

SECOND REGULAR SESSION

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 847

102ND GENERAL ASSEMBLY

4004S.03C

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 142.803, 142.869, 301.055, 301.070, 301.140, 301.142, 301.147, 301.560, 307.350, and 643.315, RSMo, and to enact in lieu thereof eleven new sections relating to vehicle registration, with penalty provisions and a contingent effective date.

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

Section A. Sections 142.803, 142.869, 301.055, 301.070,
2 301.140, 301.142, 301.147, 301.560, 307.350, and 643.315, RSMo,
3 are repealed and eleven new sections enacted in lieu thereof,
4 to be known as sections 142.803, 142.869, 301.033, 301.055,
5 301.070, 301.140, 301.142, 301.147, 301.560, 307.350, and
6 643.315, to read as follows:

142.803. 1. A tax is levied and imposed on all motor
2 fuel used or consumed in this state as follows:

3 (1) Motor fuel, seventeen cents per gallon;

4 (2) Alternative fuels[, not subject to the decal fees]

5 **used in propelling a motor vehicle for which an alternative**

6 **fuel vehicle fee has not been paid** as provided in section

7 142.869, with a power potential equivalent of motor fuel.

8 In the event alternative fuel[, which] **that** is not commonly

9 sold or measured by the gallon[,] is used in motor vehicles

10 on the highways of this state, the director is authorized to

11 assess and collect a tax upon such alternative fuel measured

12 by the nearest power potential equivalent to that of one

13 gallon of regular grade gasoline. The determination by the

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

14 director of the power potential equivalent of such
15 alternative fuel shall be prima facie correct;

16 (3) Aviation fuel used in propelling aircraft with
17 reciprocating engines, nine cents per gallon as levied and
18 imposed by section 155.080 to be collected as required under
19 this chapter;

20 (4) Compressed natural gas fuel, five cents per
21 gasoline gallon equivalent until December 31, 2019, eleven
22 cents per gasoline gallon equivalent from January 1, 2020,
23 until December 31, 2024, and then seventeen cents per
24 gasoline gallon equivalent thereafter. The gasoline gallon
25 equivalent and method of sale for compressed natural gas
26 shall be as published by the National Institute of Standards
27 and Technology in Handbooks 44 and 130, and supplements
28 thereto or revisions thereof. In the absence of such
29 standard or agreement, the gasoline gallon equivalent and
30 method of sale for compressed natural gas shall be equal to
31 five and sixty-six-hundredths pounds of compressed natural
32 gas. All applicable provisions contained in this chapter
33 governing administration, collections, and enforcement of
34 the state motor fuel tax shall apply to the tax imposed on
35 compressed natural gas, including but not limited to
36 licensing, reporting, penalties, and interest;

37 (5) Liquefied natural gas fuel, five cents per diesel
38 gallon equivalent until December 31, 2019, eleven cents per
39 diesel gallon equivalent from January 1, 2020, until
40 December 31, 2024, and then seventeen cents per diesel
41 gallon equivalent thereafter. The diesel gallon equivalent
42 and method of sale for liquefied natural gas shall be as
43 published by the National Institute of Standards and
44 Technology in Handbooks 44 and 130, and supplements thereto
45 or revisions thereof. In the absence of such standard or

46 agreement, the diesel gallon equivalent and method of sale
47 for liquefied natural gas shall be equal to six and six-
48 hundredths pounds of liquefied natural gas. All applicable
49 provisions contained in this chapter governing
50 administration, collections, and enforcement of the state
51 motor fuel tax shall apply to the tax imposed on liquefied
52 natural gas, including but not limited to licensing,
53 reporting, penalties, and interest;

54 (6) Propane gas fuel, five cents per gallon until
55 December 31, 2019, eleven cents per gallon from January 1,
56 2020, until December 31, 2024, and then seventeen cents per
57 gallon thereafter. All applicable provisions contained in
58 this chapter governing administration, collection, and
59 enforcement of the state motor fuel tax shall apply to the
60 tax imposed on propane gas including, but not limited to,
61 licensing, reporting, penalties, and interest;

62 (7) If a natural gas, compressed natural gas,
63 liquefied natural gas, electric, or propane connection is
64 used for fueling motor vehicles and for another use, such as
65 heating, the tax imposed by this section shall apply to the
66 entire amount of natural gas, compressed natural gas,
67 liquefied natural gas, electricity, or propane used unless
68 an approved separate metering and accounting system is in
69 place.

70 2. All taxes, surcharges and fees are imposed upon the
71 ultimate consumer, but are to be precollected as described
72 in this chapter, for the facility and convenience of the
73 consumer. The levy and assessment on other persons as
74 specified in this chapter shall be as agents of this state
75 for the precollection of the tax.

76 3. In addition to any tax collected under subdivision
77 (1) of subsection 1 of this section, the following tax is

78 levied and imposed on all motor fuel used or consumed in
79 this state, subject to the exemption on tax liability set
80 forth in section 142.822: from October 1, 2021, to June 30,
81 2022, two and a half cents per gallon; from July 1, 2022, to
82 June 30, 2023, five cents per gallon; from July 1, 2023, to
83 June 30, 2024, seven and a half cents per gallon; from July
84 1, 2024, to June 30, 2025, ten cents per gallon; and on and
85 after July 1, 2025, twelve and a half cents per gallon.

142.869. 1. The tax imposed by this chapter shall not
2 apply to passenger motor vehicles, buses as defined in
3 section 301.010, or commercial motor vehicles registered in
4 this state which are powered by alternative fuel, and for
5 which [a valid decal] **an alternative fuel vehicle fee** has
6 been [acquired] **paid** as provided in this section, provided
7 that sales made to alternative fueled vehicles powered by
8 propane, compressed natural gas, or liquefied natural gas
9 that do not meet the requirements of subsection 4 of this
10 section shall be taxed exclusively pursuant to subdivisions
11 (4) to (7) of subsection 1 of section 142.803,
12 respectively. **At the time of vehicle registration and**
13 **renewal**, the owners or operators of such motor vehicles,
14 except plug-in electric hybrids, shall, in lieu of the tax
15 imposed by section 142.803, pay an annual alternative fuel
16 [decal] **vehicle** fee as follows: seventy-five dollars on
17 each passenger motor vehicle, school bus as defined in
18 section 301.010, and commercial motor vehicle with a
19 licensed gross vehicle weight of eighteen thousand pounds or
20 less; one hundred dollars on each motor vehicle with a
21 licensed gross weight in excess of eighteen thousand pounds
22 but not more than thirty-six thousand pounds used for farm
23 or farming transportation operations and registered with a
24 license plate designated with the letter "F"; one hundred

25 fifty dollars on each motor vehicle with a licensed gross
26 vehicle weight in excess of eighteen thousand pounds but
27 less than or equal to thirty-six thousand pounds, and each
28 passenger-carrying motor vehicle subject to the registration
29 fee provided in sections 301.059, 301.061 and 301.063; two
30 hundred fifty dollars on each motor vehicle with a licensed
31 gross weight in excess of thirty-six thousand pounds used
32 for farm or farming transportation operations and registered
33 with a license plate designated with the letter "F"; and one
34 thousand dollars on each motor vehicle with a licensed gross
35 vehicle weight in excess of thirty-six thousand pounds.

36 Owners or operators of plug-in electric hybrids shall pay
37 one-half of the stated [annual] alternative fuel [decal]
38 **vehicle** fee. Notwithstanding provisions of this section to
39 the contrary, motor vehicles licensed as historic under
40 section 301.131 which are powered by alternative fuel shall
41 be exempt from both the tax imposed by this chapter and the
42 alternative fuel [decal] **vehicle fee** requirements of this
43 section. For the purposes of this section, a plug-in
44 electric hybrid shall be any hybrid vehicle made by a
45 manufacturer with a model year of 2018 or newer, that has
46 not been modified from the original manufacturer
47 specifications, with an internal combustion engine and
48 batteries that can be recharged by connecting a plug to an
49 electric power source.

50 2. Beginning January 1, 2022, the fees in subsection 1
51 of this section shall be increased by twenty percent of the
52 fee in effect on August 28, 2021, per year for a period of
53 five years, except that the fee for motor vehicles with a
54 licensed gross vehicle weight in excess of thirty-six
55 thousand pounds shall be increased by ten percent of the fee

56 in effect on August 28, 2021, per year for a period of five
57 years.

58 3. Except interstate fuel users and vehicles licensed
59 under a reciprocity agreement as defined in section 142.617,
60 the tax imposed by section 142.803 shall not apply to motor
61 vehicles registered outside this state which are powered by
62 alternative fuel other than propane, compressed natural gas,
63 and liquefied natural gas, and for which a valid temporary
64 alternative fuel [decal] **vehicle fee** has been [acquired]
65 **paid** as provided in this section. The owners or operators
66 of such motor vehicles shall, in lieu of the tax imposed by
67 section 142.803, pay a temporary alternative fuel [decal]
68 **vehicle** fee of eight dollars on each such vehicle. [Such
69 **decals**] **Proof of alternative fuel vehicle fee payment,**
70 **issued by the director,** shall be valid for a period of
71 fifteen days from the date of issuance [and shall be
72 attached to the lower right-hand corner of the front
73 windshield on the motor vehicle for which it was issued].
74 Such [decal and] fee **and proof of payment** shall not be
75 transferable. All proceeds from such [decal] fees shall be
76 deposited as specified in section 142.345. [Alternative
77 fuel dealers selling such decals in accordance with rules
78 and regulations prescribed by the director shall be allowed
79 to retain fifty cents for each decal fee timely remitted to
80 the director.]

81 4. Owners or operators of passenger motor vehicles,
82 buses as defined in section 301.010, or commercial motor
83 vehicles registered in this state which are powered by
84 compressed natural gas or liquefied natural gas who have
85 installed a compressed natural gas fueling station or
86 liquefied natural gas fueling station used solely to fuel
87 the motor vehicles they own or operate as of December 31,

88 2015, may continue to apply for and use the **proof of**
89 alternative fuel [decal] **vehicle fee payment, issued by the**
90 **director,** in lieu of paying the tax imposed under
91 subdivisions (4) and (5) of subsection 1 of section
92 142.803. Owners or operators of compressed natural gas
93 fueling stations or liquefied natural gas fueling stations
94 whose vehicles bear [an] **proof of** alternative fuel [decal]
95 **vehicle fee payment** shall be prohibited from selling or
96 providing compressed natural gas or liquefied natural gas to
97 any motor vehicle they do not own or operate. Owners or
98 operators of motor vehicles powered by compressed natural
99 gas or liquefied natural gas bearing [an] **proof of**
100 alternative fuel [decal] **vehicle fee payment** after January
101 1, 2016, that decline to [renew] **pay** the alternative fuel
102 [decals] **vehicle fee** for **registration renewal of** such motor
103 vehicles shall no longer be eligible to apply for and use
104 **proof of** alternative fuel [decals] **vehicle fee payment** under
105 this subsection. Any compressed natural gas or liquefied
106 natural gas obtained at any fueling station not owned by the
107 owner or operator of the motor vehicle bearing [an] **proof of**
108 alternative fuel [decal] **vehicle fee payment** shall be
109 subject to the tax under subdivisions (4) and (5) of
110 subsection 1 of section 142.803.

111 5. An owner or operator of a motor vehicle powered by
112 propane may continue to apply for and use the **proof of**
113 alternative fuel [decal] **vehicle fee payment** in lieu of
114 paying the tax imposed under subdivision (6) of subsection 1
115 of section 142.803. If the appropriate motor fuel tax under
116 subdivision (6) of subsection 1 of section 142.803 is
117 collected at the time of fueling, an operator of a propane
118 fueling station that uses quick-connect fueling nozzles may
119 sell propane as a motor fuel without verifying the

120 application of a valid Missouri **proof of** alternative fuel
121 **[decal] vehicle fee payment**. If an owner or operator of a
122 motor vehicle powered by propane that bears **[an] proof of**
123 alternative fuel **[decal] vehicle fee payment** refuels at an
124 unattended propane refueling station, such owner or operator
125 shall not be eligible for a refund of the motor fuel tax
126 paid at such refueling.

127 6. **[The director shall annually, on or before January**
128 **thirty-first of each year, collect or cause to be collected**
129 **from owners or operators of the motor vehicles specified in**
130 **subsection 1 of this section the annual decal fee.**

131 **Applications for such decals shall be supplied by the**
132 **department of revenue. In the case of a motor vehicle which**
133 **is not in operation by January thirty-first of any year, a**
134 **decal may be purchased for a fractional period of such year,**
135 **and the amount of the decal fee shall be reduced by one-**
136 **twelfth for each complete month which shall have elapsed**
137 **since the beginning of such year. This subsection shall not**
138 **apply to an owner or operator of a motor vehicle powered by**
139 **propane who fuels such vehicle exclusively at unattended**
140 **fueling stations that collect the motor fuel tax.]**

141 **Alternative fuel vehicle fees shall be paid at the time of**
142 **registration and renewal. The alternative fuel vehicle fee**
143 **collected at the time of biennial registration shall include**
144 **the annual fee plus a pro rata amount for the additional**
145 **months of the biennial registration.**

146 7. Upon the payment of the fee required by subsection
147 1 of this section, the director shall issue **[a decal, which**
148 **shall be valid for the current calendar year and shall be**
149 **attached to the lower right-hand corner of the front**
150 **windshield on the motor vehicle for which it was issued] to**

151 **the motor vehicle registrant proof of alternative fuel**
152 **vehicle fee payment.**

153 8. [The decal fee paid pursuant to subsection 1 of
154 this section for each motor vehicle shall be transferable
155 upon a change of ownership of the motor vehicle and, if the
156 LP gas or natural gas equipment is removed from a motor
157 vehicle upon a change of ownership and is reinstalled in
158 another motor vehicle, upon such reinstallation. Such
159 transfers shall be accomplished in accordance with rules and
160 regulations promulgated by the director.]

161 9.] It shall be unlawful for any person to operate a
162 motor vehicle **for which the registrant is** required to [have]
163 **pay** an alternative fuel [decal] **vehicle fee** upon the
164 highways of this state without [a] valid [decal] **proof of**
165 **alternative fuel vehicle fee payment** unless the motor
166 vehicle is exclusively fueled at propane, compressed natural
167 gas, or liquefied natural gas fueling stations that collect
168 the motor fuel tax.

169 [10.] 9. No person shall cause to be put, or put, any
170 alternative fuel into the fuel supply receptacle or battery
171 of a motor vehicle [required to have] **for which** an
172 alternative fuel [decal] **vehicle fee is required to be paid**
173 unless the motor vehicle either has [a] valid [decal
174 attached to it] **proof of alternative fuel vehicle fee**
175 **payment** or the appropriate motor fuel tax is collected at
176 the time of such fueling.

177 [11.] 10. Any person violating any provision of this
178 section is guilty of an infraction and shall, upon
179 conviction thereof, be fined five hundred dollars.

180 [12.] 11. Motor vehicles [displaying] **with** a valid
181 **proof of** alternative fuel [decal] **vehicle fee payment** are

182 exempt from the licensing and reporting requirements of this
183 chapter.

301.033. 1. Notwithstanding the provisions of
2 sections 301.030 and 301.035 to the contrary, the director
3 of revenue shall establish a system of registration of all
4 farm vehicles, as defined in section 302.700, owned or
5 purchased by a farm vehicle fleet owner registered under
6 this section. The director of revenue shall prescribe the
7 forms for such farm vehicle fleet registration and the forms
8 and procedures for the registration updates prescribed in
9 this section. Any owner of more than one farm vehicle which
10 is required to be registered under this chapter may, at his
11 or her option, register a fleet of farm vehicles on an
12 annual or biennial basis under this section in lieu of the
13 registration periods provided in sections 301.030, 301.035,
14 and 301.147. The director shall issue an identification
15 number to each registered owner of a fleet of farm vehicles
16 registered under this section.

17 2. All farm vehicles included in the fleet of a
18 registered farm vehicle fleet owner shall be registered
19 during April of the corresponding year or on a prorated
20 basis as provided in subsection 3 of this section. Fees of
21 all vehicles in the farm vehicle fleet to be registered on
22 an annual or biennial basis shall be payable not later than
23 the last day of April of the corresponding year, with two
24 years' fees due for biennially-registered vehicles.
25 Notwithstanding the provisions of section 307.355, a
26 certificate of inspection and approval issued no more than
27 one hundred twenty days prior to the date of application for
28 registration shall be valid for registration of a farm fleet
29 vehicle in accordance with this section. The fees for
30 vehicles added to the farm vehicle fleet which are required

31 to be licensed at the time of registration shall be payable
32 at the time of registration, except that when such vehicle
33 is licensed between July first and September thirtieth the
34 fee shall be three-fourths the annual fee, when licensed
35 between October first and December thirty-first the fee
36 shall be one-half the annual fee, and when licensed on or
37 after January first the fee shall be one-fourth the annual
38 fee. If biennial registration is sought for vehicles added
39 to a farm vehicle fleet, an additional year's annual fee
40 shall be added to the partial year's prorated fee.

41 3. At any time during the calendar year in which an
42 owner of a farm vehicle fleet purchases or otherwise
43 acquires a farm vehicle which is to be added to the farm
44 vehicle fleet or transfers plates to a fleet vehicle, the
45 owner shall present to the director of revenue the
46 identification number as a fleet number and may register the
47 vehicle for the partial year as provided in subsection 2 of
48 this section. The farm vehicle fleet owner shall also be
49 charged a transfer fee of two dollars for each vehicle so
50 transferred under this subsection.

51 4. Except as specifically provided in this subsection,
52 all farm vehicles registered under this section shall be
53 issued a special license plate which shall have the words
54 "Farm Fleet Vehicle" and shall meet the requirements
55 prescribed by section 301.130. Farm fleet vehicles shall be
56 issued multiyear license plates as provided in this section
57 which shall not require issuance of a renewal tab. Upon
58 payment of appropriate registration fees, the director of
59 revenue shall issue a registration certificate or other
60 suitable evidence of payment of the annual or biennial fee,
61 and such evidence of payment shall be carried at all times
62 in the vehicle for which it is issued.

63 5. The director shall make all necessary rules and
 64 regulations for the administration of this section and shall
 65 design all necessary forms required by this section. Any
 66 rule or portion of a rule, as that term is defined in
 67 section 536.010, that is created under the authority
 68 delegated in this section shall become effective only if it
 69 complies with and is subject to all the provisions of
 70 chapter 536 and, if applicable, section 536.028. This
 71 section and chapter 536 are nonseverable, and if any of the
 72 powers vested with the general assembly under chapter 536 to
 73 review, to delay the effective date, or to disapprove and
 74 annul a rule are subsequently held unconstitutional, then
 75 the grant of rulemaking authority and any rule proposed or
 76 adopted after August 28, 2024, shall be invalid and void.

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

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

13 **twenty-five dollars, inclusive of the railroad crossing**
14 **safety fee prescribed in section 389.612.**

15 2. **The annual registration fee for motorcycles,**
16 **motortricycles, and autocycles is ten dollars, inclusive of**
17 **the railroad crossing safety fee prescribed in section**
18 **389.612.**

19 3. Notwithstanding any other provision of law, the
20 registration of any autocycle registered as a motorcycle or
21 motortricycle prior to August 28, 2018, shall remain in
22 effect until the expiration of the registration period for
23 such vehicle at which time the owner shall be required to
24 renew the motor vehicle's registration under the autocycle
25 classification and pay the appropriate registration fee.

301.070. 1. [In determining fees based on the
2 horsepower of vehicles propelled by internal combustion
3 engines, the horsepower shall be computed and recorded upon
4 the following formula established by the National Automobile
5 Chamber of Commerce: Square the bore of the cylinder in
6 inches multiplied by the number of cylinders, divided by two
7 and one-half.

8 2. The horsepower of all motor vehicles propelled by
9 steam may be accepted as rated by the manufacturers thereof,
10 or may be determined in accordance with regulations
11 promulgated by the director.

12 3. The horsepower of all motor vehicles, except
13 commercial motor vehicles, propelled by electric power,
14 shall be rated as being between twelve and twenty-four
15 horsepower.

16 4.] Fees of commercial motor vehicles, other than
17 passenger-carrying commercial motor vehicles, shall be based
18 on the gross weight of the vehicle or any combination of

19 vehicles and the maximum load to be carried at any one time
20 during the license period, except the fee for a wrecker, tow
21 truck, rollback or car carrier used in a towing service
22 shall be based on the empty weight of such vehicle fully
23 equipped for the recovery or towing of vehicles.

24 [5.] 2. The decision of the director as to the type of
25 motor vehicles and their classification for the purpose of
26 registration and the computation of fees therefor shall be
27 final and conclusive.

301.140. 1. Upon the transfer of ownership of any
2 motor vehicle or trailer, the certificate of registration
3 and the right to use the number plates shall expire and the
4 number plates shall be removed by the owner at the time of
5 the transfer of possession, and it shall be unlawful for any
6 person other than the person to whom such number plates were
7 originally issued to have the same in his or her possession
8 whether in use or not, unless such possession is solely for
9 charitable purposes; except that the buyer of a motor
10 vehicle or trailer who trades in a motor vehicle or trailer
11 may attach the license plates from the traded-in motor
12 vehicle or trailer to the newly purchased motor vehicle or
13 trailer. The operation of a motor vehicle with such
14 transferred plates shall be lawful for no more than thirty
15 days, or no more than ninety days if the dealer is selling
16 the motor vehicle under the provisions of section 301.213,
17 or no more than sixty days if the dealer is selling the
18 motor vehicle under the provisions of subsection 5 of
19 section 301.210. As used in this subsection, the term
20 "trade-in motor vehicle or trailer" shall include any single
21 motor vehicle or trailer sold by the buyer of the newly
22 purchased vehicle or trailer, as long as the license plates
23 for the trade-in motor vehicle or trailer are still valid.

24 2. In the case of a transfer of ownership the original
25 owner may register another motor vehicle under the same
26 number, upon the payment of a fee of two dollars, if the
27 motor vehicle is of [horsepower,] gross weight or (in the
28 case of a passenger-carrying commercial motor vehicle)
29 seating capacity[,] not in excess of that originally
30 registered. When such motor vehicle is of greater
31 [horsepower,] gross weight or (in the case of a passenger-
32 carrying commercial motor vehicle) seating capacity, for
33 which a greater fee is prescribed, the applicant shall pay a
34 transfer fee of two dollars and a pro rata portion for the
35 difference in fees. When such vehicle is of less
36 [horsepower,] gross weight or (in case of a passenger-
37 carrying commercial motor vehicle) seating capacity, for
38 which a lesser fee is prescribed, the applicant shall not be
39 entitled to a refund.

40 3. License plates may be transferred from a motor
41 vehicle which will no longer be operated to a newly
42 purchased motor vehicle by the owner of such vehicles. The
43 owner shall pay a transfer fee of two dollars if the newly
44 purchased vehicle is of [horsepower,] gross weight or (in
45 the case of a passenger-carrying commercial motor vehicle)
46 seating capacity[,] not in excess of that of the vehicle
47 which will no longer be operated. When the newly purchased
48 motor vehicle is of greater [horsepower,] gross weight or
49 (in the case of a passenger-carrying commercial motor
50 vehicle) seating capacity, for which a greater fee is
51 prescribed, the applicant shall pay a transfer fee of two
52 dollars and a pro rata portion of the difference in fees.
53 When the newly purchased vehicle is of less [horsepower,]
54 gross weight or (in the case of a passenger-carrying
55 commercial motor vehicle) seating capacity, for which a

56 lesser fee is prescribed, the applicant shall not be
57 entitled to a refund.

58 4. The director of the department of revenue shall
59 have authority to produce or allow others to produce a
60 weather resistant, nontearing temporary permit authorizing
61 the operation of a motor vehicle or trailer by a buyer for
62 not more than thirty days, or no more than ninety days if
63 issued by a dealer selling the motor vehicle under the
64 provisions of section 301.213, or no more than sixty days if
65 issued by a dealer selling the motor vehicle under the
66 provisions of subsection 5 of section 301.210, from the date
67 of purchase. The temporary permit authorized under this
68 section may be purchased by the purchaser of a motor vehicle
69 or trailer from the central office of the department of
70 revenue or from an authorized agent of the department of
71 revenue upon proof of purchase of a motor vehicle or trailer
72 for which the buyer has no registration plate available for
73 transfer and upon proof of financial responsibility, or from
74 a motor vehicle dealer upon purchase of a motor vehicle or
75 trailer for which the buyer has no registration plate
76 available for transfer, or from a motor vehicle dealer upon
77 purchase of a motor vehicle or trailer for which the buyer
78 has registered and is awaiting receipt of registration
79 plates. The director of the department of revenue or a
80 producer authorized by the director of the department of
81 revenue may make temporary permits available to registered
82 dealers in this state, authorized agents of the department
83 of revenue or the department of revenue. The price paid by
84 a motor vehicle dealer, an authorized agent of the
85 department of revenue or the department of revenue for a
86 temporary permit shall not exceed five dollars for each
87 permit. The director of the department of revenue shall

88 direct motor vehicle dealers and authorized agents to obtain
89 temporary permits from an authorized producer. Amounts
90 received by the director of the department of revenue for
91 temporary permits shall constitute state revenue; however,
92 amounts received by an authorized producer other than the
93 director of the department of revenue shall not constitute
94 state revenue and any amounts received by motor vehicle
95 dealers or authorized agents for temporary permits purchased
96 from a producer other than the director of the department of
97 revenue shall not constitute state revenue. In no event
98 shall revenues from the general revenue fund or any other
99 state fund be utilized to compensate motor vehicle dealers
100 or other producers for their role in producing temporary
101 permits as authorized under this section. Amounts that do
102 not constitute state revenue under this section shall also
103 not constitute fees for registration or certificates of
104 title to be collected by the director of the department of
105 revenue under section 301.190. No motor vehicle dealer,
106 authorized agent or the department of revenue shall charge
107 more than five dollars for each permit issued. The permit
108 shall be valid for a period of thirty days, or no more than
109 ninety days if issued by a dealer selling the motor vehicle
110 under the provisions of section 301.213, or no more than
111 sixty days if issued by a dealer selling the motor vehicle
112 under the provisions of subsection 5 of section 301.210,
113 from the date of purchase of a motor vehicle or trailer, or
114 from the date of sale of the motor vehicle or trailer by a
115 motor vehicle dealer for which the purchaser obtains a
116 permit as set out above. No permit shall be issued for a
117 vehicle under this section unless the buyer shows proof of
118 financial responsibility. Each temporary permit issued
119 shall be securely fastened to the back or rear of the motor

120 vehicle in a manner and place on the motor vehicle
121 consistent with registration plates so that all parts and
122 qualities of the temporary permit thereof shall be plainly
123 and clearly visible, reasonably clean and are not impaired
124 in any way.

125 5. The permit shall be issued on a form prescribed by
126 the director of the department of revenue and issued only
127 for the applicant's temporary operation of the motor vehicle
128 or trailer purchased to enable the applicant to temporarily
129 operate the motor vehicle while proper title and
130 registration plates are being obtained, or while awaiting
131 receipt of registration plates, and shall be displayed on no
132 other motor vehicle. Temporary permits issued pursuant to
133 this section shall not be transferable or renewable, shall
134 not be valid upon issuance of proper registration plates for
135 the motor vehicle or trailer, and shall be returned to the
136 department or to the department's agent upon the issuance of
137 such proper registration plates. Any temporary permit
138 returned to the department or to the department's agent
139 shall be immediately destroyed. The provisions of this
140 subsection shall not apply to temporary permits issued for
141 commercial motor vehicles licensed in excess of twenty-four
142 thousand pounds gross weight. The director of the
143 department of revenue shall determine the size, material,
144 design, numbering configuration, construction, and color of
145 the permit. The director of the department of revenue, at
146 his or her discretion, shall have the authority to reissue,
147 and thereby extend the use of, a temporary permit previously
148 and legally issued for a motor vehicle or trailer while
149 proper title and registration are being obtained.

150 6. Every motor vehicle dealer that issues temporary
151 permits shall keep, for inspection by proper officers, an

152 accurate record of each permit issued by recording the
153 permit number, the motor vehicle dealer's number, buyer's
154 name and address, the motor vehicle's year, make, and
155 manufacturer's vehicle identification number, and the
156 permit's date of issuance and expiration date. Upon the
157 issuance of a temporary permit by either the central office
158 of the department of revenue, a motor vehicle dealer or an
159 authorized agent of the department of revenue, the director
160 of the department of revenue shall make the information
161 associated with the issued temporary permit immediately
162 available to the law enforcement community of the state of
163 Missouri.

164 7. Upon the transfer of ownership of any currently
165 registered motor vehicle wherein the owner cannot transfer
166 the license plates due to a change of motor vehicle
167 category, the owner may surrender the license plates issued
168 to the motor vehicle and receive credit for any unused
169 portion of the original registration fee against the
170 registration fee of another motor vehicle. Such credit
171 shall be granted based upon the date the license plates are
172 surrendered. No refunds shall be made on the unused portion
173 of any license plates surrendered for such credit.

174 8. An additional temporary license plate produced in a
175 manner and of materials determined by the director to be the
176 most cost-effective means of production with a configuration
177 that matches an existing or newly issued plate may be
178 purchased by a motor vehicle owner to be placed in the
179 interior of the vehicle's rear window such that the driver's
180 view out of the rear window is not obstructed and the plate
181 configuration is clearly visible from the outside of the
182 vehicle to serve as the visible plate when a bicycle rack or
183 other item obstructs the view of the actual plate. Such

184 temporary plate is only authorized for use when the matching
185 actual plate is affixed to the vehicle in the manner
186 prescribed in subsection 5 of section 301.130. The fee
187 charged for the temporary plate shall be equal to the fee
188 charged for a temporary permit issued under subsection 4 of
189 this section. Replacement temporary plates authorized in
190 this subsection may be issued as needed upon the payment of
191 a fee equal to the fee charged for a temporary permit under
192 subsection 4 of this section. The newly produced third
193 plate may only be used on the vehicle with the matching
194 plate, and the additional plate shall be clearly
195 recognizable as a third plate and only used for the purpose
196 specified in this subsection.

197 9. Notwithstanding the provisions of section 301.217,
198 the director may issue a temporary permit to an individual
199 who possesses a salvage motor vehicle which requires an
200 inspection under subsection 9 of section 301.190. The
201 operation of a salvage motor vehicle for which the permit
202 has been issued shall be limited to the most direct route
203 from the residence, maintenance, or storage facility of the
204 individual in possession of such motor vehicle to the
205 nearest authorized inspection facility and return to the
206 originating location. Notwithstanding any other
207 requirements for the issuance of a temporary permit under
208 this section, an individual obtaining a temporary permit for
209 the purpose of operating a motor vehicle to and from an
210 examination facility as prescribed in this subsection shall
211 also purchase the required motor vehicle examination form
212 which is required to be completed for an examination under
213 subsection 9 of section 301.190 and provide satisfactory
214 evidence that such vehicle has passed a motor vehicle safety
215 inspection for such vehicle as required in section 307.350.

216 10. The director of the department of revenue may
217 promulgate all necessary rules and regulations for the
218 administration of this section. Any rule or portion of a
219 rule, as that term is defined in section 536.010, that is
220 created under the authority delegated in this section shall
221 become effective only if it complies with and is subject to
222 all of the provisions of chapter 536 and, if applicable,
223 section 536.028. This section and chapter 536 are
224 nonseverable and if any of the powers vested with the
225 general assembly pursuant to chapter 536 to review, to delay
226 the effective date, or to disapprove and annul a rule are
227 subsequently held unconstitutional, then the grant of
228 rulemaking authority and any rule proposed or adopted after
229 August 28, 2012, shall be invalid and void.

230 11. The repeal and reenactment of this section shall
231 become effective on the date the department of revenue or a
232 producer authorized by the director of the department of
233 revenue begins producing temporary permits described in
234 subsection 4 of such section, or on July 1, 2013, whichever
235 occurs first. If the director of revenue or a producer
236 authorized by the director of the department of revenue
237 begins producing temporary permits prior to July 1, 2013,
238 the director of the department of revenue shall notify the
239 revisor of statutes of such fact.

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

3 (1) "Department", the department of revenue;

4 (2) "Director", the director of the department of
5 revenue;

6 (3) "Other authorized health care practitioner"
7 includes advanced practice registered nurses licensed
8 pursuant to chapter 335, physician assistants licensed

9 pursuant to chapter 334, chiropractors licensed pursuant to
10 chapter 331, podiatrists licensed pursuant to chapter 330,
11 assistant physicians, physical therapists licensed pursuant
12 to chapter 334, and optometrists licensed pursuant to
13 chapter 336;

14 (4) "Physically disabled", a natural person who is
15 blind, as defined in section 8.700, or a natural person with
16 medical disabilities which prohibits, limits, or severely
17 impairs one's ability to ambulate or walk, as determined by
18 a licensed physician or other authorized health care
19 practitioner as follows:

20 (a) The person cannot ambulate or walk fifty or less
21 feet without stopping to rest due to a severe and disabling
22 arthritic, neurological, orthopedic condition, or other
23 severe and disabling condition; or

24 (b) The person cannot ambulate or walk without the use
25 of, or assistance from, a brace, cane, crutch, another
26 person, prosthetic device, wheelchair, or other assistive
27 device; or

28 (c) Is restricted by a respiratory or other disease to
29 such an extent that the person's forced respiratory
30 expiratory volume for one second, when measured by
31 spirometry, is less than one liter, or the arterial oxygen
32 tension is less than sixty mm/hg on room air at rest; or

33 (d) Uses portable oxygen; or

34 (e) Has a cardiac condition to the extent that the
35 person's functional limitations are classified in severity
36 as class III or class IV according to standards set by the
37 American Heart Association; or

38 (f) A person's age, in and of itself, shall not be a
39 factor in determining whether such person is physically
40 disabled or is otherwise entitled to disabled license plates

41 and/or disabled windshield hanging placards within the
42 meaning of sections 301.141 to 301.143;

43 (5) "Physician", a person licensed to practice
44 medicine pursuant to chapter 334;

45 (6) "Physician's statement", a statement personally
46 signed by a duly authorized person which certifies that a
47 person is disabled as defined in this section;

48 (7) "Temporarily disabled person", a disabled person
49 as defined in this section whose disability or incapacity is
50 expected to last no more than one hundred eighty days;

51 (8) "Temporary windshield placard", a placard to be
52 issued to persons who are temporarily disabled persons as
53 defined in this section, certification of which shall be
54 indicated on the physician's statement;

55 (9) "Windshield placard", a placard to be issued to
56 persons who are physically disabled as defined in this
57 section, certification of which shall be indicated on the
58 physician's statement.

59 2. Other authorized health care practitioners may
60 furnish to a disabled or temporarily disabled person a
61 physician's statement for only those physical health care
62 conditions for which such health care practitioner is
63 legally authorized to diagnose and treat.

64 3. A physician's statement shall:

65 (1) Be on a form prescribed by the director of revenue;

66 (2) Set forth the specific diagnosis and medical
67 condition which renders the person physically disabled or
68 temporarily disabled as defined in this section;

69 (3) Include the physician's or other authorized health
70 care practitioner's license number; and

71 (4) Be personally signed by the issuing physician or
72 other authorized health care practitioner.

73 4. If it is the professional opinion of the physician
74 or other authorized health care practitioner issuing the
75 statement that the physical disability of the applicant,
76 user, or member of the applicant's household is permanent,
77 it shall be noted on the statement. Otherwise, the
78 physician or other authorized health care practitioner shall
79 note on the statement the anticipated length of the
80 disability which period may not exceed one hundred eighty
81 days. If the physician or health care practitioner fails to
82 record an expiration date on the physician's statement, the
83 director shall issue a temporary windshield placard for a
84 period of thirty days.

85 5. A physician or other authorized health care
86 practitioner who issues or signs a physician's statement so
87 that disabled plates or a disabled windshield placard may be
88 obtained shall maintain in such disabled person's medical
89 chart documentation that such a certificate has been issued,
90 the date the statement was signed, the diagnosis or
91 condition which existed that qualified the person as
92 disabled pursuant to this section and shall contain
93 sufficient documentation so as to objectively confirm that
94 such condition exists.

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

103 7. Owners of motor vehicles who are residents of the
104 state of Missouri, and who are physically disabled, owners

105 of motor vehicles operated at least fifty percent of the
106 time by a physically disabled person, or owners of motor
107 vehicles used to primarily transport physically disabled
108 members of the owner's household may obtain disabled person
109 license plates. Such owners, upon application, accompanied
110 by the documents and fees provided for in this section, a
111 current physician's statement which has been issued within
112 ninety days proceeding the date the application is made and
113 proof of compliance with the state motor vehicle laws
114 relating to registration and licensing of motor vehicles,
115 shall be issued motor vehicle license plates for vehicles,
116 other than commercial vehicles with a gross weight in excess
117 of twenty-four thousand pounds, upon which shall be
118 inscribed the international wheelchair accessibility symbol
119 and the word "DISABLED" in addition to a combination of
120 letters and numbers. Such license plates shall be made with
121 fully reflective material with a common color scheme and
122 design, shall be clearly visible at night, and shall be
123 aesthetically attractive, as prescribed by section 301.130.
124 If at any time an individual who obtained disabled license
125 plates issued under this subsection no longer occupies a
126 residence with a physically disabled person, or no longer
127 owns a vehicle that is operated at least fifty percent of
128 the time by a physically disabled person, such individual
129 shall surrender the disabled license plates to the
130 department within thirty days of becoming ineligible for
131 their use.

132 8. The director shall further issue, upon request, to
133 such applicant one, and for good cause shown, as the
134 director may define by rule and regulations, not more than
135 two, removable disabled windshield hanging placards for use
136 when the disabled person is occupying a vehicle or when a

137 vehicle not bearing the permanent handicap plate is being
138 used to pick up, deliver, or collect the physically disabled
139 person issued the disabled motor vehicle license plate or
140 disabled windshield hanging placard.

141 9. No additional fee shall be paid to the director for
142 the issuance of the special license plates provided in this
143 section, except for special personalized license plates and
144 other license plates described in this subsection. Priority
145 for any specific set of special license plates shall be
146 given to the applicant who received the number in the
147 immediately preceding license period subject to the
148 applicant's compliance with the provisions of this section
149 and any applicable rules or regulations issued by the
150 director. If determined feasible by the advisory committee
151 established in section 301.129, any special license plate
152 issued pursuant to this section may be adapted to also
153 include the international wheelchair accessibility symbol
154 and the word "DISABLED" as prescribed in this section and
155 such plate may be issued to any applicant who meets the
156 requirements of this section and the other appropriate
157 provision of this chapter, subject to the requirements and
158 fees of the appropriate provision of this chapter.

159 10. Any physically disabled person, or the parent or
160 guardian of any such person, or any not-for-profit group,
161 organization, or other entity which transports more than one
162 physically disabled person, may apply to the director of
163 revenue for a removable windshield placard. The placard may
164 be used in motor vehicles which do not bear the permanent
165 handicap symbol on the license plate. Such placards must be
166 hung from the front, middle rearview mirror of a parked
167 motor vehicle and may not be hung from the mirror during
168 operation. These placards may only be used during the

169 period of time when the vehicle is being used by a disabled
170 person, or when the vehicle is being used to pick up,
171 deliver, or collect a disabled person, and shall be
172 surrendered to the department, within thirty days, if a
173 group, organization, or entity that obtained the removable
174 windshield placard due to the transportation of more than
175 one physically disabled person no longer transports more
176 than one disabled person. When there is no rearview mirror,
177 the placard shall be displayed on the dashboard on the
178 driver's side.

179 11. The removable windshield placard shall conform to
180 the specifications, in respect to size, color, and content,
181 as set forth in federal regulations published by the
182 Department of Transportation. The removable windshield
183 placard shall be renewed every four years. The director may
184 stagger the expiration dates to equalize workload **or until**
185 **the time of motor vehicle registration renewal for the**
186 **convenience of the applicant.** Only one removable placard
187 may be issued to an applicant who has been issued disabled
188 person license plates. Upon request, one additional
189 windshield placard may be issued to an applicant who has not
190 been issued disabled person license plates.

191 12. A temporary windshield placard shall be issued to
192 any physically disabled person, or the parent or guardian of
193 any such person who otherwise qualifies except that the
194 physical disability, in the opinion of the physician, is not
195 expected to exceed a period of one hundred eighty days. The
196 temporary windshield placard shall conform to the
197 specifications, in respect to size, color, and content, as
198 set forth in federal regulations published by the Department
199 of Transportation. The fee for the temporary windshield
200 placard shall be two dollars. Upon request, and for good

201 cause shown, one additional temporary windshield placard may
202 be issued to an applicant. Temporary windshield placards
203 shall be issued upon presentation of the physician's
204 statement provided by this section and shall be displayed in
205 the same manner as removable windshield placards. A person
206 or entity shall be qualified to possess and display a
207 temporary removable windshield placard for six months and
208 the placard may be renewed once for an additional six months
209 if a physician's statement pursuant to this section is
210 supplied to the director of revenue at the time of renewal.

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

218 14. The placard shall be renewable only by the person
219 or entity to which the placard was originally issued. Any
220 placard issued pursuant to this section shall only be used
221 when the physically disabled occupant for whom the disabled
222 plate or placard was issued is in the motor vehicle at the
223 time of parking or when a physically disabled person is
224 being delivered or collected. A disabled license plate
225 and/or a removable windshield hanging placard are not
226 transferable and may not be used by any other person whether
227 disabled or not.

228 15. At the time the disabled plates or windshield
229 hanging placards are issued, the director shall issue a
230 registration certificate which shall include the applicant's
231 name, address, and other identifying information as
232 prescribed by the director, or if issued to an agency, such

233 agency's name and address. This certificate shall further
234 contain the disabled license plate number or, for windshield
235 hanging placards, the registration or identifying number
236 stamped on the placard. The validated registration receipt
237 given to the applicant shall serve as the registration
238 certificate.

239 16. The director shall, upon issuing any disabled
240 registration certificate for license plates and/or
241 windshield hanging placards, provide information which
242 explains that such plates or windshield hanging placards are
243 nontransferable, and the restrictions explaining who and
244 when a person or vehicle which bears or has the disabled
245 plates or windshield hanging placards may be used or be
246 parked in a disabled reserved parking space, and the
247 penalties prescribed for violations of the provisions of
248 this act.

249 17. Every new applicant for a disabled license plate
250 or placard shall be required to present a new physician's
251 statement dated no more than ninety days prior to such
252 application. Renewal applicants will be required to submit
253 a physician's statement dated no more than ninety days prior
254 to such application upon their first renewal occurring on or
255 after August 1, 2005. Upon completing subsequent renewal
256 applications, a physician's statement dated no more than
257 ninety days prior to such application shall be required
258 every eighth year. Such physician's statement shall state
259 the expiration date for the temporary windshield placard.
260 If the physician fails to record an expiration date on the
261 physician's statement, the director shall issue the
262 temporary windshield placard for a period of thirty days.
263 The director may stagger the requirement of a physician's

264 statement on all renewals for the initial implementation of
265 an eight-year period.

266 18. The director of revenue upon receiving a
267 physician's statement pursuant to this subsection shall
268 check with the state board of registration for the healing
269 arts created in section 334.120, or the Missouri state board
270 of nursing established in section 335.021, with respect to
271 physician's statements signed by advanced practice
272 registered nurses, or the Missouri state board of
273 chiropractic examiners established in section 331.090, with
274 respect to physician's statements signed by licensed
275 chiropractors, or with the board of optometry established in
276 section 336.130, with respect to physician's statements
277 signed by licensed optometrists, or the state board of
278 podiatric medicine created in section 330.100, with respect
279 to physician's statements signed by physicians of the foot
280 or podiatrists to determine whether the physician is duly
281 licensed and registered pursuant to law. If such applicant
282 obtaining a disabled license plate or placard presents proof
283 of disability in the form of a statement from the United
284 States Veterans' Administration verifying that the person is
285 permanently disabled, the applicant shall be exempt from the
286 eight-year certification requirement of this subsection for
287 renewal of the plate or placard. Initial applications shall
288 be accompanied by the physician's statement required by this
289 section. Notwithstanding the provisions of paragraph (f) of
290 subdivision (4) of subsection 1 of this section, any person
291 seventy-five years of age or older who provided the
292 physician's statement with the original application shall
293 not be required to provide a physician's statement for the
294 purpose of renewal of disabled persons license plates or
295 windshield placards.

296 19. The boards shall cooperate with the director and
297 shall supply information requested pursuant to this
298 subsection. The director shall, in cooperation with the
299 boards which shall assist the director, establish a list of
300 all Missouri physicians and other authorized health care
301 practitioners and of any other information necessary to
302 administer this section.

303 20. Where the owner's application is based on the fact
304 that the vehicle is used at least fifty percent of the time
305 by a physically disabled person, the applicant shall submit
306 a statement stating this fact, in addition to the
307 physician's statement. The statement shall be signed by
308 both the owner of the vehicle and the physically disabled
309 person. The applicant shall be required to submit this
310 statement with each application for license plates. No
311 person shall willingly or knowingly submit a false statement
312 and any such false statement shall be considered perjury and
313 may be punishable pursuant to section 301.420.

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

318 22. The director of revenue shall enter into
319 reciprocity agreements with other states or the federal
320 government for the purpose of recognizing disabled person
321 license plates or windshield placards issued to physically
322 disabled persons.

323 23. When a person to whom disabled person license
324 plates or a removable or temporary windshield placard or
325 both have been issued dies, the personal representative of
326 the decedent or such other person who may come into or
327 otherwise take possession of the disabled license plates or

328 disabled windshield placard shall return the same to the
329 director of revenue under penalty of law. Failure to return
330 such plates or placards shall constitute a class B
331 misdemeanor.

332 24. The director of revenue may order any person
333 issued disabled person license plates or windshield placards
334 to submit to an examination by a chiropractor, osteopath, or
335 physician, or to such other investigation as will determine
336 whether such person qualifies for the special plates or
337 placards.

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

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

349 27. Fraudulent application, renewal, issuance,
350 procurement or use of disabled person license plates or
351 windshield placards shall be a class A misdemeanor. It is a
352 class B misdemeanor for a physician, chiropractor,
353 podiatrist or optometrist to certify that an individual or
354 family member is qualified for a license plate or windshield
355 placard based on a disability, the diagnosis of which is
356 outside their scope of practice or if there is no basis for
357 the diagnosis.

301.147. 1. Notwithstanding the provisions of section
2 301.020 to the contrary, beginning July 1, 2000, the

3 director of revenue may provide owners of motor vehicles,
4 other than commercial motor vehicles licensed in excess of
5 fifty-four thousand pounds gross weight, the option of
6 biennially registering motor vehicles. [Any vehicle
7 manufactured as an even-numbered model year vehicle shall be
8 renewed each even-numbered calendar year and any such
9 vehicle manufactured as an odd-numbered model year vehicle
10 shall be renewed each odd-numbered calendar year, subject to
11 the following requirements:]

12 (1) The fee collected at the time of biennial
13 registration shall include the annual registration fee plus
14 a pro rata amount for the additional [twelve] months of the
15 biennial registration;

16 (2) Presentation of all documentation otherwise
17 required by law for vehicle registration including, but not
18 limited to, a personal property tax receipt or certified
19 statement for the preceding year that no such taxes were due
20 as set forth in section 301.025, proof of a motor vehicle
21 safety inspection and any applicable emission inspection
22 conducted within sixty days prior to the date of application
23 and proof of insurance as required by section 303.026.

24 2. The director of revenue may prescribe rules and
25 regulations for the effective administration of this
26 section. The director is authorized to adopt those rules
27 that are reasonable and necessary to accomplish the limited
28 duties specifically delegated within this section. Any rule
29 or portion of a rule, as that term is defined in section
30 536.010, that is promulgated pursuant to the authority
31 delegated in this section shall become effective only if it
32 has been promulgated pursuant to the provisions of chapter
33 536. This section and chapter 536 are nonseverable and if
34 any of the powers vested with the general assembly pursuant

35 to chapter 536 to review, to delay the effective date or to
36 disapprove and annul a rule are subsequently held
37 unconstitutional, then the grant of rulemaking authority and
38 any rule proposed or adopted after July 1, 2000, shall be
39 invalid and void.

40 3. The director of revenue shall have the authority to
41 stagger the registration period of motor vehicles, other
42 than commercial motor vehicles licensed in excess of twelve
43 thousand pounds gross weight, **to equalize workload or for**
44 **the convenience of registration applicants.** Once the owner
45 of a motor vehicle chooses the option of biennial
46 registration, such registration must be maintained for the
47 full twenty-four month period.

301.560. 1. In addition to the application forms
2 prescribed by the department, each applicant shall submit
3 the following to the department:

4 (1) Every application other than a renewal application
5 for a motor vehicle franchise dealer shall include a
6 certification that the applicant has a bona fide established
7 place of business. Such application shall include an annual
8 certification that the applicant has a bona fide established
9 place of business for the first three years and only for
10 every other year thereafter. The certification shall be
11 performed by a uniformed member of the Missouri state
12 highway patrol or authorized or designated employee
13 stationed in the troop area in which the applicant's place
14 of business is located; except that in counties of the first
15 classification, certification may be performed by an officer
16 of a metropolitan police department when the applicant's
17 established place of business of distributing or selling
18 motor vehicles or trailers is in the metropolitan area where
19 the certifying metropolitan police officer is employed.

20 When the application is being made for licensure as a boat
21 manufacturer or boat dealer, certification shall be
22 performed by a uniformed member of the Missouri state
23 highway patrol or authorized or designated employee
24 stationed in the troop area in which the applicant's place
25 of business is located or, if the applicant's place of
26 business is located within the jurisdiction of a
27 metropolitan police department in a first class county, by
28 an officer of such metropolitan police department. A bona
29 fide established place of business for any new motor vehicle
30 franchise dealer, used motor vehicle dealer, boat dealer,
31 powersport dealer, wholesale motor vehicle dealer, trailer
32 dealer, or wholesale or public auction shall be a permanent
33 enclosed building or structure, either owned in fee or
34 leased and actually occupied as a place of business by the
35 applicant for the selling, bartering, trading, servicing, or
36 exchanging of motor vehicles, boats, personal watercraft, or
37 trailers and wherein the public may contact the owner or
38 operator at any reasonable time, and wherein shall be kept
39 and maintained the books, records, files and other matters
40 required and necessary to conduct the business. The
41 applicant shall maintain a working telephone number during
42 the entire registration year which will allow the public,
43 the department, and law enforcement to contact the applicant
44 during regular business hours. The applicant shall also
45 maintain an email address during the entire registration
46 year which may be used for official correspondence with the
47 department. In order to qualify as a bona fide established
48 place of business for all applicants licensed pursuant to
49 this section there shall be an exterior sign displayed
50 carrying the name of the business set forth in letters at
51 least six inches in height and clearly visible to the public

52 and there shall be an area or lot which shall not be a
53 public street on which multiple vehicles, boats, personal
54 watercraft, or trailers may be displayed. The sign shall
55 contain the name of the dealership by which it is known to
56 the public through advertising or otherwise, which need not
57 be identical to the name appearing on the dealership's
58 license so long as such name is registered as a fictitious
59 name with the secretary of state, has been approved by its
60 line-make manufacturer in writing in the case of a new motor
61 vehicle franchise dealer and a copy of such fictitious name
62 registration has been provided to the department. Dealers
63 who sell only emergency vehicles as defined in section
64 301.550 are exempt from maintaining a bona fide place of
65 business, including the related law enforcement
66 certification requirements, and from meeting the minimum
67 yearly sales;

68 (2) The initial application for licensure shall
69 include a photograph, not to exceed eight inches by ten
70 inches but no less than five inches by seven inches, showing
71 the business building, lot, and sign. A new motor vehicle
72 franchise dealer applicant who has purchased a currently
73 licensed new motor vehicle franchised dealership shall be
74 allowed to submit a photograph of the existing dealership
75 building, lot and sign but shall be required to submit a new
76 photograph upon the installation of the new dealership sign
77 as required by sections 301.550 to 301.580. Applicants
78 shall not be required to submit a photograph annually unless
79 the business has moved from its previously licensed
80 location, or unless the name of the business or address has
81 changed, or unless the class of business has changed;

82 (3) Every applicant as a new motor vehicle franchise
83 dealer, a used motor vehicle dealer, a powersport dealer, a

84 wholesale motor vehicle dealer, trailer dealer, or boat
85 dealer shall furnish with the application a corporate surety
86 bond or an irrevocable letter of credit as defined in
87 section 400.5-102, issued by any state or federal financial
88 institution in the penal sum of fifty thousand dollars on a
89 form approved by the department. The bond or irrevocable
90 letter of credit shall be conditioned upon the dealer
91 complying with the provisions of the statutes applicable to
92 new motor vehicle franchise dealers, used motor vehicle
93 dealers, powersport dealers, wholesale motor vehicle
94 dealers, trailer dealers, and boat dealers, and the bond
95 shall be an indemnity for any loss sustained by reason of
96 the acts of the person bonded when such acts constitute
97 grounds for the suspension or revocation of the dealer's
98 license. The bond shall be executed in the name of the
99 state of Missouri for the benefit of all aggrieved parties
100 or the irrevocable letter of credit shall name the state of
101 Missouri as the beneficiary; except, that the aggregate
102 liability of the surety or financial institution to the
103 aggrieved parties shall, in no event, exceed the amount of
104 the bond or irrevocable letter of credit. Additionally,
105 every applicant as a new motor vehicle franchise dealer, a
106 used motor vehicle dealer, a powersport dealer, a wholesale
107 motor vehicle dealer, or boat dealer shall furnish with the
108 application a copy of a current dealer garage policy bearing
109 the policy number and name of the insurer and the insured.
110 The proceeds of the bond or irrevocable letter of credit
111 furnished by an applicant shall be paid upon receipt by the
112 department of a final judgment from a Missouri court of
113 competent jurisdiction against the principal and in favor of
114 an aggrieved party. The proceeds of the bond or irrevocable
115 letter of credit furnished by an applicant shall be paid at

116 the order of the department and in the amount determined by
117 the department to any buyer or interested lienholder up to
118 the greater of the amount required for the release of the
119 purchase money lien or the sales price paid by the buyer
120 where a dealer has failed to fulfill the dealer's
121 obligations under an agreement to assign and deliver title
122 to the buyer within thirty days under a contract entered
123 into pursuant to subsection 5 of section 301.210. The
124 department shall direct release of the bond or irrevocable
125 letter of credit proceeds upon presentation of a written
126 agreement entered into pursuant to subsection 5 of section
127 301.210, copies of the associated sales and finance
128 documents, and the affidavit or affidavits of the buyer or
129 lienholder stating that the certificate of title with
130 assignment thereof has not been passed to the buyer within
131 thirty days of the date of the contract entered into under
132 subsection 5 of section 301.210, that the dealer has not
133 fulfilled the agreement under the contract to repurchase the
134 vehicle, that the buyer or the lienholder has notified the
135 dealer of the claim on the bond or letter of credit, and the
136 amount claimed by the purchaser or lienholder. In addition,
137 prior to directing release and payment of the proceeds of a
138 bond or irrevocable letter of credit, the department shall
139 ensure that there is satisfactory evidence to establish that
140 the vehicle which is subject to the written agreement has
141 been returned by the buyer to the dealer or that the buyer
142 has represented to the department that the buyer will
143 surrender possession of the vehicle to the dealer upon
144 payment of the proceeds of the bond or letter of credit
145 directed by the department. Excepting ordinary wear and
146 tear or mechanical failures not caused by the buyer, the
147 amount of proceeds to be paid to the buyer under the bond or

148 irrevocable letter of credit shall be reduced by an amount
149 equivalent to any damage, abuse, or destruction incurred by
150 the vehicle while the vehicle was in the buyer's possession
151 as agreed between the buyer and the dealer. The dealer may
152 apply to a court of competent jurisdiction to contest the
153 claim on the bond or letter of credit, including the amount
154 of the claim and the amount of any adjustment for any
155 damage, abuse, or destruction, by filing a petition with the
156 court within thirty days of the notification by the buyer or
157 lienholder. If the dealer does not fulfill the agreement or
158 file a petition to request judicial relief from the terms of
159 the agreement or contest the amount of the claim, the bond
160 or letter of credit shall be released by the department and
161 directed paid in the amount or amounts presented by the
162 lienholder or buyer;

163 (4) Payment of all necessary license fees as
164 established by the department. In establishing the amount
165 of the annual license fees, the department shall, as near as
166 possible, produce sufficient total income to offset
167 operational expenses of the department relating to the
168 administration of sections 301.550 to 301.580. All fees
169 payable pursuant to the provisions of sections 301.550 to
170 301.580[, other than those fees collected for the issuance
171 of dealer plates or certificates of number collected
172 pursuant to subsection 6 of this section,] shall be
173 collected by the department for deposit in the state
174 treasury to the credit of the "Motor Vehicle Commission
175 Fund", which is hereby created. The motor vehicle
176 commission fund shall be administered by the Missouri
177 department of revenue. The provisions of section 33.080 to
178 the contrary notwithstanding, money in such fund shall not
179 be transferred and placed to the credit of the general

180 revenue fund until the amount in the motor vehicle
181 commission fund at the end of the biennium exceeds two times
182 the amount of the appropriation from such fund for the
183 preceding fiscal year or, if the department requires permit
184 renewal less frequently than yearly, then three times the
185 appropriation from such fund for the preceding fiscal year.
186 The amount, if any, in the fund which shall lapse is that
187 amount in the fund which exceeds the multiple of the
188 appropriation from such fund for the preceding fiscal year.

189 2. In the event a new vehicle manufacturer, boat
190 manufacturer, motor vehicle dealer, wholesale motor vehicle
191 dealer, boat dealer, powersport dealer, wholesale motor
192 vehicle auction, trailer dealer, or a public motor vehicle
193 auction submits an application for a license for a new
194 business and the applicant has complied with all the
195 provisions of this section, the department shall make a
196 decision to grant or deny the license to the applicant
197 within eight working hours after receipt of the dealer's
198 application, notwithstanding any rule of the department.

199 3. Except as otherwise provided in subsection 6 of
200 this section, upon the initial issuance of a license by the
201 department, the department shall assign a distinctive dealer
202 license number or certificate of number to the applicant and
203 the department shall issue one number plate or certificate
204 bearing the distinctive dealer license number or certificate
205 of number and two additional number plates or certificates
206 of number within eight working hours after presentment of
207 the application and payment by the applicant of a fee of
208 fifty dollars for the first plate or certificate and ten
209 dollars and fifty cents for each additional plate or
210 certificate. Upon renewal, the department shall issue [the
211 distinctive dealer license number or certificate of number]

212 **a renewal tab to be placed on the lower right corner of the**
 213 **plate or certificate** as quickly as possible. **The fee for**
 214 **the tabs shall be twenty-five dollars for the first tab and**
 215 **six dollars for each additional tab.** The issuance of such
 216 distinctive dealer license number or certificate of number,
 217 **and tab or tabs,** shall be in lieu of registering each motor
 218 vehicle, trailer, vessel or vessel trailer dealt with by a
 219 boat dealer, boat manufacturer, manufacturer, public motor
 220 vehicle auction, wholesale motor vehicle dealer, wholesale
 221 motor vehicle auction or new or used motor vehicle dealer.
 222 The license plates described in this section shall be made
 223 with fully reflective material with a common color scheme
 224 and design, shall be clearly visible at night, and shall be
 225 aesthetically attractive, as prescribed by section 301.130.

226 4. Notwithstanding any other provision of the law to
 227 the contrary, the department shall assign the following
 228 distinctive dealer license numbers to:

229	New motor vehicle franchise	D-0 through D-999
230	dealers	
231	New powersport dealers	D-1000 through D-
232		1999
233	Used motor vehicle and used	D-2000 through D-
234	powersport dealers	9999
235	Wholesale motor vehicle	W-0 through W-1999
236	dealers	
237	Wholesale motor vehicle	WA-0 through WA-999
238	auctions	
239	New and used trailer dealers	T-0 through T-9999
240		

241	Motor vehicle, trailer, and	DM-0 through DM-999
242	boat manufacturers	
243	Public motor vehicle auctions	A-0 through A-1999
244		
245	Boat dealers	M-0 through M-9999
246		
247	New and used recreational	RV-0 through RV-999
248	motor vehicle dealers	

249 For purposes of this subsection, qualified transactions
 250 shall include the purchase of salvage titled vehicles by a
 251 licensed salvage dealer. A used motor vehicle dealer who
 252 also holds a salvage dealer's license shall be allowed one
 253 additional plate or certificate number per fifty-unit
 254 qualified transactions annually. In order for salvage
 255 dealers to obtain number plates or certificates under this
 256 section, dealers shall submit to the department of revenue
 257 on August first of each year a statement certifying, under
 258 penalty of perjury, the dealer's number of purchases during
 259 the reporting period of July first of the immediately
 260 preceding year to June thirtieth of the present year. The
 261 provisions of this subsection shall become effective on the
 262 date the director of the department of revenue begins to
 263 reissue new license plates under section 301.130, or on
 264 December 1, 2008, whichever occurs first. If the director
 265 of revenue begins reissuing new license plates under the
 266 authority granted under section 301.130 prior to December 1,
 267 2008, the director of the department of revenue shall notify
 268 the revisor of statutes of such fact.

269 5. Upon the sale of a currently licensed motor vehicle
 270 dealership the department shall, upon request, authorize the
 271 new approved dealer applicant to retain the selling dealer's

272 license number and shall cause the new dealer's records to
273 indicate such transfer. If the new approved dealer
274 applicant elects not to retain the selling dealer's license
275 number, the department shall issue the new dealer applicant
276 a new dealer's license number and an equal number of plates
277 or certificates as the department had issued to the selling
278 dealer.

279 6. In the case of motor vehicle dealers, the
280 department shall issue one number plate bearing the
281 distinctive dealer license number and may issue one
282 additional number plate to the applicant upon payment by the
283 dealer of a fifty dollar fee for the number plate bearing
284 the distinctive dealer license number and ten dollars and
285 fifty cents for the additional number plate. The department
286 may issue a third plate to the motor vehicle dealer upon
287 completion of the dealer's fifteenth qualified transaction
288 and payment of a fee of ten dollars and fifty cents. In the
289 case of new motor vehicle manufacturers, powersport dealers,
290 recreational motor vehicle dealers, and trailer dealers, the
291 department shall issue one number plate bearing the
292 distinctive dealer license number and may issue two
293 additional number plates to the applicant upon payment by
294 the manufacturer or dealer of a fifty dollar fee for the
295 number plate bearing the distinctive dealer license number
296 and ten dollars and fifty cents for each additional number
297 plate. Boat dealers and boat manufacturers shall be
298 entitled to one certificate of number bearing such number
299 upon the payment of a fifty dollar fee. Additional number
300 plates and as many additional certificates of number may be
301 obtained upon payment of a fee of ten dollars and fifty
302 cents for each additional plate or certificate. New motor
303 vehicle manufacturers shall not be issued or possess more

304 than three hundred forty-seven additional number plates or
305 certificates of number annually. New and used motor vehicle
306 dealers, powersport dealers, wholesale motor vehicle
307 dealers, boat dealers, and trailer dealers are limited to
308 one additional plate or certificate of number per ten-unit
309 qualified transactions annually. New and used recreational
310 motor vehicle dealers are limited to two additional plates
311 or certificate of number per ten-unit qualified transactions
312 annually for their first fifty transactions and one
313 additional plate or certificate of number per ten-unit
314 qualified transactions thereafter. An applicant seeking the
315 issuance of an initial license shall indicate on his or her
316 initial application the applicant's proposed annual number
317 of sales in order for the director to issue the appropriate
318 number of additional plates or certificates of number. A
319 motor vehicle dealer, trailer dealer, boat dealer,
320 powersport dealer, recreational motor vehicle dealer, motor
321 vehicle manufacturer, boat manufacturer, or wholesale motor
322 vehicle dealer obtaining a distinctive dealer license plate
323 or certificate of number or additional license plate or
324 additional certificate of number, throughout the calendar
325 year, shall be required to pay a fee for such license plates
326 or certificates of number computed on the basis of one-
327 twelfth of the full fee prescribed for the original and
328 duplicate number plates or certificates of number for such
329 dealers' licenses, multiplied by the number of months
330 remaining in the licensing period for which the dealer or
331 manufacturers shall be required to be licensed. In the
332 event of a renewing dealer, the fee due at the time of
333 renewal shall not be prorated. Wholesale and public
334 auctions shall be issued a certificate of dealer
335 registration in lieu of a dealer number plate. In order for

336 dealers to obtain number plates or certificates under this
337 section, dealers shall submit to the department of revenue
338 on August first of each year a statement certifying, under
339 penalty of perjury, the dealer's number of sales during the
340 reporting period of July first of the immediately preceding
341 year to June thirtieth of the present year.

342 7. The plates issued pursuant to subsection 3 or 6 of
343 this section may be displayed on any motor vehicle owned by
344 a new motor vehicle manufacturer. The plates issued
345 pursuant to subsection 3 or 6 of this section may be
346 displayed on any motor vehicle or trailer owned and held for
347 resale by a motor vehicle dealer for use by a customer who
348 is test driving the motor vehicle, for use by any customer
349 while the customer's vehicle is being serviced or repaired
350 by the motor vehicle dealer, for use and display purposes
351 during, but not limited to, parades, private events,
352 charitable events, or for use by an employee or officer, but
353 shall not be displayed on any motor vehicle or trailer hired
354 or loaned to others or upon any regularly used service or
355 wrecker vehicle. Motor vehicle dealers may display their
356 dealer plates on a tractor, truck or trailer to demonstrate
357 a vehicle under a loaded condition. Trailer dealers may
358 display their dealer license plates in like manner, except
359 such plates may only be displayed on trailers owned and held
360 for resale by the trailer dealer.

361 8. The certificates of number issued pursuant to
362 subsection 3 or 6 of this section may be displayed on any
363 vessel or vessel trailer owned and held for resale by a boat
364 manufacturer or a boat dealer, and used by a customer who is
365 test driving the vessel or vessel trailer, or is used by an
366 employee or officer on a vessel or vessel trailer only, but
367 shall not be displayed on any motor vehicle owned by a boat

368 manufacturer, boat dealer, or trailer dealer, or vessel or
369 vessel trailer hired or loaned to others or upon any
370 regularly used service vessel or vessel trailer. Boat
371 dealers and boat manufacturers may display their certificate
372 of number on a vessel or vessel trailer when transporting a
373 vessel or vessels to an exhibit or show.

374 9. If any law enforcement officer has probable cause
375 to believe that any license plate or certificate of number
376 issued under subsection 3 or 6 of this section is being
377 misused in violation of subsection 7 or 8 of this section,
378 the license plate or certificate of number may be seized and
379 surrendered to the department.

380 10. (1) Every application for the issuance of a used
381 motor vehicle dealer's license shall be accompanied by proof
382 that the applicant, within the last twelve months, has
383 completed an educational seminar course approved by the
384 department as prescribed by subdivision (2) of this
385 subsection. Wholesale and public auto auctions and
386 applicants currently holding a new or used license for a
387 separate dealership shall be exempt from the requirements of
388 this subsection. The provisions of this subsection shall
389 not apply to current new motor vehicle franchise dealers or
390 motor vehicle leasing agencies or applicants for a new motor
391 vehicle franchise or a motor vehicle leasing agency. The
392 provisions of this subsection shall not apply to used motor
393 vehicle dealers who were licensed prior to August 28, 2006.

394 (2) The educational seminar shall include, but is not
395 limited to, the dealer requirements of sections 301.550 to
396 301.580, the rules promulgated to implement, enforce, and
397 administer sections 301.550 to 301.580, and any other rules
398 and regulations promulgated by the department.

307.350. 1. The owner of every motor vehicle as
2 defined in section 301.010 which is required to be
3 registered in this state, except:

4 (1) Motor vehicles having less than one hundred fifty
5 thousand miles, for the ten-year period following their
6 model year of manufacture, excluding prior salvage vehicles
7 immediately following a rebuilding process and vehicles
8 subject to the provisions of section 307.380;

9 (2) Those motor vehicles which are engaged in
10 interstate commerce and are proportionately registered in
11 this state with the Missouri highway reciprocity commission,
12 although the owner may request that such vehicle be
13 inspected by an official inspection station, and a peace
14 officer may stop and inspect such vehicles to determine
15 whether the mechanical condition is in compliance with the
16 safety regulations established by the United States
17 Department of Transportation; and

18 (3) Historic motor vehicles registered pursuant to
19 section 301.131;

20 (4) Vehicles registered in excess of twenty-four
21 thousand pounds for a period of less than twelve months;

22 shall submit such vehicles to a biennial inspection of their
23 mechanism and equipment in accordance with the provisions of
24 sections 307.350 to 307.390 and obtain a certificate of
25 inspection and approval and a sticker, seal, or other device
26 from a duly authorized official inspection station. The
27 inspection, except the inspection of school buses which
28 shall be made at the time provided in section 307.375, shall
29 be made at the time prescribed in the rules and regulations
30 issued by the superintendent of the Missouri state highway
31 patrol; but the inspection of a vehicle shall not be made

32 more than sixty days prior to the date of application for
33 registration or within sixty days of when a vehicle's
34 registration is transferred; however, if a vehicle was
35 purchased from a motor vehicle dealer and a valid inspection
36 had been made within sixty days of the purchase date, the
37 new owner shall be able to utilize an inspection performed
38 within ninety days prior to the application for registration
39 or transfer. [Any vehicle manufactured as an even-numbered
40 model year vehicle shall be inspected and approved pursuant
41 to the safety inspection program established pursuant to
42 sections 307.350 to 307.390 in each even-numbered calendar
43 year and any such vehicle manufactured as an odd-numbered
44 model year vehicle shall be inspected and approved pursuant
45 to sections 307.350 to 307.390 in each odd-numbered year.]

46 The certificate of inspection and approval shall be a
47 sticker, seal, or other device or combination thereof, as
48 the superintendent of the Missouri state highway patrol
49 prescribes by regulation and shall be displayed upon the
50 motor vehicle or trailer as prescribed by the regulations
51 established by him. The replacement of certificates of
52 inspection and approval which are lost or destroyed shall be
53 made by the superintendent of the Missouri state highway
54 patrol under regulations prescribed by him.

55 2. For the purpose of obtaining an inspection only, it
56 shall be lawful to operate a vehicle over the most direct
57 route between the owner's usual place of residence and an
58 inspection station of such owner's choice, notwithstanding
59 the fact that the vehicle does not have a current state
60 registration license. It shall also be lawful to operate
61 such a vehicle from an inspection station to another place
62 where repairs may be made and to return the vehicle to the

63 inspection station notwithstanding the absence of a current
64 state registration license.

65 3. No person whose motor vehicle was duly inspected
66 and approved as provided in this section shall be required
67 to have the same motor vehicle again inspected and approved
68 for the sole reason that such person wishes to obtain a set
69 of any special personalized license plates available
70 pursuant to section 301.144 or a set of any license plates
71 available pursuant to section 301.142, prior to the
72 expiration date of such motor vehicle's current registration.

73 4. **Notwithstanding any provision of law to the**
74 **contrary, a valid safety inspection shall be required for**
75 **all registration issuances and renewals of a motor vehicle**
76 **subject to safety inspection under this section.**

77 5. Notwithstanding the provisions of section 307.390,
78 violation of this section shall be deemed an infraction.

643.315. 1. Except as provided in sections 643.300 to
2 643.355, all motor vehicles which are domiciled, registered
3 or primarily operated in an area for which the commission
4 has established a motor vehicle emissions inspection program
5 pursuant to sections 643.300 to 643.355 shall be inspected
6 and approved prior to sale or transfer; provided that, if
7 such vehicle is inspected and approved prior to sale or
8 transfer, such vehicle shall not be subject to another
9 emissions inspection for ninety days after the date of sale
10 or transfer of such vehicle. [In addition, any such vehicle
11 manufactured as an even-numbered model year vehicle shall be
12 inspected and approved under the emissions inspection
13 program established pursuant to sections 643.300 to 643.355
14 in each even-numbered calendar year and any such vehicle
15 manufactured as an odd-numbered model year vehicle shall be
16 inspected and approved under the emissions inspection

17 program established pursuant to sections 643.300 to 643.355
18 in each odd-numbered calendar year.] All motor vehicles
19 subject to the inspection requirements of sections 643.300
20 to 643.355 shall display a valid emissions inspection
21 sticker, and when applicable, a valid emissions inspection
22 certificate shall be presented at the time of registration
23 or registration renewal of such motor vehicle. The
24 department of revenue shall require evidence of the safety
25 and emission inspection and approval required by this
26 section in issuing the motor vehicle [annual] registration
27 in conformity with the procedure required by sections
28 307.350 to 307.390 and sections 643.300 to 643.355. The
29 director of revenue may verify that a successful safety and
30 emissions inspection was completed via electronic means.

31 2. The inspection requirement of subsection 1 of this
32 section shall apply to all motor vehicles except:

33 (1) Motor vehicles with a manufacturer's gross vehicle
34 weight rating in excess of eight thousand five hundred
35 pounds;

36 (2) Motorcycles and motortricycles if such vehicles
37 are exempted from the motor vehicle emissions inspection
38 under federal regulation and approved by the commission by
39 rule;

40 (3) Model year vehicles manufactured prior to 1996;

41 (4) Vehicles which are powered exclusively by electric
42 or hydrogen power or by fuels other than gasoline which are
43 exempted from the motor vehicle emissions inspection under
44 federal regulation and approved by the commission by rule;

45 (5) Motor vehicles registered in an area subject to
46 the inspection requirements of sections 643.300 to 643.355
47 which are domiciled and operated exclusively in an area of
48 the state not subject to the inspection requirements of

49 sections 643.300 to 643.355, but only if the owner of such
50 vehicle presents to the department an affidavit that the
51 vehicle will be operated exclusively in an area of the state
52 not subject to the inspection requirements of sections
53 643.300 to 643.355 for the next twenty-four months, and the
54 owner applies for and receives a waiver which shall be
55 presented at the time of registration or registration
56 renewal;

57 (6) New and unused motor vehicles, of model years of
58 the current calendar year and of any calendar year within
59 two years of such calendar year, which have an odometer
60 reading of less than six thousand miles at the time of
61 original sale by a motor vehicle manufacturer or licensed
62 motor vehicle dealer to the first user;

63 (7) Historic motor vehicles registered pursuant to
64 section 301.131;

65 (8) School buses;

66 (9) Heavy-duty diesel-powered vehicles with a gross
67 vehicle weight rating in excess of eight thousand five
68 hundred pounds;

69 (10) New motor vehicles that have not been previously
70 titled and registered, for the four-year period following
71 their model year of manufacture, provided the odometer
72 reading for such motor vehicles are under forty thousand
73 miles at their first required biennial safety inspection
74 conducted under sections 307.350 to 307.390; otherwise such
75 motor vehicles shall be subject to the emissions inspection
76 requirements of subsection 1 of this section during the same
77 period that the biennial safety inspection is conducted;

78 (11) Motor vehicles that are driven fewer than twelve
79 thousand miles between biennial safety inspections; and

80 (12) Qualified plug-in electric drive vehicles. For
81 the purposes of this section, "qualified plug-in electric
82 drive vehicle" shall mean a plug-in electric drive vehicle
83 that is made by a manufacturer, has not been modified from
84 original manufacturer specifications, and can operate solely
85 on electric power and is capable of recharging its battery
86 from an on-board generation source and an off-board
87 electricity source.

88 3. The commission may, by rule, allow inspection
89 reciprocity with other states having equivalent or more
90 stringent testing and waiver requirements than those
91 established pursuant to sections 643.300 to 643.355.

92 4. (1) At the time of sale, a licensed motor vehicle
93 dealer, as defined in section 301.550, may choose to sell a
94 motor vehicle subject to the inspection requirements of
95 sections 643.300 to 643.355 either:

96 (a) With prior inspection and approval as provided in
97 subdivision (2) of this subsection; or

98 (b) Without prior inspection and approval as provided
99 in subdivision (3) of this subsection.

100 (2) If the dealer chooses to sell the vehicle with
101 prior inspection and approval, the dealer shall disclose, in
102 writing, prior to sale, whether the vehicle obtained
103 approval by meeting the emissions standards established
104 pursuant to sections 643.300 to 643.355 or by obtaining a
105 waiver pursuant to section 643.335. A vehicle sold pursuant
106 to this subdivision by a licensed motor vehicle dealer shall
107 be inspected and approved within the one hundred twenty days
108 immediately preceding the date of sale, and, for the purpose
109 of registration of such vehicle, such inspection shall be
110 considered timely.

111 (3) If the dealer chooses to sell the vehicle without
112 prior inspection and approval, the purchaser may return the
113 vehicle within ten days of the date of purchase, provided
114 that the vehicle has no more than one thousand additional
115 miles since the time of sale, if the vehicle fails, upon
116 inspection, to meet the emissions standards specified by the
117 commission and the dealer shall have the vehicle inspected
118 and approved without the option for a waiver of the
119 emissions standard and return the vehicle to the purchaser
120 with a valid emissions certificate and sticker within five
121 working days or the purchaser and dealer may enter into any
122 other mutually acceptable agreement. If the dealer chooses
123 to sell the vehicle without prior inspection and approval,
124 the dealer shall disclose conspicuously on the sales
125 contract and bill of sale that the purchaser has the option
126 to return the vehicle within ten days, provided that the
127 vehicle has no more than one thousand additional miles since
128 the time of sale, to have the dealer repair the vehicle and
129 provide an emissions certificate and sticker within five
130 working days if the vehicle fails, upon inspection, to meet
131 the emissions standards established by the commission, or
132 enter into any mutually acceptable agreement with the
133 dealer. A violation of this subdivision shall be an
134 unlawful practice as defined in section 407.020. No
135 emissions inspection shall be required pursuant to sections
136 643.300 to 643.360 for the sale of any motor vehicle which
137 may be sold without a certificate of inspection and
138 approval, as provided pursuant to subsection 2 of section
139 307.380.

140 **5. Notwithstanding any provision of law to the**
141 **contrary, a valid emissions inspection shall be required for**

142 **all registration issuances and renewals of a motor vehicle**
143 **subject to emissions inspection under this section.**

Section B. The repeal and reenactment of section A of
2 this act shall take effect as soon as technologically
3 possible following the development and maintenance of a
4 modernized, integrated system for the titling of vehicles,
5 issuance and renewal of vehicle registrations, issuance and
6 renewal of driver's licenses and identification cards, and
7 perfection and release of liens and encumbrances on
8 vehicles, to be funded by the motor vehicle administration
9 technology fund as created in section 301.558. Following
10 the development of the system, the director of the
11 department of revenue shall notify the governor, the
12 secretary of state, and the revisor of statutes, and shall
13 implement the provisions of section A of this act.

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