

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 673
96TH GENERAL ASSEMBLY

5037L.07C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 136.055, 301.030, 301.032, 301.130, 301.140, 301.142, 301.160, 301.290, 301.300, 301.301, 301.302, 302.020, 302.130, 302.132, and 302.173, RSMo, and to enact in lieu thereof fifteen new sections relating to motor vehicle licensing and registration, with penalty provisions and effective dates for certain sections.

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

Section A. Sections 136.055, 301.030, 301.032, 301.130, 301.140, 301.142, 301.160, 301.290, 301.300, 301.301, 301.302, 302.020, 302.130, 302.132, and 302.173, RSMo, are repealed and fifteen new sections enacted in lieu thereof, to be known as sections 136.055, 301.030, 301.032, 301.130, 301.140, 301.142, 301.160, 301.290, 301.300, 301.301, 301.302, 302.020, 302.130, 302.132, and 302.173, to read as follows:

136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

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.

12 (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's
13 license issued for a period of three years or less--two dollars and fifty cents and five dollars for
14 licenses or instruction permits issued or renewed for a period exceeding three years;

15 (4) For each notice of lien processed--two dollars and fifty cents;

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

18 2. The director of revenue shall award fee office contracts under this section through a
19 competitive bidding process. The competitive bidding process shall give priority to
20 organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of
21 the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not
22 limited to, municipalities, counties, and fire protection districts. The director of the department
23 of revenue may promulgate rules and regulations necessary to carry out the provisions of this
24 subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is
25 created under the authority delegated in this subsection shall become effective only if it complies
26 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
27 This section and chapter 536 are nonseverable and if any of the powers vested with the general
28 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
29 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
30 any rule proposed or adopted after August 28, 2009, shall be invalid and void.

31 3. All fees collected by a tax-exempt organization may be retained and used by the
32 organization.

33 4. All fees charged shall not exceed those in this section. The fees imposed by this
34 section shall be collected by all permanent offices and all full-time or temporary offices
35 maintained by the department of revenue.

36 5. Any person acting as agent of the department of revenue for the sale and issuance of
37 registrations, licenses, and other documents related to motor vehicles shall have an insurable
38 interest in all license plates, licenses, tabs, **window stickers**, forms and other documents held
39 on behalf of the department.

40 6. The fees authorized by this section shall not be collected by motor vehicle dealers
41 acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers
42 authorized to collect and remit sales tax under subsection 8 of section 144.070.

43 7. Notwithstanding any other provision of law to the contrary, the state auditor may audit
44 all records maintained and established by the fee office in the same manner as the auditor may
45 audit any agency of the state, and the department shall ensure that this audit requirement is a
46 necessary condition for the award of all fee office contracts. No confidential records shall be
47 divulged in such a way to reveal personally identifiable information.

301.030. 1. The director shall provide for the retention of license plates by the owners
2 of motor vehicles, other than commercial motor vehicles, and shall establish a system of
3 registration on a monthly series basis to distribute the work of registering motor vehicles as
4 uniformly as practicable throughout the twelve months of the calendar year. For the purpose of
5 assigning license plate numbers, each type of motor vehicle shall be considered a separate class.
6 Commencing July 1, 1949, motor vehicles, other than commercial motor vehicles, shall be
7 registered for a period of twelve consecutive calendar months. There are established twelve
8 registration periods, each of which shall start on the first day of each calendar month of the year
9 and shall end on the last date of the twelfth month from the date of beginning. **Notwithstanding**
10 **any other law, no penalties shall be assessed, or tickets issued, for failing to renew**
11 **registration on a motor vehicle prior to the last day of the month following the expiration**
12 **of the twelve-month registration period.**

13 2. Motor vehicles, other than commercial motor vehicles, operated for the first time upon
14 the public highways of this state, to and including the fifteenth day of any given month, shall be
15 subject to registration and payment of a fee for the twelve-month period commencing the first
16 day of the month of such operation; motor vehicles, other than commercial motor vehicles,
17 operated for the first time on the public highways of this state after the fifteenth day of any given
18 month shall be subject to registration and payment of a fee for the twelve-month period
19 commencing the first day of the next following calendar month.

20 3. All commercial motor vehicles and trailers, except those licensed under section
21 301.035 and those operated under agreements as provided for in sections 301.271 to 301.279,
22 shall be registered either on a calendar year basis or on a prorated basis as provided in this
23 section. The fees for commercial motor vehicles, trailers, semitrailers, and driveaway vehicles,
24 other than those to be operated under agreements as provided for in sections 301.271 to 301.279
25 shall be payable not later than the last day of February of each year, except when such vehicle
26 is licensed between April first and July first the fee shall be three-fourths the annual fee, when
27 licensed between July first and October first the fee shall be one-half the annual fee and when
28 licensed on or after October first the fee shall be one-fourth the annual fee. Such license plates
29 shall be made with fully reflective material with a common color scheme and design, shall be
30 clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.
31 Local commercial motor vehicle license plates may also be so stamped, marked or designed as
32 to indicate they are to be used only on local commercial motor vehicles and, in addition to such
33 stamp, mark or design, the letter "F" shall also be displayed on local commercial motor vehicle
34 license plates issued to motor vehicles used for farm or farming transportation operations as
35 defined in section 301.010 in the manner prescribed by the advisory committee established in

36 section 301.129. In addition, all commercial motor vehicle license plates may be so stamped or
37 marked with a letter, figure or other emblem as to indicate the gross weight for which issued.

38 4. The director shall, upon application, issue registration and license plates for nine
39 thousand pounds gross weight for property-carrying commercial motor vehicles referred to
40 herein, upon payment of the fees prescribed for twelve thousand pounds gross weight as provided
41 in section 301.057.

301.032. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the
2 contrary, the director of revenue shall establish a system of registration of all fleet vehicles
3 owned or purchased by a fleet owner registered pursuant to this section. The director of revenue
4 shall prescribe the forms for such fleet registration and the forms and procedures for the
5 registration updates prescribed in this section. Any owner of ten or more motor vehicles which
6 must be registered in accordance with this chapter may register as a fleet owner. All registered
7 fleet owners may, at their option, register all motor vehicles included in the fleet on a calendar
8 year or biennial basis pursuant to this section in lieu of the registration periods provided in
9 sections 301.030, 301.035, and 301.147. The director shall issue an identification number to
10 each registered owner of fleet vehicles.

11 2. All fleet vehicles included in the fleet of a registered fleet owner shall be registered
12 during April each year or on a prorated basis as provided in subsection 3 of this section. Fees
13 of all vehicles in the fleet to be registered on a calendar year basis or on a biennial basis shall be
14 payable not later than the last day of April of each year, with two years' fees due for
15 biennially-registered vehicles. Notwithstanding the provisions of section 307.355, an application
16 for registration of a fleet vehicle must be accompanied by a certificate of inspection and approval
17 issued no more than one hundred twenty days prior to the date of application. The fees for
18 vehicles added to the fleet which must be licensed at the time of registration shall be payable at
19 the time of registration, except that when such vehicle is licensed between July first and
20 September thirtieth the fee shall be three-fourths the annual fee, when licensed between October
21 first and December thirty-first the fee shall be one-half the annual fee and when licensed on or
22 after January first the fee shall be one-fourth the annual fee. When biennial registration is sought
23 for vehicles added to a fleet, an additional year's annual fee will be added to the partial year's
24 prorated fee.

25 3. At any time during the calendar year in which an owner of a fleet purchases or
26 otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle,
27 the owner shall present to the director of revenue the identification number as a fleet number and
28 may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet
29 owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant
30 to this subsection.

31 4. Except as specifically provided in this subsection, all fleet vehicles registered pursuant
32 to this section shall be issued a special license plate which shall have the words "Fleet Vehicle"
33 in place of the words "Show-Me State" in the manner prescribed by the advisory committee
34 established in section 301.129. Alternatively, for a one-time additional five dollar per-vehicle
35 fee beyond the regular registration fee, owners of fleet vehicles may apply for fleet license plates
36 bearing a company name or logo. All fleet license plates shall be made with fully reflective
37 material with a common color scheme and design, shall be clearly visible at night, and shall be
38 aesthetically attractive, as prescribed by section 301.130. Fleet vehicles shall be issued multiyear
39 license plates as provided in this section which shall not require issuance of a renewal tab **or**
40 **window sticker**. Upon payment of appropriate registration fees, the director of revenue shall
41 issue a registration certificate or other suitable evidence of payment of the annual or biennial fee,
42 and such evidence of payment shall be carried at all times in the vehicle for which it is issued.
43 The director of revenue shall promulgate rules and regulations establishing the procedure for
44 application and issuance of fleet vehicle license plates.

45 5. Notwithstanding the provisions of sections 307.350 to 307.390 to the contrary, a fleet
46 vehicle registered in Missouri is exempt from the requirements of sections 307.350 to 307.390,
47 if at the time of the annual fleet registration, such fleet vehicle is situated outside the state of
48 Missouri.

 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, motorscooters and
20 driveaway vehicles shall be registered with the director of revenue as provided for in subsection
21 3 of section 301.030, or with the state highways and transportation commission as otherwise
22 provided in this chapter, but only one license plate shall be issued for each such vehicle.

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

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

45 6. (1) **Beginning January 1, 2013**, the director of revenue shall issue annually or
46 biennially a [tab or set of tabs] **window sticker, to be placed on the front windshield of the**
47 **motor vehicle**, as provided by law as evidence of the annual payment of registration fees and the
48 current registration of a vehicle in lieu of the set of plates. **Notwithstanding the provisions of**
49 **this section, motorcycles and trailers shall be issued license plate tabs in lieu of window**
50 **stickers.** Beginning January 1, 2010, the director may prescribe any additional information
51 recorded on the tab or tabs **or window sticker** to ensure that the tab or tabs **or the window**
52 **sticker** positively correlate with the license plate or plates issued by the department of revenue
53 for such vehicle. Such tabs **or window stickers** shall be produced in each license bureau office.

54 (2) [The vehicle owner to whom a tab or set of tabs is issued shall affix and display such

55 tab or tabs in the designated area of the license plate, no more than one per plate] **The window**
56 **sticker shall be placed on the inside front window in an area prescribed by the director of**
57 **revenue. Tabs issued to motorcycles and trailers shall be affixed and displayed in the**
58 **designated area of the license plate.**

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

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

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

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

86 7. The director of revenue and the highways and transportation commission may
87 prescribe rules and regulations for the effective administration of this section. [No rule or
88 portion of a rule promulgated under the authority of this section shall become effective unless
89 it has been promulgated pursuant to the provisions of section 536.024.] **Any rule or portion of**
90 **a rule, as that term is defined in section 536.010, that is created under the authority**

91 **delegated in this section shall become effective only if it complies with and is subject to all**
92 **of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
93 **chapter 536 are nonseverable and if any of the powers vested with the general assembly**
94 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
95 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority and**
96 **any rule proposed or adopted after August 28, 2012, shall be invalid and void.**

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

102 9. No later than January 1, 2009, the director of revenue shall commence the reissuance
103 of new license plates of such design as directed by the director consistent with the terms,
104 conditions, and provisions of this section and this chapter. Except as otherwise provided in this
105 section, in addition to all other fees required by law, applicants for registration of vehicles with
106 license plates that expire during the period of reissuance, applicants for registration of trailers
107 or semitrailers with license plates that expire during the period of reissuance and applicants for
108 registration of vehicles that are to be issued new license plates during the period of reissuance
109 shall pay the cost of the plates required by this subsection. The additional cost prescribed in this
110 subsection shall not be charged to persons receiving special license plates issued under section
111 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131
112 and specialized license plates are exempt from the provisions of this subsection. Except for new,
113 replacement, and transfer applications, permanent nonexpiring license plates issued to
114 commercial motor vehicles and trailers registered under section 301.041 are exempt from the
115 provisions of this subsection.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate
2 of registration and the right to use the number plates shall expire and the number plates **and**
3 **window sticker** shall be removed by the owner at the time of the transfer of possession, and it
4 shall be unlawful for any person other than the person to whom such number plates were
5 originally issued to have the same in his or her possession whether in use or not, unless such
6 possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer
7 who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor
8 vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor
9 vehicle with such transferred plates shall be lawful for no more than thirty days. **A window**
10 **sticker shall not be required during the thirty-day time frame.** As used in this subsection,
11 the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold

12 by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the
13 trade-in motor vehicle or trailer are still valid.

14 2. In the case of a transfer of ownership the original owner may register another motor
15 vehicle under the same number, upon the payment of a fee of two dollars, **and payment of a fee**
16 **as prescribed in section 301.300 for a replacement window sticker**, if the motor vehicle is
17 of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle)
18 seating capacity, not in excess of that originally registered. When such motor vehicle is of
19 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
20 vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee
21 of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker**, and
22 a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross
23 weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which
24 a lesser fee is prescribed, applicant shall not be entitled to a refund.

25 3. License plates may be transferred from a motor vehicle which will no longer be
26 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay
27 a transfer fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a**
28 **replacement window sticker**, if the newly purchased vehicle is of horsepower, gross weight or
29 (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess
30 of that of the vehicle which will no longer be operated. When the newly purchased motor
31 vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial
32 motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a
33 transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window**
34 **sticker**, and a pro rata portion of the difference in fees. When the newly purchased vehicle is
35 of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor
36 vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled
37 to a refund.

38 4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made
39 application for registration, by mail or otherwise, may operate the same for a period of thirty days
40 after taking possession thereof, if during such period the motor vehicle or trailer shall have
41 attached thereto, in the manner required by section 301.130, number plates issued to the dealer.
42 Upon application and presentation of proof of financial responsibility as required under
43 subsection 5 of this section and satisfactory evidence that the buyer has applied for registration,
44 a dealer may furnish such number plates to the buyer for such temporary use. In such event, the
45 dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to
46 the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer
47 such number plates within thirty days. The director shall issue a temporary permit authorizing

48 the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of
49 purchase.

50 5. The temporary permit shall be made available by the director of revenue and may be
51 purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer
52 for which the buyer has no registration plate available for transfer and upon proof of financial
53 responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer
54 has no registration plate available for transfer. The director shall make temporary permits
55 available to registered dealers in this state or authorized agents of the department of revenue in
56 sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for
57 each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars
58 and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from
59 the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle
60 or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall
61 be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

62 6. The permit shall be issued on a form prescribed by the director and issued only for the
63 applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant
64 to legally operate the vehicle while proper title and registration plate are being obtained, and
65 shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall
66 not be transferable or renewable and shall not be valid upon issuance of proper registration plates
67 for the motor vehicle or trailer. The director shall determine the size and numbering
68 configuration, construction, and color of the permit.

69 7. The dealer or authorized agent shall insert the date of issuance and expiration date,
70 year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The
71 dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary
72 permit shall keep, for inspection of proper officers, a correct record of each permit issued by
73 recording the permit or plate number, buyer's name and address, year, make, manufacturer's
74 vehicle identification number on which the permit is to be used, and the date of issuance.

75 8. Upon the transfer of ownership of any currently registered motor vehicle wherein the
76 owner cannot transfer the license plates due to a change of vehicle category, the owner may
77 surrender the license plates issued to the motor vehicle and receive credit for any unused portion
78 of the original registration fee against the registration fee of another motor vehicle. Such credit
79 shall be granted based upon the date the license plates are surrendered. No refunds shall be made
80 on the unused portion of any license plates surrendered for such credit.

81 **9. An additional temporary license plate produced in a manner and of materials**
82 **determined by the director to be the most cost effective means of production with a**
83 **configuration that matches an existing or newly issued plate may be purchased by a motor**

84 vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's
85 view out of the rear window is not obstructed and the plate configuration is clearly visible
86 from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item
87 obstructs the view of the actual plate. Such temporary plate is only authorized for use
88 when the matching actual plate is affixed to the vehicle in the manner prescribed in
89 subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to
90 the fee charged for a temporary permit issued under subsection 5 of this section.
91 Replacement temporary plates authorized in this subsection may be issued as needed upon
92 the payment of a fee equal to the fee charged for a temporary permit under subsection 5
93 of this section. The newly produced third plate may only be used on the vehicle with the
94 matching plate, and the additional plate shall be clearly recognizable as a third plate and
95 only used for the purpose specified in this subsection.

96 10. The director may promulgate all necessary rules and regulations for the
97 administration of this section. Any rule or portion of a rule, as that term is defined in
98 section 536.010, that is created under the authority delegated in this section shall become
99 effective only if it complies with and is subject to all of the provisions of chapter 536 and,
100 if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of
101 the powers vested with the general assembly pursuant to chapter 536 to review, to delay
102 the effective date, or to disapprove and annul a rule are subsequently held
103 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
104 after August 28, 2012, shall be invalid and void.

301.142. 1. As used in sections 301.141 to 301.143, the following terms mean:

- 2 (1) "Department", the department of revenue;
- 3 (2) "Director", the director of the department of revenue;
- 4 (3) "Other authorized health care practitioner" includes advanced practice registered
5 nurses licensed pursuant to chapter 335, physician assistants licensed pursuant to chapter 334,
6 chiropractors licensed pursuant to chapter 331, podiatrists licensed pursuant to chapter 330, and
7 optometrists licensed pursuant to chapter 336;
- 8 (4) "Physically disabled", a natural person who is blind, as defined in section 8.700, or
9 a natural person with medical disabilities which prohibits, limits, or severely impairs one's ability
10 to ambulate or walk, as determined by a licensed physician or other authorized health care
11 practitioner as follows:
 - 12 (a) The person cannot ambulate or walk fifty or less feet without stopping to rest due to
13 a severe and disabling arthritic, neurological, orthopedic condition, or other severe and disabling
14 condition; or

- 15 (b) The person cannot ambulate or walk without the use of, or assistance from, a brace,
16 cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or
- 17 (c) Is restricted by a respiratory or other disease to such an extent that the person's forced
18 respiratory expiratory volume for one second, when measured by spirometry, is less than one
19 liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or
- 20 (d) Uses portable oxygen; or
- 21 (e) Has a cardiac condition to the extent that the person's functional limitations are
22 classified in severity as class III or class IV according to standards set by the American Heart
23 Association; or
- 24 (f) A person's age, in and of itself, shall not be a factor in determining whether such
25 person is physically disabled or is otherwise entitled to disabled license plates and/or disabled
26 windshield hanging placards within the meaning of sections 301.141 to 301.143;
- 27 (5) "Physician", a person licensed to practice medicine pursuant to chapter 334;
- 28 (6) "Physician's statement", a statement personally signed by a duly authorized person
29 which certifies that a person is disabled as defined in this section;
- 30 (7) "Temporarily disabled person", a disabled person as defined in this section whose
31 disability or incapacity is expected to last no more than one hundred eighty days;
- 32 (8) "Temporary windshield placard", a placard to be issued to persons who are
33 temporarily disabled persons as defined in this section, certification of which shall be indicated
34 on the physician's statement;
- 35 (9) "Windshield placard", a placard to be issued to persons who are physically disabled
36 as defined in this section, certification of which shall be indicated on the physician's statement.
- 37 2. Other authorized health care practitioners may furnish to a disabled or temporarily
38 disabled person a physician's statement for only those physical health care conditions for which
39 such health care practitioner is legally authorized to diagnose and treat.
- 40 3. A physician's statement shall:
- 41 (1) Be on a form prescribed by the director of revenue;
- 42 (2) Set forth the specific diagnosis and medical condition which renders the person
43 physically disabled or temporarily disabled as defined in this section;
- 44 (3) Include the physician's or other authorized health care practitioner's license number;
45 and
- 46 (4) Be personally signed by the issuing physician or other authorized health care
47 practitioner.
- 48 4. If it is the professional opinion of the physician or other authorized health care
49 practitioner issuing the statement that the physical disability of the applicant, user, or member
50 of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the

51 physician or other authorized health care practitioner shall note on the statement the anticipated
52 length of the disability which period may not exceed one hundred eighty days. If the physician
53 or health care practitioner fails to record an expiration date on the physician's statement, the
54 director shall issue a temporary windshield placard for a period of thirty days.

55 5. A physician or other authorized health care practitioner who issues or signs a
56 physician's statement so that disabled plates or a disabled windshield placard may be obtained
57 shall maintain in such disabled person's medical chart documentation that such a certificate has
58 been issued, the date the statement was signed, the diagnosis or condition which existed that
59 qualified the person as disabled pursuant to this section and shall contain sufficient
60 documentation so as to objectively confirm that such condition exists.

61 6. The medical or other records of the physician or other authorized health care
62 practitioner who issued a physician's statement shall be open to inspection and review by such
63 practitioner's licensing board, in order to verify compliance with this section. Information
64 contained within such records shall be confidential unless required for prosecution, disciplinary
65 purposes, or otherwise required to be disclosed by law.

66 7. Owners of motor vehicles who are residents of the state of Missouri, and who are
67 physically disabled, owners of motor vehicles operated at least fifty percent of the time by a
68 physically disabled person, or owners of motor vehicles used to primarily transport physically
69 disabled members of the owner's household may obtain disabled person license plates. Such
70 owners, upon application, accompanied by the documents and fees provided for in this section,
71 a current physician's statement which has been issued within ninety days proceeding the date the
72 application is made and proof of compliance with the state motor vehicle laws relating to
73 registration and licensing of motor vehicles, shall be issued motor vehicle license plates for
74 vehicles, other than commercial vehicles with a gross weight in excess of twenty-four thousand
75 pounds, upon which shall be inscribed the international wheelchair accessibility symbol and the
76 word "DISABLED" in addition to a combination of letters and numbers. Such license plates
77 shall be made with fully reflective material with a common color scheme and design, shall be
78 clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

79 8. The director shall further issue, upon request, to such applicant one, and for good
80 cause shown, as the director may define by rule and regulations, not more than two, removable
81 disabled windshield hanging placards for use when the disabled person is occupying a vehicle
82 or when a vehicle not bearing the permanent handicap plate is being used to pick up, deliver, or
83 collect the physically disabled person issued the disabled motor vehicle license plate or disabled
84 windshield hanging placard.

85 9. No additional fee shall be paid to the director for the issuance of the special license
86 plates provided in this section, except for special personalized license plates and other license

87 plates described in this subsection. Priority for any specific set of special license plates shall be
88 given to the applicant who received the number in the immediately preceding license period
89 subject to the applicant's compliance with the provisions of this section and any applicable rules
90 or regulations issued by the director. If determined feasible by the advisory committee
91 established in section 301.129, any special license plate issued pursuant to this section may be
92 adapted to also include the international wheelchair accessibility symbol and the word
93 "DISABLED" as prescribed in this section and such plate may be issued to any applicant who
94 meets the requirements of this section and the other appropriate provision of this chapter, subject
95 to the requirements and fees of the appropriate provision of this chapter.

96 10. Any physically disabled person, or the parent or guardian of any such person, or any
97 not-for-profit group, organization, or other entity which transports more than one physically
98 disabled person, may apply to the director of revenue for a removable windshield placard. The
99 placard may be used in motor vehicles which do not bear the permanent handicap symbol on the
100 license plate. Such placards must be hung from the front, middle rearview mirror of a parked
101 motor vehicle and may not be hung from the mirror during operation. These placards may only
102 be used during the period of time when the vehicle is being used by a disabled person, or when
103 the vehicle is being used to pick up, deliver, or collect a disabled person. When there is no
104 rearview mirror, the placard shall be displayed on the dashboard on the driver's side.

105 11. The removable windshield placard shall conform to the specifications, in respect to
106 size, color, and content, as set forth in federal regulations published by the Department of
107 Transportation. [The removable windshield placard shall be renewed every four years. The
108 director may stagger the expiration dates to equalize workload.] Only one removable placard
109 may be issued to an applicant who has been issued disabled person license plates. Upon request,
110 one additional windshield placard may be issued to an applicant who has not been issued
111 disabled person license plates.

112 12. A temporary windshield placard shall be issued to any physically disabled person,
113 or the parent or guardian of any such person who otherwise qualifies except that the physical
114 disability, in the opinion of the physician, is not expected to exceed a period of one hundred
115 eighty days. The temporary windshield placard shall conform to the specifications, in respect
116 to size, color, and content, as set forth in federal regulations published by the Department of
117 Transportation. The fee for the temporary windshield placard shall be two dollars. Upon
118 request, and for good cause shown, one additional temporary windshield placard may be issued
119 to an applicant. Temporary windshield placards shall be issued upon presentation of the
120 physician's statement provided by this section and shall be displayed in the same manner as
121 removable windshield placards. A person or entity shall be qualified to possess and display a
122 temporary removable windshield placard for six months and the placard may be renewed once

123 for an additional six months if a physician's statement pursuant to this section is supplied to the
124 director of revenue at the time of renewal.

125 13. Application for license plates or windshield placards issued pursuant to this section
126 shall be made to the director of revenue and shall be accompanied by a statement signed by a
127 licensed physician or other authorized health care practitioner which certifies that the applicant,
128 user, or member of the applicant's household is a physically disabled person as defined by this
129 section.

130 14. The placard shall be renewable only by the person or entity to which the placard was
131 originally issued. Any placard issued pursuant to this section shall only be used when the
132 physically disabled occupant for whom the disabled plate or placard was issued is in the motor
133 vehicle at the time of parking or when a physically disabled person is being delivered or
134 collected. A disabled license plate and/or a removable windshield hanging placard are not
135 transferable and may not be used by any other person whether disabled or not.

136 15. At the time the disabled plates or windshield hanging placards are issued, the director
137 shall issue a registration certificate which shall include the applicant's name, address, and other
138 identifying information as prescribed by the director, or if issued to an agency, such agency's
139 name and address. This certificate shall further contain the disabled license plate number or, for
140 windshield hanging placards, the registration or identifying number stamped on the placard. The
141 validated registration receipt given to the applicant shall serve as the registration certificate.

142 16. The director shall, upon issuing any disabled registration certificate for license plates
143 and/or windshield hanging placards, provide information which explains that such plates or
144 windshield hanging placards are nontransferable, and the restrictions explaining who and when
145 a person or vehicle which bears or has the disabled plates or windshield hanging placards may
146 be used or be parked in a disabled reserved parking space, and the penalties prescribed for
147 violations of the provisions of this act.

148 17. Every new applicant for a disabled license plate or placard shall be required to
149 present a new physician's statement dated no more than ninety days prior to such application.
150 Renewal applicants will be required to submit a physician's statement dated no more than ninety
151 days prior to such application upon their first renewal occurring on or after August 1, 2005.
152 Upon completing subsequent renewal applications, a physician's statement dated no more than
153 ninety days prior to such application shall be required every fourth year. Such physician's
154 statement shall state the expiration date for the temporary windshield placard. If the physician
155 fails to record an expiration date on the physician's statement, the director shall issue the
156 temporary windshield placard for a period of thirty days. The director may stagger the
157 requirement of a physician's statement on all renewals for the initial implementation of a
158 four-year period.

159 18. The director of revenue upon receiving a physician's statement pursuant to this
160 subsection shall check with the state board of registration for the healing arts created in section
161 334.120, or the Missouri state board of nursing established in section 335.021, with respect to
162 physician's statements signed by advanced practice registered nurses, or the Missouri state board
163 of chiropractic examiners established in section 331.090, with respect to physician's statements
164 signed by licensed chiropractors, or with the board of optometry established in section 336.130,
165 with respect to physician's statements signed by licensed optometrists, or the state board of
166 podiatric medicine created in section 330.100, with respect to physician's statements signed by
167 physicians of the foot or podiatrists to determine whether the physician is duly licensed and
168 registered pursuant to law. If such applicant obtaining a disabled license plate or placard
169 presents proof of disability in the form of a statement from the United States Veterans'
170 Administration verifying that the person is permanently disabled, the applicant shall be exempt
171 from the four-year certification requirement of this subsection for renewal of the plate or placard.
172 Initial applications shall be accompanied by the physician's statement required by this section.
173 Notwithstanding the provisions of paragraph (f) of subdivision (4) of subsection 1 of this section,
174 any person seventy-five years of age or older, **or any person permanently disabled regardless**
175 **of age**, who provided the physician's statement with the original application shall not be required
176 to provide a physician's statement for the purpose of renewal of disabled persons license plates
177 or windshield placards.

178 19. The boards shall cooperate with the director and shall supply information requested
179 pursuant to this subsection. The director shall, in cooperation with the boards which shall assist
180 the director, establish a list of all Missouri physicians and other authorized health care
181 practitioners and of any other information necessary to administer this section.

182 20. Where the owner's application is based on the fact that the vehicle is used at least
183 fifty percent of the time by a physically disabled person, the applicant shall submit a statement
184 stating this fact, in addition to the physician's statement. The statement shall be signed by both
185 the owner of the vehicle and the physically disabled person. The applicant shall be required to
186 submit this statement with each application for license plates. No person shall willingly or
187 knowingly submit a false statement and any such false statement shall be considered perjury and
188 may be punishable pursuant to section 301.420.

189 21. The director of revenue shall retain all physicians' statements and all other documents
190 received in connection with a person's application for disabled license plates and/or disabled
191 windshield placards.

192 22. The director of revenue shall enter into reciprocity agreements with other states or
193 the federal government for the purpose of recognizing disabled person license plates or
194 windshield placards issued to physically disabled persons.

195 23. When a person to whom disabled person license plates or a removable or temporary
196 windshield placard or both have been issued dies, the personal representative of the decedent or
197 such other person who may come into or otherwise take possession of the disabled license plates
198 or disabled windshield placard shall return the same to the director of revenue under penalty of
199 law. Failure to return such plates or placards shall constitute a class B misdemeanor.

200 24. The director of revenue may order any person issued disabled person license plates
201 or windshield placards to submit to an examination by a chiropractor, osteopath, or physician,
202 or to such other investigation as will determine whether such person qualifies for the special
203 plates or placards.

204 25. If such person refuses to submit or is found to no longer qualify for special plates or
205 placards provided for in this section, the director of revenue shall collect the special plates or
206 placards, and shall furnish license plates to replace the ones collected as provided by this chapter.

207 26. In the event a removable or temporary windshield placard is lost, stolen, or mutilated,
208 the lawful holder thereof shall, within five days, file with the director of revenue an application
209 and an affidavit stating such fact, in order to purchase a new placard. The fee for the
210 replacement windshield placard shall be four dollars.

211 27. Fraudulent application, renewal, issuance, procurement or use of disabled person
212 license plates or windshield placards shall be a class A misdemeanor. It is a class B
213 misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual
214 or family member is qualified for a license plate or windshield placard based on a disability, the
215 diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis.

301.160. Upon approval of the application for registration of a motor vehicle or trailer
2 and when the required fee has been paid to the department of revenue, the department shall
3 forward or deliver to the applicant the registration receipt and the number of license plates
4 prescribed for the vehicle or trailer by section 301.130, or renewal tabs **or window stickers** if
5 appropriate. The attachment to the motor vehicle or trailer specified in the application of current
6 license plates shall be prima facie evidence that the fees have been paid for such license.

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

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

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

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

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

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

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

14 4. Notwithstanding subsection 1 of this section, a new or used motor vehicle dealer may
15 obtain a duplicate or replacement title in the owner's name if the owner's title has been lost,
16 stolen, mutilated, or destroyed and is not available for assignment. In order to obtain the
17 duplicate or replacement title from the department of revenue, the licensed dealer shall procure
18 a power of attorney from the owner authorizing the dealer to obtain a duplicate or replacement
19 title in the owner's name and sign any title assignments on the owner's behalf. The application
20 to the department of revenue for the duplicate or replacement title shall be accompanied by the
21 executed power of attorney, or a copy thereof, and the application shall contain the appropriate
22 mailing address of the dealer. The director of the department of revenue is authorized to make
23 all necessary rules and regulations for the administration of this subsection, and shall design all
24 necessary forms required by this subsection. No rule or portion of a rule promulgated pursuant
25 to the authority of this section shall become effective unless it has been promulgated pursuant
26 to the provisions of chapter 536. Any rule or portion of a rule, as that term is defined in section
27 536.010, that is created under the authority delegated in this section shall become effective only
28 if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
29 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
30 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove

31 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority
32 and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

301.301. 1. Any person replacing a stolen license plate tab **or window sticker** issued
2 on or after January 1, 2009, may receive at no cost up to two [sets of two] license plate tabs **or**
3 **window stickers** per year when the application for the replacement tab **or sticker** is
4 accompanied with a police report that is corresponding with the stolen license plate tab **or**
5 **window sticker**.

6 2. Any person replacing a stolen license plate tab issued prior to January 1, 2009, may
7 receive at no cost up to two sets of two license plate tabs per year when the application for the
8 replacement tab is accompanied with a notarized affidavit verifying that such license plate tab
9 or tabs were stolen.

301.302. A citation shall not be issued to any person stopped by law enforcement for a
2 missing license plate tab or [tabs] **window sticker** if such person indicates that the tab or [tabs
3 have] **window sticker has** been stolen and a check on such person's vehicle registration reveals
4 that the vehicle is properly registered. A law enforcement officer may issue a warning under
5 these circumstances. In the event a citation is improperly issued to a person for **a missing [tabs]**
6 **tab or window sticker** when the requirements of this section are met, any court costs shall be
7 waived.

302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person,
2 except those expressly exempted by section 302.080, to:

3 (1) Operate any vehicle upon any highway in this state unless the person has a valid
4 license;

5 (2) Operate a motorcycle or motortricycle upon any highway of this state unless such
6 person has a valid license that shows the person has successfully passed an examination for the
7 operation of a motorcycle or motortricycle as prescribed by the director. The director may
8 indicate such upon a valid license issued to such person, or shall issue a license restricting the
9 applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required
10 by section 302.173, is conducted on such vehicle;

11 (3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person
12 or under such person's control to be driven upon any highway by any person whose license does
13 not indicate that the person has passed the examination for the operation of a motorcycle or
14 motortricycle or has been issued an instruction permit therefor;

15 (4) Operate a motor vehicle with an instruction permit or license issued to another
16 person.

17 2. **Beginning January 1, 2014, every applicant for a motorcycle license or**
18 **endorsement shall show proof that he or she has successfully completed a motorcycle**
19 **training course approved under sections 302.133 to 302.138.**

20 3. Every person operating or riding as a passenger on any motorcycle or motortricycle,
21 as defined in section 301.010, upon any highway of this state shall wear protective headgear at
22 all times the vehicle is in motion. The protective headgear shall meet reasonable standards and
23 specifications established by the director.

24 [3.] 4. Notwithstanding the provisions of section 302.340 any person convicted of
25 violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first
26 violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by a fine not
27 to exceed three hundred dollars. A second violation of subdivision (1) or (2) of subsection 1 of
28 this section shall be punishable by imprisonment in the county jail for a term not to exceed one
29 year and/or a fine not to exceed one thousand dollars. Any person convicted a third or
30 subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a
31 class D felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3)
32 and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable by a fine
33 not to exceed three hundred dollars, a second or subsequent violation of this section punishable
34 as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by
35 subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars
36 may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no
37 court costs shall be imposed upon any person due to such violation. No points shall be assessed
38 pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty
39 and prior findings of guilty shall be pleaded and proven in the same manner as required by
40 section 558.021.

 302.130. 1. Any person at least fifteen years of age who, except for age or lack of
2 instruction in operating a motor vehicle, would otherwise be qualified to obtain a license
3 pursuant to sections 302.010 to 302.340 may apply for and the director shall issue a temporary
4 instruction permit entitling the applicant, while having such permit in the applicant's immediate
5 possession, to drive a motor vehicle of the appropriate class upon the highways for a period of
6 twelve months, but any such person, except when operating a motorcycle or motortricycle, must
7 be accompanied by a licensed operator for the type of motor vehicle being operated who is
8 actually occupying a seat beside the driver for the purpose of giving instruction in driving the
9 motor vehicle, who is at least twenty-one years of age, and in the case of any driver under sixteen
10 years of age, the licensed operator occupying the seat beside the driver shall be a grandparent,
11 parent, guardian, a driver training instructor holding a valid driver education endorsement on a
12 teaching certificate issued by the department of elementary and secondary education or a

13 qualified instructor of a private drivers' education program who has a valid driver's license. An
14 applicant for a temporary instruction permit shall successfully complete a vision test and a test
15 of the applicant's ability to understand highway signs which regulate, warn or direct traffic and
16 practical knowledge of the traffic laws of this state, pursuant to section 302.173. In addition,
17 beginning January 1, 2007, no permit shall be granted pursuant to this subsection unless a parent
18 or legal guardian gives written permission by signing the application and in so signing, state they,
19 or their designee as set forth in subsection 2 of this section, will provide a minimum of forty
20 hours of behind-the-wheel driving instruction, including a minimum of ten hours of
21 behind-the-wheel driving instruction that occurs during the nighttime hours falling between
22 sunset and sunrise. The forty hours of behind-the-wheel driving instruction that is completed
23 pursuant to this subsection may include any time that the holder of an instruction permit has
24 spent operating a motor vehicle in a driver training program taught by a driver training instructor
25 holding a valid driver education endorsement on a teaching certificate issued by the department
26 of elementary and secondary education or by a qualified instructor of a private drivers' education
27 program. If the applicant for a permit is enrolled in a federal residential job training program,
28 the instructor, as defined in subsection 5 of this section, is authorized to sign the application
29 stating that the applicant will receive the behind-the-wheel driving instruction required by this
30 section.

31 2. In the event the parent, grandparent or guardian of the person under sixteen years of
32 age has a physical disability which prohibits or disqualifies said parent, grandparent or guardian
33 from being a qualified licensed operator pursuant to this section, said parent, grandparent or
34 guardian may designate a maximum of two individuals authorized to accompany the applicant
35 for the purpose of giving instruction in driving the motor vehicle. An authorized designee must
36 be a licensed operator for the type of motor vehicle being operated and have attained twenty-one
37 years of age. At least one of the designees must occupy the seat beside the applicant while
38 giving instruction in driving the motor vehicle. The name of the authorized designees must be
39 provided to the department of revenue by the parent, grandparent or guardian at the time of
40 application for the temporary instruction permit. The name of each authorized designee shall be
41 printed on the temporary instruction permit, however, the director may delay the time at which
42 permits are printed bearing such names until the inventories of blank permits and related forms
43 existing on August 28, 1998, are exhausted.

44 3. The director, upon proper application on a form prescribed by the director, in his or
45 her discretion, may issue a restricted instruction permit effective for a school year or more
46 restricted period to an applicant who is enrolled in a high school driver training program taught
47 by a driver training instructor holding a valid driver education endorsement on a teaching
48 certificate issued by the state department of elementary and secondary education even though the

49 applicant has not reached the age of sixteen years but has passed the age of fifteen years. Such
50 instruction permit shall entitle the applicant, when the applicant has such permit in his or her
51 immediate possession, to operate a motor vehicle on the highways, but only when a driver
52 training instructor holding a valid driver education endorsement on a teaching certificate issued
53 by the state department of elementary and secondary education is occupying a seat beside the
54 driver.

55 4. The director, in his or her discretion, may issue a temporary driver's permit to an
56 applicant who is otherwise qualified for a license permitting the applicant to operate a motor
57 vehicle while the director is completing the director's investigation and determination of all facts
58 relative to such applicant's rights to receive a license. Such permit must be in the applicant's
59 immediate possession while operating a motor vehicle, and it shall be invalid when the
60 applicant's license has been issued or for good cause has been refused.

61 5. In the event that the applicant for a temporary instruction permit described in
62 subsection 1 of this section is a participant in a federal residential job training program, the
63 permittee may operate a motor vehicle accompanied by a driver training instructor who holds a
64 valid driver education endorsement issued by the department of elementary and secondary
65 education and a valid driver's license.

66 6. A person at least fifteen years of age may operate a motor vehicle as part of a driver
67 training program taught by a driver training instructor holding a valid driver education
68 endorsement on a teaching certificate issued by the department of elementary and secondary
69 education or a qualified instructor of a private drivers' education program.

70 7. Beginning January 1, 2003, the director shall issue with every temporary instruction
71 permit issued pursuant to subsection 1 of this section a sticker or sign bearing the words
72 "PERMIT DRIVER". The design and size of such sticker or sign shall be determined by the
73 director by regulation. Every applicant issued a temporary instruction permit and sticker on or
74 after January 1, 2003, may display or affix the sticker or sign on the rear window of the motor
75 vehicle. Such sticker or sign may be displayed on the rear window of the motor vehicle
76 whenever the holder of the instruction permit operates a motor vehicle during his or her
77 temporary permit licensure period.

78 8. Beginning July 1, 2005, the director shall verify that an applicant for an instruction
79 permit issued under this section is lawfully present in the United States before accepting the
80 application. The director shall not issue an instruction permit for a period that exceeds an
81 applicant's lawful presence in the United States. The director may establish procedures to verify
82 the lawful presence of the applicant and establish the duration of any permit issued under this
83 section.

84 **9. Notwithstanding subsection 1 of this section, if an applicant is issued a temporary**
85 **instruction permit under the provisions of this section that includes a motorcycle**
86 **endorsement, then such temporary instruction permit shall only entitle the applicant to**
87 **operate a motor vehicle, motorcycle, or motortricycle for a period of six months and such**
88 **applicant may only renew such permit two additional times, for a total maximum**
89 **cumulative permit period of eighteen months pursuant to section 302.132.**

90 **10.** The director may adopt rules and regulations necessary to carry out the provisions
91 of this section.

 302.132. 1. Any person at least fifteen and one-half years of age who, except for age or
2 lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a
3 motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to 302.340 may
4 apply, with the written consent of the parent or guardian of such person, for a temporary
5 motorcycle instruction permit to operate a motorcycle or motortricycle.

6 2. The director shall issue a temporary motorcycle instruction permit under this section
7 if the applicant has completed a motorcycle rider training course approved under sections
8 302.133 to 302.138 and is otherwise eligible for the temporary permit.

9 3. A person receiving a temporary motorcycle permit and having it in his **or her**
10 immediate possession shall be entitled to operate a motorcycle or motortricycle for a period of
11 six months upon the highways of the state, and [persons under the age of sixteen] **such person**
12 shall be subject to the following restrictions:

13 (1) [The motorcycle or motortricycle may not have an engine with a displacement of
14 greater than two hundred fifty cubic centimeters;

15 (2)] The operator shall not travel at any time from a half-hour after sunset to a half-hour
16 before sunrise; **and**

17 [(3)] **(2)** The operator shall not carry any passengers[; and

18 (4) The operator shall not travel over fifty miles from the operator's home address].

19 **4. An applicant issued a temporary motorcycle instruction permit under this**
20 **section may renew such permit two additional times, for a total maximum permit period**
21 **of eighteen months. After such period the applicant shall complete the required written**
22 **examinations to obtain a temporary motorcycle instruction permit or a temporary**
23 **instruction permit with a motorcycle endorsement.**

 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 driving test shall be required to
62 obtain a motorcycle or motortricycle license or endorsement.

63 **5. Any applicant required to take the written portion of the examination more than**
64 **once shall pay a ten-dollar fee for each additional time the applicant must retake the**
65 **examination. All fees collected under this subsection shall be payable to the director of**
66 **revenue.**

Section B. The repeal and reenactment of sections 136.055, 301.032, 301.130, 301.140,
2 301.160, 301.290, 301.300, 301.301, and 301.302, of this act shall become effective January 1,
3 2013.

Section C. The repeal and reenactment of sections 302.130 and 302.132, of this act shall
2 become effective May 1, 2013.

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