

SECOND REGULAR SESSION

# SENATE BILL NO. 906

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LIBLA.

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ADRIANE D. CROUSE, Secretary.

5011S.011

## AN ACT

To repeal sections 32.300, 301.010, 301.020, 301.055, 301.057, 301.058, 301.070, 302.170, 302.181, and 303.026, RSMo, and to enact in lieu thereof ten new sections relating to the department of revenue, with existing penalty provisions and a delayed effective date for certain sections.

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

Section A. Sections 32.300, 301.010, 301.020, 301.055, 301.057, 301.058, 301.070, 302.170, 302.181, and 303.026, RSMo, are repealed and ten new sections enacted in lieu thereof, to be known as sections 32.300, 301.010, 301.020, 301.055, 301.057, 301.058, 301.070, 302.170, 302.181, and 303.026, to read as follows:

32.300. 1. In a county where personal property tax records are accessible via computer, and when proof of motor vehicle liability insurance, safety inspections and emission inspections where required are verifiable by computer, the department of revenue shall design and implement a motor vehicle license renewal system which may be used through the department's internet website connection. [The online license renewal system shall be available no later than January 1, 2002.] The department of revenue shall also design and implement an online system allowing the filing and payment of Missouri state taxes through the department's internet website connection. The online tax filing and payment system shall be available for the payment of Missouri state taxes for tax years beginning on or after January 1, 2002.

2. **The department of revenue is hereby authorized to design and implement a remote driver's license renewal system which may be used through the department's internet website connection or through self-service terminals available at one or more locations within the**

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

16 state. Any remote driver's license renewal system implemented by the  
17 department shall be compliant with the provisions of the federal REAL  
18 ID Act of 2005 (Public Law 108-13), as amended, the Commercial Motor  
19 Vehicle Safety Act of 1986 (Title XII of Public Law 99-570), as amended,  
20 the USA PATRIOT Act of 2001 (Title X of Public Law 107-56), as  
21 amended, and any regulations related thereto.

22 3. Notwithstanding any provision of law to the contrary,  
23 applicants who have applied in person and received a driver's or  
24 nondriver's license in accordance with chapter 302 may apply for no  
25 more than one consecutive three-year or six-year license renewal  
26 remotely in accordance with this section. Remote application for  
27 renewal shall be made within six months before or after the expiration  
28 date of the license in accordance with section 302.173. Applicants for  
29 remote driver's license renewal in accordance with this section shall  
30 not be required to complete the vision test established under section  
31 302.175, and shall not be required to take the highway sign recognition  
32 test required under section 302.173, unless the department has  
33 technology that may be used remotely for either or both purposes.

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 and  
8 passengers ride in a partially or completely enclosed nonstraddle seating area,  
9 that is designed to be controlled with a steering wheel and pedals, and that has  
10 met applicable Department of Transportation National Highway Traffic Safety  
11 Administration requirements or federal motorcycle safety standards;

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

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

18 (5) "Backhaul", the return trip of a vehicle transporting cargo or general

- 19 freight, especially when carrying goods back over all or part of the same route;
- 20 (6) "Boat transporter", any vehicle combination capable of carrying cargo
- 21 on the power unit and designed and used specifically to transport assembled
- 22 boats and boat hulls. Boats may be partially disassembled to facilitate
- 23 transporting;
- 24 (7) "Body shop", a business that repairs physical damage on motor
- 25 vehicles that are not owned by the shop or its officers or employees by mending,
- 26 straightening, replacing body parts, or painting;
- 27 (8) "Bus", a motor vehicle primarily for the transportation of a driver and
- 28 eight or more passengers but not including shuttle buses;
- 29 (9) "Commercial motor vehicle", a motor vehicle designed or regularly used
- 30 for carrying freight and merchandise, or more than eight passengers but not
- 31 including vanpools or shuttle buses;
- 32 (10) "Cotton trailer", a trailer designed and used exclusively for
- 33 transporting cotton at speeds less than forty miles per hour from field to field or
- 34 from field to market and return;
- 35 (11) "Dealer", any person, firm, corporation, association, agent or subagent
- 36 engaged in the sale or exchange of new, used or reconstructed motor vehicles or
- 37 trailers;
- 38 (12) "Director" or "director of revenue", the director of the department of
- 39 revenue;
- 40 (13) "Driveaway operation":
- 41 (a) The movement of a motor vehicle or trailer by any person or motor
- 42 carrier other than a dealer over any public highway, under its own power singly,
- 43 or in a fixed combination of two or more vehicles, for the purpose of delivery for
- 44 sale or for delivery either before or after sale;
- 45 (b) The movement of any vehicle or vehicles, not owned by the transporter,
- 46 constituting the commodity being transported, by a person engaged in the
- 47 business of furnishing drivers and operators for the purpose of transporting
- 48 vehicles in transit from one place to another by the driveaway or towaway
- 49 methods; or
- 50 (c) The movement of a motor vehicle by any person who is lawfully
- 51 engaged in the business of transporting or delivering vehicles that are not the
- 52 person's own and vehicles of a type otherwise required to be registered, by the
- 53 driveaway or towaway methods, from a point of manufacture, assembly or
- 54 distribution or from the owner of the vehicles to a dealer or sales agent of a

55 manufacturer or to any consignee designated by the shipper or consignor;

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

61 (15) "Farm tractor", a tractor used exclusively for agricultural purposes;

62 (16) "Fleet", any group of ten or more motor vehicles owned by the same  
63 owner;

64 (17) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

65 (18) "Fullmount", a vehicle mounted completely on the frame of either the  
66 first or last vehicle in a saddlemount combination;

67 (19) "Gross weight", the weight of vehicle and/or vehicle combination  
68 without load, plus the weight of any load thereon;

69 (20) "Hail-damaged vehicle", any vehicle, the body of which has become  
70 dented as the result of the impact of hail;

71 (21) "Highway", any public thoroughfare for vehicles, including state  
72 roads, county roads and public streets, avenues, boulevards, parkways or alleys  
73 in any municipality;

74 (22) "Improved highway", a highway which has been paved with gravel,  
75 macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall  
76 have a hard, smooth surface;

77 (23) "Intersecting highway", any highway which joins another, whether  
78 or not it crosses the same;

79 (24) "Junk vehicle", a vehicle which:

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

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

84 (25) "Kit vehicle", a motor vehicle assembled by a person other than a  
85 generally recognized manufacturer of motor vehicles by the use of a glider kit or  
86 replica purchased from an authorized manufacturer and accompanied by a  
87 manufacturer's statement of origin;

88 (26) "Land improvement contractors' commercial motor vehicle", any  
89 not-for-hire commercial motor vehicle the operation of which is confined to:

90 (a) An area that extends not more than a radius of one hundred miles

91 from its home base of operations when transporting its owner's machinery,  
92 equipment, or auxiliary supplies to or from projects involving soil and water  
93 conservation, or to and from equipment dealers' maintenance facilities for  
94 maintenance purposes; or

95 (b) An area that extends not more than a radius of fifty miles from its  
96 home base of operations when transporting its owner's machinery, equipment, or  
97 auxiliary supplies to or from projects not involving soil and water conservation.  
98 Nothing in this subdivision shall be construed to prevent any motor vehicle from  
99 being registered as a commercial motor vehicle or local commercial motor vehicle;

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

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

126 (29) "Local log truck tractor", a commercial motor vehicle which is

127 registered under this chapter to operate as a motor vehicle on the public  
128 highways of this state, used exclusively in this state, used to transport harvested  
129 forest products, operated at a forested site and in an area extending not more  
130 than a one hundred mile radius from such site, operates with a weight not  
131 exceeding twenty-two thousand four hundred pounds on one axle or with a weight  
132 not exceeding forty-four thousand eight hundred pounds on any tandem axle, and  
133 when operated on the national system of interstate and defense highways  
134 described in 23 U.S.C. Section 103, as amended, or outside the one hundred mile  
135 radius from such site with an extended distance local log truck permit, such  
136 vehicle does not exceed the weight limits contained in section 304.180, and does  
137 not have more than three axles and does not pull a trailer which has more than  
138 three axles. Violations of axle weight limitations shall be subject to the load limit  
139 penalty as described for in sections 304.180 to 304.220;

140 (30) "Local transit bus", a bus whose operations are confined wholly  
141 within a municipal corporation, or wholly within a municipal corporation and a  
142 commercial zone, as defined in section 390.020, adjacent thereto, forming a part  
143 of a public transportation system within such municipal corporation and such  
144 municipal corporation and adjacent commercial zone;

145 (31) "Log truck", a vehicle which is not a local log truck or local log truck  
146 tractor and is used exclusively to transport harvested forest products to and from  
147 forested sites which is registered pursuant to this chapter to operate as a motor  
148 vehicle on the public highways of this state for the transportation of harvested  
149 forest products;

150 (32) "Major component parts", the rear clip, cowl, frame, body, cab,  
151 front-end assembly, and front clip, as those terms are defined by the director of  
152 revenue pursuant to rules and regulations or by illustrations;

153 (33) "Manufacturer", any person, firm, corporation or association engaged  
154 in the business of manufacturing or assembling motor vehicles, trailers or vessels  
155 for sale;

156 (34) **"Miles per gallon" or "MPG", the combined city/highway miles**  
157 **per gallon rating of a motor vehicle's fuel economy as determined by**  
158 **the director under section 301.070;**

159 (35) "Motor change vehicle", a vehicle manufactured prior to August,  
160 1957, which receives a new, rebuilt or used engine, and which used the number  
161 stamped on the original engine as the vehicle identification number;

162 [(35)] (36) "Motor vehicle", any self-propelled vehicle not operated

163 exclusively upon tracks, except farm tractors;

164 [(36)] (37) "Motor vehicle primarily for business use", any vehicle other  
165 than a recreational motor vehicle, motorcycle, motortricycle, or any commercial  
166 motor vehicle licensed for over twelve thousand pounds:

167 (a) Offered for hire or lease; or

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

169 [(37)] (38) "Motorcycle", a motor vehicle operated on two wheels;

170 [(38)] (39) "Motorized bicycle", any two-wheeled or three-wheeled device  
171 having an automatic transmission and a motor with a cylinder capacity of not  
172 more than fifty cubic centimeters, which produces less than three gross brake  
173 horsepower, and is capable of propelling the device at a maximum speed of not  
174 more than thirty miles per hour on level ground;

175 [(39)] (40) "Motortricycle", a motor vehicle upon which the operator  
176 straddles or sits astride that is designed to be controlled by handle bars and is  
177 operated on three wheels, including a motorcycle while operated with any  
178 conveyance, temporary or otherwise, requiring the use of a third wheel. A  
179 motortricycle shall not be included in the definition of all-terrain vehicle;

180 [(40)] (41) "Municipality", any city, town or village, whether incorporated  
181 or not;

182 [(41)] (42) "Nonresident", a resident of a state or country other than the  
183 state of Missouri;

184 [(42)] (43) "Non-USA-std motor vehicle", a motor vehicle not originally  
185 manufactured in compliance with United States emissions or safety standards;

186 [(43)] (44) "Operator", any person who operates or drives a motor vehicle;

187 [(44)] (45) "Owner", any person, firm, corporation or association, who  
188 holds the legal title to a vehicle or in the event a vehicle is the subject of an  
189 agreement for the conditional sale or lease thereof with the right of purchase  
190 upon performance of the conditions stated in the agreement and with an  
191 immediate right of possession vested in the conditional vendee or lessee, or in the  
192 event a mortgagor of a vehicle is entitled to possession, then such conditional  
193 vendee or lessee or mortgagor shall be deemed the owner;

194 [(45)] (46) "Public garage", a place of business where motor vehicles are  
195 housed, stored, repaired, reconstructed or repainted for persons other than the  
196 owners or operators of such place of business;

197 [(46)] (47) "Rebuilder", a business that repairs or rebuilds motor vehicles  
198 owned by the rebuilder, but does not include certificated common or contract

199 carriers of persons or property;

200 [(47)] **(48)** "Reconstructed motor vehicle", a vehicle that is altered from  
201 its original construction by the addition or substitution of two or more new or  
202 used major component parts, excluding motor vehicles made from all new parts,  
203 and new multistage manufactured vehicles;

204 [(48)] **(49)** "Recreational motor vehicle", any motor vehicle designed,  
205 constructed or substantially modified so that it may be used and is used for the  
206 purposes of temporary housing quarters, including therein sleeping and eating  
207 facilities which are either permanently attached to the motor vehicle or attached  
208 to a unit which is securely attached to the motor vehicle. Nothing herein shall  
209 prevent any motor vehicle from being registered as a commercial motor vehicle  
210 if the motor vehicle could otherwise be so registered;

211 [(49)] **(50)** "Recreational off-highway vehicle", any motorized vehicle  
212 manufactured and used exclusively for off-highway use which is more than fifty  
213 inches but no more than sixty-seven inches in width, with an unladen dry weight  
214 of two thousand pounds or less, traveling on four or more nonhighway tires and  
215 which may have access to ATV trails;

216 [(50)] **(51)** "Recreational trailer", any trailer designed, constructed, or  
217 substantially modified so that it may be used and is used for the purpose of  
218 temporary housing quarters, including therein sleeping or eating facilities, which  
219 can be temporarily attached to a motor vehicle or attached to a unit which is  
220 securely attached to a motor vehicle;

221 [(51)] **(52)** "Rollback or car carrier", any vehicle specifically designed to  
222 transport wrecked, disabled or otherwise inoperable vehicles, when the  
223 transportation is directly connected to a wrecker or towing service;

224 [(52)] **(53)** "Saddlemount combination", a combination of vehicles in  
225 which a truck or truck tractor tows one or more trucks or truck tractors, each  
226 connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The  
227 "saddle" is a mechanism that connects the front axle of the towed vehicle to the  
228 frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin  
229 connection. When two vehicles are towed in this manner the combination is  
230 called a "double saddlemount combination". When three vehicles are towed in  
231 this manner, the combination is called a "triple saddlemount combination";

232 [(53)] **(54)** "Salvage dealer and dismantler", a business that dismantles  
233 used motor vehicles for the sale of the parts thereof, and buys and sells used  
234 motor vehicle parts and accessories;



235 [(54)] **(55)** "Salvage vehicle", a motor vehicle, semitrailer, or house trailer  
236 which:

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

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

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

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

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

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

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

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

265 [(55)] **(56)** "School bus", any motor vehicle used solely to transport  
266 students to or from school or to transport students to or from any place for  
267 educational purposes;

268 [(56)] **(57)** "Scrap processor", a business that, through the use of fixed or  
269 mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and  
270 vehicle parts for processing or transportation to a shredder or scrap metal

271 operator for recycling;

272 [(57)] **(58)** "Shuttle bus", a motor vehicle used or maintained by any  
273 person, firm, or corporation as an incidental service to transport patrons or  
274 customers of the regular business of such person, firm, or corporation to and from  
275 the place of business of the person, firm, or corporation providing the service at  
276 no fee or charge. Shuttle buses shall not be registered as buses or as commercial  
277 motor vehicles;

278 [(58)] **(59)** "Special mobile equipment", every self-propelled vehicle not  
279 designed or used primarily for the transportation of persons or property and  
280 incidentally operated or moved over the highways, including farm equipment,  
281 implements of husbandry, road construction or maintenance machinery,  
282 ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes,  
283 graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt  
284 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished  
285 machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers,  
286 drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This  
287 enumeration shall be deemed partial and shall not operate to exclude other such  
288 vehicles which are within the general terms of this section;

289 [(59)] **(60)** "Specially constructed motor vehicle", a motor vehicle which  
290 shall not have been originally constructed under a distinctive name, make, model  
291 or type by a manufacturer of motor vehicles. The term specially constructed  
292 motor vehicle includes kit vehicles;

293 [(60)] **(61)** "Stinger-steered combination", a truck tractor-semitrailer  
294 wherein the fifth wheel is located on a drop frame located behind and below the  
295 rearmost axle of the power unit;

296 [(61)] **(62)** "Tandem axle", a group of two or more axles, arranged one  
297 behind another, the distance between the extremes of which is more than forty  
298 inches and not more than ninety-six inches apart;

299 [(62)] **(63)** "Towaway trailer transporter combination", a combination of  
300 vehicles consisting of a trailer transporter towing unit and two trailers or  
301 semitrailers, with a total weight that does not exceed twenty-six thousand  
302 pounds; and in which the trailers or semitrailers carry no property and constitute  
303 inventory property of a manufacturer, distributor, or dealer of such trailers or  
304 semitrailers;

305 [(63)] **(64)** "Tractor", "truck tractor" or "truck-tractor", a self-propelled  
306 motor vehicle designed for drawing other vehicles, but not for the carriage of any

307 load when operating independently. When attached to a semitrailer, it supports  
308 a part of the weight thereof;

309 [(64)] **(65)** "Trailer", any vehicle without motive power designed for  
310 carrying property or passengers on its own structure and for being drawn by a  
311 self-propelled vehicle, except those running exclusively on tracks, including a  
312 semitrailer or vehicle of the trailer type so designed and used in conjunction with  
313 a self-propelled vehicle that a considerable part of its own weight rests upon and  
314 is carried by the towing vehicle. The term trailer shall not include cotton trailers  
315 as defined in this section and shall not include manufactured homes as defined  
316 in section 700.010;

317 [(65)] **(66)** "Trailer transporter towing unit", a power unit that is not  
318 used to carry property when operating in a towaway trailer transporter  
319 combination;

320 [(66)] **(67)** "Truck", a motor vehicle designed, used, or maintained for the  
321 transportation of property;

322 [(67)] **(68)** "Truck-tractor semitrailer-semitrailer", a combination vehicle  
323 in which the two trailing units are connected with a B-train assembly which is  
324 a rigid frame extension attached to the rear frame of a first semitrailer which  
325 allows for a fifth-wheel connection point for the second semitrailer and has one  
326 less articulation point than the conventional A-dolly connected truck-tractor  
327 semitrailer-trailer combination;

328 [(68)] **(69)** "Truck-trailer boat transporter combination", a boat  
329 transporter combination consisting of a straight truck towing a trailer using  
330 typically a ball and socket connection with the trailer axle located substantially  
331 at the trailer center of gravity rather than the rear of the trailer but so as to  
332 maintain a downward force on the trailer tongue;

333 [(69)] **(70)** "Used parts dealer", a business that buys and sells used motor  
334 vehicle parts or accessories, but not including a business that sells only new,  
335 remanufactured or rebuilt parts. Business does not include isolated sales at a  
336 swap meet of less than three days;

337 [(70)] **(71)** "Utility vehicle", any motorized vehicle manufactured and  
338 used exclusively for off-highway use which is more than fifty inches but no more  
339 than sixty-seven inches in width, with an unladen dry weight of two thousand  
340 pounds or less, traveling on four or six wheels, to be used primarily for  
341 landscaping, lawn care, or maintenance purposes;

342 [(71)] **(72)** "Vanpool", any van or other motor vehicle used or maintained

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

352 ~~[(72)]~~ **(73)** "Vehicle", any mechanical device on wheels, designed  
353 primarily for use, or used, on highways, except motorized bicycles, vehicles  
354 propelled or drawn by horses or human power, or vehicles used exclusively on  
355 fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by  
356 handicapped persons;

357 ~~[(73)]~~ **(74)** "Wrecker" or "tow truck", any emergency commercial vehicle  
358 equipped, designed and used to assist or render aid and transport or tow disabled  
359 or wrecked vehicles from a highway, road, street or highway rights-of-way to a  
360 point of storage or repair, including towing a replacement vehicle to replace a  
361 disabled or wrecked vehicle;

362 ~~[(74)]~~ **(75)** "Wrecker or towing service", the act of transporting, towing  
363 or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not  
364 owned by the operator of the wrecker, tow truck, rollback or car carrier for which  
365 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:

8 **(a)** The name of the manufacturer[.];

9 **(b)** The vehicle identification number[, the amount of motive power of the  
10 motor vehicle, stated in figures of horsepower];

11 **(c)** **The fuel economy rating of the motor vehicle in miles per**  
12 **gallon, as such term is defined in section 301.010;** and

13 **(d)** Whether the motor vehicle is to be registered as a motor vehicle

14 primarily for business use as defined in section 301.010;

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

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

19 2. If the vehicle is a motor vehicle primarily for business use as defined  
20 in section 301.010 and if such vehicle is ten years of age or less and has less than  
21 one hundred fifty thousand miles on the odometer, the director of revenue shall  
22 retain the odometer information provided in the vehicle inspection report, and  
23 provide for prompt access to such information, together with the vehicle  
24 identification number for the motor vehicle to which such information pertains,  
25 for a period of ten years after the receipt of such information. This section shall  
26 not apply unless:

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

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

31 3. If the vehicle is any motor vehicle other than a motor vehicle primarily  
32 for business use, a recreational motor vehicle, motorcycle, motortricycle,  
33 autocycle, bus, or any commercial motor vehicle licensed for over twelve thousand  
34 pounds and if such motor vehicle is ten years of age or less and has less than one  
35 hundred fifty thousand miles on the odometer, the director of revenue shall retain  
36 the odometer information provided in the vehicle inspection report, and provide  
37 for prompt access to such information, together with the vehicle identification  
38 number for the motor vehicle to which such information pertains, for a period of  
39 ten years after the receipt of such information. This subsection shall not apply  
40 unless:

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

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

45 4. If the vehicle qualifies as a reconstructed motor vehicle, motor change  
46 vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as  
47 defined in section 301.010, or prior salvage as referenced in section 301.573, the  
48 owner or lienholder shall surrender the certificate of ownership. The owner shall  
49 make an application for a new certificate of ownership, pay the required title fee,

50 and obtain the vehicle examination certificate required pursuant to subsection 9  
51 of section 301.190. If an insurance company pays a claim on a salvage vehicle as  
52 defined in section 301.010 and the owner retains the vehicle, as prior salvage, the  
53 vehicle shall only be required to meet the examination requirements under  
54 subsection 10 of section 301.190. Notarized bills of sale along with a copy of the  
55 front and back of the certificate of ownership for all major component parts  
56 installed on the vehicle and invoices for all essential parts which are not defined  
57 as major component parts shall accompany the application for a new certificate  
58 of ownership. If the vehicle is a specially constructed motor vehicle, as defined  
59 in section 301.010, two pictures of the vehicle shall be submitted with the  
60 application. If the vehicle is a kit vehicle, the applicant shall submit the invoice  
61 and the manufacturer's statement of origin on the kit. If the vehicle requires the  
62 issuance of a special number by the director of revenue or a replacement vehicle  
63 identification number, the applicant shall submit the required application and  
64 application fee. All applications required under this subsection shall be  
65 submitted with any applicable taxes which may be due on the purchase of the  
66 vehicle or parts. The director of revenue shall appropriately designate  
67 "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor  
68 Vehicle", or "Specially Constructed Motor Vehicle" on the current and all  
69 subsequent issues of the certificate of ownership of such vehicle.

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

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

85           7. An applicant for registration may make a donation of one dollar to

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

98 8. An applicant for registration may make a donation of one dollar to  
 99 promote an organ donor program. The director of revenue shall collect the  
 100 donations and deposit all such donations in the state treasury to the credit of the  
 101 organ donor program fund as established in sections 194.297 to 194.304. Moneys  
 102 in the organ donor fund shall be used solely for the purposes established in  
 103 sections 194.297 to 194.304, except that the department of revenue shall retain  
 104 no more than one percent for its administrative costs. The donation prescribed  
 105 in this subsection is voluntary and may be refused by the applicant for  
 106 registration at the time of issuance or renewal. The director shall inquire of each  
 107 applicant at the time the applicant presents the completed application to the  
 108 director whether the applicant is interested in making the one dollar donation  
 109 prescribed in this subsection.

301.055. 1. **Except as otherwise provided in this section,** the  
 2 annual registration fee **to be imposed and collected** for motor vehicles other  
 3 than commercial motor vehicles [is:

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

13 Autocycles 10.00]

14 shall be determined based on the motor vehicle's fuel economy rating

15 in miles per gallon, as such term is defined in section 301.010. The

16 annual registration fees on motor vehicles shall be as follows:

17	A MPG rating of less than 20	\$ 25.00
18	A MPG rating of at least 20, but less than 30	32.00
19	A MPG rating of at least 30, but less than 40	39.00
20	A MPG rating of at least 40, but less than 50	46.00
21	A MPG rating of at least 50, but less than 60	53.00
22	A MPG rating of 60 or more	75.00
23	Plug-in electric hybrid vehicles	112.50
24	Electric vehicles	125.00
25	Motorcycles, motortricycles, and autocycles	10.00

26 2. Notwithstanding any other provision of law, the registration of any

27 autocycle registered as a motorcycle or motortricycle prior to August 28, 2018,

28 shall remain in effect until the expiration of the registration period for such

29 vehicle at which time the owner shall be required to renew the motor vehicle's

30 registration under the autocycle classification and pay the appropriate

31 registration fee.

301.057. The annual registration fee for property-carrying commercial

2 motor vehicles, not including property-carrying local commercial motor vehicles,

3 or land improvement contractors' commercial motor vehicles, based on gross

4 weight is:

5	[6,000 pounds and under	\$ 25.50
6	6,001 pounds to 9,000 pounds	38.00
7	9,001 pounds to 12,000 pounds	38.00]
8	<b>12,000 pounds and under</b>	<b>25.00</b>
9	12,001 pounds to 18,000 pounds	63.00
10	18,001 pounds to 24,000 pounds	100.50
11	24,001 pounds to 26,000 pounds	127.00
12	26,001 pounds to 30,000 pounds	180.00
13	30,001 pounds to 36,000 pounds	275.50
14	36,001 pounds to 42,000 pounds	413.00
15	42,001 pounds to 48,000 pounds	550.50
16	48,001 pounds to 54,000 pounds	688.00
17	54,001 pounds to 60,010 pounds	825.50



18	60,011 pounds to 66,000 pounds	1,100.50
19	66,001 pounds to 73,280 pounds	1,375.50
20	73,281 pounds to 78,000 pounds	1,650.50
21	78,001 pounds to 80,000 pounds	1,719.50

301.058. 1. The annual registration fee for property-carrying local commercial motor vehicles, other than a land improvement contractors' commercial motor vehicles, based on gross weight is:

4	[6,000 pounds and under	\$15.50
5	6,001 pounds to 12,000 pounds	18.00
6	12,001 pounds to]	
7	18,000 pounds <b>and under</b>	<del>[20.50]</del> <b>25.00</b>
8	18,001 pounds to 24,000 pounds	27.50
9	24,001 pounds to 26,000 pounds	33.50
10	26,001 pounds to 30,000 pounds	45.50
11	30,001 pounds to 36,000 pounds	67.50
12	36,001 pounds to 42,000 pounds	100.50
13	42,001 pounds to 48,000 pounds	135.50
14	48,001 pounds to 54,000 pounds	170.50
15	54,001 pounds to 60,010 pounds	200.50
16	60,011 pounds to 66,000 pounds	270.50
17	66,001 pounds to 72,000 pounds	335.50
18	72,001 pounds to 80,000 pounds	350.50

2. Any person found to have improperly registered a motor vehicle in excess of fifty-four thousand pounds when he or she was not entitled to shall be required to purchase the proper license plates and, in addition to all other penalties provided by law, shall be subject to the annual registration fee for the full calendar year for the vehicle's gross weight as prescribed in section 301.057.

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

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

3. The horsepower of all motor vehicles, except commercial motor vehicles,

10 propelled by electric power, shall be rated as being between twelve and  
11 twenty-four horsepower.

12 **4.] For purposes of this chapter, the director of the department**  
13 **of revenue shall determine motor vehicles' miles per gallon rating using**  
14 **one of the following methods:**

15 **(1) The motor vehicle's fuel economy label provided by the**  
16 **Environmental Protection Agency or any successor agency;**

17 **(2) The rating as obtained using a vehicle identification number**  
18 **decoding system; or**

19 **(3) If such rating can not be obtained under subdivision (1) or (2)**  
20 **of this subsection, or for motor vehicles subject to the alternative fuel**  
21 **decal fee under section 142.869 and for which section 301.055 does not**  
22 **otherwise prescribe an annual registration fee, the rating shall be**  
23 **determined to be below twenty miles per gallon.**

24 **2. Fees [of] for commercial motor vehicles, other than passenger-carrying**  
25 **commercial motor vehicles, shall be based on the gross weight of the vehicle or**  
26 **any combination of vehicles and the maximum load to be carried at any one time**  
27 **during the license period, except the fee for a wrecker, tow truck, rollback or car**  
28 **carrier used in a towing service shall be based on the empty weight of such**  
29 **vehicle fully equipped for the recovery or towing of vehicles.**

30 **[5.] 3. The decision of the director as to the type of motor vehicles and**  
31 **their classification for the purpose of registration and the computation of fees**  
32 **therefor as authorized in this chapter shall be final and conclusive.**

33 **4. The director of the department of revenue may promulgate**  
34 **rules as necessary for the implementation of this section. Any rule or**  
35 **portion of a rule, as that term is defined in section 536.010, that is**  
36 **created under the authority delegated in this section shall become**  
37 **effective only if it complies with and is subject to all of the provisions**  
38 **of chapter 536 and, if applicable, section 536.028. This section and**  
39 **chapter 536 are nonseverable and if any of the powers vested with the**  
40 **general assembly pursuant to chapter 536 to review, to delay the**  
41 **effective date, or to disapprove and annul a rule are subsequently held**  
42 **unconstitutional, then the grant of rulemaking authority and any rule**  
43 **proposed or adopted after the effective date of this act shall be invalid**  
44 **and void.**

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)] (b) Iris recognition data containing color or texture patterns or  
7 codes;

8 [(d)] (c) Retinal scans, reading through the pupil to measure blood  
9 vessels lining the retina;

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

13 [(f) Eye spacing;

14 (g)] (e) Characteristic gait or walk;

15 [(h)] (f) DNA;

16 [(i)] (g) Keystroke dynamic, measuring pressure applied to key pads or  
17 other digital receiving devices;

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

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

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

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

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

41 (2) Test score documents issued by state highway patrol driver examiners  
42 and Missouri commercial third-party tester examiners;

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

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

50 (5) Documents submitted by a commercial driver's license or commercial  
51 driver's instruction permit applicant who is a Missouri resident and is a qualified  
52 current or former military service member which allow for waiver of the  
53 commercial driver's license knowledge test, skills test, or both; and

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

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

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

74 the option of being issued a REAL ID compliant driver's license or identification  
75 card or a driver's license or identification card that is not compliant with REAL  
76 ID. The department shall inform all applicants:

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

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

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

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

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

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

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

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

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

103 5. The department of revenue shall not use, collect, obtain, share, or  
104 retain biometric data nor shall the department use biometric technology to  
105 produce a driver's license or nondriver's license or to uniquely identify licensees  
106 or license applicants. This subsection shall not apply to digital images nor  
107 licensee signatures required for the issuance of driver's licenses and nondriver's  
108 licenses **or for the use of software for purposes of combating fraud**, or to  
109 biometric data collected from employees of the department of revenue, employees

110 of the office of administration who provide information technology support to the  
111 department of revenue, contracted license offices, and contracted manufacturers  
112 engaged in the production, processing, or manufacture of driver's licenses or  
113 identification cards in positions which require a background check in order to be  
114 compliant with the federal REAL ID Act or any rules or regulations promulgated  
115 under the authority of such Act. Except as otherwise provided by law, applicants'  
116 source documents and Social Security numbers shall not be stored in any  
117 database accessible by any other state or the federal government. Such database  
118 shall contain only the data fields included on driver's licenses and nondriver  
119 identification cards compliant with the federal REAL ID Act, and the driving  
120 records of the individuals holding such driver's licenses and nondriver  
121 identification cards.

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

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

142         8. Other than to process a request by a license or card holder or applicant,  
143 no person shall **knowingly** access, distribute, or allow access to or distribution  
144 of any written, digital, or electronic data collected or retained under this section  
145 without the express permission of the applicant or a court order, except that such

146 information may be shared with a law enforcement agency, judge, prosecuting  
147 attorney, or officer of the court, or with another state for the limited purposes set  
148 out in section 302.600 or for conducting driver history checks in compliance with  
149 the Motor Carrier Safety Improvement Act, 49 U.S.C. Section 31309. A first  
150 violation of this subsection shall be a class A misdemeanor. A second violation  
151 of this subsection shall be a class E felony. A third or subsequent violation of  
152 this subsection shall be a class D felony.

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

162         10. The department of revenue may promulgate rules necessary to  
163 implement the provisions of this section. Any rule or portion of a rule, as that  
164 term is defined in section 536.010, that is created under the authority delegated  
165 in this section shall become effective only if it complies with and is subject to all  
166 of the provisions of chapter 536 and, if applicable, section 536.028. This section  
167 and chapter 536 are nonseverable and if any of the powers vested with the  
168 general assembly pursuant to chapter 536 to review, to delay the effective date,  
169 or to disapprove and annul a rule are subsequently held unconstitutional, then  
170 the grant of rulemaking authority and any rule proposed or adopted after August  
171 28, 2017, shall be invalid and void.

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

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

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

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

198           [15. The provisions of this section shall expire five years after August 28,  
199 2017.]

302.181. 1. The license issued pursuant to the provisions of sections  
2 302.010 to 302.340 shall be in such form as the director shall prescribe, but the  
3 license shall be a card made of plastic or other comparable material. All licenses  
4 shall be manufactured of materials and processes that will prohibit, as nearly as  
5 possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license  
6 without ready detection. [All licenses shall bear the licensee's Social Security  
7 number, if the licensee has one, and if not, a notarized affidavit must be signed  
8 by the licensee stating that the licensee does not possess a Social Security  
9 number, or, if applicable, a certified statement must be submitted as provided in  
10 subsection 4 of this section.] The license shall also bear the expiration date of the  
11 license, the classification of the license, the name, date of birth, residence address  
12 including the county of residence or a code number corresponding to such county  
13 established by the department, and brief description and colored [photograph or]  
14 digitized image of the licensee, and a facsimile of the signature of the  
15 licensee. The director shall provide by administrative rule the procedure and  
16 format for a licensee to indicate on the back of the license together with the  
17 designation for an anatomical gift as provided in section 194.240 the name and  
18 address of the person designated pursuant to sections 404.800 to 404.865 as the



19 licensee's attorney in fact for the purposes of a durable power of attorney for  
20 health care decisions. No license shall be valid until it has been so signed by the  
21 licensee. If any portion of the license is prepared by a private firm, any contract  
22 with such firm shall be made in accordance with the competitive purchasing  
23 procedures as established by the state director of the division of purchasing. [For  
24 all licenses issued or renewed after March 1, 1992, the applicant's Social Security  
25 number shall serve as the applicant's license number. Where the licensee has no  
26 Social Security number, or where the licensee is issued a license without a Social  
27 Security number in accordance with subsection 4 of this section, the director shall  
28 issue a license number for the licensee and such number shall also include an  
29 indicator showing that the number is not a Social Security number.]

30         2. All [film involved in the production of photographs] **digital images**  
31 **produced** for licenses shall become the property of the department of revenue.

32         3. The license issued shall be carried at all times by the holder thereof  
33 while driving a motor vehicle, and shall be displayed upon demand of any officer  
34 of the highway patrol, or any police officer or peace officer, or any other duly  
35 authorized person, for inspection when demand is made therefor. Failure of any  
36 operator of a motor vehicle to exhibit his or her license to any duly authorized  
37 officer shall be presumptive evidence that such person is not a duly licensed  
38 operator.

39         4. [The director of revenue shall issue a commercial or noncommercial  
40 driver's license without a Social Security number to an applicant therefor, who  
41 is otherwise qualified to be licensed, upon presentation to the director of a  
42 certified statement that the applicant objects to the display of the Social Security  
43 number on the license. The director shall assign an identification number, that  
44 is not based on a Social Security number, to the applicant which shall be  
45 displayed on the license in lieu of the Social Security number.

46         5.] The director of revenue shall not issue a license without a facial  
47 [photograph or] digital image of the license applicant, except as provided  
48 pursuant to subsection 8 of this section. A [photograph or] digital image of the  
49 applicant's full facial features shall be taken in a manner prescribed by the  
50 director. No [photograph or] digital image [will] **shall** be taken wearing  
51 anything which cloaks the facial features of the individual.

52         [6.] **5.** The department of revenue may issue a temporary license or a full  
53 license without the photograph or with the last photograph or digital image in the  
54 department's records to members of the Armed Forces, except that where such

55 temporary license is issued it shall be valid only until the applicant shall have  
56 had time to appear and have his or her picture taken and a license with his or  
57 her photograph issued.

58 [7.] 6. The department of revenue shall issue upon request a nondriver's  
59 license card containing essentially the same information and photograph or  
60 digital image, except as provided pursuant to subsection 8 of this section, as the  
61 driver's license upon payment of six dollars. All nondriver's licenses shall expire  
62 on the applicant's birthday in the sixth year after issuance. A person who has  
63 passed his or her seventieth birthday shall upon application be issued a  
64 nonexpiring nondriver's license card. Notwithstanding any other provision of this  
65 chapter, a nondriver's license containing a concealed carry endorsement shall  
66 expire three years from the date the certificate of qualification was issued  
67 pursuant to section 571.101, as section 571.101 existed prior to August 28,  
68 2013. The fee for nondriver's licenses issued for a period exceeding three years  
69 is six dollars or three dollars for nondriver's licenses issued for a period of three  
70 years or less. The nondriver's license card shall be used for identification  
71 purposes only and shall not be valid as a license.

72 [8.] 7. If otherwise eligible, an applicant may receive a driver's license  
73 or nondriver's license without a photograph or digital image of the applicant's full  
74 facial features except that such applicant's photograph or digital image shall be  
75 taken and maintained by the director and not printed on such license. In order  
76 to qualify for a license without a photograph or digital image pursuant to this  
77 section the applicant must:

78 (1) Present a form provided by the department of revenue requesting the  
79 applicant's photograph be omitted from the license or nondriver's license due to  
80 religious affiliations. The form shall be signed by the applicant and another  
81 member of the religious tenant verifying the photograph or digital image  
82 exemption on the license or nondriver's license is required as part of their  
83 religious affiliation. The required signatures on the prescribed form shall be  
84 properly notarized;

85 (2) Provide satisfactory proof to the director that the applicant has been  
86 a United States citizen for at least five years and a resident of this state for at  
87 least one year, except that an applicant moving to this state possessing a valid  
88 driver's license from another state without a photograph shall be exempt from the  
89 one-year state residency requirement. The director may establish rules necessary  
90 to determine satisfactory proof of citizenship and residency pursuant to this

91 section;

92 (3) Applications for a driver's license or nondriver's license without a  
93 photograph or digital image must be made in person at a license office  
94 determined by the director. The director is authorized to limit the number of  
95 offices that may issue a driver's or nondriver's license without a photograph or  
96 digital image pursuant to this section.

97 [9.] 8. The department of revenue shall make available, at one or more  
98 locations within the state, an opportunity for individuals to have their full facial  
99 photograph taken by an employee of the department of revenue, or their designee,  
100 who is of the same sex as the individual being photographed, in a segregated  
101 location.

102 [10.] 9. Beginning July 1, 2005, the director shall not issue a driver's  
103 license or a nondriver's license for a period that exceeds an applicant's lawful  
104 presence in the United States. The director may, by rule or regulation, establish  
105 procedures to verify the lawful presence of the applicant and establish the  
106 duration of any driver's license or nondriver's license issued under this section.

107 [11. No rule or portion of a rule promulgated pursuant to the authority  
108 of this chapter shall become effective unless it is promulgated pursuant to the  
109 provisions of chapter 536.]

110 **10. (1) Notwithstanding any biometric data restrictions**  
111 **contained in section 302.170, the department of revenue is hereby**  
112 **authorized to design and implement a secure digital driver's license**  
113 **program that allows applicants applying for a driver's license in**  
114 **accordance with this chapter to obtain a secure digital driver's license**  
115 **in addition to the physical card-based license specified in this section.**

116 **(2) A digital driver's license as described in this subsection shall**  
117 **be accepted for all purposes for which a license, as defined in section**  
118 **302.010, is used.**

119 **(3) The department may contract with one or more entities to**  
120 **develop the secure digital driver's license system. The department or**  
121 **entity may develop a mobile software application capable of being**  
122 **utilized through a person's electronic device to access the person's**  
123 **secure digital driver's license.**

124 **(4) The department shall suspend, disable, or terminate a**  
125 **person's participation in the secure digital driver's license program if:**

126 **(a) The person's driving privilege is suspended, revoked, denied,**

127 **withdrawn, or cancelled as provided in this chapter; or**

128 **(b) The person reports that the person's electronic device has**  
129 **been lost, stolen, or compromised.**

130 **11. The director of the department of revenue may promulgate**  
131 **rules as necessary for the implementation of this section. Any rule or**  
132 **portion of a rule, as that term is defined in section 536.010 that is**  
133 **created under the authority delegated in this section shall become**  
134 **effective only if it complies with and is subject to all of the provisions**  
135 **of chapter 536 and, if applicable, section 536.028. This section and**  
136 **chapter 536 are nonseverable and if any of the powers vested with the**  
137 **general assembly pursuant to chapter 536 to review, to delay the**  
138 **effective date, or to disapprove and annul a rule are subsequently held**  
139 **unconstitutional, then the grant of rulemaking authority and any rule**  
140 **proposed or adopted after the effective date of this act shall be invalid**  
141 **and void.**

303.026. 1. The director shall inform each owner who registers a motor  
2 vehicle of the following:

3 (1) The existence of the requirement that every motor vehicle owner in the  
4 state must maintain his financial responsibility;

5 (2) The requirement that every motor vehicle owner show an insurance  
6 identification card, or a copy thereof, or other proof of financial responsibility at  
7 the time of vehicle registration; this notice shall be given at least thirty days  
8 prior to the month for renewal and shall be shown in bold, colored print;

9 (3) The penalties which apply to violations of the requirement to maintain  
10 financial responsibility;

11 (4) The benefits of maintaining coverages in excess of those which are  
12 required;

13 (5) The director's authority to conduct samples of Missouri motor vehicle  
14 owners to ensure compliance.

15 2. No motor vehicle owner shall be issued registration for a vehicle unless  
16 the owner, or his authorized agent, signs an affidavit provided by the director of  
17 revenue at the time of registration of the vehicle certifying that such owner has  
18 and will maintain, during the period of registration, financial responsibility with  
19 respect to each motor vehicle that is owned, licensed or operated on the streets  
20 or highways. The affidavit need not be notarized, but it shall be acknowledged  
21 by the person processing the form. The affidavit shall state clearly and in bold

22 print the following: "Any false affidavit is a crime under section 575.050 of  
23 Missouri law.". In addition, every motor vehicle owner shall show proof of such  
24 financial responsibility by presenting his or her insurance identification card, as  
25 described in section 303.024, or a copy thereof, or some other proof of financial  
26 responsibility in the form prescribed by the director of revenue at the time of  
27 registration unless such owner registers his vehicle in conjunction with a  
28 reciprocity agreement entered into by the Missouri highway reciprocity  
29 commission pursuant to sections 301.271 to 301.279 or unless the owner insures  
30 the vehicle according to the requirements of the division of motor carrier and  
31 railroad safety pursuant to section 390.126.

32 3. To ensure compliance with this chapter, the director may utilize a  
33 variety of sampling techniques including but not limited to random samples of  
34 registrations subject to this section, uniform traffic tickets, insurance information  
35 provided to the director at the time of motor vehicle registration, and persons who  
36 during the preceding year have received a disposition of court-ordered supervision  
37 or suspension. The director may verify the financial responsibility of any person  
38 sampled or reported.

39 (1) Beginning January 1, 2001, the director may require such information,  
40 as in his or her discretion is necessary to enforce the requirements of subdivision  
41 (1) of subsection 1 of this section, to be submitted from the person's insurer or  
42 insurance company. When requested by the director of revenue, all licensed  
43 insurance companies in this state which sell private passenger (noncommercial)  
44 motor vehicle insurance policies shall report information regarding the issuance,  
45 nonrenewal and cancellation of such policies to the director, excluding policies  
46 issued to owners of fleet or rental vehicles or issued on vehicles that are insured  
47 pursuant to a commercial line policy. Such information shall be reported  
48 electronically in a format as prescribed by the director of the department of  
49 revenue by rule [except that such rule shall provide for an exemption from  
50 electronic reporting for insurers with a statistically insignificant number of  
51 policies in force].

52 (2) When required by the director of revenue, each insurance company  
53 shall provide to the department a record of each policy issued, cancelled,  
54 terminated or revoked during the period since the previous report. [Nothing in  
55 this section shall prohibit insurance companies from reporting more frequently  
56 than once per month] **The director of revenue may require insurance**  
57 **companies to provide such records as frequently as he or she deems**

58 **necessary.**

59 (3) The director may use reports described in subdivision (1) of this  
60 subsection for sampling purposes as provided in this section.

61 4. Information provided to the department by an insurance company for  
62 use in accordance with this section is the property of the insurer and is not  
63 subject to disclosure pursuant to chapter 610. Such information may be utilized  
64 by the department for enforcement of this chapter but may not be disclosed except  
65 that the department shall disclose whether an individual is maintaining the  
66 required insurance coverage upon request of the following individuals and  
67 agencies only:

68 (1) The individual;

69 (2) The parent or legal guardian of an individual if the individual is an  
70 unemancipated minor;

71 (3) The legal guardian of the individual if the individual is legally  
72 incapacitated;

73 (4) Any person who has power of attorney from the individual;

74 (5) Any person who submits a notarized release from the individual that  
75 is dated no more than ninety days before the request is made;

76 (6) Any person claiming loss or injury in a motor vehicle accident in which  
77 the individual is involved;

78 (7) The office of the state auditor, for the purpose of conducting any audit  
79 authorized by law.

80 5. The director may adopt any rules and regulations necessary to carry  
81 out the provisions of subdivisions (1) through (3) of subsection 3 of this  
82 section. Any rule or portion of a rule, as that term is defined in section 536.010,  
83 that is created under the authority delegated in this section shall become effective  
84 only if it complies with and is subject to all of the provisions of chapter 536 and,  
85 if applicable, section 536.028. This section and chapter 536 are nonseverable and  
86 if any of the powers vested with the general assembly pursuant to chapter 536 to  
87 review, to delay the effective date or to disapprove and annul a rule are  
88 subsequently held unconstitutional, then the grant of rulemaking authority and  
89 any rule proposed or adopted after August 28, 2000, shall be invalid and void.

90 6. Any person or agency who knowingly discloses information received  
91 from insurance companies pursuant to this section for any purpose, or to a  
92 person, other than those authorized in this section is guilty of a class A  
93 misdemeanor. No insurer shall be liable to any person for performing its duties

94 pursuant to this section unless and to the extent the insurer commits a willful  
95 and wanton act of omission.

96           7. The department of revenue shall notify the department of commerce  
97 and insurance of any insurer who violates any provisions of this section. The  
98 department of commerce and insurance may, against any insurer who knowingly  
99 fails to comply with this section, assess an administrative penalty up to five  
100 hundred dollars per day of noncompliance. The department of commerce and  
101 insurance may excuse the administrative penalty if an assessed insurer provides  
102 acceptable proof that such insurer's noncompliance was inadvertent, accidental  
103 or the result of excusable neglect. The penalty provisions of this section shall  
104 become effective six months after the rule issued pursuant to subsections 3 and  
105 5 of this section is published in the code of state regulations.

106           8. To verify that financial responsibility is being maintained, the director  
107 shall notify the owner or operator of the need to provide, within fifteen days,  
108 proof of the existence of the required financial responsibility. The request shall  
109 require the owner or the operator to state whether or not the motor vehicle was  
110 insured on the verification date stated in the director's request. The request may  
111 include but not be limited to a statement of the names and addresses of insurers,  
112 policy numbers and expiration date of insurance coverage. Failure to provide  
113 such information shall result in the suspension of the registration of the owner's  
114 motor vehicle, and where applicable, the owner's or the operator's driving  
115 privilege, for failing to meet such requirements, as is provided in this chapter.

          Section B. The repeal and reenactment of sections 301.010, 301.020,  
2 301.055, 301.057, 301.058, and 301.070 of this act shall become effective July 1,  
3 2022.

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