

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR

SENATE BILL NO. 881

99TH GENERAL ASSEMBLY

2018

5773S.06T

AN ACT

To repeal sections 21.795, 68.075, 70.370, 71.012, 71.015, 137.010, 137.016, 137.017, 226.770, 226.780, 227.240, 301.010, 301.020, 301.030, 301.055, 301.074, 301.075, 301.130, 301.140, 301.142, 301.145, 301.350, 302.170, 302.173, 304.005, 304.060, 304.180, 304.232, 307.175, and 307.350, RSMo, and to enact in lieu thereof thirty-one new sections relating to transportation, with penalty provisions.

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

Section A. Sections 21.795, 68.075, 70.370, 71.012, 71.015, 137.010, 137.016, 137.017, 226.770, 226.780, 227.240, 301.010, 301.020, 301.030, 301.055, 301.074, 301.075, 301.130, 301.140, 301.142, 301.145, 301.350, 302.170, 302.173, 304.005, 304.060, 304.180, 304.232, 307.175, and 307.350, RSMo, are repealed and thirty-one new sections enacted in lieu thereof, to be known as sections 21.795, 68.075, 70.370, 71.012, 71.015, 137.010, 137.016, 137.017, 226.770, 226.780, 227.240, 227.601, 301.010, 301.020, 301.030, 301.055, 301.074, 301.075, 301.130, 301.140, 301.142, 301.145, 301.350, 302.170, 302.173, 304.005, 304.060, 304.180, 304.232, 307.175, and 307.350, to read as follows:

21.795. 1. There is established a permanent joint committee of the general assembly to be known as the "Joint Committee on Transportation Oversight" to be composed of seven members of the standing transportation committees of both the senate and the house of representatives and three nonvoting ex officio members. Of the fourteen members to be appointed to the joint committee, the seven senate members of the joint committee shall be

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

7 appointed by the president pro tem of the senate and minority leader of the
8 senate and the seven house members shall be appointed by the speaker of the
9 house of representatives and the minority floor leader of the house of
10 representatives. The seven senate members shall be composed, as nearly as may
11 be, of majority and minority party members in the same proportion as the number
12 of majority and minority party members in the senate bears to the total
13 membership of the senate. No major party shall be represented by more than
14 four members from the house of representatives. The ex officio members shall be
15 the state auditor, the director of the oversight division of the committee on
16 legislative research, and the commissioner of the office of administration or the
17 designee of such auditor, director or commissioner. The joint committee shall be
18 chaired jointly by both chairs of the senate and house transportation committees.
19 A majority of the committee shall constitute a quorum, but the concurrence of a
20 majority of the members, other than the ex officio members, shall be required for
21 the determination of any matter within the committee's duties.

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

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

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

37 (b) Any other revenues available to the department by source;

38 (c) Funds appropriated, the amount the department has budgeted and
39 expended for the following: contracts, right-of-way purchases, preliminary and
40 construction engineering, maintenance operations and administration;

41 (d) Total state and federal revenue compared to the revenue estimate in
42 the fifteen-year highway plan as adopted in 1992. All expenditures made by, or

43 on behalf of, the department for personal services including fringe benefits, all
44 categories of expense and equipment, real estate and capital improvements shall
45 be assigned to the categories listed in this subdivision in conformity with
46 generally accepted government accounting principles;

47 (2) A detailed explanation of the methods or criteria employed to select
48 construction projects, including a listing of any new or reprioritized projects not
49 mentioned in a previous report, and an explanation as to how the new or
50 reprioritized projects meet the selection methods or criteria;

51 (3) The proposed allocation and expenditure of moneys and the proposed
52 work plan for the current fiscal year, at least the next four years, and for any
53 period of time expressed in any public transportation plan approved by either the
54 general assembly or by the voters of Missouri. This proposed allocation and
55 expenditure of moneys shall include the amounts of proposed allocation and
56 expenditure of moneys in each of the categories listed in subdivision (1) of this
57 subsection;

58 (4) The amounts which were planned, estimated and expended for projects
59 in the state highway and bridge construction program or any other projects
60 relating to other modes of transportation in the preceding state fiscal year and
61 amounts which have been planned, estimated or expended by project for
62 construction work in progress;

63 (5) The current status as to completion, by project, of the fifteen-year road
64 and bridge program adopted in 1992. The first written report submitted pursuant
65 to this section shall include the original cost estimate, updated estimate and final
66 completed cost by project. Each written report submitted thereafter shall include
67 the cost estimate at the time the project was placed on the most recent five-year
68 highway and bridge construction plan and the final completed cost by project;

69 (6) The reasons for cost increases or decreases exceeding five million
70 dollars or ten percent relative to cost estimates and final completed costs for
71 projects in the state highway and bridge construction program or any other
72 projects relating to other modes of transportation completed in the preceding
73 state fiscal year. Cost increases or decreases shall be determined by comparing
74 the cost estimate at the time the project was placed on the most recent five-year
75 highway and bridge construction plan and the final completed cost by
76 project. The reasons shall include the amounts resulting from inflation,
77 department-wide design changes, changes in project scope, federal mandates, or
78 other factors;

79 (7) Specific recommendations for any statutory or regulatory changes
80 necessary for the efficient and effective operation of the department;

81 (8) An accounting of the total amount of state, federal and earmarked
82 federal highway funds expended in each district of the department of
83 transportation; and

84 (9) Any further information specifically requested by the joint committee
85 on transportation oversight.];

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

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

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

95 3. Prior to February fifteenth of each year, the committee shall hold an
96 annual meeting and call before its members, officials or employees of the state
97 highways and transportation commission or department of transportation, as
98 determined by the committee, for the sole purpose of receiving and examining the
99 report required pursuant to subsection 2 of this section. The committee shall not
100 have the power to modify projects or priorities of the state highways and
101 transportation commission or department of transportation. The committee may
102 make recommendations to the state highways and transportation commission or
103 the department of transportation. Disposition of those recommendations shall be
104 reported by the commission or the department to the joint committee on
105 transportation oversight.

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

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

112 (2) Discussion of department efficiencies and expenditure of cost-savings
113 within the department;

114 (3) Presentation of a status report on department of transportation

115 revenues and expenditures, including a detailed summary of projects funded by
116 new state revenue as provided in paragraph (a) of subdivision (1) of subsection
117 2 of this section; and

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

123 5. The committee shall also review all applications for the development
124 of specialty plates submitted to it by the department of revenue. The committee
125 shall approve such application by a majority vote. The committee shall approve
126 any application unless the committee receives:

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

130 (2) Notification that the organization seeking authorization to establish
131 a new specialty license plate has not met all the requirements of section
132 301.3150;

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

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

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

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

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

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

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

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

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

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

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

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

46 other expenses.

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

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

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

70.370. Within sixty days after this section becomes effective, the governor
2 by and with the advice and consent of the senate shall appoint three
3 commissioners to enter into a compact on behalf of the state of Missouri with the
4 state of Illinois. If the senate is not in session at the time for making any
5 appointment, the governor shall make a temporary appointment as in case of a
6 vacancy. Any two of the commissioners so appointed together with the attorney
7 general of the state of Missouri may act to enter into the following compact:

8 COMPACT BETWEEN MISSOURI AND ILLINOIS
9 CREATING THE BI-STATE DEVELOPMENT AGENCY
10 AND THE BI-STATE METROPOLITAN DISTRICT

11 The states of Missouri and Illinois enter into the following agreement:

12 ARTICLE I

13 They agree to and pledge each to the other faithful cooperation in the
14 future planning and development of the bi-state metropolitan district, holding in

15 high trust for the benefit of its people and of the nation the special blessings and
16 natural advantages thereof.

17

ARTICLE II

18 To that end the two states create a district to be known as the "Bi-State
19 Metropolitan Development District" (herein referred to as "The District") which
20 shall embrace the following territory: The City of St. Louis and the counties of
21 St. Louis [and], St. Charles [and], Jefferson, **and Franklin** in Missouri[,] and
22 the counties of Madison, St. Clair, and Monroe in Illinois.

23

ARTICLE III

24 There is created "The Bi-State Development Agency of the Missouri-Illinois
25 Metropolitan District" (herein referred to as "The Bi-State Agency") which shall
26 be a body corporate and politic. The bi-state agency shall have the following
27 powers:

28 (1) To plan, construct, maintain, own and operate bridges, tunnels,
29 airports and terminal facilities and to plan and establish policies for sewage and
30 drainage facilities;

31 (2) To make plans for submission to the communities involved for
32 coordination of streets, highways, parkways, parking areas, terminals, water
33 supply and sewage and disposal works, recreational and conservation facilities
34 and projects, land use pattern and other matters in which joint or coordinated
35 action of the communities within the areas will be generally beneficial;

36 (3) To charge and collect fees for use of the facilities owned and operated
37 by it;

38 (4) To issue bonds upon the security of the revenues to be derived from
39 such facilities; and, or upon any property held or to be held by it;

40 (5) To receive for its lawful activities any contributions or moneys
41 appropriated by municipalities, counties, state or other political subdivisions or
42 agencies; or by the federal government or any agency or officer thereof;

43 (6) To disburse funds for its lawful activities, and fix salaries and wages
44 of its officers and employees;

45 (7) To perform all other necessary and incidental functions; and

46 (8) To exercise such additional powers as shall be conferred on it by the
47 legislature of either state concurred in by the legislature of the other or by act of
48 Congress.

49 No property now or hereafter vested in or held by either state, or by any
50 county, city, borough, village, township or other political subdivision, shall be

51 taken by the bi-state agency without the authority or consent of such state,
52 county, city, borough, village, township or other political subdivision, nor shall
53 anything herein impair or invalidate in any way any bonded indebtedness of such
54 state, county, city, borough, village, township or other political subdivision, nor
55 impair the provisions of law regulating the payment into sinking funds of
56 revenues derived from municipal property, or dedicating the revenues derived
57 from any municipal property to a specific purpose.

58 Unless and until otherwise provided, it shall make an annual report to the
59 governor of each state, setting forth in detail the operations and transactions
60 conducted by it pursuant to this agreement and any legislation thereunder.

61 Nothing contained in this compact shall impair the powers of any
62 municipality to develop or improve terminal or other facilities.

63 The bi-state agency shall from time to time make plans for the
64 development of the district; and when such plans are duly approved by the
65 legislatures of the two states, they shall be binding upon both states with the
66 same force and effect as if incorporated in this compact.

67 The bi-state agency may from time to time make recommendations to the
68 legislatures of the two states or to the Congress of the United States, based upon
69 study and analysis, for the improvement of transportation, terminal, and other
70 facilities in the district.

71 The bi-state agency may petition any interstate commerce commission (or
72 like body), public service commission, public utilities commission (or like body),
73 or any other federal, municipal, state or local authority, administrative, judicial
74 or legislative, having jurisdiction in the premises, for the adoption and execution
75 of any physical improvements, change in method, rate of transportation, system
76 of handling freight, warehousing, docking, lightering, or transfer of freight, which,
77 in the opinion of the bi-state agency, may be designed to improve or better the
78 handling of commerce in and through the district, or improve terminal and
79 transportation facilities therein. It may intervene in any proceeding affecting the
80 commerce of the district.

81

ARTICLE IV

82 The bi-state agency shall consist of ten commissioners, five of whom shall
83 be resident voters of the state of Missouri and five of whom shall be resident
84 voters of the state of Illinois. All commissioners shall reside within the bi-state
85 district, the Missouri members to be chosen by the state of Missouri and the
86 Illinois members by the state of Illinois in the manner and for the terms fixed by

87 the legislature of each state except as herein provided.

88

ARTICLE V

89 The bi-state agency shall elect from its number a chairman, a vice
90 chairman, and may appoint such officers and employees as it may require for the
91 performance of its duties, and shall fix and determine their qualifications and
92 duties.

93 Until otherwise determined by the legislatures of the two states no action
94 of the bi-state agency shall be binding unless taken at a meeting at which at least
95 three members from each state are present, and unless a majority of the members
96 from each state present at such meeting shall vote in favor thereof. Each state
97 reserves the right hereafter to provide by law for the exercise of the veto power
98 by the governor thereof over any action of any commissioner appointed therefrom.

99 Until otherwise determined by the action of the legislature of the two
100 states, the bi-state agency shall not incur any obligations for salaries, office or
101 other administrative expenses, prior to the making of appropriations adequate to
102 meet the same.

103 The bi-state agency is hereby authorized to make suitable rules and
104 regulations not inconsistent with the constitution or laws of the United States or
105 of either state, or of any political subdivision thereof, and subject to the exercise
106 of the power of Congress, for the improvement of the district, which when
107 concurred in or authorized by the legislatures of both states, shall be binding and
108 effective upon all persons and corporations affected thereby.

109 The two states shall provide penalties for violations of any order, rule or
110 regulation of the bi-state agency, and for the manner of enforcing same.

111

ARTICLE VI

112 The bi-state agency is authorized and directed to proceed with the
113 development of the district in accordance with the articles of this compact as
114 rapidly as may be economically practicable and is vested with all necessary and
115 appropriate powers not inconsistent with the constitution or the laws of the
116 United States or of either state, to effectuate the same, except the power to levy
117 taxes or assessments.

118 It shall render such advice, suggestion and assistance to all municipal
119 officials as will permit all local and municipal improvements, so far as
120 practicable, to fit in with the plan.

121

ARTICLE VII

122 In witness thereof, we have hereunto set our hands and seals under

123 authority vested in us by law.

124 (Signed)

125 In the presence of:

126 (Signed)

71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860
2 to 71.920, the governing body of any city, town or village may annex
3 unincorporated areas which are contiguous and compact to the existing corporate
4 limits of the city, town or village pursuant to this section. The term "contiguous
5 and compact" does not include a situation whereby the unincorporated area
6 proposed to be annexed is contiguous to the annexing city, town or village only
7 by a railroad line, trail, pipeline or other strip of real property less than
8 one-quarter mile in width within the city, town or village so that the boundaries
9 of the city, town or village after annexation would leave unincorporated areas
10 between the annexed area and the prior boundaries of the city, town or village
11 connected only by such railroad line, trail, pipeline or other such strip of real
12 property. **The term "contiguous and compact" shall include a situation**
13 **whereby the unincorporated area proposed to be annexed would be**
14 **contiguous and compact to the existing corporate limits of the city,**
15 **town, or village but for an intervening state highway or interstate**
16 **highway as defined in section 304.001, or railroad right-of-way,**
17 **regardless of whether any other city, town, or village has annexed such**
18 **state or interstate highway or railroad right-of-way or otherwise has an**
19 **easement in such state or interstate highway or railroad right-of-**
20 **way.** The term contiguous and compact does not prohibit voluntary annexations
21 pursuant to this section merely because such voluntary annexation would create
22 an island of unincorporated area within the city, town or village, so long as the
23 owners of the unincorporated island were also given the opportunity to
24 voluntarily annex into the city, town or village. Notwithstanding the provisions
25 of this section, the governing body of any city, town or village in any county of the
26 third classification which borders a county of the fourth classification, a county
27 of the second classification and the Mississippi River may annex areas along a
28 road or highway up to two miles from existing boundaries of the city, town or
29 village or the governing body in any city, town or village in any county of the
30 third classification without a township form of government with a population of
31 at least twenty-four thousand inhabitants but not more than thirty thousand
32 inhabitants and such county contains a state correctional center may voluntarily

33 annex such correctional center pursuant to the provisions of this section if the
34 correctional center is along a road or highway within two miles from the existing
35 boundaries of the city, town or village.

36 2. (1) When a notarized petition, requesting annexation and signed by the
37 owners of all fee interests of record in all tracts of real property located within
38 the area proposed to be annexed, or a request for annexation signed under the
39 authority of the governing body of any common interest community and approved
40 by a majority vote of unit owners located within the area proposed to be annexed
41 is presented to the governing body of the city, town or village, the governing body
42 shall hold a public hearing concerning the matter not less than fourteen nor more
43 than sixty days after the petition is received, and the hearing shall be held not
44 less than seven days after notice of the hearing is published in a newspaper of
45 general circulation qualified to publish legal matters and located within the
46 boundary of the petitioned city, town or village. If no such newspaper exists
47 within the boundary of such city, town or village, then the notice shall be
48 published in the qualified newspaper nearest the petitioned city, town or
49 village. For the purposes of this subdivision, the term "common-interest
50 community" shall mean a condominium as said term is used in chapter 448, or a
51 common-interest community, a cooperative, or a planned community.

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

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

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

65 (2) At the public hearing any interested person, corporation or political
66 subdivision may present evidence regarding the proposed annexation. If, after
67 holding the hearing, the governing body of the city, town or village determines
68 that the annexation is reasonable and necessary to the proper development of the

69 city, town or village, and the city, town or village has the ability to furnish
70 normal municipal services to the area to be annexed within a reasonable time, it
71 may, subject to the provisions of subdivision (3) of this subsection, annex the
72 territory by ordinance without further action.

73 (3) If a written objection to the proposed annexation is filed with the
74 governing body of the city, town or village not later than fourteen days after the
75 public hearing by at least five percent of the qualified voters of the city, town or
76 village, or two qualified voters of the area sought to be annexed if the same
77 contains two qualified voters, the provisions of sections 71.015 and 71.860 to
78 71.920, shall be followed.

79 3. If no objection is filed, the city, town or village shall extend its limits
80 by ordinance to include such territory, specifying with accuracy the new boundary
81 lines to which the city's, town's or village's limits are extended. Upon duly
82 enacting such annexation ordinance, the city, town or village shall cause three
83 certified copies of the same to be filed with the county assessor and the clerk of
84 the county wherein the city, town or village is located, and one certified copy to
85 be filed with the election authority, if different from the clerk of the county which
86 has jurisdiction over the area being annexed, whereupon the annexation shall be
87 complete and final and thereafter all courts of this state shall take judicial notice
88 of the limits of that city, town or village as so extended.

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

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

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

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

8 (a) The land to be annexed is contiguous to the existing city, town, or

9 village limits and that the length of the contiguous boundary common to the
10 existing city, town, or village limit and the proposed area to be annexed is at least
11 fifteen percent of the length of the perimeter of the area proposed for annexation;
12 **or**

13 **(b) The land to be annexed would be contiguous and compact to**
14 **the existing city, town, or village limits but for an intervening state**
15 **highway or interstate highway as defined in section 304.001, or railroad**
16 **right-of-way, and the shared border of the land to be annexed and**
17 **existing city, town, or village composes at least fifteen percent of the**
18 **total perimeter of the land to be annexed. For purposes of calculating**
19 **the length of such border under this paragraph, the border between the**
20 **land to be annexed and the existing city, town, or village shall be**
21 **deemed to be:**

22 **a. If an intervening state highway or interstate highway, the**
23 **centerline; or**

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

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

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

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

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

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

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

40 (3) The city, town, or village shall fix a date for a public hearing on the
41 ordinance and make a good faith effort to notify all fee owners of record within
42 the area proposed to be annexed by certified mail, not less than thirty nor more
43 than sixty days before the hearing, and notify all residents of the area by
44 publication of notice in a newspaper of general circulation qualified to publish

45 legal matters in the county or counties where the proposed area is located, at
46 least once a week for three consecutive weeks prior to the hearing, with at least
47 one such notice being not more than twenty days and not less than ten days
48 before the hearing.

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

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

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

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

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

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

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

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

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

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

77 (6) Except as provided in subsection 3 of this section, if the court
78 authorizes the city, town, or village to make an annexation, the legislative body
79 of such city, town, or village shall not have the power to extend the limits of the
80 city, town, or village by such annexation until an election is held at which the

81 proposition for annexation is approved by a majority of the total votes cast in the
82 city, town, or village and by a separate majority of the total votes cast in the
83 unincorporated territory sought to be annexed. However, should less than a
84 majority of the total votes cast in the area proposed to be annexed vote in favor
85 of the proposal, but at least a majority of the total votes cast in the city, town, or
86 village vote in favor of the proposal, then the proposal shall again be voted upon
87 in not more than one hundred twenty days by both the registered voters of the
88 city, town, or village and the registered voters of the area proposed to be annexed.
89 If at least two-thirds of the qualified electors voting thereon are in favor of the
90 annexation, then the city, town, or village may proceed to annex the territory. If
91 the proposal fails to receive the necessary majority, no part of the area sought to
92 be annexed may be the subject of another proposal to annex for a period of two
93 years from the date of the election, except that, during the two-year period, the
94 owners of all fee interests of record in the area or any portion of the area may
95 petition the city, town, or village for the annexation of the land owned by them
96 pursuant to the procedures in section 71.012. The elections shall if authorized
97 be held, except as herein otherwise provided, in accordance with the general state
98 law governing special elections, and the entire cost of the election or elections
99 shall be paid by the city, town, or village proposing to annex the territory.

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

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

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

115 2. Notwithstanding any provision of subsection 1 of this section, for any
116 annexation by any city with a population of three hundred fifty thousand or more

117 inhabitants which is located in more than one county that becomes effective after
118 August 28, 1994, if such city has not provided water and sewer service to such
119 annexed area within three years of the effective date of the annexation, a cause
120 of action shall lie for deannexation, unless the failure to provide such water and
121 sewer service to the annexed area is made unreasonable by an act of God. The
122 cause of action for deannexation may be filed in the circuit court by any resident
123 of the annexed area who is presently residing in the area at the time of the filing
124 of the suit and was a resident of the annexed area at the time the annexation
125 became effective. If the suit for deannexation is successful, the city shall be liable
126 for all court costs and attorney fees.

127 3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this
128 section, all cities, towns, and villages located in any county of the first
129 classification with a charter form of government with a population of two hundred
130 thousand or more inhabitants which adjoins a county with a population of nine
131 hundred thousand or more inhabitants shall comply with the provisions of this
132 subsection. If the court authorizes any city, town, or village subject to this
133 subsection to make an annexation, the legislative body of such city, town or
134 village shall not have the power to extend the limits of such city, town, or village
135 by such annexation until an election is held at which the proposition for
136 annexation is approved by a majority of the total votes cast in such city, town, or
137 village and by a separate majority of the total votes cast in the unincorporated
138 territory sought to be annexed; except that:

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

148 (2) In the case of a proposed annexation of unincorporated territory in
149 which no qualified electors reside, if at least a majority of the qualified electors
150 voting on the proposition are in favor of the annexation, the city, town or village
151 may proceed to annex the territory and no subsequent election shall be required.
152 If the proposal fails to receive the necessary separate majorities, no part of the

153 area sought to be annexed may be the subject of any other proposal to annex for
154 a period of two years from the date of such election, except that, during the
155 two-year period, the owners of all fee interests of record in the area or any portion
156 of the area may petition the city, town, or village for the annexation of the land
157 owned by them pursuant to the procedures in section 71.012 or 71.014. The
158 election shall, if authorized, be held, except as otherwise provided in this section,
159 in accordance with the general state laws governing special elections, and the
160 entire cost of the election or elections shall be paid by the city, town, or village
161 proposing to annex the territory. Failure of the city, town or village to comply in
162 providing services to the area or to zone in compliance with the plan of intent
163 within three years after the effective date of the annexation, unless compliance
164 is made unreasonable by an act of God, shall give rise to a cause of action for
165 deannexation which may be filed in the circuit court not later than four years
166 after the effective date of the annexation by any resident of the area who was
167 residing in such area at the time the annexation became effective or by any
168 nonresident owner of real property in such area.

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

137.010. The following words, terms and phrases when used in laws
2 governing taxation and revenue in the state of Missouri shall have the meanings
3 ascribed to them in this section, except when the context clearly indicates a
4 different meaning:

5 (1) "Grain and other agricultural crops in an unmanufactured condition"
6 shall mean grains and feeds including, but not limited to, soybeans, cow peas,
7 wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other
8 products as are usually stored in grain and other elevators and on farms; but
9 excluding such grains and other agricultural crops after being processed into
10 products of such processing, when packaged or sacked. The term "processing"
11 shall not include hulling, cleaning, drying, grating, or polishing;

12 (2) "Hydroelectric power generating equipment", very-low-head turbine
13 generators with a nameplate generating capacity of at least four hundred
14 kilowatts but not more than six hundred kilowatts and machinery and equipment

15 used directly in the production, generation, conversion, storage, or conveyance of
16 hydroelectric power to land-based devices and appurtenances used in the
17 transmission of electrical energy;

18 (3) "Intangible personal property", for the purpose of taxation, shall
19 include all property other than real property and tangible personal property, as
20 defined by this section;

21 (4) "Real property" includes land itself, whether laid out in town lots or
22 otherwise, and all growing crops, buildings, structures, improvements and
23 fixtures of whatever kind thereon, hydroelectric power generating equipment, the
24 installed poles used in the transmission or reception of electrical energy, audio
25 signals, video signals or similar purposes, provided the owner of such installed
26 poles is also an owner of a fee simple interest, possessor of an easement, holder
27 of a license or franchise, or is the beneficiary of a right-of-way dedicated for
28 public utility purposes for the underlying land; attached wires, transformers,
29 amplifiers, substations, and other such devices and appurtenances used in the
30 transmission or reception of electrical energy, audio signals, video signals or
31 similar purposes when owned by the owner of the installed poles, otherwise such
32 items are considered personal property; and stationary property used for
33 transportation or storage of liquid and gaseous products, including, but not
34 limited to, petroleum products, natural gas, propane or LP gas equipment, water,
35 and sewage;

36 (5) **"Reliever airport", any land and improvements, exclusive of**
37 **structures, on privately owned airports that qualify as reliever airports**
38 **under the National Plan of Integrated Airport Systems that may receive**
39 **federal airport improvement project funds through the Federal**
40 **Aviation Administration;**

41 (6) "Tangible personal property" includes every tangible thing being the
42 subject of ownership or part ownership whether animate or inanimate, other than
43 money, and not forming part or parcel of real property as herein defined, but does
44 not include household goods, furniture, wearing apparel and articles of personal
45 use and adornment, as defined by the state tax commission, owned and used by
46 a person in his home or dwelling place.

137.016. 1. As used in Section 4(b) of Article X of the Missouri
2 Constitution, the following terms mean:

3 (1) "Residential property", all real property improved by a structure which
4 is used or intended to be used for residential living by human occupants, vacant

5 land in connection with an airport, land used as a golf course, manufactured
6 home parks, bed and breakfast inns in which the owner resides and uses as a
7 primary residence with six or fewer rooms for rent, and time-share units as
8 defined in section 407.600, except to the extent such units are actually rented and
9 subject to sales tax under subdivision (6) of subsection 1 of section 144.020, but
10 residential property shall not include other similar facilities used primarily for
11 transient housing. For the purposes of this section, "transient housing" means
12 all rooms available for rent or lease for which the receipts from the rent or lease
13 of such rooms are subject to state sales tax pursuant to subdivision (6) of
14 subsection 1 of section 144.020;

15 (2) "Agricultural and horticultural property", all real property used for
16 agricultural purposes and devoted primarily to the raising and harvesting of
17 crops; to the feeding, breeding and management of livestock which shall include
18 breeding, showing, and boarding of horses; to dairying, or to any other
19 combination thereof; and buildings and structures customarily associated with
20 farming, agricultural, and horticultural uses. Agricultural and horticultural
21 property shall also include land devoted to and qualifying for payments or other
22 compensation under a soil conservation or agricultural assistance program under
23 an agreement with an agency of the federal government. Agricultural and
24 horticultural property shall further include [land and improvements, exclusive
25 of structures, on privately owned airports that qualify as reliever airports under
26 the National Plan of Integrated Airports System, to receive federal airport
27 improvement project funds through the Federal Aviation Administration] **any**
28 **reliever airport**. Real property classified as forest croplands shall not be
29 agricultural or horticultural property so long as it is classified as forest croplands
30 and shall be taxed in accordance with the laws enacted to implement Section 7
31 of Article X of the Missouri Constitution. Agricultural and horticultural property
32 shall also include any sawmill or planing mill defined in the U.S. Department of
33 Labor's Standard Industrial Classification (SIC) Manual under Industry Group
34 242 with the SIC number 2421;

35 (3) "Utility, industrial, commercial, railroad and other real property", all
36 real property used directly or indirectly for any commercial, mining, industrial,
37 manufacturing, trade, professional, business, or similar purpose, including all
38 property centrally assessed by the state tax commission but shall not include
39 floating docks, portions of which are separately owned and the remainder of
40 which is designated for common ownership and in which no one person or

41 business entity owns more than five individual units. All other real property not
42 included in the property listed in subclasses (1) and (2) of Section 4(b) of Article
43 X of the Missouri Constitution, as such property is defined in this section, shall
44 be deemed to be included in the term "utility, industrial, commercial, railroad and
45 other real property".

46 2. Pursuant to Article X of the state constitution, any taxing district may
47 adjust its operating levy to recoup any loss of property tax revenue, except
48 revenues from the surtax imposed pursuant to Article X, Subsection 2 of Section
49 6 of the constitution, as the result of changing the classification of structures
50 intended to be used for residential living by human occupants which contain five
51 or more dwelling units if such adjustment of the levy does not exceed the highest
52 tax rate in effect subsequent to the 1980 tax year. For purposes of this section,
53 loss in revenue shall include the difference between the revenue that would have
54 been collected on such property under its classification prior to enactment of this
55 section and the amount to be collected under its classification under this
56 section. The county assessor of each county or city not within a county shall
57 provide information to each taxing district within its boundaries regarding the
58 difference in assessed valuation of such property as the result of such change in
59 classification.

60 3. All reclassification of property as the result of changing the
61 classification of structures intended to be used for residential living by human
62 occupants which contain five or more dwelling units shall apply to assessments
63 made after December 31, 1994.

64 4. Where real property is used or held for use for more than one purpose
65 and such uses result in different classifications, the county assessor shall allocate
66 to each classification the percentage of the true value in money of the property
67 devoted to each use; except that, where agricultural and horticultural property,
68 as defined in this section, also contains a dwelling unit or units, the farm
69 dwelling, appurtenant residential-related structures and up to five acres
70 immediately surrounding such farm dwelling shall be residential property, as
71 defined in this section. **This subsection shall not apply to any reliever**
72 **airport.**

73 5. All real property which is vacant, unused, or held for future use; which
74 is used for a private club, a not-for-profit or other nonexempt lodge, club,
75 business, trade, service organization, or similar entity; or for which a
76 determination as to its classification cannot be made under the definitions set out

77 in subsection 1 of this section, shall be classified according to its immediate most
78 suitable economic use, which use shall be determined after consideration of:

- 79 (1) Immediate prior use, if any, of such property;
- 80 (2) Location of such property;
- 81 (3) Zoning classification of such property; except that, such zoning
82 classification shall not be considered conclusive if, upon consideration of all
83 factors, it is determined that such zoning classification does not reflect the
84 immediate most suitable economic use of the property;
- 85 (4) Other legal restrictions on the use of such property;
- 86 (5) Availability of water, electricity, gas, sewers, street lighting, and other
87 public services for such property;
- 88 (6) Size of such property;
- 89 (7) Access of such property to public thoroughfares; and
- 90 (8) Any other factors relevant to a determination of the immediate most
91 suitable economic use of such property.

92 6. All lands classified as forest croplands shall not, for taxation purposes,
93 be classified as subclass (1), subclass (2), or subclass (3) real property, as such
94 classes are prescribed in Section 4(b) of Article X of the Missouri Constitution and
95 defined in this section, but shall be taxed in accordance with the laws enacted to
96 implement Section 7 of Article X of the Missouri Constitution.

137.017. 1. For general property assessment purposes, the true value in
2 money of land which is in use as agricultural and horticultural property, as
3 defined in section 137.016, shall be that value which such land has for
4 agricultural or horticultural use. The true value of buildings or other structures
5 customarily associated with farming, agricultural, and horticultural uses,
6 excluding residential dwellings and related land, shall be added to the use value
7 of the agricultural and horticultural land to determine the value of the
8 agricultural and horticultural property under sections 137.017 to 137.021.

9 2. After it has been established that the land is actually agricultural and
10 horticultural property, as defined in section 137.016, and is being valued and
11 assessed accordingly, the land shall remain in this category as long as the owner
12 of the land complies with the provisions of sections 137.017 to 137.021.

13 3. Continuance of valuation and assessment for general property taxation
14 under the provisions of sections 137.017 to 137.021 shall depend upon
15 continuance of the land being used as agricultural and horticultural property, as
16 defined in section 137.016, and compliance with the other requirements of

17 sections 137.017 to 137.021 and not upon continuance in the same owner of title
18 to the land.

19 4. For general property assessment purposes, the true value in money of
20 vacant and unused land which is classified as agricultural and horticultural
21 property under subsection 3 of section 137.016 shall be its fair market
22 value. **This subsection shall not apply to any reliever airport.**

23 5. **For general property assessment purposes, the true value in**
24 **money of a reliever airport shall be that value which such land has for**
agricultural or horticultural use.

226.770. The state highways and transportation commission is authorized
2 to enter into any necessary agreements[, not involving any state funds,] with the
3 Secretary of Commerce or other public agency necessary to obtaining of available
4 funds for the purposes described in Title 23, Sections 136 and 319, of the United
5 States Code, as revised in 1965.

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

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

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

16 3. **The department of transportation utility corridor established**
17 **for the placement of utility facilities on the right-of-way of highways in**
18 **the state highway system shall be up to twelve feet in width when space**

19 **is reasonably available, with the location of the utility corridor to be**
20 **determined by the state highways and transportation commission. The**
21 **commission shall promulgate rules setting forth a standardized**
22 **statewide system for requesting and issuing variances to requirements**
23 **set forth in this section.**

24 4. The commission or some officer selected by the commission shall serve
25 a written notice upon the entity, person or corporation owning or maintaining any
26 such lines, poles, wires, conduits, pipelines, or tramways, which notice shall
27 contain a plan or chart indicating the places on the right-of-way at which such
28 lines, poles, wires, conduits, pipelines or tramways may be maintained. The
29 notice shall also state the time when the work of hard surfacing said roads is
30 proposed to commence, and shall further state that a hearing shall be had upon
31 the proposed plan of location and matters incidental thereto, giving the place and
32 date of such hearing. Immediately after such hearing the said owner shall be
33 given a notice of the findings and orders of the commission and shall be given a
34 reasonable time thereafter to comply therewith; provided, however, that the effect
35 of any change ordered by the commission shall not be to remove all or any part
36 of such lines, poles, wires, conduits, pipelines or tramways from the right-of-way
37 of the highway. The removal of the same shall be made at the cost and expense
38 of the owners thereof unless otherwise provided by said commission, and in the
39 event of the failure of such owners to remove the same at the time so determined
40 they may be removed by the state highways and transportation commission, or
41 under its direction, and the cost thereof collected from such owners, and such
42 owners shall not be liable in any way to any person for the placing and
43 maintaining of such lines, poles, wires, conduits, pipelines and tramways at the
44 places prescribed by the commission.

45 [4.] 5. The commission is authorized in the name of the state of Missouri
46 to institute and maintain, through the attorney general, such suits and actions
47 as may be necessary to enforce the provisions of this section. Any corporation,
48 association or the officers or agents of such corporations or associations, or any
49 other person who shall erect or maintain any such lines, poles, wires, conduits,
50 pipelines or tramways, within the right-of-way of such roads which are
51 hard-surfaced, which are not in accordance with such orders of the commission,
52 shall be deemed guilty of a misdemeanor.

227.601. 1. Notwithstanding any provision of sections 227.600 to
2 **227.669 to the contrary, the process and approval for concession**

3 agreements to build, maintain, operate, or finance projects owned by
4 a political subdivision shall be approved by the governing body of such
5 political subdivision and shall not be subject to approval by the
6 commission. Notwithstanding the provisions of subsection 5 of this
7 section, the sale or conveyance of any project owned by a political
8 subdivision shall be subject to voter approval if required by law.

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

10 (1) "Competitive bidding process", a request for proposal for the
11 financing, development, or operation of the project, including any
12 deadline for submission of such proposals, and notice of the request,
13 which shall be published once a week for two consecutive weeks in:

14 (a) A newspaper of general circulation in the city where the
15 proposed project is located;

16 (b) At least one construction industry trade publication that is
17 nationally distributed; and

18 (c) Such other publications or manner as the governing body of
19 the political subdivision may determine;

20 (2) "Concession agreement", a license or lease between a private
21 partner and a political subdivision for the development, finance,
22 operation, or maintenance of a project, as such term is defined in
23 section 227.600.

24 3. Notwithstanding any provision of law to the contrary, political
25 subdivisions may enter into concession agreements, provided that:

26 (1) The term of the concession agreement shall be for a term not
27 exceeding thirty years;

28 (2) The political subdivision shall retain oversight of operations
29 of any such project;

30 (3) The political subdivision shall retain oversight of rate setting
31 methodology;

32 (4) The political subdivision shall have the right to terminate the
33 agreement if the private partner does not comply with the concession
34 agreement; and

35 (5) The concession agreement is supported by a preliminary
36 engineering and financial feasibility study, including an estimate of the
37 costs of the project and the rate impact on customers during the life of
38 the agreement.

39 4. The commission shall not be required to oversee, or issue an

40 **annual report under section 227.669 for, projects approved by political**
41 **subdivisions, provided that any political subdivision entering into a**
42 **concession agreement shall use a public-private partnership framework**
43 **that shall include a competitive bidding process.**

44 **5. Except as provided in subsection 1 of this section, the**
45 **provisions of sections 71.530, 71.550, 78.190, 78.630, 81.190, 88.251,**
46 **88.633, 88.770, 88.773, 91.550, and 91.600 shall not apply to concession**
47 **agreements that are approved as provided in this section.**

48 **6. Nothing in this section or chapter shall be construed to**
49 **authorize or implement the design or construction of toll roads or**
50 **bridges.**

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

3 (1) "All-terrain vehicle", any motorized vehicle manufactured and used
4 exclusively for off-highway use which is fifty inches or less in width, with an
5 unladen dry weight of one thousand five hundred pounds or less, traveling on
6 three, four or more nonhighway tires;

7 (2) "Autocycle", **a three-wheeled motor vehicle which the drivers**
8 **and passengers ride in a partially or completely enclosed nonstraddle**
9 **seating area, that is designed to be controlled with a steering wheel**
10 **and pedals, and that has met applicable Department of Transportation**
11 **National Highway Traffic Safety Administration requirements or**
12 **federal motorcycle safety standards;**

13 (3) "Automobile transporter", any vehicle combination capable of carrying
14 cargo on the power unit and designed and used for the transport of assembled
15 motor vehicles, including truck camper units;

16 [(3)] (4) "Axle load", the total load transmitted to the road by all wheels
17 whose centers are included between two parallel transverse vertical planes forty
18 inches apart, extending across the full width of the vehicle;

19 [(4)] (5) "Backhaul", the return trip of a vehicle transporting cargo or
20 general freight, especially when carrying goods back over all or part of the same
21 route;

22 [(5)] (6) "Boat transporter", any vehicle combination capable of carrying
23 cargo on the power unit and designed and used specifically to transport
24 assembled boats and boat hulls. Boats may be partially disassembled to facilitate
25 transporting;

26 [(6)] (7) "Body shop", a business that repairs physical damage on motor
27 vehicles that are not owned by the shop or its officers or employees by mending,
28 straightening, replacing body parts, or painting;

29 [(7)] (8) "Bus", a motor vehicle primarily for the transportation of a
30 driver and eight or more passengers but not including shuttle buses;

31 [(8)] (9) "Commercial motor vehicle", a motor vehicle designed or
32 regularly used for carrying freight and merchandise, or more than eight
33 passengers but not including vanpools or shuttle buses;

34 [(9)] (10) "Cotton trailer", a trailer designed and used exclusively for
35 transporting cotton at speeds less than forty miles per hour from field to field or
36 from field to market and return;

37 [(10)] (11) "Dealer", any person, firm, corporation, association, agent or
38 subagent engaged in the sale or exchange of new, used or reconstructed motor
39 vehicles or trailers;

40 [(11)] (12) "Director" or "director of revenue", the director of the
41 department of revenue;

42 [(12)] (13) "Driveaway operation":

43 (a) The movement of a motor vehicle or trailer by any person or motor
44 carrier other than a dealer over any public highway, under its own power singly,
45 or in a fixed combination of two or more vehicles, for the purpose of delivery for
46 sale or for delivery either before or after sale;

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

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

58 [(13)] (14) "Dromedary", a box, deck, or plate mounted behind the cab
59 and forward of the fifth wheel on the frame of the power unit of a truck
60 tractor-semitrailer combination. A truck tractor equipped with a dromedary may
61 carry part of a load when operating independently or in a combination with a

62 semitrailer;

63 [(14)] (15) "Farm tractor", a tractor used exclusively for agricultural
64 purposes;

65 [(15)] (16) "Fleet", any group of ten or more motor vehicles owned by the
66 same owner;

67 [(16)] (17) "Fleet vehicle", a motor vehicle which is included as part of
68 a fleet;

69 [(17)] (18) "Fullmount", a vehicle mounted completely on the frame of
70 either the first or last vehicle in a saddlemount combination;

71 [(18)] (19) "Gross weight", the weight of vehicle and/or vehicle
72 combination without load, plus the weight of any load thereon;

73 [(19)] (20) "Hail-damaged vehicle", any vehicle, the body of which has
74 become dented as the result of the impact of hail;

75 [(20)] (21) "Highway", any public thoroughfare for vehicles, including
76 state roads, county roads and public streets, avenues, boulevards, parkways or
77 alleys in any municipality;

78 [(21)] (22) "Improved highway", a highway which has been paved with
79 gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that
80 it shall have a hard, smooth surface;

81 [(22)] (23) "Intersecting highway", any highway which joins another,
82 whether or not it crosses the same;

83 [(23)] (24) "Junk vehicle", a vehicle which:

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

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

88 [(24)] (25) "Kit vehicle", a motor vehicle assembled by a person other
89 than a generally recognized manufacturer of motor vehicles by the use of a glider
90 kit or replica purchased from an authorized manufacturer and accompanied by
91 a manufacturer's statement of origin;

92 [(25)] (26) "Land improvement contractors' commercial motor vehicle",
93 any not-for-hire commercial motor vehicle the operation of which is confined to:

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

98 maintenance purposes; or

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

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

104 [(26)] **(27)** "Local commercial motor vehicle", a commercial motor vehicle
105 whose operations are confined to a municipality and that area extending not more
106 than fifty miles therefrom, or a commercial motor vehicle whose property-carrying
107 operations are confined solely to the transportation of property owned by any
108 person who is the owner or operator of such vehicle to or from a farm owned by
109 such person or under the person's control by virtue of a landlord and tenant lease;
110 provided that any such property transported to any such farm is for use in the
111 operation of such farm;

112 [(27)] **(28)** "Local log truck", a commercial motor vehicle which is
113 registered pursuant to this chapter to operate as a motor vehicle on the public
114 highways of this state, used exclusively in this state, used to transport harvested
115 forest products, operated solely at a forested site and in an area extending not
116 more than a one hundred mile radius from such site, carries a load with
117 dimensions not in excess of twenty-five cubic yards per two axles with dual
118 wheels, and when operated on the national system of interstate and defense
119 highways described in 23 U.S.C. Section 103, as amended, or outside the one
120 hundred mile radius from such site with an extended distance local log truck
121 permit, such vehicle shall not exceed the weight limits of section 304.180, does
122 not have more than four axles, and does not pull a trailer which has more than
123 [two] **three** axles. Harvesting equipment which is used specifically for cutting,
124 felling, trimming, delimiting, debarking, chipping, skidding, loading, unloading,
125 and stacking may be transported on a local log truck. A local log truck may not
126 exceed the limits required by law, however, if the truck does exceed such limits
127 as determined by the inspecting officer, then notwithstanding any other
128 provisions of law to the contrary, such truck shall be subject to the weight limits
129 required by such sections as licensed for eighty thousand pounds;

130 [(28)] **(29)** "Local log truck tractor", a commercial motor vehicle which is
131 registered under this chapter to operate as a motor vehicle on the public
132 highways of this state, used exclusively in this state, used to transport harvested
133 forest products, operated at a forested site and in an area extending not more

134 than a one hundred mile radius from such site, operates with a weight not
135 exceeding twenty-two thousand four hundred pounds on one axle or with a weight
136 not exceeding forty-four thousand eight hundred pounds on any tandem axle, and
137 when operated on the national system of interstate and defense highways
138 described in 23 U.S.C. Section 103, as amended, or outside the one hundred mile
139 radius from such site with an extended distance local log truck permit, such
140 vehicle does not exceed the weight limits contained in section 304.180, and does
141 not have more than three axles and does not pull a trailer which has more than
142 [two] **three** axles. Violations of axle weight limitations shall be subject to the
143 load limit penalty as described for in sections 304.180 to 304.220;

144 [(29)] **(30)** "Local transit bus", a bus whose operations are confined
145 wholly within a municipal corporation, or wholly within a municipal corporation
146 and a commercial zone, as defined in section 390.020, adjacent thereto, forming
147 a part of a public transportation system within such municipal corporation and
148 such municipal corporation and adjacent commercial zone;

149 [(30)] **(31)** "Log truck", a vehicle which is not a local log truck or local log
150 truck tractor and is used exclusively to transport harvested forest products to and
151 from forested sites which is registered pursuant to this chapter to operate as a
152 motor vehicle on the public highways of this state for the transportation of
153 harvested forest products;

154 [(31)] **(32)** "Major component parts", the rear clip, cowl, frame, body, cab,
155 front-end assembly, and front clip, as those terms are defined by the director of
156 revenue pursuant to rules and regulations or by illustrations;

157 [(32)] **(33)** "Manufacturer", any person, firm, corporation or association
158 engaged in the business of manufacturing or assembling motor vehicles, trailers
159 or vessels for sale;

160 [(33)] **(34)** "Motor change vehicle", a vehicle manufactured prior to
161 August, 1957, which receives a new, rebuilt or used engine, and which used the
162 number stamped on the original engine as the vehicle identification number;

163 [(34)] **(35)** "Motor vehicle", any self-propelled vehicle not operated
164 exclusively upon tracks, except farm tractors;

165 [(35)] **(36)** "Motor vehicle primarily for business use", any vehicle other
166 than a recreational motor vehicle, motorcycle, motortricycle, or any commercial
167 motor vehicle licensed for over twelve thousand pounds:

168 (a) Offered for hire or lease; or

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

- 170 [(36)] (37) "Motorcycle", a motor vehicle operated on two wheels;
- 171 [(37)] (38) "Motorized bicycle", any two-wheeled or three-wheeled device
172 having an automatic transmission and a motor with a cylinder capacity of not
173 more than fifty cubic centimeters, which produces less than three gross brake
174 horsepower, and is capable of propelling the device at a maximum speed of not
175 more than thirty miles per hour on level ground;
- 176 [(38)] (39) "Motortricycle", a motor vehicle **upon which the operator**
177 **straddles or sits astride that is designed to be controlled by handle bars**
178 **and is** operated on three wheels, including a motorcycle while operated with any
179 conveyance, temporary or otherwise, requiring the use of a third wheel. A
180 motortricycle shall not be included in the definition of all-terrain vehicle;
- 181 [(39)] (40) "Municipality", any city, town or village, whether incorporated
182 or not;
- 183 [(40)] (41) "Nonresident", a resident of a state or country other than the
184 state of Missouri;
- 185 [(41)] (42) "Non-USA-std motor vehicle", a motor vehicle not originally
186 manufactured in compliance with United States emissions or safety standards;
- 187 [(42)] (43) "Operator", any person who operates or drives a motor vehicle;
- 188 [(43)] (44) "Owner", any person, firm, corporation or association, who
189 holds the legal title to a vehicle or in the event a vehicle is the subject of an
190 agreement for the conditional sale or lease thereof with the right of purchase
191 upon performance of the conditions stated in the agreement and with an
192 immediate right of possession vested in the conditional vendee or lessee, or in the
193 event a mortgagor of a vehicle is entitled to possession, then such conditional
194 vendee or lessee or mortgagor shall be deemed the owner;
- 195 [(44)] (45) "Public garage", a place of business where motor vehicles are
196 housed, stored, repaired, reconstructed or repainted for persons other than the
197 owners or operators of such place of business;
- 198 [(45)] (46) "Rebuilder", a business that repairs or rebuilds motor vehicles
199 owned by the rebuilder, but does not include certificated common or contract
200 carriers of persons or property;
- 201 [(46)] (47) "Reconstructed motor vehicle", a vehicle that is altered from
202 its original construction by the addition or substitution of two or more new or
203 used major component parts, excluding motor vehicles made from all new parts,
204 and new multistage manufactured vehicles;
- 205 [(47)] (48) "Recreational motor vehicle", any motor vehicle designed,

206 constructed or substantially modified so that it may be used and is used for the
207 purposes of temporary housing quarters, including therein sleeping and eating
208 facilities which are either permanently attached to the motor vehicle or attached
209 to a unit which is securely attached to the motor vehicle. Nothing herein shall
210 prevent any motor vehicle from being registered as a commercial motor vehicle
211 if the motor vehicle could otherwise be so registered;

212 [(48)] **(49)** "Recreational off-highway vehicle", any motorized vehicle
213 manufactured and used exclusively for off-highway use which is more than fifty
214 inches but no more than sixty-seven inches in width, with an unladen dry weight
215 of two thousand pounds or less, traveling on four or more nonhighway tires and
216 which may have access to ATV trails;

217 [(49)] **(50)** "Rollback or car carrier", any vehicle specifically designed to
218 transport wrecked, disabled or otherwise inoperable vehicles, when the
219 transportation is directly connected to a wrecker or towing service;

220 [(50)] **(51)** "Saddlemount combination", a combination of vehicles in
221 which a truck or truck tractor tows one or more trucks or truck tractors, each
222 connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The
223 "saddle" is a mechanism that connects the front axle of the towed vehicle to the
224 frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin
225 connection. When two vehicles are towed in this manner the combination is
226 called a "double saddlemount combination". When three vehicles are towed in
227 this manner, the combination is called a "triple saddlemount combination";

228 [(51)] **(52)** "Salvage dealer and dismantler", a business that dismantles
229 used motor vehicles for the sale of the parts thereof, and buys and sells used
230 motor vehicle parts and accessories;

231 [(52)] **(53)** "Salvage vehicle", a motor vehicle, semitrailer, or house trailer
232 which:

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

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

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

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

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

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

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

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

261 [(53)] **(54)** "School bus", any motor vehicle used solely to transport
262 students to or from school or to transport students to or from any place for
263 educational purposes;

264 [(54)] **(55)** "Scrap processor", a business that, through the use of fixed or
265 mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and
266 vehicle parts for processing or transportation to a shredder or scrap metal
267 operator for recycling;

268 [(55)] **(56)** "Shuttle bus", a motor vehicle used or maintained by any
269 person, firm, or corporation as an incidental service to transport patrons or
270 customers of the regular business of such person, firm, or corporation to and from
271 the place of business of the person, firm, or corporation providing the service at
272 no fee or charge. Shuttle buses shall not be registered as buses or as commercial
273 motor vehicles;

274 [(56)] **(57)** "Special mobile equipment", every self-propelled vehicle not
275 designed or used primarily for the transportation of persons or property and
276 incidentally operated or moved over the highways, including farm equipment,
277 implements of husbandry, road construction or maintenance machinery, ditch-

278 digging apparatus, stone crushers, air compressors, power shovels, cranes,
279 graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt
280 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished
281 machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers,
282 drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This
283 enumeration shall be deemed partial and shall not operate to exclude other such
284 vehicles which are within the general terms of this section;

285 [(57)] **(58)** "Specially constructed motor vehicle", a motor vehicle which
286 shall not have been originally constructed under a distinctive name, make, model
287 or type by a manufacturer of motor vehicles. The term specially constructed
288 motor vehicle includes kit vehicles;

289 [(58)] **(59)** "Stinger-steered combination", a truck tractor-semitrailer
290 wherein the fifth wheel is located on a drop frame located behind and below the
291 rearmost axle of the power unit;

292 [(59)] **(60)** "Tandem axle", a group of two or more axles, arranged one
293 behind another, the distance between the extremes of which is more than forty
294 inches and not more than ninety-six inches apart;

295 [(60)] **(61)** "Towaway trailer transporter combination", a combination of
296 vehicles consisting of a trailer transporter towing unit and two trailers or
297 semitrailers, with a total weight that does not exceed twenty-six thousand
298 pounds; and in which the trailers or semitrailers carry no property and constitute
299 inventory property of a manufacturer, distributor, or dealer of such trailers or
300 semitrailers;

301 [(61)] **(62)** "Tractor", "truck tractor" or "truck-tractor", a self-propelled
302 motor vehicle designed for drawing other vehicles, but not for the carriage of any
303 load when operating independently. When attached to a semitrailer, it supports
304 a part of the weight thereof;

305 [(62)] **(63)** "Trailer", any vehicle without motive power designed for
306 carrying property or passengers on its own structure and for being drawn by a
307 self-propelled vehicle, except those running exclusively on tracks, including a
308 semitrailer or vehicle of the trailer type so designed and used in conjunction with
309 a self-propelled vehicle that a considerable part of its own weight rests upon and
310 is carried by the towing vehicle. The term trailer shall not include cotton trailers
311 as defined in this section and shall not include manufactured homes as defined
312 in section 700.010;

313 [(63)] **(64)** "Trailer transporter towing unit", a power unit that is not

314 used to carry property when operating in a towaway trailer transporter
315 combination;

316 [(64)] **(65)** "Truck", a motor vehicle designed, used, or maintained for the
317 transportation of property;

318 [(65)] **(66)** "Truck-tractor semitrailer-semitrailer", a combination vehicle
319 in which the two trailing units are connected with a B-train assembly which is
320 a rigid frame extension attached to the rear frame of a first semitrailer which
321 allows for a fifth-wheel connection point for the second semitrailer and has one
322 less articulation point than the conventional A-dolly connected truck-tractor
323 semitrailer-trailer combination;

324 [(66)] **(67)** "Truck-trailer boat transporter combination", a boat
325 transporter combination consisting of a straight truck towing a trailer using
326 typically a ball and socket connection with the trailer axle located substantially
327 at the trailer center of gravity rather than the rear of the trailer but so as to
328 maintain a downward force on the trailer tongue;

329 [(67)] **(68)** "Used parts dealer", a business that buys and sells used motor
330 vehicle parts or accessories, but not including a business that sells only new,
331 remanufactured or rebuilt parts. Business does not include isolated sales at a
332 swap meet of less than three days;

333 [(68)] **(69)** "Utility vehicle", any motorized vehicle manufactured and
334 used exclusively for off-highway use which is more than fifty inches but no more
335 than sixty-seven inches in width, with an unladen dry weight of two thousand
336 pounds or less, traveling on four or six wheels, to be used primarily for
337 landscaping, lawn care, or maintenance purposes;

338 [(69)] **(70)** "Vanpool", any van or other motor vehicle used or maintained
339 by any person, group, firm, corporation, association, city, county or state agency,
340 or any member thereof, for the transportation of not less than eight nor more
341 than forty-eight employees, per motor vehicle, to and from their place of
342 employment; however, a vanpool shall not be included in the definition of the
343 term bus or commercial motor vehicle as defined in this section, nor shall a
344 vanpool driver be deemed a chauffeur as that term is defined by section 303.020;
345 nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational,
346 personal, or maintenance uses constitute an unlicensed use of the motor vehicle,
347 unless used for monetary profit other than for use in a ride-sharing arrangement;

348 [(70)] **(71)** "Vehicle", any mechanical device on wheels, designed
349 primarily for use, or used, on highways, except motorized bicycles, vehicles

350 propelled or drawn by horses or human power, or vehicles used exclusively on
351 fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by
352 handicapped persons;

353 [(71)] **(72)** "Wrecker" or "tow truck", any emergency commercial vehicle
354 equipped, designed and used to assist or render aid and transport or tow disabled
355 or wrecked vehicles from a highway, road, street or highway rights-of-way to a
356 point of storage or repair, including towing a replacement vehicle to replace a
357 disabled or wrecked vehicle;

358 [(72)] **(73)** "Wrecker or towing service", the act of transporting, towing
359 or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not
360 owned by the operator of the wrecker, tow truck, rollback or car carrier for which
361 the operator directly or indirectly receives compensation or other personal gain.

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

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

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

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

15 2. If the vehicle is a motor vehicle primarily for business use as defined
16 in section 301.010 and if such vehicle is five years of age or less, the director of
17 revenue shall retain the odometer information provided in the vehicle inspection
18 report, and provide for prompt access to such information, together with the
19 vehicle identification number for the motor vehicle to which such information
20 pertains, for a period of five years after the receipt of such information. This
21 section shall not apply unless:

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

24 (2) The certificate was issued pursuant to a manufacturer's statement of

25 origin.

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

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

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

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

61 "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor
62 Vehicle", or "Specially Constructed Motor Vehicle" on the current and all
63 subsequent issues of the certificate of ownership of such vehicle.

64 5. Every insurance company that pays a claim for repair of a motor
65 vehicle which as the result of such repairs becomes a reconstructed motor vehicle
66 as defined in section 301.010 or that pays a claim on a salvage vehicle as defined
67 in section 301.010 and the owner is retaining the vehicle shall in writing notify
68 the owner of the vehicle, and in a first party claim, the lienholder if a lien is in
69 effect, that he is required to surrender the certificate of ownership, and the
70 documents and fees required pursuant to subsection 4 of this section to obtain a
71 prior salvage motor vehicle certificate of ownership or documents and fees as
72 otherwise required by law to obtain a salvage certificate of ownership, from the
73 director of revenue. The insurance company shall within thirty days of the
74 payment of such claims report to the director of revenue the name and address
75 of such owner, the year, make, model, vehicle identification number, and license
76 plate number of the vehicle, and the date of loss and payment.

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

79 7. An applicant for registration may make a donation of one dollar to
80 promote a blindness education, screening and treatment program. The director
81 of revenue shall collect the donations and deposit all such donations in the state
82 treasury to the credit of the blindness education, screening and treatment
83 program fund established in section 209.015. Moneys in the blindness education,
84 screening and treatment program fund shall be used solely for the purposes
85 established in section 209.015; except that the department of revenue shall retain
86 no more than one percent for its administrative costs. The donation prescribed
87 in this subsection is voluntary and may be refused by the applicant for
88 registration at the time of issuance or renewal. The director shall inquire of each
89 applicant at the time the applicant presents the completed application to the
90 director whether the applicant is interested in making the one dollar donation
91 prescribed in this subsection.

92 8. An applicant for registration may make a donation of one dollar to
93 promote an organ donor program. The director of revenue shall collect the
94 donations and deposit all such donations in the state treasury to the credit of the
95 organ donor program fund as established in sections 194.297 to 194.304. Moneys
96 in the organ donor fund shall be used solely for the purposes established in

97 sections 194.297 to 194.304, except that the department of revenue shall retain
98 no more than one percent for its administrative costs. The donation prescribed
99 in this subsection is voluntary and may be refused by the applicant for
100 registration at the time of issuance or renewal. The director shall inquire of each
101 applicant at the time the applicant presents the completed application to the
102 director whether the applicant is interested in making the one dollar donation
103 prescribed in this subsection.

301.030. 1. The director shall provide for the retention of license plates
2 by the owners of motor vehicles, other than commercial motor vehicles, and shall
3 establish a system of registration on a monthly series basis to distribute the work
4 of registering motor vehicles as uniformly as practicable throughout the twelve
5 months of the calendar year. For the purpose of assigning license plate numbers,
6 each type of motor vehicle shall be considered a separate class. Commencing July
7 1, 1949, motor vehicles, other than commercial motor vehicles, shall be registered
8 for a period of twelve consecutive calendar months. There are established twelve
9 registration periods, each of which shall start on the first day of each calendar
10 month of the year and shall end on the last date of the twelfth month from the
11 date of beginning.

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

20 3. All commercial motor vehicles and trailers, except those licensed under
21 section 301.035 and those operated under agreements as provided for in sections
22 301.271 to 301.279, shall be registered either on a calendar year basis or on a
23 prorated basis as provided in this section. The fees for commercial motor
24 vehicles, trailers, semitrailers, and driveaway vehicles, other than those to be
25 operated under agreements as provided for in sections 301.271 to 301.279 shall
26 be payable not later than the last day of February of each year, except when such
27 vehicle is licensed between April first and July first the fee shall be three-fourths
28 the annual fee, when licensed between July first and October first the fee shall
29 be one-half the annual fee and when licensed on or after October first the fee

30 shall be one-fourth the annual fee. Such license plates shall be made with fully
 31 reflective material with a common color scheme and design, shall be clearly
 32 visible at night, and shall be aesthetically attractive, as prescribed by section
 33 301.130. Local commercial motor vehicle license plates may also be so stamped,
 34 marked or designed as to indicate they are to be used only on local commercial
 35 motor vehicles and, in addition to such stamp, mark or design, the letter "F" shall
 36 also be displayed on local commercial motor vehicle license plates issued to motor
 37 vehicles used for farm or farming transportation operations as defined in section
 38 301.010 in the manner prescribed by the advisory committee established in
 39 section 301.129. In addition, all commercial motor vehicle license plates may be
 40 so stamped or marked with a letter, figure or other emblem as to indicate the
 41 gross weight for which issued.

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

46 **5. Notwithstanding any other provision of law to the contrary,**
 47 **any motorcycle or motortricycle registration issued by the Missouri**
 48 **department of revenue shall expire on June thirtieth.**

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

18 **classification and pay the appropriate registration fee.**

301.074. License plates issued under sections 301.071 to 301.075 shall be
2 valid for the duration of the veteran's disability. Each such applicant issued
3 license plates under these provisions shall annually furnish proof of vehicle
4 inspection and proof of disability to the director, except that an applicant whose
5 service connected disability qualifying him for special license plates consists in
6 whole or in part of loss of an eye or a limb or an applicant with a one hundred
7 percent permanent disability, as established by a physician's signed statement
8 to that effect, need only furnish proof of disability to the director when initially
9 applying for the special license plates and not thereafter, but in such case proof
10 that the veteran is alive shall be required annually. [Each person qualifying
11 under sections 301.071 to 301.075 may license only one motor vehicle under these
12 provisions.] No commercial motor vehicle in excess of twenty-four thousand
13 pounds gross weight may be licensed under the provisions of sections 301.071 to
14 301.075.

301.075. There shall be no fee charged for **one set of** license plates issued
2 **to an eligible person** under the provisions of [this] **sections 301.071 to**
3 **301.075. A second or subsequent set of license plates issued to the**
4 **eligible person under these sections shall be subject to regular**
5 **registration fees and the fee required for personalized license plates**
6 **under section 301.144.**

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

16 "SHOW-ME STATE".

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

21 3. All property-carrying commercial motor vehicles to be registered at a
22 gross weight in excess of twelve thousand pounds, all passenger-carrying
23 commercial motor vehicles, local transit buses, school buses, trailers, semitrailers,
24 motorcycles, motortricycles, **autocycles**, motorscooters, and driveaway vehicles
25 shall be registered with the director of revenue as provided for in subsection 3 of
26 section 301.030, or with the state highways and transportation commission as
27 otherwise provided in this chapter, but only one license plate shall be issued for
28 each such vehicle, except as provided in this subsection. The applicant for
29 registration of any property-carrying commercial vehicle registered at a gross
30 weight in excess of twelve thousand pounds may request and be issued two
31 license plates for such vehicle, and if such plates are issued, the director of
32 revenue shall provide for distinguishing marks on the plates indicating one plate
33 is for the front and the other is for the rear of such vehicle. The director may
34 assess and collect an additional charge from the applicant in an amount not to
35 exceed the fee prescribed for personalized license plates in subsection 1 of section
36 301.144.

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

41 5. No motor vehicle or trailer shall be operated on any highway of this
42 state unless it shall have displayed thereon the license plate or set of license
43 plates issued by the director of revenue or the state highways and transportation
44 commission and authorized by section 301.140. Each such plate shall be securely
45 fastened to the motor vehicle or trailer in a manner so that all parts thereof shall
46 be plainly visible and reasonably clean so that the reflective qualities thereof are
47 not impaired. Each such plate may be encased in a transparent cover so long as
48 the plate is plainly visible and its reflective qualities are not impaired. License
49 plates shall be fastened to all motor vehicles except trucks, tractors, truck
50 tractors or truck-tractors licensed in excess of twelve thousand pounds on the
51 front and rear of such vehicles not less than eight nor more than forty-eight

52 inches above the ground, with the letters and numbers thereon right side up. The
53 license plates on trailers, motorcycles, motortricycles, **autocycles**, and
54 motorscooters shall be displayed on the rear of such vehicles either horizontally
55 or vertically, with the letters and numbers plainly visible. The license plate on
56 buses, other than school buses, and on trucks, tractors, truck tractors or truck-
57 tractors licensed in excess of twelve thousand pounds shall be displayed on the
58 front of such vehicles not less than eight nor more than forty-eight inches above
59 the ground, with the letters and numbers thereon right side up or if two plates
60 are issued for the vehicle pursuant to subsection 3 of this section, displayed in
61 the same manner on the front and rear of such vehicles. The license plate or
62 plates authorized by section 301.140, when properly attached, shall be prima facie
63 evidence that the required fees have been paid.

64 6. (1) The director of revenue shall issue annually or biennially a tab or
65 set of tabs as provided by law as evidence of the annual payment of registration
66 fees and the current registration of a vehicle in lieu of the set of
67 plates. Beginning January 1, 2010, the director may prescribe any additional
68 information recorded on the tab or tabs to ensure that the tab or tabs positively
69 correlate with the license plate or plates issued by the department of revenue for
70 such vehicle. Such tabs shall be produced in each license bureau office.

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

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

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

79 (5) For those commercial motor vehicles and trailers registered pursuant
80 to section 301.041, the plate issued by the highways and transportation
81 commission shall be a permanent nonexpiring license plate for which no tabs
82 shall be issued. Nothing in this section shall relieve the owner of any vehicle
83 permanently registered pursuant to this section from the obligation to pay the
84 annual registration fee due for the vehicle. The permanent nonexpiring license
85 plate shall be returned to the highways and transportation commission upon the
86 sale or disposal of the vehicle by the owner to whom the permanent nonexpiring
87 license plate is issued, or the plate may be transferred to a replacement

88 commercial motor vehicle when the owner files a supplemental application with
89 the Missouri highways and transportation commission for the registration of such
90 replacement commercial motor vehicle. Upon payment of the annual registration
91 fee, the highways and transportation commission shall issue a certificate of
92 registration or other suitable evidence of payment of the annual fee, and such
93 evidence of payment shall be carried at all times in the vehicle for which it is
94 issued.

95 (6) Upon the sale or disposal of any vehicle permanently registered under
96 this section, or upon the termination of a lease of any such vehicle, the permanent
97 nonexpiring plate issued for such vehicle shall be returned to the highways and
98 transportation commission and shall not be valid for operation of such vehicle, or
99 the plate may be transferred to a replacement vehicle when the owner files a
100 supplemental application with the Missouri highways and transportation
101 commission for the registration of such replacement vehicle. If a vehicle which
102 is permanently registered under this section is sold, wrecked or otherwise
103 disposed of, or the lease terminated, the registrant shall be given credit for any
104 unused portion of the annual registration fee when the vehicle is replaced by the
105 purchase or lease of another vehicle during the registration year.

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

111 8. Notwithstanding the provisions of any other law to the contrary, owners
112 of motor vehicles other than apportioned motor vehicles or commercial motor
113 vehicles licensed in excess of twenty-four thousand pounds gross weight may
114 apply for special personalized license plates. Vehicles licensed for twenty-four
115 thousand pounds that display special personalized license plates shall be subject
116 to the provisions of subsections 1 and 2 of section 301.030. On and after August
117 28, 2016, owners of motor vehicles, other than apportioned motor vehicles or
118 commercial motor vehicles licensed in excess of twenty-four thousand pounds
119 gross weight, may apply for any preexisting or hereafter statutorily created
120 special personalized license plates.

121 9. No later than January 1, 2019, the director of revenue shall commence
122 the reissuance of new license plates of such design as approved by the advisory
123 committee under section 301.125 consistent with the terms, conditions, and

124 provisions of section 301.125 and this chapter. Except as otherwise provided in
125 this section, in addition to all other fees required by law, applicants for
126 registration of vehicles with license plates that expire during the period of
127 reissuance, applicants for registration of trailers or semitrailers with license
128 plates that expire during the period of reissuance and applicants for registration
129 of vehicles that are to be issued new license plates during the period of reissuance
130 shall pay the cost of the plates required by this subsection. The additional cost
131 prescribed in this subsection shall not be charged to persons receiving special
132 license plates issued under section 301.073 or 301.443. Historic motor vehicle
133 license plates registered pursuant to section 301.131 and specialized license
134 plates are exempt from the provisions of this subsection. Except for new,
135 replacement, and transfer applications, permanent nonexpiring license plates
136 issued to commercial motor vehicles and trailers registered under section 301.041
137 are exempt from the provisions of this subsection.

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

16 2. In the case of a transfer of ownership the original owner may register
17 another motor vehicle under the same number, upon the payment of a fee of two
18 dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a
19 passenger-carrying commercial motor vehicle) seating capacity, not in excess of
20 that originally registered. When such motor vehicle is of greater horsepower,
21 gross weight or (in the case of a passenger-carrying commercial motor vehicle)
22 seating capacity, for which a greater fee is prescribed, applicant shall pay a

23 transfer fee of two dollars and a pro rata portion for the difference in fees. When
24 such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying
25 commercial motor vehicle) seating capacity, for which a lesser fee is prescribed,
26 applicant shall not be entitled to a refund.

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

40 4. The director of the department of revenue shall have authority to
41 produce or allow others to produce a weather resistant, nontearing temporary
42 permit authorizing the operation of a motor vehicle or trailer by a buyer for not
43 more than thirty days, or no more than ninety days if issued by a dealer selling
44 the motor vehicle under the provisions of section 301.213, from the date of
45 purchase. The temporary permit authorized under this section may be purchased
46 by the purchaser of a motor vehicle or trailer from the central office of the
47 department of revenue or from an authorized agent of the department of revenue
48 upon proof of purchase of a motor vehicle or trailer for which the buyer has no
49 registration plate available for transfer and upon proof of financial responsibility,
50 or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for
51 which the buyer has no registration plate available for transfer, or from a motor
52 vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has
53 registered and is awaiting receipt of registration plates. The director of the
54 department of revenue or a producer authorized by the director of the department
55 of revenue may make temporary permits available to registered dealers in this
56 state, authorized agents of the department of revenue or the department of
57 revenue. The price paid by a motor vehicle dealer, an authorized agent of the
58 department of revenue or the department of revenue for a temporary permit shall

59 not exceed five dollars for each permit. The director of the department of revenue
60 shall direct motor vehicle dealers and authorized agents to obtain temporary
61 permits from an authorized producer. Amounts received by the director of the
62 department of revenue for temporary permits shall constitute state revenue;
63 however, amounts received by an authorized producer other than the director of
64 the department of revenue shall not constitute state revenue and any amounts
65 received by motor vehicle dealers or authorized agents for temporary permits
66 purchased from a producer other than the director of the department of revenue
67 shall not constitute state revenue. In no event shall revenues from the general
68 revenue fund or any other state fund be utilized to compensate motor vehicle
69 dealers or other producers for their role in producing temporary permits as
70 authorized under this section. Amounts that do not constitute state revenue
71 under this section shall also not constitute fees for registration or certificates of
72 title to be collected by the director of the department of revenue under section
73 301.190. No motor vehicle dealer, authorized agent or the department of revenue
74 shall charge more than five dollars for each permit issued. The permit shall be
75 valid for a period of thirty days, or no more than ninety days if issued by a dealer
76 selling the motor vehicle under the provisions of section 301.213, from the date
77 of purchase of a motor vehicle or trailer, or from the date of sale of the motor
78 vehicle or trailer by a motor vehicle dealer for which the purchaser obtains a
79 permit as set out above. No permit shall be issued for a vehicle under this
80 section unless the buyer shows proof of financial responsibility. Each temporary
81 permit issued shall be securely fastened to the back or rear of the motor vehicle
82 in a manner and place on the motor vehicle consistent with registration plates so
83 that all parts and qualities of the temporary permit thereof shall be plainly and
84 clearly visible, reasonably clean and are not impaired in any way.

85 5. The permit shall be issued on a form prescribed by the director of the
86 department of revenue and issued only for the applicant's temporary operation
87 of the motor vehicle or trailer purchased to enable the applicant to temporarily
88 operate the motor vehicle while proper title and registration plates are being
89 obtained, or while awaiting receipt of registration plates, and shall be displayed
90 on no other motor vehicle. Temporary permits issued pursuant to this section
91 shall not be transferable or renewable, [and] shall not be valid upon issuance of
92 proper registration plates for the motor vehicle or trailer, **and shall be**
93 **returned to the department or to the department's agent upon the**
94 **issuance of such proper registration plates. Any temporary permit**

95 **returned to the department or to the department's agent shall be**
96 **immediately destroyed. The provisions of this subsection shall not**
97 **apply to temporary permits issued for commercial motor vehicles**
98 **licensed in excess of twenty-four thousand pounds gross weight.** The
99 director of the department of revenue shall determine the size, material, design,
100 numbering configuration, construction, and color of the permit. The director of
101 the department of revenue, at his or her discretion, shall have the authority to
102 reissue, and thereby extend the use of, a temporary permit previously and legally
103 issued for a motor vehicle or trailer while proper title and registration are being
104 obtained.

105 6. Every motor vehicle dealer that issues temporary permits shall keep,
106 for inspection by proper officers, an accurate record of each permit issued by
107 recording the permit number, the motor vehicle dealer's number, buyer's name
108 and address, the motor vehicle's year, make, and manufacturer's vehicle
109 identification number, and the permit's date of issuance and expiration
110 date. Upon the issuance of a temporary permit by either the central office of the
111 department of revenue, a motor vehicle dealer or an authorized agent of the
112 department of revenue, the director of the department of revenue shall make the
113 information associated with the issued temporary permit immediately available
114 to the law enforcement community of the state of Missouri.

115 7. Upon the transfer of ownership of any currently registered motor
116 vehicle wherein the owner cannot transfer the license plates due to a change of
117 motor vehicle category, the owner may surrender the license plates issued to the
118 motor vehicle and receive credit for any unused portion of the original
119 registration fee against the registration fee of another motor vehicle. Such credit
120 shall be granted based upon the date the license plates are surrendered. No
121 refunds shall be made on the unused portion of any license plates surrendered for
122 such credit.

123 8. [The provisions of subsections 4, 5, and 6 of this section shall expire
124 July 1, 2019.

125 9.] An additional temporary license plate produced in a manner and of
126 materials determined by the director to be the most cost-effective means of
127 production with a configuration that matches an existing or newly issued plate
128 may be purchased by a motor vehicle owner to be placed in the interior of the
129 vehicle's rear window such that the driver's view out of the rear window is not
130 obstructed and the plate configuration is clearly visible from the outside of the

131 vehicle to serve as the visible plate when a bicycle rack or other item obstructs
132 the view of the actual plate. Such temporary plate is only authorized for use
133 when the matching actual plate is affixed to the vehicle in the manner prescribed
134 in subsection 5 of section 301.130. The fee charged for the temporary plate shall
135 be equal to the fee charged for a temporary permit issued under subsection 4 of
136 this section. Replacement temporary plates authorized in this subsection may be
137 issued as needed upon the payment of a fee equal to the fee charged for a
138 temporary permit under subsection 4 of this section. The newly produced third
139 plate may only be used on the vehicle with the matching plate, and the additional
140 plate shall be clearly recognizable as a third plate and only used for the purpose
141 specified in this subsection.

142 [10.] 9. Notwithstanding the provisions of section 301.217, the director
143 may issue a temporary permit to an individual who possesses a salvage motor
144 vehicle which requires an inspection under subsection 9 of section 301.190. The
145 operation of a salvage motor vehicle for which the permit has been issued shall
146 be limited to the most direct route from the residence, maintenance, or storage
147 facility of the individual in possession of such motor vehicle to the nearest
148 authorized inspection facility and return to the originating
149 location. Notwithstanding any other requirements for the issuance of a
150 temporary permit under this section, an individual obtaining a temporary permit
151 for the purpose of operating a motor vehicle to and from an examination facility
152 as prescribed in this subsection shall also purchase the required motor vehicle
153 examination form which is required to be completed for an examination under
154 subsection 9 of section 301.190 and provide satisfactory evidence that such vehicle
155 has passed a motor vehicle safety inspection for such vehicle as required in
156 section 307.350.

157 [11.] 10. The director of the department of revenue may promulgate all
158 necessary rules and regulations for the administration of this section. Any rule
159 or portion of a rule, as that term is defined in section 536.010, that is created
160 under the authority delegated in this section shall become effective only if it
161 complies with and is subject to all of the provisions of chapter 536 and, if
162 applicable, section 536.028. This section and chapter 536 are nonseverable and
163 if any of the powers vested with the general assembly pursuant to chapter 536 to
164 review, to delay the effective date, or to disapprove and annul a rule are
165 subsequently held unconstitutional, then the grant of rulemaking authority and
166 any rule proposed or adopted after August 28, 2012, shall be invalid and void.

167 [12.] 11. The repeal and reenactment of this section shall become
168 effective on the date the department of revenue or a producer authorized by the
169 director of the department of revenue begins producing temporary permits
170 described in subsection 4 of such section, or on July 1, 2013, whichever occurs
171 first. If the director of revenue or a producer authorized by the director of the
172 department of revenue begins producing temporary permits prior to July 1, 2013,
173 the director of the department of revenue shall notify the revisor of statutes of
174 such fact.

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

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

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

5 (3) "Other authorized health care practitioner" includes advanced practice
6 registered nurses licensed pursuant to chapter 335, physician assistants licensed
7 pursuant to chapter 334, chiropractors licensed pursuant to chapter 331,
8 podiatrists licensed pursuant to chapter 330, assistant physicians, physical
9 therapists licensed pursuant to chapter 334, and optometrists licensed pursuant
10 to chapter 336;

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

15 (a) The person cannot ambulate or walk fifty or less feet without stopping
16 to rest due to a severe and disabling arthritic, neurological, orthopedic condition,
17 or other severe and disabling condition; or

18 (b) The person cannot ambulate or walk without the use of, or assistance
19 from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other
20 assistive device; or

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

25 (d) Uses portable oxygen; or

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

29 (f) A person's age, in and of itself, shall not be a factor in determining
30 whether such person is physically disabled or is otherwise entitled to disabled
31 license plates and/or disabled windshield hanging placards within the meaning
32 of sections 301.141 to 301.143;

33 (5) "Physician", a person licensed to practice medicine pursuant to chapter
34 334;

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

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

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

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

47 2. Other authorized health care practitioners may furnish to a disabled
48 or temporarily disabled person a physician's statement for only those physical
49 health care conditions for which such health care practitioner is legally
50 authorized to diagnose and treat.

51 3. A physician's statement shall:

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

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

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

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

59 4. If it is the professional opinion of the physician or other authorized
60 health care practitioner issuing the statement that the physical disability of the
61 applicant, user, or member of the applicant's household is permanent, it shall be
62 noted on the statement. Otherwise, the physician or other authorized health care
63 practitioner shall note on the statement the anticipated length of the disability
64 which period may not exceed one hundred eighty days. If the physician or health

65 care practitioner fails to record an expiration date on the physician's statement,
66 the director shall issue a temporary windshield placard for a period of thirty
67 days.

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

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

81 7. Owners of motor vehicles who are residents of the state of Missouri,
82 and who are physically disabled, owners of motor vehicles operated at least fifty
83 percent of the time by a physically disabled person, or owners of motor vehicles
84 used to primarily transport physically disabled members of the owner's household
85 may obtain disabled person license plates. Such owners, upon application,
86 accompanied by the documents and fees provided for in this section, a current
87 physician's statement which has been issued within ninety days preceding the
88 date the application is made and proof of compliance with the state motor vehicle
89 laws relating to registration and licensing of motor vehicles, shall be issued motor
90 vehicle license plates for vehicles, other than commercial vehicles with a gross
91 weight in excess of twenty-four thousand pounds, upon which shall be inscribed
92 the international wheelchair accessibility symbol and the word "DISABLED" in
93 addition to a combination of letters and numbers. Such license plates shall be
94 made with fully reflective material with a common color scheme and design, shall
95 be clearly visible at night, and shall be aesthetically attractive, as prescribed by
96 section 301.130. **If at any time an individual who obtained disabled**
97 **license plates issued under this subsection no longer occupies a**
98 **residence with a physically disabled person, or no longer owns a**
99 **vehicle that is operated at least fifty percent of the time by a physically**
100 **disabled person, such individual shall surrender the disabled license**

101 **plates to the department within thirty days of becoming ineligible for**
102 **their use.**

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

110 9. No additional fee shall be paid to the director for the issuance of the
111 special license plates provided in this section, except for special personalized
112 license plates and other license plates described in this subsection. Priority for
113 any specific set of special license plates shall be given to the applicant who
114 received the number in the immediately preceding license period subject to the
115 applicant's compliance with the provisions of this section and any applicable rules
116 or regulations issued by the director. If determined feasible by the advisory
117 committee established in section 301.129, any special license plate issued
118 pursuant to this section may be adapted to also include the international
119 wheelchair accessibility symbol and the word "DISABLED" as prescribed in this
120 section and such plate may be issued to any applicant who meets the
121 requirements of this section and the other appropriate provision of this chapter,
122 subject to the requirements and fees of the appropriate provision of this chapter.

123 10. Any physically disabled person, or the parent or guardian of any such
124 person, or any not-for-profit group, organization, or other entity which transports
125 more than one physically disabled person, may apply to the director of revenue
126 for a removable windshield placard. The placard may be used in motor vehicles
127 which do not bear the permanent handicap symbol on the license plate. Such
128 placards must be hung from the front, middle rearview mirror of a parked motor
129 vehicle and may not be hung from the mirror during operation. These placards
130 may only be used during the period of time when the vehicle is being used by a
131 disabled person, or when the vehicle is being used to pick up, deliver, or collect
132 a disabled person, **and shall be surrendered to the department, within**
133 **thirty days, if a group, organization, or entity that obtained the**
134 **removable windshield placard due to the transportation of more than**
135 **one physically disabled person no longer transports more than one**
136 **disabled person.** When there is no rearview mirror, the placard shall be

137 displayed on the dashboard on the driver's side.

138 11. The removable windshield placard shall conform to the specifications,
139 in respect to size, color, and content, as set forth in federal regulations published
140 by the Department of Transportation. The removable windshield placard shall
141 be renewed every four years. The director may stagger the expiration dates to
142 equalize workload. Only one removable placard may be issued to an applicant
143 who has been issued disabled person license plates. Upon request, one additional
144 windshield placard may be issued to an applicant who has not been issued
145 disabled person license plates.

146 12. A temporary windshield placard shall be issued to any physically
147 disabled person, or the parent or guardian of any such person who otherwise
148 qualifies except that the physical disability, in the opinion of the physician, is not
149 expected to exceed a period of one hundred eighty days. The temporary
150 windshield placard shall conform to the specifications, in respect to size, color,
151 and content, as set forth in federal regulations published by the Department of
152 Transportation. The fee for the temporary windshield placard shall be two
153 dollars. Upon request, and for good cause shown, one additional temporary
154 windshield placard may be issued to an applicant. Temporary windshield
155 placards shall be issued upon presentation of the physician's statement provided
156 by this section and shall be displayed in the same manner as removable
157 windshield placards. A person or entity shall be qualified to possess and display
158 a temporary removable windshield placard for six months and the placard may
159 be renewed once for an additional six months if a physician's statement pursuant
160 to this section is supplied to the director of revenue at the time of renewal.

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

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

173 15. At the time the disabled plates or windshield hanging placards are
174 issued, the director shall issue a registration certificate which shall include the
175 applicant's name, address, and other identifying information as prescribed by the
176 director, or if issued to an agency, such agency's name and address. This
177 certificate shall further contain the disabled license plate number or, for
178 windshield hanging placards, the registration or identifying number stamped on
179 the placard. The validated registration receipt given to the applicant shall serve
180 as the registration certificate.

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

188 17. Every new applicant for a disabled license plate or placard shall be
189 required to present a new physician's statement dated no more than ninety days
190 prior to such application. Renewal applicants will be required to submit a
191 physician's statement dated no more than ninety days prior to such application
192 upon their first renewal occurring on or after August 1, 2005. Upon completing
193 subsequent renewal applications, a physician's statement dated no more than
194 ninety days prior to such application shall be required every ~~[fourth]~~ **eighth**
195 year. Such physician's statement shall state the expiration date for the
196 temporary windshield placard. If the physician fails to record an expiration date
197 on the physician's statement, the director shall issue the temporary windshield
198 placard for a period of thirty days. The director may stagger the requirement of
199 a physician's statement on all renewals for the initial implementation of a ~~[four-~~
200 ~~year]~~ **eight-year** period.

201 18. The director of revenue upon receiving a physician's statement
202 pursuant to this subsection shall check with the state board of registration for the
203 healing arts created in section 334.120, or the Missouri state board of nursing
204 established in section 335.021, with respect to physician's statements signed by
205 advanced practice registered nurses, or the Missouri state board of chiropractic
206 examiners established in section 331.090, with respect to physician's statements
207 signed by licensed chiropractors, or with the board of optometry established in
208 section 336.130, with respect to physician's statements signed by licensed

209 optometrists, or the state board of podiatric medicine created in section 330.100,
210 with respect to physician's statements signed by physicians of the foot or
211 podiatrists to determine whether the physician is duly licensed and registered
212 pursuant to law. If such applicant obtaining a disabled license plate or placard
213 presents proof of disability in the form of a statement from the United States
214 Veterans' Administration verifying that the person is permanently disabled, the
215 applicant shall be exempt from the [four-year] **eight-year** certification
216 requirement of this subsection for renewal of the plate or placard. Initial
217 applications shall be accompanied by the physician's statement required by this
218 section. Notwithstanding the provisions of paragraph (f) of subdivision (4) of
219 subsection 1 of this section, any person seventy-five years of age or older who
220 provided the physician's statement with the original application shall not be
221 required to provide a physician's statement for the purpose of renewal of disabled
222 persons license plates or windshield placards.

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

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

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

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

242 23. When a person to whom disabled person license plates or a removable
243 or temporary windshield placard or both have been issued dies, the personal
244 representative of the decedent or such other person who may come into or

245 otherwise take possession of the disabled license plates or disabled windshield
246 placard shall return the same to the director of revenue under penalty of
247 law. Failure to return such plates or placards shall constitute a class B
248 misdemeanor.

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

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

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

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

301.145. Any person who has been awarded the Congressional Medal of
2 Honor may apply for special motor vehicle license plates for any vehicle he or she
3 owns, either solely or jointly, other than commercial vehicles weighing over
4 twenty-four thousand pounds, as provided in this section. Any such person shall
5 make application for the special license plates on a form provided by the director
6 of revenue and furnish such proof of receipt of the Congressional Medal of Honor
7 as the director may require. The director shall then issue license plates bearing
8 the words "CONGRESSIONAL MEDAL OF HONOR" in a [form] **manner**
9 prescribed by the [advisory committee established in section 301.129, except that]
10 **director of revenue**. Such license plates shall be made with fully reflective
11 material with a common color scheme and design, shall be clearly visible at night,
12 and shall be aesthetically attractive, as prescribed by section 301.130. There

13 shall be no limit on the number of license plates any person qualified under this
14 section may obtain so long as each set of license plates issued under this section
15 is issued for vehicles owned solely or jointly by such person. License plates
16 issued under this section shall not be transferable to any other person except that
17 any registered co-owner of the motor vehicle may operate the motor vehicle for
18 the duration of the year licensed in the event of the death of the qualified
19 person. **There shall be no fee charged in addition to regular registration**
20 **fees for license plates issued under this section.**

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

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

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

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

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

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

- 2 (1) "Biometric data", shall include, but not be limited to, the following:
 - 3 (a) Facial feature pattern characteristics;
 - 4 (b) Voice data used for comparing live speech with a previously created
5 speech model of a person's voice;
 - 6 (c) Iris recognition data containing color or texture patterns or codes;
 - 7 (d) Retinal scans, reading through the pupil to measure blood vessels
8 lining the retina;
 - 9 (e) Fingerprint, palm prints, hand geometry, measure of any and all

10 characteristics of biometric information, including shape and length of fingertips,
11 or recording ridge pattern or fingertip characteristics;

12 (f) Eye spacing;

13 (g) Characteristic gait or walk;

14 (h) DNA;

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

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

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

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

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

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

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

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

44 (4) Any document required to be retained under federal motor carrier
45 regulations in Title 49, Code of Federal Regulations, including but not limited to

46 documents required by federal law for the issuance of a commercial driver's
47 license and a commercial driver instruction permit; [and]

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

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

57 4. (1) To the extent not prohibited under subsection 13 of this section, the
58 department of revenue shall amend procedures for applying for a driver's license
59 or identification card in order to comply with the goals or standards of the federal
60 REAL ID Act of 2005, any rules or regulations promulgated under the authority
61 granted in such Act, or any requirements adopted by the American Association
62 of Motor Vehicle Administrators for furtherance of the Act, unless such action
63 conflicts with Missouri law.

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

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

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

82 b. Electronic copies of source documents will be retained by the
83 department and destroyed after the minimum time required for **digital** retention
84 by the federal REAL ID Act of 2005, as amended;

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

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

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

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

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

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

102 5. The department of revenue shall not use, collect, obtain, share, or
103 retain biometric data nor shall the department use biometric technology to
104 produce a driver's license or nondriver's license or to uniquely identify licensees
105 or license applicants. This subsection shall not apply to digital images nor
106 licensee signatures required for the issuance of driver's licenses and nondriver's
107 licenses or to biometric data collected from employees of the department of
108 revenue, employees of the office of administration who provide information
109 technology support to the department of revenue, contracted license offices, and
110 contracted manufacturers engaged in the production, processing, or manufacture
111 of driver's licenses or identification cards in positions which require a background
112 check in order to be compliant with the federal REAL ID Act or any rules or
113 regulations promulgated under the authority of such Act. Except as otherwise
114 provided by law, applicants' source documents and Social Security numbers shall
115 not be stored in any database accessible by any other state or the federal
116 government. Such database shall contain only the data fields included on driver's
117 licenses and nondriver identification cards compliant with the federal REAL ID

118 Act, and the driving records of the individuals holding such driver's licenses and
119 nondriver identification cards.

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

126 7. No citizen of this state shall have his or her privacy compromised by
127 the state or agents of the state. The state shall within reason protect the
128 sovereignty of the citizens the state is entrusted to protect. Any data derived
129 from a person's application shall not be sold for commercial purposes to any other
130 organization or any other state without the express permission of the applicant
131 without a court order; except such information may be shared with a law
132 enforcement agency, judge, prosecuting attorney, or officer of the court, or with
133 another state for the limited purposes set out in section 302.600, or for the
134 purposes set forth in section 32.091, or for conducting driver history checks in
135 compliance with the Motor Carrier Safety Improvement Act, 49 U.S.C. Section
136 31309. The state of Missouri shall protect the privacy of its citizens when
137 handling any written, digital, or electronic data, and shall not participate in any
138 standardized identification system using driver's and nondriver's license records
139 except as provided in this section.

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

151 9. Any person harmed or damaged by any violation of this section may
152 bring a civil action for damages, including noneconomic and punitive damages,
153 as well as injunctive relief, in the circuit court where that person resided at the

154 time of the violation or in the circuit court of Cole County to recover such
155 damages from the department of revenue and any persons participating in such
156 violation. Sovereign immunity shall not be available as a defense for the
157 department of revenue in such an action. In the event the plaintiff prevails on
158 any count of his or her claim, the plaintiff shall be entitled to recover reasonable
159 attorney fees from the defendants.

160 10. The department of revenue may promulgate rules necessary to
161 implement the provisions of this section. Any rule or portion of a rule, as that
162 term is defined in section 536.010, that is created under the authority delegated
163 in this section shall become effective only if it complies with and is subject to all
164 of the provisions of chapter 536 and, if applicable, section 536.028. This section
165 and chapter 536 are nonseverable and if any of the powers vested with the
166 general assembly pursuant to chapter 536 to review, to delay the effective date,
167 or to disapprove and annul a rule are subsequently held unconstitutional, then
168 the grant of rulemaking authority and any rule proposed or adopted after August
169 28, 2017, shall be invalid and void.

170 11. Biometric data, digital images, source documents, and licensee
171 signatures, or any copies of the same, required to be collected or retained to
172 comply with the requirements of the federal REAL ID Act of 2005 shall be
173 **digitally** retained for no longer than the minimum duration required to maintain
174 compliance, and immediately thereafter shall be securely destroyed so as to make
175 them irretrievable.

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

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

189 14. If the federal REAL ID Act of 2005 is modified or repealed such that

190 driver's licenses and identification cards issued by this state that are not
191 compliant with the federal REAL ID Act of 2005 are once again sufficient for
192 federal identification purposes, the department shall not issue a driver's license
193 or identification card that complies with the federal REAL ID Act of 2005 and
194 shall securely destroy, within thirty days, any source documents retained by the
195 department for the purpose of compliance with such Act.

196 15. The provisions of this section shall expire five years after August 28,
197 2017.

302.173. 1. Any applicant for a license, who does not possess a valid
2 license issued pursuant to the laws of this state, another state, or a country
3 which has a reciprocal agreement with the state of Missouri regarding the
4 exchange of licenses pursuant to section 302.172 shall be examined as herein
5 provided. Any person who has failed to renew such person's license on or before
6 the date of its expiration or within six months thereafter must take the complete
7 examination. Any active member of the Armed Forces, their adult dependents or
8 any active member of the Peace Corps may apply for a renewal license without
9 examination of any kind, unless otherwise required by sections 302.700 to
10 302.780, provided the renewal application shows that the previous license had not
11 been suspended or revoked. Any person honorably discharged from the Armed
12 Forces of the United States who held a valid license prior to being inducted may
13 apply for a renewal license within sixty days after such person's honorable
14 discharge without submitting to any examination of such person's ability to safely
15 operate a motor vehicle over the highways of this state unless otherwise required
16 by sections 302.700 to 302.780, other than the vision test provided in section
17 302.175, unless the facts set out in the renewal application or record of
18 convictions on the expiring license, or the records of the director show that there
19 is good cause to authorize the director to require the applicant to submit to the
20 complete examination. No applicant for a renewal license shall be required to
21 submit to any examination of his or her ability to safely operate a motor vehicle
22 over the highways of this state unless otherwise required by sections 302.700 to
23 302.780 or regulations promulgated thereunder, other than a test of the
24 applicant's ability to understand highway signs regulating, warning or directing
25 traffic and the vision test provided in section 302.175, unless the facts set out in
26 the renewal application or record of convictions on the expiring license, or the
27 records of the director show that there is good cause to authorize the director to
28 require the applicant to submit to the complete examination. The examination

29 shall be made available in each county. Reasonable notice of the time and place
30 of the examination shall be given the applicant by the person or officer designated
31 to conduct it. The complete examination shall include a test of the applicant's
32 natural or corrected vision as prescribed in section 302.175, the applicant's ability
33 to understand highway signs regulating, warning or directing traffic, the
34 applicant's practical knowledge of the traffic laws of this state, and an actual
35 demonstration of ability to exercise due care in the operation of a motor vehicle
36 of the classification for which the license is sought. When an applicant for a
37 license has a license from a state which has requirements for issuance of a license
38 comparable to the Missouri requirements or a license from a country which has
39 a reciprocal agreement with the state of Missouri regarding the exchange of
40 licenses pursuant to section 302.172 and such license has not expired more than
41 six months prior to the date of application for the Missouri license, the director
42 may waive the test of the applicant's practical knowledge of the traffic laws of
43 this state, and the requirement of actual demonstration of ability to exercise due
44 care in the operation of a motor vehicle. If the director has reasonable grounds
45 to believe that an applicant is suffering from some known physical or mental
46 ailment which ordinarily would interfere with the applicant's fitness to operate
47 a motor vehicle safely upon the highways, the director may require that the
48 examination include a physical or mental examination by a licensed physician of
49 the applicant's choice, at the applicant's expense, to determine the fact. The
50 director shall prescribe regulations to ensure uniformity in the examinations and
51 in the grading thereof and shall prescribe and furnish all forms to the members
52 of the highway patrol and to other persons authorized to conduct examinations
53 as may be necessary to enable the officer or person to properly conduct the
54 examination. The records of the examination shall be forwarded to the director
55 who shall not issue any license hereunder if in the director's opinion the
56 applicant is not qualified to operate a motor vehicle safely upon the highways of
57 this state.

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

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

69 4. Notwithstanding the requirements of subsections 1 and 3 of this
70 section, the successful completion of a motorcycle rider training course approved
71 pursuant to sections 302.133 to 302.137 shall constitute an actual demonstration
72 of the person's ability to exercise due care in the operation of a motorcycle or
73 motortricycle, and no further **practical knowledge or** driving test shall be
74 required to obtain a motorcycle or motortricycle license or endorsement. **The**
75 **motorcycle rider training course completion shall be accepted for**
76 **purposes of motorcycle license or endorsement issuance for one year**
77 **from the date of course completion.**

78 5. Notwithstanding the requirements of subsections 1 and 3 of this
79 section, the successful completion of a military motorcycle rider training course
80 that meets or exceeds the Motorcycle Safety Foundation curriculum standards by
81 an applicant who is an active member of the [U.S.] **United States** Armed Forces,
82 shall constitute an actual demonstration of the person's ability to exercise due
83 care in the operation of a motorcycle or motortricycle, and no further **practical**
84 **knowledge or** driving test shall be required to obtain a motorcycle or
85 motortricycle license or endorsement. **The military motorcycle rider**
86 **training course completion shall be accepted for purposes of**
87 **motorcycle license or endorsement issuance for one year from the date**
88 **of course completion.** The director of revenue is authorized to promulgate
89 rules and regulations for the administration and implementation of this
90 subsection including rules governing the presentment of motorcycle training
91 course completion cards from a military motorcycle rider training course or other
92 documentation showing that the applicant has successfully completed a course in
93 basic motorcycle safety instruction that meets or exceeds curriculum standards
94 established by the Motorcycle Safety Foundation or other national organization
95 whose purpose is to improve the safety of motorcyclists on the nation's streets and
96 highways. Any rule or portion of a rule, as that term is defined in section
97 536.010, that is created under the authority delegated in this section shall
98 become effective only if it complies with and is subject to all of the provisions of
99 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
100 nonseverable and if any of the powers vested with the general assembly pursuant

101 to chapter 536 to review, to delay the effective date, or to disapprove and annul
102 a rule are subsequently held unconstitutional, then the grant of rulemaking
103 authority and any rule proposed or adopted after August 28, 2012, shall be
104 invalid and void.

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

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

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

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

19 warning signs at intervals on the highways of the state.

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

31 **3.** Any officer or employee of any school district who violates any of the
32 regulations or fails to include obligation to comply with such regulations in any
33 contract executed by him on behalf of a school district shall be guilty of
34 misconduct and subject to removal from office or employment. Any person
35 operating a school bus under contract with a school district who fails to comply
36 with any such regulations shall be guilty of breach of contract and such contract
37 shall be cancelled after notice and hearing by the responsible officers of such
38 school district.

39 **[3.] 4.** Any other provision of the law to the contrary notwithstanding, in
40 any county of the first class with a charter form of government adjoining a city
41 not within a county, school buses may bear the word "special".

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

13 **2.** An "axle load" is defined as the total load transmitted to the road by

14 all wheels whose centers are included between two parallel transverse vertical
15 planes forty inches apart, extending across the full width of the vehicle.

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

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

24		Maximum load in pounds				
25	feet	2 axles	3 axles	4 axles	5 axles	6 axles
26	4	34,000				
27	5	34,000				
28	6	34,000				
29	7	34,000				
30	8	34,000	34,000			
31	More than 8	38,000	42,000			
32	9	39,000	42,500			
33	10	40,000	43,500			
34	11	40,000	44,000			
35	12	40,000	45,000	50,000		
36	13	40,000	45,500	50,500		
37	14	40,000	46,500	51,500		
38	15	40,000	47,000	52,000		
39	16	40,000	48,000	52,500	58,000	
40	17	40,000	48,500	53,500	58,500	
41	18	40,000	49,500	54,000	59,000	
42	19	40,000	50,000	54,500	60,000	
43	20	40,000	51,000	55,500	60,500	66,000
44	21	40,000	51,500	56,000	61,000	66,500
45	22	40,000	52,500	56,500	61,500	67,000
46	23	40,000	53,000	57,500	62,500	68,000

47	24	40,000	54,000	58,000	63,000	68,500
48	25	40,000	54,500	58,500	63,500	69,000
49	26	40,000	55,500	59,500	64,000	69,500
50	27	40,000	56,000	60,000	65,000	70,000
51	28	40,000	57,000	60,500	65,500	71,000
52	29	40,000	57,500	61,500	66,000	71,500
53	30	40,000	58,500	62,000	66,500	72,000
54	31	40,000	59,000	62,500	67,500	72,500
55	32	40,000	60,000	63,500	68,000	73,000
56	33	40,000	60,000	64,000	68,500	74,000
57	34	40,000	60,000	64,500	69,000	74,500
58	35	40,000	60,000	65,500	70,000	75,000
59	36		60,000	66,000	70,500	75,500
60	37		60,000	66,500	71,000	76,000
61	38		60,000	67,500	72,000	77,000
62	39		60,000	68,000	72,500	77,500
63	40		60,000	68,500	73,000	78,000
64	41		60,000	69,500	73,500	78,500
65	42		60,000	70,000	74,000	79,000
66	43		60,000	70,500	75,000	80,000
67	44		60,000	71,500	75,500	80,000
68	45		60,000	72,000	76,000	80,000
69	46		60,000	72,500	76,500	80,000
70	47		60,000	73,500	77,500	80,000
71	48		60,000	74,000	78,000	80,000
72	49		60,000	74,500	78,500	80,000
73	50		60,000	75,500	79,000	80,000
74	51		60,000	76,000	80,000	80,000
75	52		60,000	76,500	80,000	80,000
76	53		60,000	77,500	80,000	80,000
77	54		60,000	78,000	80,000	80,000
78	55		60,000	78,500	80,000	80,000

79	56	60,000	79,500	80,000	80,000
80	57	60,000	80,000	80,000	80,000

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

85 4. Whenever the state highways and transportation commission finds that
 86 any state highway bridge in the state is in such a condition that use of such
 87 bridge by vehicles of the weights specified in subsection 3 of this section will
 88 endanger the bridge, or the users of the bridge, the commission may establish
 89 maximum weight limits and speed limits for vehicles using such bridge. The
 90 governing body of any city or county may grant authority by act or ordinance to
 91 the commission to enact the limitations established in this section on those
 92 roadways within the purview of such city or county. Notice of the weight limits
 93 and speed limits established by the commission shall be given by posting signs
 94 at a conspicuous place at each end of any such bridge.

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

99 6. Notwithstanding the weight limitations contained in this section, any
 100 vehicle or combination of vehicles operating on highways other than the interstate
 101 highway system may exceed single axle, tandem axle and gross weight limitations
 102 in an amount not to exceed two thousand pounds. However, total gross weight
 103 shall not exceed eighty thousand pounds, except as provided in subsections 9, 10,
 104 12, and 13 of this section.

105 7. Notwithstanding any provision of this section to the contrary, the
 106 commission shall issue a single-use special permit, or upon request of the owner
 107 of the truck or equipment, shall issue an annual permit, for the transporting of
 108 any **crane** or concrete pump truck or well-drillers' equipment. The commission
 109 shall set fees for the issuance of permits **and parameters for the transport**
 110 **of cranes** pursuant to this subsection. Notwithstanding the provisions of section
 111 301.133, **cranes**, concrete pump trucks or well-drillers' equipment may be
 112 operated on state-maintained roads and highways at any time on any day.

113 8. Notwithstanding the provision of this section to the contrary, the
 114 maximum gross vehicle limit and axle weight limit for any vehicle or combination

115 of vehicles equipped with an idle reduction technology may be increased by a
116 quantity necessary to compensate for the additional weight of the idle reduction
117 system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the
118 additional weight increase allowed by this subsection be greater than five
119 hundred fifty pounds. Upon request by an appropriate law enforcement officer,
120 the vehicle operator shall provide proof that the idle reduction technology is fully
121 functional at all times and that the gross weight increase is not used for any
122 purpose other than for the use of idle reduction technology.

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

130 10. Notwithstanding any provision of this section or any other law to the
131 contrary, any vehicle or combination of vehicles hauling grain or grain coproducts
132 during times of harvest may be as much as, but not exceeding, ten percent over
133 the maximum weight limitation allowable under subsection 3 of this section while
134 operating on highways other than the interstate highway system. The provisions
135 of this subsection shall not apply to vehicles operated and operating on the
136 Dwight D. Eisenhower System of Interstate and Defense Highways.

137 11. Notwithstanding any provision of this section or any other law to the
138 contrary, the commission shall issue emergency utility response permits for the
139 transporting of utility wires or cables, poles, and equipment needed for repair
140 work immediately following a disaster where utility service has been
141 disrupted. Under exigent circumstances, verbal approval of such operation may
142 be made either by the department of transportation motor carrier compliance
143 supervisor or other designated motor carrier services representative. Utility
144 vehicles and equipment used to assist utility companies granted special permits
145 under this subsection may be operated and transported on state-maintained roads
146 and highways at any time on any day. The commission shall promulgate all
147 necessary rules and regulations for the administration of this section. Any rule
148 or portion of a rule, as that term is defined in section 536.010, that is created
149 under the authority delegated in this section shall become effective only if it
150 complies with and is subject to all of the provisions of chapter 536 and, if

151 applicable, section 536.028. This section and chapter 536 are nonseverable and
152 if any of the powers vested with the general assembly pursuant to chapter 536 to
153 review, to delay the effective date, or to disapprove and annul a rule are
154 subsequently held unconstitutional, then the grant of rulemaking authority and
155 any rule proposed or adopted after August 28, 2014, shall be invalid and void.

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

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

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

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

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

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

15 5. The agencies for which law enforcement officials approved under this
16 section shall adhere to the Motor Carrier Safety Assistance Program

17 requirements under 49 Code of Federal Regulations Part 350 of the Federal Motor
18 Carrier Safety Regulations.

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

23 7. Beginning January 1, 2009, no local law enforcement officer may
24 conduct a random commercial motor vehicle roadside inspection to determine
25 compliance with the provisions of sections 304.170 to 304.230 unless the law
26 enforcement officer has satisfactorily completed, as a part of his or her training,
27 the basic course of instruction developed by the commercial vehicle safety alliance
28 and has been approved by the Missouri state highway patrol under this
29 section. Law enforcement officers authorized to enforce the provisions of sections
30 304.170 to 304.230 shall annually receive in-service training related to
31 commercial motor vehicle operations, including but not limited to training in
32 current federal motor carrier safety regulations, safety inspection procedures, and
33 out-of-service criteria. The annual training requirements shall be approved by
34 the superintendent of the state highway patrol.

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

39 9. **No safety inspection shall be performed on the shoulder of any**
40 **highway with a posted speed limit in excess of forty miles per hour,**
41 **except that safety inspections may be permitted on the shoulder at any**
42 **entrance or exit of such highway where there is adequate space on the**
43 **shoulder to safely perform such inspection.**

44 10. The superintendent of the state highway patrol shall promulgate rules
45 and regulations necessary to administer the certification procedures and any
46 other provisions of this section. Any rule or portion of a rule, as that term is
47 defined in section 536.010, that is created under the authority delegated in this
48 section shall become effective only if it complies with and is subject to all of the
49 provisions of chapter 536 and, if applicable, section 536.028. This section and
50 chapter 536 are nonseverable and if any of the powers vested with the general
51 assembly pursuant to chapter 536 to review, to delay the effective date, or to
52 disapprove and annul a rule are subsequently held unconstitutional, then the

53 grant of rulemaking authority and any rule proposed or adopted after August 28,
54 2008, shall be invalid and void.

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

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

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

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

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

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

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

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

35 (c) Vehicles **and equipment** operated by a utility worker performing
36 work for the utility, except that the amber or amber and white lights shall be
37 displayed on vehicles described in this paragraph only when such vehicles are
38 stationary, **such vehicles or equipment are located in a work zone as**
39 **defined in section 304.580, a utility worker is present, and such work**
40 **zone is designated by a sign or signs.** As used in this paragraph, the term
41 "utility worker" means any employee while in performance of his or her job
42 duties, including any person employed under contract of a utility that provides
43 gas, heat, electricity, water, steam, telecommunications or cable services, or sewer
44 services, whether privately, municipally, or cooperatively owned.

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

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

3 (1) Motor vehicles, for the five-year period following their model year of
4 manufacture, excluding prior salvage vehicles immediately following a rebuilding
5 process and vehicles subject to the provisions of section 307.380;

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

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

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

16 shall submit such vehicles to a biennial inspection of their mechanism and
17 equipment in accordance with the provisions of sections 307.350 to 307.390 and

18 obtain a certificate of inspection and approval and a sticker, seal, or other device
19 from a duly authorized official inspection station. The inspection, except the
20 inspection of school buses which shall be made at the time provided in section
21 307.375, shall be made at the time prescribed in the rules and regulations issued
22 by the superintendent of the Missouri state highway patrol; but the inspection of
23 a vehicle shall not be made more than sixty days prior to the date of application
24 for registration or within sixty days of when a vehicle's registration is
25 transferred; **however, if a vehicle was purchased from a motor vehicle**
26 **dealer and a valid inspection had been made within sixty days of the**
27 **purchase date, the new owner shall be able to utilize an inspection**
28 **performed within ninety days prior to the application for registration**
29 **or transfer.** Any vehicle manufactured as an even-numbered model year vehicle
30 shall be inspected and approved pursuant to the safety inspection program
31 established pursuant to sections 307.350 to 307.390 in each even-numbered
32 calendar year and any such vehicle manufactured as an odd-numbered model year
33 vehicle shall be inspected and approved pursuant to sections 307.350 to 307.390
34 in each odd-numbered year. The certificate of inspection and approval shall be
35 a sticker, seal, or other device or combination thereof, as the superintendent of
36 the Missouri state highway patrol prescribes by regulation and shall be displayed
37 upon the motor vehicle or trailer as prescribed by the regulations established by
38 him. The replacement of certificates of inspection and approval which are lost or
39 destroyed shall be made by the superintendent of the Missouri state highway
40 patrol under regulations prescribed by him.

41 2. For the purpose of obtaining an inspection only, it shall be lawful to
42 operate a vehicle over the most direct route between the owner's usual place of
43 residence and an inspection station of such owner's choice, notwithstanding the
44 fact that the vehicle does not have a current state registration license. It shall
45 also be lawful to operate such a vehicle from an inspection station to another
46 place where repairs may be made and to return the vehicle to the inspection
47 station notwithstanding the absence of a current state registration license.

48 3. No person whose motor vehicle was duly inspected and approved as
49 provided in this section shall be required to have the same motor vehicle again
50 inspected and approved for the sole reason that such person wishes to obtain a
51 set of any special personalized license plates available pursuant to section
52 301.144 or a set of any license plates available pursuant to section 301.142, prior
53 to the expiration date of such motor vehicle's current registration.

54 4. Notwithstanding the provisions of section 307.390, violation of this
55 section shall be deemed an infraction.

✓

Unofficial

Bill

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