

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1050
99TH GENERAL ASSEMBLY

6654H.07C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 21.795, 68.075, 71.012, 71.015, 105.1073, 108.120, 137.555, 162.064, 226.770, 226.780, 227.240, 263.245, 292.606, 300.295, 301.010, 301.020, 301.055, 301.130, 301.350, 302.170, 302.173, 302.174, 302.272, 302.720, 303.020, 303.030, 303.120, 303.190, 303.240, 304.005, 304.060, 304.153, 304.180, 304.232, 306.030, 306.126, 307.175, 319.129, 379.110, 379.118, and 414.032, RSMo, and to enact in lieu thereof fifty-three new sections relating to transportation, with penalty provisions, an emergency clause for a certain section, and an effective date for certain sections.

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

Section A. Sections 21.795, 68.075, 71.012, 71.015, 105.1073, 108.120, 137.555, 162.064, 226.770, 226.780, 227.240, 263.245, 292.606, 300.295, 301.010, 301.020, 301.055, 301.130, 301.350, 302.170, 302.173, 302.174, 302.272, 302.720, 303.020, 303.030, 303.120, 303.190, 303.240, 304.005, 304.060, 304.153, 304.180, 304.232, 306.030, 306.126, 307.175, 319.129, 379.110, 379.118, and 414.032, RSMo, are repealed and fifty-three new sections enacted in lieu thereof, to be known as sections 21.795, 68.075, 71.012, 71.015, 105.1073, 108.120, 137.555, 162.064, 226.228, 226.770, 226.780, 227.240, 227.537, 227.538, 227.539, 227.540, 227.541, 227.542, 227.544, 227.545, 227.546, 263.245, 292.606, 300.295, 301.010, 301.020, 301.055, 301.130, 301.350, 302.170, 302.173, 302.174, 302.272, 302.720, 303.020, 303.022, 303.030, 303.120, 303.190, 303.240, 304.005, 304.060, 304.153, 304.180, 304.232, 306.030, 306.126, 307.175, 319.129, 319.140, 379.110, 379.118, and 414.032, to read as follows:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

21.795. 1. There is established a permanent joint committee of the general assembly to
2 be known as the "Joint Committee on Transportation Oversight" to be composed of seven
3 members of the standing transportation committees of both the senate and the house of
4 representatives and three nonvoting ex officio members. Of the fourteen members to be
5 appointed to the joint committee, the seven senate members of the joint committee shall be
6 appointed by the president pro tem of the senate and minority leader of the senate and the seven
7 house members shall be appointed by the speaker of the house of representatives and the
8 minority floor leader of the house of representatives. The seven senate members shall be
9 composed, as nearly as may be, of majority and minority party members in the same proportion
10 as the number of majority and minority party members in the senate bears to the total
11 membership of the senate. No major party shall be represented by more than four members from
12 the house of representatives. The ex officio members shall be the state auditor, the director of
13 the oversight division of the committee on legislative research, and the commissioner of the
14 office of administration or the designee of such auditor, director or commissioner. The joint
15 committee shall be chaired jointly by both chairs of the senate and house transportation
16 committees. A majority of the committee shall constitute a quorum, but the concurrence of a
17 majority of the members, other than the ex officio members, shall be required for the
18 determination of any matter within the committee's duties.

19 2. The department of transportation shall submit a written report prior to December
20 thirty-first of each year to the governor and the lieutenant governor. The report shall be posted
21 to the department's internet website so that general assembly members may elect to access a copy
22 of the report electronically. The written report shall contain the following:

23 (1) A comprehensive financial report of all funds for the preceding state fiscal year
24 which shall include a report by independent certified public accountants, selected by the
25 commissioner of the office of administration, attesting that the financial statements present fairly
26 the financial position of the department in conformity with generally accepted government
27 accounting principles [~~This report shall include amounts of:~~

28 ~~—— (a) State revenues by sources, including all new state revenue derived from highway~~
29 ~~users which results from action of the general assembly or voter-approved measures taken after~~
30 ~~August 28, 2003, and projects funded in whole or in part from such new state revenue, and~~
31 ~~amounts of federal revenues by source;~~

32 ~~—— (b) Any other revenues available to the department by source;~~

33 ~~—— (c) Funds appropriated, the amount the department has budgeted and expended for the~~
34 ~~following: contracts, right-of-way purchases, preliminary and construction engineering,~~
35 ~~maintenance operations and administration;~~

36 ~~———(d) Total state and federal revenue compared to the revenue estimate in the fifteen-year~~
37 ~~highway plan as adopted in 1992. All expenditures made by, or on behalf of, the department for~~
38 ~~personal services including fringe benefits, all categories of expense and equipment, real estate~~
39 ~~and capital improvements shall be assigned to the categories listed in this subdivision in~~
40 ~~conformity with generally accepted government accounting principles;~~

41 ~~———(2) A detailed explanation of the methods or criteria employed to select construction~~
42 ~~projects, including a listing of any new or reprioritized projects not mentioned in a previous~~
43 ~~report, and an explanation as to how the new or reprioritized projects meet the selection methods~~
44 ~~or criteria;~~

45 ~~———(3) The proposed allocation and expenditure of moneys and the proposed work plan for~~
46 ~~the current fiscal year, at least the next four years, and for any period of time expressed in any~~
47 ~~public transportation plan approved by either the general assembly or by the voters of Missouri.~~
48 ~~This proposed allocation and expenditure of moneys shall include the amounts of proposed~~
49 ~~allocation and expenditure of moneys in each of the categories listed in subdivision (1) of this~~
50 ~~subsection;~~

51 ~~———(4) The amounts which were planned, estimated and expended for projects in the state~~
52 ~~highway and bridge construction program or any other projects relating to other modes of~~
53 ~~transportation in the preceding state fiscal year and amounts which have been planned, estimated~~
54 ~~or expended by project for construction work in progress;~~

55 ~~———(5) The current status as to completion, by project, of the fifteen-year road and bridge~~
56 ~~program adopted in 1992. The first written report submitted pursuant to this section shall include~~
57 ~~the original cost estimate, updated estimate and final completed cost by project. Each written~~
58 ~~report submitted thereafter shall include the cost estimate at the time the project was placed on~~
59 ~~the most recent five-year highway and bridge construction plan and the final completed cost by~~
60 ~~project;~~

61 ~~———(6) The reasons for cost increases or decreases exceeding five million dollars or ten~~
62 ~~percent relative to cost estimates and final completed costs for projects in the state highway and~~
63 ~~bridge construction program or any other projects relating to other modes of transportation~~
64 ~~completed in the preceding state fiscal year. Cost increases or decreases shall be determined by~~
65 ~~comparing the cost estimate at the time the project was placed on the most recent five-year~~
66 ~~highway and bridge construction plan and the final completed cost by project. The reasons shall~~
67 ~~include the amounts resulting from inflation, department-wide design changes, changes in project~~
68 ~~scope, federal mandates, or other factors;~~

69 ~~———(7) Specific recommendations for any statutory or regulatory changes necessary for the~~
70 ~~efficient and effective operation of the department;~~

71 ~~—— (8) An accounting of the total amount of state, federal and earmarked federal highway~~
72 ~~funds expended in each district of the department of transportation; and~~

73 ~~—— (9) Any further information specifically requested by the joint committee on~~
74 ~~transportation oversight.] ;~~

75 **(2) A copy of the department's most current and annual publication titled**
76 **"Citizen's Guide to Transportation Funding in Missouri";**

77 **(3) A copy of the department's most current and annual publication titled**
78 **"Financial Snapshot - An appendix to the Citizen's Guide to Transportation Funding in**
79 **Missouri";**

80 **(4) A copy of the department's most current and annual publication titled**
81 **"MoDOT Results: Accountability. Innovation. Efficiency.".**

82 3. Prior to February fifteenth of each year, the committee shall hold an annual meeting
83 and call before its members, officials or employees of the state highways and transportation
84 commission or department of transportation, as determined by the committee, for the sole
85 purpose of receiving and examining the report required pursuant to subsection 2 of this section.
86 The committee shall not have the power to modify projects or priorities of the state highways and
87 transportation commission or department of transportation. The committee may make
88 recommendations to the state highways and transportation commission or the department of
89 transportation. Disposition of those recommendations shall be reported by the commission or
90 the department to the joint committee on transportation oversight.

91 4. In addition to the annual meeting required by subsection 3 of this section, the
92 committee shall meet two times each year. The co-chairs of the committee shall establish an
93 agenda for each meeting that may include, but not be limited to, the following items to be
94 discussed with the committee members throughout the year during the scheduled meeting:

95 (1) Presentation of a prioritized plan for all modes of transportation;

96 (2) Discussion of department efficiencies and expenditure of cost-savings within the
97 department;

98 (3) Presentation of a status report on department of transportation revenues and
99 expenditures, including a detailed summary of projects funded by new state revenue as provided
100 in paragraph (a) of subdivision (1) of subsection 2 of this section; and

101 (4) Implementation of any actions as may be deemed necessary by the committee as
102 authorized by law. The co-chairs of the committee may call special meetings of the committee
103 with ten days' notice to the members of the committee, the director of the department of
104 transportation, and the department of transportation.

105 5. The committee shall also review all applications for the development of specialty
106 plates submitted to it by the department of revenue. The committee shall approve such

107 application by a majority vote. The committee shall approve any application unless the
108 committee receives:

109 (1) A signed petition from five house members or two senators that they are opposed to
110 the approval of the proposed license plate and the reason for such opposition;

111 (2) Notification that the organization seeking authorization to establish a new specialty
112 license plate has not met all the requirements of section 301.3150;

113 (3) A proposed new specialty license plate containing objectionable language or design;

114 (4) A proposed license plate not meeting the requirements of any reason promulgated
115 by rule.

116

117 The committee shall notify the director of the department of revenue upon approval or denial of
118 an application for the development of a specialty plate.

119 6. The committee shall submit records of its meetings to the secretary of the senate and
120 the chief clerk of the house of representatives in accordance with sections 610.020 and 610.023.

68.075. 1. This section shall be known and may be cited as the “Advanced Industrial
2 Manufacturing Zones Act”.

3 2. As used in this section, the following terms shall mean:

4 (1) “AIM zone”, an area identified through a resolution passed by the port authority
5 board of commissioners appointed under section 68.045 that is being developed or redeveloped
6 for any purpose so long as any infrastructure and building built or improved is in the
7 development area. The port authority board of commissioners shall file an annual report
8 indicating the established AIM zones with the department of revenue;

9 (2) “County average wage”, the average wage in each county as determined by the
10 Missouri department of economic development for the most recently completed full calendar
11 year. However, if the computed county average wage is above the statewide average wage, the
12 statewide average wage shall be deemed the county average wage for such county for the purpose
13 of determining eligibility;

14 (3) “New job”, the number of full-time employees located at the project facility that
15 exceeds the project facility base employment less any decrease in the number of full-time
16 employees at related facilities below the related facility base employment. No job that was
17 created prior to the date of the notice of intent shall be deemed a new job. An employee that
18 spends less than fifty percent of the employee’s work time at the facility is still considered to be
19 located at a facility if the employee receives his or her directions and control from that facility,
20 is on the facility’s payroll, one hundred percent of the employee’s income from such employment
21 is Missouri income, and the employee is paid at or above the county average wage;

22 **(4) "Related facility", a facility operated by a company or a related company prior**
23 **to the establishment of the AIM zone in question located within any port district, as defined**
24 **under section 68.015, which is directly related to the operations of the facility within the**
25 **new AIM zone.**

26 3. Any port authority located in this state may establish an AIM zone. Such zone may
27 only include the area within the port authority's jurisdiction, ownership, or control, and may
28 include any such area. The port authority shall determine the boundaries for each AIM zone, and
29 more than one AIM zone may exist within the port authority's jurisdiction or under the port
30 authority's ownership or control, and may be expanded or contracted by resolution of the port
31 authority board of commissioners.

32 4. Fifty percent of the state tax withholdings imposed by sections 143.191 to 143.265
33 on new jobs within such zone after development or redevelopment has commenced shall not be
34 remitted to the general revenue fund of the state of Missouri. Such moneys shall be deposited
35 into the port authority AIM zone fund established under subsection 5 of this section for the
36 purpose of continuing to expand, develop, and redevelop AIM zones identified by the port
37 authority board of commissioners and may be used for managerial, engineering, legal, research,
38 promotion, planning, satisfaction of bonds issued under section 68.040, and any other expenses.

39 5. There is hereby created in the state treasury the "Port Authority AIM Zone Fund",
40 which shall consist of money collected under this section. The state treasurer shall be custodian
41 of the fund and shall approve disbursements from the fund in accordance with sections 30.170
42 and 30.180 to the port authorities from which the funds were collected, less the pro-rata portion
43 appropriated by the general assembly to be used solely for the administration of this section
44 which shall not exceed ten percent of the total amount collected within the zones of a port
45 authority. Notwithstanding the provisions of section 33.080 to the contrary, any moneys
46 remaining in the fund at the end of the biennium shall not revert to the credit of the general
47 revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other
48 funds are invested. Any interest and moneys earned on such investments shall be credited to the
49 fund.

50 6. The port authority shall approve any projects that begin construction and disperse any
51 money collected under this section. The port authority shall submit an annual budget for the
52 funds to the department of economic development explaining how and when such money will
53 be spent.

54 7. The provision of section 23.253 notwithstanding, no AIM zone may be established
55 after August 28, 2023. Any AIM zone created prior to that date shall continue to exist and be
56 coterminous with the retirement of all debts incurred under subsection 4 of this section. No
57 debts may be incurred or reauthorized using AIM zone revenue after August 28, 2023.

71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term "contiguous and compact" does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. **The term "contiguous and compact" shall include a situation whereby the unincorporated area proposed to be annexed would be contiguous and compact to the existing corporate limits of the city, town, or village but for an intervening roadway or railroad right-of-way, regardless of whether any other city, town, or village has annexed such roadway or railroad right-of-way or otherwise has an easement in such roadway or railroad right-of-way.** The term contiguous and compact does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and the Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a notarized petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to

37 publish legal matters and located within the boundary of the petitioned city, town or village. If
38 no such newspaper exists within the boundary of such city, town or village, then the notice shall
39 be published in the qualified newspaper nearest the petitioned city, town or village. For the
40 purposes of this subdivision, the term "common-interest community" shall mean a condominium
41 as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned
42 community.

43 (a) A "common-interest community" shall be defined as real property with respect to
44 which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property
45 taxes, insurance premiums, maintenance or improvement of other real property described in a
46 declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years
47 in a unit, including renewal options;

48 (b) A "cooperative" shall be defined as a common-interest community in which the real
49 property is owned by an association, each of whose members is entitled by virtue of such
50 member's ownership interest in the association to exclusive possession of a unit;

51 (c) A "planned community" shall be defined as a common-interest community that is not
52 a condominium or a cooperative. A condominium or cooperative may be part of a planned
53 community.

54 (2) At the public hearing any interested person, corporation or political subdivision may
55 present evidence regarding the proposed annexation. If, after holding the hearing, the governing
56 body of the city, town or village determines that the annexation is reasonable and necessary to
57 the proper development of the city, town or village, and the city, town or village has the ability
58 to furnish normal municipal services to the area to be annexed within a reasonable time, it may,
59 subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance
60 without further action.

61 (3) If a written objection to the proposed annexation is filed with the governing body of
62 the city, town or village not later than fourteen days after the public hearing by at least five
63 percent of the qualified voters of the city, town or village, or two qualified voters of the area
64 sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015
65 and 71.860 to 71.920, shall be followed.

66 3. If no objection is filed, the city, town or village shall extend its limits by ordinance
67 to include such territory, specifying with accuracy the new boundary lines to which the city's,
68 town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city,
69 town or village shall cause three certified copies of the same to be filed with the county assessor
70 and the clerk of the county wherein the city, town or village is located, and one certified copy to
71 be filed with the election authority, if different from the clerk of the county which has
72 jurisdiction over the area being annexed, whereupon the annexation shall be complete and final

73 and thereafter all courts of this state shall take judicial notice of the limits of that city, town or
74 village as so extended.

75 4. That a petition requesting annexation is not or was not verified or notarized shall not
76 affect the validity of an annexation heretofore or hereafter undertaken in accordance with this
77 section.

78 5. Any action of any kind seeking to deannex from any city, town, or village any area
79 annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise
80 challenge such annexation or oust such city, town, or village from jurisdiction over such annexed
81 area shall be brought within five years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first
2 classification which has adopted a constitutional charter for its own local government, seek to
3 annex an area to which objection is made, the following shall be satisfied:

4 (1) Before the governing body of any city, town, or village has adopted a resolution to
5 annex any unincorporated area of land, such city, town, or village shall first as a condition
6 precedent determine that:

7 (a) The land to be annexed is contiguous to the existing city, town, or village limits and
8 that the length of the contiguous boundary common to the existing city, town, or village limit and
9 the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the
10 area proposed for annexation; or

11 (b) **The land to be annexed would be contiguous and compact to the existing city,**
12 **town, or village limits but for an intervening roadway or railroad right-of-way, and the**
13 **shared border of the land to be annexed and existing city, town, or village composes at least**
14 **fifteen percent of the total perimeter of the land to be annexed. For purposes of calculating**
15 **the length of such border under this paragraph, the border between the land to be annexed**
16 **and the existing city, town, or village shall be deemed to be:**

17 a. **If an intervening roadway, the centerline; or**

18 b. **If a railroad right-of-way, the midpoint between the outermost rails if there are**
19 **rails or the best estimate of the middle of the right-of-way if there are no rails.**

20 (2) The governing body of any city, town, or village shall propose an ordinance setting
21 forth the following:

22 (a) The area to be annexed and affirmatively stating that the boundaries comply with the
23 condition precedent referred to in subdivision (1) above;

24 (b) That such annexation is reasonable and necessary to the proper development of the
25 city, town, or village;

26 (c) That the city has developed a plan of intent to provide services to the area proposed
27 for annexation;

28 (d) That a public hearing shall be held prior to the adoption of the ordinance;

29 (e) When the annexation is proposed to be effective, the effective date being up to thirty-
30 six months from the date of any election held in conjunction thereto.

31 (3) The city, town, or village shall fix a date for a public hearing on the ordinance and
32 make a good faith effort to notify all fee owners of record within the area proposed to be annexed
33 by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all
34 residents of the area by publication of notice in a newspaper of general circulation qualified to
35 publish legal matters in the county or counties where the proposed area is located, at least once
36 a week for three consecutive weeks prior to the hearing, with at least one such notice being not
37 more than twenty days and not less than ten days before the hearing.

38 (4) At the hearing referred to in subdivision (3), the city, town, or village shall present
39 the plan of intent and evidence in support thereof to include:

40 (a) A list of major services presently provided by the city, town, or village including, but
41 not limited to, police and fire protection, water and sewer systems, street maintenance, parks and
42 recreation, and refuse collection;

43 (b) A proposed time schedule whereby the city, town, or village plans to provide such
44 services to the residents of the proposed area to be annexed within three years from the date the
45 annexation is to become effective;

46 (c) The level at which the city, town, or village assesses property and the rate at which
47 it taxes that property;

48 (d) How the city, town, or village proposes to zone the area to be annexed;

49 (e) When the proposed annexation shall become effective.

50 (5) Following the hearing, and either before or after the election held in subdivision (6)
51 of this subsection, should the governing body of the city, town, or village vote favorably by
52 ordinance to annex the area, the governing body of the city, town or village shall file an action
53 in the circuit court of the county in which such unincorporated area is situated, under the
54 provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The
55 petition in such action shall state facts showing:

56 (a) The area to be annexed and its conformity with the condition precedent referred to
57 in subdivision (1) of this subsection;

58 (b) That such annexation is reasonable and necessary to the proper development of the
59 city, town, or village; and

60 (c) The ability of the city, town, or village to furnish normal municipal services of the
61 city, town, or village to the unincorporated area within a reasonable time not to exceed three
62 years after the annexation is to become effective. Such action shall be a class action against the
63 inhabitants of such unincorporated area under the provisions of section 507.070.

64 (6) Except as provided in subsection 3 of this section, if the court authorizes the city,
65 town, or village to make an annexation, the legislative body of such city, town, or village shall
66 not have the power to extend the limits of the city, town, or village by such annexation until an
67 election is held at which the proposition for annexation is approved by a majority of the total
68 votes cast in the city, town, or village and by a separate majority of the total votes cast in the
69 unincorporated territory sought to be annexed. However, should less than a majority of the total
70 votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority
71 of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal
72 shall again be voted upon in not more than one hundred twenty days by both the registered voters
73 of the city, town, or village and the registered voters of the area proposed to be annexed. If at
74 least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the
75 city, town, or village may proceed to annex the territory. If the proposal fails to receive the
76 necessary majority, no part of the area sought to be annexed may be the subject of another
77 proposal to annex for a period of two years from the date of the election, except that, during the
78 two-year period, the owners of all fee interests of record in the area or any portion of the area
79 may petition the city, town, or village for the annexation of the land owned by them pursuant to
80 the procedures in section 71.012. The elections shall if authorized be held, except as herein
81 otherwise provided, in accordance with the general state law governing special elections, and the
82 entire cost of the election or elections shall be paid by the city, town, or village proposing to
83 annex the territory.

84 (7) Failure to comply in providing services to the said area or to zone in compliance with
85 the plan of intent within three years after the effective date of the annexation, unless compliance
86 is made unreasonable by an act of God, shall give rise to a cause of action for deannexation
87 which may be filed in the circuit court by any resident of the area who was residing in the area
88 at the time the annexation became effective.

89 (8) No city, town, or village which has filed an action under this section as this section
90 read prior to May 13, 1980, which action is part of an annexation proceeding pending on May
91 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such
92 annexation proceeding.

93 (9) If the area proposed for annexation includes a public road or highway but does not
94 include all of the land adjoining such road or highway, then such fee owners of record, of the
95 lands adjoining said highway shall be permitted to intervene in the declaratory judgment action
96 described in subdivision (5) of this subsection.

97 2. Notwithstanding any provision of subsection 1 of this section, for any annexation by
98 any city with a population of three hundred fifty thousand or more inhabitants which is located
99 in more than one county that becomes effective after August 28, 1994, if such city has not

100 provided water and sewer service to such annexed area within three years of the effective date
101 of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such
102 water and sewer service to the annexed area is made unreasonable by an act of God. The cause
103 of action for deannexation may be filed in the circuit court by any resident of the annexed area
104 who is presently residing in the area at the time of the filing of the suit and was a resident of the
105 annexed area at the time the annexation became effective. If the suit for deannexation is
106 successful, the city shall be liable for all court costs and attorney fees.

107 3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all
108 cities, towns, and villages located in any county of the first classification with a charter form of
109 government with a population of two hundred thousand or more inhabitants which adjoins a
110 county with a population of nine hundred thousand or more inhabitants shall comply with the
111 provisions of this subsection. If the court authorizes any city, town, or village subject to this
112 subsection to make an annexation, the legislative body of such city, town or village shall not
113 have the power to extend the limits of such city, town, or village by such annexation until an
114 election is held at which the proposition for annexation is approved by a majority of the total
115 votes cast in such city, town, or village and by a separate majority of the total votes cast in the
116 unincorporated territory sought to be annexed; except that:

117 (1) In the case of a proposed annexation in any area which is contiguous to the existing
118 city, town or village and which is within an area designated as flood plain by the Federal
119 Emergency Management Agency and which is inhabited by no more than thirty registered voters
120 and for which a final declaratory judgment has been granted prior to January 1, 1993, approving
121 such annexation and where notarized affidavits expressing approval of the proposed annexation
122 are obtained from a majority of the registered voters residing in the area to be annexed, the area
123 may be annexed by an ordinance duly enacted by the governing body and no elections shall be
124 required; and

125 (2) In the case of a proposed annexation of unincorporated territory in which no qualified
126 electors reside, if at least a majority of the qualified electors voting on the proposition are in
127 favor of the annexation, the city, town or village may proceed to annex the territory and no
128 subsequent election shall be required.

129

130 If the proposal fails to receive the necessary separate majorities, no part of the area sought to be
131 annexed may be the subject of any other proposal to annex for a period of two years from the
132 date of such election, except that, during the two-year period, the owners of all fee interests of
133 record in the area or any portion of the area may petition the city, town, or village for the
134 annexation of the land owned by them pursuant to the procedures in section 71.012 or 71.014.
135 The election shall, if authorized, be held, except as otherwise provided in this section, in

136 accordance with the general state laws governing special elections, and the entire cost of the
 137 election or elections shall be paid by the city, town, or village proposing to annex the territory.
 138 Failure of the city, town or village to comply in providing services to the area or to zone in
 139 compliance with the plan of intent within three years after the effective date of the annexation,
 140 unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for
 141 deannexation which may be filed in the circuit court not later than four years after the effective
 142 date of the annexation by any resident of the area who was residing in such area at the time the
 143 annexation became effective or by any nonresident owner of real property in such area.

144 4. Except for a cause of action for deannexation under subdivision (2) of subsection 3
 145 of this section, any action of any kind seeking to deannex from any city, town, or village any area
 146 annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise
 147 challenge such annexation or oust such city, town, or village from jurisdiction over such annexed
 148 area shall be brought within five years of the date of the adoption of the annexation ordinance.

105.1073. Motor vehicle, aircraft, or marine liability insurance acquired pursuant to
 2 sections 105.1070 to 105.1079 shall provide coverage for state employees, members of the
 3 Missouri National Guard, or agents while operating state-controlled motor vehicles, aircraft, or
 4 marine vessels on state business in the course of their employment, military duties, or within the
 5 scope of their agency, subject to the following minimum amounts exclusive of interest and costs:

6 (1) Not less than twenty-five thousand dollars because of bodily injury to, or the death
 7 of, one person in any one accident;

8 (2) Subject to the limit in subdivision (1), not less than fifty thousand dollars because
 9 of bodily injury to, or death of, two or more persons in any one accident; and

10 (3) Not less than ~~ten~~ **twenty-five** thousand dollars because of injury to, or destruction
 11 of, property of others in any one accident.

108.120. 1. The county commissions of the counties of this state are hereby authorized
 2 to issue bonds for and on behalf of their respective counties for the construction, reconstruction,
 3 improvement, maintenance and repair of any and all public roads, highways, bridges ~~and~~ ,
 4 culverts, **streets, avenues, or alleys** within such county, including the payment of any cost,
 5 judgment and expense for property, or rights in property, acquired by purchase or eminent
 6 domain, as may be provided by law, in such amount and such manner as may be provided by the
 7 general law authorizing the issuance of bonds by counties.

8 2. The proceeds of all bonds issued under the provisions of this section shall be paid into
 9 the county treasury where they shall be kept as a separate fund to be known as "The Road Bond
 10 Construction Fund" and such proceeds shall be used only for the purpose mentioned herein.
 11 ~~[Such funds may be used in the construction, reconstruction, improvement, maintenance and~~
 12 ~~repair of any street, avenue, road or alley in any incorporated city, town or village if such street,~~

13 ~~avenue, road or alley or any part thereof shall form a part of a continuous road, highway, bridge~~
 14 ~~or culvert of said county leading into or through such city, town or village.]~~ **The county may**
 15 **contract with any other political subdivision to share the proceeds of such bonds to be used**
 16 **for the purposes authorized.**

137.555. In addition to other levies authorized by law, the county commission in
 2 counties not adopting an alternative form of government and the proper administrative body in
 3 counties adopting an alternative form of government, in their discretion may levy an additional
 4 tax, not exceeding thirty-five cents on each one hundred dollars assessed valuation, all of such
 5 tax to be collected and turned into the county treasury, where it shall be known and designated
 6 as "The Special Road and Bridge Fund" to be used for road and bridge purposes and for no other
 7 purpose whatever; except that the term "road and bridge purposes" may include certain storm
 8 water control projects off rights of way that are directly related to the construction of roads and
 9 bridges, in any county of the first classification without a charter form of government with a
 10 population of at least ninety thousand inhabitants but not more than one hundred thousand
 11 inhabitants, in any county of the first classification without a charter form of government with
 12 a population of at least two hundred thousand inhabitants, in any county of the first classification
 13 without a charter form of government and bordered by one county of the first classification and
 14 one county of the second classification or in any county of the first classification with a charter
 15 form of government and containing part of a city with a population of three hundred thousand
 16 or more inhabitants; provided, however, that all that part or portion of such tax which shall arise
 17 from and be collected and paid upon any property lying and being within any special road district
 18 shall be paid into the county treasury and four-fifths of such part or portion of such tax so arising
 19 from and collected and paid upon any property lying and being within any such special road
 20 district shall be placed to the credit of such special road district from which it arose and shall be
 21 paid out to such special road district upon warrants of the county commission, in favor of the
 22 commissioners or treasurer of the district as the case may be; provided further, that the part of
 23 such special road and bridge tax arising from and paid upon property not situated in any special
 24 road district and the one-fifth part retained in the county treasury may, in the discretion of the
 25 county commission **and pursuant to a written contract**, be **shared with any other political**
 26 **subdivision to be used [in] for road and bridge purposes within the county, including but**
 27 **not limited to constructing**, improving or repairing ~~[any street in any incorporated city or~~
 28 ~~village in the county, if such street shall form a part of a continuous highway of such county~~
 29 ~~leading through such city or village]~~ **streets, avenues, or alleys of such political subdivision.**

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

4 issued by a department of transportation certified medical examiner, in which case such
5 examiner may issue a statement for up to a two-year duration, subject to rules promulgated
6 by the department of transportation. The term "medical examiner" includes, but is not limited
7 to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses,
8 and doctors of chiropractic. For new drivers, such statement shall be on file prior to the driver's
9 initial operation of a school bus. This section shall apply to drivers employed by the school
10 district or under contract with the school district.

11 **2. The director of the department of transportation may promulgate all necessary**
12 **rules and regulations for the administration of this section. Any rule or portion of a rule,**
13 **as that term is defined in section 536.010, that is created under the authority delegated in**
14 **this section shall become effective only if it complies with and is subject to all of the**
15 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536**
16 **are nonseverable, and if any of the powers vested with the general assembly pursuant to**
17 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**
18 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**
19 **proposed or adopted after August 28, 2018, shall be invalid and void.**

2026.228. 1. There is hereby created in the state treasury the "Emergency Bridge
2 Repair and Replacement Fund", which shall consist of moneys appropriated from general
3 revenue to the department of transportation or received from other eligible funds. The
4 moneys in the fund shall only be used for accelerated replacements of, or to make
5 immediate repairs to, bridges constructed or maintained at the cost of the state that are
6 located on state or interstate highways and are in critical disrepair. Upon appropriation,
7 the director of the department of transportation shall administer the fund. The state
8 treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180,
9 the state treasurer may approve disbursements. The fund shall be a dedicated fund, and,
10 upon appropriation, moneys in the fund shall be used solely for the administration of this
11 section.

12 **2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
13 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
14 **general revenue fund.**

15 **3. The state treasurer shall invest moneys in the fund in the same manner as other**
16 **funds are invested. Any interest and moneys earned on such investments shall be credited**
17 **to the fund.**

2026.770. The state highways and transportation commission is authorized to enter into
2 any necessary agreements~~[, not involving any state funds,]~~ with the Secretary of Commerce or

3 other public agency necessary to obtaining of available funds for the purposes described in Title
4 23, Sections 136 and 319, of the United States Code, as revised in 1965.

226.780. For the purposes set out in [~~sections 226.750 to~~] **section 226.790**, no state
2 funds shall be expended and all expenditures under such sections shall be limited to funds
3 granted to the state by the federal government for such purposes.

227.240. 1. The location and removal of all telephone, cable television, and electric light
2 and power transmission lines, poles, wires, and conduits and all pipelines and tramways, erected
3 or constructed, or hereafter to be erected or constructed by any corporation, municipality, public
4 water supply district, sewer district, association or persons, within the right-of-way of any state
5 highway, insofar as the public travel and traffic is concerned, and insofar as the same may
6 interfere with the construction or maintenance of any such highway, shall be under the control
7 and supervision of the state highways and transportation commission.

8 2. A cable television corporation or company shall be permitted to place its lines within
9 the right-of-way of any state highway, consistent with the rules and regulations of the state
10 highways and transportation commission. The state highways and transportation commission
11 shall establish a system for receiving and resolving complaints with respect to cable television
12 lines placed in, or removed from, the right-of-way of a state highway.

13 3. **The department of transportation may establish a utility corridor for the**
14 **placement of utility facilities on the right-of-way of highways in the state highway system.**
15 **Such utility corridor shall be up to twelve feet in width and placed within the existing**
16 **right-of-way when space is reasonably available, with the location of the utility corridor**
17 **to be determined by the state highways and transportation commission. The commission**
18 **shall promulgate rules setting forth a standardized statewide system for requesting and**
19 **issuing variances to requirements set forth in this section.**

20 4. The commission or some officer selected by the commission shall serve a written
21 notice upon the entity, person or corporation owning or maintaining any such lines, poles, wires,
22 conduits, pipelines, or tramways, which notice shall contain a plan or chart indicating the places
23 on the right-of-way at which such lines, poles, wires, conduits, pipelines or tramways may be
24 maintained. The notice shall also state the time when the work of hard surfacing said roads is
25 proposed to commence, and shall further state that a hearing shall be had upon the proposed plan
26 of location and matters incidental thereto, giving the place and date of such hearing.
27 Immediately after such hearing the said owner shall be given a notice of the findings and orders
28 of the commission and shall be given a reasonable time thereafter to comply therewith; provided,
29 however, that the effect of any change ordered by the commission shall not be to remove all or
30 any part of such lines, poles, wires, conduits, pipelines or tramways from the right-of-way of the
31 highway. The removal of the same shall be made at the cost and expense of the owners thereof

32 unless otherwise provided by said commission, and in the event of the failure of such owners to
33 remove the same at the time so determined they may be removed by the state highways and
34 transportation commission, or under its direction, and the cost thereof collected from such
35 owners, and such owners shall not be liable in any way to any person for the placing and
36 maintaining of such lines, poles, wires, conduits, pipelines and tramways at the places prescribed
37 by the commission.

38 [4-] 5. The commission is authorized in the name of the state of Missouri to institute and
39 maintain, through the attorney general, such suits and actions as may be necessary to enforce the
40 provisions of this section. Any corporation, association or the officers or agents of such
41 corporations or associations, or any other person who shall erect or maintain any such lines,
42 poles, wires, conduits, pipelines or tramways, within the right-of-way of such roads which are
43 hard-surfaced, which are not in accordance with such orders of the commission, shall be deemed
44 guilty of a misdemeanor.

**227.537. The portion of U.S. Highway 63 from March Road in Adair County
2 continuing north to State Highway Y in Schuyler County shall be designated as "Bluegrass
3 Queen Rhonda Vincent Highway". Costs for such designation shall be paid for by private
4 donations.**

**227.538. The portion of State Highway 45 Spur from State Highway 45 continuing
2 north to State Highway 92 in Platte County shall be designated as "Deputy Edward Culver
3 Memorial Highway". The department of transportation shall erect and maintain
4 appropriate signs designating such highway, with the costs to be paid by private donations.**

**227.539. The portion of State Highway 30 from State Highway 21 continuing east
2 to State Highway P in St. Louis County shall be designated as "Officer Blake Snyder
3 Memorial Highway". The department of transportation shall erect and maintain
4 appropriate signs designating such highway, with the costs to be paid by private donations.**

**227.540. The portion of Interstate 44 from State Highway 360 west to State
2 Highway PP in Greene County shall be designated as "Captain Aaron J. Eidem Memorial
3 Highway". The department of transportation shall erect and maintain appropriate signs
4 designating such highway, with the costs of such designation to be paid by private
5 donation.**

**227.541. The portion of Interstate 70 from Rangeline Street continuing west to
2 Business Loop 70 in Boone County shall be designated as "Highway Patrol Sgt. Benjamin
3 Booth Memorial Highway". The department of transportation shall erect and maintain
4 appropriate signs designating such highway, with the costs to be paid by private donations.**

**227.542. The portion of Interstate Highway 70 from the eastern edge of the
2 intersection of U.S. Highway 63 and Interstate 70 continuing west to Rangeline Street in**

3 **Boone County shall be designated as "Sheriff Roger I. Wilson Memorial Highway". The**
 4 **department of transportation shall erect and maintain appropriate signs designating such**
 5 **highway, with the costs to be paid by private donations.**

2 **227.544. The portion of State Highway 42 within Maries County that is located**
 3 **within the city limits of Vienna shall be designated as "PFC Ralph A. Branson, Jr.**
 4 **Memorial Highway". The department of transportation shall erect and maintain**
 5 **appropriate signs designating such highway, with the costs to be paid by private donations.**

2 **227.545. The portion of U.S. Highway 61 from State Highway Z continuing south**
 3 **to Grant City Drive in Scott County shall be designated as "Otto Lee Porter Highway".**
 4 **Costs for such designation shall be paid by private donations.**

2 **227.546. The portion of U.S. Highway 61 from County Road 428 continuing south**
 3 **to State Highway Z in Scott County shall be designated as "Elnora Timmons Porter**
 4 **Highway". Costs for such designation shall be paid by private donations.**

2 263.245. 1. **Subject to voter approval under section 263.247**, all owners of land in:

3 (1) Any county with a township form of government, located north of the Missouri River
 4 and having no portion of the county located east of U.S. Highway 63 [~~and located in~~];

5 (2) Any county of the third classification without a township form of government and
 6 with more than four thousand one hundred but fewer than four thousand two hundred
 7 inhabitants[~~5~~]; or [~~in~~]

8 (3) Any county of the third classification without a township form of government and
 9 with more than two thousand three hundred but fewer than two thousand four hundred
 10 inhabitants shall control all brush growing on such owner's property that is designated as the
 11 county right-of-way or county maintenance easement part of such owner's property and which
 12 is adjacent to any county road. Such brush shall be cut, burned, or otherwise destroyed as often
 13 as necessary in order to keep such lands accessible for purposes of maintenance and safety of the
 14 county road **and to prevent brush from interfering with any vehicle that may travel the**
 15 **road.**

16 2. The county commission, either upon its own motion or upon receipt of a written notice
 17 requesting the action from any residents of the county in which the county road bordering the
 18 lands in question is located or upon written request of any person regularly using the county road,
 19 may control such brush so as to allow easy access to the land described in subsection 1 of this
 20 section, and for that purpose the county commission, or its agents, servants, or employees shall
 21 have authority to enter on such lands without being liable to an action of trespass therefor, and
 22 shall keep an accurate account of the expenses incurred in eradicating the brush, and shall verify
 23 such statement under seal of the county commission, and transmit the same to the officer whose
 duty it is or may be to extend state and county taxes on tax books or bills against real estate.

24 Such officer shall extend the aggregate expenses so charged against each tract of land as a special
25 tax, which shall then become ~~[a lien on such lands,]~~ **due on such landowner's real and**
26 **personal property tax assessment** and be collected as state and county taxes are collected by
27 law and paid to the county commission and credited to the county control fund.

28 3. Before proceeding to control brush as provided in this section, the county commission
29 of the county in which the land is located shall notify the owner of the land of the requirements
30 of this law ~~[by certified mail, return receipt requested, from a list]~~ **in writing using any mail**
31 **service with delivery tracking and an address** supplied by the officer who prepares the tax
32 list~~;~~ and shall allow the owner of the land thirty days from ~~[acknowledgment date of return~~
33 ~~receipt, or]~~ **the date of [refusal of acceptance of]** delivery ~~[as the case may be,]~~ to eradicate all
34 such brush growing on land designated as the county right-of-way or county maintenance
35 easement part of such owner's land and which is adjacent to the county road. In the event that
36 the property owner cannot be located by ~~[certified]~~ mail, notice shall be placed in a newspaper
37 of general circulation in the county in which the land is located at least thirty days before the
38 county commission removes the brush pursuant to subsection 2 of this section. Such property
39 owner shall be granted an automatic thirty-day extension due to hardship by notifying the county
40 commission that such owner cannot comply with the requirements of this section, due to
41 hardship, within the first thirty-day period. The property owner may be granted a second
42 extension by a majority vote of the county commission. There shall be no further extensions. For
43 the purposes of this subsection, "hardship" may be financial, physical or any other condition that
44 the county commission deems to be a valid reason to allow an extension of time to comply with
45 the requirements of this section.

46 4. County commissions shall not withhold rock, which is provided from funds from the
47 county aid road trust fund, for maintaining county roads due to the abutting property owner's
48 refusal to remove brush located on land designated as the county right-of-way or county
49 maintenance easement part of such owner's land. County commissions shall use such rock on
50 the county roads, even though the brush is not removed, or county commissions may resort to
51 the procedures in this section to remove the brush.

52 **5. The county right-of-way or county maintenance easement shall extend fifteen feet**
53 **from the center of the county road or the distance set forth in the original conveyance,**
54 **whichever is greater. For purposes of this subsection, the "center of the county road" shall**
55 **be the point equidistant from both edges of the drivable ground of the road in its current**
56 **condition.**

57 **6. In the event a county is required to obtain a land survey to enforce this section,**
58 **the costs of such survey shall be divided equally between the county and the landowner.**

292.606. 1. Fees shall be collected for a period of six years from August 28, ~~[2012]~~
2 **2018**.

3 2. (1) Any employer required to report under subsection 1 of section 292.605, except
4 local governments and family-owned farm operations, shall submit an annual fee to the
5 commission of one hundred dollars along with the Tier II form. Owners or operators of
6 petroleum retail facilities shall pay a fee of no more than fifty dollars for each such facility. Any
7 person, firm or corporation selling, delivering or transporting petroleum or petroleum products
8 and whose primary business deals with petroleum products or who is covered by the provisions
9 of chapter 323, if such person, firm or corporation is paying fees under the provisions of the
10 federal hazardous materials transportation registration and fee assessment program, shall deduct
11 such federal fees from those fees owed to the state under the provisions of this subsection. If the
12 federal fees exceed or are equal to what would otherwise be owed under this subsection, such
13 employer shall not be liable for state fees under this subsection. In relation to petroleum
14 products "primary business" shall mean that the person, firm or corporation shall earn more than
15 fifty percent of hazardous chemical revenues from the sale, delivery or transport of petroleum
16 products. For the purpose of calculating fees, all grades of gasoline are considered to be one
17 product, all grades of heating oils, diesel fuels, kerosenes, naphthas, aviation turbine fuel, and
18 all other heavy distillate products except for grades of gasoline are considered to be one product,
19 and all varieties of motor lubricating oil are considered to be one product. For the purposes of
20 this section "facility" shall mean all buildings, equipment, structures and other stationary items
21 that are located on a single site or on contiguous or adjacent sites and which are owned or
22 operated by the same person. If more than three hazardous substances or mixtures are reported
23 on the Tier II form, the employer shall submit an additional twenty dollar fee for each hazardous
24 substance or mixture. Fees collected under this subdivision shall be for each hazardous chemical
25 on hand at any one time in excess of ten thousand pounds or for extremely hazardous substances
26 on hand at any one time in excess of five hundred pounds or the threshold planning quantity,
27 whichever is less, or for explosives or blasting agents on hand at any one time in excess of one
28 hundred pounds. However, no employer shall pay more than ten thousand dollars per year in
29 fees. Moneys acquired through litigation and any administrative fees paid pursuant to subsection
30 3 of this section shall not be applied toward this cap.

31 (2) Employers engaged in transporting hazardous materials by pipeline except local gas
32 distribution companies regulated by the Missouri public service commission shall pay to the
33 commission a fee of two hundred fifty dollars for each county in which they operate.

34 (3) Payment of fees is due each year by March first. A late fee of ten percent of the total
35 owed, plus one percent per month of the total, may be assessed by the commission.

36 (4) If, on March first of each year, fees collected under this section and natural resources
37 damages made available pursuant to section 640.235 exceed one million dollars, any excess over
38 one million dollars shall be proportionately credited to fees payable in the succeeding year by
39 each employer who was required to pay a fee and who did pay a fee in the year in which the
40 excess occurred. The limit of one million dollars contained herein shall be reviewed by the
41 commission concurrent with the review of fees as required in subsection 1 of this section.

42 3. Beginning January 1, 2013, any employer filing its Tier II form pursuant to subsection
43 1 of section 292.605 may request that the commission distribute that employer's Tier II report
44 to the local emergency planning committees and fire departments listed in its Tier II report. Any
45 employer opting to have the commission distribute its Tier II report shall pay an additional fee
46 of ten dollars for each facility listed in the report at the time of filing to recoup the commission's
47 distribution costs. Fees shall be deposited in the chemical emergency preparedness fund
48 established under section 292.607. An employer who pays the additional fee and whose Tier II
49 report includes all local emergency planning committees and fire departments required to be
50 notified under subsection 1 of section 292.605 shall satisfy the reporting requirements of
51 subsection 1 of section 292.605. The commission shall develop a mechanism for an employer
52 to exercise its option to have the commission distribute its Tier II report.

53 4. Local emergency planning committees receiving funds under section 292.604 shall
54 coordinate with the commission and the department in chemical emergency planning, training,
55 preparedness, and response activities. Local emergency planning committees receiving funds
56 under this section, section 260.394, sections 292.602, 292.604, 292.605, 292.615 and section
57 640.235 shall provide to the commission an annual report of expenditures and activities.

58 5. Fees collected by the department and all funds provided to local emergency planning
59 committees shall be used for chemical emergency preparedness purposes as outlined in sections
60 292.600 to 292.625 and the federal act, including contingency planning for chemical releases;
61 exercising, evaluating, and distributing plans, providing training related to chemical emergency
62 preparedness and prevention of chemical accidents; identifying facilities required to report;
63 processing the information submitted by facilities and making it available to the public; receiving
64 and handling emergency notifications of chemical releases; operating a local emergency planning
65 committee; and providing public notice of chemical preparedness activities. Local emergency
66 planning committees receiving funds under this section may combine such funds with other local
67 emergency planning committees to further the purposes of sections 292.600 to 292.625, or the
68 federal act.

69 6. The commission shall establish criteria and guidance on how funds received by local
70 emergency planning committees may be used.

300.295. 1. Whenever any person driving a vehicle approaches a railroad grade crossing,
2 **along a public highway or otherwise, [~~under any of the circumstances stated in this section,~~]**
3 the driver of such vehicle shall **reduce the speed of such vehicle so as to be able to stop and**
4 **shall** stop within fifty feet but not less than fifteen feet from the nearest rail of such railroad, and
5 shall not proceed until he can do so safely. The foregoing requirements shall apply when:

6 **(1) A stop sign, whether erected by a public or private entity, is in place at the**
7 **intersection for the same direction of travel as the person driving the vehicle;**

8 ~~[(1)]~~ **(2) A clearly visible electric or mechanical signal device gives warning of the**
9 **immediate approach of a railroad train or other on-track equipment;**

10 ~~[(2)]~~ **(3) A crossing gate is lowered or when a human flagman gives or continues to give**
11 **a signal of the approach or passage of a railroad train or other on-track equipment;**

12 ~~[(3)]~~ **(4) An approaching railroad train or other on-track equipment is plainly visible**
13 **and is in hazardous proximity to such crossing[-] ; or**

14 **(5) Buildings, vegetation, or other objects materially obstruct the person's view so**
15 **as to prevent them from seeing a train or other on-track equipment approaching the**
16 **crossing.**

17 **2. Whenever any person driving a vehicle approaches a railroad grade crossing,**
18 **along a public highway or otherwise, and a yield sign is posted at the crossing for their**
19 **direction of travel, the driver of such vehicle shall reduce the speed of such vehicle so as to**
20 **be able to stop within fifty feet, but not less than fifteen feet, from the nearest rail of such**
21 **railroad and shall yield the right of way, including coming to a complete stop if necessary,**
22 **to any train or other on-track equipment approaching the crossing so closely as to**
23 **constitute an immediate hazard to the driver. If such a driver is involved in a collision with**
24 **a train or other on-track equipment at or in the crossing after driving past a yield sign**
25 **without stopping, such collision shall be deemed prima facie evidence of his or her failure**
26 **to yield right-of-way.**

27 ~~[(2-)]~~ **3. No person shall drive any vehicle through, around or under any crossing gate or**
28 **barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.**

29 **4. No engineer, conductor, or other crew member operating a train or other on-**
30 **track equipment and no railroad shall have a duty to attempt to slow or stop a train or**
31 **other on-track equipment based on the perceived speed or unwavering approach of a**
32 **vehicle approaching a railroad grade crossing.**

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260,
2 and sections 307.010 to 307.175, the following terms mean:

- 3 (1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
4 off-highway use which is fifty inches or less in width, with an unladen dry weight of one
5 thousand five hundred pounds or less, traveling on three, four or more nonhighway tires;
- 6 (2) **"Autocycle", a three-wheeled motor vehicle which the drivers and passengers
7 ride in a partially or completely enclosed nonstraddle seating area, that is designed to be
8 controlled with a steering wheel and pedals, and that has met applicable Department of
9 Transportation National Highway Traffic Safety Administration requirements or Federal
10 Motorcycle Safety Standards;**
- 11 (3) "Automobile transporter", any vehicle combination capable of carrying cargo on the
12 power unit and designed and used for the transport of assembled motor vehicles, including truck
13 camper units;
- 14 ~~[(3)]~~ (4) "Axle load", the total load transmitted to the road by all wheels whose centers
15 are included between two parallel transverse vertical planes forty inches apart, extending across
16 the full width of the vehicle;
- 17 ~~[(4)]~~ (5) "Backhaul", the return trip of a vehicle transporting cargo or general freight,
18 especially when carrying goods back over all or part of the same route;
- 19 ~~[(5)]~~ (6) "Boat transporter", any vehicle combination capable of carrying cargo on the
20 power unit and designed and used specifically to transport assembled boats and boat hulls. Boats
21 may be partially disassembled to facilitate transporting;
- 22 ~~[(6)]~~ (7) "Body shop", a business that repairs physical damage on motor vehicles that
23 are not owned by the shop or its officers or employees by mending, straightening, replacing body
24 parts, or painting;
- 25 ~~[(7)]~~ (8) "Bus", a motor vehicle primarily for the transportation of a driver and eight or
26 more passengers but not including shuttle buses;
- 27 ~~[(8)]~~ (9) "Commercial motor vehicle", a motor vehicle designed or regularly used for
28 carrying freight and merchandise, or more than eight passengers but not including vanpools or
29 shuttle buses;
- 30 ~~[(9)]~~ (10) "Cotton trailer", a trailer designed and used exclusively for transporting cotton
31 at speeds less than forty miles per hour from field to field or from field to market and return;
- 32 ~~[(10)]~~ (11) "Dealer", any person, firm, corporation, association, agent or subagent
33 engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;
- 34 ~~[(11)]~~ (12) "Director" or "director of revenue", the director of the department of revenue;
- 35 ~~[(12)]~~ (13) "Driveaway operation":
- 36 (a) The movement of a motor vehicle or trailer by any person or motor carrier other than
37 a dealer over any public highway, under its own power singly, or in a fixed combination of two
38 or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

39 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting
40 the commodity being transported, by a person engaged in the business of furnishing drivers and
41 operators for the purpose of transporting vehicles in transit from one place to another by the
42 driveaway or towaway methods; or

43 (c) The movement of a motor vehicle by any person who is lawfully engaged in the
44 business of transporting or delivering vehicles that are not the person's own and vehicles of a
45 type otherwise required to be registered, by the driveaway or towaway methods, from a point of
46 manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent
47 of a manufacturer or to any consignee designated by the shipper or consignor;

48 ~~[(13)]~~ **(14)** "Dromedary", a box, deck, or plate mounted behind the cab and forward of
49 the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck
50 tractor equipped with a dromedary may carry part of a load when operating independently or in
51 a combination with a semitrailer;

52 ~~[(14)]~~ **(15)** "Farm tractor", a tractor used exclusively for agricultural purposes;

53 ~~[(15)]~~ **(16)** "Fleet", any group of ten or more motor vehicles owned by the same owner;

54 ~~[(16)]~~ **(17)** "Fleet vehicle", a motor vehicle which is included as part of a fleet;

55 ~~[(17)]~~ **(18)** "Fullmount", a vehicle mounted completely on the frame of either the first
56 or last vehicle in a saddlemount combination;

57 ~~[(18)]~~ **(19)** "Gross weight", the weight of vehicle and/or vehicle combination without
58 load, plus the weight of any load thereon;

59 ~~[(19)]~~ **(20)** "Hail-damaged vehicle", any vehicle, the body of which has become dented
60 as the result of the impact of hail;

61 ~~[(20)]~~ **(21)** "Highway", any public thoroughfare for vehicles, including state roads,
62 county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

63 ~~[(21)]~~ **(22)** "Improved highway", a highway which has been paved with gravel,
64 macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard,
65 smooth surface;

66 ~~[(22)]~~ **(23)** "Intersecting highway", any highway which joins another, whether or not it
67 crosses the same;

68 ~~[(23)]~~ **(24)** "Junk vehicle", a vehicle which:

69 (a) Is incapable of operation or use upon the highways and has no resale value except as
70 a source of parts or scrap; or

71 (b) Has been designated as junk or a substantially equivalent designation by this state
72 or any other state;

73 ~~[(24)]~~ **(25)** "Kit vehicle", a motor vehicle assembled by a person other than a generally
74 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
75 an authorized manufacturer and accompanied by a manufacturer's statement of origin;

76 ~~[(25)]~~ **(26)** "Land improvement contractors' commercial motor vehicle", any not-for-hire
77 commercial motor vehicle the operation of which is confined to:

78 (a) An area that extends not more than a radius of one hundred miles from its home base
79 of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or
80 from projects involving soil and water conservation, or to and from equipment dealers'
81 maintenance facilities for maintenance purposes; or

82 (b) An area that extends not more than a radius of fifty miles from its home base of
83 operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from
84 projects not involving soil and water conservation.

85 Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered
86 as a commercial motor vehicle or local commercial motor vehicle;

87 ~~[(26)]~~ **(27)** "Local commercial motor vehicle", a commercial motor vehicle whose
88 operations are confined to a municipality and that area extending not more than fifty miles
89 therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely
90 to the transportation of property owned by any person who is the owner or operator of such
91 vehicle to or from a farm owned by such person or under the person's control by virtue of a
92 landlord and tenant lease; provided that any such property transported to any such farm is for use
93 in the operation of such farm;

94 ~~[(27)]~~ **(28)** "Local log truck", a commercial motor vehicle which is registered pursuant
95 to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively
96 in this state, used to transport harvested forest products, operated solely at a forested site and in
97 an area extending not more than a one hundred mile radius from such site, carries a load with
98 dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when
99 operated on the national system of interstate and defense highways described in 23 U.S.C.
100 Section 103, as amended, or outside the one hundred mile radius from such site with an extended
101 distance local log truck permit, such vehicle shall not exceed the weight limits of section
102 304.180, does not have more than four axles, and does not pull a trailer which has more than
103 ~~[two]~~ **three** axles. Harvesting equipment which is used specifically for cutting, felling,
104 trimming, delimiting, debarking, chipping, skidding, loading, unloading, and stacking may be
105 transported on a local log truck. A local log truck may not exceed the limits required by law,
106 however, if the truck does exceed such limits as determined by the inspecting officer, then
107 notwithstanding any other provisions of law to the contrary, such truck shall be subject to the
108 weight limits required by such sections as licensed for eighty thousand pounds;

109 [~~(28)~~] **(29)** "Local log truck tractor", a commercial motor vehicle which is registered
110 under this chapter to operate as a motor vehicle on the public highways of this state, used
111 exclusively in this state, used to transport harvested forest products, operated at a forested site
112 and in an area extending not more than a one hundred mile radius from such site, operates with
113 a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight
114 not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated
115 on the national system of interstate and defense highways described in 23 U.S.C. Section 103,
116 as amended, or outside the one hundred mile radius from such site with an extended distance
117 local log truck permit, such vehicle does not exceed the weight limits contained in section
118 304.180, and does not have more than three axles and does not pull a trailer which has more than
119 ~~[two]~~ **three** axles. Violations of axle weight limitations shall be subject to the load limit penalty
120 as described for in sections 304.180 to 304.220;

121 [~~(29)~~] **(30)** "Local transit bus", a bus whose operations are confined wholly within a
122 municipal corporation, or wholly within a municipal corporation and a commercial zone, as
123 defined in section 390.020, adjacent thereto, forming a part of a public transportation system
124 within such municipal corporation and such municipal corporation and adjacent commercial
125 zone;

126 [~~(30)~~] **(31)** "Log truck", a vehicle which is not a local log truck or local log truck tractor
127 and is used exclusively to transport harvested forest products to and from forested sites which
128 is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this
129 state for the transportation of harvested forest products;

130 [~~(31)~~] **(32)** "Major component parts", the rear clip, cowl, frame, body, cab, front-end
131 assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules
132 and regulations or by illustrations;

133 [~~(32)~~] **(33)** "Manufacturer", any person, firm, corporation or association engaged in the
134 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

135 [~~(33)~~] **(34)** "Motor change vehicle", a vehicle manufactured prior to August, 1957,
136 which receives a new, rebuilt or used engine, and which used the number stamped on the original
137 engine as the vehicle identification number;

138 [~~(34)~~] **(35)** "Motor vehicle", any self-propelled vehicle not operated exclusively upon
139 tracks, except farm tractors;

140 [~~(35)~~] **(36)** "Motor vehicle primarily for business use", any vehicle other than a
141 recreational motor vehicle, motorcycle, motortricycle, **autocycle**, or any commercial motor
142 vehicle licensed for over twelve thousand pounds:

143 (a) Offered for hire or lease; or

144 (b) The owner of which also owns ten or more such motor vehicles;

- 145 [~~(36)~~] (37) "Motorcycle", a motor vehicle operated on two wheels;
- 146 [~~(37)~~] (38) "Motorized bicycle", any two-wheeled or three-wheeled device having an
147 automatic transmission and a motor with a cylinder capacity of not more than fifty cubic
148 centimeters, which produces less than three gross brake horsepower, and is capable of propelling
149 the device at a maximum speed of not more than thirty miles per hour on level ground;
- 150 [~~(38)~~] (39) "Motortricycle", a motor vehicle **upon which the operator straddles or sits**
151 **astride that is designed to be controlled by handle bars and is** operated on three wheels,
152 including a motorcycle while operated with any conveyance, temporary or otherwise, requiring
153 the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain
154 vehicle;
- 155 [~~(39)~~] (40) "Municipality", any city, town or village, whether incorporated or not;
- 156 [~~(40)~~] (41) "Nonresident", a resident of a state or country other than the state of
157 Missouri;
- 158 [~~(41)~~] (42) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured
159 in compliance with United States emissions or safety standards;
- 160 [~~(42)~~] (43) "Operator", any person who operates or drives a motor vehicle;
- 161 [~~(43)~~] (44) "Owner", any person, firm, corporation or association, who holds the legal
162 title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale
163 or lease thereof with the right of purchase upon performance of the conditions stated in the
164 agreement and with an immediate right of possession vested in the conditional vendee or lessee,
165 or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee
166 or lessee or mortgagor shall be deemed the owner;
- 167 [~~(44)~~] (45) "Public garage", a place of business where motor vehicles are housed, stored,
168 repaired, reconstructed or repainted for persons other than the owners or operators of such place
169 of business;
- 170 [~~(45)~~] (46) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the
171 rebuilder, but does not include certificated common or contract carriers of persons or property;
- 172 [~~(46)~~] (47) "Reconstructed motor vehicle", a vehicle that is altered from its original
173 construction by the addition or substitution of two or more new or used major component parts,
174 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;
- 175 [~~(47)~~] (48) "Recreational motor vehicle", any motor vehicle designed, constructed or
176 substantially modified so that it may be used and is used for the purposes of temporary housing
177 quarters, including therein sleeping and eating facilities which are either permanently attached
178 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.
179 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor
180 vehicle if the motor vehicle could otherwise be so registered;

181 ~~[(48)]~~ **(49)** "Recreational off-highway vehicle", any motorized vehicle manufactured and
182 used exclusively for off-highway use which is more than fifty inches but no more than sixty-
183 seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on
184 four or more nonhighway tires and which may have access to ATV trails;

185 ~~[(49)]~~ **(50)** "Rollback or car carrier", any vehicle specifically designed to transport
186 wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected
187 to a wrecker or towing service;

188 ~~[(50)]~~ **(51)** "Saddlemount combination", a combination of vehicles in which a truck or
189 truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame
190 or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front
191 axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a
192 fifth wheel kingpin connection. When two vehicles are towed in this manner the combination
193 is called a "double saddlemount combination". When three vehicles are towed in this manner,
194 the combination is called a "triple saddlemount combination";

195 ~~[(51)]~~ **(52)** "Salvage dealer and dismantler", a business that dismantles used motor
196 vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and
197 accessories;

198 ~~[(52)]~~ **(53)** "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

199 (a) Was damaged during a year that is no more than six years after the manufacturer's
200 model year designation for such vehicle to the extent that the total cost of repairs to rebuild or
201 reconstruct the vehicle to its condition immediately before it was damaged for legal operation
202 on the roads or highways exceeds eighty percent of the fair market value of the vehicle
203 immediately preceding the time it was damaged;

204 (b) By reason of condition or circumstance, has been declared salvage, either by its
205 owner, or by a person, firm, corporation, or other legal entity exercising the right of security
206 interest in it;

207 (c) Has been declared salvage by an insurance company as a result of settlement of a
208 claim;

209 (d) Ownership of which is evidenced by a salvage title; or

210 (e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157
211 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild
212 or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling
213 inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on
214 parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair
215 market value" means the retail value of a motor vehicle as:

216 a. Set forth in a current edition of any nationally recognized compilation of retail values,
217 including automated databases, or from publications commonly used by the automotive and
218 insurance industries to establish the values of motor vehicles;

219 b. Determined pursuant to a market survey of comparable vehicles with regard to
220 condition and equipment; and

221 c. Determined by an insurance company using any other procedure recognized by the
222 insurance industry, including market surveys, that is applied by the company in a uniform
223 manner;

224 ~~[(53)]~~ **(54)** "School bus", any motor vehicle used solely to transport students to or from
225 school or to transport students to or from any place for educational purposes;

226 ~~[(54)]~~ **(55)** "Scrap processor", a business that, through the use of fixed or mobile
227 equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing
228 or transportation to a shredder or scrap metal operator for recycling;

229 ~~[(55)]~~ **(56)** "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
230 corporation as an incidental service to transport patrons or customers of the regular business of
231 such person, firm, or corporation to and from the place of business of the person, firm, or
232 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
233 buses or as commercial motor vehicles;

234 ~~[(56)]~~ **(57)** "Special mobile equipment", every self-propelled vehicle not designed or
235 used primarily for the transportation of persons or property and incidentally operated or moved
236 over the highways, including farm equipment, implements of husbandry, road construction or
237 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,
238 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt
239 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
240 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump
241 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and
242 shall not operate to exclude other such vehicles which are within the general terms of this
243 section;

244 ~~[(57)]~~ **(58)** "Specially constructed motor vehicle", a motor vehicle which shall not have
245 been originally constructed under a distinctive name, make, model or type by a manufacturer of
246 motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

247 ~~[(58)]~~ **(59)** "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth
248 wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

249 ~~[(59)]~~ **(60)** "Tandem axle", a group of two or more axles, arranged one behind another,
250 the distance between the extremes of which is more than forty inches and not more than ninety-
251 six inches apart;

252 ~~[(60)]~~ **(61)** "Towaway trailer transporter combination", a combination of vehicles
253 consisting of a trailer transporter towing unit and two trailers or semitrailers, with a total weight
254 that does not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry
255 no property and constitute inventory property of a manufacturer, distributor, or dealer of such
256 trailers or semitrailers;

257 ~~[(61)]~~ **(62)** "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle
258 designed for drawing other vehicles, but not for the carriage of any load when operating
259 independently. When attached to a semitrailer, it supports a part of the weight thereof;

260 ~~[(62)]~~ **(63)** "Trailer", any vehicle without motive power designed for carrying property
261 or passengers on its own structure and for being drawn by a self-propelled vehicle, except those
262 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
263 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
264 rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers
265 as defined in this section and shall not include manufactured homes as defined in section
266 700.010;

267 ~~[(63)]~~ **(64)** "Trailer transporter towing unit", a power unit that is not used to carry
268 property when operating in a towaway trailer transporter combination;

269 ~~[(64)]~~ **(65)** "Truck", a motor vehicle designed, used, or maintained for the transportation
270 of property;

271 ~~[(65)]~~ **(66)** "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the
272 two trailing units are connected with a B-train assembly which is a rigid frame extension
273 attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point
274 for the second semitrailer and has one less articulation point than the conventional A-dolly
275 connected truck-tractor semitrailer-trailer combination;

276 ~~[(66)]~~ **(67)** "Truck-trailer boat transporter combination", a boat transporter combination
277 consisting of a straight truck towing a trailer using typically a ball and socket connection with
278 the trailer axle located substantially at the trailer center of gravity rather than the rear of the
279 trailer but so as to maintain a downward force on the trailer tongue;

280 ~~[(67)]~~ **(68)** "Used parts dealer", a business that buys and sells used motor vehicle parts
281 or accessories, but not including a business that sells only new, remanufactured or rebuilt parts.
282 Business does not include isolated sales at a swap meet of less than three days;

283 ~~[(68)]~~ **(69)** "Utility vehicle", any motorized vehicle manufactured and used exclusively
284 for off-highway use which is more than fifty inches but no more than sixty-seven inches in width,
285 with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to
286 be used primarily for landscaping, lawn care, or maintenance purposes;

287 [~~(69)~~] **(70)** "Vanpool", any van or other motor vehicle used or maintained by any person,
288 group, firm, corporation, association, city, county or state agency, or any member thereof, for the
289 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
290 and from their place of employment; however, a vanpool shall not be included in the definition
291 of the term bus or commercial motor vehicle as defined in this section, nor shall a vanpool driver
292 be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool
293 vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an
294 unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-
295 sharing arrangement;

296 [~~(70)~~] **(71)** "Vehicle", any mechanical device on wheels, designed primarily for use, or
297 used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human
298 power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized
299 wheelchairs operated by handicapped persons;

300 [~~(71)~~] **(72)** "Wrecker" or "tow truck", any emergency commercial vehicle equipped,
301 designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from
302 a highway, road, street or highway rights-of-way to a point of storage or repair, including towing
303 a replacement vehicle to replace a disabled or wrecked vehicle;

304 [~~(72)~~] **(73)** "Wrecker or towing service", the act of transporting, towing or recovering
305 with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the
306 wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives
307 compensation or other personal gain.

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 annually
3 file, by mail or otherwise, in the office of the director of revenue, an application for registration
4 on a blank to be furnished by the director of revenue for that purpose containing:

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

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

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

13 2. If the vehicle is a motor vehicle primarily for business use as defined in section
14 301.010 and if such vehicle is five years of age or less, the director of revenue shall retain the
15 odometer information provided in the vehicle inspection report, and provide for prompt access

16 to such information, together with the vehicle identification number for the motor vehicle to
17 which such information pertains, for a period of five years after the receipt of such information.
18 This section shall not apply unless:

19 (1) The application for the vehicle's certificate of ownership was submitted after July 1,
20 1989; and

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

22 3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business
23 use, a recreational motor vehicle, motorcycle, motortricycle, **autocycle**, bus, or any commercial
24 motor vehicle licensed for over twelve thousand pounds and if such motor vehicle is five years
25 of age or less, the director of revenue shall retain the odometer information provided in the
26 vehicle inspection report, and provide for prompt access to such information, together with the
27 vehicle identification number for the motor vehicle to which such information pertains, for a
28 period of five years after the receipt of such information. This subsection shall not apply unless:

29 (1) The application for the vehicle's certificate of ownership was submitted after July 1,
30 1990; and

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

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

51 Std Motor Vehicle", or "Specially Constructed Motor Vehicle" on the current and all subsequent
52 issues of the certificate of ownership of such vehicle.

53 5. Every insurance company that pays a claim for repair of a motor vehicle which as the
54 result of such repairs becomes a reconstructed motor vehicle as defined in section 301.010 or that
55 pays a claim on a salvage vehicle as defined in section 301.010 and the owner is retaining the
56 vehicle shall in writing notify the owner of the vehicle, and in a first party claim, the lienholder
57 if a lien is in effect, that he is required to surrender the certificate of ownership, and the
58 documents and fees required pursuant to subsection 4 of this section to obtain a prior salvage
59 motor vehicle certificate of ownership or documents and fees as otherwise required by law to
60 obtain a salvage certificate of ownership, from the director of revenue. The insurance company
61 shall within thirty days of the payment of such claims report to the director of revenue the name
62 and address of such owner, the year, make, model, vehicle identification number, and license
63 plate number of the vehicle, and the date of loss and payment.

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

66 7. An applicant for registration may make a donation of one dollar to promote a
67 blindness education, screening and treatment program. The director of revenue shall collect the
68 donations and deposit all such donations in the state treasury to the credit of the blindness
69 education, screening and treatment program fund established in section 209.015. Moneys in the
70 blindness education, screening and treatment program fund shall be used solely for the purposes
71 established in section 209.015; except that the department of revenue shall retain no more than
72 one percent for its administrative costs. The donation prescribed in this subsection is voluntary
73 and may be refused by the applicant for registration at the time of issuance or renewal. The
74 director shall inquire of each applicant at the time the applicant presents the completed
75 application to the director whether the applicant is interested in making the one dollar donation
76 prescribed in this subsection.

77 8. An applicant for registration may make a donation of one dollar to promote an organ
78 donor program. The director of revenue shall collect the donations and deposit all such
79 donations in the state treasury to the credit of the organ donor program fund as established in
80 sections 194.297 to 194.304. Moneys in the organ donor fund shall be used solely for the
81 purposes established in sections 194.297 to 194.304, except that the department of revenue shall
82 retain no more than one percent for its administrative costs. The donation prescribed in this
83 subsection is voluntary and may be refused by the applicant for registration at the time of
84 issuance or renewal. The director shall inquire of each applicant at the time the applicant
85 presents the completed application to the director whether the applicant is interested in making
86 the one dollar donation prescribed in this subsection.

301.055. 1. The annual registration fee for motor vehicles other than commercial motor
2 vehicles is:

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

13 **2. Notwithstanding any other provision of law, the registration of any autocycle**
14 **registered as a motorcycle or motortricycle prior to August 28, 2018, shall remain in effect**
15 **until the expiration of the registration period for such vehicle at which time the owner shall**
16 **be required to renew the motor vehicle's registration under the autocycle classification and**
17 **pay the appropriate registration fee.**

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

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

17 3. All property-carrying commercial motor vehicles to be registered at a gross weight in
18 excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local
19 transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, **autocycles,**

20 motorscooters, and driveaway vehicles shall be registered with the director of revenue as
21 provided for in subsection 3 of section 301.030, or with the state highways and transportation
22 commission as otherwise provided in this chapter, but only one license plate shall be issued for
23 each such vehicle, except as provided in this subsection. The applicant for registration of any
24 property-carrying commercial vehicle registered at a gross weight in excess of twelve thousand
25 pounds may request and be issued two license plates for such vehicle, and if such plates are
26 issued, the director of revenue shall provide for distinguishing marks on the plates indicating one
27 plate is for the front and the other is for the rear of such vehicle. The director may assess and
28 collect an additional charge from the applicant in an amount not to exceed the fee prescribed for
29 personalized license plates in subsection 1 of section 301.144.

30 4. The plates issued to manufacturers and dealers shall bear the letters and numbers as
31 prescribed by section 301.560, and the director may place upon the plates other letters or marks
32 to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

33 5. No motor vehicle or trailer shall be operated on any highway of this state unless it
34 shall have displayed thereon the license plate or set of license plates issued by the director of
35 revenue or the state highways and transportation commission and authorized by section 301.140.
36 Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all
37 parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof
38 are not impaired. Each such plate may be encased in a transparent cover so long as the plate is
39 plainly visible and its reflective qualities are not impaired. License plates shall be fastened to
40 all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of
41 twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than
42 forty-eight inches above the ground, with the letters and numbers thereon right side up. The
43 license plates on trailers, motorcycles, motortricycles, **autocycles**, and motorscooters shall be
44 displayed on the rear of such vehicles either horizontally or vertically, with the letters and
45 numbers plainly visible. The license plate on buses, other than school buses, and on trucks,
46 tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be
47 displayed on the front of such vehicles not less than eight nor more than forty-eight inches above
48 the ground, with the letters and numbers thereon right side up or if two plates are issued for the
49 vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and
50 rear of such vehicles. The license plate or plates authorized by section 301.140, when properly
51 attached, shall be prima facie evidence that the required fees have been paid.

52 6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as
53 provided by law as evidence of the annual payment of registration fees and the current
54 registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may
55 prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs

56 positively correlate with the license plate or plates issued by the department of revenue for such
57 vehicle. Such tabs shall be produced in each license bureau office.

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

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

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

65 (5) For those commercial motor vehicles and trailers registered pursuant to section
66 301.041, the plate issued by the highways and transportation commission shall be a permanent
67 nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve
68 the owner of any vehicle permanently registered pursuant to this section from the obligation to
69 pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall
70 be returned to the highways and transportation commission upon the sale or disposal of the
71 vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may
72 be transferred to a replacement commercial motor vehicle when the owner files a supplemental
73 application with the Missouri highways and transportation commission for the registration of
74 such replacement commercial motor vehicle. Upon payment of the annual registration fee, the
75 highways and transportation commission shall issue a certificate of registration or other suitable
76 evidence of payment of the annual fee, and such evidence of payment shall be carried at all times
77 in the vehicle for which it is issued.

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

87 7. The director of revenue and the highways and transportation commission may
88 prescribe rules and regulations for the effective administration of this section. No rule or portion
89 of a rule promulgated under the authority of this section shall become effective unless it has been
90 promulgated pursuant to the provisions of section 536.024.

91 8. Notwithstanding the provisions of any other law to the contrary, owners of motor
92 vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess
93 of twenty-four thousand pounds gross weight may apply for special personalized license plates.
94 Vehicles licensed for twenty-four thousand pounds that display special personalized license
95 plates shall be subject to the provisions of subsections 1 and 2 of section 301.030. On and after
96 August 28, 2016, owners of motor vehicles, other than apportioned motor vehicles or
97 commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight, may
98 apply for any preexisting or hereafter statutorily created special personalized license plates.

99 9. No later than January 1, 2019, the director of revenue shall commence the reissuance
100 of new license plates of such design as approved by the advisory committee under section
101 301.125 consistent with the terms, conditions, and provisions of section 301.125 and this
102 chapter. Except as otherwise provided in this section, in addition to all other fees required by
103 law, applicants for registration of vehicles with license plates that expire during the period of
104 reissuance, applicants for registration of trailers or semitrailers with license plates that expire
105 during the period of reissuance and applicants for registration of vehicles that are to be issued
106 new license plates during the period of reissuance shall pay the cost of the plates required by this
107 subsection. The additional cost prescribed in this subsection shall not be charged to persons
108 receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle
109 license plates registered pursuant to section 301.131 and specialized license plates are exempt
110 from the provisions of this subsection. Except for new, replacement, and transfer applications,
111 permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered
112 under section 301.041 are exempt from the provisions of this subsection.

301.350. 1. Upon receipt of an application for registration of a motor vehicle, trailer,
2 manufacturer or dealer, as provided in this chapter, the director of revenue shall file such
3 application and register such motor vehicle, trailer, manufacturer or dealer, together with the
4 facts stated in the application, under a distinctive number assigned to such motor vehicle, trailer,
5 manufacturer or dealer. Separate records shall be kept as follows:

- 6 (1) Motor vehicles registered by owners;
- 7 (2) Commercial motor vehicles;
- 8 (3) Trailers;
- 9 (4) Motorcycles and motor tricycles;
- 10 (5) **Autocycles;**
- 11 (6) **Manufacturers and dealers.**

12 2. The director of revenue may keep such other classifications and records as he may
13 deem necessary and may enter contracts or agreements or otherwise make arrangements for
14 computerized access to odometer and title information.

15 3. All of such books and records shall be kept open to public inspection during
16 reasonable business hours.

17 4. The governor may cause the records of the department of revenue to be audited by the
18 state auditor at any time.

302.170. 1. As used in this section, the following terms shall mean:

2 (1) "Biometric data", shall include, but not be limited to, the following:

3 (a) Facial feature pattern characteristics;

4 (b) Voice data used for comparing live speech with a previously created speech model
5 of a person's voice;

6 (c) Iris recognition data containing color or texture patterns or codes;

7 (d) Retinal scans, reading through the pupil to measure blood vessels lining the retina;

8 (e) Fingerprint, palm prints, hand geometry, measure of any and all characteristics of
9 biometric information, including shape and length of fingertips, or recording ridge pattern or
10 fingertip characteristics;

11 (f) Eye spacing;

12 (g) Characteristic gait or walk;

13 (h) DNA;

14 (i) Keystroke dynamic, measuring pressure applied to key pads or other digital receiving
15 devices;

16 (2) "Commercial purposes", shall not include data used or compiled solely to be used
17 for, or obtained or compiled solely for purposes expressly allowed under Missouri law or the
18 federal Drivers Privacy Protection Act;

19 (3) "Source documents", original or certified copies, where applicable, of documents
20 presented by an applicant as required under 6 CFR Part 37 to the department of revenue to apply
21 for a driver's license or nondriver's license. Source documents shall also include any documents
22 required for the issuance of driver's licenses or nondriver's licenses by the department of revenue
23 under the provisions of this chapter or accompanying regulations.

24 2. Except as provided in subsection 3 of this section and as required to carry out the
25 provisions of subsection 4 of this section, the department of revenue shall not retain copies, in
26 any format, of source documents presented by individuals applying for or holding driver's
27 licenses or nondriver's licenses or use technology to capture digital images of source documents
28 so that the images are capable of being retained in electronic storage in a transferable format.
29 Documents retained as provided or required by subsections 3 and 4 of this section shall be stored
30 solely on a system not connected to the internet nor to a wide area network that connects to the
31 internet. Once stored on such system, the documents and data shall be purged from any systems
32 on which they were previously stored so as to make them irretrievable.

33 3. The provisions of this section shall not apply to:

34 (1) Original application forms, which may be retained but not scanned except as
35 provided in this section;

36 (2) Test score documents issued by state highway patrol driver examiners;

37 (3) Documents demonstrating lawful presence of any applicant who is not a citizen of
38 the United States, including documents demonstrating duration of the person's lawful presence
39 in the United States;

40 (4) Any document required to be retained under federal motor carrier regulations in Title
41 49, Code of Federal Regulations, including but not limited to documents required by federal law
42 for the issuance of a commercial driver's license and a commercial driver instruction permit;
43 [~~and~~]

44 (5) **Documents submitted by a commercial driver's license applicant who is a**
45 **Missouri resident and is active duty military or a veteran, as "veteran" is defined in 38**
46 **U.S.C. 101, which allow for waiver of the commercial driver's license knowledge test, skills**
47 **test, or both; and**

48 (6) Any other document at the request of and for the convenience of the applicant where
49 the applicant requests the department of revenue review alternative documents as proof required
50 for issuance of a driver's license, nondriver's license, or instruction permit.

51 4. (1) To the extent not prohibited under subsection 13 of this section, the department
52 of revenue shall amend procedures for applying for a driver's license or identification card in
53 order to comply with the goals or standards of the federal REAL ID Act of 2005, any rules or
54 regulations promulgated under the authority granted in such Act, or any requirements adopted
55 by the American Association of Motor Vehicle Administrators for furtherance of the Act, unless
56 such action conflicts with Missouri law.

57 (2) The department of revenue shall issue driver's licenses or identification cards that are
58 compliant with the federal REAL ID Act of 2005, as amended, to all applicants for driver's
59 licenses or identification cards unless an applicant requests a driver's license or identification
60 card that is not REAL ID compliant. Except as provided in subsection 3 of this section and as
61 required to carry out the provisions of this subsection, the department of revenue shall not retain
62 the source documents of individuals applying for driver's licenses or identification cards not
63 compliant with REAL ID. Upon initial application for a driver's license or identification card,
64 the department shall inform applicants of the option of being issued a REAL ID compliant
65 driver's license or identification card or a driver's license or identification card that is not
66 compliant with REAL ID. The department shall inform all applicants:

67 (a) With regard to the REAL ID compliant driver's license or identification card:

68 a. Such card is valid for official state purposes and for official federal purposes as
69 outlined in the federal REAL ID Act of 2005, as amended, such as domestic air travel and
70 seeking access to military bases and most federal facilities;

71 b. Electronic copies of source documents will be retained by the department and
72 destroyed after the minimum time required for retention by the federal REAL ID Act of 2005,
73 as amended;

74 c. The facial image capture will only be retained by the department if the application is
75 finished and submitted to the department; and

76 d. Any other information the department deems necessary to inform the applicant about
77 the REAL ID compliant driver's license or identification card under the federal REAL ID Act;

78 (b) With regard to a driver's license or identification card that is not compliant with the
79 federal REAL ID Act:

80 a. Such card is valid for official state purposes, but it is not valid for official federal
81 purposes as outlined in the federal REAL ID Act of 2005, as amended, such as domestic air
82 travel and seeking access to military bases and most federal facilities;

83 b. Source documents will be verified but no copies of such documents will be retained
84 by the department unless permitted under subsection 3 of this section, except as necessary to
85 process a request by a license or card holder or applicant;

86 c. Any other information the department deems necessary to inform the applicant about
87 the driver's license or identification card.

88 5. The department of revenue shall not use, collect, obtain, share, or retain biometric data
89 nor shall the department use biometric technology to produce a driver's license or nondriver's
90 license or to uniquely identify licensees or license applicants. This subsection shall not apply
91 to digital images nor licensee signatures required for the issuance of driver's licenses and
92 nondriver's licenses or to biometric data collected from employees of the department of revenue,
93 employees of the office of administration who provide information technology support to the
94 department of revenue, contracted license offices, and contracted manufacturers engaged in the
95 production, processing, or manufacture of driver's licenses or identification cards in positions
96 which require a background check in order to be compliant with the federal REAL ID Act or any
97 rules or regulations promulgated under the authority of such Act. Except as otherwise provided
98 by law, applicants' source documents and Social Security numbers shall not be stored in any
99 database accessible by any other state or the federal government. Such database shall contain
100 only the data fields included on driver's licenses and nondriver identification cards compliant
101 with the federal REAL ID Act, and the driving records of the individuals holding such driver's
102 licenses and nondriver identification cards.

103 6. Notwithstanding any provision of this chapter that requires an applicant to provide
104 reasonable proof of lawful presence for issuance or renewal of a noncommercial driver's license,
105 noncommercial instruction permit, or a nondriver's license, an applicant shall not have his or her
106 privacy rights violated in order to obtain or renew a Missouri noncommercial driver's license,
107 noncommercial instruction permit, or a nondriver's license.

108 7. No citizen of this state shall have his or her privacy compromised by the state or
109 agents of the state. The state shall within reason protect the sovereignty of the citizens the state
110 is entrusted to protect. Any data derived from a person's application shall not be sold for
111 commercial purposes to any other organization or any other state without the express permission
112 of the applicant without a court order; except such information may be shared with a law
113 enforcement agency, judge, prosecuting attorney, or officer of the court, or with another state for
114 the limited purposes set out in section 302.600, or for the purposes set forth in section 32.091,
115 or for conducting driver history checks in compliance with the Motor Carrier Safety
116 Improvement Act, 49 U.S.C. Section 31309. The state of Missouri shall protect the privacy of
117 its citizens when handling any written, digital, or electronic data, and shall not participate in any
118 standardized identification system using driver's and nondriver's license records except as
119 provided in this section.

120 8. Other than to process a request by a license or card holder or applicant, no person shall
121 access, distribute, or allow access to or distribution of any written, digital, or electronic data
122 collected or retained under this section without the express permission of the applicant or a court
123 order, except that such information may be shared with a law enforcement agency, judge,
124 prosecuting attorney, or officer of the court, or with another state for the limited purposes set out
125 in section 302.600 or for conducting driver history checks in compliance with the Motor Carrier
126 Safety Improvement Act, 49 U.S.C. Section 31309. A first violation of this subsection shall be
127 a class A misdemeanor. A second violation of this subsection shall be a class E felony. A third
128 or subsequent violation of this subsection shall be a class D felony.

129 9. Any person harmed or damaged by any violation of this section may bring a civil
130 action for damages, including noneconomic and punitive damages, as well as injunctive relief,
131 in the circuit court where that person resided at the time of the violation or in the circuit court
132 of Cole County to recover such damages from the department of revenue and any persons
133 participating in such violation. Sovereign immunity shall not be available as a defense for the
134 department of revenue in such an action. In the event the plaintiff prevails on any count of his
135 or her claim, the plaintiff shall be entitled to recover reasonable attorney fees from the
136 defendants.

137 10. The department of revenue may promulgate rules necessary to implement the
138 provisions of this section. Any rule or portion of a rule, as that term is defined in section

139 536.010, that is created under the authority delegated in this section shall become effective only
140 if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
141 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
142 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove
143 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority
144 and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

145 11. Biometric data, digital images, source documents, and licensee signatures, or any
146 copies of the same, required to be collected or retained to comply with the requirements of the
147 federal REAL ID Act of 2005 shall be retained for no longer than the minimum duration required
148 to maintain compliance, and immediately thereafter shall be securely destroyed so as to make
149 them irretrievable.

150 12. No agency, department, or official of this state or of any political subdivision thereof
151 shall use, collect, obtain, share, or retain radio frequency identification data from a REAL ID
152 compliant driver's license or identification card issued by a state, nor use the same to uniquely
153 identify any individual.

154 13. Notwithstanding any provision of law to the contrary, the department of revenue
155 shall not amend procedures for applying for a driver's license or identification card, nor
156 promulgate any rule or regulation, for purposes of complying with modifications made to the
157 federal REAL ID Act of 2005 after August 28, 2017, imposing additional requirements on
158 applications, document retention, or issuance of compliant licenses or cards, including any rules
159 or regulations promulgated under the authority granted under the federal REAL ID Act of 2005,
160 as amended, or any requirements adopted by the American Association of Motor Vehicle
161 Administrators for furtherance thereof.

162 14. If the federal REAL ID Act of 2005 is modified or repealed such that driver's licenses
163 and identification cards issued by this state that are not compliant with the federal REAL ID Act
164 of 2005 are once again sufficient for federal identification purposes, the department shall not
165 issue a driver's license or identification card that complies with the federal REAL ID Act of 2005
166 and shall securely destroy, within thirty days, any source documents retained by the department
167 for the purpose of compliance with such Act.

168 15. The provisions of this section shall expire five years after August 28, 2017.

302.173. 1. Any applicant for a license, who does not possess a valid license issued
2 pursuant to the laws of this state, another state, or a country which has a reciprocal agreement
3 with the state of Missouri regarding the exchange of licenses pursuant to section 302.172 shall
4 be examined as herein provided. Any person who has failed to renew such person's license on
5 or before the date of its expiration or within six months thereafter must take the complete
6 examination. Any active member of the Armed Forces, their adult dependents or any active

7 member of the Peace Corps may apply for a renewal license without examination of any kind,
8 unless otherwise required by sections 302.700 to 302.780, provided the renewal application
9 shows that the previous license had not been suspended or revoked. Any person honorably
10 discharged from the Armed Forces of the United States who held a valid license prior to being
11 inducted may apply for a renewal license within sixty days after such person's honorable
12 discharge without submitting to any examination of such person's ability to safely operate a
13 motor vehicle over the highways of this state unless otherwise required by sections 302.700 to
14 302.780, other than the vision test provided in section 302.175, unless the facts set out in the
15 renewal application or record of convictions on the expiring license, or the records of the director
16 show that there is good cause to authorize the director to require the applicant to submit to the
17 complete examination. No applicant for a renewal license shall be required to submit to any
18 examination of his or her ability to safely operate a motor vehicle over the highways of this state
19 unless otherwise required by sections 302.700 to 302.780 or regulations promulgated thereunder,
20 other than a test of the applicant's ability to understand highway signs regulating, warning or
21 directing traffic and the vision test provided in section 302.175, unless the facts set out in the
22 renewal application or record of convictions on the expiring license, or the records of the director
23 show that there is good cause to authorize the director to require the applicant to submit to the
24 complete examination. The examination shall be made available in each county. Reasonable
25 notice of the time and place of the examination shall be given the applicant by the person or
26 officer designated to conduct it. The complete examination shall include a test of the applicant's
27 natural or corrected vision as prescribed in section 302.175, the applicant's ability to understand
28 highway signs regulating, warning or directing traffic, the applicant's practical knowledge of the
29 traffic laws of this state, and an actual demonstration of ability to exercise due care in the
30 operation of a motor vehicle of the classification for which the license is sought. When an
31 applicant for a license has a license from a state which has requirements for issuance of a license
32 comparable to the Missouri requirements or a license from a country which has a reciprocal
33 agreement with the state of Missouri regarding the exchange of licenses pursuant to section
34 302.172 and such license has not expired more than six months prior to the date of application
35 for the Missouri license, the director may waive the test of the applicant's practical knowledge
36 of the traffic laws of this state, and the requirement of actual demonstration of ability to exercise
37 due care in the operation of a motor vehicle. If the director has reasonable grounds to believe
38 that an applicant is suffering from some known physical or mental ailment which ordinarily
39 would interfere with the applicant's fitness to operate a motor vehicle safely upon the highways,
40 the director may require that the examination include a physical or mental examination by a
41 licensed physician of the applicant's choice, at the applicant's expense, to determine the fact. The
42 director shall prescribe regulations to ensure uniformity in the examinations and in the grading

43 thereof and shall prescribe and furnish all forms to the members of the highway patrol and to
44 other persons authorized to conduct examinations as may be necessary to enable the officer or
45 person to properly conduct the examination. The records of the examination shall be forwarded
46 to the director who shall not issue any license hereunder if in the director's opinion the applicant
47 is not qualified to operate a motor vehicle safely upon the highways of this state.

48 2. Beginning July 1, 2005, when the examiner has reasonable grounds to believe that an
49 individual has committed fraud or deception during the examination process, the license
50 examiner shall immediately forward to the director all information relevant to any fraud or
51 deception, including, but not limited to, a statement of the examiner's grounds for belief that the
52 person committed or attempted to commit fraud or deception in the written, skills, or vision
53 examination.

54 3. The director of revenue shall delegate the power to conduct the examinations required
55 for a license or permit to any member of the highway patrol or any person employed by the
56 highway patrol. The powers delegated to any examiner may be revoked at any time by the
57 director of revenue upon notice.

58 4. Notwithstanding the requirements of subsections 1 and 3 of this section, the successful
59 completion of a motorcycle rider training course approved pursuant to sections 302.133 to
60 302.137 shall constitute an actual demonstration of the person's ability to exercise due care in
61 the operation of a motorcycle or motortricycle, and no further **practical knowledge or** driving
62 test shall be required to obtain a motorcycle or motortricycle license or endorsement. **The**
63 **motorcycle rider training course completion shall be accepted for purposes of motorcycle**
64 **license or endorsement issuance for one year from the date of course completion.**

65 5. Notwithstanding the requirements of subsections 1 and 3 of this section, the successful
66 completion of a military motorcycle rider training course that meets or exceeds the Motorcycle
67 Safety Foundation curriculum standards by an applicant who is an active member of the [U.S.]
68 **United States** Armed Forces, shall constitute an actual demonstration of the person's ability to
69 exercise due care in the operation of a motorcycle or motortricycle, and no further **practical**
70 **knowledge or** driving test shall be required to obtain a motorcycle or motortricycle license or
71 endorsement. **The military motorcycle rider training course completion shall be accepted**
72 **for purposes of motorcycle license or endorsement issuance for one year from the date of**
73 **course completion.** The director of revenue is authorized to promulgate rules and regulations
74 for the administration and implementation of this subsection including rules governing the
75 presentment of motorcycle training course completion cards from a military motorcycle rider
76 training course or other documentation showing that the applicant has successfully completed
77 a course in basic motorcycle safety instruction that meets or exceeds curriculum standards
78 established by the Motorcycle Safety Foundation or other national organization whose purpose

79 is to improve the safety of motorcyclists on the nation's streets and highways. Any rule or
 80 portion of a rule, as that term is defined in section 536.010, that is created under the authority
 81 delegated in this section shall become effective only if it complies with and is subject to all of
 82 the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536
 83 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter
 84 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held
 85 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
 86 August 28, 2012, shall be invalid and void.

302.174. 1. As used in this section, the following terms mean:

2 (1) "Deaf person", any person who, because of hearing loss, is not able to discriminate
 3 speech when spoken in a normal conversation tone regardless of the use of amplification devices;

4 (2) ~~["Hearing-impaired person", any person who, because of hearing loss, has a
 5 diminished capacity to discriminate speech when spoken in a normal conversational tone;~~

6 ~~———(3) "J88"] "DHH", a notation on a driver's license that indicates the person is a deaf or
 7 [hearing-impaired] hard of hearing person who uses alternative communication;~~

8 (3) **"Hard of hearing person", any person who, because of hearing loss, has a
 9 diminished capacity to discriminate speech when spoken in a normal conversation tone.**

10 2. Any resident of this state who is a deaf or ~~[hearing-impaired]~~ **hard of hearing** person
 11 may apply to the department of revenue to have the notation "~~J88~~ **DHH**" placed on the person's
 12 driver's license. The department of revenue, by rule, may establish the cost and criteria for
 13 placement of the "~~J88~~ **DHH**" notation, such as requiring an applicant to submit certain medical
 14 proof of deafness or hearing ~~[impairment]~~ **loss. The department may also, by rule, elect to use**
 15 **the phrase "deaf or hard of hearing" in lieu of the notation "DHH" on a driver's license.**

16 3. **The Missouri commission for the deaf and hard of hearing shall make an
 17 informational video in American Sign Language explaining what a "DHH" notation means
 18 on a driver's license and informing Missourians of their right to receive a license with the
 19 "DHH" notation under this section. This video shall also be captioned in English and
 20 converted to QR-Code which shall be posted in a conspicuous place at every driver's
 21 license office in Missouri.**

22 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
 23 under the authority delegated in this section shall become effective only if it complies with and
 24 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
 25 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
 26 pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule
 27 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
 28 proposed or adopted after August 28, 2001, shall be invalid and void.

302.272. 1. No person shall operate any school bus owned by or under contract with a public school or the state board of education unless such driver has qualified for a school bus endorsement under this section and complied with the pertinent rules and regulations of the department of revenue and any final rule issued by the secretary of the United States Department of Transportation or has a valid school bus endorsement on a valid commercial driver's license issued by another state. A school bus endorsement shall be issued to any applicant who meets the following qualifications:

(1) The applicant has a valid state license issued under this chapter;

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

(3) 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 any examinations prescribed by the secretary of the United States Department of Transportation, 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). For drivers who are at least seventy years of age, such examination, **excluding the pre-trip inspection portion of the commercial driver's license skills test**, shall be completed annually **to retain the school bus endorsement**.

2. The director of revenue, to the best of the director's knowledge, shall not issue or renew a school bus endorsement to any applicant whose driving record shows that such applicant's privilege to operate a motor vehicle has been suspended, revoked or disqualified or whose driving record shows a history of moving vehicle violations.

3. 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, 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 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 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.

4. Notwithstanding the requirements of this section, an applicant who resides in another state and possesses a valid driver's license from his or her state of residence with a valid school bus endorsement for the type of vehicle being operated shall not be required to obtain a Missouri driver's license with a school bus endorsement.

302.720. 1. Except when operating under an instruction permit as described in this section, no person may drive a commercial motor vehicle unless the person has been issued a

3 commercial driver's license with applicable endorsements valid for the type of vehicle being
4 operated as specified in sections 302.700 to 302.780. A commercial driver's instruction permit
5 shall allow the holder of a valid license to operate a commercial motor vehicle when
6 accompanied by the holder of a commercial driver's license valid for the vehicle being operated
7 and who occupies a seat beside the individual, or reasonably near the individual in the case of
8 buses, for the purpose of giving instruction in driving the commercial motor vehicle. No person
9 may be issued a commercial driver's instruction permit until he or she has passed written tests
10 which comply with the minimum federal standards. A commercial driver's instruction permit
11 shall be valid for the vehicle being operated for a period of not more than six months, and shall
12 not be issued until the permit holder has met all other requirements of sections 302.700 to
13 302.780, except for the driving test. A permit holder, unless otherwise disqualified, may be
14 granted one six-month renewal within a one-year period. The fee for such permit or renewal
15 shall be five dollars. In the alternative, a commercial driver's instruction permit shall be issued
16 for a thirty-day period to allow the holder of a valid driver's license to operate a commercial
17 motor vehicle if the applicant has completed all other requirements except the driving test. The
18 permit may be renewed for one additional thirty-day period and the fee for the permit and for
19 renewal shall be five dollars.

20 2. No person may be issued a commercial driver's license until he has passed written and
21 driving tests for the operation of a commercial motor vehicle which complies with the minimum
22 federal standards established by the Secretary and has satisfied all other requirements of the
23 Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570), as well as any
24 other requirements imposed by state law. All applicants for a commercial driver's license shall
25 have maintained the appropriate class of commercial driver's instruction permit issued by this
26 state or any other state for a minimum of fourteen calendar days prior to the date of taking the
27 skills test. Applicants for a hazardous materials endorsement must also meet the requirements
28 of the U.S. Patriot Act of 2001 (Title X of Public Law 107-56) as specified and required by
29 regulations promulgated by the Secretary. Nothing contained in this subsection shall be
30 construed as prohibiting the director from establishing alternate testing formats for those who
31 are functionally illiterate; provided, however, that any such alternate test must comply with the
32 minimum requirements of the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub.
33 Law 99-570) as established by the Secretary.

34 (1) The written and driving tests shall be held at such times and in such places as the
35 superintendent may designate. A twenty-five dollar examination fee shall be paid by the
36 applicant upon completion of any written or driving test, except the examination fee shall be
37 waived for applicants seventy years of age or older renewing a license with a school bus
38 endorsement. The director shall delegate the power to conduct the examinations required under

39 sections 302.700 to 302.780 to any member of the highway patrol or any person employed by
40 the highway patrol qualified to give driving examinations. The written test shall only be
41 administered in the English language. No translators shall be allowed for applicants taking the
42 test.

43 (2) The director shall adopt and promulgate rules and regulations governing the
44 certification of third-party testers by the department of revenue. Such rules and regulations shall
45 substantially comply with the requirements of 49 CFR 383, Section 383.75. A certification to
46 conduct third-party testing shall be valid for one year, and the department shall charge a fee of
47 one hundred dollars to issue or renew the certification of any third-party tester.

48 (3) Beginning August 28, 2006, the director shall only issue or renew third-party tester
49 certification to community colleges established under chapter 178 or to private companies who
50 own, lease, or maintain their own fleet and administer in-house testing to their employees, or to
51 school districts and their agents that administer in-house testing to the school district's or agent's
52 employees. Any third-party tester who violates any of the rules and regulations adopted and
53 promulgated pursuant to this section shall be subject to having his certification revoked by the
54 department. The department shall provide written notice and an opportunity for the third-party
55 tester to be heard in substantially the same manner as provided in chapter 536. If any applicant
56 submits evidence that he has successfully completed a test administered by a third-party tester,
57 the actual driving test for a commercial driver's license may then be waived.

58 (4) Every applicant for renewal of a commercial driver's license shall provide such
59 certifications and information as required by the Secretary and if such person transports a
60 hazardous material must also meet the requirements of the U.S. Patriot Act of 2001 (Title X of
61 Public Law 107-56) as specified and required by regulations promulgated by the Secretary. Such
62 person shall be required to take the written test for such endorsement. A twenty-five dollar
63 examination fee shall be paid upon completion of such tests.

64 (5) The director shall have the authority to waive the **knowledge and** driving skills [~~test~~]
65 **tests** for any qualified military applicant for a commercial driver's license who is currently
66 licensed at the time of application for a commercial driver's license. The director shall impose
67 conditions and limitations to restrict the applicants from whom the department may accept
68 alternative requirements for the **knowledge and skills [~~test~~ tests** described in federal regulation
69 **49 CFR 383.71 and** 49 CFR 383.77. An applicant must certify that, during the two-year period
70 immediately preceding application for a commercial driver's license, all of the following apply:

- 71 (a) The applicant has not had more than one license;
72 (b) The applicant has not had any license suspended, revoked, or cancelled;
73 (c) The applicant has not had any convictions for any type of motor vehicle for the
74 disqualifying offenses contained in this chapter or federal rule 49 CFR 383.51(b);

75 (d) The applicant has not had more than one conviction for any type of motor vehicle for
76 serious traffic violations;

77 (e) The applicant has not had any conviction for a violation of state or local law relating
78 to motor vehicle traffic control, but not including any parking violation, arising in connection
79 with any traffic accident, and has no record of an accident in which he or she was at fault;

80 (f) The applicant has been regularly employed within the last [~~ninety days~~] **year** in a
81 military position requiring operation of a commercial motor vehicle and has operated the vehicle
82 for at least sixty days during the two years immediately preceding application for a commercial
83 driver's license. The vehicle must be representative of the commercial motor vehicle the driver
84 applicant operates or expects to operate;

85 (g) The applicant, if on active duty, must provide a notarized affidavit signed by a
86 commanding officer as proof of driving experience as indicated in paragraph (f) of this
87 subdivision;

88 (h) The applicant, if honorably discharged from military service, must provide a
89 form-DD214 or other proof of military occupational specialty;

90 (i) The applicant must meet all federal and state qualifications to operate a commercial
91 vehicle; and

92 (j) The applicant will be required to complete all applicable knowledge tests, **except**
93 **when the applicant provides proof of approved military training sufficient for waiver of**
94 **the knowledge and skills tests as specified in subdivision (5) of subsection 3 of section**
95 **302.170.**

96 3. A commercial driver's license or commercial driver's instruction permit may not be
97 issued to a person while the person is disqualified from driving a commercial motor vehicle,
98 when a disqualification is pending in any state or while the person's driver's license is suspended,
99 revoked, or cancelled in any state; nor may a commercial driver's license be issued unless the
100 person first surrenders in a manner prescribed by the director any commercial driver's license
101 issued by another state, which license shall be returned to the issuing state for cancellation.

102 4. Beginning July 1, 2005, the director shall not issue an instruction permit under this
103 section unless the director verifies that the applicant is lawfully present in the United States
104 before accepting the application. The director may, by rule or regulation, establish procedures
105 to verify the lawful presence of the applicant under this section. No rule or portion of a rule
106 promulgated pursuant to the authority of this section shall become effective unless it has been
107 promulgated pursuant to chapter 536.

108 5. Notwithstanding the provisions of this section or any other law to the contrary,
109 beginning August 28, 2008, the director of the department of revenue shall certify as a third-party
110 tester any municipality that owns, leases, or maintains its own fleet that requires certain

111 employees as a condition of employment to hold a valid commercial driver's license; and that
112 administered in-house testing to such employees prior to August 28, 2006.

303.020. As used in this chapter the following words and phrases shall mean:

- 2 (1) "Chauffeur", a person who is employed for the principal purpose of operating a motor
3 vehicle or any person who drives a motor vehicle while in use as a public or common carrier of
4 persons or property for hire;
- 5 (2) "Director", director of revenue of the state of Missouri, acting directly or through his
6 authorized officers and agents;
- 7 (3) "Judgment", a final judgment by a court of competent jurisdiction of any state or of
8 the United States, upon a claim for relief for damages, including damages for care and loss of
9 services, because of bodily injury to or death of any person, or for damages because of injury to
10 or destruction of property, including the loss of use thereof, or upon a claim for relief on any
11 agreement or settlement for such damages arising out of the ownership, maintenance or use of
12 any motor vehicle;
- 13 (4) "License", an operator's or driver's license, temporary instruction permit, chauffeur's
14 or registered operator's license issued under the laws of this state;
- 15 (5) "Motor vehicle", a self-propelled vehicle which is designed for use upon a highway,
16 except trailers designed for use with such vehicles, traction engines, road rollers, farm tractors,
17 tractor cranes, power shovels, well drillers and motorized bicycles, as defined in section 307.180,
18 and every vehicle which is propelled by electric power obtained from overhead wires but not
19 operated upon rails;
- 20 (6) "Nonresident", a person not a resident of the state of Missouri;
- 21 (7) "Nonresident's operating privilege", the privilege conferred upon a nonresident by
22 the laws of this state pertaining to the operation by him of a motor vehicle, or the use of a motor
23 vehicle owned by him in this state;
- 24 (8) "Operator", a person who is in actual physical control of a motor vehicle;
- 25 (9) "Owner", a person who holds the legal title to a motor vehicle; or in the event a motor
26 vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of
27 purchase upon performance of the conditions stated in the agreement and with an immediate
28 right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a
29 motor vehicle is entitled to possession thereof, then such conditional vendee or lessee or
30 mortgagor;
- 31 (10) "Proof of financial responsibility", proof of ability to respond in damages for
32 liability, on account of accidents occurring subsequent to the effective date of said proof, arising
33 out of the ownership, maintenance or use of a motor vehicle, in the amount of twenty-five
34 thousand dollars because of bodily injury to or death of one person in any one accident, and,

35 subject to said limit for one person, in the amount of fifty thousand dollars because of bodily
36 injury to or death of two or more persons in any one accident, and in the amount of ~~ten~~ **twenty-**
37 **five** thousand dollars because of injury to or destruction of property of others in any one accident;

38 (11) "Registration", registration certificate or certificates and registration plates issued
39 under the laws of this state pertaining to the registration of motor vehicles;

40 (12) "State", any state, territory or possession of the United States, the District of
41 Columbia, or any province of the Dominion of Canada;

42 (13) "Street" or "highway", the entire width between property lines of every way or place
43 of whatever nature when any part thereof is open to the use of the public, as a matter of right, for
44 purposes of vehicular traffic.

**303.022. Sections 105.1073, 303.020, 303.030, 303.120, 303.190, and 303.240 shall
2 apply to motor vehicle liability policies, as defined in section 303.190, that are issued or
3 renewed in Missouri on or after July 1, 2019, and to any applicable filing under section
4 303.240 or subdivision (2), (3), or (4) of subsection 1 of section 303.160 that goes into effect
5 on or after July 1, 2019. A motor vehicle liability policy in effect prior to July 1, 2019, shall
6 continue to constitute proof of compliance with the provisions of this chapter for the
7 remainder of the term of that policy.**

303.030. 1. If within twenty days after the receipt of a report of a motor vehicle accident
2 within this state which has resulted in bodily injury or death, or damage to the property of any
3 one person in excess of five hundred dollars, the director does not have on file evidence
4 satisfactory to him that the person who would otherwise be required to file security under
5 subsection 2 of this section has been released from liability, or has been finally adjudicated not
6 to be liable, or has executed a duly acknowledged written agreement providing for the payment
7 of an agreed amount in installments with respect to all claims for injuries or damages resulting
8 from the accident, the director shall determine the amount of security which shall be sufficient
9 in his judgment to satisfy any judgment for damages resulting from such accident as may be
10 recovered against each operator or owner. Any person challenging the director's determination
11 shall have the burden of proving he or she was not at fault.

12 2. The director shall, within ninety days after the receipt of such report of a motor vehicle
13 accident, suspend the license of each operator, and all registrations of each owner of a motor
14 vehicle, in any manner involved in such accident, and if such operator is a nonresident the
15 privilege of operating a motor vehicle within this state, and if such owner is a nonresident the
16 privilege of the use within this state of any motor vehicle owned by him, unless such operator
17 or owner or both shall deposit security in the sum so determined by the director; provided notice
18 of such suspension shall be sent by the director to such operator and owner not less than ten days
19 prior to the effective date of such suspension and shall state the amount required as security;

20 provided, however, that the period of suspension provided for in this section shall be in addition
21 to any period of suspension imposed under sections 303.041 and 303.042.

22 3. Where erroneous information is given the director with respect to the matters set forth
23 in subdivision (1), (2) or (3) of subsection 4 of this section, he shall take appropriate action as
24 hereinbefore provided, within forty-five days after receipt by him of correct information with
25 respect to said matters.

26 4. This section shall not apply under the conditions stated in section 303.070, nor:

27 (1) To such operator or owner if such owner had in effect at the time of such accident
28 an automobile liability policy with respect to the motor vehicle involved in such accident;

29 (2) To such operator, if not the owner of such motor vehicle, if there was in effect at the
30 time of such accident an automobile liability policy or bond with respect to his operation of
31 motor vehicles not owned by him;

32 (3) To such operator or owner if the liability of such operator or owner for damages
33 resulting from such accident is, in the judgment of the director, covered by any other form of
34 liability insurance policy or bond; nor

35 (4) To any person qualifying as a self-insurer under section 303.220, nor to any person
36 operating a motor vehicle for such self-insurer.

37 5. No such policy or bond shall be effective under this section unless issued by an
38 insurance company or surety company authorized to do business in this state, except that if such
39 motor vehicle was not registered in this state, or was a motor vehicle which was registered
40 elsewhere than in this state at the effective date of the policy or bond, or the most recent renewal
41 thereof, such policy or bond shall not be effective under this section unless the insurance
42 company or surety company, if not authorized to do business in this state, shall execute a power
43 of attorney authorizing the director to accept service on its behalf of notice or process in any
44 action upon such policy or bond arising out of such accident; provided, however, every such
45 policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit,
46 exclusive of interest and costs, of not less than twenty-five thousand dollars because of bodily
47 injury to or death of one person in any one accident and, subject to said limit for one person, to
48 a limit of not less than fifty thousand dollars because of bodily injury to or death of two or more
49 persons in any one accident, and, if the accident has resulted in injury to or destruction of
50 property, to a limit of not less than ~~ten~~ **twenty-five** thousand dollars because of injury to or
51 destruction of property of others in any one accident.

303.120. 1. Judgments herein referred to shall, for the purpose of this chapter only, be
2 deemed satisfied:

3 (1) When twenty-five thousand dollars has been credited upon any judgment or
4 judgments rendered in excess of that amount because of bodily injury to or death of one person
5 as the result of any one accident; or

6 (2) When, subject to such limit of twenty-five thousand dollars because of bodily injury
7 to or death of one person, the sum of fifty thousand dollars has been credited upon any judgment
8 or judgments rendered in excess of that amount because of bodily injury to or death of two or
9 more persons as the result of any one accident; or

10 (3) When [~~ten~~] **twenty-five** thousand dollars has been credited upon any judgment or
11 judgments rendered in excess of that amount because of injury to or destruction of property of
12 others as a result of any one accident.

13 2. Payments made in settlement of any claims because of bodily injury, death or property
14 damage arising from a motor vehicle accident shall be credited in reduction of the amounts
15 provided for in this section.

303.190. 1. A "motor vehicle liability policy" as said term is used in this chapter shall
2 mean an owner's or an operator's policy of liability insurance, certified as provided in section
3 303.170 or section 303.180 as proof of financial responsibility, and issued, except as otherwise
4 provided in section 303.180 by an insurance carrier duly authorized to transact business in this
5 state, to or for the benefit of the person named therein as insured.

6 2. Such owner's policy of liability insurance:

7 (1) Shall designate by explicit description or by appropriate reference all motor vehicles
8 with respect to which coverage is thereby to be granted;

9 (2) Shall insure the person named therein and any other person, as insured, using any
10 such motor vehicle or motor vehicles with the express or implied permission of such named
11 insured, against loss from the liability imposed by law for damages arising out of the ownership,
12 maintenance or use of such motor vehicle or motor vehicles within the United States of America
13 or the Dominion of Canada, subject to limits, exclusive of interest and costs, with respect to each
14 such motor vehicle, as follows: twenty-five thousand dollars because of bodily injury to or death
15 of one person in any one accident and, subject to said limit for one person, fifty thousand dollars
16 because of bodily injury to or death of two or more persons in any one accident, and [~~ten~~]
17 **twenty-five** thousand dollars because of injury to or destruction of property of others in any one
18 accident; and

19 (3) May exclude coverage against loss from liability imposed by law for damages arising
20 out of the use of such motor vehicles by a member of the named insured's household who is a
21 specifically excluded driver in the policy.

22 3. Such operator's policy of liability insurance shall insure the person named as insured
23 therein against loss from the liability imposed upon him or her by law for damages arising out

24 of the use by him or her of any motor vehicle not owned by him or her, within the said territorial
25 limits and subject to the same limits of liability as are set forth above with respect to any owner's
26 policy of liability insurance.

27 4. Such motor vehicle liability policy shall state the name and address of the named
28 insured, the coverage afforded by the policy, the premium charged therefor, the policy period and
29 the limits of liability, and shall contain an agreement or be endorsed that insurance is provided
30 thereunder in accordance with the coverage defined in this chapter as respects bodily injury and
31 death or property damage, or both, and is subject to all the provisions of this chapter.

32 5. Such motor vehicle liability policy need not insure any liability pursuant to any
33 workers' compensation law nor any liability on account of bodily injury to or death of an
34 employee of the insured while engaged in the employment, other than domestic, of the insured,
35 or while engaged in the operation, maintenance or repair of any such motor vehicle nor any
36 liability for damage to property owned by, rented to, in charge of or transported by the insured.

37 6. Every motor vehicle liability policy shall be subject to the following provisions which
38 need not be contained therein:

39 (1) The liability of the insurance carrier with respect to the insurance required by this
40 chapter shall become absolute whenever injury or damage covered by said motor vehicle liability
41 policy occurs; said policy may not be cancelled or annulled as to such liability by any agreement
42 between the insurance carrier and the insured after the occurrence of the injury or damage; no
43 statement made by the insured or on his or her behalf and no violation of said policy shall defeat
44 or void said policy;

45 (2) The satisfaction by the insured of a judgment for such injury or damage shall not be
46 a condition precedent to the right or duty of the insurance carrier to make payment on account
47 of such injury or damage;

48 (3) The insurance carrier shall have the right to settle any claim covered by the policy,
49 and if such settlement is made in good faith, the amount thereof shall be deductible from the
50 limits of liability specified in subdivision (2) of subsection 2 of this section;

51 (4) The policy, the written application thereof, if any, and any rider or endorsement
52 which does not conflict with the provisions of this chapter shall constitute the entire contract
53 between the parties.

54 7. Any policy which grants the coverage required for a motor vehicle liability policy may
55 also grant any lawful coverage in excess of or in addition to the coverage specified for a motor
56 vehicle liability policy and such excess or additional coverage shall not be subject to the
57 provisions of this chapter. With respect to a policy which grants such excess or additional
58 coverage the term "motor vehicle liability policy" shall apply only to that part of the coverage
59 which is required by this section.

60 8. Any motor vehicle liability policy may provide that the insured shall reimburse the
61 insurance carrier for any payment the insurance carrier would not have been obligated to make
62 under the terms of the policy except for the provisions of this chapter.

63 9. Any motor vehicle liability policy may provide for the prorating of the insurance
64 thereunder with other valid and collectible insurance.

65 10. The requirements of a motor vehicle liability policy may be fulfilled by the policies
66 of one or more insurance carriers which policies together meet such requirements.

67 11. Any binder issued pending the issuance of a motor vehicle liability policy shall be
68 deemed to fulfill the requirement for such a policy.

303.240. 1. Proof of financial responsibility may be evidenced by the certificate of the
2 state treasurer that the person named therein has deposited with him ~~[sixty]~~ **seventy-five**
3 thousand dollars in cash, or securities such as may legally be purchased by savings banks or for
4 trust funds of a market value of ~~[sixty]~~ **seventy-five** thousand dollars. The state treasurer shall
5 not accept any such deposit and issue a certificate therefor and the director shall not accept such
6 certificate unless accompanied by evidence that there are no unsatisfied judgments of any
7 character against the depositor in the county where the depositor resides.

8 2. Such deposit shall be held by the state treasurer to satisfy, in accordance with the
9 provisions of this chapter, any execution on a judgment issued against such person making the
10 deposit, for damages, including damages for care and loss of services because of bodily injury
11 to or death of any person, or for damages because of injury to or destruction of property,
12 including the loss of use thereof, resulting from the ownership, maintenance, use or operation
13 of a motor vehicle after such deposit was made. Money or securities so deposited shall not be
14 subject to attachment or execution unless such attachment or execution shall arise out of a suit
15 for damages as aforesaid.

304.005. 1. As used in this section, the term "autocycle" means a three-wheeled motor
2 vehicle which the drivers and passengers ride in a partially or completely enclosed nonstraddle
3 seating area, that is designed to be controlled with a steering wheel and pedals, and that has met
4 applicable Department of Transportation National Highway Traffic Safety Administration
5 requirements or Federal Motorcycle Safety Standards.

6 2. Notwithstanding subsection 2 of section 302.020, a person operating or riding in an
7 autocycle ~~[shall]~~ **may** not be required to wear protective headgear ~~[if the vehicle is equipped with
8 a roof that meets or exceeds the standards established for protective headgear].~~

9 3. No person shall operate an autocycle on any highway or street in this state unless the
10 person has a valid driver's license. The operator of an autocycle, however, shall not be required
11 to obtain a motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to
12 302.340.

304.060. 1. The state board of education shall adopt and enforce regulations not
2 inconsistent with law to cover the design and operation of all school buses used for the
3 transportation of school children when owned and operated by any school district or privately
4 owned and operated under contract with any school district in this state, and such regulations
5 shall by reference be made a part of any such contract with a school district. The state board of
6 education may adopt rules and regulations governing the use of other vehicles owned by a district
7 or operated under contract with any school district in this state and used for the purpose of
8 transporting school children. The operator of such vehicle shall be licensed in accordance with
9 section 302.272, and such vehicle shall transport no more children than the manufacturer
10 suggests as appropriate for such vehicle. The state board of education may also adopt rules and
11 regulations governing the use of authorized common carriers for the transportation of students
12 on field trips or other special trips for educational purposes. Every school district, its officers
13 and employees, and every person employed under contract by a school district shall be subject
14 to such regulations. The state board of education shall cooperate with the state transportation
15 department and the state highway patrol in placing suitable warning signs at intervals on the
16 highways of the state.

17 2. **Notwithstanding the provisions of subsection 1 of this section, any school board**
18 **in the state of Missouri in an urban district containing the greater part of the population**
19 **of a city which has more than three hundred thousand inhabitants may contract with any**
20 **municipality, bi-state agency, or other governmental entity for the purpose of transporting**
21 **school children attending a grade or grades not lower than the ninth nor higher than the**
22 **twelfth grade, provided that such contract shall be for additional transportation services,**
23 **and shall not replace or fulfill any of the school district's obligations pursuant to section**
24 **167.231. The school district may notify students of the option to use district contracted**
25 **transportation services.**

26 3. Any officer or employee of any school district who violates any of the regulations or
27 fails to include obligation to comply with such regulations in any contract executed by him on
28 behalf of a school district shall be guilty of misconduct and subject to removal from office or
29 employment. Any person operating a school bus under contract with a school district who fails
30 to comply with any such regulations shall be guilty of breach of contract and such contract shall
31 be cancelled after notice and hearing by the responsible officers of such school district.

32 [3-] 4. Any other provision of the law to the contrary notwithstanding, in any county of
33 the first class with a charter form of government adjoining a city not within a county, school
34 buses may bear the word "special".

304.153. 1. As used in this section, the following terms shall mean:

2 (1) "Law enforcement officer", any public servant, other than a patrol officer, who is
3 defined as a law enforcement officer under section 556.061;

4 (2) "Motor club", an organization which motor vehicle drivers and owners may join that
5 provide certain benefits relating to driving a motor vehicle;

6 (3) **"Nonconsensual tow", the transportation of a motor vehicle by tow truck if such**
7 **transportation is performed without the prior consent or authorization of the owner or**
8 **operator of the motor vehicle. For purposes of this section, all law enforcement-ordered**
9 **tows are considered nonconsensual;**

10 (4) "Patrol officer", a Missouri state highway patrol officer;

11 ~~[(4)]~~ (5) "Tow list", a list of approved towing companies compiled, maintained, and
12 utilized by the Missouri state highway patrol or its designee;

13 ~~[(5)]~~ (6) "Tow management company", any sole proprietorship, partnership, corporation,
14 fiduciary, association, or other business entity that manages towing logistics for government
15 agencies or motor clubs;

16 ~~[(6)]~~ (7) "Tow truck", a rollback or car carrier, wrecker, or tow truck as defined under
17 section 301.010;

18 ~~[(7)]~~ (8) "Towing", moving or removing, or the preparation therefor, of a vehicle by
19 another vehicle for which a service charge is made, either directly or indirectly, including any
20 dues or other charges of clubs or associations which provide towing services;

21 ~~[(8)]~~ (9) "Towing company", any person, partnership, corporation, fiduciary, association,
22 or other entity that operates a wrecker or towing service as defined under section 301.010.

23 2. In authorizing a towing company to perform services, any patrol officer or law
24 enforcement officer within the officer's jurisdiction, or Missouri department of transportation
25 employee, may utilize the services of a tow management company or tow list, provided:

26 (1) The Missouri state highway patrol is under no obligation to include or retain the
27 services of any towing company in any contract or agreement with a tow management company
28 or any tow list established pursuant to this section. A towing company is subject to removal
29 from a tow list at any time;

30 (2) Notwithstanding any other provision of law or any regulation established pursuant
31 to this section, an owner or operator's request for a specific towing company shall be honored
32 by the Missouri state highway patrol unless:

33 (a) The requested towing company cannot or does not respond in a reasonable time, as
34 determined by a law enforcement officer; or

35 (b) The vehicle to be towed poses an immediate traffic hazard, as determined by a law
36 enforcement officer.

37 3. A patrol officer shall not use a towing company located outside of Missouri under this
38 section except under the following circumstances:

39 (1) A state or federal emergency has been declared; or

40 (2) The driver or owner of the vehicle, or a motor club of which the driver or owner is
41 a member, requests a specific out-of-state towing company.

42 4. A towing company shall not tow a vehicle to a location outside of Missouri without
43 the consent of the driver or owner of the motor vehicle, or without the consent of a motor club
44 of which the driver or owner of the motor vehicle is a member.

45 5. Any towing company or tow truck arriving at the scene of an accident that has not
46 been called by a patrol officer, a law enforcement officer, a Missouri department of
47 transportation employee, the driver or owner of the motor vehicle or his or her authorized agent,
48 including a motor club of which the driver or owner is a member, shall be prohibited from
49 towing the vehicle from the scene of the accident, unless the towing company or tow truck
50 operator is rendering emergency aid in the interest of public safety, or is operating during a
51 declared state of emergency under section 44.100.

52 6. A tow truck operator that stops and tows a vehicle from the scene of an accident in
53 violation of subsection 5 of this section shall be guilty of a class D misdemeanor upon conviction
54 or pleading guilty for the first violation, and such tow truck shall be subject to impounding. The
55 penalty for a second violation shall be a class A misdemeanor, and the penalty for any third or
56 subsequent violation shall be a class D felony. A violation of this section shall not preclude the
57 tow truck operator from being charged with tampering under chapter 569.

58 7. The provisions of this section shall also apply to motor vehicles towed under section
59 304.155 or 304.157.

60 8. The provisions of **subsections 1 to 7** of this section shall not apply to counties of the
61 third or fourth classification.

62 **9. (1) The Towing Task Force is hereby created. The task force shall make**
63 **recommendations as provided in this subsection with respect to tows involving vehicles**
64 **with a gross vehicle weight rating of twenty-six thousand pounds or more. The task force**
65 **shall consist of seven members appointed as follows:**

66 **(a) One member of the general assembly appointed by the president pro tempore**
67 **of the senate;**

68 **(b) One member of the general assembly appointed by the speaker of the house of**
69 **representatives;**

70 **(c) One member, or the member's designee, appointed by the governor to represent**
71 **the department of revenue;**

72 (d) One member, or the member's designee, appointed by the superintendent of the
73 Missouri state highway patrol;

74 (e) One member, or the member's designee, appointed by the governor to represent
75 towing companies within the state but who does not represent a towing association;

76 (f) One member who insures commercial motor vehicles, or the member's designee,
77 appointed by the governor to represent insurance companies within the state;

78 (g) One member, or the member's designee, appointed by the governor to represent
79 an association of motor carriers within the state.

80 (2) The task force shall have the following duties and powers:

81 (a) To make comprehensive recommendations to the department on matters related
82 to the investigation of overcharges made by towing companies in violation of the rules
83 promulgated under this subsection, including:

84 a. A process to adjudicate consumer complaints regarding nonconsensual tow
85 charges; and

86 b. Factors in determining whether a charge levied by a towing company is just, fair,
87 and reasonable; provided that, it shall be a violation of the rules promulgated under this
88 subsection for a towing company to charge for the use of unnecessary equipment and
89 labor;

90 c. A process for the removal of towing companies from rotation lists; and

91 (b) To make comprehensive recommendations regarding information that should
92 be included on every invoice with respect to a nonconsensual tow.

93 (3) The task force shall make its first comprehensive recommendations in a report
94 to the general assembly prior to March 1, 2020.

95 (4) The members of the towing task force shall elect a chair from among their
96 membership. The chair shall set the times and frequency of the task force's meetings.

97 (5) The task force established under this subsection shall expire on January 1, 2021.

98 (6) Rules and regulations may be promulgated for the administration of this
99 subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that
100 is created under the authority delegated in this section shall become effective only if it
101 complies with and is subject to all of the provisions of chapter 536 and, if applicable,
102 section 536.028. This section and chapter 536 are nonseverable, and if any of the powers
103 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
104 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
105 grant of rulemaking authority and any rule proposed or adopted after August 28, 2018,
106 shall be invalid and void.

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise

feet	Maximum load in pounds				
	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			

34	12	40,000	45,000	50,000		
35	13	40,000	45,500	50,500		
36	14	40,000	46,500	51,500		
37	15	40,000	47,000	52,000		
38	16	40,000	48,000	52,500	58,000	
39	17	40,000	48,500	53,500	58,500	
40	18	40,000	49,500	54,000	59,000	
41	19	40,000	50,000	54,500	60,000	
42	20	40,000	51,000	55,500	60,500	66,000
43	21	40,000	51,500	56,000	61,000	66,500
44	22	40,000	52,500	56,500	61,500	67,000
45	23	40,000	53,000	57,500	62,500	68,000
46	24	40,000	54,000	58,000	63,000	68,500
47	25	40,000	54,500	58,500	63,500	69,000
48	26	40,000	55,500	59,500	64,000	69,500
49	27	40,000	56,000	60,000	65,000	70,000
50	28	40,000	57,000	60,500	65,500	71,000
51	29	40,000	57,500	61,500	66,000	71,500
52	30	40,000	58,500	62,000	66,500	72,000
53	31	40,000	59,000	62,500	67,500	72,500
54	32	40,000	60,000	63,500	68,000	73,000
55	33	40,000	60,000	64,000	68,500	74,000
56	34	40,000	60,000	64,500	69,000	74,500
57	35	40,000	60,000	65,500	70,000	75,000
58	36		60,000	66,000	70,500	75,500
59	37		60,000	66,500	71,000	76,000

60	38	60,000	67,500	72,000	77,000
61	39	60,000	68,000	72,500	77,500
62	40	60,000	68,500	73,000	78,000
63	41	60,000	69,500	73,500	78,500
64	42	60,000	70,000	74,000	79,000
65	43	60,000	70,500	75,000	80,000
66	44	60,000	71,500	75,500	80,000
67	45	60,000	72,000	76,000	80,000
68	46	60,000	72,500	76,500	80,000
69	47	60,000	73,500	77,500	80,000
70	48	60,000	74,000	78,000	80,000
71	49	60,000	74,500	78,500	80,000
72	50	60,000	75,500	79,000	80,000
73	51	60,000	76,000	80,000	80,000
74	52	60,000	76,500	80,000	80,000
75	53	60,000	77,500	80,000	80,000
76	54	60,000	78,000	80,000	80,000
77	55	60,000	78,500	80,000	80,000
78	56	60,000	79,500	80,000	80,000
79	57	60,000	80,000	80,000	80,000

80 Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load
81 of thirty-four thousand pounds each if the overall distance between the first and last axles of such
82 consecutive sets of tandem axles is thirty-six feet or more.

83 4. Whenever the state highways and transportation commission finds that any state
84 highway bridge in the state is in such a condition that use of such bridge by vehicles of the
85 weights specified in subsection 3 of this section will endanger the bridge, or the users of the
86 bridge, the commission may establish maximum weight limits and speed limits for vehicles using
87 such bridge. The governing body of any city or county may grant authority by act or ordinance
88 to the commission to enact the limitations established in this section on those roadways within

89 the purview of such city or county. Notice of the weight limits and speed limits established by
90 the commission shall be given by posting signs at a conspicuous place at each end of any such
91 bridge.

92 5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle
93 loads or gross loads in excess of those permitted under the provisions of P.L. 97-424 codified
94 in Title 23 of the United States Code (23 U.S.C. Section 101, et al.), as amended.

95 6. Notwithstanding the weight limitations contained in this section, any vehicle or
96 combination of vehicles operating on highways other than the interstate highway system may
97 exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two
98 thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except
99 as provided in subsections 9, 10, 12, and 13 of this section.

100 7. Notwithstanding any provision of this section to the contrary, the commission shall
101 issue a single-use special permit, or, upon request of the owner of the truck or equipment[;] shall
102 issue an annual permit, for the transporting of any **crane**, concrete pump truck, or well-drillers'
103 equipment. The commission shall set fees for the issuance of permits **and parameters for the**
104 **transport of cranes** pursuant to this subsection. Notwithstanding the provisions of section
105 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained
106 roads and highways at any time on any day.

107 8. Notwithstanding the provision of this section to the contrary, the maximum gross
108 vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an
109 idle reduction technology may be increased by a quantity necessary to compensate for the
110 additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as
111 amended. In no case shall the additional weight increase allowed by this subsection be greater
112 than five hundred fifty pounds. Upon request by an appropriate law enforcement officer, the
113 vehicle operator shall provide proof that the idle reduction technology is fully functional at all
114 times and that the gross weight increase is not used for any purpose other than for the use of idle
115 reduction technology.

116 9. Notwithstanding any provision of this section or any other law to the contrary, the
117 total gross weight of any vehicle or combination of vehicles hauling milk, from a farm to a
118 processing facility or livestock may be as much as, but shall not exceed, eighty-five thousand
119 five hundred pounds while operating on highways other than the interstate highway system. The
120 provisions of this subsection shall not apply to vehicles operated and operating on the Dwight
121 D. Eisenhower System of Interstate and Defense Highways.

122 10. Notwithstanding any provision of this section or any other law to the contrary, any
123 vehicle or combination of vehicles hauling grain or grain coproducts during times of harvest may
124 be as much as, but not exceeding, ten percent over the maximum weight limitation allowable

125 under subsection 3 of this section while operating on highways other than the interstate highway
126 system. The provisions of this subsection shall not apply to vehicles operated and operating on
127 the Dwight D. Eisenhower System of Interstate and Defense Highways.

128 11. Notwithstanding any provision of this section or any other law to the contrary, the
129 commission shall issue emergency utility response permits for the transporting of utility wires
130 or cables, poles, and equipment needed for repair work immediately following a disaster where
131 utility service has been disrupted. Under exigent circumstances, verbal approval of such
132 operation may be made either by the department of transportation motor carrier compliance
133 supervisor or other designated motor carrier services representative. Utility vehicles and
134 equipment used to assist utility companies granted special permits under this subsection may be
135 operated and transported on state-maintained roads and highways at any time on any day. The
136 commission shall promulgate all necessary rules and regulations for the administration of this
137 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
138 under the authority delegated in this section shall become effective only if it complies with and
139 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
140 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
141 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule
142 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
143 proposed or adopted after August 28, 2014, shall be invalid and void.

144 12. Notwithstanding any provision of this section to the contrary, emergency vehicles
145 designed to be used under emergency conditions to transport personnel and equipment and to
146 mitigate hazardous situations may have a maximum gross vehicle weight of eighty-six thousand
147 pounds inclusive of twenty-four thousand pounds on a single steering axle; thirty-three thousand
148 five hundred pounds on a single drive axle; sixty-two thousand pounds on a tandem axle; or
149 fifty-two thousand pounds on a tandem rear-drive steer axle.

150 13. Notwithstanding any provision of this section to the contrary, a vehicle operated by
151 an engine fueled primarily by natural gas may operate upon the public highways of this state in
152 excess of the vehicle weight limits set forth in this section by an amount that is equal to the
153 difference between the weight of the vehicle attributable to the natural gas tank and fueling
154 system carried by that vehicle and the weight of a comparable diesel tank and fueling system.
155 In no event shall the maximum gross vehicle weight of the vehicle operating with a natural gas
156 engine exceed eighty-two thousand pounds.

304.232. 1. The Missouri state highway patrol shall approve procedures for the
2 certification of municipal police officers, sheriffs, deputy sheriffs, and other law enforcement
3 officials that enforce sections 304.170 to 304.230.

4 2. The certification procedures shall meet the requirements of the memorandum of
5 understanding between the state of Missouri and the commercial vehicle safety alliance or any
6 successor organization, as periodically adopted or amended.

7 3. Commercial motor vehicle safety data collection, management, and distribution by
8 law enforcement officials shall be compatible with the information systems of the Missouri state
9 highway patrol.

10 4. The Missouri state highway patrol shall establish reasonable fees sufficient to recover
11 the cost of training, recurring training, data collection and management, certifying, and additional
12 administrative functions for law enforcement officials approved under this section.

13 5. The agencies for which law enforcement officials approved under this section shall
14 adhere to the Motor Carrier Safety Assistance Program requirements under 49 Code of Federal
15 Regulations Part 350 of the Federal Motor Carrier Safety Regulations.

16 6. The agencies for which law enforcement officials approved under this section shall
17 be subject to periodic program reviews and be required to submit a commercial vehicle safety
18 plan that is consistent with and incorporated into the statewide enforcement plan.

19 7. Beginning January 1, 2009, no local law enforcement officer may conduct a random
20 commercial motor vehicle roadside inspection to determine compliance with the provisions of
21 sections 304.170 to 304.230 unless the law enforcement officer has satisfactorily completed, as
22 a part of his or her training, the basic course of instruction developed by the commercial vehicle
23 safety alliance and has been approved by the Missouri state highway patrol under this section.
24 Law enforcement officers authorized to enforce the provisions of sections 304.170 to 304.230
25 shall annually receive in-service training related to commercial motor vehicle operations,
26 including but not limited to training in current federal motor carrier safety regulations, safety
27 inspection procedures, and out-of-service criteria. The annual training requirements shall be
28 approved by the superintendent of the state highway patrol.

29 8. Law enforcement officers who have received commercial vehicle safety alliance
30 certification prior to January 1, 2009, shall be exempt from the provisions of this section and
31 such officers shall be qualified to conduct random roadside inspections described under this
32 section and section 304.230.

33 9. **No safety inspection shall be performed on the shoulder of any highway with a**
34 **posted speed limit in excess of forty miles per hour.**

35 10. The superintendent of the state highway patrol shall promulgate rules and regulations
36 necessary to administer the certification procedures and any other provisions of this section. Any
37 rule or portion of a rule, as that term is defined in section 536.010, that is created under the
38 authority delegated in this section shall become effective only if it complies with and is subject
39 to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and

40 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant
41 to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
42 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed
43 or adopted after August 28, 2008, shall be invalid and void.

306.030. 1. The owner of each vessel requiring numbering by this state shall file an
2 application for number with the department of revenue on forms provided by it. The application
3 shall contain a full description of the vessel, factory number or serial number, together with a
4 statement of the applicant's source of title and of any liens or encumbrances on the vessel. For
5 good cause shown the director of revenue may extend the period of time for making such
6 application. The director of revenue shall use reasonable diligence in ascertaining whether the
7 facts stated in such application are true, and, if satisfied that the applicant is the lawful owner of
8 such vessel, or otherwise entitled to have the same registered in his or her name, shall thereupon
9 issue an appropriate certificate of title over the director's signature and sealed with the seal of the
10 director's office, procured and used for such purpose, and a certificate of number stating the
11 number awarded to the vessel. The application shall include a provision stating that the applicant
12 will consent to any inspection necessary to determine compliance with the provisions of this
13 chapter and shall be signed by the owner of the vessel and shall be accompanied by the fee
14 specified in subsection 10 of this section. The owner shall paint on or attach to each side of the
15 bow of the vessel the identification number in a manner as may be prescribed by rules and
16 regulations of the division of water safety in order that it may be clearly visible. The number
17 shall be maintained in legible condition. The certificate of number shall be pocket size and shall
18 be available at all times for inspection on the vessel for which issued, whenever the vessel is in
19 operation. The operator of a vessel in which such certificate of number is not available for
20 inspection by the water patrol division or, if the operator cannot be determined, the person who
21 is the registered owner of the vessel shall be subject to the penalties provided in section 306.210.
22 Vessels owned by the state or a political subdivision shall be registered but no fee shall be
23 assessed for such registration.

24 2. Each new vessel sold in this state after January 1, 1970, shall have die stamped on or
25 within three feet of the transom or stern a factory number or serial number.

26 3. The owner of any vessel already covered by a number in full force and effect which
27 has been awarded to it pursuant to then operative federal law or a federally approved numbering
28 system of another state shall record the number prior to operating the vessel on the waters of this
29 state in excess of the sixty-day reciprocity period provided for in section 306.080. The
30 recordation and payment of registration fee shall be in the manner and pursuant to the procedure
31 required for the award of a number under subsection 1 of this section. No additional or substitute
32 number shall be issued unless the number is a duplicate of an existing Missouri number.

33 4. In the event that an agency of the United States government shall have in force an
34 overall system of identification numbering for vessels within the United States, the numbering
35 system employed pursuant to this chapter by the department of revenue shall be in conformity
36 therewith.

37 5. All records of the department of revenue made and kept pursuant to this section shall
38 be public records.

39 6. Every certificate of number awarded pursuant to this chapter shall continue in force
40 and effect for a period of three years unless sooner terminated or discontinued in accordance with
41 the provisions of this chapter. Certificates of number may be renewed by the owner in the same
42 manner provided for in the initial securing of the same or in accordance with the provisions of
43 sections 306.010 to 306.030.

44 7. The department of revenue shall fix the days and months of the year on which
45 certificates of number due to expire during the calendar year shall lapse and no longer be of any
46 force and effect unless renewed pursuant to this chapter and may stagger such dates in order to
47 distribute the workload.

48 8. When applying for or renewing a vessel's certificate of number, the owner shall submit
49 a paid personal property tax receipt for the tax year which immediately precedes the year in
50 which the application is made or the year in which the renewal is due and which reflects that the
51 vessel being renewed is listed as personal property and that all personal property taxes, including
52 delinquent taxes from prior years, have been paid, or a statement certified by the county or
53 township in which the owner's property was assessed showing that the state and county tangible
54 personal property taxes for such previous tax year and all delinquent taxes due have been paid
55 by the applicant or that no such taxes were due.

56 9. When applying for or renewing a certificate of registration for a vessel documented
57 with the United States Coast Guard under section 306.016, owners of vessels shall submit a paid
58 personal property tax receipt for the tax year which immediately precedes the year in which the
59 application is made or the renewal is due and which reflects that the vessel is listed as personal
60 property and that all personal property taxes, including delinquent taxes from prior years, have
61 been paid, or a statement certified by the county or township in which the owner's property was
62 assessed showing that the state and county tangible personal property taxes for such previous tax
63 year and all delinquent taxes due have been paid by the applicant or that no such taxes were due.

64 10. The fee to accompany each application for a certificate of number is:
65 For vessels under 16 feet in length.. \$25.00
66 For vessels at least 16 feet in length but less than 26 feet in length. \$55.00
67 For vessels at least 26 feet in length but less than 40 feet in length. \$100.00
68 For vessels at least 40 feet and over.. \$150.00

69 11. The certificate of title and certificate of number issued by the director of revenue
70 shall be manufactured in a manner to prohibit as nearly as possible the ability to alter,
71 counterfeit, duplicate, or forge such certificate without ready detection.

72 12. **For fiscal years ending before July 1, 2019**, the first two million dollars collected
73 annually under the provisions of this section shall be deposited into the state general revenue
74 fund. All fees collected under the provisions of this section in excess of two million dollars
75 annually shall be deposited in the water patrol division fund and shall be used exclusively for the
76 water patrol division.

77 13. **Beginning July 1, 2019, the first one million dollars collected annually under**
78 **the provisions of this section shall be deposited into the state general revenue fund. All fees**
79 **collected under the provisions of this section in excess of one million dollars annually shall**
80 **be deposited in the water patrol division fund and shall be used exclusively for the water**
81 **patrol division.**

82 14. Notwithstanding the provisions of subsection 10 of this section, vessels at least
83 sixteen feet in length but less than twenty-eight feet in length, that are homemade, constructed
84 out of wood, and have a beam of five feet or less, shall pay a fee of fifty-five dollars which shall
85 accompany each application for a certification number.

306.126. 1. The operator of a motorboat shall not allow any person to ride or sit on the
2 gunwales, decking over the bow, railing, top of seat back or decking over the back of the
3 motorboat while under way, unless such person is inboard of adequate guards or railing provided
4 on the motorboat to prevent a passenger from being lost overboard. As used in this section, the
5 term "adequate guards or railing" means guards or railings having a height parameter of at least
6 six inches but not more than eighteen inches. Nothing in this section shall be construed to mean
7 that passengers or other persons aboard a motorboat cannot occupy the decking over the bow of
8 the boat to moor it to a mooring buoy or to cast off from such a buoy, or for any other necessary
9 purpose. The provisions of this section shall not apply to vessels propelled by sail **or vessels**
10 **propelled by jet motors or propellers operating on a stretch of waterway not created or**
11 **widened by impoundment.**

12 2. Whenever any person leaves any watercraft, other than a personal watercraft, on the
13 waters of the Mississippi River, the waters of the Missouri River or the lakes of this state and
14 enters the water between the hours of 11:00 a.m. and sunset, the operator of such watercraft shall
15 display on the watercraft a red or orange flag measuring not less than twelve inches by twelve
16 inches. The provisions of this subsection shall not apply to watercraft that is moored or
17 anchored. The flag required by this subsection shall be visible for three hundred sixty degrees
18 around the horizon when displayed and shall be displayed only when an occupant of the
19 watercraft has left the confines of the watercraft and entered the water. The flag required by this

20 subsection shall not be displayed when the watercraft is engaged in towing any person, but shall
21 be displayed when such person has ceased being towed and has reentered the water.

22 3. No operator shall knowingly operate any watercraft within fifty yards of a flag
23 required by subsection 2 of this section at a speed in excess of a slow-no wake speed.

307.175. 1. Motor vehicles and equipment which are operated by any member of an
2 organized fire department, ambulance association, or rescue squad, whether paid or volunteer,
3 may be operated on streets and highways in this state as an emergency vehicle under the
4 provisions of section 304.022 while responding to a fire call or ambulance call or at the scene
5 of a fire call or ambulance call and while using or sounding a warning siren and using or
6 displaying thereon fixed, flashing or rotating blue lights, but sirens and blue lights shall be used
7 only in bona fide emergencies.

8 2. (1) Notwithstanding subsection 1 of this section, the following vehicles may use or
9 display fixed, flashing, or rotating red or red and blue lights:

10 (a) Emergency vehicles, as defined in section 304.022, when responding to an
11 emergency;

12 (b) Vehicles operated as described in subsection 1 of this section;

13 (c) Vehicles **and equipment** owned **or leased** by a contractor or subcontractor
14 performing work for the department of transportation, except that the red or red and blue lights
15 shall be displayed on vehicles **or equipment** described in this paragraph only between dusk and
16 dawn, when such vehicles **or equipment** are stationary, such vehicles **or equipment** are located
17 in a work zone as defined in section 304.580, highway workers as defined in section 304.580 are
18 present, and such work zone is designated by a sign or signs. **No more than two vehicles or**
19 **pieces of equipment in a work zone may display fixed, flashing, or rotating lights under this**
20 **subdivision.**

21 (2) The following vehicles **and equipment** may use or display fixed, flashing, or rotating
22 amber or amber and white lights:

23 (a) Vehicles **and equipment** owned or leased by the state highways and transportation
24 commission and operated by an authorized employee of the department of transportation;

25 (b) Vehicles **and equipment** owned **or leased** by a contractor or subcontractor
26 performing work for the department of transportation, except that the amber or amber and white
27 lights shall be displayed on vehicles described in this paragraph only when such vehicles **or**
28 **equipment** are [stationary] **located in a work zone as defined in section 304.580, highway**
29 **workers as defined in section 304.580 are present, and such work zone is designated by a**
30 **sign or signs;**

31 (c) Vehicles **and equipment** operated by a utility worker performing work for the utility,
32 except that the amber or amber and white lights shall be displayed on vehicles described in this

33 paragraph only when such vehicles are stationary, **such vehicles or equipment are located in**
34 **a work zone as defined in section 304.580, a utility worker is present, and such work zone**
35 **is designated by a sign or signs.** As used in this paragraph, the term "utility worker" means any
36 employee while in performance of his or her job duties, including any person employed under
37 contract of a utility that provides gas, heat, electricity, water, steam, telecommunications or cable
38 services, or sewer services, whether privately, municipally, or cooperatively owned.

39 3. Permits for the operation of such vehicles equipped with sirens or blue lights shall be
40 in writing and shall be issued and may be revoked by the chief of an organized fire department,
41 organized ambulance association, rescue squad, or the state highways and transportation
42 commission and no person shall use or display a siren or blue lights on a motor vehicle, fire,
43 ambulance, or rescue equipment without a valid permit authorizing the use. A permit to use a
44 siren or lights as heretofore set out does not relieve the operator of the vehicle so equipped with
45 complying with all other traffic laws and regulations. Violation of this section constitutes a class
46 A misdemeanor.

319.129. 1. There is hereby created a special trust fund to be known as the "Petroleum
2 Storage Tank Insurance Fund" within the state treasury which shall be the successor to the
3 underground storage tank insurance fund. Moneys in such special trust fund shall not be deemed
4 to be state funds. Notwithstanding the provisions of section 33.080 to the contrary, moneys in
5 the fund shall not be transferred to general revenue at the end of each biennium.

6 2. The owner or operator of any underground storage tank, including the state of
7 Missouri and its political subdivisions and public transportation systems, in service on August
8 28, 1989, shall submit to the department a fee of one hundred dollars per tank on or before
9 December 31, 1989. The owner or operator of any underground storage tank who seeks to
10 participate in the petroleum storage tank insurance fund, including the state of Missouri and its
11 political subdivisions and public transportation systems, and whose underground storage tank
12 is brought into service after August 28, 1998, shall transmit one hundred dollars per tank to the
13 board with his or her initial application. Such amount shall be a one-time payment, and shall be
14 in addition to the payment required by section 319.133. The owner or operator of any
15 aboveground storage tank regulated by this chapter, including the state of Missouri and its
16 political subdivisions and public transportation systems, who seeks to participate in the
17 petroleum storage tank insurance fund, shall transmit one hundred dollars per tank to the board
18 with his or her initial application. Such amount shall be a one-time payment and shall be in
19 addition to the payment required by section 319.133. Moneys received pursuant to this section
20 shall be transmitted to the director of revenue for deposit in the petroleum storage tank insurance
21 fund.

22 3. The state treasurer may deposit moneys in the fund in any of the qualified depositories
23 of the state. All such deposits shall be secured in a manner and upon the terms as are provided
24 by law relative to state deposits. Interest earned shall be credited to the petroleum storage tank
25 insurance fund.

26 4. The general administration of the fund and the responsibility for the proper operation
27 of the fund, including all decisions relating to payments from the fund, are hereby vested in a
28 board of trustees. The board of trustees shall consist of the commissioner of administration or
29 the commissioner's designee, the director of the department of natural resources or the director's
30 designee, the director of the department of agriculture or the director's designee, and eight
31 citizens appointed by the governor with the advice and consent of the senate. Three of the
32 appointed members shall be owners or operators of retail petroleum storage tanks, including one
33 tank owner or operator of greater than one hundred tanks; one tank owner or operator of less than
34 one hundred tanks; and one aboveground storage tank owner or operator. One appointed trustee
35 shall represent a financial lending institution, and one appointed trustee shall represent the
36 insurance underwriting industry. One appointed trustee shall represent industrial or commercial
37 users of petroleum. The two remaining appointed citizens shall have no petroleum-related
38 business interest, and shall represent the nonregulated public at large. The members appointed
39 by the governor shall serve four-year terms except that the governor shall designate two of the
40 original appointees to be appointed for one year, two to be appointed for two years, two to be
41 appointed for three years and two to be appointed for four years. Any vacancies occurring on
42 the board shall be filled in the same manner as provided in this section.

43 5. The board shall meet in Jefferson City, Missouri, within thirty days following August
44 28, 1996. Thereafter, the board shall meet upon the written call of the chairman of the board or
45 by the agreement of any six members of the board. Notice of each meeting shall be delivered
46 to all other trustees in person or by registered mail not less than six days prior to the date fixed
47 for the meeting. The board may meet at any time by unanimous mutual consent. There shall be
48 at least one meeting in each quarter.

49 6. Six trustees shall constitute a quorum for the transaction of business, and any official
50 action of the board shall be based on a majority vote of the trustees present.

51 7. The trustees shall serve without compensation but shall receive from the fund their
52 actual and necessary expenses incurred in the performance of their duties for the board.

53 8. The board of trustees shall be a type III agency and shall appoint an executive director
54 and other employees as needed, who shall be state employees and be eligible for all
55 corresponding benefits. The executive director shall have charge of the offices, operations,
56 records, and other employees of the board, subject to the direction of the board. Employees of
57 the board shall receive such salaries and necessary expenses as shall be fixed by the board.

58 9. Staff resources for the Missouri petroleum storage tank insurance fund may be
59 provided by the department of natural resources or another state agency as otherwise specifically
60 determined by the board. The fund shall compensate the department of natural resources or other
61 state agency for all costs of providing staff required by this subsection. Such compensation shall
62 be made pursuant to contracts negotiated between the board and the department of natural
63 resources or other state agency.

64 10. In order to carry out the fiduciary management of the fund, the board may select and
65 employ, or may contract with, persons experienced in insurance underwriting, accounting, the
66 servicing of claims and rate making, and legal counsel to defend third-party claims, who shall
67 serve at the board's pleasure. Invoices for such services shall be presented to the board in
68 sufficient detail to allow a thorough review of the costs of such services.

69 11. At the first meeting of the board, the board shall elect one of its members as
70 chairman. The chairman shall preside over meetings of the board and perform such other duties
71 as shall be required by action of the board.

72 12. The board shall elect one of its members as vice chairman, and the vice chairman
73 shall perform the duties of the chairman in the absence of the latter or upon the chairman's
74 inability or refusal to act.

75 13. The board shall determine and prescribe all rules and regulations as they relate to
76 fiduciary management of the fund, pursuant to the purposes of sections 319.100 to 319.137. In
77 no case shall the board have oversight regarding environmental cleanup standards for petroleum
78 storage tanks.

79 14. No trustee or staff member of the fund shall receive any gain or profit from any
80 moneys or transactions of the fund. This shall not preclude any eligible trustee from making a
81 claim or receiving benefits from the petroleum storage tank insurance fund as provided by
82 sections 319.100 to 319.137.

83 15. The board may reinsure all or a portion of the fund's liability. Any insurer who sells
84 environmental liability insurance in this state may, at the option of the board, reinsure some
85 portion of the fund's liability.

86 16. The petroleum storage tank insurance fund shall expire on December 31, [2020]
87 **2025**, unless extended by action of the general assembly. After December 31, [2020] **2025**, the
88 board of trustees may continue to function for the sole purpose of completing payment of claims
89 made prior to December 31, [2020] **2025**.

90 17. The board shall annually commission an independent financial audit of the petroleum
91 storage tank insurance fund. The board shall biennially commission an actuarial analysis of the
92 petroleum storage tank insurance fund. The results of the financial audit and the actuarial

93 analysis shall be made available to the public. The board may contract with third parties to carry
94 out the requirements of this subsection.

**319.140. 1. There is established a task force of the general assembly to be known
2 as the "Task Force on the Petroleum Storage Tank Insurance Fund". Such task force shall
3 be composed of eight members. Three members shall be from the house of representatives
4 with two appointed by the speaker of the house of representatives and one appointed by
5 the minority floor leader of the house of representatives. Three members shall be from the
6 senate with two appointed by the president pro tempore of the senate and one appointed
7 by the minority floor leader of the senate. Two members shall be industry stakeholders
8 with one appointed by the speaker of the house of representatives and one appointed by
9 the president pro tempore of the senate. No more than two members from either the house
10 of representatives or the senate shall be from the same political party. A majority of the
11 task force shall constitute a quorum.**

**12 2. The task force shall conduct research and compile a report for delivery to the
13 general assembly by December 31, 2018, on the following:**

- 14 (1) The efficacy of the petroleum storage tank insurance fund and program;**
- 15 (2) The sustainability of the petroleum storage tank insurance fund and program;**
- 16 (3) The administration of the petroleum storage tank insurance fund and program;**
- 17 (4) The availability of private insurance for above and below ground petroleum
18 storage tanks, and the necessity of insurance subsidies created through the petroleum
19 storage tank insurance program;**
- 20 (5) Compliance with federal programs, regulations, and advisory reports; and**
- 21 (6) The comparability of the petroleum storage tank insurance program to other
22 states' programs and states without such programs.**

**23 3. The task force shall meet within thirty days after its creation and organize by
24 selecting a chairperson and vice chairperson, one of whom shall be a member of the senate
25 and the other a member of the house of representatives. Thereafter, the task force may
26 meet as often as necessary in order to accomplish the tasks assigned to it.**

**27 4. The task force shall be staffed by legislative staff as necessary to assist the task
28 force in the performance of its duties.**

**29 5. The members of the task force shall serve without compensation but shall be
30 entitled to reimbursement for actual and necessary expenses incurred in the performance
31 of their official duties.**

32 6. This section shall expire on December 31, 2018.

379.110. As used in sections 379.110 to 379.120 the following words and terms mean:

2 (1) "Insurer", any insurance company, association or exchange authorized to issue
3 policies of automobile insurance in the state of Missouri;

4 (2) "Nonpayment of premium", failure of the named insured to discharge when due any
5 of his or her obligations in connection with the payment of premiums on a policy, or any
6 installment of such premium, whether the premium is payable directly to the insurer or its agent
7 or indirectly under any premium finance plan or extension of credit;

8 (3) "Policy", an automobile policy providing automobile liability coverage, uninsured
9 motorists coverage, automobile medical payments coverage, or automobile physical damage
10 coverage insuring a private passenger automobile owned by an individual or partnership which
11 has been in effect for more than sixty days or has been renewed. "Policy" does not mean:

12 (a) Any policy issued under an automobile assigned risk plan or automobile insurance
13 plan;

14 (b) Any policy insuring more than four motor vehicles;

15 (c) Any policy covering the operation of a garage, automobile sales agency, repair shop,
16 service station or public parking place;

17 (d) Any policy providing insurance only on an excess basis, or to any contract principally
18 providing insurance to such named insured with respect to other than automobile hazards or
19 losses even though such contract may incidentally provide insurance with respect to such motor
20 vehicles;

21 (4) **"Reduction in coverage", a change made at renewal by the insurer to a policy**
22 **form which is effective to all insureds with that policy form, which results in a removal of**
23 **coverage, diminution in scope or less coverage, or the addition of an exclusion. Reduction**
24 **in coverage does not include any change, reduction, or elimination of coverage made at the**
25 **request of the insured. The correction of typographical or scrivener's errors or the**
26 **application of mandated legislative changes is not a reduction in coverage. A reduction in**
27 **coverage mandated by the insurer which does not apply to all insureds with the same**
28 **policy form shall be treated as a nonrenewal;**

29 (5) "Renewal" or "to renew", the issuance and delivery by an insurer of a policy
30 superseding at the end of the policy period a policy previously issued and delivered by the same
31 insurer, [~~such renewal policy to provide types and limits of coverage at least equal to those~~
32 ~~contained in the policy being superseded;~~] or the issuance and delivery of a certificate or notice
33 extending the term of a policy beyond its policy period or term [~~with types and limits of coverage~~
34 ~~at least equal to those contained in the policy being extended;~~]; provided, however, that any
35 policy with a policy period or term of less than six months or any period with no fixed expiration
36 date shall for the purpose of this section be considered as if written for successive policy periods
37 or terms of six months. Nothing in this subdivision shall be construed as superseding the

38 provisions of subsection 9 of section 375.918, and the term "third anniversary date of the initial
39 contract" as used in subsection 9 of section 375.918, means three years after the date of the initial
40 contract.

379.118. 1. If any insurer proposes to cancel or to refuse to renew a policy of automobile
2 insurance delivered or issued for delivery in this state except at the request of the named insured
3 or for nonpayment of premium, it shall, on or before thirty days prior to the proposed effective
4 date of the action, send written notice of its intended action to the named insured at his last
5 known address. Notice shall be sent by United States Postal Service certificate of mailing, first
6 class mail using Intelligent Mail barcode (IMb), or another mail tracking method used, approved,
7 or accepted by the United States Postal Service. Where cancellation is for nonpayment of
8 premium at least ten days' notice of cancellation shall be given and such notice shall contain the
9 following notice or substantially similar in bold conspicuous type: "THIS POLICY IS
10 CANCELLED EFFECTIVE AT THE DATE AND TIME INDICATED IN THIS NOTICE.
11 THIS IS THE FINAL NOTICE OF CANCELLATION WE WILL SEND PRIOR TO THE
12 EFFECTIVE DATE AND TIME OF CANCELLATION INDICATED IN THIS NOTICE.". The
13 notice shall state:

14 (1) The action taken;

15 (2) The effective date of the action;

16 (3) The insurer's actual reason for taking such action, the statement of reason to be
17 sufficiently clear and specific so that a person of average intelligence can identify the basis for
18 the insurer's decision without further inquiry. Generalized terms such as "personal habits",
19 "living conditions", "poor morals", or "violation or accident record" shall not suffice to meet the
20 requirements of this subdivision;

21 (4) That the insured may be eligible for insurance through the assigned risk plan if his
22 insurance is to be cancelled.

23 2. Issuance of a notice of cancellation under subsection 1 of this section constitutes a
24 present and unequivocal act of cancellation of the policy.

25 3. An insurer may reinstate a policy cancelled under subsection 1 of this section at any
26 time after the notice of cancellation is issued if the reason for the cancellation is remedied. An
27 insurer may send communications to the insured, including but not limited to billing notices for
28 past-due premium, offers to reinstate the policy if past-due premium is paid, notices confirming
29 cancellation of the policy, or billing notices for payment of earned but unpaid premium. The fact
30 that a policy may be so reinstated or any such communication may be made does not invalidate
31 or void any cancellation effectuated under subsection 1 of this section or defeat the present and
32 unequivocal nature of acts of cancellation as described under subsection 2 of this section.

33 4. **(1)** An insurer shall send an insured written notice of an automobile policy renewal
34 at least fifteen days prior to the effective date of the new policy. The notice shall be sent by first
35 class mail or may be sent electronically if requested by the policyholder, and shall contain the
36 insured's name, the vehicle covered, the total premium amount, and the effective date of the new
37 policy. Any request for electronic delivery of renewal notices shall be designated on the
38 application form signed by the applicant, made in writing by the policyholder, or made in
39 accordance with sections 432.200 to 432.295. The insurer shall comply with any subsequent
40 request by a policyholder to rescind authorization for electronic delivery and to elect to receive
41 renewal notices by first class mail. Any delivery of a renewal notice by electronic means shall
42 not constitute notice of cancellation of a policy even if such notice is included with the renewal
43 notice.

44 **(2) An insurer shall provide a written notice of a reduction in coverage to the**
45 **named insured no less than fifteen days prior to the effective date of the proposed**
46 **reduction in coverage or shall send such notice of reduction in coverage with the written**
47 **notice of renewal described in subdivision (1) of this subsection. Written notice of a**
48 **reduction in coverage may be satisfied by providing the named insured a copy of or access**
49 **to the updated policy form or the policy form language that will be changed. The notice**
50 **shall be sent by first class mail or may be sent electronically if agreed to or requested by**
51 **the policyholder.**

52 5. An insurer shall be exempt from the requirements of this section regarding notice of
53 nonrenewal if:

54 (1) The insurer assigns or transfers the insured's policy to an affiliate or subsidiary within
55 the same insurance holding company system;

56 (2) The assignment or transfer is effective upon the expiration of the existing policy; and

57 (3) Prior to providing coverage for a subsequent policy term, an insurer accepting an
58 assignment or transfer of the policy shall provide notice of such assignment or transfer to the
59 named insured.

60

61 However, if the assignment or transfer of a policy does not result in coverage substantially
62 equivalent to the coverage that was contained in the policy being assigned or transferred, the
63 insurer shall, in lieu of providing the notice in subdivision (3) of this subsection, at least fifteen
64 days in advance of the effective date of the assignment or transfer, notify the policyholder that
65 some coverage provisions will change due to the assignment or transfer, advise the policyholder
66 to refer to the new policy for coverage details, and provide a copy of or access to the replacement
67 policy form or the executed replacement policy.

414.032. 1. All kerosene, diesel fuel, heating oil, aviation turbine fuel, gasoline,
2 gasoline-alcohol blends and other motor fuels shall meet the requirements in the annual book of
3 ASTM standards and supplements thereto. The director may promulgate rules and regulations
4 on the labeling, standards for, and identity of motor fuels and heating oils.

5 2. The director may inspect gasoline, gasoline-alcohol blends or other motor fuels to
6 insure that these fuels conform to advertised grade and octane. In no event shall the penalty for
7 a first violation of this section exceed a written reprimand.

8 **3. The director may waive specific requirements in this section and in regulations**
9 **promulgated according to this section, or may establish temporary alternative**
10 **requirements for fuels as determined to be necessary in the event of an extreme and**
11 **unusual fuel supply circumstance as a result of a petroleum pipeline or petroleum refinery**
12 **equipment failure, emergency, or a natural disaster as determined by the director for a**
13 **specified period of time.**

14 **4. Any waiver issued under subsection 3 of this section shall be as limited in scope**
15 **and applicability as necessary, and shall apply equally and uniformly to all persons and**
16 **companies in the impacted petroleum motor fuel supply and distribution system, including**
17 **but not limited to petroleum producers, terminals, distributors, and retailers.**

Section B. Because of the need to protect lives on our roads and highways, the repeal and
2 reenactment of section 307.175 of this act is deemed necessary for the immediate preservation
3 of the public health, welfare, peace and safety, and is hereby declared to be an emergency act
4 within the meaning of the constitution, and the repeal and reenactment of section 307.175 of this
5 act shall be in full force and effect upon its passage and approval.

Section C. The repeal and reenactment of sections 105.1073, 303.020, 303.030, 303.120,
2 303.190, and 303.240 and the enactment of section 303.022 of this act shall become effective
3 July 1, 2019.

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