

FIRST REGULAR SESSION

HOUSE BILL NO. 256

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WOOD.

0907H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 301.020 and 302.171, RSMo, and to enact in lieu thereof two new sections relating to optional license donations.

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

Section A. Sections 301.020 and 302.171, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 301.020 and 302.171, to read as follows:

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

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

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

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

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

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.

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",
51 "Non-USA-Std Motor Vehicle", or "Specially Constructed Motor Vehicle" on the current and
52 all subsequent 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~~] **an amount to be**
67 **set by the department of social services** to promote a blindness education, screening and
68 treatment program. The director of revenue shall collect the donations and deposit all such
69 donations in the state treasury to the credit of the blindness education, screening and treatment
70 program fund established in section 209.015. Moneys in the blindness education, screening and
71 treatment program fund shall be used solely for the purposes established in section 209.015;
72 except that the department of revenue shall retain no more than one percent for its administrative
73 costs. The donation prescribed in this subsection is voluntary and may be refused by the
74 applicant for registration at the time of issuance or renewal. The director shall inquire of each
75 applicant at the time the applicant presents the completed application to the director whether the
76 applicant is interested in making the [~~one dollar~~] donation prescribed in this subsection.

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

302.171. 1. The director shall verify that an applicant for a driver's license is a Missouri
2 resident or national of the United States or a noncitizen with a lawful immigration status, and a
3 Missouri resident before accepting the application. The director shall not issue a driver's license
4 for a period that exceeds the duration of an applicant's lawful immigration status in the United
5 States. The director may establish procedures to verify the Missouri residency or United States
6 naturalization or lawful immigration status and Missouri residency of the applicant and establish
7 the duration of any driver's license issued under this section. An application for a license shall
8 be made upon an approved form furnished by the director. Every application shall state the full
9 name, Social Security number, age, height, weight, color of eyes, sex, residence, mailing address
10 of the applicant, and the classification for which the applicant has been licensed, and, if so, when
11 and by what state, and whether or not such license has ever been suspended, revoked, or
12 disqualified, and, if revoked, suspended or disqualified, the date and reason for such suspension,
13 revocation or disqualification and whether the applicant is making a [~~one-dollar~~] donation to
14 promote an organ donation program as prescribed in subsection 2 of this section. A driver's
15 license, nondriver's license, or instruction permit issued under this chapter shall contain the
16 applicant's legal name as it appears on a birth certificate or as legally changed through marriage
17 or court order. No name change by common usage based on common law shall be permitted.
18 The application shall also contain such information as the director may require to enable the
19 director to determine the applicant's qualification for driving a motor vehicle; and shall state
20 whether or not the applicant has been convicted in this or any other state for violating the laws
21 of this or any other state or any ordinance of any municipality, relating to driving without a
22 license, careless driving, or driving while intoxicated, or failing to stop after an accident and
23 disclosing the applicant's identity, or driving a motor vehicle without the owner's consent. The
24 application shall contain a certification by the applicant as to the truth of the facts stated therein.
25 Every person who applies for a license to operate a motor vehicle who is less than twenty-one
26 years of age shall be provided with educational materials relating to the hazards of driving while
27 intoxicated, including information on penalties imposed by law for violation of the
28 intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is less than
29 eighteen years of age, the applicant must comply with all requirements for the issuance of an
30 intermediate driver's license pursuant to section 302.178. For persons mobilized and deployed
31 with the United States Armed Forces, an application under this subsection shall be considered
32 satisfactory by the department of revenue if it is signed by a person who holds general power of
33 attorney executed by the person deployed, provided the applicant meets all other requirements
34 set by the director.

35 2. An applicant for a license may make a donation of [~~one-dollar~~] **an amount to be set**
36 **by the department of health and senior services** to promote an organ donor program. The

37 director of revenue shall collect the donations and deposit all such donations in the state treasury
38 to the credit of the organ donor program fund established in sections 194.297 to 194.304.
39 Moneys in the organ donor program fund shall be used solely for the purposes established in
40 sections 194.297 to 194.304 except that the department of revenue shall retain no more than one
41 percent for its administrative costs. The donation prescribed in this subsection is voluntary and
42 may be refused by the applicant for the license at the time of issuance or renewal of the license.
43 The director shall make available an informational booklet or other informational sources on the
44 importance of organ and tissue donations to applicants for licensure as designed by the organ
45 donation advisory committee established in sections 194.297 to 194.304. The director shall
46 inquire of each applicant at the time the licensee presents the completed application to the
47 director whether the applicant is interested in making the [~~one dollar~~] donation prescribed in this
48 subsection and whether the applicant is interested in inclusion in the organ donor registry and
49 shall also specifically inform the licensee of the ability to consent to organ donation by
50 completing the form on the reverse of the license that the applicant will receive in the manner
51 prescribed by subdivision (1) of subsection 1 of section 194.225. A symbol shall be placed on
52 the front of the document indicating the applicant's desire to be listed in the registry. The
53 director shall notify the department of health and senior services of information obtained from
54 applicants who indicate to the director that they are interested in registry participation, and the
55 department of health and senior services shall enter the complete name, address, date of birth,
56 race, gender and a unique personal identifier in the registry established in subsection 1 of section
57 194.304.

58 3. An applicant for a license may make a donation of [~~one dollar~~] **an amount to be set**
59 **by the department of social services** to promote a blindness education, screening and treatment
60 program. The director of revenue shall collect the donations and deposit all such donations in
61 the state treasury to the credit of the blindness education, screening and treatment program fund
62 established in section 209.015. Moneys in the blindness education, screening and treatment
63 program fund shall be used solely for the purposes established in section 209.015; except that
64 the department of revenue shall retain no more than one percent for its administrative costs. The
65 donation prescribed in this subsection is voluntary and may be refused by the applicant for the
66 license at the time of issuance or renewal of the license. The director shall inquire of each
67 applicant at the time the licensee presents the completed application to the director whether the
68 applicant is interested in making the [~~one dollar~~] donation prescribed in this subsection.

69 4. Beginning July 1, 2005, the director shall deny the driving privilege of any person who
70 commits fraud or deception during the examination process or who makes application for an
71 instruction permit, driver's license, or nondriver's license which contains or is substantiated with
72 false or fraudulent information or documentation, or who knowingly conceals a material fact or

73 otherwise commits a fraud in any such application. The period of denial shall be one year from
74 the effective date of the denial notice sent by the director. The denial shall become effective ten
75 days after the date the denial notice is mailed to the person. The notice shall be mailed to the
76 person at the last known address shown on the person's driving record. The notice shall be
77 deemed received three days after mailing unless returned by the postal authorities. No such
78 individual shall reapply for a driver's examination, instruction permit, driver's license, or
79 nondriver's license until the period of denial is completed. No individual who is denied the
80 driving privilege under this section shall be eligible for a limited driving privilege issued under
81 section 302.309.

82 5. All appeals of denials under this section shall be made as required by section 302.311.

83 6. The period of limitation for criminal prosecution under this section shall be extended
84 under subdivision (1) of subsection 3 of section 556.036.

85 7. The director may promulgate rules and regulations necessary to administer and enforce
86 this section. No rule or portion of a rule promulgated pursuant to the authority of this section
87 shall become effective unless it has been promulgated pursuant to chapter 536.

88 8. Notwithstanding any provision of this chapter that requires an applicant to provide
89 proof of Missouri residency for renewal of a noncommercial driver's license, noncommercial
90 instruction permit, or nondriver's license, an applicant who is sixty-five years and older and who
91 was previously issued a Missouri noncommercial driver's license, noncommercial instruction
92 permit, or Missouri nondriver's license is exempt from showing proof of Missouri residency.

93 9. Notwithstanding any provision of this chapter, for the renewal of a noncommercial
94 driver's license, noncommercial instruction permit, or nondriver's license, a photocopy of an
95 applicant's United States birth certificate along with another form of identification approved by
96 the department of revenue, including, but not limited to, United States military identification or
97 United States military discharge papers, shall constitute sufficient proof of Missouri citizenship.

98 10. Notwithstanding any other provision of this chapter, if an applicant does not meet
99 the requirements of subsection 8 of this section and does not have the required documents to
100 prove Missouri residency, United States naturalization, or lawful immigration status, the
101 department may issue a one-year driver's license renewal. This one-time renewal shall only be
102 issued to an applicant who previously has held a Missouri noncommercial driver's license,
103 noncommercial instruction permit, or nondriver's license for a period of fifteen years or more and
104 who does not have the required documents to prove Missouri residency, United States
105 naturalization, or lawful immigration status. After the expiration of the one-year period, no
106 further renewal shall be provided without the applicant producing proof of Missouri residency,
107 United States naturalization, or lawful immigration status.

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