

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 487**  
**93RD GENERAL ASSEMBLY**

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Reported from the Committee on Transportation, April 21, 2005, with recommendation that the Senate Committee Substitute do pass.

1532S.03C

TERRY L. SPIELER, Secretary.

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**AN ACT**

To repeal sections 43.530, 136.055, 144.025, 168.133, 301.020, 301.025, 301.129, 301.190, 301.215, 301.290, 301.300, 302.177, 302.735, 304.022, RSMo, section 301.130 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session, section 301.130 as enacted by senate committee substitute for house bill no. 491, ninety-second general assembly, first regular session, section 302.272 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1453 merged with conference committee substitute for house substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 968 and senate substitute for senate bill no. 969 merged with house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session and section 302.272 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1453 merged with conference committee substitute for house substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 968 and senate substitute for senate bill no. 969, ninety-second general assembly, second regular session, and to enact in lieu thereof twenty new sections relating to motor vehicles, with penalty provisions and an emergency clause for certain sections.

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

Section A. Sections 43.530, 136.055, 144.025, 168.133, 301.020, 301.025, 301.129,

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

2 301.190, 301.215, 301.290, 301.300, 302.177, 302.735, 304.022, RSMo, 301.130 as enacted  
3 by house substitute for senate substitute for senate committee substitute for senate bill  
4 nos. 1233, 840 & 1043, ninety-second general assembly, second regular session, section  
5 301.130 as enacted by senate committee substitute for house bill no. 491, ninety-second  
6 general assembly, first regular session, section 302.272 as enacted by conference  
7 committee substitute for senate substitute for senate committee substitute for house  
8 substitute for house committee substitute for house bill no. 1453 merged with conference  
9 committee substitute for house substitute for house committee substitute for senate  
10 substitute for senate committee substitute for senate bill no. 968 and senate substitute  
11 for senate bill no. 969 merged with house substitute for senate substitute for senate  
12 committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general  
13 assembly, second regular session and section 302.272 as enacted by conference committee  
14 substitute for senate substitute for senate committee substitute for house substitute for  
15 house committee substitute for house bill no. 1453 merged with conference committee  
16 substitute for house substitute for house committee substitute for senate substitute for  
17 senate committee substitute for senate bill no. 968 and senate substitute for senate bill  
18 no. 969, ninety-second general assembly, second regular session, are repealed and twenty  
19 new sections enacted in lieu thereof, to be known as sections 43.530, 67.1809, 136.055,  
20 144.025, 168.133, 301.020, 301.025, 301.129, 301.130, 301.190, 301.215, 301.290, 301.300,  
21 301.894, 302.177, 302.272, 302.735, 304.022, 1, and 2, to read as follows:

43.530. [1.] For each request requiring the payment of a fee received by the  
2 central repository, the requesting entity shall pay a fee of not more than five dollars per  
3 request for criminal history record information not based on a fingerprint search when  
4 the requesting entity is required to obtain such information by any provision of state or  
5 federal law and pay a fee of not more than fourteen dollars per request for criminal  
6 history record information based on a fingerprint search when the requesting entity is  
7 required to obtain such information by any provision of state or federal law; provided  
8 that, when the requesting entity is not required to obtain such information by law, the  
9 requesting entity shall pay a fee of not more than ten dollars per request for criminal  
10 history record information not based on a fingerprint search and pay a fee of not more  
11 than twenty dollars per request for criminal history record information based on a  
12 fingerprint search. Each such request shall be limited to check and search on one  
13 individual. Each request shall be accompanied by a check, warrant, voucher, money  
14 order, or electronic payment payable to the state of Missouri-criminal record system or  
15 payment shall be made in a manner approved by the highway patrol. The highway  
16 patrol may establish procedures for receiving requests for criminal history record

17 information for classification and search for fingerprints, from courts and other entities,  
18 and for the payment of such requests. There is hereby established by the treasurer of  
19 the state of Missouri a fund to be entitled as the "Criminal Record System  
20 Fund". Notwithstanding the provisions of section 33.080, RSMo, to the contrary, if the  
21 moneys collected and deposited into this fund are not totally expended annually for the  
22 purposes set forth in sections 43.500 to 43.543, the unexpended moneys in such fund  
23 shall remain in the fund and the balance shall be kept in the fund to accumulate from  
24 year to year.

25 [2. For purposes of obtaining criminal records prior to issuance of a school bus  
26 operator's permit pursuant to section 302.272, RSMo, and for determining eligibility for  
27 such permit, the applicant for such permit shall submit two sets of fingerprints to the  
28 director of revenue when applying for the permit. The fingerprints shall be collected in  
29 a manner approved by the superintendent of the highway patrol. The school bus permit  
30 applicant shall pay the appropriate fee described in this section and pay the appropriate  
31 fee determined by the Federal Bureau of Investigation for the federal criminal history  
32 record when he or she applies for the school bus permit. Collections for records  
33 described in this subsection shall be deposited in the criminal record system fund.]

**67.1809. 1. The regional taxicab commission established under section  
2 67.1804 may license, supervise, and regulate any person who engages in the  
3 business of transporting passengers in commerce, wholly within the regional  
4 taxicab district established in section 67.1802, in any motor vehicle designed  
5 or used to transport not more than eight passengers, including the  
6 driver. The powers granted to the regional taxicab commission under this  
7 section shall apply to the motor vehicles described in this subsection and to  
8 the persons owning or operating those vehicles:**

9 **(1) Whether or not the vehicles are equipped with a taximeter or use  
10 a taximeter; and**

11 **(2) Whether the vehicles are operated by a for-hire motor carrier of  
12 passengers or by a private motor carrier of passengers not for hire or  
13 compensation.**

14 **2. This section shall apply, notwithstanding any provisions of this  
15 chapter or of subsection 2 of section 390.126, RSMo, to the contrary, except  
16 that the vehicles described in subsection 1 of this section, and the operators  
17 of such vehicles, shall be licensed, supervised, and regulated by the state  
18 highways and transportation commission, as provided under section 226.008,  
19 RSMo, instead of the regional taxicab commission, whenever:**

20           (1) Such motor vehicles transport passengers within the district in  
21 interstate commerce, and those interstate operations are subject to the  
22 powers of the state highways and transportation commission under section  
23 226.008, RSMo;

24           (2) Such motor vehicles are operated exclusively by a not-for-profit  
25 corporation or governmental entity, whose passenger transportation within  
26 the regional taxicab district is subsidized, wholly or in part, with public  
27 transit funding provided by the state highways and transportation  
28 commission, the Federal Transit Administration, or both;

29           (3) Such vehicles transport one or more passengers on the public  
30 highways in a continuous journey from a place of origin within the regional  
31 taxicab district to a destination outside the district, or from a place of origin  
32 outside the district to a destination within the district, either with or without  
33 a return trip to the point of origin. Such continuous transportation of  
34 passengers between points within and without the district is subject to  
35 regulation by the state highways and transportation commission, even if the  
36 journey includes temporary stops at one or more intermediate destinations  
37 within the boundaries of the district.

38           3. The provisions of subdivision (3) of subsection 2 of this section shall  
39 not limit the powers of the regional taxicab commission under this section to  
40 license, supervise, and regulate the transportation of any passenger whose  
41 journey by motor vehicle takes place wholly within the regional taxicab  
42 district, even if transported on the same vehicle with other passengers whose  
43 transportation, both within and without the boundaries of the district, is  
44 subject to the exclusive powers of the state highways and transportation  
45 commission. A motor carrier or driver who transports passengers subject to  
46 the powers of the regional taxicab commission, under subsection 1 of this  
47 section, on the same vehicle with passengers whose transportation is subject  
48 to the powers of the state highways and transportation commission, under  
49 subsection 2 of this section, shall comply with all applicable requirements of  
50 the regional taxicab commission and with all applicable requirements of the  
51 state highways and transportation commission.

52           4. No provision within this chapter shall be interpreted or construed  
53 as limiting the powers of the state highways and transportation commission  
54 and its enforcement personnel, the state highway patrol and its officers and  
55 personnel, or any other law enforcement officers or peace officers to enforce  
56 any safety requirements or hazardous materials regulations made applicable

57 by law to the motor vehicles, drivers, or persons that own or operate any  
58 motor vehicles described in this section.

59       5. Every individual person, partnership, or corporation subject to  
60 licensing, regulation, and supervision by the regional taxicab commission  
61 under this section, with reference to any transportation of passengers by a  
62 motor vehicle previously authorized by a certificate or permit issued by the  
63 state highways and transportation commission under sections 390.051 or  
64 390.061, RSMo, which certificate or permit was in active status and not  
65 suspended or revoked on August 27, 2005, according to the records of the  
66 state highways and transportation commission, is hereby deemed to be  
67 licensed, permitted, and authorized by the regional taxicab commission, and  
68 the vehicles and drivers used by such motor carriers are hereby deemed to  
69 be licensed, permitted, and authorized by the regional taxicab commission to  
70 operate and engage in the transportation of passengers within the regional  
71 taxicab district, to the same extent as they formerly were licensed, permitted,  
72 and authorized by the highways and transportation commission on August 27,  
73 2005. Such motor carriers, drivers, and vehicles shall be exempted from  
74 applying for any license, certificate, permit, or other credential issued or  
75 required by the regional taxicab commission under sections 67.1800 to  
76 67.1822, except that the regional taxicab commission may, after December 31,  
77 2005, require such motor carriers and drivers to apply and pay the regular  
78 fees for annual renewals of such licenses, permits, certificates, or other  
79 credentials under uniform requirements applicable to all motor carriers,  
80 vehicles, and drivers operating within the regional taxicab district.

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

8       (1) For each motor vehicle or trailer license sold, renewed or transferred--two  
9 dollars and fifty cents beginning January 1, 1998; and four dollars beginning July 1,  
10 2000; and five dollars beginning August 28, 2002, for those licenses biennially renewed  
11 pursuant to section 301.147, RSMo. Beginning July 1, 2003, for each motor vehicle or  
12 trailer license sold, renewed or transferred--three dollars and fifty cents and seven  
13 dollars for those licenses sold or biennially renewed pursuant to section 301.147, RSMo;

14           (2) For each application or transfer of title--two dollars and fifty cents beginning  
15   January 1, 1998;

16           (3) For each **instruction permit, nondriver license**, chauffeur's, operator's  
17   or driver's license **issued for a period of three years or less**--two dollars and fifty  
18   cents [beginning January 1, 1998; and four dollars beginning July 1, 2000;] and five  
19   dollars [beginning July 1, 2003,] for [six-year] licenses **or instruction permits** issued  
20   or renewed **for a period exceeding three years**;

21           (4) For each notice of lien processed--two dollars and fifty cents beginning August  
22   28, 2000;

23           (5) No notary fee or other fee or additional charge shall be paid or collected  
24   except for electronic telephone transmission reception--two dollars.

25           2. All fees charged shall not exceed those in this section. Beginning July 1, 2003,  
26   the fees imposed by this section shall be collected by all permanent branch offices and  
27   all full-time or temporary offices maintained by the department of revenue.

28           3. Any person acting as agent of the department of revenue for the sale and  
29   issuance of licenses and other documents related to motor vehicles shall have an  
30   insurable interest in all license plates, licenses, tabs, forms and other documents held  
31   on behalf of the department.

32           4. The fee increases authorized by this section and approved by the general  
33   assembly were requested by the fee agents. All fee agent offices shall display a three  
34   foot by four foot sign with black letters of at least three inches in height on a white  
35   background which states:

36           The increased fees approved by the Missouri Legislature and charged by  
37           this fee office were requested by the fee agents.

144.025. 1. Notwithstanding any other provisions of law to the contrary, in any  
2   retail sale other than retail sales governed by subsections 4 and 5 of this section, where  
3   any article on which sales or use tax has been paid, credited, or otherwise satisfied or  
4   which was exempted or excluded from sales or use tax is taken in trade as a credit or  
5   part payment on the purchase price of the article being sold, the tax imposed by sections  
6   144.020 and 144.440 shall be computed only on that portion of the purchase price which  
7   exceeds the actual allowance made for the article traded in or exchanged, if there is a  
8   bill of sale or other record showing the actual allowance made for the article traded in  
9   or exchanged. Where the purchaser of a motor vehicle, trailer, boat or outboard motor  
10   receives a rebate from the seller or manufacturer, the tax imposed by sections 144.020  
11   and 144.440 shall be computed only on that portion of the purchase price which exceeds  
12   the amount of the rebate, if there is a bill of sale or other record showing the actual

13 rebate given by the seller or manufacturer. Where the trade-in or exchange allowance  
14 plus any applicable rebate exceeds the purchase price of the purchased article there shall  
15 be no sales or use tax owed. This section shall also apply to motor vehicles, trailers,  
16 boats, and outboard motors sold by the owner or holder of the properly assigned  
17 certificate of ownership if the seller purchases or contracts to purchase a subsequent  
18 motor vehicle, trailer, boat, or outboard motor within one hundred eighty days before or  
19 after the date of the sale of the original article and a [notarized] bill of sale showing the  
20 paid sale price is presented to the department of revenue at the time of licensing. A copy  
21 of the bill of sale shall be left with the licensing office. Where the subsequent motor  
22 vehicle, trailer, boat, or outboard motor is titled more than one hundred eighty days after  
23 the sale of the original motor vehicle, trailer, boat, or outboard motor, the allowance  
24 pursuant to this section shall be made if the person titling such article establishes that  
25 the purchase or contract to purchase was finalized prior to the expiration of the one  
26 hundred eighty-day period.

27         2. As used in this section, the term "boat" includes all motorboats and vessels,  
28 as the terms "motorboat" and "vessel" are defined in section 306.010, RSMo.

29         3. As used in this section, the term "motor vehicle" includes motor vehicles as  
30 defined in section 301.010, RSMo, recreational vehicles as defined in section 700.010,  
31 RSMo, or a combination of a truck as defined in section 301.010, RSMo, and a trailer as  
32 defined in section 301.010, RSMo.

33         4. The provisions of subsection 1 of this section shall not apply to retail sales of  
34 manufactured homes in which the purchaser receives a document known as the  
35 "Manufacturer's Statement of Origin" for purposes of obtaining a title to the  
36 manufactured home from the department of revenue of this state or from the appropriate  
37 agency or officer of any other state.

38         5. Any purchaser of a motor vehicle or trailer used for agricultural use by the  
39 purchaser shall be allowed to use as an allowance to offset the sales and use tax liability  
40 towards the purchase of the motor vehicle or trailer any grain or livestock produced or  
41 raised by the purchaser. The director of revenue may prescribe forms for compliance  
42 with this subsection.

168.133. 1. The school district shall ensure that a criminal background check is  
2 conducted on any person employed after January 1, 2005, authorized to have contact  
3 with pupils and prior to the individual having contact with any pupil. Such persons  
4 include, but are not limited to, administrators, teachers, aides, paraprofessionals,  
5 assistants, secretaries, custodians, cooks, and nurses. **The school district shall also**  
6 **ensure that a criminal background check is conducted for school bus**

7 **drivers. The district may allow such drivers to operate busses pending the**  
8 **result of the criminal background check.** For bus drivers, the background check  
9 **shall be** conducted [by the department of revenue for the issuance or renewal of a school  
10 bus permit under section 302.272, RSMo, shall satisfy the background check  
11 requirements of this section] **on drivers employed by the school district or**  
12 **employed by a pupil transportation company under contract with the school**  
13 **district.**

14         2. In order to facilitate the criminal history background check on any person  
15 employed after January 1, 2005, the applicant shall submit two sets of fingerprints  
16 collected pursuant to standards determined by the Missouri highway patrol. One set of  
17 fingerprints shall be used by the highway patrol to search the criminal history repository  
18 and the family care safety registry pursuant to sections 210.900 to 210.936, RSMo, and  
19 the second set shall be forwarded to the Federal Bureau of Investigation for searching  
20 the federal criminal history files.

21         3. The applicant shall pay the fee for the state criminal history record  
22 information pursuant to section 43.530, RSMo, and sections 210.900 to 210.936, RSMo,  
23 and pay the appropriate fee determined by the Federal Bureau of Investigation for the  
24 federal criminal history record when he or she applies for a position authorized to have  
25 contact with pupils pursuant to this section. The department shall distribute the fees  
26 collected for the state and federal criminal histories to the Missouri highway patrol.

27         4. The school district may adopt a policy to provide for reimbursement of  
28 expenses incurred by an employee for state and federal criminal history information  
29 pursuant to section 43.530, RSMo.

30         5. If, as a result of the criminal history background check mandated by this  
31 section, it is determined that the holder of a certificate issued pursuant to section  
32 168.021 has pled guilty or nolo contendere to, or been found guilty of a crime or offense  
33 listed in section 168.071, RSMo, or a similar crime or offense committed in another state,  
34 the United States, or any other country, regardless of imposition of sentence, such  
35 information shall be reported to the department of elementary and secondary education.

36         6. Any school official making a report to the department of elementary and  
37 secondary education in conformity with this section shall not be subject to civil liability  
38 for such action.

39         7. Nothing in this section shall be construed to alter the standards for  
40 suspension, denial, or revocation of a certificate issued pursuant to this chapter.

41         8. The state board of education may promulgate rules for criminal history  
42 background checks made pursuant to this section. Any rule or portion of a rule, as that



43 term is defined in section 536.010, RSMo, that is created under the authority delegated  
44 in this section shall become effective only if it complies with and is subject to all of the  
45 provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section  
46 and chapter 536, RSMo, are nonseverable and if any of the powers vested with the  
47 general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date,  
48 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant  
49 of rulemaking authority and any rule proposed or adopted after January 1, 2005, shall  
50 be invalid and void.

51 [9. The provisions of this section shall become effective January 1, 2005.]

301.020. 1. Every owner of a motor vehicle or trailer, which shall be operated or driven  
2 upon the highways of this state, except as herein otherwise expressly provided, shall  
3 annually file, by mail or otherwise, in the office of the director of revenue, an application  
4 for registration on a blank to be furnished by the director of revenue for that purpose  
5 containing:

6 (1) A brief description of the motor vehicle or trailer to be registered, including  
7 the name of the manufacturer, the vehicle identification number, the amount of motive  
8 power of the motor vehicle, stated in figures of horsepower and whether the motor  
9 vehicle is to be registered as a motor vehicle primarily for business use as defined in  
10 section 301.010;

11 (2) The name, the applicant's identification number and address of the owner of  
12 such motor vehicle or trailer;

13 (3) The gross weight of the vehicle and the desired load in pounds if the vehicle  
14 is a commercial motor vehicle or trailer.

15 2. If the vehicle is a motor vehicle primarily for business use as defined in section  
16 301.010 and if such vehicle is five years of age or less, the director of revenue shall  
17 retain the odometer information provided in the vehicle inspection report, and provide  
18 for prompt access to such information, together with the vehicle identification number  
19 for the motor vehicle to which such information pertains, for a period of five years after  
20 the receipt of such information. This section shall not apply unless:

21 (1) The application for the vehicle's certificate of ownership was submitted after  
22 July 1, 1989; and

23 (2) The certificate was issued pursuant to a manufacturer's statement of origin.

24 3. If the vehicle is any motor vehicle other than a motor vehicle primarily for  
25 business use, a recreational motor vehicle, motorcycle, motortricycle, bus or any  
26 commercial motor vehicle licensed for over twelve thousand pounds and if such motor  
27 vehicle is five years of age or less, the director of revenue shall retain the odometer

28 information provided in the vehicle inspection report, and provide for prompt access to  
29 such information, together with the vehicle identification number for the motor vehicle  
30 to which such information pertains, for a period of five years after the receipt of such  
31 information. This subsection shall not apply unless:

32 (1) The application for the vehicle's certificate of ownership was submitted after  
33 July 1, 1990; and

34 (2) The certificate was issued pursuant to a manufacturer's statement of origin.

35 4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle,  
36 specially constructed motor vehicle, non-USA-std motor vehicle, as defined in section  
37 301.010, or prior salvage as referenced in section 301.573, the owner or lienholder shall  
38 surrender the certificate of ownership. The owner shall make an application for a new  
39 certificate of ownership, pay the required title fee, and obtain the vehicle examination  
40 certificate required pursuant to **subsection 9 of section 301.190. If an insurance**  
41 **company which pays a claim on a salvage vehicle as defined in section 301.010**  
42 **and the insured is retaining ownership of the vehicle, as prior salvage, the**  
43 **vehicle shall only be required to meet the examination requirements pursuant**  
44 **to subsection 10 of section 301.190.** Notarized bills of sale along with a copy of the  
45 front and back of the certificate of ownership for all major component parts installed on  
46 the vehicle and invoices for all essential parts which are not defined as major component  
47 parts shall accompany the application for a new certificate of ownership. If the vehicle  
48 is a specially constructed motor vehicle, as defined in section 301.010, two pictures of the  
49 vehicle shall be submitted with the application. If the vehicle is a kit vehicle, the  
50 applicant shall submit the invoice and the manufacturer's statement of origin on the ~~kif~~.  
51 the vehicle requires the issuance of a special number by the director of revenue or a  
52 replacement vehicle identification number, the applicant shall submit the required  
53 application and application fee. All applications required under this subsection shall be  
54 submitted with any applicable taxes which may be due on the purchase of the vehicle or  
55 parts. The director of revenue shall appropriately designate "Reconstructed Motor  
56 Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially  
57 Constructed Motor Vehicle" on the current and all subsequent issues of the certificate  
58 of ownership of such vehicle.

59 5. Every insurance company which pays a claim for repair of a motor vehicle  
60 which as the result of such repairs becomes a reconstructed motor vehicle as defined in  
61 section 301.010 or which pays a claim on a salvage vehicle as defined in section 301.010  
62 and the insured is retaining ownership of the vehicle, shall in writing notify the  
63 claimant, if he is the owner of the vehicle, and the lienholder if a lien is in effect, that

64 he is required to surrender the certificate of ownership, and the documents and fees  
65 required pursuant to subsection 4 of this section to obtain a [reconstructed] **prior**  
66 **salvage** motor vehicle certificate of ownership or documents and fees as otherwise  
67 required by law to obtain a salvage certificate of ownership, from the director of  
68 revenue. The insurance company shall within thirty days of the payment of such claims  
69 report to the director of revenue the name and address of such claimant, the year, make,  
70 model, vehicle identification number, and license plate number of the vehicle, and the  
71 date of loss and payment.

72         6. Anyone who fails to comply with the requirements of this section shall be  
73 guilty of a class B misdemeanor.

74         7. An applicant for registration may make a donation of one dollar to promote a  
75 blindness education, screening and treatment program. The director of revenue shall  
76 collect the donations and deposit all such donations in the state treasury to the credit  
77 of the blindness education, screening and treatment program fund established in section  
78 192.935, RSMo. Moneys in the blindness education, screening and treatment program  
79 fund shall be used solely for the purposes established in section 192.935, RSMo, except  
80 that the department of revenue shall retain no more than one percent for its  
81 administrative costs. The donation prescribed in this subsection is voluntary and may  
82 be refused by the applicant for registration at the time of issuance or renewal. The  
83 director shall inquire of each applicant at the time the applicant presents the completed  
84 application to the director whether the applicant is interested in making the one-dollar  
85 donation prescribed in this subsection.

86         8. An applicant for registration may make a donation of one dollar to promote an  
87 organ donor program. The director of revenue shall collect the donations and deposit all  
88 such donations in the state treasury to the credit of the organ donor program fund as  
89 established in sections 194.297 to 194.304, RSMo. Moneys in the organ donor fund shall  
90 be used solely for the purposes established in sections 194.297 to 194.304, RSMo, except  
91 that the department of revenue shall retain no more than one percent for its  
92 administrative costs. The donation prescribed in this subsection is voluntary and may  
93 be refused by the applicant for registration at the time of issuance or renewal. The  
94 director shall inquire of each applicant at the time the applicant presents the completed  
95 application to the director whether the applicant is interested in making the one-dollar  
96 donation prescribed in this subsection.

301.025. 1. No state registration license to operate any motor vehicle in this  
2 state shall be issued unless the application for license of a motor vehicle or trailer is  
3 accompanied by a tax receipt for the tax year which immediately precedes the year in

4 which the vehicle's or trailer's registration is due and which reflects that all taxes,  
5 including delinquent taxes from prior years, have been paid, or a statement certified by  
6 the county or township collector of the county or township in which the applicant's  
7 property was assessed showing that the state and county tangible personal property  
8 taxes for such previous tax year and all delinquent taxes due have been paid by the  
9 applicant, or **a statement certified by the county or township collector for such**  
10 **previous year** that no such taxes were **assessed or due and, the applicant has no**  
11 **unpaid taxes on the collector's tax roll for any subsequent year** or, if the  
12 applicant is not a resident of this state and serving in the armed forces of the United  
13 States, the application is accompanied by a leave and earnings statement from such  
14 person verifying such status or, if the applicant is an organization described pursuant  
15 to subdivision (5) of section 137.100, RSMo, or subsection 1 of section 137.101, RSMo, the  
16 application is accompanied by a document, in a form approved by the director, verifying  
17 that the organization is registered with the department of revenue or is determined by  
18 the internal revenue service to be a tax-exempt entity. If the director of the department  
19 of revenue has been notified by the assessor pursuant to subsection 2 of section 137.101,  
20 RSMo, that the applicant's personal property is not tax exempt, then the organization's  
21 application shall be accompanied by a statement certified by the county or township  
22 collector of the county or township in which the organization's property was assessed  
23 showing that the state and county tangible personal property taxes for such previous tax  
24 year and all delinquent taxes due have been paid by the organization. In the event the  
25 registration is a renewal of a registration made two or three years previously, the  
26 application shall be accompanied by proof that taxes were not due or have been paid for  
27 the two or three years which immediately precede the year in which the motor vehicle's  
28 or trailer's registration is due. The county or township collector shall not be required  
29 to issue a receipt **or certified statement that taxes were not assessed or due** for  
30 the immediately preceding tax year until all personal property taxes, including all  
31 **current and** delinquent taxes [currently due], are paid. If the applicant was a resident  
32 of another county of this state in the applicable preceding years, he or she must submit  
33 to the collector in the county or township of residence proof that the personal property  
34 tax was paid in the applicable tax years. Every county and township collector shall give  
35 each person a tax receipt or a certified statement of tangible personal property taxes  
36 paid. The receipt issued by the county collector in any county of the first classification  
37 with a charter form of government which contains part of a city with a population of at  
38 least three hundred fifty thousand inhabitants which is located in more than one county,  
39 any county of the first classification without a charter form of government with a

40 population of at least one hundred fifty thousand inhabitants which contains part of a  
41 city with a population of at least three hundred fifty thousand inhabitants which is  
42 located in more than one county and any county of the first classification without a  
43 charter form of government with a population of at least one hundred ten thousand but  
44 less than one hundred fifty thousand inhabitants shall be determined null and void if  
45 the person paying tangible personal property taxes issues or passes a check or other  
46 similar sight order which is returned to the collector because the account upon which the  
47 check or order was drawn was closed or did not have sufficient funds at the time of  
48 presentation for payment by the collector to meet the face amount of the check or  
49 order. The collector may assess and collect in addition to any other penalty or interest  
50 that may be owed, a penalty of ten dollars or five percent of the total amount of the  
51 returned check or order whichever amount is greater to be deposited in the county  
52 general revenue fund, but in no event shall such penalty imposed exceed one hundred  
53 dollars. The collector may refuse to accept any check or other similar sight order in  
54 payment of any tax currently owed plus penalty or interest from a person who previously  
55 attempted to pay such amount with a check or order that was returned to the collector  
56 unless the remittance is in the form of a cashier's check, certified check or money order.  
57 If a person does not comply with the provisions of this section, a tax receipt issued  
58 pursuant to this section is null and void and no state registration license shall be issued  
59 or renewed. Where no such taxes are due each such collector shall, upon request, certify  
60 such fact and transmit such statement to the person making the request. Each receipt  
61 or statement shall describe by type the total number of motor vehicles on which personal  
62 property taxes were paid, and no renewal of any state registration license shall be issued  
63 to any person for a number greater than that shown on his or her tax receipt or  
64 statement except for a vehicle which was purchased without another vehicle being traded  
65 therefor, or for a vehicle previously registered in another state, provided the application  
66 for title or other evidence shows that the date the vehicle was purchased or was first  
67 registered in this state was such that no personal property tax was owed on such vehicle  
68 as of the date of the last tax receipt or certified statement prior to the renewal. The  
69 director of revenue shall make necessary rules and regulations for the enforcement of  
70 this section, and shall design all necessary forms. If electronic data is not available,  
71 residents of counties with a township form of government and with township collectors  
72 shall present personal property tax receipts which have been paid for the preceding two  
73 years when registering under this section.

74         2. Every county collector in counties with a population of over six hundred  
75 thousand and less than nine hundred thousand shall give priority to issuing tax receipts

76 or certified statements pursuant to this section for any person whose motor vehicle  
77 registration expires in January. Such collector shall send tax receipts or certified  
78 statements for personal property taxes for the previous year within three days to any  
79 person who pays the person's personal property tax in person, and within twenty  
80 working days, if the payment is made by mail. Any person wishing to have priority  
81 pursuant to this subsection shall notify the collector at the time of payment of the  
82 property taxes that a motor vehicle registration expires in January. Any person  
83 purchasing a new vehicle in December and licensing such vehicle in January of the  
84 following year may use the personal property tax receipt of the prior year as proof of  
85 payment.

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

92           4. Beginning July 1, 2000, a county or township collector may notify, by ordinary  
93 mail, any owner of a motor vehicle for which personal property taxes have not been paid  
94 that if full payment is not received within thirty days the collector may notify the  
95 director of revenue to suspend the motor vehicle registration for such vehicle. Any  
96 notification returned to the collector by the post office shall not result in the notification  
97 to the director of revenue for suspension of a motor vehicle registration. Thereafter, if  
98 the owner fails to timely pay such taxes the collector may notify the director of revenue  
99 of such failure. Such notification shall be on forms designed and provided by the  
100 department of revenue and shall list the motor vehicle owner's full name, including  
101 middle initial, the owner's address, and the year, make, model and vehicle identification  
102 number of such motor vehicle. Upon receipt of this notification the director of revenue  
103 may provide notice of suspension of motor vehicle registration to the owner at the  
104 owner's last address shown on the records of the department of revenue. Any suspension  
105 imposed may remain in effect until the department of revenue receives notification from  
106 a county or township collector that the personal property taxes have been paid in  
107 full. Upon the owner furnishing proof of payment of such taxes and paying a twenty  
108 dollar reinstatement fee to the director of revenue the motor vehicle or vehicles  
109 registration shall be reinstated. In the event a motor vehicle registration is suspended  
110 for nonpayment of personal property tax the owner so aggrieved may appeal to the  
111 circuit court of the county of his or her residence for review of such suspension at any

112 time within thirty days after notice of motor vehicle registration suspension. Upon such  
113 appeal the cause shall be heard de novo in the manner provided by chapter 536, RSMo,  
114 for the review of administrative decisions. The circuit court may order the director to  
115 reinstate such registration, sustain the suspension of registration by the director or set  
116 aside or modify such suspension. Appeals from the judgment of the circuit court may be  
117 taken as in civil cases. The prosecuting attorney of the county where such appeal is  
118 taken shall appear in behalf of the director, and prosecute or defend, as the case may  
119 require.

120         5. Beginning July 1, 2005, a city not within a county or any home rule city with  
121 more than four hundred thousand inhabitants and located in more than one county may  
122 notify, by ordinary mail, any owner of a motor vehicle who is delinquent in payment of  
123 vehicle-related fees and fines that if full payment is not received within thirty days, the  
124 city not within a county or any home rule city with more than four hundred thousand  
125 inhabitants and located in more than one county may notify the director of revenue to  
126 suspend the motor vehicle registration for such vehicle. Any notification returned to the  
127 city not within a county or any home rule city with more than four hundred thousand  
128 inhabitants and located in more than one county by the post office shall not result in the  
129 notification to the director of revenue for suspension of a motor vehicle registration. If  
130 the vehicle-related fees and fines are assessed against a car that is registered in the  
131 name of a rental or leasing company and the vehicle is rented or leased to another  
132 person at the time the fees or fines are assessed, the rental or leasing company may  
133 rebut the presumption by providing the city not within a county or any home rule city  
134 with more than four hundred thousand inhabitants and located in more than one county  
135 with a copy of the rental or lease agreement in effect at the time the fees or fines were  
136 assessed. A rental or leasing company shall not be charged for fees or fines under this  
137 subsection, nor shall the registration of a vehicle be suspended, unless prior written  
138 notice of the fees or fines has been given to that rental or leasing company by ordinary  
139 mail at the address appearing on the registration and the rental or leasing company has  
140 failed to provide the rental or lease agreement copy within fifteen days of receipt of such  
141 notice. Any notification to a rental or leasing company that is returned to the city not  
142 within a county or any home rule city with more than four hundred thousand inhabitants  
143 and located in more than one county by the post office shall not result in the notification  
144 to the director of revenue for suspension of a motor vehicle registration. For the purpose  
145 of this section, "vehicle-related fees and fines" includes, but is not limited to, traffic  
146 violation fines, parking violation fines, vehicle towing, storage and immobilization fees,  
147 and any late payment penalties, other fees, and court costs associated with the

148 adjudication or collection of those fines.

149           6. If after notification under subsection 5 of this section the vehicle owner fails  
150 to pay such vehicle-related fees and fines to the city not within a county or any home  
151 rule city with more than four hundred thousand inhabitants and located in more than  
152 one county within thirty days from the date of such notice, the city not within a county  
153 or any home rule city with more than four hundred thousand inhabitants and located in  
154 more than one county may notify the director of revenue of such failure. Such  
155 notification shall be on forms or in an electronic format approved by the department of  
156 revenue and shall list the vehicle owner's full name and address, and the year, make,  
157 model, and vehicle identification number of such motor vehicle and such other  
158 information as the director shall require.

159           7. Upon receipt of notification under subsection 5 of this section, the director of  
160 revenue may provide notice of suspension of motor vehicle registration to the owner at  
161 the owner's last address shown on the records of the department of revenue. Any  
162 suspension imposed may remain in effect until the department of revenue receives  
163 notification from a city not within a county or any home rule city with more than four  
164 hundred thousand inhabitants and located in more than one county that the  
165 vehicle-related fees or fines have been paid in full. Upon the owner furnishing proof of  
166 payment of such fees and fines and paying a twenty dollar reinstatement fee to the  
167 director of revenue the motor vehicle registration shall be reinstated. In the event a  
168 motor vehicle registration is suspended for nonpayment of vehicle-related fees or fines  
169 the owner so aggrieved may appeal to the circuit court of the county where the violation  
170 occurred for review of such suspension at any time within thirty days after notice of  
171 motor vehicle registration suspension. Upon such appeal the cause shall be heard de  
172 novo in the manner provided by chapter 536, RSMo, for the review of administrative  
173 decisions. The circuit court may order the director to reinstate such registration, sustain  
174 the suspension of registration by the director or set aside or modify such  
175 suspension. Appeals from the judgment of the circuit court may be taken as in civil  
176 cases. The prosecuting attorney of the county where such appeal is taken shall appear  
177 in behalf of the director, and prosecute or defend, as the case may require.

178           8. The city not within a county or any home rule city with more than four  
179 hundred thousand inhabitants and located in more than one county shall reimburse the  
180 department of revenue for all administrative costs associated with the administration  
181 of subsections 5 to 8 of this section.

182           9. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,  
183 that is created under the authority delegated in this section shall become effective only



184 if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if  
185 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are  
186 nonseverable and if any of the powers vested with the general assembly pursuant to  
187 chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a  
188 rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
189 any rule proposed or adopted after August 28, 2000, shall be invalid and void.

301.129. There is established in this section an advisory committee for the  
2 department of revenue, which shall exist solely to develop uniform designs and common  
3 colors for motor vehicle license plates issued under this chapter and to determine  
4 appropriate license plate parameters for all license plates issued under this  
5 chapter. The advisory committee may adopt more than one type of design and color  
6 scheme for license plates issued under this chapter; however, each license plate of a  
7 distinct type shall be uniform in design and color scheme with all other license plates  
8 of that distinct type. The specifications for the fully reflective material used for the  
9 plates, as required by section 301.130, shall be determined by the committee. Such  
10 plates shall meet any specific requirements prescribed in this chapter. The advisory  
11 committee shall consist of the director of revenue, the superintendent of the highway  
12 patrol, the correctional enterprises administrator, and the respective chairpersons of  
13 both the senate and house of representatives transportation  
14 committees. Notwithstanding section 226.200, RSMo, to the contrary, the general  
15 assembly may appropriate state highways and transportation department funds for the  
16 requirements of section 301.130 and this section. Prior to ~~[April 1, 2006]~~ **January 1,**  
17 **2008**, the committee shall meet, select a chairman from among their members, and  
18 develop uniform design and license plate parameters for the motor vehicle license plates  
19 issued under this chapter. Prior to determining the final design of the plates, the  
20 committee shall hold at least three public meetings in different areas of the state to  
21 invite public input on the final design. Members of the committee shall be reimbursed  
22 for their actual and necessary expenses incurred in the performance of their duties under  
23 this section out of funds appropriated for that purpose. The committee shall direct the  
24 director of revenue to implement its final design of the uniform motor vehicle license  
25 plates and any specific parameters for all license plates developed by the committee not  
26 later than ~~[April 1, 2006]~~ **January 1, 2008**. The committee shall be dissolved upon  
27 completion of its duties under this section.

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 by this section. Each set of license plates shall bear the name  
6 or abbreviated name of this state, the words "SHOW-ME STATE", the month and year  
7 in which the registration shall expire, and an arrangement of numbers or letters, or  
8 both, as shall be assigned from year to year by the director of revenue. The plates shall  
9 also contain fully reflective material with a common color scheme and design for each  
10 type of license plate issued pursuant to this chapter. The plates shall be clearly visible  
11 at night, and shall be aesthetically attractive. Special plates for qualified disabled  
12 veterans will have the "DISABLED VETERAN" wording on the license plates in  
13 preference to the words "SHOW-ME STATE" and special plates for members of the  
14 national guard will have the "NATIONAL GUARD" wording in preference to the words  
15 "SHOW-ME STATE".

16         2. The arrangement of letters and numbers of license plates shall be uniform  
17 throughout each classification of registration. The director may provide for the  
18 arrangement of the numbers in groups or otherwise, and for other distinguishing marks  
19 on the plates.

20         3. All property-carrying commercial motor vehicles to be registered at a gross  
21 weight in excess of twelve thousand pounds, all passenger-carrying commercial motor  
22 vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles,  
23 motortricycles, motorscooters and driveaway vehicles shall be registered with the  
24 director of revenue as provided for in subsection 3 of section 301.030, or with the state  
25 highways and transportation commission as otherwise provided in this chapter, but only  
26 one license plate shall be issued for each such vehicle except as provided in this  
27 subsection. The applicant for registration of any property-carrying commercial motor  
28 vehicle may request and be issued two license plates for such vehicle, and if such plates  
29 are issued the director of revenue may assess and collect an additional charge from the  
30 applicant in an amount not to exceed the fee prescribed for personalized license plates  
31 in subsection 1 of section 301.144.

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

35         5. No motor vehicle or trailer shall be operated on any highway of this state  
36 unless it shall have displayed thereon the license plate or set of license plates issued by  
37 the director of revenue or the state highways and transportation commission and  
38 authorized by section 301.140. Each such plate shall be securely fastened to the motor  
39 vehicle in a manner so that all parts thereof shall be plainly visible and reasonably clean

40 so that the reflective qualities thereof are not impaired. License plates shall be fastened  
41 to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in  
42 excess of twelve thousand pounds on the front and rear of such vehicles not less than  
43 eight nor more than forty-eight inches above the ground, with the letters and numbers  
44 thereon right side up. The license plates on trailers, motorcycles, motortricycles and  
45 motorscooters shall be displayed on the rear of such vehicles, with the letters and  
46 numbers thereon right side up. The license plate on buses, other than school buses, and  
47 on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand  
48 pounds shall be displayed on the front of such vehicles not less than eight nor more than  
49 forty-eight inches above the ground, with the letters and numbers thereon right side up  
50 or if two plates are issued for the vehicle pursuant to subsection 3 of this section,  
51 displayed in the same manner on the front and rear of such vehicles. The license plate  
52 or plates authorized by section 301.140, when properly attached, shall be prima facie  
53 evidence that the required fees have been paid.

54         6. (1) The director of revenue shall issue annually or biennially a tab or set of  
55 tabs as provided by law as evidence of the annual payment of registration fees and the  
56 current registration of a vehicle in lieu of the set of plates. Beginning January 1, [2009]  
57 **2011**, the [numbers] **director may prescribe any additional information** recorded  
58 on the tab or tabs [must be the same numbers that appear on] **to ensure that the tab**  
59 **or tabs positively correlate with** the license plate or plates issued by the department  
60 of revenue [that are displayed on the] **for such** vehicle. Such tabs shall be produced in  
61 each license bureau office.

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

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

68         (4) Except as otherwise provided in this section, the director of revenue shall  
69 issue plates for a period of at least six years.

70         (5) For those commercial motor vehicles and trailers registered pursuant to  
71 section 301.041, the plate issued by the highways and transportation commission shall  
72 be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in  
73 this section shall relieve the owner of any vehicle permanently registered pursuant to  
74 this section from the obligation to pay the annual registration fee due for the  
75 vehicle. The permanent nonexpiring license plate shall be returned to the highways and

76 transportation commission upon the sale or disposal of the vehicle by the owner to whom  
77 the permanent nonexpiring license plate is issued, or the plate may be transferred to a  
78 replacement commercial motor vehicle when the owner files a supplemental application  
79 with the Missouri highways and transportation commission for the registration of such  
80 replacement commercial motor vehicle. Upon payment of the annual registration fee, the  
81 highways and transportation commission shall issue a certificate of registration or other  
82 suitable evidence of payment of the annual fee, and such evidence of payment shall be  
83 carried at all times in the vehicle for which it is issued.

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

95 7. The director of revenue and the highways and transportation commission may  
96 prescribe rules and regulations for the effective administration of this section. No rule  
97 or portion of a rule promulgated under the authority of this section shall become effective  
98 unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

99 8. Notwithstanding the provisions of any other law to the contrary, owners of  
100 motor vehicles other than apportioned motor vehicles or commercial motor vehicles  
101 licensed in excess of eighteen thousand pounds gross weight may apply for special  
102 personalized license plates. Vehicles licensed for eighteen thousand pounds that display  
103 special personalized license plates shall be subject to the provisions of subsections 1 and  
104 2 of section 301.030.

105 9. Commencing January 1, [2007] **2010**, the director of revenue shall cause to be  
106 reissued new license plates of such design as directed by the director consistent with the  
107 terms, conditions, and provisions of this section and this chapter. Except as otherwise  
108 provided in this section, in addition to all other fees required by law, applicants for  
109 registration of vehicles with license plates that expire between January 1, [2007] **2010**,  
110 and December 31, [2009] **2012**, applicants for registration of trailers or semitrailers with  
111 license plates that expire between January 1, [2007] **2010**, and December 31, [2009]

112 **2012**, and applicants for registration of vehicles that are to be issued new license plates  
113 shall pay an additional fee [of up to two dollars and fifty cents], based on the actual cost  
114 of the reissuance, to cover the cost of the newly reissued plates required by this  
115 subsection. [The additional fee, based on the actual cost, prescribed by this subsection  
116 shall only be one dollar and twenty-five cents for issuance of one new plate for vehicles  
117 requiring only one license plate pursuant to this section.] The additional fee [of two  
118 dollars and fifty cents] prescribed in this subsection shall not be charged to persons  
119 receiving special license plates issued under section 301.073 or 301.443. Historic motor  
120 vehicle license plates registered pursuant to section 301.131 and specialized license  
121 plates are exempt from the provisions of this subsection.

2 [301.130. 1. The director of revenue, upon receipt of a proper  
3 application for registration, required fees and any other information which  
4 may be required by law, shall issue to the applicant a certificate of  
5 registration in such manner and form as the director of revenue may  
6 prescribe and a set of license plates, or other evidence of registration, as  
7 provided by this section. Each set of license plates shall bear the name or  
8 abbreviated name of this state, the words "SHOW-ME STATE", the month  
9 and year in which the registration shall expire, and an arrangement of  
10 numbers or letters, or both, as shall be assigned from year to year by the  
11 director of revenue. The plates shall also contain fully reflective material  
12 with a common color scheme and design for each type of license plate  
13 issued pursuant to this chapter. The plates shall be clearly visible at  
14 night, and shall be aesthetically attractive. Special plates for qualified  
15 disabled veterans will have the "DISABLED VETERAN" wording on the  
16 license plates in preference to the words "SHOW-ME STATE" and special  
17 plates for members of the national guard will have the "NATIONAL  
18 GUARD" wording in preference to the words "SHOW-ME STATE".

19 2. The arrangement of letters and numbers of license plates shall  
20 be uniform throughout each classification of registration. The director  
21 may provide for the arrangement of the numbers in groups or otherwise,  
22 and for other distinguishing marks on the plates.

23 3. All property-carrying commercial motor vehicles to be registered  
24 at a gross weight in excess of twelve thousand pounds, all  
25 passenger-carrying commercial motor vehicles, local transit buses, school  
26 buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and  
driveaway vehicles shall be registered with the director of revenue as

provided for in subsection 3 of section 301.030, but only one license plate shall be issued for each such vehicle except as provided in this subsection. The applicant for registration of any property-carrying commercial motor vehicle may request and be issued two license plates for such vehicle, and if such plates are issued the director of revenue may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.

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

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear 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 plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on buses, other than school buses, and 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 or if two plates are issued for the vehicle pursuant to subsection 5 of this section, displayed in the same manner on the front and rear of such vehicles. 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.

6. (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

63 current registration of a vehicle in lieu of the set of plates.

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

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

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

72 (5) For those commercial motor vehicles and trailers registered  
73 pursuant to section 301.041, the plate issued by the director of revenue  
74 shall be a permanent nonexpiring license plate for which no tabs shall be  
75 issued. Nothing in this section shall relieve the owner of any vehicle  
76 permanently registered pursuant to this section from the obligation to pay  
77 the annual registration fee due for the vehicle. The permanent  
78 nonexpiring license plate shall be returned to the director of revenue upon  
79 the sale or disposal of the vehicle by the owner to whom the permanent  
80 nonexpiring license plate is issued, or the plate may be transferred to a  
81 replacement commercial motor vehicle when the owner files a  
82 supplemental application with the Missouri highway reciprocity  
83 commission for the registration of such replacement commercial motor  
84 vehicle. Upon payment of the annual registration fee, the director of  
85 revenue shall issue a certificate of registration or other suitable evidence  
86 of payment of the annual fee, and such evidence of payment shall be  
87 carried at all times in the vehicle for which it is issued.

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

99 registration year.

100 7. The director of revenue may prescribe rules and regulations for  
101 the effective administration of this section. No rule or portion of a rule  
102 promulgated under the authority of this section shall become effective  
103 unless it has been promulgated pursuant to the provisions of section  
104 536.024, RSMo.

105 8. Notwithstanding the provisions of any other law to the contrary,  
106 owners of motor vehicles other than apportioned motor vehicles or  
107 commercial motor vehicles licensed in excess of eighteen thousand pounds  
108 gross weight may apply for special personalized license plates. Vehicles  
109 licensed for eighteen thousand pounds that display special personalized  
110 license plates shall be subject to the provisions of subsections 1 and 2 of  
111 section 301.030.]

301.190. 1. No certificate of registration of any motor vehicle or trailer, or  
2 number plate therefor, shall be issued by the director of revenue unless the applicant  
3 therefor shall make application for and be granted a certificate of ownership of such  
4 motor vehicle or trailer, or shall present satisfactory evidence that such certificate has  
5 been previously issued to the applicant for such motor vehicle or trailer. Application  
6 shall be made within thirty days after the applicant acquires the motor vehicle or trailer  
7 upon a blank form furnished by the director of revenue and shall contain the applicant's  
8 identification number, a full description of the motor vehicle or trailer, the vehicle  
9 identification number, and the mileage registered on the odometer at the time of transfer  
10 of ownership, as required by section 407.536, RSMo, together with a statement of the  
11 applicant's source of title and of any liens or encumbrances on the motor vehicle or  
12 trailer, provided that for good cause shown the director of revenue may extend the period  
13 of time for making such application.

14 2. The director of revenue shall use reasonable diligence in ascertaining whether  
15 the facts stated in such application are true and shall, to the extent possible without  
16 substantially delaying processing of the application, review any odometer information  
17 pertaining to such motor vehicle that is accessible to the director of revenue. If satisfied  
18 that the applicant is the lawful owner of such motor vehicle or trailer, or otherwise  
19 entitled to have the same registered in his name, the director shall thereupon issue an  
20 appropriate certificate over his signature and sealed with the seal of his office, procured  
21 and used for such purpose. The certificate shall contain on its face a complete  
22 description, vehicle identification number, and other evidence of identification of the  
23 motor vehicle or trailer, as the director of revenue may deem necessary, together with



24 the odometer information required to be put on the face of the certificate pursuant to  
25 section 407.536, RSMo, a statement of any liens or encumbrances which the application  
26 may show to be thereon, and, if ownership of the vehicle has been transferred, the name  
27 of the state issuing the transferor's title and whether the transferor's odometer mileage  
28 statement executed pursuant to section 407.536, RSMo, indicated that the true mileage  
29 is materially different from the number of miles shown on the odometer, or is unknown.

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

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

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

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

50         5. The fee for each original certificate so issued shall be eight dollars and fifty  
51 cents, in addition to the fee for registration of such motor vehicle or trailer.

52 If application for the certificate is not made within thirty days after the vehicle is  
53 acquired by the applicant, a delinquency penalty fee of twenty-five dollars for the first  
54 thirty days of delinquency and twenty-five dollars for each thirty days of delinquency  
55 thereafter, not to exceed a total of one hundred dollars before November 1, 2003, and not  
56 to exceed a total of two hundred dollars on or after November 1, 2003, shall be imposed,  
57 but such penalty may be waived by the director for a good cause shown. If the director  
58 of revenue learns that any person has failed to obtain a certificate within thirty days  
59 after acquiring a motor vehicle or trailer or has sold a vehicle without obtaining a

60 certificate, he shall cancel the registration of all vehicles registered in the name of the  
61 person, either as sole owner or as a co-owner, and shall notify the person that the  
62 cancellation will remain in force until the person pays the delinquency penalty fee  
63 provided in this section, together with all fees, charges and payments which he should  
64 have paid in connection with the certificate of ownership and registration of the  
65 vehicle. The certificate shall be good for the life of the motor vehicle or trailer so long  
66 as the same is owned or held by the original holder of the certificate and shall not have  
67 to be renewed annually.

68         6. Any applicant for a certificate of ownership requesting the department of  
69 revenue to process an application for a certificate of ownership in an expeditious manner  
70 requiring special handling shall pay a fee of five dollars in addition to the regular  
71 certificate of ownership fee.

72         7. It is unlawful for any person to operate in this state a motor vehicle or trailer  
73 required to be registered under the provisions of the law unless a certificate of ownership  
74 has been issued as herein provided.

75         8. Before an original Missouri certificate of ownership is issued, an inspection of  
76 the vehicle and a verification of vehicle identification numbers shall be made by the  
77 Missouri state highway patrol on vehicles for which there is a current title issued by  
78 another state if a Missouri salvage certificate of title has been issued for the same  
79 vehicle but no prior inspection and verification has been made in this state, except that  
80 if such vehicle has been inspected in another state by a law enforcement officer in a  
81 manner comparable to the inspection process in this state and the vehicle identification  
82 numbers have been so verified, the applicant shall not be liable for the twenty-five dollar  
83 inspection fee if such applicant submits proof of inspection and vehicle identification  
84 number verification to the director of revenue at the time of the application. The  
85 applicant, who has such a title for a vehicle on which no prior inspection and verification  
86 have been made, shall pay a fee of twenty-five dollars for such verification and  
87 inspection, payable to the director of revenue at the time of the request for the  
88 application, which shall be deposited in the state treasury to the credit of the state  
89 highways and transportation department fund.

90         9. Each application for an original Missouri certificate of ownership for a vehicle  
91 which is classified as a reconstructed motor vehicle, specially constructed motor vehicle,  
92 kit vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as  
93 required by the director of revenue shall be accompanied by a vehicle examination  
94 certificate issued by the Missouri state highway patrol, or other law enforcement agency  
95 as authorized by the director of revenue. The vehicle examination shall include a

96 verification of vehicle identification numbers and a determination of the classification  
97 of the vehicle. The owner of a vehicle which requires a vehicle examination certificate  
98 shall present the vehicle for examination and obtain a completed vehicle examination  
99 certificate prior to submitting an application for a certificate of ownership to the director  
100 of revenue. The fee for the vehicle examination application shall be twenty-five dollars  
101 and shall be collected by the director of revenue at the time of the request for the  
102 application and shall be deposited in the state treasury to the credit of the state  
103 highways and transportation department fund.

104         10. When an application is made for an original Missouri certificate of ownership  
105 for a motor vehicle previously registered or titled in a state other than Missouri **or as**  
106 **required by section 301.020**, it shall be accompanied by a current inspection form  
107 certified by a duly authorized official inspection station as described in chapter 307,  
108 RSMo. The completed form shall certify that the manufacturer's identification number  
109 for the vehicle has been inspected, that it is correctly displayed on the vehicle and shall  
110 certify the reading shown on the odometer at the time of inspection. The inspection  
111 station shall collect the same fee as authorized in section 307.365, RSMo, for making the  
112 inspection, and the fee shall be deposited in the same manner as provided in section  
113 307.365, RSMo. If the vehicle is also to be registered in Missouri, the safety and  
114 emissions inspections required in chapter 307, RSMo, shall be completed and only the  
115 fees required by sections 307.365 and 307.366, RSMo, shall be charged to the  
116 owner. This section shall not apply to vehicles being transferred on a manufacturer's  
117 statement of origin.

118         11. Motor vehicles brought into this state in a wrecked or damaged condition or  
119 after being towed as an abandoned vehicle pursuant to another state's abandoned motor  
120 vehicle procedures shall, in lieu of the inspection required by subsection 10 of this  
121 section, be inspected by the Missouri state highway patrol in accordance with subsection  
122 9 of this section. If the inspection reveals the vehicle to be in a salvage or junk  
123 condition, the director shall so indicate on any Missouri certificate of ownership issued  
124 for such vehicle. Any salvage designation shall be carried forward on all subsequently  
125 issued certificates of title for the motor vehicle.

126         12. When an application is made for an original Missouri certificate of ownership  
127 for a motor vehicle previously registered or titled in a state other than Missouri, and the  
128 certificate of ownership has been appropriately designated by the issuing state as a  
129 reconstructed motor vehicle, motor change vehicle, or specially constructed motor vehicle,  
130 the director of revenue shall appropriately designate on the current Missouri and all  
131 subsequent issues of the certificate of ownership the name of the issuing state and such

132 prior designation.

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

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

142           15. Each application for an original Missouri certificate of ownership for a vehicle  
143 which is classified as a reconstructed motor vehicle, manufactured forty or more years  
144 prior to the current model year, and which has a value of three thousand dollars or less  
145 shall be accompanied by:

146           (1) A proper affidavit submitted by the owner explaining how the motor vehicle  
147 or trailer was acquired and, if applicable, the reasons a valid certificate of ownership  
148 cannot be furnished;

149           (2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the  
150 source of all major component parts used to rebuild the vehicle;

151           (3) A fee of one hundred fifty dollars in addition to the fees described in  
152 subsection 5 of this section. Such fee shall be deposited in the state treasury to the  
153 credit of the state highways and transportation department fund; and

154           (4) An inspection certificate, other than a motor vehicle examination certificate  
155 required under subsection 9 of this section, completed and issued by the Missouri state  
156 highway patrol, or other law enforcement agency as authorized by the director of  
157 revenue. The inspection performed by the highway patrol or other authorized local law  
158 enforcement agency shall include a check for stolen vehicles.

159 The department of revenue shall issue the owner a certificate of ownership designated  
160 with the words "Reconstructed Motor Vehicle" and deliver such certificate of ownership  
161 in accordance with the provisions of this chapter. Notwithstanding subsection 9 of this  
162 section, no owner of a reconstructed motor vehicle described in this subsection shall be  
163 required to obtain a vehicle examination certificate issued by the Missouri state highway  
164 patrol.

          301.215. 1. When the holder of any indebtedness secured by a security  
2 agreement or other contract for security covering a motor vehicle or trailer repossesses  
3 the motor vehicle or trailer either by legal process or in accordance with the terms of a

4 contract authorizing the repossession of the vehicle without legal process, the holder may  
5 obtain a certificate of ownership from the director of revenue upon presentation of [(1)]  
6 an application which shall be upon a blank form furnished by the director of revenue and  
7 shall contain a full description of the motor vehicle or trailer and the manufacturer's or  
8 other identifying number[; (2)] **and an affidavit of the holder, certified under**  
9 **penalties of perjury for making a false statement to a public official, that the**  
10 **debtor defaulted in payment of the debt, and that the holder repossessed the motor**  
11 **vehicle or trailer either by legal process or in accordance with the terms of the contract,**  
12 **and the specific address where the vehicle or trailer is held[; and (3) the original or a**  
13 **conformed or photostatic copy of the original of the security agreement or other contract**  
14 **for security and the instrument or instruments evidencing the indebtedness secured by**  
15 **the security agreement or other contract for security. The director may by regulation**  
16 **prescribe for the inclusion in either or both the application or affidavit any other**  
17 **information that he from time to time deems necessary or advisable and may prescribe**  
18 **that the affidavit be part of the application]. Such affidavit shall also state that the**  
19 **lienholder has the written consent from all owners or lienholders of record**  
20 **to repossess the vehicle or has provided all the owners or lienholders with**  
21 **written notice of the repossession. The lienholder shall first give ten days'**  
22 **written notice by first class United States mail postage prepaid to each of the**  
23 **owners and other lienholders, if any, of the motor vehicle or trailer at each**  
24 **of their last mailing addresses as shown by the last prior certificate of**  
25 **ownership, if any issued on the motor vehicle or trailer, that an application**  
26 **for a repossessed title will be made.**

27 2. Upon the holder's presentation of the papers and payment of a fee of ten  
28 dollars, the director of revenue, if he is satisfied with the genuineness of the papers,  
29 shall issue and deliver to the holder a certificate of ownership which shall be in its usual  
30 form except it shall be clearly captioned "Repossessed Title"[; provided, however, that  
31 unless the application is accompanied by the written consent, acknowledged before an  
32 officer authorized to take acknowledgments, of the owners and other lienholders, if any,  
33 of the motor vehicle or trailer as shown by the last prior certificate of ownership, if any,  
34 issued on the motor vehicle or trailer, for the issuance of a repossessed title to the  
35 applicant, no such repossessed title may be issued by the director of revenue unless the  
36 director shall first give ten days' written notice by first class United States mail postage  
37 prepaid to each of the owners and other lienholders, if any, of the motor vehicle or trailer  
38 at each of their last mailing addresses as shown by the last prior certificate of  
39 ownership, if any, issued on the motor vehicle or trailer, that an application for a

40 reposessed title has been made and the date the reposessed title will be issued, and  
41 the notice shall be accompanied by a copy, photostatic or otherwise, of each the  
42 application and affidavit. The application for reposessed title may be withdrawn by the  
43 applicant at any time before the granting thereof]. Each reposessed title so issued shall  
44 for all purposes be treated as an original certificate of ownership and shall supersede the  
45 outstanding certificate of ownership, if any, and duplicates thereof, if any, on the motor  
46 vehicle or trailer, all of which shall become null and void.

47         3. In any case where there is no certificate of ownership or duplicate thereof  
48 outstanding in the name of the debtor on the reposessed motor vehicle or trailer, the  
49 director of revenue shall issue a reposessed title to the holder and shall proceed to  
50 collect all unpaid fees, taxes, charges and penalties from the debtor as provided in  
51 section 301.190.

52         **4. The director of revenue may prescribe rules and regulations for the**  
53 **effective administration of this section. Any rule or portion of a rule, as that**  
54 **term is defined in section 536.010, RSMo, that is created under the authority**  
55 **delegated in this section shall become effective only if it complies with and**  
56 **is subject to all of the provisions of chapter 536, RSMo, and, if applicable,**  
57 **section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**  
58 **and if any of the powers vested with the general assembly pursuant to**  
59 **chapter 536, RSMo, to review, to delay the effective date, or to disapprove and**  
60 **annul a rule are subsequently held unconstitutional, then the grant of**  
61 **rulemaking authority and any rule proposed or adopted after August 28, 2005,**  
62 **shall be invalid and void.**

       301.290. 1. Correctional enterprises of the department of corrections shall  
2 purchase, erect and maintain all of the machinery and equipment necessary for the  
3 manufacture of the license plates and tabs issued by the director of revenue, and of signs  
4 used by the state transportation department. Beginning on January 1, [2009] 2011,  
5 correctional enterprises shall no longer erect and maintain tabs for the department of  
6 revenue.

7         2. The director of revenue shall procure all plates issued by him, and the state  
8 transportation department shall procure all signs used by it from correctional  
9 enterprises, unless an emergency arises and correctional enterprises cannot furnish the  
10 plates, tabs or signs.

11         3. Correctional enterprises shall furnish the plates and signs at such a price as  
12 will not exceed the price at which such plates and signs may be obtained upon the open  
13 market, but in no event shall such price be less than the cost of manufacture, including

14 labor and materials.

15 4. All moneys derived from the sale of the plates, tabs and signs shall be paid  
16 into the state treasury to the credit of the working capital revolving fund as provided in  
17 section 217.595, RSMo.

301.300. 1. In event of the loss, theft, mutilation or destruction of any certificate  
2 of ownership, number plate, tab or set of tabs issued by the director of revenue, the  
3 lawful holder thereof shall, within five days, file with the director of revenue, an  
4 affidavit showing such fact, and shall, on the payment of a fee of eight dollars and fifty  
5 cents, obtain a duplicate or replacement of such plate, certificate, tab or set of tabs. Any  
6 duplicate certificate issued for any "motor vehicle primarily for business use", as defined  
7 in section 301.010, shall be issued only to the owner of record.

8 2. Upon filing affidavit of lost, stolen, mutilated or destroyed certificate of  
9 registration, the director of revenue shall issue to the lawful owner a duplicate or  
10 replacement thereof upon payment of a fee of eight dollars and fifty cents.

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

14 4. **Notwithstanding subsection 1 of this section, a new or used motor**  
15 **vehicle dealer may obtain a duplicate or replacement title in the owner's**  
16 **name if the owner's title has been lost, stolen, mutilated, or destroyed and is**  
17 **not available for assignment. In order to obtain the duplicate or replacement**  
18 **title from the department of revenue, the licensed dealer shall procure a**  
19 **power of attorney from the owner authorizing the dealer to obtain a duplicate**  
20 **or replacement title in the owner's name and sign any title assignments on**  
21 **the owner's behalf. The application to the department of revenue for the**  
22 **duplicate or replacement title shall be accompanied by the executed power**  
23 **of attorney, or a copy thereof, and the application shall contain the**  
24 **appropriate mailing address of the dealer. The director of the department of**  
25 **revenue is authorized to make all necessary rules and regulations for the**  
26 **administration of this subsection, and shall design all necessary forms**  
27 **required by this subsection. No rule or portion of a rule promulgated**  
28 **pursuant to the authority of this section shall become effective unless it has**  
29 **been promulgated pursuant to the provisions of chapter 536, RSMo. Any rule**  
30 **or portion of a rule, as that term is defined in section 536.010, RSMo, that is**  
31 **created under the authority delegated in this section shall become effective**  
32 **only if it complies with and is subject to all of the provisions of chapter 536,**

33 RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536,  
34 RSMo, are nonseverable and if any of the powers vested with the general  
35 assembly pursuant to chapter 536, RSMo, to review, to delay the effective  
36 date, or to disapprove and annul a rule are subsequently held  
37 unconstitutional, then the grant of rulemaking authority and any rule  
38 proposed or adopted after August 28, 2005, shall be invalid and void.

301.894. 1. Notwithstanding the provisions of sections 301.200 and  
2 301.210, any person licensed as a motor vehicle dealer under sections 301.550  
3 to 301.573 shall be authorized to purchase or accept in trade any motor  
4 vehicle for which there has been issued a certificate of title, and to receive  
5 such vehicle subject to any existing liens thereon created and perfected under  
6 sections 301.600 to 301.660 provided the licensed dealer receives the  
7 following:

8 (1) A signed written contract between the licensed dealer and the  
9 owner of the vehicle; and

10 (2) Physical delivery of the vehicle to the licensed dealer; and

11 (3) A power of attorney from the owner to the licensed dealer, in  
12 accordance with subsection 4 of section 301.300, authorizing the licensed  
13 dealer to obtain a duplicate or replacement title in the owner's name and sign  
14 any title assignments on the owner's behalf.

15 2. If the dealer complies with the requirements of subsection 1 of this  
16 section, the sale or trade of the vehicle to the dealer shall be considered final.

17 3. If a licensed dealer complies with the requirements of subsection 1  
18 of this section, the licensed dealer may sell such vehicle prior to receiving  
19 and assigning to the purchaser the certificate of title. The sale of the vehicle  
20 to the purchaser shall be considered final if:

21 (1) All outstanding liens created on the vehicle pursuant to section  
22 301.600 to 301.660 have been paid in full and the dealer provides a copy of  
23 proof or other evidence to the purchaser; and

24 (2) The dealer has obtained proof or other evidence from the  
25 department of revenue confirming that no outstanding child support liens  
26 exist upon the vehicle at the time of sale and provides a copy of said proof or  
27 other evidence to the purchaser; and

28 (3) The dealer has obtained proof or other evidence from the  
29 department of revenue confirming that all applicable state sales tax has been  
30 satisfied on the sale of the vehicle to the previous owner and provides a copy  
31 of said proof or other evidence to the purchaser; and



32           (4) The dealer has signed and submitted an application for duplicate  
33 or replacement title for the vehicle pursuant to subsection 4 of section 301.300  
34 and provides a copy of said application to the purchaser.

35           4. Following a sale or other transaction in which a certificate of title  
36 has not been assigned from the owner to the dealer, a licensed dealer shall,  
37 within five business days, apply for a duplicate or replacement title. Upon  
38 receipt of a duplicate or replacement title applied for pursuant to subsection  
39 4 of section 301.300, the dealer shall assign and deliver said certificate of title  
40 to the purchaser of the vehicle within five business days. The dealer shall  
41 maintain proof of the assignment and delivery of the certificate of title to the  
42 purchaser. For purposes of this subsection, a dealer shall be deemed to have  
43 delivered the certificate of title to the purchaser upon either:

44           (1) Physical delivery of the certificate of title to any of the purchasers  
45 identified in the contract with the dealer; or

46           (2) Mailing of the certificate, postage prepaid, return receipt requested,  
47 to any of the purchasers at any of their addresses identified in the contract  
48 with the dealer.

49           5. If a dealer fails to comply with subsection 3 of this section, and the  
50 purchaser of the vehicle is thereby damaged, then the dealer shall be liable  
51 to the purchaser of the vehicle for actual damages, plus court costs and  
52 reasonable attorney fees.

53           6. If a dealer fails to comply with subsection 4 of this section, and the  
54 purchaser of the vehicle is thereby damaged, then the dealer shall be liable  
55 to the purchaser of the vehicle for actual damages, plus court costs and  
56 reasonable attorney fees. If the dealer fails to assign and deliver the  
57 duplicate or replacement certificate of title to the purchaser, as required by  
58 subsection 4 of this section, then the purchaser may deliver to the director a  
59 copy of the contract for sale of the vehicle a copy of the application provided  
60 by the dealer to the purchaser and the proof or other evidence obtained by  
61 the purchaser from the dealer under subsection 3 of this section. Thereafter,  
62 the director shall give the dealer notice. That notice shall inform the dealer  
63 that the director intends to cancel any prior certificate of title issued to the  
64 dealer on the vehicle and issue to the purchaser a certificate of title in the  
65 name of the purchaser, subject to any liens incurred by the purchaser in  
66 connection with the purchase of the vehicle, unless the dealer, within ten  
67 business days from the date of the director's notice, files with the director a  
68 written objection to the director taking such action. If the dealer does timely

69 file a written objection with the director, then the director shall not take any  
70 further action without an order from a court of competent  
71 jurisdiction. However, if the dealer does not timely file a written objection  
72 with the director, then the director shall cancel the prior certificate of title  
73 issued to the dealer on the vehicle and issue a certificate of title to the  
74 purchaser of the vehicle, subject to any liens incurred by the purchaser in  
75 connection with the purchase of the vehicle and subject to the purchaser  
76 satisfying all applicable taxes and fees associated with registering the vehicle.

77       7. If a seller fraudulently misrepresents to a dealer that the seller is  
78 the owner of a vehicle and the dealer or any subsequent purchaser is thereby  
79 damaged, then the seller shall be liable to the dealer and any subsequent  
80 purchaser for actual damages, plus court costs and reasonable attorney fees.

81       8. When a lienholder is damaged as a result of acts or omissions by the  
82 dealer to the lienholder or any party covered by subsections 5, 6, and 7 of this  
83 section, or by any combination of claims under this subsection, then the  
84 dealer shall be liable to the lienholder for actual damages, plus court costs  
85 and reasonable attorney fees.

86       9. No court costs or attorney fees shall be awarded under this section  
87 unless, prior to filing any such action, the following conditions have been met:

88       (1) The aggrieved party seeking damages has delivered an itemized  
89 written demand of the party's actual damages to the party from whom  
90 damages are sought; and

91       (2) The party from whom damages are sought has not satisfied the  
92 written demand within thirty days after receipt of the written demand.

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

8       2. To all applicants for a license or renewal who are between twenty-one and  
9 sixty-nine years of age, and who submit a satisfactory application and meet the  
10 requirements set forth in sections 302.010 to 302.605, the director shall issue or renew  
11 a license upon the payment of a fee of fifteen dollars; except that, no license shall be  
12 issued if an applicant's license is currently suspended, taken up, canceled, revoked, or  
13 deposited in lieu of bail.

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

19           4. To all applicants for a license or renewal to transport persons or property  
20 classified in section 302.015 who are between eighteen and twenty-one years of age or  
21 greater than sixty-nine years of age, or, beginning September 30, 2005, to an applicant  
22 for such license containing a school bus endorsement issued pursuant to section 302.272,  
23 and who submit a satisfactory application and meet the requirements set forth in  
24 sections 302.010 to 302.605, the director shall issue or renew a license upon the payment  
25 of a fee of fifteen dollars.

26           5. To all other applicants for a license or renewal less than twenty-one years of  
27 age or greater than sixty-nine years of age who submit a satisfactory application and  
28 meet the requirements set forth in sections 302.010 to 302.605, the director shall issue  
29 or renew a license upon the payment of a fee of seven dollars and fifty cents. All licenses  
30 issued pursuant to this subsection and subsection 4 of this section or, beginning  
31 September 30, 2005, to an applicant for a license to transport persons or property which  
32 contains a school bus endorsement issued pursuant to section 302.272, shall expire on  
33 the applicant's birthday in the third year after issuance.

34           **6.] To all applicants for a license or renewal to transport persons or**  
35 **property classified in section 302.015 who are at least twenty-one years of age**  
36 **and under the age of seventy, and who submit a satisfactory application and**  
37 **meet the requirements of sections 302.010 to 302.605, the director shall issue**  
38 **or renew such license; except that no license shall be issued if an applicant's**  
39 **license is currently suspended, canceled, revoked, disqualified, or deposited**  
40 **in lieu of bail. Such license shall expire on the applicant's birthday in the**  
41 **sixth year of issuance, unless the license must be issued for a shorter period**  
42 **due to other requirements of law or for transition or staggering of work as**  
43 **determined by the director. The license must be renewed on or before the**  
44 **date of expiration, which date shall be shown on the license.**

45           2. To all applicants for a license or renewal to transport persons or  
46 property classified in section 302.015 who are less than twenty-one years of  
47 age or greater than sixty-nine years of age, and who submit a satisfactory  
48 application and meet the requirements of sections 302.010 to 302.605, the  
49 director shall issue or renew such license; except that no license shall be

50 issued if an applicant's license is currently suspended, canceled, revoked,  
51 disqualified, or deposited in lieu of bail. Such license shall expire on the  
52 applicant's birthday in the third year of issuance, unless the license must be  
53 issued for a shorter period due to other requirements of law or for transition  
54 or staggering of work as determined by the director. The license must be  
55 renewed on or before the date of expiration, which date shall be shown on the  
56 license. A license issued under this section to an applicant who is over the  
57 age of sixty-nine and contains a school bus endorsement shall not be issued  
58 for a period that exceeds one year.

59       3. To all other applicants for a license or renewal of a license who are  
60 at least twenty-one years of age and under the age of seventy, and who submit  
61 a satisfactory application and meet the requirements of sections 302.010 to  
62 302.605, the director shall issue or renew such license; except that no license  
63 shall be issued if an applicant's license is currently suspended, canceled,  
64 revoked, disqualified, or deposited in lieu of bail. Such license shall expire  
65 on the applicant's birthday in the sixth year of issuance, unless the license  
66 must be issued for a shorter period due to other requirements of law or for  
67 transition or staggering of work as determined by the director. The license  
68 must be renewed on or before the date of expiration, which date shall be  
69 shown on the license.

70       4. To all other applicants for a license or renewal of a license who are  
71 less than twenty-one years of age or greater than sixty-nine years of age, and  
72 who submit a satisfactory application and meet the requirements of sections  
73 302.010 to 302.605, the director shall issue or renew such license; except that  
74 no license shall be issued if an applicant's license is currently suspended,  
75 canceled, revoked, disqualified, or deposited in lieu of bail. Such license shall  
76 expire on the applicant's birthday in the third year of issuance, unless the  
77 license must be issued for a shorter period due to other requirements of law  
78 or for transition or staggering of work as determined by the director. The  
79 license must be renewed on or before the date of expiration, which date shall  
80 be shown on the license.

81       5. The fee for a license issued for a period which exceeds three years  
82 under subsection 1 of this section shall be thirty dollars.

83       6. The fee for a license issued for a period of three years or less under  
84 subsection 2 of this section shall be fifteen dollars, except that the fee for a  
85 license issued for one year or less which contains a school bus endorsement  
86 shall be five dollars.

87           **7. The fee for a license issued for a period which exceeds three years**  
88   **under subsection 3 of this section shall be fifteen dollars.**

89           **8. The fee for a license issued for a period of three years or less under**  
90   **subsection 4 of this section shall be seven dollars and fifty cents.**

91           **9.** Beginning July 1, 2005, the director shall not issue a driver's license for a  
92 period that exceeds an applicant's lawful presence in the United States. The director  
93 may establish procedures to verify the lawful presence of the applicant and establish the  
94 duration of any driver's license issued under this section.

95           **[7.] 10.** The director of revenue may adopt any rules and regulations necessary  
96 to carry out the provisions of this section. No rule or portion of a rule promulgated  
97 pursuant to the authority of this section shall become effective unless it has been  
98 promulgated pursuant to the provisions of chapter 536, RSMo.           302.272. 1. No

person shall operate any school bus owned by or under contract with a public school or  
2 the state board of education unless such driver has qualified for a school bus  
3 endorsement under this section and complied with the pertinent rules and regulations  
4 of the department of revenue and any final rule issued by the secretary of the United  
5 States Department of Transportation or has a valid school bus endorsement on a valid  
6 commercial driver's license issued by another state. A school bus endorsement shall be  
7 issued to any applicant who meets the following qualifications:

8           (1) The applicant has a valid state license issued under this chapter [or has a  
9 license valid in any other state];

10          (2) The applicant is at least twenty-one years of age; **and**

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

15          (4)] The applicant has successfully passed an examination for the operation of  
16 a school bus as prescribed by the director of revenue. The examination shall include[,  
17 but need not be limited to, a written skills examination of applicable laws, rules and  
18 procedures, including] any examinations prescribed by the secretary of the United States  
19 Department of Transportation, and a driving test in the type of vehicle to be  
20 operated. The test shall be completed in the appropriate class of vehicle to be  
21 driven. For purposes of this section classes of school buses shall comply with the  
22 Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570). **For**  
23 **drivers who are at least seventy years of age, such examination shall be**  
24 **completed annually.**

25           2. [Except as otherwise provided in this section, a school bus endorsement shall  
26 be renewed every three years and shall require the applicant to provide a medical  
27 examination as specified in subdivision (3) of subsection 1 of this section and to  
28 successfully pass a written skills examination as prescribed by the director of revenue  
29 in consultation with the department of elementary and secondary education. If the  
30 applicant is at least seventy years of age, the school bus endorsement shall be renewed  
31 annually, and the applicant shall successfully pass the examination prescribed in  
32 subdivision (4) of subsection 1 of this section prior to receiving the renewed endorsement,  
33 provided that the background check, as contemplated by subsections 5 and 6 of this  
34 section, shall continue to be conducted on a renewing applicant's previously established  
35 three-year renewal schedule. The director may waive the written skills examination on  
36 renewal of a school bus endorsement upon verification of the applicant's successful  
37 completion within the preceding twelve months of a training program which has been  
38 approved by the director in consultation with the department of elementary and  
39 secondary education and which is at least eight hours in duration with special  
40 instruction in school bus driving.

41           3. The fee for a new or renewed school bus endorsement shall be three dollars.

42           4. Upon the applicant's completion of the requirements of subsections 1, 2, and  
43 3 of this section, the director of revenue may issue a temporary school bus permit to the  
44 applicant until such time as a school bus endorsement shall be issued following the  
45 record clearance as provided in subsection 6 of this section.   5.] The director of  
46 revenue, to the best of the director's knowledge, shall not issue or renew a school bus  
47 endorsement to any applicant[:

48           (1)] whose driving record shows that such applicant's privilege to operate a motor  
49 vehicle has been suspended, revoked or disqualified or whose driving record shows a  
50 history of moving vehicle violations[;

51           (2) Who has pled guilty to or been found guilty of any felony or misdemeanor for  
52 violation of drug regulations as defined in chapter 195, RSMo; of any felony for an  
53 offense against the person as defined by chapter 565, RSMo, or any other offense against  
54 the person involving child abuse or the endangerment of a child as prescribed by law; of  
55 any misdemeanor or felony for a sexual offense as defined by chapter 566, RSMo; of any  
56 misdemeanor or felony for prostitution as defined by chapter 567, RSMo; of any  
57 misdemeanor or felony for an offense against the family as defined in chapter 568, RSMo;  
58 of any felony or misdemeanor for a weapons offense as defined by chapter 571, RSMo;  
59 of any misdemeanor or felony for pornography or related offense as defined by chapter  
60 573, RSMo; or of any similar crime in any federal, state, municipal or other court of

61 similar jurisdiction of which the director has knowledge;

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

66 (4) Who is listed on the child abuse and neglect registry.

67 6. The Missouri highway patrol shall provide a record of clearance or denial of  
68 clearance for any applicant for a school bus endorsement for the offenses specified in  
69 subdivisions (2) and (3) of subsection 5 of this section. The Missouri highway patrol in  
70 providing the record of clearance or denial of clearance for any such applicant is  
71 authorized to obtain from the Federal Bureau of Investigation any information which  
72 might aid the Missouri highway patrol in providing such record of clearance or denial  
73 of clearance. The Missouri highway patrol shall provide the record of clearance or denial  
74 of clearance within thirty days of the date requested, relying on information available  
75 at that time, except that the Missouri highway patrol shall provide any information  
76 subsequently discovered to the department of revenue.

77 7. For purposes of obtaining the record of clearance or denial for convictions  
78 specified in subdivisions (2) and (3) of subsection 5 of this section, the applicant for a  
79 school bus endorsement shall submit two sets of fingerprints. Beginning January 1,  
80 2005, the director shall request that the department of social services determine whether  
81 the applicant is listed on the child abuse and neglect registry and shall require the  
82 applicant to submit two sets of fingerprints. One set of fingerprints shall be used by the  
83 highway patrol in order to search the criminal history repository and the second set shall  
84 be forwarded to the Federal Bureau of Investigation for searching the federal criminal  
85 history files.

86 8. The applicant shall pay the fee for the state criminal history information  
87 pursuant to section 43.530, RSMo, and pay the appropriate fee determined by the  
88 Federal Bureau of Investigation for the federal criminal history record when he or she  
89 applies for the school bus endorsement or permit pursuant to this section. The director  
90 shall distribute the fees collected for the state and federal criminal histories to the  
91 highway patrol.

92 9. If, as a result of the criminal history background check and the check of the  
93 child abuse and neglect registry required by this section, it is determined that an  
94 applicant has pled guilty or nolo contendere to, or been found guilty of an offense listed  
95 in subdivisions (2) and (3) of subsection 5 of this section, or a similar offense if  
96 committed in any other state, the United States, or any other country, regardless of

97 imposition of sentence, or the applicant's name appears on the child abuse and neglect  
98 registry the director of revenue shall not issue or renew a school bus permit to such  
99 applicant].

100 [10.] 3. The director may adopt any rules and regulations necessary to carry out  
101 the provisions of this section. Any rule or portion of a rule, as that term is defined in  
102 section 536.010, RSMo, that is created under the authority delegated in this section shall  
103 become effective only if it complies with and is subject to all of the provisions of chapter  
104 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536,  
105 RSMo, are nonseverable and if any of the powers vested with the general assembly  
106 pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove  
107 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking  
108 authority and any rule proposed or adopted after August 28, 2004, shall be invalid and  
109 void.

110 [11. Except as otherwise provided in this section,]

111 4. **Notwithstanding the requirements of this section**, an applicant who  
112 **resides in another state and** possesses a valid driver's license from [another] **his or**  
113 **her state of residence** with a valid school bus endorsement [and who is otherwise  
114 qualified to receive a school bus endorsement in this state shall be issued a school bus  
115 permit. The requirements to obtain and retain such permit shall be identical to those  
116 requirements for a school bus endorsement issued pursuant to this section] **for the type**  
117 **of vehicle being operated shall not be required to obtain a Missouri driver's**  
118 **license with a school bus endorsement.**

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

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

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

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

14 (4) The applicant has successfully passed an examination for the



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

2. Except as otherwise provided in this section, a school bus permit shall be renewed every three years and shall require the applicant to provide a medical examination as specified in subdivision (3) of subsection 1 of this section and to successfully pass a written skills examination as prescribed by the director of revenue in consultation with the department of elementary and secondary education. If the applicant is at least seventy years of age, the school bus permit shall be renewed annually, and the applicant shall successfully pass the examination prescribed in subdivision (4) of subsection 1 of this section prior to receiving the renewed permit, provided that the background check, as contemplated by subsections 5 and 6 of this section, shall continue to be conducted on a renewing applicant's previously established three-year renewal schedule. The director may waive the written skills examination on renewal of a school bus permit upon verification of the applicant's successful completion within the preceding twelve months of a training program which has been approved by the director in consultation with the department of elementary and secondary education and which is at least eight hours in duration with special instruction in school bus driving.

3. The fee for a new or renewed school bus permit shall be three dollars.

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

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

(1) Whose driving record shows that such applicant's privilege to operate a motor vehicle has been suspended, revoked or disqualified or

51 whose driving record shows a history of moving vehicle violations;

52 (2) Who has pled guilty to or been found guilty of any felony or  
53 misdemeanor for violation of drug regulations as defined in chapter 195,  
54 RSMo; of any felony for an offense against the person as defined by  
55 chapter 565, RSMo, or any other offense against the person involving child  
56 abuse or the endangerment of a child as prescribed by law; of any  
57 misdemeanor or felony for a sexual offense as defined by chapter 566,  
58 RSMo; of any misdemeanor or felony for prostitution as defined by chapter  
59 567, RSMo; of any misdemeanor or felony for an offense against the family  
60 as defined in chapter 568, RSMo; of any felony or misdemeanor for a  
61 weapons offense as defined by chapter 571, RSMo; of any misdemeanor or  
62 felony for pornography or related offense as defined by chapter 573, RSMo;  
63 or of any similar crime in any federal, state, municipal or other court of  
64 similar jurisdiction of which the director has knowledge;

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

70 (4) Who is listed on the child abuse and neglect registry.

71 6. The Missouri highway patrol shall provide a record of clearance  
72 or denial of clearance for any applicant for a school bus permit for the  
73 offenses specified in subdivisions (2) and (3) of subsection 5 of this  
74 section. The Missouri highway patrol in providing the record of clearance  
75 or denial of clearance for any such applicant is authorized to obtain from  
76 the Federal Bureau of Investigation any information which might aid the  
77 Missouri highway patrol in providing such record of clearance or denial of  
78 clearance. The Missouri highway patrol shall provide the record of  
79 clearance or denial of clearance within thirty days of the date requested,  
80 relying on information available at that time, except that the Missouri  
81 highway patrol shall provide any information subsequently discovered to  
82 the department of revenue.

83 7. Beginning January 1, 2005, the director shall request that the  
84 department of social services determine whether the applicant is listed on  
85 the child abuse and neglect registry and shall require the applicant to  
86 submit two sets of fingerprints. One set of fingerprints shall be used by

the highway patrol in order to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files.

8. The applicant shall pay the fee for the state criminal history information pursuant to section 43.530, RSMo, and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record when he or she applies for the school bus permit pursuant to this section. The director shall distribute the fees collected for the state and federal criminal histories to the highway patrol.

9. If, as a result of the criminal history background check and the check of the child abuse and neglect registry required by this section, it is determined that an applicant has pled guilty or nolo contendere to, or been found guilty of an offense listed in subdivisions (2) and (3) of subsection 5 of this section, or a similar offense if committed in any other state, the United States, or any other country, regardless of imposition of sentence, or the applicant's name appears on the child abuse and neglect registry the director of revenue shall not issue or renew a school bus permit to such applicant.

10. The director may adopt any rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.]

302.735. 1. An application shall not be taken from a nonresident after September 30, 2005. The application for a commercial driver's license shall include, but not be limited to, the applicant's legal name, mailing and residence address, if different, a physical description of the person, including sex, height, weight and eye color, the person's Social Security number, date of birth and any other information deemed appropriate by the director. The application shall also require, beginning September 30, 2005, the applicant to provide the names of all states where the applicant has been

8 previously licensed to drive any type of motor vehicle during the preceding ten years.

9       2. [The application for a commercial driver's license or renewal shall be  
10 accompanied by the payment of a fee of forty dollars. The fee for a duplicate commercial  
11 driver's license shall be twenty dollars.] A commercial driver's license shall expire on the  
12 applicant's birthday in the sixth year after issuance, **unless the license must be**  
13 **issued for a shorter period due to other requirements of law or for transition**  
14 **or staggering of work as determined by the director**, and must be renewed on or  
15 before the date of expiration. [The director shall have the authority to stagger the  
16 issuance or renewal of commercial driver's license applicants over a six-year period.]  
17 When a person changes such person's name an application for a duplicate license shall  
18 be made to the director of revenue. When a person changes such person's mailing  
19 address or residence the applicant shall notify the director of revenue of said change,  
20 however, no application for a duplicate license is required. [To all applicants for a  
21 commercial license or renewal who are between eighteen and twenty-one years of age  
22 and seventy years of age and older, the application shall be accompanied by a fee of  
23 twenty dollars.] A commercial license issued pursuant to this section to an applicant less  
24 than twenty-one years of age and seventy years of age and older [or, beginning  
25 September 30, 2005, to an applicant for a commercial driver's license containing a school  
26 bus or hazardous materials endorsement] shall expire on the applicant's birthday in the  
27 third year after issuance, **unless the license must be issued for a shorter period**  
28 **as determined by the director**.

29       3. A commercial driver's license containing a hazardous materials  
30 endorsement issued to an applicant who is between the age of twenty-one and  
31 sixty-nine shall not be issued for a period exceeding five years from the  
32 approval date of the security threat assessment as determined by the  
33 Transportation Security Administration.

34       4. The director shall issue an annual commercial driver's license  
35 containing a school bus endorsement to an applicant who is seventy years of  
36 age or older. The fee for such license shall be seven dollars and fifty cents.

37       5. A commercial driver's license containing a hazardous materials  
38 endorsement issued to an applicant who is seventy years of age or older shall  
39 not be issued for a period exceeding three years. The director shall not  
40 require such drivers to obtain a security threat assessment more frequently  
41 than such assessment is required by the Transportation Security  
42 Administration under the Uniting and Strengthening America by Providing  
43 Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA

44 **PATRIOT ACT) of 2001.**

45 **6. The fee for a commercial driver's license or renewal commercial**  
46 **driver's license issued for a period greater than three years shall be forty**  
47 **dollars.**

48 **7. The fee for a commercial driver's license or renewal commercial**  
49 **driver's license issued for a period of three years or less shall be twenty**  
50 **dollars.**

51 **8. The fee for a duplicate commercial driver's license shall be twenty**  
52 **dollars.**

53 **9. In order for the director to properly transition driver's license**  
54 **requirements under the Motor Carrier Safety Improvement Act of 1999 and**  
55 **the Uniting and Strengthening America by Providing Appropriate Tools**  
56 **Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of**  
57 **2001, the director is authorized to stagger expiration dates and make**  
58 **adjustments for any fees, including driver examination fees that are incurred**  
59 **by the driver as a result of the initial issuance of a transitional license**  
60 **required to comply with such acts.**

61 **[3.] 10.** Within thirty days after moving to this state, the holder of a commercial  
62 driver's license shall apply for a commercial driver's license in this state. The applicant  
63 shall meet all other requirements of sections 302.700 to 302.780, except that the director  
64 may waive the driving test for a commercial driver's license as required in section  
65 302.720 if the applicant for a commercial driver's license has a valid commercial driver's  
66 license from a state which has requirements for issuance of such license comparable to  
67 those in this state.

68 **[4.] 11.** Any person who falsifies any information in an application or test for  
69 a commercial driver's license shall not be licensed to operate a commercial motor vehicle,  
70 or the person's commercial driver's license shall be canceled, for a period of one year  
71 after the director discovers such falsification.

72 **[5.] 12.** Beginning July 1, 2005, the director shall not issue a commercial driver's  
73 license under this section unless the director verifies that the applicant is lawfully  
74 present in the United States before accepting the application. If lawful presence is  
75 granted for a temporary period, no commercial driver's license shall be issued. The  
76 director may, by rule or regulation, establish procedures to verify the lawful presence of  
77 the applicant and establish the duration of any commercial driver's license issued under  
78 this section. No rule or portion of a rule promulgated pursuant to the authority of this  
79 section shall become effective unless it has been promulgated pursuant to chapter 536,

80 RSMo.

304.022. 1. Upon the immediate approach of an emergency vehicle giving audible  
2 signal by siren or while having at least one lighted lamp exhibiting red light visible  
3 under normal atmospheric conditions from a distance of five hundred feet to the front  
4 of such vehicle or a flashing blue light authorized by section 307.175, RSMo, the driver  
5 of every other vehicle shall yield the right-of-way and shall immediately drive to a  
6 position parallel to, and as far as possible to the right of, the traveled portion of the  
7 highway and thereupon stop and remain in such position until such emergency vehicle  
8 has passed, except when otherwise directed by a police or traffic officer.

9 2. Upon approaching a stationary emergency vehicle displaying lighted red or red  
10 and blue lights, the driver of every motor vehicle shall:

11 (1) Proceed with caution and yield the right-of-way, if possible with due regard  
12 to safety and traffic conditions, by making a lane change into a lane not adjacent to that  
13 of the stationary vehicle, if on a roadway having at least four lanes with not less than  
14 two lanes proceeding in the same direction as the approaching vehicle; or

15 (2) Proceed with due caution and reduce the speed of the vehicle, maintaining a  
16 safe speed for road conditions, if changing lanes would be unsafe or impossible.

17 3. The motorman of every streetcar shall immediately stop such car clear of any  
18 intersection and keep it in such position until the emergency vehicle has passed, except  
19 as otherwise directed by a police or traffic officer.

20 4. An "emergency vehicle" is a vehicle of any of the following types:

21 (1) A vehicle operated by the state highway patrol, the state water patrol, **the**  
22 **Missouri capitol police**, or a state park ranger, those vehicles operated by  
23 enforcement personnel of the state highways and transportation commission, police or  
24 fire department, sheriff, constable or deputy sheriff, federal law enforcement officer  
25 authorized to carry firearms and to make arrests for violations of the laws of the United  
26 States, traffic officer or coroner or by a privately owned emergency vehicle company;

27 (2) A vehicle operated as an ambulance or operated commercially for the purpose  
28 of transporting emergency medical supplies or organs;

29 (3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175,  
30 RSMo;

31 (4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility  
32 or public service corporation while performing emergency service;

33 (5) Any vehicle transporting equipment designed to extricate human beings from  
34 the wreckage of a motor vehicle;

35 (6) Any vehicle designated to perform emergency functions for a civil defense or

36 emergency management agency established pursuant to the provisions of chapter 44,  
37 RSMo;

38 (7) Any vehicle operated by an authorized employee of the department of  
39 corrections who, as part of the employee's official duties, is responding to a riot,  
40 disturbance, hostage incident, escape or other critical situation where there is the threat  
41 of serious physical injury or death, responding to mutual aid call from another criminal  
42 justice agency, or in accompanying an ambulance which is transporting an offender to  
43 a medical facility;

44 (8) Any vehicle designated to perform hazardous substance emergency functions  
45 established pursuant to the provisions of sections 260.500 to 260.550, RSMo.

46 5. (1) The driver of any vehicle referred to in subsection 4 of this section shall  
47 not sound the siren thereon or have the front red lights or blue lights on except when  
48 such vehicle is responding to an emergency call or when in pursuit of an actual or  
49 suspected law violator, or when responding to, but not upon returning from, a fire.

50 (2) The driver of an emergency vehicle may:

51 (a) Park or stand irrespective of the provisions of sections 304.014 to 304.026;

52 (b) Proceed past a red or stop signal or stop sign, but only after slowing down as  
53 may be necessary for safe operation;

54 (c) Exceed the prima facie speed limit so long as the driver does not endanger life  
55 or property;

56 (d) Disregard regulations governing direction of movement or turning in specified  
57 directions.

58 (3) The exemptions granted to an emergency vehicle pursuant to subdivision (2)  
59 of this subsection shall apply only when the driver of any such vehicle while in motion  
60 sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary,  
61 and when the vehicle is equipped with at least one lighted lamp displaying a red light  
62 or blue light visible under normal atmospheric conditions from a distance of five hundred  
63 feet to the front of such vehicle.

64 6. No person shall purchase an emergency light as described in this section  
65 without furnishing the seller of such light an affidavit stating that the light will be used  
66 exclusively for emergency vehicle purposes.

67 7. Violation of this section shall be deemed a class C misdemeanor.

**Section 1. Each school district shall have on file a statement from a  
2 medical examiner which indicates that the driver is physically qualified to  
3 operate a school bus for the purpose of transporting pupils. Such statement  
4 shall be made on an annual basis. The term medical examiner includes, but**

5 is not limited to, doctors of medicine, doctors of osteopathy, physician  
6 assistants, advanced practice nurses, and doctors of chiropractic. For new  
7 drivers, such statement shall be on file prior to the driver's initial operation  
8 of a school bus. This section shall apply to drivers employed by the school  
9 district or under contract with the school district.

Section 2. On an annual basis, each school district shall provide  
2 training in at least eight hours of duration to each school bus driver  
3 employed by the school district or under contract with the school  
4 district. Such training shall provide special instruction in school bus driving.

Section B. Because immediate action is necessary to ensure the safety of children  
2 receiving pupil transportation services and to ensure the safe transportation of  
3 hazardous materials on the streets and highways of this state, the repeal of 302.272 as  
4 enacted by conference committee substitute for senate substitute for senate committee  
5 substitute for house substitute for house committee substitute for house bill no. 1453  
6 merged with conference committee substitute for house substitute for house committee  
7 substitute for senate substitute for senate committee substitute for senate bill no. 968  
8 and senate substitute for senate bill no. 969 merged with house substitute for senate  
9 substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-  
10 second general assembly, second regular session the repeal and reenactment of sections  
11 43.530, 136.055, 168.133, 302.177, 302.735, RSMo, and section 302.272 as enacted by  
12 conference committee substitute for senate substitute for senate committee substitute  
13 for house substitute for house committee substitute for house bill no. 1453 merged with  
14 conference committee substitute for house substitute for house committee substitute for  
15 senate substitute for senate committee substitute for senate bill no. 968 and senate  
16 substitute for senate bill no. 969, ninety-second general assembly, second regular  
17 session, and the enactment of section 1 of this act, this act is deemed necessary for the  
18 immediate preservation of the public health, welfare, peace, and safety, and is hereby  
19 declared to be an emergency act within the meaning of the constitution, the repeal of  
20 302.272 as enacted by conference committee substitute for senate substitute for senate  
21 committee substitute for house substitute for house committee substitute for house bill  
22 no. 1453 merged with conference committee substitute for house substitute for house  
23 committee substitute for senate substitute for senate committee substitute for senate bill  
24 no. 968 and senate substitute for senate bill no. 969 merged with house substitute for  
25 senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043,  
26 ninety-second general assembly, second regular session, the repeal and reenactment of  
27 sections 43.530, 136.055, 168.133, 302.177, 302.735, RSMo, and section 302.272 as



28 enacted by conference committee substitute for senate substitute for senate committee  
29 substitute for house substitute for house committee substitute for house bill no. 1453  
30 merged with conference committee substitute for house substitute for house committee  
31 substitute for senate substitute for senate committee substitute for senate bill no. 968  
32 and senate substitute for senate bill no. 969, ninety-second general assembly, second  
33 regular session, and the enactment of section 1 of this act, shall be in full force and effect  
34 upon its passage and approval.

✓