29 passengers	145.50
7	30 to 33 passengers	165.50
8	34 to 37 passengers	185.50
9	38 to 41 passengers	205.50
10	42 to 45 passengers	225.50

11 **2. The annual registration fee for passenger-carrying local commercial motor**
 12 **vehicles which are registered between January 1, 2002, and December 31, 2002, based on**
 13 **seating capacity is:**

14	10 passengers or less	\$ 63.13
----	------------------------------------	-----------------

15	11 to 18 passengers	113.13
16	19 to 25 passengers	156.88
17	26 to 29 passengers	181.88
18	30 to 33 passengers	206.88
19	34 to 37 passengers	231.88
20	38 to 41 passengers	256.88
21	42 to 45 passengers	281.88

22 **3. The annual registration fee for passenger-carrying local commercial motor**
 23 **vehicles which are registered after December 31, 2002, based on seating capacity is:**

24	10 passengers or less	\$ 75.75
25	11 to 18 passengers	135.75
26	19 to 25 passengers	188.25
27	26 to 29 passengers	218.25
28	30 to 33 passengers	248.25
29	34 to 37 passengers	278.25
30	38 to 41 passengers	308.25
31	42 to 45 passengers	338.25

32 **4. The portion of any fee collected pursuant to this section which exceeds the**
 33 **amount of the fee which would have been collected pursuant to this section before January**
 34 **1, 2002, shall be credited to the transportation user fee fund created by section 226.036,**
 35 **RSMo.**

301.062. The annual registration fee for a local log truck, registered pursuant to this
 2 chapter, **if registered before January 1, 2002, is three hundred dollars; if registered between**
 3 **January 1, 2002, and December 31, 2002, is three hundred seventy-five dollars; and if**
 4 **registered after December 31, 2002, is four hundred fifty dollars. The portion of any fee**
 5 **collected pursuant to this section which exceeds the amount of the fee which would have**
 6 **been collected pursuant to this section before January 1, 2002, shall be credited to the**
 7 **transportation user fee fund created by section 226.036, RSMo.**

301.063. **1. The annual registration fee for local transit buses registered before**
 2 **January 1, 2002, based on seating capacity is:**

3	40 passengers or less	\$ 25.50
4	41 to 45 passengers	35.50
5	Over 45 passengers	50.50

6 **2. The annual registration fee for local transit buses registered between January**
 7 **1, 2002, and December 31, 2002, based on seating capacity is:**

8	40 passengers or less	\$ 31.88
---	------------------------------------	-----------------

9	41 to 45 passengers	44.38
10	Over 45 passengers	63.13
11	3. The annual registration fee for local transit buses registered after December 31,	
12	2002, based on seating capacity is:	
13	40 passengers or less	\$ 38.25
14	41 to 45 passengers	53.25
15	Over 45 passengers	75.75

16 **4. The portion of any fee collected pursuant to this section which exceeds the**
 17 **amount of the fee which would have been charged pursuant to this section before January**
 18 **1, 2002, shall be credited to the transportation user fee fund created by section 226.036,**
 19 **RSMo.**

301.064. 1. The annual registration fee for a land improvement contractors' commercial
 2 motor vehicle is three hundred and fifty dollars **if registered before January 1, 2002; if**
 3 **registered between January 1, 2002, and December 31, 2002, four hundred thirty-seven**
 4 **dollars and fifty cents; and if registered after December 31, 2002, five hundred and twenty-**
 5 **five dollars, the portion of any fee collected pursuant to this section which exceeds the**
 6 **amount of the fee which would have been collected pursuant to this section before January**
 7 **1, 2002, to be credited to the transportation user fee fund created by section 226.036,**
 8 **RSMo.** The maximum gross weight for which such a vehicle may be registered is
 9 [seventy-three] **eighty** thousand [two hundred and eighty] pounds. Transporting for hire by such
 10 a motor vehicle is prohibited.

11 2. Upon application to the director of revenue accompanied by an affidavit signed by the
 12 owner or owners stating that the motor vehicle to be licensed as a land improvement contractors'
 13 commercial motor vehicle shall not be operated in any manner other than as prescribed in section
 14 301.010, and by the amount of the registration fee prescribed in subsection 1 of this section, and
 15 otherwise complying with the laws relating to the registration and licensing of motor vehicles,
 16 the owner or owners shall be issued a distinctive set of land improvement contractors' license
 17 plates. The director of revenue shall by regulation determine the characteristic features of land
 18 improvement contractors' license plates so that they may be readily identified as such, **except**
 19 **that such license plates shall be made with fully reflective material with a common color**
 20 **scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as**
 21 **prescribed by section 301.130. Any rule or portion of a rule promulgated pursuant to**
 22 **sections 301.010, 301.057, 301.058 and 301.064 may be suspended by the committee on**
 23 **administrative rules until such time as the general assembly may by concurrent resolution**
 24 **reinstate such rule.**

[301.064. 1. The annual registration fee for a land improvement contractors'

commercial motor vehicle is three hundred and fifty dollars. The maximum gross weight for which such a vehicle may be registered is eighty thousand pounds. Transporting for hire by such a motor vehicle is prohibited.

2. Upon application to the director of revenue accompanied by an affidavit signed by the owner or owners stating that the motor vehicle to be licensed as a land improvement contractors' commercial motor vehicle shall not be operated in any manner other than as prescribed in section 301.010, and by the amount of the registration fee prescribed above, and otherwise complying with the laws relating to the registration and licensing of motor vehicles, the owner or owners shall be issued a set of land improvement contractors' license plates. The advisory committee established in section 301.129 shall determine the characteristic features of land improvement contractors' license plates so that they may be readily identified as such, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Any rule or portion of a rule promulgated pursuant to sections 301.010, 301.057, 301.058, and 301.064 may be suspended by the committee on administrative rules until such time as the general assembly may by concurrent resolution reinstate such rule.]

301.065. The annual registration fee for each school bus[,] **registered before January 1, 2002, is twenty-five dollars[,] and fifty cents; registered between January 1, 2002, and December 31, 2002, is thirty-one dollars and eighty-eight cents; and if registered after December 31, 2002, is thirty-eight dollars and twenty-five cents, the portion of such fee which exceeds twenty-five dollars and fifty cents to be credited to the transportation user fee fund created by section 226.036, RSMo.**

301.066. The annual registration fee for shuttle buses, recreational motor vehicles and vanpool vehicles is thirty-two dollars **if registered before January 1, 2002; forty dollars if registered between January 1, 2002, and December 31, 2002; and forty-eight dollars if registered after December 31, 2002, and the portion of such fee which exceeds thirty-two dollars shall be credited to the transportation user fee fund created by section 226.036, RSMo.** The advisory committee established in section 301.129 shall determine the characteristic features of license plates for vehicles registered [under] **pursuant to** the provisions of this section so that they may be recognized as such, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

301.067. 1. For each trailer or semitrailer there shall be paid an annual fee of seven dollars fifty cents[,] **if registered before January 1, 2002; nine dollars and thirty-eight cents if registered between January 1, 2002, and December 31, 2002; and eleven dollars and twenty-five cents if registered after December 31, 2002;** and in addition thereto such permit fee authorized by law against trailers used in combination with tractors operated under the

6 supervision of the motor carrier and railroad safety division of the department of economic
7 development. The fees for tractors used in any combination with trailers or semitrailers or both
8 trailers and semitrailers (other than on passenger-carrying trailers or semitrailers) shall be
9 computed on the total gross weight of the vehicles in the combination with load.

10 2. Any trailer or semitrailer may at the option of the registrant be registered for a period
11 of three years upon payment of a registration fee of, **before January 1, 2002, twenty-two dollars**
12 **and fifty cents; between January 1, 2002, and December 31, 2002, twenty-eight dollars and**
13 **thirteen cents; and after December 31, 2002, thirty-three dollars and seventy-five cents.**

14 3. Any trailer or semitrailer which is operated coupled to a towing vehicle by a fifth
15 wheel and kingpin assembly or by a trailer converter dolly may, at the option of the registrant,
16 be registered permanently upon the payment of a registration fee, **before January 1, 2002, of**
17 **fifty-two dollars and fifty cents; between January 1, 2002, and December 31, 2002, sixty-five**
18 **dollars and sixty-three cents; and after December 31, 2002, seventy-eight dollars and**
19 **seventy-five cents.** The permanent plate and registration fee is vehicle specific. The plate and
20 the registration fee paid is nontransferable and nonrefundable, except those covered [under]
21 **pursuant to the provisions of section 301.442.**

22 4. **The portion of any fee collected pursuant to this section which exceeds the**
23 **amount of the fee which would have been collected pursuant to this section before January**
24 **1, 2002, shall be credited to the transportation user fee fund created by section 226.036,**
25 **RSMo.**

301.069. For each driveaway license there shall be paid an annual license fee of, **before**
2 **January 1, 2002, forty-four dollars and fifty cents; between January 1, 2002, and December**
3 **31, 2002, fifty-five dollars and sixty-three cents; and after December 31, 2002, sixty-six**
4 **dollars and seventy-five cents,** for one set of plates or such insignia as the director may issue
5 which shall be attached to the motor vehicle as prescribed in this chapter. For single trips the
6 fee shall **before January 1, 2002, be four dollars[.]; between January 1, 2002, and December**
7 **31, 2002, five dollars; and after December 31, 2002, six dollars;** and descriptive insignia shall
8 be prepared and issued at the discretion of the director who shall also prescribe the type of
9 equipment used to attach such vehicles in combinations. **The portion of any fee collected**
10 **pursuant to this section which exceeds the amount of any fee which would have been**
11 **collected pursuant to this section before January 1, 2002, shall be credited to the**
12 **transportation user fee fund created by section 226.036, RSMo.**

[301.130. 1. The director of revenue, upon receipt of a proper application for
2 registration, required fees and any other information which may be required by law,
3 shall issue to the applicant a certificate of registration in such manner and form as the
4 director of revenue may prescribe and a set of license plates, or other evidence of
5 registration, as provided herein. Each set of license plates shall bear the name or

6 abbreviated name of this state, the words "Show-Me State", the month and year in
7 which the registration shall expire, and an arrangement of numbers or letters, or both,
8 as shall be assigned from year to year by the director of revenue. Special plates for
9 qualified disabled veterans will have the "DISABLED VETERAN" wording on the
10 license plates in preference to the words "Show-Me State" and special plates for
11 members of the national guard will have the "NATIONAL GUARD" wording in
12 preference to the words "Show-Me State".

13 2. The arrangement of letters and numbers of license plates shall be uniform
14 throughout each classification of registration.

15 3. The background of all license plates, or the letters and numerals thereof,
16 shall be coated with a material which will reflect the lights of other vehicles. The
17 nature and specifications of this material shall be determined after a public hearing
18 by the director of revenue, director of prison industries, and superintendent of the
19 state highway patrol, and shall meet the standards established by the state
20 transportation department.

21 4. Figures on license plates, except those which may be used to designate
22 gross weights for which commercial motor vehicles are registered, shall not be less
23 than three inches in height and the strokes thereof not less than five-sixteenths of an
24 inch in width. In the case of motorcycles and motortricycles, the letters and figures
25 shall be not less than one inch in height and the strokes thereof one-eighth of an inch
26 in width. The director may provide for the arrangement of the numbers in groups or
27 otherwise, and for other distinguishing marks on the plates.

28 5. All property-carrying commercial motor vehicles to be registered at a gross
29 weight in excess of twelve thousand pounds, all passenger-carrying commercial
30 motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles,
31 motortricycles, motorscooters and driveaway vehicles shall be registered with the
32 director of revenue as provided for in subsection 3 of section 301.030, but only one
33 license plate shall be issued for each such vehicle.

34 6. The plates issued to manufacturers and dealers shall bear the letter "D"
35 preceding the number, and the director may place upon the plates other letters or
36 marks to distinguish commercial motor vehicles and trailers and other types of motor
37 vehicles.

38 7. No motor vehicle or trailer shall be operated on any highway of this state
39 unless it shall have displayed thereon the license plate or set of license plates issued
40 by the director of revenue and authorized by section 301.140. Each such plate shall
41 be securely fastened to the motor vehicle in a manner so that all parts thereof shall
42 be plainly visible and reasonably clean so that the reflective qualities thereof are not
43 impaired. License plates shall be fastened to all motor vehicles except trucks,
44 tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds
45 on the front and rear of such vehicles not less than eight nor more than forty-eight
46 inches above the ground, with the letters and numbers thereon right side up. The
47 license plates on trailers, motorcycles, motortricycles and motorscooters shall be
48 displayed on the rear of such vehicles, with the letters and numbers thereon right side

up. The license plate on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

8. (1) The director of revenue shall issue annually a tab or set of tabs as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates; except that the director shall annually issue a new license plate or set of plates as provided in this section for vehicles registered pursuant to subsection 2 of section 301.277, commercial motor vehicles in excess of twelve thousand pounds, trailers, buses and dealers.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs on the middle of the license plate, no more than one per plate.

(3) A tab or set of tabs issued by the director when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as provided in subdivision (1) of this subsection, the director of revenue shall issue plates for a period of at least five years.

(5) For those commercial motor vehicles registered pursuant to an agreement under section 301.277, the plate issued by the director of revenue shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered under this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the director of revenue upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highway reciprocity commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the director of revenue shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the director and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highway reciprocity commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

92 9. The director of revenue may prescribe rules and regulations for the
93 effective administration of this section. No rule or portion of a rule promulgated
94 under the authority of this section shall become effective unless it has been
95 promulgated pursuant to the provisions of section 536.024, RSMo.]

 301.130. 1. The director of revenue, upon receipt of a proper application for registration,
2 required fees and any other information which may be required by law, shall issue to the
3 applicant a certificate of registration in such manner and form as the director of revenue may
4 prescribe and a set of license plates, or other evidence of registration, as provided in this section.
5 Unless otherwise provided by law, each license plate or set of license plates issued, renewed or
6 replaced on or after January 1, 1997, shall contain the following:

7 (1) The name or abbreviated name of this state;
8 (2) The words "Show-Me State";
9 (3) The month and year in which the registration shall expire;
10 (4) An arrangement of numbers or letters, or both, as shall be assigned from year to year
11 by the director of revenue; and

12 (5) Fully reflective material with a common color scheme and design for each type of
13 license plate issued [under] **pursuant to** this chapter, which shall be designated by an advisory
14 committee established in section 301.129. The license plates shall be clearly visible at night, and
15 shall be aesthetically attractive. Except as otherwise provided in this section, in addition to all
16 other fees required by law, applicants for registration of vehicles with license plates that expire
17 between January 1, 1997, and December 31, 1997, applicants for registration of trailers or
18 semitrailers with license plates that expire between January 1, 1997, and December 31, 1999, and
19 applicants for registration of vehicles that are to be issued new license plates shall pay an
20 additional fee of up to two dollars and twenty-five cents **prior to January 1, 2002, of up to**
21 **three dollars and thirteen cents between January 1, 2002, and December 31, 2002, and of**
22 **up to three dollars and thirty-seven cents after December 31, 2002**, based on the actual cost
23 of the reissuance, to cover the cost of the fully reflective plates required by this subsection.
24 Notwithstanding the provisions of subsection 3 of section 301.067 to the contrary, every license
25 plate for a trailer or semitrailer which is permanently registered [under] **pursuant to** subsection
26 3 of section 301.067 shall be returned to the director of revenue between January 1, 1997, and
27 December 31, 1997, and a license plate which conforms to the provisions of this subsection
28 issued as a replacement plate upon the payment of a **fee per plate of** one dollar and fifteen [cent
29 fee per plate] **cents before January 1, 2002; one dollar and forty-four cents between January**
30 **1, 2002, and December 31, 2002; and one dollar and seventy-three cents after December**
31 **31, 2002, as** prescribed by this subdivision. The additional fee, based on the actual cost,
32 prescribed by this subdivision shall only be one dollar and fifteen cents, **one dollar and forty-**
33 **four cents, or one dollar and seventy-three cents, depending on date of issuance, for**

34 issuance of one new plate for vehicles requiring only one license plate pursuant to subsection 5
35 or 7 of this section. The additional fee of two dollars and twenty-five cents, **three dollars and**
36 **thirty cents, or three dollars and thirty-seven cents, depending on date of issuance,**
37 prescribed in this subsection shall not be charged to persons receiving special license plates
38 issued [under] **pursuant to** section 301.073 or 301.443. The department of revenue shall adopt
39 a program whereby all motor vehicle registrations renewed on or after January 1, 1997, will have
40 replacement reflective plates issued for such registration prior to January 1, 2000. Special plates
41 for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license
42 plates in preference to the words "Show-Me State" and special plates for members of the national
43 guard will have the "NATIONAL GUARD" wording in preference to the words "Show-Me
44 State". Veterans' plates shall have a white background with a blue and red configuration at the
45 discretion of the advisory committee established in section 301.129.

46 2. The arrangement of letters and numbers of license plates shall be uniform throughout
47 each classification of registration.

48 3. The competitive bidding process used to select a vendor for the material to
49 manufacture the license plates shall consider the aesthetic appearance of the plates and the
50 reflective illumination capability for safety reasons. **The background of all license plates, or**
51 **the letters and numerals thereof, shall be coated with a material which will reflect the light**
52 **of other vehicles. The nature and specifications of this material shall be determined after**
53 **a public hearing by the director of revenue, director of prison industries, and**
54 **superintendent of the state highway patrol, and shall meet the standards established by the**
55 **state transportation department.** The advisory committee established in section 301.129 shall
56 adopt specifications for all reflective material. The competitive bidding request for proposal
57 shall contain a deduction in the amount of twenty-eight cents per plate from the cost of the
58 reflective sheeting. The committee may select graphic designs or any of the plate processes
59 approved on January 1, 1997.

60 4. Figures on license plates, except those which may be used to designate gross weights
61 for which commercial motor vehicles are registered, shall be of a size set by the advisory
62 committee established in section 301.129, **and not less than three inches in height and the**
63 **strokes thereof not less than five-sixteenths of an inch in width.** In the case of motorcycles,
64 motortricycles and trailers that are pulled by motorcycles or motortricycles, the letters and figures
65 shall be of a size set by the advisory committee, **and not less than one inch in height and the**
66 **strokes thereof one-eighth of an inch in width.** The **director and the** advisory committee may
67 provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing
68 marks on the plates.

69 5. All property-carrying commercial motor vehicles to be registered at a gross weight in

70 excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local
71 transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and
72 driveaway vehicles shall be registered with the director of revenue as provided for in subsection
73 3 of section 301.030, but only one license plate shall be issued for each such vehicle, except as
74 provided in this subsection. The applicant for registration of any property-carrying commercial
75 motor vehicle to be registered at a gross weight in excess of twelve thousand pounds or
76 passenger-carrying commercial motor vehicle may request and be issued two license plates for
77 such vehicle, and if such plates are issued, the director of revenue may assess and collect an
78 additional charge from the applicant in an amount not to exceed the fee prescribed for
79 personalized license plates in subsection 1 of section 301.144.

80 6. The plates issued to manufacturers and dealers shall bear the letter "D" preceding the
81 number, and **the director and** the advisory committee may require the placement upon the plates
82 other letters or marks to distinguish commercial motor vehicles and trailers and other types of
83 motor vehicles.

84 7. No motor vehicle or trailer shall be operated on any highway of this state unless it
85 shall have displayed thereon the license plate or set of license plates issued by the director of
86 revenue and authorized by section 301.140. Each such plate shall be securely fastened to the
87 motor vehicle in a manner so that all parts thereof shall be plainly visible and reasonably clean
88 so that the reflective qualities thereof are not impaired. License plates shall be fastened to all
89 motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve
90 thousand pounds on the front and rear of such vehicles not less than eight nor more than
91 forty-eight inches above the ground, with the letters and numbers thereon right side up. The
92 license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on
93 the rear of such vehicles, with the letters and numbers thereon right side up. The license plate
94 on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed
95 in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than
96 eight nor more than forty-eight inches above the ground, with the letters and numbers thereon
97 right side up, or if two plates are issued for the vehicle pursuant to subsection 5 of this section,
98 displayed in the same manner on the front and rear of such vehicles. The license plate or plates
99 authorized by section 301.140, when properly attached, shall be prima facie evidence that the
100 required fees have been paid.

101 8. (1) The director of revenue shall issue annually a tab or set of tabs as evidence of the
102 annual payment of registration fees and the current registration of a vehicle in lieu of the set of
103 plates; **except that the director shall annually issue a new license plate or set of plates as**
104 **provided in this section for vehicles registered pursuant to subsection 2 of section 301.277,**
105 **commercial motor vehicles in excess of twelve thousand pounds, trailers, buses and dealers.**

106 (2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such
107 tab or tabs in the designated area of the license plate, no more than one per plate.

108 (3) A tab or set of tabs issued by the director when attached to a vehicle in the prescribed
109 manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

110 (4) Except as provided in subdivision (1) of this subsection, the director of revenue shall
111 issue plates for a period of at least five years.

112 (5) For those commercial motor vehicles registered pursuant to an agreement [under]
113 **pursuant to** section 301.277, the plate issued by the director of revenue shall be a permanent
114 nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve
115 the owner of any vehicle permanently registered [under] **pursuant to** this section from the
116 obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring
117 license plate shall be returned to the director of revenue upon the sale or disposal of the vehicle
118 by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be
119 transferred to a replacement commercial motor vehicle when the owner files a supplemental
120 application with the Missouri highway reciprocity commission for the registration of such
121 replacement commercial motor vehicle. Upon payment of the annual registration fee, the
122 director of revenue shall issue a certificate of registration or other suitable evidence of payment
123 of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for
124 which it is issued.

125 (6) Upon the sale or disposal of any vehicle permanently registered [under] **pursuant**
126 **to** this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring
127 plate issued for such vehicle shall be returned to the director and shall not be valid for operation
128 of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files
129 a supplemental application with the Missouri highway reciprocity commission for the
130 registration of such replacement vehicle. If a vehicle which is permanently registered [under]
131 **pursuant to** this section is sold, wrecked or otherwise disposed of, or the lease terminated, the
132 registrant shall be given credit for any unused portion of the annual registration fee when the
133 vehicle is replaced by the purchase or lease of another vehicle during the registration year.

134 9. The director of revenue may prescribe rules and regulations for the effective
135 administration of this section.

136 10. Any rule or portion of a rule promulgated pursuant to this section may be suspended
137 by the joint committee on administrative rules if after hearing thereon the committee finds that
138 such rule or portion of the rule is beyond or contrary to the statutory authority of the agency
139 which promulgated the rule, or is inconsistent with the legislative intent of the authorizing
140 statute. The general assembly may reinstate such rule by concurrent resolution signed by the
141 governor.

11. The portion of any fee collected pursuant to this section which exceeds the amount of the fee which would have been collected pursuant to this section before January 1, 2002, shall be credited to the transportation user fee fund created by section 226.036, RSMo.

[301.144. 1. The director of revenue shall establish and issue special personalized license plates containing letters or numbers or combinations of letters and numbers, not to exceed six characters in length. Any person desiring to obtain a special personalized license plate for any motor vehicle other than a commercial motor vehicle licensed for more than twelve thousand pounds shall apply to the director of revenue on a form provided by the director and shall pay a fee of fifteen dollars in addition to the regular registration fees. The director of revenue shall issue rules and regulations setting the standards and establishing the procedure for application for and issuance of the special personalized license plates and shall provide a deadline each year for the applications. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo. No two owners shall be issued identical plates. An owner shall make a new application and pay a new fee each year he desires to obtain or retain special personalized license plates; however, notwithstanding the provisions of subsection 8 of section 301.130 to the contrary, the director shall allow the special personalized license plates to be replaced with new plates every three years without any additional charge, above the fee established in this section, to the renewal applicant. Any person currently in possession of an approved personalized license plate shall have first priority on that particular plate for each of the following years that timely and appropriate application is made.

2. No personalized license plates shall be issued containing any letters, numbers or combination of letters and numbers which are obscene, profane, inflammatory or contrary to public policy. The director may recall any personalized license plates, including those issued prior to August 28, 1992, if he determines that the plates are obscene, profane, inflammatory or contrary to public policy. Where the director recalls such plates under the provisions of this subsection, he shall reissue personalized license plates to the owner of the motor vehicle for which they were issued at no charge, if the new plates proposed by the owner of the motor vehicle meet the standards established under this section. Nothing contained in this subsection shall be interpreted to prohibit the use of license plates, which are no longer valid for registration purposes, as collector's items or for decorative purposes.

3. The director may also establish categories of specialized personalized license plates from which license plates may be issued. Any such person that desires a special personalized license plate from any such category shall pay the same additional fee and make the same kind of application as that required by subsection 1 of this section, and the director shall issue such plates in the same manner as other special personalized license plates are issued.

4. The director of revenue shall issue to residents of the state of Missouri

who hold an unrevoked and unexpired official amateur radio license issued by the Federal Communications Commission, upon application and upon payment of the additional fee specified in subsection 1 of this section, special personalized license plates bearing the official amateur radio call letters assigned by the Federal Communications Commission to the applicant. The application shall be accompanied by an affidavit stating that the applicant has an unrevoked and unexpired amateur radio license issued by the Federal Communications Commission and the official radio call letters assigned by the Federal Communications Commission to the applicant.

5. Notwithstanding any other provision to the contrary, any business listed in subsection 1 of section 301.256 that repossesses motor vehicles or trailers and sells or otherwise disposes of them shall be issued a placard displaying the word "Repossessed", provided such business pays the fees presently required of a manufacturer, distributor, or dealer in subsection 1 of section 301.253. Such placard shall bear a number and shall be in such form as the director of revenue shall determine, and shall be only used for demonstrations when displayed substantially as provided for number plates on the rear of the motor vehicle or trailer.]

301.144. 1. The director of revenue shall establish and issue special personalized license

plates containing letters or numbers or combinations of letters and numbers, **not to exceed six characters in length**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Any person desiring to obtain a special personalized license plate for any motor vehicle other than a commercial motor vehicle licensed for more than twelve thousand pounds shall apply to the director of revenue on a form provided by the director and shall pay a fee of fifteen dollars **before January 1, 2002; eighteen dollars and seventy-five cents between January 1, 2002, and December 31, 2002; and twenty-two dollars and fifty cents after December 31, 2002**, in addition to the regular registration fees; **and the portion of any such fee which is in excess of fifty dollars shall be credited to the transportation user fee fund created by section 226.036, RSMo**. The director of revenue shall issue rules and regulations setting the standards and establishing the procedure for application for and issuance of the special personalized license plates and shall provide a deadline each year for the applications. No rule or regulation promulgated pursuant to this section shall become effective [until approved by the joint committee on administrative rules] **unless it has been promulgated pursuant to the provisions of section 536.024, RSMo**. No two owners shall be issued identical plates. An owner shall make a new application and pay a new fee each year [he] **said owner** desires to obtain or retain special personalized license plates; however, notwithstanding the provisions of subsection 8 of section 301.130 to the contrary, the director shall allow the special personalized license plates to be replaced with new plates every three years without any additional charge, above the fee established in this section, to the renewal applicant. Any person

23 currently in possession of an approved personalized license plate shall have first priority on that
24 particular plate for each of the following years that timely and appropriate application is made.

25 2. No personalized license plates shall be issued containing any letters, numbers or
26 combination of letters and numbers which are obscene, profane, inflammatory or contrary to
27 public policy. The director may recall any personalized license plates, including those issued
28 prior to August 28, 1992, if [he] **the director** determines that the plates are obscene, profane,
29 inflammatory or contrary to public policy. Where the director recalls such plates [under]
30 **pursuant to** the provisions of this subsection, [he] **the director** shall reissue personalized license
31 plates to the owner of the motor vehicle for which they were issued at no charge, if the new
32 plates proposed by the owner of the motor vehicle meet the standards established [under]
33 **pursuant to** this section. Nothing contained in this subsection shall be interpreted to prohibit
34 the use of license plates, which are no longer valid for registration purposes, as collector's items
35 or for decorative purposes.

36 3. The director may also establish categories of specialized personalized license plates
37 from which license plates may be issued. Any such person that desires a special personalized
38 license plate from any such category shall pay the same additional fee and make the same kind
39 of application as that required by subsection 1 of this section, and the director shall issue such
40 plates in the same manner as other special personalized license plates are issued.

41 4. The director of revenue shall issue to residents of the state of Missouri who hold an
42 unrevoked and unexpired official amateur radio license issued by the Federal Communications
43 Commission, upon application and upon payment of the additional fee specified in subsection
44 1 of this section, special personalized license plates bearing the official amateur radio call letters
45 assigned by the Federal Communications Commission to the applicant. The application shall
46 be accompanied by an affidavit stating that the applicant has an unrevoked and unexpired
47 amateur radio license issued by the Federal Communications Commission and the official radio
48 call letters assigned by the Federal Communications Commission to the applicant.

49 5. Notwithstanding any other provision to the contrary, any business listed in subsection
50 1 of section 301.570 that repossesses motor vehicles or trailers and sells or otherwise disposes
51 of them shall be issued a placard displaying the word "Repossessed", provided such business
52 pays the fees presently required of a manufacturer, distributor, or dealer in section 301.560. Such
53 placard shall bear a number and shall be in such form as the director of revenue shall determine,
54 and shall be only used for demonstrations when displayed substantially as provided for number
55 plates on the rear of the motor vehicle or trailer.

301.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate
2 therefor, shall be issued by the director of revenue unless the applicant therefor shall make
3 application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall

4 present satisfactory evidence that such certificate has been previously issued to the applicant for
5 such motor vehicle or trailer. Application shall be made within thirty days after the applicant
6 acquires the motor vehicle or trailer upon a blank form furnished by the director of revenue and
7 shall contain the applicant's identification number, a full description of the motor vehicle or
8 trailer, the vehicle identification number, and the mileage registered on the odometer at the time
9 of transfer of ownership, as required by section 407.536, RSMo, together with a statement of the
10 applicant's source of title and of any liens or encumbrances on the motor vehicle or trailer,
11 provided that for good cause shown the director of revenue may extend the period of time for
12 making such application.

13 2. The director of revenue shall use reasonable diligence in ascertaining whether the facts
14 stated in such application are true and shall, to the extent possible without substantially delaying
15 processing of the application, review any odometer information pertaining to such motor vehicle
16 that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of
17 such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the
18 director shall thereupon issue an appropriate certificate over his signature and sealed with the
19 seal of his office, procured and used for such purpose. The certificate shall contain on its face
20 a complete description, vehicle identification number, and other evidence of identification of the
21 motor vehicle or trailer, as the director of revenue may deem necessary, together with the
22 odometer information required to be put on the face of the certificate pursuant to section
23 407.536, RSMo, a statement of any liens or encumbrances which the application may show to
24 be thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing
25 the transferor's title and whether the transferor's odometer mileage statement executed pursuant
26 to section 407.536, RSMo, indicated that the true mileage is materially different from the number
27 of miles shown on the odometer, or is unknown.

28 3. The director of revenue shall appropriately designate on the current and all subsequent
29 issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change Vehicle",
30 "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as defined in section
31 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for
32 motor vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print
33 on the face thereof the following designation: "Annual odometer updates may be available from
34 the department of revenue.". On any duplicate certificate, the director of revenue shall reprint
35 on the face thereof the most recent of either:

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

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

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

46 5. The fee for each original certificate so issued shall be eight dollars and fifty cents, **if**
47 **issued before January 1, 2002; ten dollars and sixty-three cents if issued between January**
48 **1, 2002, and December 31, 2002; and twelve dollars and seventy-five cents if issued after**
49 **December 31, 2002;** in addition to the fee for registration of such motor vehicle or trailer. If
50 application for the certificate is not made within thirty days after the vehicle is acquired by the
51 applicant, a delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency
52 and twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of one
53 hundred dollars, shall be imposed, but such penalty may be waived by the director for a good
54 cause shown. If the director of revenue learns that any person has failed to obtain a certificate
55 within thirty days after acquiring a motor vehicle or trailer or has sold a vehicle without
56 obtaining a certificate, [he] **the director** shall cancel the registration of all vehicles registered
57 in the name of the person, either as sole owner or as a co-owner, and shall notify the person that
58 the cancellation will remain in force until the person pays the delinquency penalty fee provided
59 in this section, together with all fees, charges and payments which [he] **such person** should have
60 paid in connection with the certificate of ownership and registration of the vehicle. The
61 certificate shall be good for the life of the motor vehicle or trailer so long as the same is owned
62 or held by the original holder of the certificate and shall not have to be renewed annually.

63 6. Any applicant for a certificate of ownership requesting the department of revenue to
64 process an application for a certificate of ownership in an expeditious manner requiring special
65 handling shall pay a fee of five dollars in addition to the regular certificate of ownership fee **the**
66 **application is made before January 1, 2002; six dollars and twenty-five cents if the**
67 **application is made between January 1, 2002, and December 31, 2002; and seven dollars**
68 **and fifty cents if the application is made after December 31, 2002.**

69 7. It is unlawful for any person to operate in this state a motor vehicle or trailer required
70 to be registered [under] **pursuant to** the provisions of the law unless a certificate of ownership
71 has been issued as herein provided.

72 8. Before an original Missouri certificate of ownership is issued, an inspection of the
73 vehicle and a verification of vehicle identification numbers shall be made by the Missouri state
74 highway patrol on vehicles for which there is a current title issued by another state if a Missouri
75 salvage certificate of title has been issued for the same vehicle but no prior inspection and

76 verification has been made in this state, except that if such vehicle has been inspected in another
77 state by a law enforcement officer in a manner comparable to the inspection process in this state
78 and the vehicle identification numbers have been so verified, the applicant shall not be liable for
79 the [twenty-five dollar] inspection fee if such applicant submits proof of inspection and vehicle
80 identification number verification to the director of revenue at the time of the application. The
81 applicant, who has such a title for a vehicle on which no prior inspection and verification have
82 been made, shall pay a fee of twenty-five dollars for such verification and inspection[,] **if the**
83 **inspection is made before January 1, 2002; thirty-one dollars and twenty-five cents if the**
84 **inspection is made between January 1, 2002, and December 31, 2002; and thirty-seven**
85 **dollars and fifty cents if the inspection is made after December 31, 2002;** payable to the
86 director of revenue at the time of the request for the application, which shall be deposited in the
87 state treasury to the credit of the state highway fund.

88 9. Each application for an original Missouri certificate of ownership for a vehicle which
89 is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle,
90 motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director
91 of revenue, shall be accompanied by a vehicle examination certificate issued by the Missouri
92 state highway patrol, or other law enforcement agency as authorized by the director of revenue.
93 The vehicle examination shall include a verification of vehicle identification numbers and a
94 determination of the classification of the vehicle. The owner of a vehicle which requires a
95 vehicle examination certificate shall present the vehicle for examination and obtain a completed
96 vehicle examination certificate prior to submitting an application for a certificate of ownership
97 to the director of revenue. The fee for the vehicle examination application shall be [twenty-five
98 dollars] **the same inspection fee as provided in subsection 8 of this section**, and shall be
99 collected by the director of revenue at the time of the request for the application and shall be
100 deposited in the state treasury to the credit of the state highway fund.

101 10. When an application is made for an original Missouri certificate of ownership for a
102 motor vehicle previously registered or titled in a state other than Missouri, it shall be
103 accompanied by a current inspection form certified by a duly authorized official inspection
104 station as described in chapter 307, RSMo. The completed form shall certify that the
105 manufacturer's identification number for the vehicle has been inspected, that it is correctly
106 displayed on the vehicle and shall certify the reading shown on the odometer at the time of
107 inspection. The inspection station shall collect the same fee as authorized in section 307.365,
108 RSMo, for making the inspection, and the fee shall be deposited in the same manner as provided
109 in section 307.365, RSMo. If the vehicle is also to be registered in Missouri, the safety and
110 emissions inspections required in chapter 307, RSMo, shall be completed and only the fees
111 required by sections 307.365 and 307.366, RSMo, shall be charged to the owner. This section

112 shall not apply to vehicles being transferred on a manufacturer's statement of origin.

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

120 12. When an application is made for an original Missouri certificate of ownership for a
121 motor vehicle previously registered or titled in a state other than Missouri, and the certificate of
122 ownership has been appropriately designated by the issuing state as reconstructed motor vehicle,
123 motor change vehicle, specially constructed motor vehicle, the director of revenue shall
124 appropriately designate on the current Missouri and all subsequent issues of the certificate of
125 ownership the name of the issuing state and such prior designation.

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

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

133 **15. The portion of any fee collected pursuant to this section which exceeds the**
134 **amount of the fee which would have been collected pursuant to this section before January**
135 **1, 2002, shall be credited to the transportation user fee fund created by section 226.036,**
136 **RSMo.**

301.227. 1. Whenever a vehicle is sold for salvage, dismantling or rebuilding, the
2 purchaser shall forward to the director of revenue within ten days the certificate of ownership
3 or salvage certificate of title and the proper application and fee of eight dollars and fifty cents,
4 **if forwarded before January 1, 2002, ten dollars and sixty-three cents if forwarded between**
5 **January 1, 2002, and December 31, 2002, and twelve dollars and seventy-five cents if**
6 **forwarded after December 31, 2002;** and the director shall issue a negotiable salvage certificate
7 of title to the purchaser of the salvaged vehicle. On vehicles not more than seven years old, it
8 shall be mandatory that the purchaser apply for a salvage title, but on vehicles over seven years
9 old, application for a salvage title shall be optional on the part of the purchaser. Whenever a
10 vehicle is sold for destruction and a salvage certificate of title, junking certificate, or certificate
11 of ownership exists, the seller, if licensed [under] **pursuant to** sections 301.217 to 301.221, shall

12 forward the certificate to the director of revenue within ten days, with the notation of the date
13 sold for destruction and the name of the purchaser clearly shown on the face of the certificate.

14 2. Whenever a vehicle is classified as "junk", as defined in section 301.010, the
15 purchaser may forward to the director of revenue the salvage certificate of title or certificate of
16 ownership and the director shall issue a negotiable junking certificate to the purchaser of the
17 vehicle. The director may also issue a junking certificate to a possessor of a vehicle of a 1954
18 model or older who has a bill of sale for said vehicle but does not possess a certificate of
19 ownership, provided no claim of theft has been made on the vehicle and the highway patrol has
20 by letter stated the vehicle is not listed as stolen after checking the registration number through
21 its nationwide computer system. Such certificate may be granted within thirty days of the
22 submission of a request.

23 3. Upon receipt of a properly completed application for a junking certificate, the director
24 of revenue shall issue to the applicant a junking certificate which shall authorize the holder to
25 possess, transport, or, by assignment, transfer ownership in such parts, scrap or junk, and a
26 certificate of title shall not again be issued for such vehicle; except that, the initial purchaser
27 shall, within ninety days, be allowed to rescind his application for a junking certificate by
28 surrendering the junking certificate and apply for a salvage certificate of title in his name. The
29 seller of a vehicle for which a junking certificate has been applied for or issued shall disclose
30 such fact in writing to any prospective buyers before sale of such vehicle; otherwise the sale shall
31 be voidable at the option of the buyer.

32 4. No scrap metal operator shall acquire or purchase a motor vehicle or parts thereof
33 without, at the time of such acquisition, receiving the original certificate of title or salvage
34 certificate of title or junking certificate from the seller of the vehicle or parts, unless the seller
35 is a licensee [under] **pursuant to** sections 301.219 to 301.221.

36 5. All titles and certificates required to be received by scrap metal operators from
37 nonlicensees shall be forwarded by the operator to the director of revenue within ten days of the
38 receipt of the vehicle or parts.

39 6. The scrap metal operator shall keep a record, for three years, of the seller's name and
40 address, the salvage business license number of the licensee, date of purchase, and any vehicle
41 or parts identification numbers open for inspection as provided in section 301.225.

42 7. Notwithstanding any other provision of this section, a motor vehicle dealer as defined
43 in section 301.550 and licensed [under] **pursuant to** the provisions of sections 301.550 to
44 301.572 may negotiate one reassignment of a salvage certificate of title on the back thereof.

45 8. Notwithstanding the provisions of subsection 1 of this section, an insurance company
46 which settles a claim for a stolen vehicle shall be issued a negotiable salvage certificate of title
47 without the payment of any fee upon proper application within thirty days after settlement of the

48 claim for such stolen vehicle.

49 **9. The portion of any fee collected pursuant to this section which exceeds the**
50 **amount of the fee which would have been collected pursuant to this section before to**
51 **January 1, 2002, shall be credited to the transportation user fee fund created by section**
52 **226.036, RSMo.**

301.265. 1. The owner of any motor vehicle or, in the event the motor vehicle is legally
2 operated by someone other than the owner, then the operator thereof, which is duly and legally
3 registered in some other jurisdiction but which cannot legally be operated on Missouri highways
4 [under] **pursuant to** the provisions of section 301.271, or [under] **pursuant to** the provisions
5 of any applicable agreement duly entered into by the Missouri highway reciprocity commission,
6 which is operated on the highways of this state only occasionally by such owner or operator, may
7 in lieu of the payment of the registration fee for such vehicle, obtain a trip permit from the
8 department of revenue authorizing the operation of such vehicle on the highways of this state for
9 a period of not to exceed seventy-two hours. The trip permit is valid for use by any owner or
10 operator who uses the vehicle during the seventy-two hour period. The fee for such trip permit
11 shall be ten dollars **if issued before January 1, 2002; twelve dollars and fifty cents if issued**
12 **between January 1, 2002, and December 31, 2002; and fifteen dollars if issued after**
13 **December 31, 2002;** and shall be collected by the department of revenue and deposited with the
14 state treasurer to the credit of the state highway department fund except when an agreement has
15 been negotiated with another jurisdiction whereby prepayment is not required. In such cases, the
16 terms of the agreement shall prevail. When such trip permit fee has been paid on a motor
17 vehicle, no registration or fee shall be required for a trailer or semitrailer duly and legally
18 registered in any jurisdiction and propelled by such motor vehicle. The director of revenue shall
19 prescribe rules and regulations to effectuate the purpose of this section. Application for such trip
20 permits shall be made on a form prescribed by and shall contain such information as may be
21 required by the director of revenue.

22 2. The requirements of Missouri law as to title of motor vehicles shall not be applicable
23 to vehicles operated [under] **pursuant to** such trip permits.

24 3. Any owner or operator who desires to use a trip permit for the operation of his vehicle
25 shall secure such permit and the same must be in full force and effect before the vehicle enters
26 or commences its trip in the state of Missouri.

27 4. Operators who fail to obtain such permit before the vehicle enters or commences its
28 trip in this state are subject to arrest and must obtain such permit before proceeding. The permits
29 shall be made available at official highway weight stations.

30 5. The purchase of a [ten dollar] trip permit shall allow such operator to haul the
31 maximum weight allowed by statute.

32 6. Such permits may be sold in advance of the date of their use in such quantities as the
33 director of revenue shall determine.

34 **7. The portion of any fee collected pursuant to this section which exceeds ten dollars**
35 **shall be credited to the transportation user fee fund created by section 226.036, RSMo.**

301.266. 1. The owner of any motor vehicle which was duly and legally proportionally
2 registered in Missouri with the highway reciprocity commission, but which cannot legally be
3 operated on Missouri highways because of lease cancellation, may, in lieu of the payment of
4 other registration fee for such vehicle and upon proof of ownership, obtain a hunter's permit from
5 the department of revenue. Such permit shall authorize the operation of the vehicle on the
6 highways of this state and the highways of all member jurisdictions of the international
7 registration plan for a period not to exceed thirty days. Any vehicle operated [under] **pursuant**
8 **to** a hunter's permit issued in accordance with this section shall only be operated while empty and
9 shall only be operated for the purpose of securing a new lease agreement under which proper
10 registration may be obtained. No vehicle may be operated on the highways of this state when
11 the registration of such vehicle has been canceled, unless the vehicle owner shall have been
12 issued a hunter's permit for such vehicle. Operation of any vehicle without proper registration
13 or a hunter's permit shall constitute a class A misdemeanor. No owner operating such a vehicle
14 without proper registration or a hunter's permit shall be allowed to operate the vehicle until [he]
15 **such owner** has purchased a hunter's permit or otherwise obtained proper registration.

16 2. Application for a hunter's permit shall be made upon forms prescribed by the director.
17 Application shall be made to the highway reciprocity commission. The applicant shall provide
18 proof acceptable to the commission, that [he] **said applicant** has surrendered all plates, cab cards
19 and other evidence of previous registration to the previous registrant before a permit [under]
20 **pursuant to** this section may be issued. The fee for a hunter's permit shall be twenty-five dollars
21 **before January 1, 2002; thirty-one dollars and twenty-five cents between January 1, 2002,**
22 **and December 31, 2002; and thirty-seven dollars and fifty cents after December 31, 2002;**
23 and shall be collected by the department of revenue and deposited with the state treasurer to the
24 credit of the state highway department fund, **except that the portion of any such fee which**
25 **exceeds twenty-five dollars shall be credited to the transportation user fee fund created by**
26 **section 226.036, RSMo.** When such fee has been paid, no other registration fee shall be
27 required for any trailer or semitrailer which is being towed by such vehicle.

28 3. Notwithstanding any provisions of law to the contrary, a vehicle operated on a hunter's
29 permit shall not be subject to the laws of this state relating to motor vehicle titles during the time
30 of operation on such permit.

31 4. Nothing contained in this section shall be construed to change the vehicle owner's duty
32 to timely file any necessary fuel reports and to pay any fuel taxes owed to the state of Missouri.

33 5. The director of revenue may prescribe rules and regulations for the effective
34 administration of this section.

 301.300. 1. In event of the loss, theft, mutilation or destruction of any certificate of
2 ownership, number plate, tab or set of tabs issued by the director of revenue, the lawful holder
3 thereof shall, within five days, file with the director of revenue, an affidavit showing such fact,
4 and shall, on the payment of a fee of eight dollars and fifty cents **if filed before January 1,**
5 **2002; ten dollars and sixty-three cents if filed between January 1, 2002, and December 31,**
6 **2002; and twelve dollars and seventy-five cents if filed after December 31, 2002,** obtain a
7 duplicate or replacement of such plate, certificate, tab or set of tabs. Any duplicate certificate
8 issued for any "motor vehicle primarily for business use", as defined in section 301.010, shall
9 be issued only to the owner of record.

10 2. Upon filing affidavit of lost, stolen, mutilated or destroyed certificate of registration,
11 the director of revenue shall issue to the lawful owner a duplicate or replacement thereof upon
12 payment of [a] **the fee [of eight dollars and fifty cents] provided in subsection 1 of this section.**

13 3. Vehicle owners who elect not to transfer or renew multiyear plates shall be charged
14 a fee equal to that charged for a lost plate in addition to the registration fee prescribed by law at
15 the time the new plate or plates are issued.

16 **4. Any fee collected pursuant to this section in excess of eight dollars and fifty cents**
17 **shall be credited to the transportation user fee fund created by section 226.036, RSMo.**

 301.370. 1. Nothing in sections 301.010 to 301.440 shall be construed to prohibit the
2 owner of a duly registered motor vehicle from removing the motor or engine from such vehicle
3 and replacing it with a new or reconditioned motor or engine of the same make or manufacture.

4 2. The owner and the person removing and replacing such motor or engine shall join in
5 an affidavit showing the number of the motor or engine removed, the date of removal, the reason
6 for removal, and a description of the motor or engine replaced in the vehicle.

7 3. If the motor to be installed is a reconditioned motor, it shall bear the same number as
8 the motor removed but shall be preceded by the symbol "RC". If the motor installed is a new
9 motor, it shall bear a special number to be secured as provided in section 301.380.

10 4. The affidavit, together with the original certificate of title, shall be sent to the director
11 of revenue at Jefferson City, Missouri, with a fee of one dollar **before January 1, 2002; one**
12 **dollar and twenty-five cents between January 1, 2002, and December 31, 2002; and one**
13 **dollar and fifty cents after December 31, 2002,** for registering such change of motor or engine.
14 The director of revenue shall file the affidavit and certificate in his office and shall issue and
15 deliver a new certificate of title to the owner. **The portion of such fee which exceeds one**
16 **dollar shall be credited to the transportation user fee fund created by section 226.036,**
17 **RSMo.**

18 5. The owner of a motor vehicle that is identified on the appropriate Missouri certificate
19 of ownership by a manufacturer's number other than the engine or motor number shall be exempt
20 from the provisions of subsections 2, 3 and 4.

21 6. The director of revenue may adopt and enforce the rules and regulations, compatible
22 with this chapter, that he deems necessary to properly administer this section.

301.380. 1. Whenever the original, manufacturer's, or other distinguishing number on
2 any motor vehicle, trailer or motor vehicle tire has been destroyed, removed, covered, altered,
3 defaced or is otherwise nonexistent, the director of revenue, upon application, payment of a fee
4 of seven dollars and fifty cents **before January 1, 2002; nine dollars and thirty-seven cents**
5 **between January 1, 2002, and December 31, 2002; and eleven dollars and twenty-five cents**
6 **after December 31, 2002**, and satisfactory proof of ownership by the owner, shall issue a
7 certificate authorizing the owner to place a special number designated by the director of revenue
8 upon the vehicle, trailer or tire.

9 2. In order to properly calculate the sales tax due, in the case of a trailer which is alleged
10 to have been made by someone who is not a manufacturer using readily distinguishable
11 manufacturers' identifying numbers or a certificate of origin, the person seeking the special
12 number authorized by the provisions of this section shall secure a written statement from a motor
13 vehicle inspection station that the trailer has been examined and that it is not one made by a
14 regular manufacturer. The superintendent of the state highway patrol shall provide such forms
15 for inspection stations, and the person, firm, or corporation seeking the examination shall pay
16 a regular inspection fee for the examination. The proceeds of the fee shall be distributed in the
17 same manner as regular inspection fees are distributed. This subsection shall not apply to trailers
18 inspected [under] **pursuant to** section 301.191.

19 3. The director of revenue shall designate the special numbers consecutively beginning
20 with the number one preceded by the letters "DR" and followed by the letters "Mo" for each
21 make of motor vehicle, trailer or motor vehicle tire, or if the make be unknown, the number shall
22 also be preceded by the letter "X".

23 4. When such number has been placed upon the motor vehicle or motor or engine
24 thereof, or trailer or motor vehicle tire, it shall be the lawful number of the same for the purpose
25 of identification, registration, and all other purposes of this chapter, and the owner may sell and
26 transfer such property under the special number. No person shall destroy, remove, cover, alter
27 or deface any such special number.

28 **5. The portion of any fee collected pursuant to this section which exceeds seven**
29 **dollars and fifty cents shall be credited to the transportation user fee fund created by**
30 **section 226.036, RSMo.**

301.560. 1. In addition to the application forms prescribed by the department, each

2 applicant shall submit the following to the department:

3 (1) When the application is being made for licensure as a manufacturer, boat
4 manufacturer, motor vehicle dealer, boat dealer, wholesale motor vehicle dealer, wholesale
5 motor vehicle auction or a public motor vehicle auction, a certification by a uniformed member
6 of the Missouri state highway patrol stationed in the troop area in which the applicant's place of
7 business is located; except, that in counties of the first classification, certification may be
8 authorized by an officer of a metropolitan police department when the applicant's established
9 place of business of distributing or selling motor vehicles or trailers is in the metropolitan area
10 where the certifying metropolitan police officer is employed, that the applicant has a bona fide
11 established place of business. A bona fide established place of business for any new motor
12 vehicle franchise dealer or used motor vehicle dealer shall include a permanent enclosed building
13 or structure, either owned in fee or leased and actually occupied as a place of business by the
14 applicant for the selling, bartering, trading or exchanging of motor vehicles or trailers and
15 wherein the public may contact the owner or operator at any reasonable time, and wherein shall
16 be kept and maintained the books, records, files and other matters required and necessary to
17 conduct the business. The applicant's place of business shall contain a working telephone which
18 shall be maintained during the entire registration year. In order to qualify as a bona fide
19 established place of business for all applicants licensed pursuant to this section there shall be an
20 exterior sign displayed carrying the name and class of business conducted in letters at least six
21 inches in height and clearly visible to the public and there shall be an area or lot which shall not
22 be a public street on which one or more vehicles may be displayed, except when licensure is for
23 a wholesale motor vehicle dealer, a lot and sign shall not be required. When licensure is for a
24 boat dealer, a lot shall not be required. In the case of new motor vehicle franchise dealers, the
25 bona fide established place of business shall include adequate facilities, tools and personnel
26 necessary to properly service and repair motor vehicles and trailers under their franchisor's
27 warranty;

28 (2) If the application is for licensure as a manufacturer, boat manufacturer, new motor
29 vehicle franchise dealer, used motor vehicle dealer, wholesale motor vehicle auction, boat dealer
30 or a public motor vehicle auction, a photograph, not to exceed eight inches by ten inches,
31 showing the business building and sign shall accompany the initial application. In the case of
32 a manufacturer, new motor vehicle franchise dealer or used motor vehicle dealer, the photograph
33 shall include the lot of the business. A new motor vehicle franchise dealer applicant who has
34 purchased a currently licensed new motor vehicle franchised dealership shall be allowed to
35 submit a photograph of the existing dealership building, lot and sign but shall be required to
36 submit a new photograph upon the installation of the new dealership sign as required by sections
37 301.550 to 301.573. Applicants shall not be required to submit a photograph annually unless the

38 business has moved from its previously licensed location, or unless the name of the business or
39 address has changed, or unless the class of business has changed;

40 (3) If the application is for licensure as a wholesale motor vehicle dealer or as a boat
41 dealer, the application shall contain the business address, not a post office box, and telephone
42 number of the place where the books, records, files and other matters required and necessary to
43 conduct the business are located and where the same may be inspected during normal daytime
44 business hours. Wholesale motor vehicle dealers and boat dealers shall file reports as required
45 of new franchised motor vehicle dealers and used motor vehicle dealers;

46 (4) Every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer,
47 a wholesale motor vehicle dealer, or boat dealer shall furnish with the application a corporate
48 surety bond or an irrevocable letter of credit as defined in section 400.5-103, RSMo, issued by
49 any state or federal financial institution in the penal sum of twenty-five thousand dollars on a
50 form approved by the department. The bond or irrevocable letter of credit shall be conditioned
51 upon the dealer complying with the provisions of the statutes applicable to new motor vehicle
52 franchise dealers, used motor vehicle dealers, wholesale motor vehicle dealers and boat dealers,
53 and the bond shall be an indemnity for any loss sustained by reason of the acts of the person
54 bonded when such acts constitute grounds for the suspension or revocation of the dealer's license.
55 The bond shall be executed in the name of the state of Missouri for the benefit of all aggrieved
56 parties or the irrevocable letter of credit shall name the state of Missouri as the beneficiary;
57 except, that the aggregate liability of the surety or financial institution to the aggrieved parties
58 shall, in no event, exceed the amount of the bond or irrevocable letter of credit. The proceeds
59 of the bond or irrevocable letter of credit shall be paid upon receipt by the department of a final
60 judgment from a Missouri court of competent jurisdiction against the principal and in favor of
61 an aggrieved party;

62 (5) Payment of all necessary license fees as established by the department. In
63 establishing the amount of the annual license fees, the department shall, as near as possible,
64 produce sufficient total income to offset operational expenses of the department relating to the
65 administration of sections 301.550 to 301.573. All fees payable pursuant to the provisions of
66 sections 301.550 to 301.573, other than those fees collected for the issuance of dealer plates or
67 certificates of number collected pursuant to subsection 6 of this section, shall be collected by the
68 department for deposit in the state treasury to the credit of the "Motor Vehicle Commission
69 Fund", which is hereby created. The motor vehicle commission fund shall be administered by
70 the Missouri department of revenue. The provisions of section 33.080, RSMo, to the contrary
71 notwithstanding, money in such fund shall not be transferred and placed to the credit of the
72 general revenue fund until the amount in the motor vehicle commission fund at the end of the
73 biennium exceeds two times the amount of the appropriation from such fund for the preceding

109 5. Upon the sale of a currently licensed new motor vehicle franchise dealership the

department shall, upon request, authorize the new approved dealer applicant to retain the selling dealer's license number and shall cause the new dealer's records to indicate such transfer.

6. In the case of manufacturers and motor vehicle dealers, the department shall also issue one number plate bearing the distinctive dealer license number to the applicant upon payment by the manufacturer or dealer of a fifty-dollar fee **before January 1, 2002; a sixty-two dollar and fifty cent fee between January 1, 2002, and December 31, 2002; and a seventy-five dollar fee after December 21, 2002.** Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Boat dealers and boat manufacturers shall be entitled to one certificate of number bearing such number upon the payment of a fifty-dollar fee **before January 1, 2002; a sixty-two dollar and fifty cent fee between January 1, 2002, and December 31, 2002; and a seventy-five dollar fee after December 21, 2002.** As many additional number plates as may be desired by manufacturers and motor vehicle dealers and as many additional certificates of number as may be desired by boat dealers and boat manufacturers may be obtained upon payment of a fee of ten dollars and fifty cents for each additional plate or certificate **issued before January 1, 2002, said fee to be thirteen dollars and thirteen cents between January 1, 2002, and December 31, 2002, and fifteen dollars and seventy-five cents after December 31, 2002.** A motor vehicle dealer, boat dealer, manufacturer, boat manufacturer, public motor vehicle auction, wholesale motor vehicle dealer or wholesale motor vehicle auction obtaining a dealer license plate or certificate of number or additional license plate or additional certificate of number, throughout the calendar year, shall be required to pay a fee for such license plates or certificates of number computed on the basis of one-twelfth of the full fee prescribed for the original and duplicate number plates or certificates of number for such dealers' licenses, multiplied by the number of months remaining in the licensing period for which the dealer or manufacturers shall be required to be licensed. In the event of a renewing dealer, the fee due at the time of renewal shall not be prorated. **The portion of any fee collected pursuant to this section which exceeds the amount the fee would have been before January 1, 2002, shall be credited to the transportation user fee fund created by section 226.036, RSMo.**

7. The plates issued pursuant to subsection 3 or 6 of this section may be displayed on any motor vehicle owned and held for resale by the motor vehicle dealer or manufacturer, and used by a customer who is test driving the motor vehicle, or is used by an employee or officer, but shall not be displayed on any motor vehicle or trailer hired or loaned to others or upon any regularly used service or wrecker vehicle. Motor vehicle dealers may display their dealer plates on a tractor, truck or trailer to demonstrate a vehicle under a loaded condition.

8. The certificates of number issued pursuant to subsection 3 or 6 of this section may be

146 displayed on any vessel or vessel trailer owned and held for resale by a boat manufacturer or a
147 boat dealer, and used by a customer who is test driving the vessel or vessel trailer, or is used by
148 an employee or officer, but shall not be displayed on any vessel or vessel trailer hired or loaned
149 to others or upon any regularly used service vessel or vessel trailer. Boat dealers and
150 manufacturers may display their certificate of number on a vessel or vessel trailer which is being
151 transported to an exhibit or show.

302.140. 1. Every application for an instruction permit shall be made upon a form
2 furnished by the director, which application shall be certified by the applicant to be true and
3 correct, and every such application shall be accompanied by a fee of one dollar **if made before**
4 **January 1, 2002; of one dollar and fifty cents if made between January 1, 2002, and**
5 **December 31, 2002; and of two dollars if made after December 31, 2002.**

6 2. In addition to the fee prescribed in subsection 1 of this section, applicants for a
7 motorcycle instruction permit under section 302.132 shall pay a special motorcycle safety
8 education fee of two dollars and seventy-five cents **is such application is made before January**
9 **1, 2002, of three dollars and forty-four cents if made between January 1, 2002, and**
10 **December 31, 2002; and of four dollars and twelve cents if made after December 31, 2002.**

11 3. **The portion of any fee collected pursuant to this section which exceeds the**
12 **amount of the fee which would have been collected pursuant to this section before January**
13 **1, 2002, shall be credited to the transportation user fee fund created by section 226.036,**
14 **RSMo.**

302.177. 1. To all applicants for a license or renewal to transport persons or property
2 classified in section 302.015 who are at least twenty-one years of age, and who submit a
3 satisfactory application and meet the requirements set forth in sections 302.010 to 302.605, the
4 director shall issue or renew a license upon the payment of a fee of thirty dollars, **if such license**
5 **is issued before January 1, 2002; thirty-seven dollars and fifty cents if issued between**
6 **January 1, 2002, and December 31, 2002; and forty-five dollars if issued after December**
7 **31, 2002;** except that, no license shall be issued if an applicant's license is currently suspended,
8 taken up, canceled, revoked, or deposited in lieu of bail.

9 2. To all applicants for a license or renewal who are between twenty-one and sixty-nine
10 years of age, and who submit a satisfactory application and meet the requirements set forth in
11 sections 302.010 to 302.605, the director shall issue or renew a license upon the payment of a
12 fee of fifteen dollars, **if such license is issued before January 1, 2002; eighteen dollars and**
13 **seventy-five cents if issued between January 1, 2002, and December 31, 2002; and twenty-**
14 **two dollars and fifty cents if issued after December 31, 2002;** except that, no license shall be
15 issued if an applicant's license is currently suspended, taken up, canceled, revoked, or deposited
16 in lieu of bail.

17 3. All licenses issued pursuant to subsections 1 and 2 of this section shall expire on the
18 applicant's birthday in the sixth year after issuance and must be renewed on or before the date
19 of expiration, which date shall be shown on the license. The director shall have the authority to
20 stagger the expiration date of driver's licenses and nondriver's licenses being issue or renewed
21 over a six-year period.

22 4. To all applicants for a license or renewal to transport persons or property classified
23 in section 302.015 who are between eighteen and twenty-one years of age, and who submit a
24 satisfactory application and meet the requirements set forth in sections 302.010 to 302.605, the
25 director shall issue or renew a license upon the payment of a fee of fifteen dollars, **if such license**
26 **is issued before January 1, 2002; eighteen dollars and seventy-five cents if issued between**
27 **January 1, 2002, and December 31, 2002; and twenty-two dollars and fifty cents if issued**
28 **after December 31, 2002.**

29 5. To all other applicants for a license or renewal less than twenty-one years of age or
30 greater than sixty-nine years of age who submit a satisfactory application and meet the
31 requirements set forth in sections 302.010 to 302.605, the director shall issue or renew a license
32 upon the payment of a fee of seven dollars and fifty cents **before January 1, 2002; nine dollars**
33 **and thirty-seven cents between January 1, 2002, and December 31, 2002; and eleven dollars**
34 **and twenty-five cents after December 31, 2002.** All licenses issued pursuant to subsections
35 4 and 5 of this section shall expire on the applicant's birthday in the third year after issuance.

36 6. The director of revenue may adopt any rules and regulations necessary to carry out the
37 provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of
38 this section shall become effective unless it has been promulgated pursuant to the provisions of
39 chapter 536, RSMo.

40 **7. The portion of fee collected pursuant to this section which exceeds the amount**
41 **of the fee which would have been collected pursuant to this section before January 1, 2002,**
42 **shall be credited to the transportation user fee fund created by section 226.036, RSMo.**

302.178. 1. Beginning January 1, 2001, any person between the ages of sixteen and
2 eighteen years who is qualified to obtain a license pursuant to sections 302.010 to 302.340, may
3 apply for, and the director shall issue, an intermediate driver's license entitling the applicant,
4 while having such license in his or her possession, to operate a motor vehicle of the appropriate
5 class upon the highways of this state in conjunction with the requirements of this section. An
6 intermediate driver's license shall be readily distinguishable from a license issued to those over
7 the age of eighteen. All applicants for an intermediate driver's license shall:

- 8 (1) Successfully complete the examination required by section 302.173;
- 9 (2) Pay the fee required by subsection 3 of this section;
- 10 (3) Have had a temporary instruction permit issued pursuant to subsection 1 of section

11 302.130 for at least a six-month period or a valid license from another state; and

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

18 (a) Marries with the consent of the legal custodial parent or legal guardian pursuant to
19 section 451.080, RSMo;

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

21 (c) Enters active duty in the armed forces;

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

23 or

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

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

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

30 2. An intermediate driver's license grants the licensee the same privileges to operate that
31 classification of motor vehicle as a license issued pursuant to section 302.177, except that no
32 person shall operate a motor vehicle on the highways of this state under such an intermediate
33 driver's license between the hours of 1:00 a.m. and 5:00 a.m. unless accompanied by a person
34 described in subsection 1 of section 302.130; except the licensee may operate a motor vehicle
35 without being accompanied if the travel is to or from a school or educational program or activity,
36 a regular place of employment or in emergency situations as defined by the director by
37 regulation. Each intermediate driver's license shall be restricted by requiring that the driver and
38 all passengers in the licensee's vehicle wear safety belts at all times. This safety belt restriction
39 shall not apply to a person operating a motorcycle.

40 3. Notwithstanding the provisions of section 302.177 to the contrary, the fee for an
41 intermediate driver's license shall be five dollars **before January 1, 2002; six dollars and**
42 **twenty-five cents between January 1, 2002, and December 31, 2002; and seven dollars and**
43 **fifty cents after December 31, 2002**, and such license shall be valid for a period of two years.

44 4. Any intermediate driver's licensee accumulating six or more points in a twelve-month
45 period may be required to participate in and successfully complete a driver-improvement
46 program approved by the director of the department of public safety. The driver-improvement

47 program ordered by the director of revenue shall not be used in lieu of point assessment.

48 5. (1) An intermediate driver's licensee who has, for the preceding twelve-month period,
49 had no alcohol-related enforcement contacts, as defined in section 302.525 and no traffic
50 convictions for which points are assessed, upon reaching the age of eighteen years may apply for
51 and receive without further examination, other than a vision test as prescribed by section
52 302.173, a license issued pursuant to this chapter granting full driving privileges. Such person
53 shall pay the required fee for such license as prescribed in section 302.177.

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

60 6. No person upon reaching the age of eighteen years whose intermediate driver's license
61 and driving privilege is denied, suspended, canceled or revoked in this state or any other state,
62 for any reason may apply for a full driver's license until such license or driving privilege is fully
63 reinstated. Any such person whose intermediate driver's license has been revoked pursuant to
64 the provisions of sections 302.010 to 302.540 shall, upon receipt of reinstatement of the
65 revocation from the director, pass the complete driver examination, apply for a new license, and
66 pay the proper fee before again operating a motor vehicle upon the highways of this state.

67 7. A person shall be exempt from the intermediate licensing requirements if the person
68 has reached the age of eighteen years and meets all other licensing requirements.

69 8. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that
70 is created under the authority delegated in this section shall become effective only if it complies
71 with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section
72 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers
73 vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the
74 effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the
75 grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be
76 invalid and void.

77 **9. The portion of any fee collected pursuant to this section which exceeds five**
78 **dollars shall be credited to the transportation user fee fund created by section 226.036,**
79 **RSMo.**

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340
2 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic
3 or other comparable material. All licenses shall be manufactured of materials and processes that

4 will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge or duplicate
5 any license without ready detection. All licenses shall bear the licensee's Social Security number,
6 if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that
7 the licensee does not possess a Social Security number, or, if applicable, a certified statement
8 must be submitted as provided in subsection 4 of this section. The license shall also bear the
9 expiration date of the license, the classification of the license, the name, date of birth, residence
10 address including the county of residence or a code number corresponding to such county
11 established by the department, and brief description and colored photograph of the licensee, and
12 a facsimile of the signature of the licensee. The director shall provide by administrative rule the
13 procedure and format for a licensee to indicate on the back of the license together with the
14 designation for an anatomical gift as provided in section 194.240, RSMo, the name and address
15 of the person designated pursuant to sections 404.800 to 404.865, RSMo, as the licensee's
16 attorney in fact for the purposes of a durable power of attorney for health care decisions. No
17 license shall be valid until it has been so signed by the licensee. If any portion of the license is
18 prepared by a private firm, any contract with such firm shall be made in accordance with the
19 competitive purchasing procedures as established by the state director of the division of
20 purchasing. For all licenses issued or renewed after March 1, 1992, the applicant's Social
21 Security number shall serve as the applicant's license number. Where the licensee has no Social
22 Security number, or where the licensee is issued a license without a Social Security number in
23 accordance with subsection 4 of this section, the director shall issue a license number for the
24 licensee and such number shall also include an indicator showing that the number is not a Social
25 Security number.

26 2. All film involved in the production of photographs for licenses shall become the
27 property of the department of revenue.

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

34 4. The director of revenue shall issue a commercial or noncommercial driver's license
35 without a Social Security number to an applicant therefor, who is otherwise qualified to be
36 licensed, upon presentation to the director of a certified statement that the applicant objects to
37 the display of the Social Security number on the license. The director shall assign an
38 identification number, that is not based on a Social Security number, to the applicant which shall
39 be displayed on the license in lieu of the Social Security number.

40 5. The director of revenue shall issue a license without the photograph to an applicant
41 therefor, who is otherwise qualified to be licensed, upon presentation to the director of a
42 statement on forms prescribed and made available by the department of revenue which states that
43 the applicant is a member of a specified religious denomination which prohibits photographs of
44 members as being contrary to its religious tenets. The license shall state thereon that no
45 photograph is required because of the religious affiliation of the licensee. The director of
46 revenue shall establish guidelines and furnish to each circuit court such forms as the director
47 deems necessary to comply with this subsection. The circuit court shall not charge or receive any
48 fee or court cost for the performance of any duty or act pursuant to this subsection.

49 6. The department of revenue may issue a temporary license without the photograph to
50 out-of-state applicants and members of the armed forces, except that where such temporary
51 license is issued it shall be valid only until the applicant shall have had time to appear and have
52 his or her picture taken and a license with his or her photograph issued.

53 7. The department of revenue shall issue upon request a nondriver's license card
54 containing essentially the same information as the driver's license upon payment of six dollars
55 **before January 1, 2002; seven dollars and fifty cents between January 1, 2002, and**
56 **December 31, 2002; and nine dollars after December 31, 2002**, if the applicant is under the
57 age of sixty-five. An applicant who is sixty-five years of age or older may purchase a nondriver's
58 license card without a photograph for one dollar **before January 1, 2002; one dollar and**
59 **twenty-five cents between January 1, 2002, and December 31, 2002; and one dollar and**
60 **fifty cents after December 31, 2002**; or a nondriver's license card with a photograph for six
61 dollars **before January 1, 2002; seven dollars and fifty cents between January 1, 2002, and**
62 **December 31, 2002; and nine dollars after December 31, 2002**. All nondriver's licenses shall
63 expire on the applicant's birthday in the sixth year after issuance. A person who has passed his
64 or her seventieth birthday shall upon application be issued a nonexpiring nondriver's license card.
65 The nondriver's license card shall be used for identification purposes only and shall not be valid
66 as a license.

67 8. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall
68 become effective unless it is promulgated pursuant to the provisions of chapter 536, RSMo.

69 **9. The portion of any fee collected pursuant to this section which exceeds the**
70 **amount of the fee which would have been collected before January 1, 2002, pursuant to this**
71 **section shall be credited to the transportation user fee fund created by section 226.036,**
72 **RSMo.**

302.185. 1. In the event that a license issued under sections 302.010 to 302.780 shall
2 be lost or destroyed, but not where the license has been suspended, taken up, revoked,
3 disqualified, or deposited in lieu of bail, hereinafter provided, the person to whom the license as

4 was issued may obtain a duplicate license upon furnishing proper identification and satisfactory
5 proof to the director or his authorized license agents that the license has been lost or destroyed,
6 and upon payment of a fee of fifteen dollars [for a duplicate license], **if such duplicate license**
7 **is issued before January 1, 2002; eighteen dollars and seventy-five cents if issued between**
8 **January 1, 2002, and December 31, 2002; and twenty-two dollars and fifty cents if issued**
9 **after December 31, 2002**, if the person transports persons or property as classified in section
10 302.015, and a fee of seven dollars and fifty cents **before January 1, 2002; nine dollars and**
11 **thirty-seven cents between January 1, 2002, and December 31, 2002; and eleven dollars and**
12 **twenty-five cents after December 31, 2002**, for all other duplicate classifications of license.

13 **2. The portion of any fee collected pursuant to this section which exceeds the fee**
14 **which would have been collected pursuant to this section before January 1, 2002, shall be**
15 **credited to the transportation user fee fund created by section 226.036, RSMo.**

302.272. 1. No person shall operate any school bus owned by or under contract with a
2 public school or the state board of education unless such driver has qualified for a school bus
3 permit under this section and complied with the pertinent rules and regulations of the department
4 of revenue. A school bus permit shall be issued to any applicant who meets the following
5 qualifications:

6 (1) The applicant has a valid state license issued under this chapter or has a license valid
7 in any other state;

8 (2) The applicant is at least twenty-one years of age;

9 (3) The applicant has passed a medical examination, including vision and hearing tests,
10 as prescribed by the director of revenue and, if the applicant is at least seventy years of age, the
11 applicant shall pass the medical examination annually to maintain or renew the permit; and

12 (4) The applicant has successfully passed an examination for the operation of a school
13 bus as prescribed by the director of revenue. The examination shall include, but need not be
14 limited to, a written skills examination of applicable laws, rules and procedures, and a driving
15 test in the type of vehicle to be operated. The test shall be completed in the appropriate class of
16 vehicle to be driven. For purposes of this section classes of school buses shall comply with the
17 Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570).

18 2. Except as otherwise provided in this section, a school bus permit shall be renewed
19 every three years and shall require the applicant to provide a medical examination as specified
20 in subdivision (3) of subsection 1 of this section and to successfully pass a written skills
21 examination as prescribed by the director of revenue in consultation with the department of
22 elementary and secondary education. If the applicant is at least seventy years of age, the school
23 bus permit shall be renewed annually, and the applicant shall successfully pass the examination
24 prescribed in subdivision (4) of subsection 1 of this section prior to receiving the renewed

25 permit. The director may waive the written skills examination on renewal of a school bus permit
26 upon verification of the applicant's successful completion within the preceding twelve months
27 of a training program which has been approved by the director in consultation with the
28 department of elementary and secondary education and which is at least eight hours in duration
29 with special instruction in school bus driving.

30 3. The fee for a new or renewed school bus permit shall be three dollars **before January**
31 **1, 2002; three dollars and seventy-five cents between January 1, 2002, and December 31,**
32 **2002; and four dollars and fifty cents after December 31, 2002, the portion of such fee**
33 **which exceeds three dollars to be credited to the transportation user fee fund created by**
34 **section 226.036, RSMo.**

35 4. Upon the applicant's completion of the requirements of subsections 1, 2 and 3 of this
36 section, the director of revenue shall issue a temporary school bus permit to the applicant until
37 such time as a permanent school bus permit shall be issued following the record clearance as
38 provided in subsection 6 of this section.

39 5. The director of revenue, to the best of the director's knowledge, shall not issue or
40 renew a school bus permit to any applicant:

41 (1) Whose driving record shows that such applicant's privilege to operate a motor vehicle
42 has been suspended, revoked or disqualified or whose driving record shows a history of moving
43 vehicle violations;

44 (2) Who has pled guilty to or been found guilty of any felony or misdemeanor for
45 violation of drug regulations as defined in chapter 195, RSMo; of any felony for an offense
46 against the person as defined by chapter 565, RSMo, or any other offense against the person
47 involving the endangerment of a child as prescribed by law; of any misdemeanor or felony for
48 a sexual offense as defined by chapter 566, RSMo; of any misdemeanor or felony for prostitution
49 as defined by chapter 567, RSMo; of any misdemeanor or felony for an offense against the
50 family as defined in chapter 568, RSMo; of any felony or misdemeanor for a weapons offense
51 as defined by chapter 571, RSMo; of any misdemeanor or felony for pornography or related
52 offense as defined by chapter 573, RSMo; or of any similar crime in any federal, state, municipal
53 or other court of similar jurisdiction of which the director has knowledge;

54 (3) Who has pled guilty to or been found guilty of any felony involving robbery, arson,
55 burglary or a related offense as defined by chapter 569, RSMo; or any similar crime in any
56 federal, state, municipal or other court of similar jurisdiction within the preceding ten years of
57 which the director has knowledge.

58 6. The department of social services or the Missouri highway patrol, whichever has
59 access to applicable records, shall provide a record of clearance or denial of clearance for any
60 applicant for a school bus permit for the convictions specified in subdivisions (2) and (3) of

subsection 5 of this section. The Missouri highway patrol in providing the record of clearance or denial of clearance for any such applicant is authorized to obtain from the Federal Bureau of Investigation any information which might aid the Missouri highway patrol in providing such record of clearance or denial of clearance. The department of social services or the Missouri highway patrol shall provide the record of clearance or denial of clearance within thirty days of the date requested, relying on information available at that time, except that the department of social services or the Missouri highway patrol shall provide any information subsequently discovered to the department of revenue.

302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

- (1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 2 points
- (except any violation of municipal stop sign ordinance where no accident is involved 1 point)
- (2) Speeding
 - In violation of a state law 3 points
 - In violation of a county or municipal ordinance. 2 points
- (3) Leaving the scene of an accident in violation of section 577.060, RSMo 12 points
- In violation of any county or municipal ordinance 6 points
- (4) Careless and imprudent driving in violation of subsection 4 of section 304.016, RSMo 4 points
- In violation of a county or municipal ordinance 2 points
- (5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:
 - (a) For the first conviction 2 points
 - (b) For the second conviction 4 points
 - (c) For the third conviction 6 points
 - (6) Operating with a suspended or revoked license prior to restoration of operating privileges 12 points
 - (7) Obtaining a license by misrepresentation 12 points

- 29 (8) For the first conviction of driving while
30 in an intoxicated condition or under the influence
31 of controlled substances or drugs 8 points
- 32 (9) For the second or subsequent conviction of any of the following
33 offenses however combined:
34 driving while in an intoxicated condition, driving under the influence of
35 controlled substances or drugs or driving with a blood alcohol content of
36 [ten-hundredths] **eight-hundredths** of one percent or
37 more by weight 12 points
- 38 (10) For the first conviction for driving with blood alcohol content
39 [ten-hundredths] of **eight hundredths of** one percent or more by weight
40 In violation of state law 8 points
41 In violation of a county or municipal ordinance
42 or federal law or regulation 8 points
- 43 (11) Any felony involving the use of a motor vehicle 12 points
- 44 (12) Knowingly permitting unlicensed
45 operator to operate a motor vehicle 4 points
- 46 (13) For a conviction for failure to maintain financial responsibility
47 pursuant to county or municipal ordinance or pursuant to section 303.025, RSMo . . 4 points
- 48 2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess
49 an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section
50 302.020, when the director issues such operator a license or permit pursuant to the provisions
51 of sections 302.010 to 302.340.
- 52 3. An additional two points shall be assessed when personal injury or property damage
53 results from any violation listed in subsection 1 of this section and if found to be warranted and
54 certified by the reporting court.
- 55 4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this
56 section constitutes both a violation of a state law and a violation of a county or municipal
57 ordinance, points may be assessed for either violation but not for both. Notwithstanding that an
58 offense arising out of the same occurrence could be construed to be a violation of subdivisions
59 (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more
60 than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for
61 offenses arising out of the same occurrence.
- 62 5. The director of revenue shall put into effect a system for staying the assessment of
63 points against an operator. The system shall provide that the satisfactory completion of a
64 driver-improvement program or, in the case of violations committed while operating a

65 motorcycle, a motorcycle-rider training course approved by the director of the department of
66 public safety, by an operator, when so ordered and verified by any court having jurisdiction over
67 any law of this state or county or municipal ordinance, regulating motor vehicles, other than a
68 violation committed in a commercial motor vehicle as defined in section 302.700, shall be
69 accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision
70 (1), (2), or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. For the
71 purposes of this subsection, the driver-improvement program shall meet or exceed the standards
72 of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a
73 violation which occurred during the operation of a motorcycle, the program shall meet the
74 standards established by the director of the department of public safety pursuant to sections
75 302.133 to 302.138. The completion of a driver-improvement program or a motorcycle-rider
76 training course shall not be accepted in lieu of points more than one time in any thirty-six-month
77 period and shall be completed within sixty days of the date of conviction in order to be accepted
78 in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions
79 of this subsection shall, within fifteen days after completion of the driver-improvement program
80 or motorcycle-rider training course by an operator, forward a record of the completion to the
81 director, all other provisions of the law to the contrary notwithstanding. The director shall
82 establish procedures for record keeping and the administration of this subsection.

302.304. 1. The director shall notify by ordinary mail any operator of the point value
2 charged against the operator's record when the record shows four or more points have been
3 accumulated in a twelve-month period.

4 2. In an action to suspend or revoke a license or driving privilege under this section
5 points shall be accumulated on the date of conviction. No case file of any conviction for a
6 driving violation for which points may be assessed pursuant to section 302.302 may be closed
7 until such time as a copy of the record of such conviction is forwarded to the department of
8 revenue.

9 3. The director shall suspend the license and driving privileges of any person whose
10 driving record shows the driver has accumulated eight points in eighteen months.

11 4. The license and driving privilege of any person whose license and driving privilege
12 have been suspended under the provisions of sections 302.010 to 302.540 except those persons
13 whose license and driving privilege have been suspended under the provisions of subdivision (8)
14 of subsection 1 of section 302.302 or has accumulated sufficient points together with a
15 conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of
16 financial responsibility with the department of revenue, in accordance with chapter 303, RSMo,
17 and is otherwise eligible, shall be reinstated as follows:

18 (1) In the case of an initial suspension, thirty days after the effective date of the

19 suspension;

20 (2) In the case of a second suspension, sixty days after the effective date of the
21 suspension;

22 (3) In the case of the third and subsequent suspensions, ninety days after the effective
23 date of the suspension. Unless proof of financial responsibility is filed with the department of
24 revenue, a suspension shall continue in effect for two years from its effective date.

25 5. The period of suspension of the driver's license and driving privilege of any person
26 under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has
27 accumulated sufficient points together with a conviction under subdivision (10) of subsection
28 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving
29 privilege issued by the director of revenue for the limited purpose of driving between a residence
30 and a place of employment, or to and from an alcohol education or treatment program, or for
31 both between a residence and a place of employment and to and from such a program. Upon
32 completion of such period of restricted driving privilege, upon compliance with other
33 requirements of law and upon filing of proof of financial responsibility with the department of
34 revenue, in accordance with chapter 303, RSMo, the license and driving privilege shall be
35 reinstated.

36 6. If the person fails to maintain proof of financial responsibility in accordance with
37 chapter 303, RSMo, the person's driving privilege and license shall be resuspended.

38 7. The director shall revoke the license and driving privilege of any person when the
39 person's driving record shows such person has accumulated twelve points in twelve months or
40 eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation
41 period of any person whose license and driving privilege have been revoked under the provisions
42 of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the
43 department of revenue in accordance with chapter 303, RSMo, and is otherwise eligible, shall
44 be terminated by a notice from the director of revenue after one year from the effective date of
45 the revocation. Unless proof of financial responsibility is filed with the department of revenue,
46 except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for
47 a period of two years from its effective date. If the person fails to maintain proof of financial
48 responsibility in accordance with chapter 303, RSMo, the person's license and driving privilege
49 shall be rerevoked. Any person whose license and driving privilege have been revoked under
50 the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of
51 the revocation from the director, pass the complete driver examination and apply for a new
52 license before again operating a motor vehicle upon the highways of this state.

53 8. If, prior to conviction for an offense that would require suspension or revocation of
54 a person's license under the provisions of this section, the person's total points accumulated are

55 reduced, pursuant to the provisions of section 302.306, below the number of points required for
56 suspension or revocation pursuant to the provisions of this section, then the person's license shall
57 not be suspended or revoked until the necessary points are again obtained and accumulated.

58 9. If any person shall neglect or refuse to surrender the person's license, as provided
59 herein, the director shall direct the state highway patrol or any peace or police officer to secure
60 possession thereof and return it to the director.

61 10. Upon the issuance of a reinstatement or termination notice after a suspension or
62 revocation of any person's license and driving privilege under the provisions of sections 302.010
63 to 302.540, the accumulated point value shall be reduced to four points, except that the points
64 of any person serving as a member of the armed forces of the United States outside the limits of
65 the United States during a period of suspension or revocation shall be reduced to zero upon the
66 date of the reinstatement or termination of notice. It shall be the responsibility of such member
67 of the armed forces to submit copies of official orders to the director of revenue to substantiate
68 such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary
69 notwithstanding, the effective date of the four points remaining on the record upon reinstatement
70 or termination shall be the date of the reinstatement or termination notice.

71 11. No credit toward reduction of points shall be given during periods of suspension or
72 revocation or any period of driving under a hardship driving privilege granted by a court.

73 12. Any person or nonresident whose license or privilege to operate a motor vehicle in
74 this state has been suspended or revoked under this or any other law shall, before having the
75 license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee
76 of twenty dollars **before January 1, 2002; twenty-five dollars between January 1, 2002, and**
77 **December 31, 2002; and thirty dollars after December 31, 2002**, which shall be in addition
78 to all other fees provided by law. **The portion of any fee collected pursuant to this section**
79 **which exceeds twenty-five dollars shall be credited to the transportation user fee fund**
80 **created by section 226.036, RSMo.**

81 13. Notwithstanding any other provision of law to the contrary, if after two years from
82 the effective date of any suspension or revocation issued under this chapter, the person or
83 nonresident has not paid the reinstatement fee of twenty dollars **before January 1, 2002;**
84 **twenty-five dollars between January 1, 2002, and December 31, 2002; or thirty dollars after**
85 **December 31, 2002**, the director shall reinstate such license or privilege to operate a motor
86 vehicle in this state. **The portion of any fee collected pursuant to this section which exceeds**
87 **twenty-five dollars shall be credited to the transportation user fee fund created by section**
88 **226.036, RSMo.**

89 14. No person who has had a license to operate a motor vehicle suspended or revoked
90 as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of

91 subsection 1 of section 302.302 shall have that license reinstated until such person has
92 participated in and successfully completed a substance abuse traffic offender program defined
93 in section 302.010, except the department may waive such requirement upon completion of a
94 comparable program or upon good cause shown or the court may waive such requirement upon
95 good cause shown. The court in making this determination shall consider the person's driving
96 record, the circumstances surrounding the offense and the likelihood of the person committing
97 a like offense in the future. Assignment recommendations, based upon the needs assessment as
98 described in subdivision (21) of section 302.010, shall be delivered in writing to the person with
99 written notice that the person is entitled to have such assignment recommendations reviewed by
100 the court if the person objects to the recommendations. The person may file a motion in the
101 associate division of the circuit court, on a printed form provided by the state courts
102 administrator, to have the court hear and determine such motion pursuant to the provisions of
103 chapter 517, RSMo, after reviewing such assessment. The motion shall name the person or
104 entity making the needs assessment as the respondent and a copy of the motion shall be served
105 upon the respondent in any manner allowed by law. Such assessment and compliance with the
106 court determination of the motion shall satisfy the provisions of this section for the purpose of
107 reinstating such person's license to operate a motor vehicle. The respondent's personal
108 appearance at any hearing conducted pursuant to this subsection shall not be necessary unless
109 directed by the court.

110 15. The fees for the program authorized in subsection 14 of this section, or a portion
111 thereof to be determined by the department of mental health, shall be paid by the person enrolled
112 in the program. Any person who is enrolled in the program shall pay, in addition to any fee
113 charged for the program, a supplemental fee of sixty dollars. The administrator of the program
114 shall remit to the division of alcohol and drug abuse of the department of mental health the
115 supplemental fee for all persons enrolled in the program, less two percent for administrative
116 costs. The supplemental fees received by the department of mental health pursuant to this
117 section shall be deposited in the mental health earnings fund which is created in section 630.053,
118 RSMo.

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309,
2 the director of revenue shall return the license to the operator immediately upon the termination
3 of the period of suspension and upon compliance with the requirements of chapter 303, RSMo.

4 2. Any operator whose license is revoked pursuant to these sections, upon the
5 termination of the period of revocation, shall apply for a new license in the manner prescribed
6 by law.

7 3. (1) All circuit courts or the director of revenue shall have jurisdiction to hear
8 applications and make eligibility determinations granting limited driving privileges. Any

9 application may be made in writing to the director of revenue and the person's reasons for
10 requesting the limited driving privilege shall be made therein.

11 (2) When any court of record having jurisdiction or the director of revenue finds that an
12 operator is required to operate a motor vehicle in connection with any of the following:

13 (a) A business, occupation, or employment;

14 (b) Seeking medical treatment for such operator;

15 (c) Attending school or other institution of higher education;

16 (d) Attending alcohol or drug treatment programs; or

17 (e) Any other circumstance the court or director finds would create an undue hardship
18 on the operator; the court or director may grant such limited driving privilege as the
19 circumstances of the case justify if the court or director finds undue hardship would result to the
20 individual, and while so operating a motor vehicle within the restrictions and limitations of the
21 limited driving privilege the driver shall not be guilty of operating a motor vehicle without a
22 valid license.

23 (3) An operator may make application to the proper court in the county in which such
24 operator resides or in the county in which is located the operator's principal place of business or
25 employment. Any application for a limited driving privilege made to a circuit court shall name
26 the director as a party defendant and shall be served upon the director prior to the grant of any
27 limited privilege, and shall be accompanied by a copy of the applicant's driving record as
28 certified by the director. Any applicant for a limited driving privilege shall have on file with the
29 department of revenue proof of financial responsibility as required by chapter 303, RSMo. Any
30 application by a person who transports persons or property as classified in section 302.015 may
31 be accompanied by proof of financial responsibility as required by chapter 303, RSMo, but if
32 proof of financial responsibility does not accompany the application, or if the applicant does not
33 have on file with the department of revenue proof of financial responsibility, the court or the
34 director has discretion to grant the limited driving privilege to the person solely for the purpose
35 of operating a vehicle whose owner has complied with chapter 303, RSMo, for that vehicle, and
36 the limited driving privilege must state such restriction. When operating such vehicle under such
37 restriction the person shall carry proof that the owner has complied with chapter 303, RSMo, for
38 that vehicle.

39 (4) The court order or the director's grant of the limited driving privilege shall indicate
40 the termination date of the privilege, which shall be not later than the end of the period of
41 suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the
42 director, and a copy shall be given to the driver which shall be carried by the driver whenever
43 such driver operates a motor vehicle. The director of revenue upon granting a limited driving
44 privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall

45 carry a copy of the limited driving privilege while operating a motor vehicle. A conviction
46 which results in the assessment of points pursuant to section 302.302, other than a violation of
47 a municipal stop sign ordinance where no accident is involved, against a driver who is operating
48 a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points
49 are assessed to the person's driving record. If the date of arrest is prior to the issuance of the
50 limited driving privilege, the privilege shall not be terminated. The director shall notify by
51 ordinary mail the driver whose privilege is so terminated.

52 (5) Except as provided in subdivision (6) of this subsection, no person is eligible to
53 receive a limited driving privilege who at the time of application for a limited driving privilege
54 has previously been granted such a privilege within the immediately preceding five years, or
55 whose license has been suspended or revoked for the following reasons:

56 (a) A conviction of violating the provisions of section 577.010 or 577.012, RSMo, or any
57 similar provision of any federal or state law, or a municipal or county law where the judge in
58 such case was an attorney and the defendant was represented by or waived the right to an
59 attorney in writing, until the person has completed the first thirty days of a suspension or
60 revocation imposed pursuant to this chapter;

61 (b) A conviction of any felony in the commission of which a motor vehicle was used;

62 (c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5),
63 (6), (7), (8), (9), (10) [or], (11) **or (12)** of section 302.060;

64 (d) Because of operating a motor vehicle under the influence of narcotic drugs, a
65 controlled substance as defined in chapter 195, RSMo, or having left the scene of an accident as
66 provided in section 577.060, RSMo;

67 (e) Due to a revocation for the first time for failure to submit to a chemical test pursuant
68 to section 577.041, RSMo, or due to a refusal to submit to a chemical test in any other state, if
69 such person has not completed the first ninety days of such revocation;

70 (f) Violation more than once of the provisions of section 577.041, RSMo, or a similar
71 implied consent law of any other state;

72 (g) Disqualification of a commercial driver's license pursuant to sections 302.700 to
73 302.780, however, nothing in this subsection shall prevent a person holding a commercial
74 driver's license who is suspended or revoked as a result of an action occurring while not driving
75 a commercial motor vehicle or driving for pay, but while driving in an individual capacity as an
76 operator of a personal vehicle from applying for a limited driving privilege to operate a
77 commercial vehicle, if otherwise eligible for such limited privilege; or

78 (h) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not
79 completed the first thirty days of such suspension, provided the person is not otherwise ineligible
80 for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525

81 if such person has not completed such revocation.

82 (6) (a) Provided that pursuant to the provisions of this section, the applicant is not
83 otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the
84 manner prescribed in this subsection, allow a person who has had such person's license to operate
85 a motor vehicle revoked where that person cannot obtain a new license for a period of ten years,
86 as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege
87 pursuant to this subsection if such person has served at least three years of such disqualification
88 or revocation. Such person shall present evidence satisfactory to the court or the director that
89 such person has not been convicted of any offense related to alcohol, controlled substances or
90 drugs during the preceding three years and that the person's habits and conduct show that the
91 person no longer poses a threat to the public safety of this state.

92 (b) Provided that pursuant to the provisions of this section, the applicant is not otherwise
93 ineligible for a limited driving privilege or convicted of involuntary manslaughter while
94 operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the
95 manner prescribed in this subsection, allow a person who has had such person's license to operate
96 a motor vehicle revoked where that person cannot obtain a new license for a period of five years
97 because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of
98 section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person
99 has served at least two years of such disqualification or revocation. Such person shall present
100 evidence satisfactory to the court or the director that such person has not been convicted of any
101 offense related to alcohol, controlled substances or drugs during the preceding two years and that
102 the person's habits and conduct show that the person no longer poses a threat to the public safety
103 of this state. Any person who is denied a license permanently in this state because of an
104 alcohol-related conviction subsequent to a restoration of such person's driving privileges
105 pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege
106 pursuant to the provisions of this subdivision.

107 4. Any person who has received notice of denial of a request of limited driving privilege
108 by the director of revenue may make a request for a review of the director's determination in the
109 circuit court of the county in which the person resides or the county in which is located the
110 person's principal place of business or employment within thirty days of the date of mailing of
111 the notice of denial. Such review shall be based upon the records of the department of revenue
112 and other competent evidence and shall be limited to a review of whether the applicant was
113 statutorily entitled to the limited driving privilege.

114 5. The director of revenue shall promulgate rules and regulations necessary to carry out
115 the provisions of this section.

302.505. 1. The department shall suspend or revoke the license of any person upon its

2 determination that the person was arrested upon probable cause to believe such person was
3 driving a motor vehicle while the alcohol concentration in the person's blood, breath, or urine
4 was [ten-hundredths] **eight-hundredths** of one percent or more by weight, based on the
5 definition of alcohol concentration in section 302.500, or where such person was less than
6 twenty-one years of age when stopped and was stopped upon probable cause to believe such
7 person was driving while intoxicated in violation of section 577.010, RSMo, or driving with
8 excessive blood alcohol content in violation of section 577.012, RSMo, or upon probable cause
9 to believe such person violated a state, county or municipal traffic offense and such person was
10 driving with a blood alcohol content of two-hundredths of one percent or more by weight.

11 2. The department shall make a determination of these facts on the basis of the report of
12 a law enforcement officer required in section 302.510, and this determination shall be final
13 unless a hearing is requested and held. If a hearing is held, the department shall review the
14 matter and make a final determination on the basis of evidence received at the hearing.

15 3. The determination of these facts by the department is independent of the determination
16 of the same or similar facts in the adjudication of any criminal charges arising out of the same
17 occurrence. The disposition of those criminal charges shall not affect any suspension or
18 revocation under this section.

302.510. 1. Except as provided in subsection 3 of this section, a law enforcement officer
2 who arrests any person for a violation of any state statute related to driving while intoxicated or
3 for a violation of a county or municipal ordinance prohibiting driving while intoxicated or a
4 county or municipal alcohol related traffic offense, and in which the alcohol concentration in the
5 person's blood, breath, or urine was [ten-hundredths] **eight-hundredths** of one percent or more
6 by weight or two-hundredths of one percent or more by weight for anyone less than twenty-one
7 years of age, shall forward to the department a verified report of all information relevant to the
8 enforcement action, including information which adequately identifies the arrested person, a
9 statement of the officer's grounds for belief that the person violated any state statute related to
10 driving while intoxicated or was less than twenty-one years of age and was driving with
11 two-hundredths of one percent or more by weight of alcohol in the person's blood, or a county
12 or municipal ordinance prohibiting driving while intoxicated or a county or municipal alcohol
13 related traffic offense, a report of the results of any chemical tests which were conducted, and
14 a copy of the citation and complaint filed with the court.

15 2. The report required by this section shall be made on forms supplied by the department
16 or in a manner specified by regulations of the department.

17 3. A county or municipal ordinance prohibiting driving while intoxicated or a county or
18 municipal alcohol related traffic offense may not be the basis for suspension or revocation of a
19 driver's license pursuant to sections 302.500 to 302.540, unless the arresting law enforcement

20 officer, other than an elected peace officer or official, has been certified by the director of the
21 department of public safety pursuant to the provisions of sections 590.100 to 590.180, RSMo.

302.520. 1. Whenever the chemical test results are available to the law enforcement
2 officer while the arrested person is still in custody, and where the results show an alcohol
3 concentration of [ten-hundredths] **eight-hundredths** of one percent or more by weight of alcohol
4 in such person's blood or where such person is less than twenty-one years of age and the results
5 show that there is two-hundredths of one percent or more of alcohol in the person's blood, the
6 officer, acting on behalf of the department, shall serve the notice of suspension or revocation
7 personally on the arrested person.

8 2. When the law enforcement officer serves the notice of suspension or revocation, the
9 officer shall take possession of any driver's license issued by this state which is held by the
10 person. When the officer takes possession of a valid driver's license issued by this state, the
11 officer, acting on behalf of the department, shall issue a temporary permit which is valid for
12 fifteen days after its date of issuance and shall also give the person arrested a notice which shall
13 inform the person of all rights and responsibilities pursuant to sections 302.500 to 302.540. The
14 notice shall be in such form so that the arrested person may sign the original as evidence of
15 receipt thereof. The notice shall also contain a detachable form permitting the arrested person
16 to request a hearing. Signing the hearing request form and mailing such request to the
17 department shall constitute a formal application for a hearing.

18 3. A copy of the completed notice of suspension or revocation form, a copy of any
19 completed temporary permit form, a copy of the notice of rights and responsibilities given to the
20 arrested person, including any request for hearing, and any driver's license taken into possession
21 pursuant to this section shall be forwarded to the department by the officer along with the report
22 required in section 302.510.

23 4. The department shall provide forms for notice of suspension or revocation, for notice
24 of rights and responsibilities, for request for a hearing and for temporary permits to law
25 enforcement agencies.

302.541. 1. In addition to other fees required by law, any person who has had a license
2 to operate a motor vehicle suspended or revoked following a determination, pursuant to section
3 302.505, or section 577.010, 577.012, 577.041 or 577.510, RSMo, or any county or municipal
4 ordinance, where the judge in such case was an attorney and the defendant was represented by
5 or waived the right to an attorney, that such person was driving while intoxicated or with a blood
6 alcohol content of [ten-hundredths] **eight-hundredths** of one percent or more by weight or,
7 where such person was at the time of the arrest less than twenty-one years of age and was driving
8 with a blood alcohol content of two-hundredths of one percent or more by weight, shall pay an
9 additional fee of twenty-five dollars **before January 1, 2002; thirty-one dollars and twenty-**

10 **five cents between January 1, 2002, and December 31, 2002; and thirty-seven dollars and**
11 **fifty cents after December 31, 2002,** prior to the reinstatement or reissuance of the license, **the**
12 **portion of such fee which exceeds twenty-five dollars to be credited to the transportation**
13 **user fee fund created by section 226.036, RSMo.**

14 2. Any person less than twenty-one years of age whose driving privilege has been
15 suspended or revoked solely for a first determination pursuant to sections 302.500 to 302.540
16 that such person was driving a motor vehicle with two-hundredths of one percent or more blood
17 alcohol content is exempt from filing proof of financial responsibility with the department of
18 revenue in accordance with chapter 303, RSMo, as a prerequisite for reinstatement of driving
19 privileges or obtaining a restricted driving privilege as provided by section 302.525.

302.720. 1. Except when operating under an instruction permit as described in this
2 section, no person may drive a commercial motor vehicle unless the person has been issued a
3 commercial driver's license with applicable endorsements valid for the type of vehicle being
4 operated as specified in sections 302.700 to 302.780. A commercial driver's instruction permit
5 shall allow the holder of a valid license to operate a commercial motor vehicle when
6 accompanied by the holder of a commercial driver's license valid for the vehicle being operated
7 and who occupies a seat beside the individual, or reasonably near the individual in the case of
8 buses, for the purpose of giving instruction in driving the commercial motor vehicle. A
9 commercial driver's instruction permit shall be valid for the vehicle being operated for a period
10 of not more than six months, and shall not be issued until the permit holder has met all other
11 requirements of sections 302.700 to 302.780, except for the driving test. A permit holder, unless
12 otherwise disqualified, may be granted one six-month renewal within a one-year period. The fee
13 for such permit or renewal shall be five dollars **before January 1, 2002; six dollars and**
14 **twenty-five cents between January 1, 2002, and December 31, 2002; and seven dollars and**
15 **fifty cents after December 31, 2002.** In the alternative, a commercial driver's instruction permit
16 shall be issued for a thirty-day period to allow the holder of a valid driver's license to operate a
17 commercial motor vehicle if the applicant has completed all other requirements except the
18 driving test. The permit may be renewed for one additional thirty-day period and the fee for the
19 permit and for renewal shall be five dollars **before January 1, 2002; six dollars and twenty-**
20 **five cents between January 1, 2002, and December 31, 2002; and seven dollars and fifty**
21 **cents after December 31, 2002.**

22 2. No person may be issued a commercial driver's license until he has passed written and
23 driving tests for the operation of a commercial motor vehicle which complies with the minimum
24 federal standards established by the secretary and has satisfied all other requirements of the
25 Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570), as well as any
26 other requirements imposed by state law. Nothing contained in this subsection shall be construed

27 as prohibiting the director from establishing alternate testing formats for those who are
28 functionally illiterate; provided, however, that any such alternate test must comply with the
29 minimum requirements of the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub.
30 Law 99-570) as established by the secretary.

31 (1) The written and driving tests shall be held at such times and in such places as the
32 director may designate. A five-dollar examination fee shall be paid by the applicant upon
33 completion of any written or driving test **before January 1, 2002; the fee thereafter shall be**
34 **six dollars and twenty-five cents between January 1, 2002, and December 31, 2002; and**
35 **seven dollars and fifty cents after December 31, 2002.** The director shall delegate the power
36 to conduct the examinations required under sections 302.700 to 302.780 to any member of the
37 highway patrol or any person employed by the highway patrol qualified to give driving
38 examinations.

39 (2) The director shall adopt and promulgate rules and regulations governing the
40 certification of third-party testers by the department of revenue. Such rules and regulations shall
41 substantially comply with the requirements of 49 CFR Part 383, Section 383.75. A certification
42 to conduct third-party testing shall be valid for one year, and the department shall charge a fee
43 of one hundred dollars to issue or renew the certification of any third-party tester. Any
44 third-party tester who violates any of the rules and regulations adopted and promulgated pursuant
45 to this section shall be subject to having his certification revoked by the department. The
46 department shall provide written notice and an opportunity for the third-party tester to be heard
47 in substantially the same manner as provided in chapter 536, RSMo. If any applicant submits
48 evidence that he has successfully completed a test administered by a third-party tester, the actual
49 driving test for a commercial driver's license may then be waived.

50 (3) Every applicant for renewal of a commercial driver's license shall provide such
51 certifications and information as required by the secretary and if such person transports a
52 hazardous material, such person shall be required to take the written test for such endorsement.
53 A five-dollar examination fee shall be paid for each test taken **before January 1, 2002;**
54 **thereafter, the fee shall be six dollars and twenty-five cents between January 1, 2002, and**
55 **December 31, 2002; and seven dollars and fifty cents after December 31, 2002.**

56 3. The director may waive the driving test for a commercial driver's license if such
57 applicant provides the certifications required by regulations established by the secretary as a
58 substitute for the driving test and holds a valid license.

59 4. The certifications may include, but not be limited to, stating that during the two-year
60 period immediately prior to applying for a commercial driver's license the applicant:

61 (1) Has not had more than one license;

62 (2) Has not had any license suspended, revoked, canceled or disqualified;

63 (3) Has not had a conviction in any type of motor vehicle for driving while intoxicated,
64 driving while under the influence of alcohol or controlled substance, leaving the scene of an
65 accident or felony involving the use of a commercial motor vehicle;

66 (4) Has not violated any state law or county or municipal ordinance relating to the
67 operation of a motor vehicle in connection with an accident; and

68 (5) Has no record of an accident in which such applicant was at fault.

69 5. In order to be valid as a certification exempting the applicant from the driving test, the
70 applicant shall also provide evidence and certify that:

71 (1) He is regularly employed in a job requiring him to drive a commercial motor vehicle;
72 and

73 (2) He has previously taken and passed a driving test given by a state with a classified
74 licensing and testing system, and that the test was behind the wheel in a representative vehicle
75 for that applicant's license classification; or

76 (3) He has operated, for at least two years immediately preceding application for a
77 commercial driver's license, a vehicle representative of the commercial motor vehicle the
78 applicant drives or expects to drive.

79 6. A commercial driver's license may not be issued to a person while the person is
80 disqualified from driving a commercial motor vehicle, when a disqualification is pending in any
81 state or while the person's driver's license is suspended, revoked, or canceled in any state; nor
82 may a commercial driver's license be issued unless the person first surrenders in a manner
83 prescribed by the director any commercial driver's license issued by another state, which license
84 shall be returned to the issuing state for cancellation.

85 **7. The portion of any fee collected pursuant to this section which exceeds five**
86 **dollars shall be credited to the transportation user fee fund created by section 226.036,**
87 **RSMo.**

302.735. 1. The application for a commercial driver's license shall include, but not be
2 limited to, the legal name, mailing and residence address, if different, a physical description of
3 the person, including sex, height, weight and eye color, the person's Social Security number, date
4 of birth and any other information deemed appropriate by the director.

5 2. The application for a commercial driver's license or renewal shall be accompanied by
6 the payment of a fee of forty dollars **before January 1, 2002; fifty dollars between January**
7 **1, 2002, and December 31, 2002; and sixty dollars after December 31, 2002.** The fee for a
8 duplicate commercial driver's license shall be twenty dollars **before January 1, 2002; twenty-**
9 **five dollars between January 1, 2002, and December 31, 2002; and thirty dollars after**
10 **December 31, 2002.** A commercial driver's license shall expire on the applicant's birthday in
11 the sixth year after issuance and must be renewed on or before the date of expiration. The

12 director shall have the authority to stagger the issuance or renewal of commercial driver's license
13 applicants over a six-year period. When a person changes such person's name, mailing or
14 residence address, such person shall notify the director. To all applicants for a commercial
15 license or renewal who are between eighteen and twenty-one years of age, the application shall
16 be accompanied by a fee of twenty dollars. A commercial license issued pursuant to an applicant
17 less than twenty-one years of age shall expire on the applicant's birthday the third year after
18 issuance.

19 **3. The portion of any fee collected pursuant to this section which exceeds the**
20 **amount of the fee which would have been collected pursuant to this section before January**
21 **1, 2002, shall be credited to the transportation user fee fund created by section 226.036,**
22 **RSMo.**

23 **4.** Within thirty days after moving to this state, the holder of a commercial driver's
24 license shall apply for a commercial driver's license in this state. The applicant shall meet all
25 other requirements of sections 302.700 to 302.780, except that the director may waive the driving
26 test for a commercial driver's license as required in section 302.720 if the applicant for a
27 commercial driver's license has a valid commercial driver's license from a state which has
28 requirements for issuance of such license comparable to those in this state.

29 **[4.] 5.** Any person who falsifies any information in an application or test for a
30 commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the
31 person's commercial driver's license shall be canceled, for a period of one year after the director
32 discovers such falsification.

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

3 (1) "Abandoned property", any unattended motor vehicle, trailer, all-terrain vehicle,
4 outboard motor or vessel removed or subject to removal from public or private property as
5 provided in sections 304.155 and 304.157, whether or not operational;

6 (2) "Commercial vehicle enforcement officers", employees of the Missouri state highway
7 patrol who are not members of the patrol but who are appointed by the superintendent of the
8 highway patrol to enforce the laws, rules, and regulations pertaining to commercial vehicles,
9 trailers, special mobile equipment and drivers of such vehicles;

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

14 (4) "Commission", the state highways and transportation commission;

15 (5) "Department", the state [highways and] transportation department;

16 **(6) "Emergency vehicles", vehicles of the type defined in section 304.022;**

17 [(6)] (7) "Freeway", a divided state highway with four or more lanes, with no access to
18 the throughways except the established interchanges and with no at-grade crossings;

19 **(8) "High occupancy vehicle lane", a lane or lanes designated by the commission**
20 **on a state highway where vehicle usage is limited to vehicles occupied by a minimum**
21 **number of persons;**

22 [(7)] (9) "Interstate highway", a state highway included in the national system of
23 interstate highways located within the boundaries of Missouri, as officially designated or as may
24 be hereafter designated by the state highways and transportation commission with the approval
25 of the Secretary of Transportation, pursuant to Title 23, U.S.C., as amended;

26 [(8)] (10) "Members of the patrol", the superintendent, lieutenant colonel, majors,
27 captains, director of radio, lieutenants, sergeants, corporals and patrolmen of the Missouri state
28 highway patrol;

29 **(11) "Official traffic control devices", all signs, signals, markings and devices**
30 **placed or erected by the department for the purposes of regulating, warning or guiding**
31 **traffic;**

32 [(9)] (12) "Off-road vehicle", any vehicle designed for or capable of cross-country travel
33 on or immediately over land, water, ice, snow, marsh, swampland, or other natural terrain
34 without benefit of a road or trail:

35 (a) Including, without limitation, the following:

- 36 a. Jeeps;
37 b. All-terrain vehicles;
38 c. Dune buggies;
39 d. Multiwheel drive or low-pressure tire vehicles;
40 e. Vehicle using an endless belt, or tread or treads, or a combination of tread and
41 low-pressure tires;
42 f. Motorcycles, trail bikes, minibikes and related vehicles;
43 g. Any other means of transportation deriving power from any source other than muscle
44 or wind; and

45 (b) Excluding the following:

- 46 a. Registered motorboats;
47 b. Aircraft;
48 c. Any military, fire or law enforcement vehicle;
49 d. Farm-type tractors and other self-propelled equipment for harvesting and transporting
50 farm or forest products;
51 e. Any vehicle being used for farm purposes, earth moving, or construction while being

52 used for such purposes on the work site;

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

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

56 [(10)] (13) "Person", any natural person, corporation, or other legal entity;

57 [(11)] (14) "Right-of-way", the entire width of land between the boundary lines of a state
58 highway, including any roadway;

59 [(12)] (15) "Roadway", that portion of a state highway ordinarily used for vehicular
60 travel, exclusive of the berm or shoulder;

61 [(13)] (16) "State highway", a highway constructed or maintained by the state highways
62 and transportation commission with the aid of state funds or United States government funds,
63 or any highway included by authority of law in the state highway system, including all
64 right-of-way;

65 [(14)] (17) "Towing company", any person or entity which tows, removes or stores
66 abandoned property;

67 [(15)] (18) "Urbanized area", an area with a population of fifty thousand or more
68 designated by the Bureau of the Census, within boundaries to be fixed by the state highways and
69 transportation commission and local officials in cooperation with each other and approved by
70 the Secretary of Transportation. The boundary of an urbanized area shall, at a minimum,
71 encompass the entire urbanized area as designed by the Bureau of the Census.

**304.676. 1. Except as provided in subsection 2 of this section, the commission may
2 designate one or more lanes of any state highway, including one or more lanes of an
3 entrance or exit ramp, as a high-occupancy vehicle lane. The occupancy level of vehicles
4 required for use of a high-occupancy vehicle lane and the time of day when lane usage is
5 restricted to high-occupancy vehicles, if applicable, may be designated by the commission
6 and shall be indicated by official traffic control devices.**

**7 2. The designation of any lane of any state highway as a high-occupancy vehicle
8 lane shall not apply to the use of any such lane by emergency vehicles responding to an
9 emergency, law enforcement vehicles, or motorist-assist vehicles and maintenance vehicles
10 of the commission or department.**

**11 3. Any person who operates a vehicle in a high-occupancy vehicle lane in violation
12 of restrictions imposed by the commission pursuant to this section is guilty of a
13 misdemeanor and, upon conviction thereof, shall be punished as provided in section
14 304.570.**

**15 4. The highway patrol, and every other peace officer of this state or any political
16 subdivision thereof, shall have the authority to enforce high-occupancy vehicle lane**

17 **restrictions.**

306.112. 1. A person commits the crime of operating a vessel with excessive blood
2 alcohol content if [he] **such person** operates a vessel on the Mississippi River, Missouri River
3 or the lakes of this state with [ten-hundredths] **eight-hundredths** of one percent or more by
4 weight of alcohol in [his] **said person's** blood.

5 2. As used in this section, percent by weight of alcohol in the blood shall be based upon
6 grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis
7 of the person's blood, breath, or saliva.

8 3. Any person convicted of operating a vessel with excessive blood alcohol content is
9 guilty of a class B misdemeanor upon conviction for the first violation, guilty of a class A
10 misdemeanor upon conviction for the second violation, and guilty of a class D felony for
11 conviction for the third and subsequent violations.

306.117. 1. Upon the trial of any person for violation of any of the provisions of section
2 306.111 or 306.112 the amount of alcohol or drugs in the person's blood at the time of the act
3 alleged as shown by any chemical analysis of the person's blood, breath, or saliva is admissible
4 in evidence and the provisions of subdivision (5) of section 491.060, RSMo, shall not prevent
5 the admissibility or introduction of such evidence if otherwise admissible. Evidence of alcohol
6 in a person's blood shall be given the following effect:

7 (1) If there was five-hundredths of one percent or less by weight of alcohol in [his] **the**
8 **person's** blood, it shall be presumed that the person was not intoxicated at the time the specimen
9 was obtained;

10 (2) If there was in excess of five-hundredths of one percent but less than
11 [ten-hundredths] **eight-hundredths** of one percent by weight of alcohol in [his] **the person's**
12 blood, the fact shall not give rise to any presumption that the person was or was not intoxicated,
13 but the fact may be considered with other competent evidence in determining whether the person
14 was intoxicated;

15 (3) If there was [ten-hundredths] **eight-hundredths** of one percent or more by weight
16 of alcohol in the person's blood, this shall be prima facie evidence that the person was
17 intoxicated at the time the specimen was taken.

18 2. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per
19 one hundred milliliters of blood.

20 3. A chemical analysis of a person's breath, blood, or saliva, in order to give rise to the
21 presumption or to have the effect provided for in subsection 1 of this section, shall have been
22 performed as provided in sections 306.111 to 306.119 and in accordance with methods and
23 standards approved by the department of health.

24 4. The provisions of this section shall not be construed as limiting the introduction of

25 any other competent evidence bearing upon the question whether the person was intoxicated or
26 under the influence of a controlled substance, or drug, or a combination of either or both with
27 or without alcohol.

577.012. 1. A person commits the crime of "driving with excessive blood alcohol
2 content" if such person operates a motor vehicle in this state with [ten-hundredths] **eight-**
3 **hundredths** of one percent or more by weight of alcohol in such person's blood.

4 2. As used in this section, percent by weight of alcohol in the blood shall be based upon
5 grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may
6 be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes
7 of determining the alcoholic content of a person's blood under this section, the test shall be
8 conducted in accordance with the provisions of sections 577.020 to 577.041.

9 3. For the first offense, driving with excessive blood alcohol content is a class [C] **B**
10 misdemeanor.

577.037. 1. Upon the trial of any person for violation of any of the provisions of section
2 565.024, RSMo, or section 565.060, RSMo, or section 577.010 or 577.012, or upon the trial of
3 any criminal action or violations of county or municipal ordinances or in any license suspension
4 or revocation proceeding pursuant to the provisions of chapter 302, RSMo, arising out of acts
5 alleged to have been committed by any person while driving a motor vehicle while in an
6 intoxicated condition, the amount of alcohol in the person's blood at the time of the act alleged
7 as shown by any chemical analysis of the person's blood, breath, saliva or urine is admissible in
8 evidence and the provisions of subdivision (5) of section 491.060, RSMo, shall not prevent the
9 admissibility or introduction of such evidence if otherwise admissible. If there was
10 [ten-hundredths] **eight-hundredths** of one percent or more by weight of alcohol in the person's
11 blood, this shall be prima facie evidence that the person was intoxicated at the time the specimen
12 was taken.

13 2. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per
14 one hundred milliliters of blood or grams of alcohol per two hundred ten liters of breath.

15 3. The foregoing provisions of this section shall not be construed as limiting the
16 introduction of any other competent evidence bearing upon the question whether the person was
17 intoxicated.

18 4. A chemical analysis of a person's breath, blood, saliva or urine, in order to give rise
19 to the presumption or to have the effect provided for in subsection 1 of this section, shall have
20 been performed as provided in sections 577.020 to 577.041 and in accordance with methods and
21 standards approved by the state department of health.

22 5. Any charge alleging a violation of section 577.010 or 577.012 or any county or
23 municipal ordinance prohibiting driving while intoxicated or driving under the influence of

24 alcohol shall be dismissed with prejudice if a chemical analysis of the defendant's breath, blood,
25 saliva, or urine performed in accordance with sections 577.020 to 577.041 and rules promulgated
26 thereunder by the state department of health demonstrate that there was less than
27 [ten-hundredths] **eight-hundredths** of one percent of alcohol in the defendant's blood unless one
28 or more of the following considerations cause the court to find a dismissal unwarranted:

29 (1) There is evidence that the chemical analysis is unreliable as evidence of the
30 defendant's intoxication at the time of the alleged violation due to the lapse of time between the
31 alleged violation and the obtaining of the specimen;

32 (2) There is evidence that the defendant was under the influence of a controlled
33 substance, or drug, or a combination of either or both with or without alcohol; or

34 (3) There is substantial evidence of intoxication from physical observations of witnesses
35 or admissions of the defendant.

Section B. This act is hereby submitted to the qualified voters of this state for approval
2 or rejection at an election which is hereby ordered and which shall be held and conducted on the
3 Tuesday immediately following the first Monday in November, 2001, or at a special election to
4 be called by the governor for that purpose, pursuant to the laws and constitutional provisions of
5 this state applicable to general elections and the submission of referendum measures by initiative
6 petition, and it shall become effective when approved by a majority of the votes cast thereon at
7 such election and not otherwise.