

SECOND REGULAR SESSION

HOUSE BILL NO. 1584

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES KREIDER AND KOLLER (Co-sponsors).

Read 1st time January 22, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4159L.02I

AN ACT

To repeal sections 142.803, 144.440, 144.700, 144.805, 166.131, 166.300, 226.200, 227.100, 301.057, 301.058, 301.059, 301.061, 301.063, 301.065, 301.067, and 301.069, RSMo, and to enact in lieu thereof thirty-seven new sections relating to funding for certain public infrastructure, with a referendum clause.

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

Section A. Sections 142.803, 144.440, 144.700, 144.805, 166.131, 166.300, 226.200, 227.100, 301.057, 301.058, 301.059, 301.061, 301.063, 301.065, 301.067, and 301.069, RSMo, are repealed and thirty-seven new sections enacted in lieu thereof, to be known as sections 43.275, 136.045, 142.803, 142.804, 142.805, 144.022, 144.024, 144.440, 144.700, 144.805, 166.131, 166.300, 166.301, 166.305, 166.308, 166.311, 166.314, 166.317, 166.321, 166.324, 226.200, 226.1000, 226.1005, 226.1010, 227.025, 227.100, 227.107, 301.057, 301.058, 301.059, 301.061, 301.063, 301.065, 301.067, 301.069, 622.017, and 1, to read as follows:

43.275. There is hereby created in the state treasury the "State Highway Patrol Fund". Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the state highway patrol fund shall not revert to the general revenue fund. All interest received on the state highway patrol fund shall be credited to the fund. Moneys in the fund are to be used for the purpose of administering and enforcing state motor vehicle laws or traffic regulations.

136.045. There is hereby created in the state treasury the "Department of Revenue Fund". Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the department of revenue fund shall not revert to the general revenue fund. All interest

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

4 received on the department of revenue fund shall be credited to the fund. Moneys in the
5 fund are to be used for the purpose of collection of all state revenue derived from highway
6 users as an incident to their use or right to use the highways of the state.

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,] **Upon the**
4 **effective date of the motor fuel tax levied and imposed pursuant to section 142.804 and**
5 **142.805**, the tax rate **pursuant to this section** shall become eleven cents per gallon;

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

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

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

142.804. 1. In addition to the tax levied and imposed pursuant to subdivision (1)
2 **of subsection 1 of section 142.803, an additional tax of six cents per gallon is hereby levied**
3 **and imposed on motor fuel.**

4 **2. The additional tax is imposed upon the ultimate consumer, but is to be**
5 **precollected as described in this chapter, for the facility and convenience of the consumer.**
6 **The levy and assessment on other persons as specified in this chapter shall be as agents of**
7 **this state for the precollection of the tax.**

142.805. 1. In addition to the tax levied and imposed pursuant to subdivision (1)
2 **of subsection 1 of section 142.803 and subsection 1 of section 142.804, an additional tax of**
3 **three cents per gallon is hereby levied and imposed on motor fuel.**

4 **2. The additional tax is imposed upon the ultimate consumer, but is to be**
5 **precollected as described in this chapter, for the facility and convenience of the consumer.**
6 **The levy and assessment on other persons as specified in this chapter shall be as agents of**
7 **this state for the precollection of the tax.**

144.022. In addition to the tax levied and imposed pursuant to subdivisions (1), (2), (3), (4), (5), (6), (7) and (8) of subsection 1 of section 144.020, an additional tax of three fourths of one percent is hereby levied and imposed on tangible personal property and services as enumerated in section 144.020 to be used exclusively for the purposes contained within this act.

144.024. In addition to the tax levied and imposed pursuant to subdivisions (1) to (8) of subsection 1 of section 144.020 and section 144.022, an additional tax of one-quarter of one percent is hereby levied and imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The revenue derived from the additional one-quarter of one percent rate imposed pursuant to this section shall be deposited into the school building property tax relief fund established in section 166.300, RSMo, and used exclusively for capital improvements for public schools.

144.440. 1. In addition to all other taxes now or hereafter levied and imposed upon every person for the privilege of using the highways or waterways of this state, there is hereby levied and imposed a tax equivalent to four **and three-fourths** percent of the purchase price, as defined in section 144.070, which is paid or charged on new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri.

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

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

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

5. The owner of any motor vehicle, trailer, boat, or outboard motor which is to be used 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] **the 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.

144.700. 1. All revenue received by the director of revenue from the tax imposed by
2 sections 144.010 to 144.430 and 144.600 to 144.745, **including any payments of taxes made**
3 **under protest, shall be deposited in the state general revenue fund** except [that] **for: (1) the**
4 **revenue derived from the rate of one cent on the dollar of the tax which shall be held and**
5 **distributed in the manner provided in sections 144.701 and 163.031, RSMo, [shall be deposited**
6 **in the state general revenue fund, including any payments of the taxes made under protest] (2)**
7 **the revenue derived from the rate of one-fourth of one percent of the tax which shall be**
8 **held and distributed in the manner prescribed in section 226.1010, RSMo; (3) nine million,**
9 **six hundred thousand dollars per month that shall be deposited, held and used in the**
10 **manner prescribed in section 43.275, RSMo; (4) four million, fifty thousand dollars per**
11 **month that shall be deposited, held and used in the manner prescribed in section 136.045,**
12 **RSMo; (5) two hundred, fifty-one thousand dollars per month that shall be deposited, held**
13 **and used in the manner prescribed in section 622.017, RSMo; and (6) all of the revenue**
14 **derived from the tax imposed by sections 144.010 to 144.430 on all motor vehicles, trailers,**
15 **motorcycles, mopeds and motortricycles which shall be held and distributed in the manner**
16 **provided by section 226.1000, RSMo.**

17 2. The director of revenue shall keep accurate records of any payment of the tax made
18 under protest. In the event any payment shall be made under protest:

19 (1) A protest affidavit shall be submitted to the director of revenue within thirty days
20 after the payment is made; and

21 (2) An appeal shall be taken in the manner provided in section 144.261 from any
22 decision of the director of revenue disallowing the making of the payment under protest or an
23 application shall be filed by a protesting taxpayer with the director of revenue for a stay of the
24 period for appeal on the ground that a case is presently pending in the courts involving the same

25 question, with an agreement by the taxpayer to be bound by the final decision in the pending
26 case.

27 3. Nothing in this section shall be construed to apply to any refund to which the taxpayer
28 would be entitled under any applicable provision of law.

29 4. All payments deposited in the state general revenue fund that are made under protest
30 shall be retained in the state treasury if the taxpayer does not prevail. If the taxpayer prevails,
31 then taxes paid under protest shall be refunded to the taxpayer, with all interest income derived
32 therefrom, from funds appropriated by the general assembly for such purpose.

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,
31 the amount of such state sales and use tax revenues deposited to the credit of such aviation trust
32 fund 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].

166.131. The county commission in each county shall administer the county school fund
2 of the county. In each county wherein the annual distribution of the liquidated capital of the
3 county school fund has not been ordered by the voters pursuant to sections 166.151 to 166.161,
4 the proceeds of the fund shall be invested by the county commission in registered bonds of the
5 United States, or in bonds of the state or in approved bonds of any city or school district thereof,
6 or in bonds or other securities the payment of which is fully guaranteed by the United States
7 government and shall be preserved as a county school fund. Annually, on or before September
8 thirtieth, in each county of the state all interest accruing from the investment of the capital of the
9 county school fund, if any, the clear proceeds of all penalties and fines collected for any breach
10 of the penal laws of the state, the net proceeds from the sale of estrays, and all other money
11 lawfully coming into the fund, shall be collected and distributed to the school districts of the
12 county by the county clerk in the same proportion that the September membership of a school
13 district, determined as provided in (1) of subdivision [(8)] **(12)** of section 163.011, RSMo, bears
14 to the sum of the September membership of all the districts in the county. He shall immediately
15 after making the apportionments enter them in a book to be kept for that purpose, and shall
16 furnish each district clerk a copy of the apportionment. The county treasurer shall pay over to
17 the treasurer of the school board of every district in the county the amount due each respective
18 district. The clear proceeds of all forfeitures collected for any breach of the penal laws of the
19 state distributed for education shall be transferred to the school building [revolving] **property**
20 **tax relief** fund.

166.300. 1. As used in this section, the following [words and phrases] **terms** shall mean:
2 (1) ["Capital improvement projects", expenditures for lands or existing buildings,
3 improvements of grounds, construction of buildings, additions to buildings, remodeling of
4 buildings and initial equipment purchases;
5 (2)] **"New construction", either the construction of a new building or the addition**
6 **of a newly constructed area to an existing building, including expenditures for lands or**
7 **existing buildings, architectural and engineering services, tests and inspections of lands or**
8 **buildings, construction of buildings, additions to buildings and technology connectivity;**
9 (2) **"Renovation", the modernization or modification of any existing building that**
10 **will enhance the ability of such building to serve its educational purposes, excluding**

11 routine maintenance and repair, and including renovation expenditures for health and
12 safety reasons, educational purposes, architectural and engineering services, tests and
13 inspections of lands or buildings, renovations of existing buildings and technology
14 connectivity;

15 (3) "School [facility] **building**", a structure dedicated primarily to housing teachers and
16 students in the instructional process, but shall not include [buildings] **facilities** dedicated
17 primarily to administrative and support functions within the school **or the school district**.

18 2. There is hereby created a [revolving] fund to be known as the "School Building
19 [Revolving] **Property Tax Relief Fund**". All forfeitures of assets transferred pursuant to section
20 166.131, all gifts and bequests to such fund, **all moneys transferred to such fund pursuant to**
21 **section 144.024, RSMo**, and such moneys as may be appropriated to the fund shall be deposited
22 into the school building [revolving] **property tax relief** fund[; except that no more than four
23 hundred forty million dollars, in the aggregate, shall be transferred to the fund]. **The fund shall**
24 **be administered by the department of elementary and secondary education in the manner**
25 **described in, and for the purposes described in, sections 166.300 to 166.324.**

26 3. After a fund balance has been established by prior years' deposits and interest, school
27 districts may submit applications for [lease purchases] **matching grants** from the [revolving]
28 fund for [specific] **allowed capital improvement** projects consistent with rules and regulations
29 of the state board of education and [subsection 3 of] this section[, except that]. **The department**
30 **shall divide its annual disbursements of matching grant moneys from the fund in equal,**
31 **fifty percent portions to new construction projects and to renovation projects, and shall**
32 **approve and prioritize applications accordingly, pursuant to this section. School districts**
33 **may apply for both new construction and renovation grants in the same application,**
34 **provided that new construction costs and renovation costs are separately itemized on such**
35 **district's application, so that each may be separately approved or denied by the**
36 **department. If, at the conclusion of the matching grant application period, there are funds**
37 **available for either new construction or renovation that will not be used, and if there is a**
38 **greater need for funds for the other category, then the department may transfer funds to**
39 **the category with greater need at that time.**

40 4. No school district may be permitted to [enter into a lease purchase] **receive matching**
41 **funds** from the school building [revolving] **property tax relief** fund without first submitting a
42 long-range capital improvements plan. **Such plan shall include a detailed proposal of the**
43 **specific allowed capital improvement projects to which grant moneys will be put, and shall**
44 **include the specific manner in which the school district will provide for its matching**
45 **portion, as such matching portion is calculated pursuant to section 166.305. Such plan**
46 **shall also calculate the estimated amount of the state's portion of the matching funds,**

47 **provided that the department shall not provide a match of funds for any costs of a project**
48 **in excess of the maximum per-pupil amount described in section 166.308. Anticipated**
49 **district expenditures on projects may exceed the maximum per-pupil amount, but in such**
50 **case the state portion of matching funds shall be calculated solely on the maximum per-**
51 **pupil amount stated in section 166.308. The department shall review and approve such**
52 **plan prior to issuing matching grants.**

53 [3.] **5. To be eligible for [a lease purchase authorized by this section] matching funds**
54 **pursuant to sections 166.300 to 166.324:**

55 (1) A school district shall meet the minimum criteria for state aid and for increases in
56 state aid established pursuant to section 163.021, RSMo;

57 (2) A school district shall provide a program which is accredited by the state board of
58 education for grades kindergarten through twelve or for grades kindergarten through eight; and

59 (3) A school district shall [have an equalized, assessed valuation per eligible pupil for
60 the preceding year which is less than the statewide average equalized, assessed valuation per
61 eligible pupil for the preceding year; and

62 (4) A school district shall have a bonded indebtedness which is no less than ninety
63 percent of the constitutional limitation on indebtedness pursuant to section 26(b) of article VI
64 of the Constitution of Missouri.

65 4. Lease purchase] **not be experiencing financial stress as defined in section 161.520,**
66 **RSMo.**

67 **6. The department of elementary and secondary education shall develop minimum**
68 **state school building standards that may be used as criteria to determine if the district**
69 **qualifies for a new construction project. The minimum state school building standards**
70 **shall be met by any new construction project in order to qualify for matching grant**
71 **approval by the department.**

72 **7. Matching grant applications for new construction** shall be funded, as funds allow,
73 first for all applications pursuant to subdivision (1) of this subsection [and], then for applications
74 pursuant to subdivision (2) of this subsection and then for applications pursuant to **each**
75 **successive** subdivision [(3)] of this subsection **thereafter**, and for funding of applications
76 pursuant to a particular subdivision, applications shall be funded in the order that the applications
77 are received by the department. If two or more applications are received on the same day, the
78 district with the lowest [appraised] **assessed** valuation per pupil shall be given priority. Ranking
79 of the applications for offering of [lease purchases] **matching grants for new construction** shall
80 be done in the following order:

81 (1) Districts with [capital replacement] **new construction** costs in excess of insurance
82 proceeds due to [facility] **school building** destruction caused by [fire or] natural **or man-made**

83 disaster [shall be ranked on the basis of percentage of bonding capacity];

84 (2) Districts with a cumulative percentage growth in fall membership for the [third
85 through the fifth] **three** preceding years in excess of twelve percent [and which have a bonded
86 indebtedness which is no less than ninety percent of the constitutional limitation on indebtedness
87 pursuant to section 26(b) of article VI of the Constitution of Missouri; and];

88 (3) [Districts with an equalized assessed valuation per pupil which is less than the
89 statewide average equalized assessed valuation per pupil and which have a bonded indebtedness
90 which is no less than ninety percent of the constitutional limitation on indebtedness pursuant to
91 section 26(b) of article VI of the Constitution of Missouri.] **Districts with a cumulative
92 percentage growth in fall membership for the three preceding years in excess of nine
93 percent;**

94 (4) **Districts with a cumulative percentage growth in fall membership for the three
95 preceding years in excess of six percent;**

96 (5) **Districts that are experiencing overcrowding but do not have the percentages
97 of required new growth described in subdivisions (2) to (4) of this subsection shall qualify
98 pursuant to subdivisions (2) to (4) of this subsection based on the same percentage of need
99 as do districts with new growth based on the method of calculation developed by the
100 department to determine this percentage of need for districts with overcrowding; and**

101 (6) **Districts for which new school buildings, or additions to existing school
102 buildings, are needed in order to provide for:**

103 (a) **All-day kindergarten;**

104 (b) **Educational technology;**

105 (c) **Inter-district reorganization;**

106 (d) **Intra-district reorganization; or**

107 (e) **Increased student safety or student health.**

108 **8. The department shall develop minimum state school building standards that may
109 be used as criteria to determine if a district qualifies for a renovation project. The
110 minimum state school building standards shall be met by any renovation project in order
111 to qualify for matching grant approval by the department.**

112 **9. Matching grant applications for renovation shall be funded, as funds allow, for
113 all applications pursuant to subdivision (1) of subsection 10 of this section, then, with the
114 remaining renovation funds, eighty percent of the funds shall be used on applications
115 pursuant to subdivision (2) of subsection 10 of this section and twenty percent of the funds
116 shall be used on applications pursuant to subdivision (3) of subsection 10 of this section.
117 If, at the conclusion of the application period, there are funds available from either the
118 allocation to subdivision (2) or to subdivision (3) of subsection 10 of this section, and if**

there is a greater need that can be met by transferring the remainder of the unused allocation to the allocation of the other subdivision, then the department may transfer funds to the allocation of the subdivision with the greater need.

10. For purposes of this subsection, the age of the original building for which the renovation grant is being sought shall be considered the age of the entire school building in question, regardless of subsequent renovations prior to the grant application. Ranking of the applications for offering of matching grants for renovation shall be done in the following order:

(1) Districts with renovation costs in excess of insurance proceeds due to school building destruction caused by natural or man-made disaster. Applications in this subdivision shall be funded in the order that the applications are received by the department. If two or more applications are received on the same day, the district with the lowest assessed valuation per pupil shall be given priority;

(2) School facilities that are thirty-five years old or older, ranked from oldest to newest. If a renovation project is for a school building that is on the National Register of Historic Places, or a similar historic buildings criteria which the state board of education may promulgate by rule, then the project will be ranked ahead of renovation projects for school buildings not so designated. If two or more buildings are the same age, the applications shall be funded in the order that the applications are received by the department. If two or more applications are received on the same day, the district with the lowest assessed valuation per pupil shall be given priority; and

(3) Buildings that are less than thirty-five years of age shall be ranked according to need, with the criteria for need developed by the department.

If a school district can demonstrate that a building that is fifty years old or older should be replaced instead of renovated, the replacement may be approved by the department with funding from renovation projects for buildings thirty-five years of age or older pursuant to subdivision (2) of this subsection. In order to approve a building replacement in lieu of renovation, the department may consider health and safety issues, a comparison of replacement or renovation costs, future energy savings or other criteria developed by the department. It shall be the school district's responsibility to present information to the department, on department developed forms or format, to demonstrate the need for the building replacement.

11. Each district that:

(1) Receives approval of its grant application pursuant to subsections 3 and 4 of this section;

155 (2) Is eligible pursuant to subsection 5 of this section; and
156 (3) Qualifies, pursuant to the funding priorities and availabilities of subsections 6
157 to 10 of this section, for funding; shall receive notification from the department within
158 thirty days of its approval, and the district shall obtain its portion of the matching funds
159 mandated by section 166.305 within one year of the date of its receipt of the notification.
160 Upon obtaining the required matching funds, the district shall submit notification to the
161 department, for approval by the department on forms created by the department. Such
162 notification shall be given within thirty days of obtaining the funds, or as soon as possible
163 prior to the end of the one-year period, whichever occurs first. In the event that the district
164 fails to obtain all of its portion of the matching funds within the one-year period, the
165 district shall forfeit its right to any state matching funds for the school year immediately
166 following such failure, but the district shall not be prohibited from resubmitting its
167 application for the school year next following such occurrence. Any district receiving a
168 renovation matching grant shall not be eligible for another matching grant in any year
169 unless all applications qualifying pursuant to this section for that year from districts which
170 have not yet received a grant pursuant to this section are funded.

171 [5.] 12. When **school building replacement or renovation** is caused by [fire or] natural
172 **or man-made** disaster, the requirement for a school district to have a long-range capital
173 improvements plan, **as required by subsection 4 of this section**, may be waived by the [state
174 board of education] **department of elementary and secondary education**.

175 [6. Each school district participating in a lease purchase from the school building
176 revolving fund shall repay such lease purchase in no more than ten annual payments made on or
177 before June thirtieth of each year. The first such payment shall be due and payable on June
178 thirtieth of the first full fiscal year following receipt of lease purchase proceeds. Lease purchase
179 repayments shall be immediately deposited to the school building revolving fund by the
180 department. Interest charged to the school district shall not exceed three percent.

181 7. Any school district which fails to obligate the full amount of a loan from the school
182 building revolving fund for the allowable lease purchase must return the unobligated amount plus
183 interest earned to the department no later than June thirtieth of the second full fiscal year after
184 receipt of loan proceeds.

185 8. If a school district fails to make an annual payment to the school building revolving
186 fund after notice of nonpayment by the department, members of the board of education and the
187 school district's superintendent shall have violated section 162.091, RSMo, and the attorney
188 general of the state of Missouri shall be notified by the state board of education to begin
189 prosecution procedures.

190 9. All property purchased pursuant to a lease purchase from the school building

191 revolving fund shall remain the property of the state until such time as the lease purchase has
192 been fully repaid pursuant to this section. If a school district does not make an annual payment
193 to the school building revolving fund after notice of nonpayment by the department, the state
194 board of education may, if the delinquency exceeds one hundred eighty days, take possession of
195 the property. As a part of the lease purchase agreement, the school district shall agree to assume
196 all costs, obligations and liabilities for or arising out of establishment, operation and maintenance
197 of the lease purchase property. Other provisions of law to the contrary notwithstanding, neither
198 the state nor any state agency shall have any obligation for such costs, obligations or liabilities
199 unless and until the state board of education takes possession of the property pursuant to this
200 subsection upon a school district's failure to make annual payments as required in the lease
201 purchase agreement.

202 10. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys
203 in the school building revolving fund shall not be transferred to the credit of the general revenue
204 fund at the end of the biennium. All yield, interest, income, increment or gain received from
205 time deposit of moneys in the state treasury to the credit of the fund shall be credited by the state
206 treasurer to the fund.]

207 **13. The department shall be responsible for the publication of grant applications**
208 **that incorporate the criteria of this section and any additional criteria in accordance with**
209 **this section that the department deems appropriate. Such applications shall be first**
210 **published on or before January 1, 2003, so that the initial applications for such grants may**
211 **be acted upon for the 2003-2004 school year. During the initial year, grants shall only be**
212 **awarded for districts renovating or replacing damaged buildings pursuant to subdivision**
213 **(1) of subsection 7 and subdivision (1) of subsection 10 of this section.**

214 **14. State funds provided pursuant to this section shall not be used for lease**
215 **purchases.**

2 **166.301. All moneys in the school building revolving fund that existed prior to the**
3 **effective date of this section, and which is hereby abolished, shall be transferred to the**
4 **school building property tax relief fund. Notwithstanding the provisions of section 33.080,**
5 **RSMo, to the contrary, moneys in the school building property tax relief fund shall not be**
6 **transferred to the credit of the general revenue fund at the end of the biennium. All yield,**
7 **interest, income, increment or gain received from time deposits of moneys in the state**
8 **treasury to the credit of the former school building revolving fund shall be credited by the**
9 **state treasurer to the school building property tax relief fund.**

2 **166.305. 1. For the purpose of calculating the matching portion for which a school**
3 **district is responsible pursuant to section 166.300, each school district in this state shall be**
4 **assigned a local matching percentage pursuant to this section. All school districts in the**

4 state shall be rank ordered from lowest to highest based upon the district's equalized,
5 assessed valuation per eligible pupil for the second preceding school year. Each district
6 will be assigned a unique percentage on a sliding scale which assigns a local match
7 percentage of fifty percent to the lowest ranked district and a local match percentage of
8 seventy-five percent to the highest ranked district and assigns a unique percentage to all
9 remaining districts by assigning to districts percentages which are uniformly spaced across
10 the interval from fifty percent to seventy-five percent and based upon the rank ordering.

11 2. For a renovation project of a school building on the National Register of Historic
12 Places, or a similar historic buildings criteria which the state board of education may
13 promulgate by rule, the local match percentage will be reduced by five percent.

166.308. 1. For new construction project grant applications pursuant to section
2 166.300, the department shall match funds with the applicant district up to the following
3 maximum per-pupil state match amounts for new construction costs:

4 (1) Eight thousand dollars per high school student that the project is designed to
5 house;

6 (2) Seven thousand dollars per middle school student that the project is designed
7 to house; and

8 (3) Six thousand dollars per elementary school student that the project is designed
9 to house.

10 2. For renovation project grant applications pursuant to section 166.300, the
11 department shall match funds with the applicant district up to the following maximum per-
12 pupil state match amounts for total renovation costs:

13 (1) Five thousand six hundred dollars per high school student to be housed in the
14 renovated school facility or facilities; and

15 (2) Four thousand nine hundred dollars per middle school student to be housed in
16 the renovated school facility or facilities; and

17 (3) Four thousand two hundred dollars per elementary school student to be housed
18 in the renovated school facility or facilities.

19 3. The department shall annually adjust the per-pupil apportionment in this section
20 to reflect construction cost changes. For this purpose, the department may adopt the use
21 of the Consumer Price Index for all Urban Consumers for the United States or its successor
22 index, as defined and officially recorded by the United States Department of Labor or its
23 successor entity or may adopt any other schedule of annual adjustment to accurately
24 reflect such cost changes.

166.311. Moneys in the school building property tax relief fund shall be distributed
2 between the first and fifteenth day of July most immediately following the date on which

3 the department receives notification from an approved school district that such district has
4 obtained its portion of the required matching funds pursuant to section 166.300. The state
5 board of education shall certify the amounts to be distributed to the several school districts
6 to the commissioner of administration who shall issue the warrants therefor. The funds
7 shall be placed to the credit of the capital projects fund by the receiving school district in
8 the amount approved pursuant to sections 166.300 to 166.308. Such moneys shall be used
9 by such district solely for the capital construction or renovation project for which grant
10 approval was awarded and shall not be used to retire debt.

166.314. 1. If any completed allowed project costs more than the estimated final
2 cost submitted to the department by the district, then the district shall be responsible for
3 all of such additional costs.

4 2. If any completed allowed project costs less than the estimated final cost
5 submitted to the department by the district, then the district shall return the department's
6 percentage of such excess funds, and the department shall deposit such funds in the school
7 building property tax relief fund established in section 166.300.

8 3. Upon completion of any project for which funds were granted pursuant to
9 sections 166.300 to 166.324, the school district shall submit a final report to the
10 department. The department may require an audit of these reports or other district
11 records to ensure that all funds received pursuant to sections 166.300 to 166.324 are
12 expended in accordance with program requirements.

13 4. If the department, after the review of expenditures or audit has been conducted
14 pursuant to this section, determines that a school district failed to expend funds in
15 accordance with this chapter, the department shall notify the school district of the amount
16 that must be repaid to the department within sixty days. If the school district fails to make
17 the required payment within sixty days, the department shall notify the school board and
18 the school district in writing that an amount equal to the unused amount received by the
19 school district shall be withdrawn from such school district's total amount of state aid
20 calculated pursuant to chapter 163, RSMo, for certain subsequent school years, according
21 to a withholding schedule developed by the department for such district.

166.317. The use of state matching grant moneys by a school district shall not make
2 the department or this state liable for any tort, breach of contract or any other action for
3 damages caused by a school district arising from an approved new construction or
4 renovation project by the district, including, but not limited to, contracts between the
5 school district and its construction contractors, construction managers, architects or
6 engineers. The school district shall be liable for all torts, breaches of contract or any other
7 actions for damages caused by the school district.

166.321. 1. All title to all property acquired, constructed or improved with grant moneys pursuant to sections 166.300 to 166.324 shall be held by the school district to which the department grants such moneys.

2. The applicant school district shall comply with all laws and rules pertaining to the construction, reconstruction or alteration of, or addition to, school buildings.

166.324. The department of elementary and secondary education shall promulgate such rules and forms as are necessary for the operation of sections 166.300 to 166.324. No rule or portion of a rule promulgated pursuant to sections 166.300 to 166.324 shall take effect unless such rule has been promulgated pursuant to chapter 536, RSMo.

226.200. 1. There is hereby created a "[State Highways and] Transportation Department Fund" into which shall be paid or transferred all state revenue derived from highway users as an incident to their use or right to use the highways of the state, including all state license fees and taxes upon motor vehicles, trailers, and motor vehicle fuels, and upon, with respect to, or on the privilege of the manufacture, receipt, storage, distribution, sale or use thereof (excepting the sales tax on motor vehicles and trailers, and all property taxes), and all other revenue received or held for expenditure by or under the department of transportation or the [state highways and] transportation commission, except:

- (1) Money arising from the sale of bonds;
- (2) Money received from the United States government; or
- (3) Money received for some particular use or uses other than for the payment of principal and interest on outstanding state road bonds.

2. Subject to the limitations of subsection 3 of this section, from said fund shall be paid or credited the cost:

- (1) [Of collection of all said state revenue derived from highway users as an incident to their use or right to use the highways of the state;
- (2)] Of maintaining the [state highways and] transportation commission;
- [(3)] (2) Of maintaining the state transportation department;
- [(4)] (3) Of any workers' compensation for state transportation department employees;

and

[(5)] (4) Of the share of the transportation department in any [retirement] **fringe benefit** program for state employees, only as may be provided by law[; and

(6) Of administering and enforcing any state motor vehicle laws or traffic regulations].

3. [For all future fiscal years,] The total amount of appropriations from the [state highways and] transportation department fund for all state offices and departments shall [not exceed the total amount appropriated for such offices and departments from said fund] **be zero for the first full fiscal year [2001] following voter approval and all fiscal years thereafter.**

28 4. The provisions of subsection 3 of this section shall not apply to appropriations from
29 the [state highways and] transportation department fund to the [highways and] transportation
30 commission and the state transportation department or to appropriations to the office of
31 administration for department of transportation employee fringe benefits and OASDHI payments,
32 or to appropriations to the department of revenue for motor vehicle fuel tax refunds [under]
33 **pursuant to** chapter 142, RSMo, or to appropriations to the department of revenue for refunds
34 or overpayments or erroneous payments from the [state highways and] transportation department
35 fund.

36 5. All interest earned upon the [state highways and] transportation department fund shall
37 be deposited in and to the credit of such fund.

38 6. Any balance remaining in said fund after payment of said costs shall be transferred
39 to the state road fund.

40 7. Notwithstanding the provisions of subsection 2 of this section to the contrary, any
41 funds raised as a result of increased taxation pursuant to sections 142.025 and 142.372, RSMo,
42 after April 1, 1992, shall not be used for administrative purposes or administrative expenses of
43 the transportation department.

226.1000. 1. Notwithstanding the provisions of sections 144.701 and 226.1010,
2 **RSMo, one-half of all of the revenue derived from the tax imposed by sections 144.010 to**
3 **144.430, RSMo, on all motor vehicles, trailers, motorcycles, mopeds and motortricycles**
4 **shall be dedicated for highway and transportation use and distributed pursuant to**
5 **subsection 2 of section 30(b) of article IV of the Missouri Constitution. One-half of the**
6 **revenue derived from the rate of one cent on the dollar of the tax imposed by sections**
7 **144.010 to 144.430, RSMo, on all motor vehicles, trailers, motorcycles, mopeds and**
8 **motortricycles shall be held and distributed in the manner provided in sections 144.701 and**
9 **163.031, RSMo. All of the remaining revenue derived from the tax imposed by sections**
10 **144.010 to 144.430, RSMo, on all motor vehicles, trailers, motorcycles, mopeds and**
11 **motortricycles, shall be deposited by the state treasurer as follows:**

12 (1) Sixty-five percent of the moneys to the "Public Transit Fund" which is hereby
13 established in the state treasury. Notwithstanding the provisions of section 33.080, RSMo,
14 to the contrary, moneys in the public transit fund shall not revert to the general revenue
15 fund. All interest received on the public transit fund shall be credited to the fund. Moneys
16 in the fund are to be used for the purpose of planning, locating, relocating, establishing,
17 acquiring, constructing, administering, developing, maintaining or operating public transit
18 systems in the state;

19 (2) Twenty percent of the moneys to the "Multimodal Fund", which is hereby
20 established in the state treasury; and

21 **(3) Fifteen percent of the moneys to the state road fund.**

22

23 **Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the**
24 **multimodal fund shall not revert to the general revenue fund. All interest received on the**
25 **multimodal fund shall be credited to the fund. Moneys in the fund are to be used for the**
26 **purpose of paying for transportation projects other than highway projects and public**
27 **transit projects, including but not limited to projects for aviation, railroads, ports,**
28 **waterborne commerce, multimodal transportation centers, and bike and pedestrian trails**
29 **and accommodations.**

30 **2. Expenditure of funds from the public transit fund and the multimodal fund shall**
31 **be subject to appropriation by the general assembly.**

226.1005. After approval by the voters of additional transportation funds pursuant
2 **to this act, no such transportation funds, less funds required to cover administrative and**
3 **maintenance costs, shall be allocated until a formula based on quantitative factors is**
4 **established by the commission, in cooperation with the department, metropolitan planning**
5 **organizations and regional planning commissions. In addition, upon passage of a**
6 **constitutional amendment which authorizes a secretary of transportation, the secretary**
7 **shall include all previously authorized highway funds in the allocation formula.**

226.1010. 1. The revenue derived from the rate of one-fourth of one percent of the
2 **taxes imposed by sections 144.010 to 144.430, RSMo, and sections 144.600 to 144.745,**
3 **RSMo, shall be deposited by the state treasurer as follows:**

4 **(1) One-fourth of the moneys to the "State-Local Cooperation Fund" which is**
5 **hereby established in the state treasury. Notwithstanding the provisions of section 33.080,**
6 **RSMo, to the contrary, moneys in the state-local cooperation fund shall not revert to the**
7 **general revenue fund. All interest received on the state-local cooperation fund shall be**
8 **credited to the fund. Subject to appropriation, the secretary of transportation, with input**
9 **from the ex officio members of the transportation commission, may award grants from the**
10 **fund to any county commission or to any municipal corporation for locally identified**
11 **transportation projects, including, but not limited to, transportation improvement projects**
12 **on the state highway system or off-system transportation improvements, related to**
13 **economic development or public safety, and bike and pedestrian trails and**
14 **accommodations. The secretary of transportation shall, as a condition precedent to making**
15 **a grant, require such county or municipal corporation to provide funding for a portion of**
16 **the project costs in an amount or percentage to be determined by the secretary of**
17 **transportation in its discretion; provided, however, such amount shall not exceed fifty**
18 **percent of the total cost of the project; and**

19 (2) **The remaining three-fourths of the moneys to the "Interstate Improvement**
20 **Fund" which is hereby established in the state treasury. Notwithstanding the provisions**
21 **of section 33.080, RSMo, to the contrary, moneys in the interstate improvement fund shall**
22 **not revert to the general revenue fund. All interest received on the interstate improvement**
23 **fund shall be credited to the fund. Fund revenues may be used for principal and interest**
24 **payments on bonds, maintenance, preservation, improvement, construction, expansion and**
25 **reconstruction of the state's interstate highway system. The department of transportation**
26 **may request appropriations from the interstate improvement fund through its annual**
27 **budget submission. Accompanying any such requests, the department shall provide a plan**
28 **detailing the proposed uses of the moneys including such information as the governor and**
29 **general assembly may require for evaluation purposes.**

227.025. An additional fifty-eight and four-tenths center-line miles of arterial
2 **roadways in any city not within a county which are functionally classified as of January**
3 **1, 2001, by the United States Department of Transportation as principal arterial highways**
4 **shall be owned, improved and maintained as public roads by the department of**
5 **transportation as part of the "state highway system" as required by section 227.020. The**
6 **department of transportation and such city shall mutually agree on those roadways to be**
7 **included pursuant to this section.**

 227.100. 1. All contracts for the construction of said work shall be let to the lowest
2 responsible bidder or bidders after notice and publication of an advertisement in a newspaper
3 published in the county where the work is to be done, and in such other publications as the
4 [commission] **secretary of transportation** may determine[; provided, that in all cases where the
5 project advertised shall be for the construction of more than ten miles of road, such
6 advertisement shall provide for bids on sections of said road not to exceed ten miles, as well as
7 on the project as a whole, and such contract shall then be let so as to provide for the most
8 economical construction of said project].

9 2. Each bid shall be accompanied by a certified check or a cashier's check or a bid bond,
10 guaranteed by a surety company authorized by the director of the department of insurance to
11 conduct surety business in the state of Missouri, equal to five percent of the bid, which certified
12 check, cashier's check, or bid bond shall be deposited with the commissioner as a guaranty and
13 forfeited to the state treasurer to the credit of the state road fund in the event the successful
14 bidder fails to comply with the terms of the proposal, and return to the successful bidder on
15 execution and delivery of the performance bond provided for in subsection 4. The checks of the
16 unsuccessful bidders shall be returned to them in accordance with the terms of the proposal.

17 3. All notices of the letting of contracts under this section shall state the time and place
18 when and where bids will be received and opened, and all bids shall be sealed and opened only

19 at the time and place mentioned in such notice and in the presence of some member of the
20 [commission] **secretary of transportation** or some person named by the [commission]
21 **secretary of transportation** for such purpose.

22 4. The successful bidders for the construction of said work shall enter into contracts
23 furnished and prescribed by the [commission] **secretary of transportation** and shall give good
24 and sufficient bond, in a sum equal to the contract price, to the state of Missouri, with sureties
25 approved by the [commission] **secretary of transportation** and to ensure the proper and prompt
26 completion of said work in accordance with the provisions of said contracts, and plans and
27 specifications; provided, that if, in the opinion of the majority of the members of the
28 [commission] **secretary of transportation**, the lowest bid or bids for the construction of any of
29 the roads, or parts of roads, herein authorized to be constructed, shall be excessive, then, and in
30 that event, said [commission] **secretary of transportation** shall have the right, and it is hereby
31 empowered and authorized to reject any or all bids, and to construct, under its own direction and
32 supervision, all of such roads and bridges, or any part thereof.

227.107. 1. Notwithstanding any provision of section 227.100 to the contrary, as an
2 alternative to the requirements and procedures specified by sections 227.040 to 227.100,
3 the state highways and transportation commission is authorized to enter into one interstate
4 highway design-build pilot project contract within ten years of the effective date of this
5 section. Authority for design-build authorized by this section shall expire upon completion
6 of the project selected, unless reauthorized by law.

7 2. For the purpose of this section a "design-builder" is defined as an individual,
8 corporation, partnership, joint venture or other entity, including combinations of such
9 entities making a proposal to perform or performing a design-build highway project
10 contract.

11 3. For the purpose of this section, "design-build highway project contract" is
12 defined as the procurement of all materials and services necessary for the design,
13 construction, reconstruction or improvement of a state highway project in a single contract
14 with a design-builder capable of providing the necessary materials and services.

15 4. For the purpose of this section, "highway project" is defined as the design,
16 construction, reconstruction or improvement of highways or bridges under contract with
17 the state highways and transportation commission, which is funded by state, federal or
18 local funds or any combination of such funds.

19 5. In using a design-build highway project contract, the commission shall establish
20 a written procedure by rule for prequalifying design-builders before such design-builders
21 will be allowed to make a proposal on the project.

22 6. In any design-build highway project contract, whether involving state or federal

23 funds, the commission shall require that each person submitting a request for
24 qualifications provide a detailed disadvantaged business enterprise participation plan. The
25 plan shall provide information describing the experience of the person in meeting
26 disadvantaged business enterprise participation goals, how the person will meet the
27 department of transportation's disadvantaged business enterprise participation goal and
28 such other qualifications that the commission considers to be in the best interest of the
29 state.

30 7. The commission is authorized to issue a request for proposals to a maximum of
31 five design-builders prequalified in accordance with subsection 5 of this section.

32 8. The commission may require approval of any person performing subcontract
33 work on the design-build highway project.

34 9. The bid bond and performance bond requirements of section 227.100 and the
35 payment bond requirements of section 107.170, RSMo, shall apply to the design-build
36 highway project.

37 10. The commission is authorized to prescribe the form of the contracts for the
38 work.

39 11. The commission is empowered to make all final decisions concerning the
40 performance of the work under the design-build highway project contract, including
41 claims for additional time and compensation.

42 12. The provisions of sections 8.285 to 8.291, RSMo, shall not apply to the
43 procurement of architectural, engineering or land surveying services for the design-build
44 highway project, except that any person providing architectural, engineering or land
45 surveying services for the design-builder on the design-build highway project must be
46 licensed in Missouri to provide such services.

47 13. The commission shall pay a reasonable stipend to prequalified responsive
48 design-builders who submit a proposal, but are not awarded the design-build highway
49 project.

50 14. The commission shall comply with the provisions of any act of congress or any
51 regulations of any federal administrative agency which provides and authorizes the use of
52 federal funds for highway projects using the design-build process.

53 15. The commission shall promulgate administrative rules to implement this section
54 or to secure federal funds. Such rules shall be published for comment in the Missouri
55 Register and shall include prequalification criteria, the make-up of the prequalification
56 review team, specifications for the design criteria package, the method of advertising,
57 receiving and evaluating proposals from design-builders, the criteria for awarding the
58 design-build highway project based on the design criteria package and a separate proposal

59 stating the cost of construction, and other methods, procedures and criteria necessary to
60 administer this section.

61 16. The commission shall make a status report to the members of the general
62 assembly and the governor following the award of the design-build project, as an
63 individual component of the annual report submitted by the commission to the Joint
64 Transportation Oversight Committee in accordance with the provisions of section 21.795,
65 RSMo. The annual report prior to advertisement of the design-build highway project
66 contract shall state the goals of the project in reducing costs and/or the time of completion
67 for the project in comparison to the design-bid-build method of construction and objective
68 measurements to be utilized in determining achievement of such goals. Subsequent annual
69 reports shall include: the time estimated for design and construction of different phases
70 or segments of the project and the actual time required to complete such work during the
71 period; the amount of each progress payment to the design builder during the period and
72 the percentage and a description of the portion of the project completed regarding such
73 payment; the number and a description of design change orders issued during the period
74 and the cost of each such change order; upon substantial and final completion, the total
75 cost of the design-build highway project with a breakdown of costs for design and
76 construction; and such other measurements as specified by rule. The annual report
77 immediately after final completion of the project shall state an assessment of the
78 advantages and disadvantages of the design-build method of contracting for highway and
79 bridge projects in comparison to the design-bid-build method of contracting and an
80 assessment of whether the goals of the project in reducing costs and/or the time of
81 completion of the project were met.

82 17. The commission shall give public notice of a request for qualifications in at least
83 two public newspapers that are distributed wholly or in part in this state and at least one
84 construction industry trade publication that is distributed nationally.

85 18. The commission shall publish its cost estimates of the design-build highway
86 project award and the project completion date along with its public notice of a request for
87 qualifications of the design-build project.

88 19. If the commission fails to receive at least two responsive submissions from
89 design-builders considered qualified, submissions shall not be opened and it shall
90 readvertise the project.

91 20. The provisions of this section shall be applicable to one interstate pilot highway
92 project which shall be selected by the commission and shall have a total maximum annual
93 expenditure of one hundred twenty-five million dollars for the life of the design-build
94 project.

95 **21. The provisions of this section shall become effective upon approval of a**
 96 **transportation funding package by a lawful majority of voters casting ballots at an election**
 97 **after April 1, 2002.**

 301.057. The annual registration fee for property-carrying commercial motor vehicles,
 2 not including property-carrying local commercial motor vehicles, or land improvement
 3 contractors' commercial motor vehicles, based on gross weight is:

4	6,000 pounds and under	\$ [25.50] 34.00
5	6,001 pounds to 9,000 pounds	[38.00] 50.50
6	9,001 pounds to 12,000 pounds	[38.00] 50.50
7	12,001 pounds to 18,000 pounds	[63.00] 84.00
8	18,001 pounds to 24,000 pounds	[100.50] 134.00
9	24,001 pounds to 26,000 pounds	[127.00] 169.00
10	26,001 pounds to 30,000 pounds	[180.00] 239.50
11	30,001 pounds to 36,000 pounds	[275.50] 366.50
12	36,001 pounds to 42,000 pounds	[413.00] 549.50
13	42,001 pounds to 48,000 pounds	[550.50] 732.00
14	48,001 pounds to 54,000 pounds	[688.00] 915.00
15	54,001 pounds to 60,010 pounds	[825.50] 1,098.00
16	60,011 pounds to 66,000 pounds	[1,100.50] 1,464.00
17	66,001 pounds to 73,280 pounds	[1,375.50] 1,829.50
18	73,281 pounds to 78,000 pounds	[1,650.50] 2,195.00
19	78,001 pounds to 80,000 pounds	[1,719.50] 2,287.00

 301.058. 1. The annual registration fee for property-carrying local commercial motor
 2 vehicles, other than a land improvement contractors' commercial motor vehicles, based on gross
 3 weight is:

4	6,000 pounds and under	\$ [15.50] 20.50
5	6,001 pounds to 12,000 pounds	[18.00] 24.00
6	12,001 pounds to 18,000 pounds	[20.50] 27.50
7	18,001 pounds to 24,000 pounds	[27.50] 36.50
8	24,001 pounds to 26,000 pounds	[33.50] 44.50
9	26,001 pounds to 30,000 pounds	[45.50] 60.50
10	30,001 pounds to 36,000 pounds	[67.50] 90.00
11	36,001 pounds to 42,000 pounds	[100.50] 133.50
12	42,001 pounds to 48,000 pounds	[135.50] 180.00
13	48,001 pounds to 54,000 pounds	[170.50] 227.00
14	54,001 pounds to 60,010 pounds	[200.50] 266.50

15	60,011 pounds to 66,000 pounds	[270.50]	360.00
16	66,001 pounds to 72,000 pounds	[335.50]	446.00
17	72,001 pounds to 80,000 pounds	[350.50]	466.00

18 2. Any person found to have improperly registered a motor vehicle in excess of fifty-four
 19 thousand pounds when he or she was not entitled to shall be required to purchase the proper
 20 license plates and, in addition to all other penalties provided by law, shall be subject to the
 21 annual registration fee for the full calendar year for the vehicle's gross weight as prescribed in
 22 section 301.057.

301.059. The annual registration fee for passenger-carrying commercial motor vehicles			
2	(not including passenger-carrying local commercial motor vehicles, school buses or local transit		
3	buses) based on seating capacity is:		
4	10 passengers or less	\$ [100.50]	133.50
5	11 to 18 passengers	[180.50]	240.00
6	19 to 25 passengers	[250.50]	333.00
7	26 to 29 passengers	[290.50]	386.50
8	30 to 33 passengers	[330.50]	439.50
9	34 to 37 passengers	[370.50]	493.00
10	38 to 41 passengers	[410.50]	546.00
11	42 to 45 passengers	[450.50]	599.00

301.061. The annual registration fee for passenger-carrying local commercial motor			
2	vehicles based on seating capacity is:		
3	10 passengers or less	\$ [50.50]	67.00
4	11 to 18 passengers	[90.50]	120.50
5	19 to 25 passengers	[125.50]	167.00
6	26 to 29 passengers	[145.50]	193.50
7	30 to 33 passengers	[165.50]	220.00
8	34 to 37 passengers	[185.50]	247.00
9	38 to 41 passengers	[205.50]	273.50
10	42 to 45 passengers	[225.50]	300.00

301.063. The annual registration fee for local transit buses based on seating capacity is:			
2	40 passengers or less	\$ [25.50]	34.00
3	41 to 45 passengers	[35.50]	47.00
4	Over 45 passengers	[50.50]	67.00

301.065. The annual registration fee for each school bus, [twenty-five] **thirty-four**
 2 dollars[, fifty cents].

301.067. 1. For each trailer or semitrailer there shall be paid an annual fee of [seven]

2 ~~ten~~ dollars [fifty cents], and in addition thereto such permit fee authorized by law against trailers
3 used in combination with tractors operated under the supervision of the motor carrier and
4 railroad safety division of the department of economic development. The fees for tractors used
5 in any combination with trailers or semitrailers or both trailers and semitrailers (other than on
6 passenger-carrying trailers or semitrailers) shall be computed on the total gross weight of the
7 vehicles in the combination with load.

8 2. Any trailer or semitrailer may at the option of the registrant be registered for a period
9 of three years upon payment of a registration fee of [twenty-two] **thirty** dollars [and fifty cents].

10 3. Any trailer or semitrailer which is operated coupled to a towing vehicle by a fifth
11 wheel and kingpin assembly or by a trailer converter dolly may, at the option of the registrant,
12 be registered permanently upon the payment of a registration fee of fifty-two dollars and fifty
13 cents. The permanent plate and registration fee is vehicle specific. The plate and the registration
14 fee paid is nontransferable and nonrefundable, except those covered under the provisions of
15 section 301.442.

301.069. For each driveaway license there shall be paid an annual license fee of
2 [forty-four] **fifty-nine** dollars [and fifty cents] for one set of plates or such insignia as the director
3 may issue which shall be attached to the motor vehicle as prescribed in this chapter. For single
4 trips the fee shall be [four] **five** dollars **and fifty cents**, and descriptive insignia shall be prepared
5 and issued at the discretion of the director who shall also prescribe the type of equipment used
6 to attach such vehicles in combinations.

**622.017. There is hereby created in the state treasury the "Motor Carrier and
2 Railroad Safety Fund". Notwithstanding the provisions of section 33.080, RSMo, to the
3 contrary, moneys in the motor carrier and railroad safety fund shall not revert to the
4 general revenue fund. All interest received on the motor carrier and railroad safety fund
5 shall be credited to the fund. Moneys in the fund are to be used for the purposes outlined
6 in chapter 622, RSMo.**

**Section 1. Funds distributed under the provisions of this act to provide public
2 conveyance or a facility of public transportation are subject to compliance with the
3 Americans with Disabilities Act of 1990.**

Section B. Section A of this act is hereby submitted to the qualified voters of this state
2 for approval or rejection at a special election to be called by the governor for that purpose or at
3 a general election to be conducted no later than the first Tuesday in November 2002, pursuant
4 to the laws and constitutional provisions of this state applicable to elections. Sections 43.275,
5 136.045, 142.803, 142.804, 142.805, 144.022, 144.440, 144.700, 144.805, 226.1000, 226.1010
6 and 622.017 shall become effective on the first day of the month of the next calendar quarter
7 after the provisions have been approved by voters. Sections 301.057, 301.058, 301.059,

8 301.061, 301.063, 301.065, 301.067 and 301.069 shall become effective on the first day of the
9 month four months following the month the provisions have been approved by voters.

Section C. The additional revenue provided by sections 142.803, 142.804, 142.805,
2 144.022, 144.440, 144.700, 144.805, 226.200, 226.1000, 226.1010, 227.025, 227.100, 227.107,
3 301.057, 301.058, 301.059, 301.061, 301.063, 301.065, 301.067, and 301.069, of this act shall
4 not be part of the "total state revenue" within the meaning of sections 17 and 18 of article X of
5 this Constitution. The expenditure of this revenue shall not be an "expense of state government"
6 under section 20 of article X of this Constitution.

Section D. At the general election on the first Tuesday in November 2012, and every ten
2 years thereafter, the secretary of state shall submit to the electors of this state the question "Shall
3 the additional revenues for transportation be renewed and extended for ten years?". If a majority
4 of the votes cast thereon is for the affirmative the additional revenues shall be continued. If a
5 majority of the votes cast thereon is for the negative, the decennial referendum provision of this
6 section, the rates included in sections 43.275, 136.045, 142.803, 142.804, 142.805, 144.022,
7 144.440, 301.057, 301.058, 301.059, 301.061, 301.063, 301.065, 301.067 and 301.069, and
8 sections 144.700, 226.200, 226.1000, 226.1010 and 622.017, directing deposit and use of
9 revenues pursuant to this act shall expire on July first following the election and return to the
10 provisions in effect on January 1, 2002.