

CCS HCS SB 51 -- MOTOR VEHICLES

(Vetoed by the Governor)

This bill changes the laws regarding motor vehicles.

DEPARTMENT OF REVENUE BIDDING PROCEDURES (Section 34.040, RSMo)

The bill requires the Director of the Department of Revenue to follow specified bidding procedures and specifies that points cannot be awarded on a request for proposal for a contract license office to a bidder for a return-to-the-state provision offer.

REGULATION OF ALTERNATIVE FUELS (Sections 64.196, 135.710, and 137.010)

The bill changes the laws regarding alternative fuels. In its main provisions, the bill:

(1) Prohibits a county building ordinance adopted by a first or second classification county commission from conflicting with liquefied petroleum gas installations regulations established under Section 323.020;

(2) Reauthorizes, beginning January 1, 2014, but ending January 1, 2017, the tax credit for any eligible applicant who installs and operates a qualified alternative fuel vehicle refueling station and specifies that alternative fuels must have at least 70% by volume of one or more of ethanol, biodiesel, liquefied petroleum, propane, autogas, hydrogen, or natural gas based fuels. The credit may be carried forward for up to two years or it may be transferred, assigned, or sold. The tax credit cannot exceed the lesser of \$20,000 or 20% of the total costs directly associated with the purchase and installation. The cumulative amount of tax credits that may be claimed cannot exceed \$1 million annually; and

(3) Adds stationary property used for generation, transportation, or storage of liquid and gaseous products, including petroleum products, natural gas, propane or LP gas, solar or wind power equipment, water, and sewage to the definition of "real property" for property taxation purposes.

MOTOR VEHICLE FEE OFFICE CHARGES (Section 136.055)

The bill changes the amount a motor vehicle fee office that receives no salary from the Department of Revenue is authorized to collect for services. The bill:

(1) Increases, from \$3.50 to \$5, the fee for each motor vehicle or

trailer registration issued, renewed, or transferred and increases, from \$7 to \$10, the fee for a biennially sold or renewed registration;

(2) Increases, from \$2.50 to \$5, the fee for an application or transfer of title;

(3) Increases, from \$2.50 to \$5, the fee for each address change; instruction permit; nondriver's license; or chauffeur's, operator's, or driver's license issued for a period of three years or less and increases, from \$5 to \$10, the fee for a license or instruction permit issued or renewed for a period exceeding three years; and

(4) Increases, from \$2.50 to \$5, the fee for each notice of lien processed.

The department must reimburse the reasonable costs incurred associated with the transactions required in a contract license office.

TEMPORARY PERMITS FOR SALVAGE DEALERS (Section 301.140)

The bill allows the Director of the Department of Revenue to issue a temporary permit to a salvage operator for the sole purpose of transporting a salvage motor vehicle to a State Highway Patrol inspection station if he or she purchases the required motor vehicle examination form that is required to be completed and provides satisfactory evidence that the vehicle has passed the inspection.

LICENSE PLATE TABS (Section 301.301)

Currently, any person replacing a stolen license plate tab may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied by a police report corresponding to the stolen tab or tabs. The bill repeals the provision and allows the application to be accompanied by a notarized statement verifying that the tab or tabs were stolen.

COLLEGIATE SPECIALTY LICENSE PLATES (Section 301.449)

Currently, only a community college or a four-year public or private institution of higher education or a foundation or organization representing the college or institution located in Missouri may authorize or may, by the Director of the Department of Revenue, be authorized to use the school's official emblem to be affixed on a multiyear personal license plate. The bill allows any

institution located outside of the state that had a license plate issued by the department containing its official emblem prior to August 28, 2012, to continue authorizing the use of its official emblem on the plates.

TEMPORARY MOTORCYCLE INSTRUCTION PERMIT (Section 302.132)

The bill allows a person who has been issued a temporary motorcycle instruction permit to renew the permit two additional times for a total maximum period of 18 months. Currently, no limit on the number of times a person can renew a permit is specified.

COMMERCIAL DRIVERS' LICENSES (Sections 302.700 - 302.755 and 304.820)

The bill changes the laws regarding commercial motor vehicles to conform with Federal Motor Carrier Safety Administration regulations. In its main provisions, the bill:

- (1) Revises the definition of "disqualification" to include the suspension, revocation, or cancellation of a commercial driver's instruction permit;
- (2) Defines "electronic device" as a device that includes but is not limited to a cell phone, personal digital assistant, pager, computer, or any other device used to input, write, send, receive, or read text;
- (3) Defines "mobile telephone" as a mobile communication device that is classified as or uses a commercial mobile radio service but does not include a two-way or citizens band radio service;
- (4) Revises the definition of "serious traffic violation" to include a violation of state or local law on motor vehicle traffic control prohibiting texting or restricting or prohibiting the use of a hand-held mobile telephone while driving a commercial motor vehicle;
- (5) Defines "texting" as manually entering text into or reading text from an electronic device including short message service, emailing, instant messaging, commanding or requesting access to a website, pressing more than a single button to initiate or terminate a call on a mobile telephone, or engaging in another form of electronic text retrieval or entry;
- (6) Requires an applicant for a commercial driver's license to maintain the appropriate class of commercial driver's instruction permit issued by this state or another state for a minimum of 14 days prior to the date of completing skills testing;

(7) Changes the laws regarding the amount of time a military member must be regularly employed to receive a waiver from the commercial motor vehicle driving skills test. Currently, the member must be regularly employed in a job requiring the operation of a commercial motor vehicle and have operated the vehicle for at least 60 days during the two years immediately preceding his or her application for a commercial driver's license. The bill requires the military member to be regularly employed in a military position within the last 90 days for the member to obtain the skills test waiver;

(8) Changes nonresident commercial driver's licenses to nondomiciled commercial driver's licenses and changes the provisions for obtaining a nondomiciled commercial driver's license;

(9) Requires a commercial driver's instruction permit to include the same information as a commercial driver's license and contain the words "CDL PERMIT" or "COMMERCIAL LEARNER PERMIT";

(10) Requires a disqualification period to be in addition to any other previous periods of disqualification in a manner consistent with federal law unless the major or serious violations are a result of the same incident;

(11) Requires the Department of Revenue to comply with federal regulations regarding commercial driver's license testing and commercial learner's permit standards by July 8, 2015; and

(12) Prohibits a person from texting or using a hand-held mobile telephone while operating a moving commercial motor vehicle. Currently, only a person younger than 21 years of age is prohibited from texting while driving. A person convicted of texting or using a hand-held mobile telephone while driving a commercial motor vehicle may have his or her commercial driver's license disqualified.

TOWING COMPANIES (Section 304.154)

The bill requires a towing company to:

- (1) Have an address displayed that is visible from the street;
- (2) Have a fenced storage area that is at least 7 foot tall with at least 2,000 square feet of storage area, either inside or outside;
- (3) Be open at least eight hours per day between 7:00 a.m. and

7:00 p.m., Monday through Friday, for cars to be retrieved with no additional fees charged to view or retrieve a vehicle during these hours;

(4) Have an operational telephone with the number published or available through directory assistance; and

(5) Maintain insurance as prescribed by the United States Department of Transportation.

Currently, towing companies in second, third, and fourth classification counties are exempt from these requirements. The bill adds Franklin and Washington counties to the list of counties that are exempt.

EMERGENCY UTILITY RESPONSE PERMITS (Section 304.180)

The bill requires the Department of Transportation to issue emergency utility response permits that allow motor carriers to transport equipment and infrastructure necessary for repair work immediately following a disaster where utility service has been disrupted. Under urgent circumstances, verbal approval of the operation may be made by the motor carrier compliance supervisor or other designated motor carrier services representative. Utility vehicles and equipment used to assist utility companies granted special permits may operate on state highways and roads at any time on any day.

TRANSPORTATION OF AGRICULTURAL COMMODITIES (Section 307.400)

The bill repeals the provisions stating that specified federal regulations regarding hours of service do not apply to Missouri drivers transporting agricultural commodities or farm supplies if certain conditions are met.

Currently, certain federal regulations regarding the equipment and operation of motor vehicles do not apply to a commercial motor vehicle that transports property in intrastate commerce if the vehicle has a gross vehicle weight rating or gross combination weight rating of 26,000 pounds or less. The bill specifies that the exception must not apply to a covered farm vehicle that requires a placard for hazardous materials under federal law.

INFORMATION MANAGEMENT PRODUCTS AND SERVICES (Section 1)

Any quasi-government entity created to provide information management products and services to criminal justice, municipal and county courts, and other government agencies whose originating agency identifier was terminated by the Federal Bureau of

Investigations must provide integration access to the contracted data for the political subdivision or its agency in a web service or file transfer protocol format online in a timely manner upon written request at no additional charge as is required by the political subdivision or its agency.

The provisions of the bill regarding the alternative fuel tax credit will expire six years after the effective date.