

SS SCS HB 598 -- MOTOR VEHICLES

(Vetoed by the Governor)

DISABLED LICENSE PLATES AND PLACARDS

This bill:

- (1) Changes the fraudulent procurement or use of a disabled license plate from a class A misdemeanor to a class C misdemeanor;
- (2) Changes the penalty for certifying an individual for a disabled plate or placard outside the practitioner's scope from a class C misdemeanor to a class A misdemeanor and requires certification to meet certain standards;
- (3) Allows other health care practitioners (chiropractors, podiatrists, and optometrists) to certify individuals for disabled license plates and placards;
- (4) Excludes age as a factor in determining whether a person is entitled to a disabled license plate;
- (5) Establishes record maintenance requirements for physicians and health care practitioners who issue physician's statements for disabled license plates or placards. These records must be open to inspection and review by the physician's licensing board to verify compliance with the bill;
- (6) Requires physicians' statements to be on a form prescribed by the Director of the Department of Revenue, state the specific diagnosis which renders the person physically disabled, include the physician's license number, and be signed by the physician or health care practitioner;
- (7) Limits to two the number of removable windshield handicap placards that may be issued by the director to any one person;
- (8) Increases the fee for removable windshield handicap placards from \$2 to \$4;
- (9) Limits the use of the placard to when the person is in the motor vehicle at the time of parking or when the person is being delivered;
- (10) Requires every applicant for a disabled license plate or placard or a renewal, beginning July 1, 2004, to present a new physician's statement dated no more than 90 days prior to the application. Thereafter, the director must not renew pre-

existing disabled plates unless the applicant furnishes a new physician's statement every four years; and

(11) Makes any person who cannot produce the certificate which authorizes him or her to park in a disabled parking space guilty of a class A misdemeanor. If a person can later produce a valid certificate in court, the person will not be found guilty. Placards can only be used when the vehicle is parked in a disabled parking space.

STREET RODS AND CUSTOM VEHICLE REGISTRATION

The bill establishes new registration procedures for street rods and custom vehicles. The annual fee will be \$15 plus the regular registration fees. Owners of these vehicles must certify at the time of registration that the vehicles will be maintained for occasional transportation, exhibits, club activities, parades, tours, and similar uses and will not be used for daily transportation. These vehicles are exempt from vehicle inspections and emission tests. License plates for these vehicles will bear the words "STREET ROD" or "CUSTOM VEHICLE." Certificates of registration will contain the word "REPLICA." A street rod or custom vehicle may use blue dot tail lights for stop lamps, rear turning indicator lamps, rear hazard lamps, and rear reflectors.

LOW-SPEED VEHICLES

Low-speed vehicle operators will be allowed to use public highways under certain conditions. A low-speed vehicle is a four-wheeled vehicle whose top speed is greater than 20 miles per hour but less than 25 miles per hour and is manufactured in compliance with the National Highway Traffic Safety Administration standards. A low-speed vehicle will not be operated on a street or highway with a posted speed limit greater than 35 miles per hour. Low-speed vehicles will be exempt from inspection and emission testing, but must comply with federal standards. Every operator of a low-speed vehicle must maintain financial responsibility as required under the law and must have a driver's license. Cities and counties may promulgate ordinances which are more stringent.

EMISSIONS TESTING

Vehicles manufactured 26 years prior to the current model year are exempt from emissions inspections. The bill allows BAR-97 vehicle emissions tests for residents in Franklin County to be conducted on a biennial basis. The maximum testing fee is also increased from \$10.50 to \$24.

ANIMAL-DRIVEN VEHICLES

Persons operating animal-driven vehicles after dark must use lamps or lanterns and reflective material which comply with rules promulgated by the Department of Public Safety.

ALL-TERRAIN VEHICLES

The bill modifies the definition of "all-terrain vehicle" (ATV) by increasing the unladen dry weight of an ATV from 600 pounds to 1,000 pounds and by providing that an ATV may be a vehicle with a seat designed to carry more than one person.

MEMORIAL HIGHWAY

The bill designates the portion of U. S. Highway 71 in McDonald County as the "Corporal Bobbie J. Harper Memorial Highway."

MOTOR VEHICLE DEALER ADVERTISING

The bill modifies provisions which govern the advertising standards used by motor vehicle dealers. Language is removed which currently allows dealers to use terms such as "invoice price" or "\$....over invoice." The bill also removes the prohibition which currently bans dealers from using advertisements which offer to match or better any competitor's prices.

MOTOR VEHICLE EXTENDED SERVICE CONTRACTS

The bill regulates the sale of motor vehicle extended service contracts for the repair, replacement, or maintenance of motor vehicles. It does not apply to warranties, maintenance agreements, commercial transactions, and service contracts sold to non-consumers. Those providing services under a motor vehicle extended service contract must demonstrate financial responsibility by insuring the service contracts under reimbursement insurance policies or by other means such as providing a surety bond. Service contract administrators are required to register with the Department of Insurance. The bill specifies the form and content of motor vehicle extended service contracts and requires contract administrators to maintain certain records. Civil penalties for violation of the bill are provided. The department director is granted various powers to enforce the bill's provisions.

LICENSE PLATES

The bill authorizes the Department of Revenue to issue the following new license plates: "FIGHT TERRORISM," "TO PROTECT AND

SERVE" (peace officer plate), "FIREFIGHTERS MEMORIAL," "FOXTROTTER-STATE HORSE," "MISSOURI STATE SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION," "FRIENDS OF KIDS WITH CANCER," "BOY SCOUTS OF AMERICA," "GIRL SCOUTS OF AMERICA," "GOLD AWARD," "CAMP QUALITY," "SPECIAL OLYMPICS," "PROFESSIONAL ENGINEERS," "BE AN ORGAN DONOR," "ALPHA PHI OMEGA," "FORMER LEGISLATOR," "CONCERNS OF POLICE SURVIVORS," "The MASTERS," and "NRA" (National Rifle Association).

The bill also provides language regarding the color scheme of license plates; allowing applicants registering property-carrying commercial motor vehicles to request an additional plate at a charge not to exceed \$15; requiring plate tabs to be displayed in the designated area rather than the middle of the plate; allowing the words "AMATEUR RADIO" to be placed instead of the words "SHOW-ME STATE" on amateur radio plates; allowing the words "KINGDOM OF CALONTIR" to be placed instead of the words "SHOW-ME STATE" on Kingdom of Calontir plates; allowing any qualified applicant for the "SILVER STAR" license plate to obtain two sets of plates; and providing standardized language which prohibits apportioned motor vehicles and commercial motor vehicles in excess of 18,000 pounds from obtaining special license plates.