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

HOUSE BILL NO. 1402

96TH GENERAL ASSEMBLY

2012

AN ACT

To repeal sections 21.795, 70.441, 142.932, 144.030, 226.500, 301.010, 301.032, 301.069, 301.140, 301.218, 301.260, 301.280, 301.559, 301.560, 301.562, 301.567, 301.570, 301.600, 302.010, 302.060, 302.130, 302.309, 302.341, 302.530, 302.700, 303.200, 304.120, 304.190, 306.127, 306.400, 307.365, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.063, 390.116, 390.201, 390.280, 544.046, and 643.320, RSMo, and to enact in lieu thereof fifty-four new sections relating to transportation, with penalty provisions, an effective date for a certain section and an emergency clause for certain sections.

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

Section A. Sections 21.795, 70.441, 142.932, 144.030, 226.500, 301.010, 301.032, 301.069, 301.140, 301.218, 301.260, 301.280, 301.559, 301.560, 301.562, 301.567, 301.570, 301.600, 302.010, 302.060, 302.130, 302.309, 302.341, 302.530, 302.700, 303.200, 304.120, 304.190, 306.127, 306.400, 307.365, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.063, 390.116, 390.201, 390.280, 544.046, and 643.320, RSMo, are repealed and fifty-four new sections enacted in lieu thereof, to be known as sections 21.795, 70.441, 142.932, 144.030, 226.500, 301.010, 301.032, 301.069, 301.140, 301.216, 301.218, 301.260, 301.280, 301.559, 301.560, 301.562, 301.567, 301.570, 301.600, 302.010, 302.060, 302.130, 302.309, 302.341, 302.530, 302.700, 303.200, 304.033, 304.120, 304.190, 304.289, 306.127, 306.400, 307.365, 387.040, 387.050, 387.080, 387.110, 387.137, 387.139,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.
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 appointed by the president pro tem of the senate and minority leader of the senate and the seven house members shall be appointed by the speaker of the house of representatives and the minority floor leader of the house of representatives. The seven senate members shall be composed, as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the senate bears to the total membership of the senate. No major party shall be represented by more than four members from the house of representatives [nor more than four members from the senate]. The ex officio members shall be the state auditor, the director of the oversight division of the committee on legislative research, and the commissioner of the office of administration or the designee of such auditor, director or commissioner. The joint committee shall be chaired jointly by both chairs of the senate and house transportation committees. A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members, other than the ex officio members, shall be required for the determination of any matter within the committee's duties.

2. The department of transportation shall submit a written report prior to [November tenth] December thirty-first of each year to the governor[,] and the lieutenant governor[,] and every member of the senate and house of representatives]. The report shall be posted to the department's Internet website so that general assembly members may elect to access a copy of the report electronically. The written report shall contain the following:

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

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

      (b) Any other revenues available to the department by source;
(c) Funds appropriated, the amount the department has budgeted and expended for the following: contracts, right-of-way purchases, preliminary and construction engineering, maintenance operations and administration;

(d) Total state and federal revenue compared to the revenue estimate in the fifteen-year highway plan as adopted in 1992. All expenditures made by, or on behalf of, the department for personal services including fringe benefits, all categories of expense and equipment, real estate and capital improvements shall be assigned to the categories listed in this subdivision in conformity with generally accepted government accounting principles;

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

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

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

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

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

(7) Specific recommendations for any statutory or regulatory changes necessary for the efficient and effective operation of the department;
(8) An accounting of the total amount of state, federal and earmarked federal highway funds expended in each district of the department of transportation; and

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

3. Prior to [December first] **February fifteenth** of each year, the committee shall hold an annual meeting and call before its members, officials or employees of the state Highways and Transportation Commission or department of transportation, as determined by the committee, for the sole purpose of receiving and examining the report required pursuant to subsection 2 of this section. The committee shall not have the power to modify projects or priorities of the state Highways and Transportation Commission or department of transportation. The committee may make recommendations to the state Highways and Transportation Commission or the department of transportation. Disposition of those recommendations shall be reported by the commission or the department to the joint committee on transportation oversight.

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

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

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

   (3) Presentation of a status report on department of transportation revenues and expenditures, including a detailed summary of projects funded by new state revenue as provided in paragraph (a) of subdivision (1) of subsection 2 of this section; and

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

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

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

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

   (3) A proposed new specialty license plate containing objectionable language or design;
A proposed license plate not meeting the requirements of any reason promulgated by rule. The committee shall notify the director of the department of revenue upon approval or denial of an application for the development of a specialty plate.

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

70.441. 1. As used in this section, the following terms have the following meanings:

(1) "Agency", the bi-state development agency created by compact under section 70.370;

(2) "Conveyance" includes bus, paratransit vehicle, rapid transit car or train, locomotive, or other vehicle used or held for use by the agency as a means of transportation of passengers;

(3) "Facilities" includes all property and equipment, including, without limitation, rights-of-way and related trackage, rails, signals, power, fuel, communication and ventilation systems, power plants, stations, terminals, signage, storage yards, depots, repair and maintenance shops, yards, offices, parking lots and other real estate or personal property used or held for or incidental to the operation, rehabilitation or improvement of any public mass transportation system of the agency;

(4) "Person", any individual, firm, copartnership, corporation, association or company; and

(5) "Sound production device" includes, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette player, speaker device and any sound amplifier.

2. In interpreting or applying this section, the following provisions shall apply:

(1) Any act otherwise prohibited by this section is lawful if specifically authorized by agreement, permit, license or other writing duly signed by an authorized officer of the agency or if performed by an officer, employee or designated agent of the agency acting within the scope of his or her employment or agency;

(2) Rules shall apply with equal force to any person assisting, aiding or abetting another, including a minor, in any of the acts prohibited by the rules or assisting, aiding or abetting another in the avoidance of any of the requirements of the rules; and

(3) The singular shall mean and include the plural; the masculine gender shall mean the feminine and the neuter genders; and vice versa.

3. (1) No person shall use or enter upon the light rail conveyances of the agency without payment of the fare or other lawful charges established by the agency. Any person on any such conveyance must have properly validated fare media in his possession. This ticket must be valid to or from the station the passenger is using, and must have been used for entry for the trip then being taken;

(2) No person shall use any token, pass, badge, ticket, document, transfer, card or fare media to gain entry to the facilities or conveyances of, or make use of the services of, the agency,
except as provided, authorized or sold by the agency and in accordance with any restriction on
the use thereof imposed by the agency;

(3) No person shall enter upon parking lots designated by the agency as requiring
payment to enter, either by electronic gate or parking meters, where the cost of such parking fee
is visibly displayed at each location, without payment of such fees or other lawful charges
established by the agency;

(4) Except for employees of the agency acting within the scope of their employment, no
person shall sell, provide, copy, reproduce or produce, or create any version of any token, pass,
badge, ticket, document, transfer, card or any other fare media or otherwise authorize access to
or use of the facilities, conveyances or services of the agency without the written permission of
an authorized representative of the agency;

(5) No person shall put or attempt to put any paper, article, instrument or item, other than
a token, ticket, badge, coin, fare card, pass, transfer or other access authorization or other fare
media issued by the agency and valid for the place, time and manner in which used, into any fare
box, pass reader, ticket vending machine, parking meter, parking gate or other fare collection
instrument, receptacle, device, machine or location;

(6) Tokens, tickets, fare cards, badges, passes, transfers or other fare media that have
been forged, counterfeited, imitated, altered or improperly transferred or that have been used in
a manner inconsistent with this section shall be confiscated;

(7) No person may perform any act which would interfere with the provision of transit
service or obstruct the flow of traffic on facilities or conveyances or which would in any way
interfere or tend to interfere with the safe and efficient operation of the facilities or conveyances
of the agency;

(8) All persons on or in any facility or conveyance of the agency shall:
(a) Comply with all lawful orders and directives of any agency employee acting within
the scope of his employment;
(b) Obey any instructions on notices or signs duly posted on any agency facility or
conveyance; and
(c) Provide accurate, complete and true information or documents requested by agency
personnel acting within the scope of their employment and otherwise in accordance with law;

(9) No person shall falsely represent himself or herself as an agent, employee or
representative of the agency;

(10) No person on or in any facility or conveyance shall:
(a) Litter, dump garbage, liquids or other matter, or create a nuisance, hazard or
unsanitary condition, including, but not limited to, spitting and urinating, except in facilities
provided;
(b) Drink any alcoholic beverage or possess any opened or unsealed container of alcoholic beverage, except on premises duly licensed for the sale of alcoholic beverages, such as bars and restaurants;

c) Enter or remain in any facility or conveyance while his ability to function safely in the environment of the agency transit system is impaired by the consumption of alcohol or by the taking of any drug;

d) Loiter or stay on any facility of the agency;

e) Consume foods or liquids of any kind, except in those areas specifically authorized by the agency;

f) Smoke or carry an open flame or lighted match, cigar, cigarette, pipe or torch, except in those areas or locations specifically authorized by the agency; or

g) Throw or cause to be propelled any stone, projectile or other article at, from, upon or in a facility or conveyance;

(11) No weapon or other instrument intended for use as a weapon may be carried in or on any facility or conveyance, except for law enforcement personnel. For the purposes hereof, a weapon shall include, but not be limited to, a firearm, switchblade knife, sword, or any instrument of any kind known as blackjack, billy club, club, sandbag, metal knuckles, leather bands studded with metal, wood impregnated with metal filings or razor blades; except that this subdivision shall not apply to a rifle or shotgun which is unloaded and carried in any enclosed case, box or other container which completely conceals the item from view and identification as a weapon;

(12) No explosives, flammable liquids, acids, fireworks or other highly combustible materials or radioactive materials may be carried on or in any facility or conveyance, except as authorized by the agency;

(13) No person, except as specifically authorized by the agency, shall enter or attempt to enter into any area not open to the public, including, but not limited to, motorman's cabs, conductor's cabs, bus operator's seat location, closed-off areas, mechanical or equipment rooms, concession stands, storage areas, interior rooms, tracks, roadbeds, tunnels, plants, shops, barns, train yards, garages, depots or any area marked with a sign restricting access or indicating a dangerous environment;

(14) No person may ride on the roof, the platform between rapid transit cars, or on any other area outside any rapid transit car or bus or other conveyance operated by the agency;

(15) No person shall extend his hand, arm, leg, head or other part of his or her person or extend any item, article or other substance outside of the window or door of a moving rapid transit car, bus or other conveyance operated by the agency;

(16) No person shall enter or leave a rapid transit car, bus or other conveyance operated by the agency except through the entrances and exits provided for that purpose;

(17) No animals may be taken on or into any conveyance or facility except the following:
(a) An animal enclosed in a container, accompanied by the passenger and carried in a manner which does not annoy other passengers; and

(b) Working dogs for law enforcement agencies, agency dogs on duty, dogs properly harnessed and accompanying blind or hearing-impaired persons to aid such persons, or dogs accompanying trainers carrying a certificate of identification issued by a dog school;

(18) No vehicle shall be operated carelessly, or negligently, or in disregard of the rights or safety of others or without due caution and circumspection, or at a speed in such a manner as to be likely to endanger persons or property on facilities of the agency. The speed limit on parking lots and access roads shall be posted as fifteen miles per hour unless otherwise designated.

4. (1) Unless a greater penalty is otherwise provided by the laws of the state, any violation of this section shall constitute a misdemeanor, and any person committing a violation thereof shall be subject to arrest and, upon conviction in a court of competent jurisdiction, shall pay a fine in an amount not less than twenty-five dollars and no greater than two hundred fifty dollars per violation, in addition to court costs. Any default in the payment of a fine imposed pursuant to this section without good cause shall result in imprisonment for not more than thirty days;

(2) Unless a greater penalty is provided by the laws of the state, any person convicted a second or subsequent time for the same offense under this section shall be guilty of a misdemeanor and sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars in addition to court costs, or to undergo imprisonment for up to sixty days, or both such fine and imprisonment;

(3) Any person failing to pay the proper fare, fee or other charge for use of the facilities and conveyances of the agency shall be subject to payment of such charge as part of the judgment against the violator. All proceeds from judgments for unpaid fares or charges shall be directed to the appropriate agency official;

(4) All juvenile offenders violating the provisions of this section shall be subject to the jurisdiction of the juvenile court as provided in chapter 211;

(5) As used in this section, the term "conviction" shall include all pleas of guilty and findings of guilt.

5. Any person who is convicted, pleads guilty, or pleads nolo contendere for failing to pay the proper fare, fee, or other charge for the use of the facilities and conveyances of the bi-state development agency, as described in subdivision (3) of subsection 4 of this section, may, in addition to the unpaid fares or charges and any fines, penalties, or sentences imposed by law, be required to reimburse the reasonable costs attributable to the enforcement, investigation, and prosecution of such offense by the bi-state development agency. The court shall direct the reimbursement proceeds to the appropriate agency official.
6. (1) Stalled or disabled vehicles may be removed from the roadways of the agency property by the agency and parked or stored elsewhere at the risk and expense of the owner;
(2) Motor vehicles which are left unattended or abandoned on the property of the agency for a period of over seventy-two hours may be removed as provided for in section 304.155, except that the removal may be authorized by personnel designated by the agency under section 70.378.

142.932. 1. No person shall operate or maintain a motor vehicle on any public highway in this state with motor fuel contained in the fuel supply tank for the motor vehicle that contains dye as provided pursuant to this chapter.
2. This section does not apply to:
   (1) Persons operating motor vehicles that have received fuel into their fuel tanks outside of this state in a jurisdiction that permits introduction of dyed motor fuel of that color and type into the motor fuel tank of highway vehicles; [or]
   (2) Uses of dyed fuel on the highway which are lawful under the Internal Revenue Code and regulations thereunder and as set forth in this chapter unless otherwise prohibited by this chapter; or
   (3) Persons operating motor vehicles during a state of emergency declaration by the governor, when such motor vehicles are engaged in public safety matters or in restoration of utility services attributable to the state of emergency. This exception shall apply to public utility and rural electric cooperative motor vehicles and the motor vehicles of persons contracting with such entities for the purpose of restoring utility service attributable to the state of emergency.
3. No person shall sell or hold for sale dyed diesel fuel or dyed kerosene for any use that the person knows or has reason to know is a taxable use of the diesel fuel.
4. No person shall use or hold for use any dyed diesel fuel for a taxable use when the person knew or had reason to know that the diesel fuel was so dyed.
5. No person shall willfully, with intent to evade tax, alter or attempt to alter the strength or composition of any dye or marker in any dyed diesel fuel or dyed kerosene.
6. Any person who knowingly violates or knowingly aids and abets another to violate the provisions of this section with the intent to evade the tax levied by this chapter shall be guilty of a class A misdemeanor.
7. Any person or business entity, each officer, employee, or agent of the entity who willfully participates in any act in violation of this section shall be jointly and severally liable with the entity for the tax and penalty which shall be the same as imposed pursuant to 26 U.S.C., Section 6715 or its successor section.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and
any other state of the United States, or between this state and any foreign country, and any retail
sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws
of the United States of America, and such retail sales of tangible personal property which the
general assembly of the state of Missouri is prohibited from taxing or further taxing by the
constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as
defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to
144.761 and from the computation of the tax levied, assessed or payable pursuant to the local
sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and
144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of
such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be
consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing
water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into
foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or
fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will
be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at
retail; economic poisons registered pursuant to the provisions of the Missouri pesticide
registration law (sections 281.220 to 281.310) which are to be used in connection with the
growth or production of crops, fruit trees or orchards applied before, during, or after planting,
the crop of which when harvested will be sold at retail or will be converted into foodstuffs which
are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in
manufacturing, processing, compounding, mining, producing or fabricating become a component
part or ingredient of the new personal property resulting from such manufacturing, processing,
compounding, mining, producing or fabricating and which new personal property is intended to
be sold ultimately for final use or consumption; and materials, including without limitation,
gases and manufactured goods, including without limitation slagging materials and firebrick,
which are ultimately consumed in the manufacturing process by blending, reacting or interacting
with or by becoming, in whole or in part, component parts or ingredients of steel products
intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for
the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock
or aircraft engaged as common carriers of persons or property;

(4) Motor vehicles registered in excess of fifty-four thousand pounds, and the
trailers pulled by such motor vehicles, that are actually used in the normal course of
business to haul property on the public highways of the state, and that are capable of
hauling loads commensurate with the motor vehicle's registered weight; and the materials,
replacement parts, and equipment purchased for use directly upon, and for the repair and
maintenance or manufacture of such vehicles. For purposes of this subdivision "motor
vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;
(5) Replacement machinery, equipment, and parts and the materials and supplies solely
required for the installation or construction of such replacement machinery, equipment, and
parts, used directly in manufacturing, mining, fabricating or producing a product which is
intended to be sold ultimately for final use or consumption; and machinery and equipment, and
the materials and supplies required solely for the operation, installation or construction of such
machinery and equipment, purchased and used to establish new, or to replace or expand existing,
material recovery processing plants in this state. For the purposes of this subdivision, a "material
recovery processing plant" means a facility that has as its primary purpose the recovery of
materials into a useable product or a different form which is used in producing a new product and
shall include a facility or equipment which are used exclusively for the collection of recovered
materials for delivery to a material recovery processing plant but shall not include motor vehicles
used on highways. For purposes of this section, the terms motor vehicle and highway shall have
the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials
within a manufacturing process or the use of a product previously recovered. The material
recovery processing plant shall qualify under the provisions of this section regardless of
ownership of the material being recovered;
(6) Machinery and equipment, and parts and the materials and supplies solely
required for the installation or construction of such machinery and equipment, purchased and
used to establish new or to expand existing manufacturing, mining or fabricating plants in the
state if such machinery and equipment is used directly in manufacturing, mining or fabricating
a product which is intended to be sold ultimately for final use or consumption;
(7) Tangible personal property which is used exclusively in the manufacturing,
processing, modification or assembling of products sold to the United States government or to
any agency of the United States government;
(8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;
(9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates
and other machinery, equipment, replacement parts and supplies used in producing newspapers
published for dissemination of news to the general public;
(10) The rentals of films, records or any type of sound or picture transcriptions for
public commercial display;
(11) Pumping machinery and equipment used to propel products delivered by
pipelines engaged as common carriers;
(12) Railroad rolling stock for use in transporting persons or property in interstate
commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or
more or trailers used by common carriers, as defined in section 390.020, in the transportation of
persons or property;

[(12)] (13) Electrical energy used in the actual primary manufacture, processing,
compounding, mining or producing of a product, or electrical energy used in the actual secondary
processing or fabricating of the product, or a material recovery processing plant as defined in
subdivision [(4)] (5) of this subsection, in facilities owned or leased by the taxpayer, if the total
cost of electrical energy so used exceeds ten percent of the total cost of production, either
primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials
used in such processing contain at least twenty-five percent recovered materials as defined in
section 260.200. There shall be a rebuttable presumption that the raw materials used in the
primary manufacture of automobiles contain at least twenty-five percent recovered materials.
For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts
performed upon materials to transform and reduce them to a different state or thing, including
treatment necessary to maintain or preserve such processing by the producer at the production
facility;

[(13)] (14) Anodes which are used or consumed in manufacturing, processing,
compounding, mining, producing or fabricating and which have a useful life of less than one
year;

[(14)] (15) Machinery, equipment, appliances and devices purchased or leased and used
solely for the purpose of preventing, abating or monitoring air pollution, and materials and
supplies solely required for the installation, construction or reconstruction of such machinery,
equipment, appliances and devices;

[(15)] (16) Machinery, equipment, appliances and devices purchased or leased and used
solely for the purpose of preventing, abating or monitoring water pollution, and materials and
supplies solely required for the installation, construction or reconstruction of such machinery,
equipment, appliances and devices;

[(16)] (17) Tangible personal property purchased by a rural water district;

[(17)] (18) All amounts paid or charged for admission or participation or other fees paid
by or other charges to individuals in or for any place of amusement, entertainment or recreation,
games or athletic events, including museums, fairs, zoos and planetariums, owned or operated
by a municipality or other political subdivision where all the proceeds derived therefrom benefit
the municipality or other political subdivision and do not inure to any private person, firm, or
corporation;

[(18)] (19) All sales of insulin and prosthetic or orthopedic devices as defined on January
1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of
1965, including the items specified in Section 1862(a)(12) of that act, and also specifically
including hearing aids and hearing aid supplies and all sales of drugs which may be legally
dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to
administer those items, including samples and materials used to manufacture samples which may be
dispensed by a practitioner authorized to dispense such samples and all sales or rental of
medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and
ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille
writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with
one or more physical or mental disabilities to enable them to function more independently, all
sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic
alternative and augmentative communication devices, and items used solely to modify motor
vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of
over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by
the Food and Drug Administration to meet the over-the-counter drug product labeling
requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner
licensed to prescribe;

[(19)](20) All sales made by or to religious and charitable organizations and institutions
in their religious, charitable or educational functions and activities and all sales made by or to
all elementary and secondary schools operated at public expense in their educational functions
and activities;

[(20)](21) All sales of aircraft to common carriers for storage or for use in interstate
commerce and all sales made by or to not-for-profit civic, social, service or fraternal
organizations, including fraternal organizations which have been declared tax-exempt
organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as
amended, in their civic or charitable functions and activities and all sales made to eleemosynary
and penal institutions and industries of the state, and all sales made to any private not-for-profit
institution of higher education not otherwise excluded pursuant to subdivision [(19)](20) of this
subsection or any institution of higher education supported by public funds, and all sales made
to a state relief agency in the exercise of relief functions and activities;

[(21)](22) All ticket sales made by benevolent, scientific and educational associations
which are formed to foster, encourage, and promote progress and improvement in the science of
agriculture and in the raising and breeding of animals, and by nonprofit summer theater
organizations if such organizations are exempt from federal tax pursuant to the provisions of the
Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any
fair conducted by a county agricultural and mechanical society organized and operated pursuant
to sections 262.290 to 262.530;

[(22)](23) All sales made to any private not-for-profit elementary or secondary school,
all sales of feed additives, medications or vaccines administered to livestock or poultry in the
production of food or fiber, all sales of pesticides used in the production of crops, livestock or
poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for
food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for
drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;
(b) Used on land owned or leased for the purpose of producing farm products; and
(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

[23] [24] Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use.
Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf
of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

[(24)] (25) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

[(25)] (26) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

[(26)] (27) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

[(27)] (28) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

[(28)] (29) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this
subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

[(29)] (30) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

[(30)] (31) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

[(31)] (32) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision [(4)] (5) of this subsection;

[(32)] (33) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

[(33)] (34) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

[(34)] (35) All sales of grain bins for storage of grain for resale;

[(35)] (36) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

[(36)] (37) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or
(b) An exempt entity located outside the state if the exempt entity is authorized to issue
an exemption certificate to contractors in accordance with the provisions of that state's law and
the applicable provisions of this section;

[(37)] (38) All sales or other transfers of tangible personal property to a lessor who leases
the property under a lease of one year or longer executed or in effect at the time of the sale or
other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or
sections 238.010 to 238.100;

[(38)] (39) Sales of tickets to any collegiate athletic championship event that is held in
a facility owned or operated by a governmental authority or commission, a quasi-governmental
agency, a state university or college or by the state or any political subdivision thereof, including
a municipality, and that is played on a neutral site and may reasonably be played at a site located
outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that
is not located on the campus of a conference member institution participating in the event;

[(39)] (40) All purchases by a sports complex authority created under section 64.920, and
all sales of utilities by such authority at the authority's cost that are consumed in connection with
the operation of a sports complex leased to a professional sports team;

[(40)] (41) Beginning January 1, 2009, but not after January 1, 2015, materials,
replacement parts, and equipment purchased for use directly upon, and for the modification,
replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

[(41)] (42) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range
or similar places of business for use in the normal course of business and money received by a
shooting range or similar places of business from patrons and held by a shooting range or similar
place of business for redistribution to patrons at the conclusion of a shooting event.

226.500. The general assembly finds and declares that outdoor advertising is a legitimate
commercial use of private property adjacent to the interstate and primary highway systems and
that it is necessary to regulate and control same to promote highway safety, to promote
convenience and enjoyment of highway travel, and to preserve the natural scenic beauty of
highways and adjacent areas. The general assembly further declares it to be the policy of this
state that the erection and maintenance of outdoor advertising in areas adjacent to the interstate
and primary highway systems be regulated in accordance with sections 226.500 to 226.600 and
rules and regulations promulgated by the state Highways and Transportation Commission
pursuant thereto and may confer with the department of public safety regarding highway
safety, the department of economic development and the state division of tourism with
regard to promoting the convenience and enjoyment of highway travel, and the
departments of conservation and natural resources regarding the preservation of the
natural scenic beauty of adjacent areas.

226.541. 1. As used in this section, the following words or phrases mean:
(1) "Conforming out of standard signs", signs that fail to meet the current statutory and administrative rule requirements for outdoor advertising but currently comply with the terms of the federal/state agreement and meet the August 27, 1999, statutory and administrative rule requirements that governed outdoor advertising and the highway beautification act of 1965;

(2) "Federal/state agreement", an agreement executed between the United States Department of Transportation and the state Highways and Transportation Commission on February 22, 1972, for carrying out national policy relative to control of outdoor advertising in areas adjacent to the national system of interstate and defense highways and the federal-aid primary system;

(3) "Qualifying signs", signs which meet the requirements for outdoor advertising in effect on August 27, 1999, and the requirements of the federal/state agreement;

(4) "Reset", movement of a sign structure from one location to another location on the same or adjoining property, if the adjoining property is zoned commercial or industrial or in an unzoned commercial or industrial area and the owner of the sign has obtained the legal right to erect a sign on the adjoining property from its owner, as authorized by a sign permit amendment and the terms of an executed written partial waiver and reset agreement between the permit owner and the state Highways and Transportation Commission;

(5) "Substantially rebuilt", any reconstruction or repair of a sign that requires the replacement of more than fifty percent of the sign structure's support poles in a twelve-month period.

2. Subject to the provisions of this section, and if allowed by applicable local regulations, conforming out of standard signs shall be treated as conforming signs under commission administrative rules, including new display technologies, lighting, cutouts, and extensions, except that such signs shall not be substantially rebuilt except in accordance with the provisions of this section. If allowed by applicable local regulations, new technologies, lighting, cutouts, and extensions may be utilized on conforming and conforming out of standard signs in accordance with Missouri department of transportation regulations.

3. If allowed by applicable local regulations, a conforming out of standard sign may be upgraded:

(1) Up to twenty percent of the sign face, not to exceed one hundred sixty square feet of area, with digital technology for displaying text or numbers in accordance with current law and rules; or

(2) More than twenty percent only if it maintains a distance of at least one thousand four hundred feet from any other such digital technology display sign.
4. Notwithstanding any provision of the law to the contrary, a conforming out of standard sign may be unstacked by closing the gap between the signs or by replacing the faces with one display area. The resulting sign face square footage shall not exceed the square footage of the original stacked structure. A conforming out of standard sign structure height may be lowered.

5. On the date the commission approves funding for any phase or portion of construction or reconstruction of any street or highway, the rules in effect for outdoor advertising on August 27, 1999, shall be reinstated for that section of highway scheduled for construction and there shall immediately be a moratorium imposed on the issuance of state sign permits for new sign structures.

6. Owners of existing signs which meet the requirements for outdoor advertising in effect on August 27, 1999, and the requirements of the federal/state agreement and who voluntarily execute a partial waiver and reset agreement may reset such signs on the same or adjoining property. Such reset agreements shall be contingent upon obtaining any required local approval to reset the sign structure. Any sign which has been reset must still comply with the August 27, 1999, outdoor advertising regulations after it has been reset.

7. Owners of existing signs who elect to reset qualifying signs shall receive compensation from the state Highways and Transportation Commission or in accordance with a cost sharing agreement representing the actual cost to reset the existing sign. Signs which have been reset under these provisions must be reconstructed of the same type materials and may not exceed the square footage of the original sign structure.

8. Sign owners may elect to reset existing qualifying signs by executing a partial waiver and reset agreement with the commission. Such agreement shall specify the size, type, and location of the rebuilt sign and the reset expenses to be paid to the owner by the commission. The commission may consider the impact of a potential reset upon scenic, natural, historic, or other features in the surrounding area in its determination of whether to enter into a reset agreement.

9. Immediately upon the completion of construction on any section of highway, the moratorium on new permits shall be lifted and the rules for outdoor advertising in effect on the date the construction is completed shall apply to such section of highway.

10. Local zoning authorities may prohibit the resetting of qualifying signs which fail to comply with local regulations.

11. The state Highways and Transportation Commission, in accordance with section 226.500, shall review its current rules and regulations and solicit industry, stakeholder, and public comments regarding digital technology upgrades, including but not limited to, ad copy duration, distance from interchanges, brightness controls, including light sensors and timers, and distance from other billboards prior to implementing the sign reset agreement program or digital upgrade regulations described in this section.
All signs shall be subject to the biennial inspection fees under section 226.550. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

1. "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

2. "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

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

4. "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

5. "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

6. "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

7. "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

8. "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

9. "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

10. "Director" or "director of revenue", the director of the department of revenue;

11. "Driveaway operation":

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

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

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a
type otherwise required to be registered, by the driveaway or towaway methods, from a point of
manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent
of a manufacturer or to any consignee designated by the shipper or consignor;
(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth
wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor
equipped with a dromedary may carry part of a load when operating independently or in a
combination with a semitrailer;
(13) "Farm tractor", a tractor used exclusively for agricultural purposes;
(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;
(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;
(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last
vehicle in a saddlemount combination;
(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus
the weight of any load thereon;
(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the
result of the impact of hail;
(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads
and public streets, avenues, boulevards, parkways or alleys in any municipality;
(20) "Improved highway", a highway which has been paved with gravel, macadam,
concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;
(21) "Intersecting highway", any highway which joins another, whether or not it crosses
the same;
(22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways
and has no resale value except as a source of parts or scrap, and shall not be titled or registered;
(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally
recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
an authorized manufacturer and accompanied by a manufacturer's statement of origin;
(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire
commercial motor vehicle the operation of which is confined to:
(a) An area that extends not more than a radius of one hundred miles from its home base
of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or
from projects involving soil and water conservation, or to and from equipment dealers'
maintenance facilities for maintenance purposes; or
(b) An area that extends not more than a radius of fifty miles from its home base of
operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from
projects not involving soil and water conservation. Nothing in this subdivision shall be
construed to prevent any motor vehicle from being registered as a commercial motor vehicle or
local commercial motor vehicle;
(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

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

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

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

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

(32) "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

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

(34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

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

(36) "Motorcycle", a motor vehicle operated on two wheels;

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

(38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) "Municipality", any city, town or village, whether incorporated or not;

(40) "Nonresident", a resident of a state or country other than the state of Missouri;

(41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) "Operator", any person who operates or drives a motor vehicle;

(43) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee,
or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

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

[(45)] (44) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuild, but does not include certificated common or contract carriers of persons or property;

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

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

[(48)] (47) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-sixty-four inches or less in width, with an unladen dry weight of one thousand two thousand eight hundred fifty pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

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

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

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

[(52)] (51) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

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

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

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

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

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

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

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

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

"School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

"Scrap processor", a business that, through the use of fixed or mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or transportation to a shredder or scrap metal operator for recycling;

"Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

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

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

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

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

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

(63) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

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

(65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one
thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section [302.010] 303.020; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain.

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

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

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

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

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

301.069. 1. A driveaway license plate may not be used on a vehicle used or operated on a highway except for the purpose of transporting vehicles in transit. Driveaway license plates may not be used by tow truck operators transporting wrecked, disabled, abandoned, improperly parked, or burned vehicles. Driveaway license plates shall only be used by owners, corporate
officers, or employees of the business to which the plate was issued. For each driveaway license there shall be paid an annual license fee of forty-four dollars and fifty cents for one set of plates or such insignia as the director may issue which shall be attached to the motor vehicle as prescribed in this chapter. Applicants may choose to obtain biennial driveaway licenses. The fee for biennial driveaway licenses shall be eighty-nine dollars. For single trips the fee shall be four dollars, and descriptive insignia shall be prepared and issued at the discretion of the director who shall also prescribe the type of equipment used to attach such vehicles in combinations.

2. No driveaway license plates shall be issued by the director of revenue unless the applicant therefor shall make application for such plate and shall therein include:

   (1) The business name, business street address, and business telephone number of the applicant;

   (2) The business owner's full name, date of birth, driver's license number or nondriver's license number, residence street address, and residence telephone number;

   (3) The signature and printed name of the business owner or authorized representative of the business presenting such application; and

   (4) A statement explaining what the driveaway license plate or plates will be used for. The applicant shall provide certification of proof of financial responsibility, as defined in section 303.020, sufficient to cover each motor vehicle the applicant shall operate or otherwise move on the streets or highways, through use of the driveaway license plate, during the period of registration. The applicant shall provide such certification by affixing a copy of said certification to the application. The application shall include a photograph, not to exceed eight inches by ten inches but no less than five inches by seven inches, showing the business building and sign of the applicant's business. The applicant shall maintain a working, landline telephone at the applicant's place of business throughout the registration period. The applicant shall maintain certification of proof of financial responsibility as described herein throughout the registration period.

3. If any of the information required by this section to be reported by the applicant changes during the registration period, the applicant shall report said changes to the department of revenue within ten days of the date of the change.

4. Any violation of this section or misrepresentation contained in an application for driveaway license plate shall result in the revocation of the applicant's driveaway license plate and any subsequent application for a driveaway license plate shall be denied for two years from the date of violation. "Applicant" shall include any officer of a business or any employee or agent thereof.

5. Any person who knowingly uses a revoked driveaway license plate shall be deemed guilty of a class A misdemeanor.

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

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

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

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to
the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

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

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

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

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

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor
vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's
view out of the rear window is not obstructed and the plate configuration is clearly visible
from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item
obstructs the view of the actual plate. Such temporary plate is only authorized for use
when the matching actual plate is affixed to the vehicle in the manner prescribed in
subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to
the fee charged for a temporary permit issued under subsection 5 of this section.
Replacement temporary plates authorized in this subsection may be issued as needed upon
the payment of a fee equal to the fee charged for a temporary permit under subsection 5
of this section. The newly produced third plate may only be used on the vehicle with the
matching plate, and the additional plate shall be clearly recognizable as a third plate and
only used for the purpose specified in this subsection.

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

301.216. Department investigators licensed as peace officers by the director of the
department of public safety under chapter 590 shall be deemed to be peace officers within
the state of Missouri while acting in an investigation to enforce the provisions of this
chapter and any provisions regarding fees, licenses, or taxes administered by the director.
The power of arrest of a department investigator acting as a peace officer shall be limited
to offenses involving fees, licenses, taxes, or in situations of imminent danger to the
investigator or another person.

301.218. 1. No person shall, except as an incident to the sale, repair, rebuilding or
servicing of vehicles by a licensed franchised motor vehicle dealer, carry on or conduct the
following business unless licensed to do so by the department of revenue under sections 301.217
to 301.229:

(1) Selling used parts of or used accessories for vehicles as a used parts dealer, as defined
in section 301.010;

(2) Salvaging, wrecking or dismantling vehicles for resale of the parts thereof as a
salvage dealer or dismantler, as defined in section 301.010;

(3) Rebuilding and repairing four or more wrecked or dismantled vehicles in a calendar
year as a rebuilder or body shop, as defined in section 301.010;
(4) Processing scrapped vehicles or vehicle parts as a [mobile] scrap processor, as defined in section 301.010.

2. Sales at a salvage pool or a salvage disposal sale shall be open only to and made to persons actually engaged in and holding a current license under sections 301.217 to 301.221 and 301.550 to 301.573 or any person from another state or jurisdiction who is legally allowed in his or her state of domicile to purchase for resale, rebuild, dismantle, crush, or scrap either motor vehicles or salvage vehicles, and to persons who reside in a foreign country that are purchasing salvage vehicles for export outside of the United States. Operators of salvage pools or salvage disposal sales shall keep a record, for three years, of sales of salvage vehicles with the purchasers' name and address, and the year, make, and vehicle identification number for each vehicle. These records shall be open for inspection as provided in section 301.225. Such records shall be submitted to the department on a quarterly basis.

3. The operator of a salvage pool or salvage disposal sale, or subsequent purchaser, who sells a nonrepairable motor vehicle or a salvage motor vehicle to a person who is not a resident of the United States at a salvage pool or a salvage disposal sale shall:

   (1) Stamp on the face of the title so as not to obscure any name, date, or mileage statement on the title the words "FOR EXPORT ONLY" in capital letters that are black; and

   (2) Stamp in each unused reassignment space on the back of the title the words "FOR EXPORT ONLY" and print the number of the dealer's salvage vehicle license, name of the salvage pool, or the name of the governmental entity, as applicable. The words "FOR EXPORT ONLY" required under subdivisions (1) and (2) of this subsection shall be at least two inches wide and clearly legible. Copies of the stamped titles shall be forwarded to the department.

4. The director of revenue shall issue a separate license for each kind of business described in subsection 1 of this section, to be entitled and designated as either "used parts dealer"; "salvage dealer or dismantler"; "rebuilder or body shop"; or "[mobile] scrap processor" license.

301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: "State of Missouri, official car number ...................." (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be [displayed] a plate, or, on each
side of such motor vehicle, [in] letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, to display the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no. ................." (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other person shall use such a motor vehicle for other than official purposes.

3. For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photocopy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such vehicle can also be used in conjunction with the activities of the educational institution.

4. As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, sheltered workshop, as defined in section 178.900, and any interstate compact agency which operates a public mass transportation system.
exception, shall be recorded in the appropriate space on the dealer's monthly sales report by 
recording the complete permit number issued on the motor vehicle or trailer sale listed. The 
monthly sales report shall be completed in full and signed by an officer, partner, or owner of the 
dealership, and actually received by the department of revenue on or before the fifteenth day of 
the month succeeding the month for which the sales are being reported. If no sales occur in any 
given month, a report shall be submitted for that month indicating no sales. Any vehicle dealer 
who fails to file a monthly report or who fails to file a timely report shall be subject to 
disciplinary action as prescribed in section 301.562 or a penalty assessed by the director not to 
exceed three hundred dollars per violation. Every motor vehicle and boat dealer shall retain 
copies of the monthly sales report as part of the records to be maintained at the dealership 
location and shall hold them available for inspection by appropriate law enforcement officials 
and officials of the department of revenue. Every vehicle dealer selling twenty or more vehicles 
a month shall file the monthly sales report with the department in an electronic format. Any 
dealer filing a monthly sales report in an electronic format shall be exempt from filing the notice 
of transfer required by section 301.196. For any dealer not filing electronically, the notice of 
transfer required by section 301.196 shall be submitted with the monthly sales report as 
prescribed by the director.

2. Every dealer and every person operating a public garage shall keep a correct record 
of the vehicle identification number, odometer setting, manufacturer's name of all motor vehicles 
or trailers accepted by him for the purpose of sale, rental, storage, repair or repainting, together 
with the name and address of the person delivering such motor vehicle or trailer to the dealer or 
public garage keeper, and the person delivering such motor vehicle or trailer shall record such 
information in a file kept by the dealer or garage keeper. The record shall be kept for [three] five 
years and be open for inspection by law enforcement officials, members or authorized or 
designated employees of the Missouri highway patrol, and persons, agencies and officials 
designated by the director of revenue.

3. Every dealer and every person operating a public garage in which a motor vehicle 
remains unclaimed for a period of fifteen days shall, within five days after the expiration of that 
period, report the motor vehicle as unclaimed to the director of revenue. Such report shall be on 
a form prescribed by the director of revenue. A motor vehicle left by its owner whose name and 
address are known to the dealer or his employee or person operating a public garage or his 
employee is not considered unclaimed. Any dealer or person operating a public garage who fails 
to report a motor vehicle as unclaimed as herein required forfeits all claims and liens for its 
garaging, parking or storing.

4. The director of revenue shall maintain appropriately indexed cumulative records of 
unclaimed vehicles reported to the director. Such records shall be kept open to public inspection 
during reasonable business hours.
5. The alteration or obliteration of the vehicle identification number on any such motor vehicle shall be prima facie evidence of larceny, and the dealer or person operating such public garage shall upon the discovery of such obliteration or alteration immediately notify the highway patrol, sheriff, marshal, constable or chief of police of the municipality where the dealer or garage keeper has his place of business, and shall hold such motor vehicle or trailer for a period of forty-eight hours for the purpose of an investigation by the officer so notified.

6. Any person who knowingly makes a false statement or omission of a material fact in a monthly sales report to the department of revenue, as described in subsection 1 of this section, shall be deemed guilty of a class A misdemeanor.

301.559. 1. It shall be unlawful for any person to engage in business as or act as a motor vehicle dealer, boat dealer, manufacturer, boat manufacturer, public motor vehicle auction, wholesale motor vehicle auction or wholesale motor vehicle dealer without first obtaining a license from the department as required in sections 301.550 to 301.573. Any person who maintains or operates any business wherein a license is required pursuant to the provisions of sections 301.550 to 301.573, without such license, is guilty of a class A misdemeanor. Any person committing a second violation of sections 301.550 to 301.573 shall be guilty of a class D felony.

2. All dealer licenses shall expire on December thirty-first of [each year] the designated license period. The department shall notify each person licensed under sections 301.550 to 301.573 of the date of license expiration and the amount of the fee required for renewal. The notice shall be mailed at least ninety days before the date of license expiration to the licensee's last known business address. The director shall have the authority to issue licenses valid for a period of up to two years and to stagger the license periods for administrative efficiency and equalization of workload, at the sole discretion of the director.

3. Every manufacturer, boat manufacturer, motor vehicle dealer, wholesale motor vehicle dealer, wholesale motor vehicle auction, boat dealer or public motor vehicle auction shall make application to the department for issuance of a license. The application shall be on forms prescribed by the department and shall be issued under the terms and provisions of sections 301.550 to 301.573 and require all applicants, as a condition precedent to the issuance of a license, to provide such information as the department may deem necessary to determine that the applicant is bona fide and of good moral character, except that every application for a license shall contain, in addition to such information as the department may require, a statement to the following facts:

(1) The name and business address, not a post office box, of the applicant and the fictitious name, if any, under which he intends to conduct his business; and if the applicant be a partnership, the name and residence address of each partner, an indication of whether the partner is a limited or general partner and the name under which the partnership business is to be conducted. In the event that the applicant is a corporation, the application shall list the names
of the principal officers of the corporation and the state in which it is incorporated. Each
application shall be verified by the oath or affirmation of the applicant, if an individual, or in the
event an applicant is a partnership or corporation, then by a partner or officer;

(2) Whether the application is being made for registration as a manufacturer, boat
manufacturer, new motor vehicle franchise dealer, used motor vehicle dealer, wholesale motor
vehicle dealer, boat dealer, wholesale motor vehicle auction or a public motor vehicle auction;

(3) When the application is for a new motor vehicle franchise dealer, the application
shall be accompanied by a copy of the franchise agreement in the registered name of the
dealership setting out the appointment of the applicant as a franchise holder and it shall be signed
by the manufacturer, or his authorized agent, or the distributor, or his authorized agent, and shall
include a description of the make of all motor vehicles covered by the franchise. The department
shall not require a copy of the franchise agreement to be submitted with each renewal application
unless the applicant is now the holder of a franchise from a different manufacturer or distributor
from that previously filed, or unless a new term of agreement has been entered into;

(4) When the application is for a public motor vehicle auction, that the public motor
vehicle auction has met the requirements of section 301.561.

4. No insurance company, finance company, credit union, savings and loan association,
bank or trust company shall be required to obtain a license from the department in order to sell
any motor vehicle, trailer or vessel repossessed or purchased by the company on the basis of total
destruction or theft thereof when the sale of the motor vehicle, trailer or vessel is in conformance
with applicable title and registration laws of this state.

5. No person shall be issued a license to conduct a public motor vehicle auction or
wholesale motor vehicle auction if such person has a violation of sections 301.550 to 301.573
or other violations of chapter 301, sections 407.511 to 407.556, or section 578.120 which
resulted in a felony conviction or finding of guilt or a violation of any federal motor vehicle laws
which resulted in a felony conviction or finding of guilt.

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

(1) Every application other than a renewal application for a motor vehicle franchise
dealer shall include a certification that the applicant has a bona fide established place of business.
Such application shall include an annual certification that the applicant has a bona fide
established place of business for the first three years and only for every other year thereafter. The
certification shall be performed by a uniformed member of the Missouri state highway patrol or
authorized or designated employee stationed in the troop area in which the applicant's place of
business is located; except that in counties of the first classification, certification may be
performed by an officer of a metropolitan police department when the applicant's established
place of business of distributing or selling motor vehicles or trailers is in the metropolitan area
where the certifying metropolitan police officer is employed. When the application is being
made for licensure as a boat manufacturer or boat dealer, certification shall be performed by a uniformed member of the Missouri state water patrol stationed in the district area in which the applicant's place of business is located or by a uniformed member of the Missouri state highway patrol stationed in the troop area in which the applicant's place of business is located or, if the applicant's place of business is located within the jurisdiction of a metropolitan police department in a first class county, by an officer of such metropolitan police department. A bona fide established place of business for any new motor vehicle franchise dealer, used motor vehicle dealer, boat dealer, powersport dealer, wholesale motor vehicle dealer, trailer dealer, or wholesale or public auction shall be a permanent enclosed building or structure, either owned in fee or leased and actually occupied as a place of business by the applicant for the selling, bartering, trading, servicing, or exchanging of motor vehicles, boats, personal watercraft, or trailers and wherein the public may contact the owner or operator at any reasonable time, and wherein shall be kept and maintained the books, records, files and other matters required and necessary to conduct the business. The applicant's place of business shall contain a working telephone which shall be maintained during the entire registration year. In order to qualify as a bona fide established place of business for all applicants licensed pursuant to this section there shall be an exterior sign displayed carrying the name of the business set forth in letters at least six inches in height and clearly visible to the public and there shall be an area or lot which shall not be a public street on which multiple vehicles, boats, personal watercraft, or trailers may be displayed. The sign shall contain the name of the dealership by which it is known to the public through advertising or otherwise, which need not be identical to the name appearing on the dealership's license so long as such name is registered as a fictitious name with the secretary of state, has been approved by its line-make manufacturer in writing in the case of a new motor vehicle franchise dealer and a copy of such fictitious name registration has been provided to the department. Dealers who sell only emergency vehicles as defined in section 301.550 are exempt from maintaining a bona fide place of business, including the related law enforcement certification requirements, and from meeting the minimum yearly sales;

(2) The initial application for licensure shall include a photograph, not to exceed eight inches by ten inches but no less than five inches by seven inches, showing the business building, lot, and sign. A new motor vehicle franchise dealer applicant who has purchased a currently licensed new motor vehicle franchised dealership shall be allowed to submit a photograph of the existing dealership building, lot and sign but shall be required to submit a new photograph upon the installation of the new dealership sign as required by sections 301.550 to 301.573. Applicants shall not be required to submit a photograph annually unless the business has moved from its previously licensed location, or unless the name of the business or address has changed, or unless the class of business has changed;

(3) Every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, trailer dealer, or boat dealer shall furnish
with the application a corporate surety bond or an irrevocable letter of credit as defined in section [400.5-103] 400.5-102, issued by any state or federal financial institution in the penal sum of twenty-five thousand dollars on a form approved by the department. The bond or irrevocable letter of credit shall be conditioned upon the dealer complying with the provisions of the statutes applicable to new motor vehicle franchise dealers, used motor vehicle dealers, powersport dealers, wholesale motor vehicle dealers, trailer dealers, and boat dealers, and the bond shall be an indemnity for any loss sustained by reason of the acts of the person bonded when such acts constitute grounds for the suspension or revocation of the dealer's license. The bond shall be executed in the name of the state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of credit shall name the state of Missouri as the beneficiary; except, that the aggregate liability of the surety or financial institution to the aggrieved parties shall, in no event, exceed the amount of the bond or irrevocable letter of credit. The proceeds of the bond or irrevocable letter of credit shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party. Additionally, every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, or boat dealer shall furnish with the application a copy of a current dealer garage policy bearing the policy number and name of the insurer and the insured;

(4) Payment of all necessary license fees as established by the department. In establishing the amount of the annual license fees, the department shall, as near as possible, produce sufficient total income to offset operational expenses of the department relating to the administration of sections 301.550 to 301.573. All fees payable pursuant to the provisions of sections 301.550 to 301.573, other than those fees collected for the issuance of dealer plates or certificates of number collected pursuant to subsection 6 of this section, shall be collected by the department for deposit in the state treasury to the credit of the "Motor Vehicle Commission Fund", which is hereby created. The motor vehicle commission fund shall be administered by the Missouri department of revenue. The provisions of section 33.080 to the contrary notwithstanding, money in such fund shall not be transferred and placed to the credit of the general revenue fund until the amount in the motor vehicle commission fund at the end of the biennium exceeds two times the amount of the appropriation from such fund for the preceding fiscal year or, if the department requires permit renewal less frequently than yearly, then three times the appropriation from such fund for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the multiple of the appropriation from such fund for the preceding fiscal year.

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

3. Upon the initial issuance of a license by the department, the department shall assign a distinctive dealer license number or certificate of number to the applicant and the department shall issue one number plate or certificate bearing the distinctive dealer license number or certificate of number and two additional number plates or certificates of number within eight working hours after presentment of the application. Upon renewal, the department shall issue the distinctive dealer license number or certificate of number as quickly as possible. The issuance of such distinctive dealer license number or certificate of number shall be in lieu of registering each motor vehicle, trailer, vessel or vessel trailer dealt with by a boat dealer, boat manufacturer, manufacturer, public motor vehicle auction, wholesale motor vehicle dealer, wholesale motor vehicle auction or new or used motor vehicle dealer.

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

- New motor vehicle franchise dealers... D-0 through D-999
- New powersport dealers and motorcycle franchise dealers... D-1000 through D-1999
- Used motor vehicle, used powersport, and used motorcycle dealers... D-2000 through D-9999
- Wholesale motor vehicle dealers... W-0 through W-1999
- Wholesale motor vehicle auctions... WA-0 through WA-999
- New and used trailer dealers... T-0 through T-9999
- Motor vehicle, trailer, and boat manufacturers... DM-0 through DM-999
- Public motor vehicle auctions... A-0 through A-999
- Boat dealers... M-0 through M-9999
- New and used recreational motor vehicle dealers... RV-0 through RV-999

For purposes of this subsection, qualified transactions shall include the purchase of salvage titled vehicles by a licensed salvage dealer. A used motor vehicle dealer who also holds a salvage dealer's license shall be allowed one additional plate or certificate number per fifty-unit qualified transactions annually. In order for salvage dealers to obtain number plates or certificates under this section, dealers shall submit to the department of revenue on August first of each year a statement certifying, under penalty of perjury, the dealer's number of purchases during the reporting period of July first of the immediately preceding year to June thirtieth of the present year. The provisions of this subsection shall become effective on the date the director of the department of revenue begins to reissue new license plates under section 301.130, or on December 1, 2008, whichever occurs first. If the director of revenue begins reissuing new license plates under the authority granted under section 301.130 prior to December 1, 2008, the director of the department of revenue shall notify the revisor of statutes of such fact.
5. Upon the sale of a currently licensed new motor vehicle franchise dealership the department shall, upon request, authorize the new approved dealer applicant to retain the selling dealer's license number and shall cause the new dealer's records to indicate such transfer.

6. In the case of new motor vehicle manufacturers, motor vehicle dealers, powersport dealers, recreational motor vehicle dealers, and trailer dealers, the department shall issue one number plate bearing the distinctive dealer license number and may issue two additional number plates to the applicant upon payment by the manufacturer or dealer of a fifty dollar fee for the number plate bearing the distinctive dealer license number and ten dollars and fifty cents for each additional number plate. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Boat dealers and boat manufacturers shall be entitled to one certificate of number bearing such number upon the payment of a fifty dollar fee. Additional number plates and as many additional certificates of number may be obtained upon payment of a fee of ten dollars and fifty cents for each additional plate or certificate. New motor vehicle manufacturers shall not be issued or possess more than three hundred forty-seven additional number plates or certificates of number annually. New and used motor vehicle dealers, powersport dealers, wholesale motor vehicle dealers, boat dealers, and trailer dealers are limited to one additional plate or certificate of number per ten-unit qualified transactions annually. New and used recreational motor vehicle dealers are limited to two additional plates or certificate of number per ten-unit qualified transactions annually for their first fifty transactions and one additional plate or certificate of number per ten-unit qualified transactions thereafter. An applicant seeking the issuance of an initial license shall indicate on his or her initial application the applicant's proposed annual number of sales in order for the director to issue the appropriate number of additional plates or certificates of number. A motor vehicle dealer, trailer dealer, boat dealer, powersport dealer, recreational motor vehicle dealer, motor vehicle manufacturer, boat manufacturer, or wholesale motor vehicle dealer obtaining a distinctive dealer license plate or certificate of number or additional license plate or additional certificate of number, throughout the calendar year, shall be required to pay a fee for such license plates or certificates of number computed on the basis of one-twelfth of the full fee prescribed for the original and duplicate number plates or certificates of number for such dealers' licenses, multiplied by the number of months remaining in the licensing period for which the dealer or manufacturers shall be required to be licensed. In the event of a renewing dealer, the fee due at the time of renewal shall not be prorated. Wholesale and public auctions shall be issued a certificate of dealer registration in lieu of a dealer number plate. In order for dealers to obtain number plates or certificates under this section, dealers shall submit to the department of revenue on August first of each year a statement certifying, under penalty of perjury, the dealer's number of sales during the reporting period of July first of the immediately preceding year to June thirtieth of the present year.
7. The plates issued pursuant to subsection 3 or 6 of this section may be displayed on any motor vehicle owned by a new motor vehicle manufacturer. The plates issued pursuant to subsection 3 or 6 of this section may be displayed on any motor vehicle or trailer owned and held for resale by a motor vehicle dealer for use by a customer who is test driving the motor vehicle, for use and display purposes during, but not limited to, parades, private events, charitable events, or for use by an employee or officer, but shall not be displayed on any motor vehicle or trailer hired or loaned to others or upon any regularly used service or wrecker vehicle. Motor vehicle dealers may display their dealer plates on a tractor, truck or trailer to demonstrate a vehicle under a loaded condition. Trailer dealers may display their dealer license plates in like manner, except such plates may only be displayed on trailers owned and held for resale by the trailer dealer.

8. The certificates of number issued pursuant to subsection 3 or 6 of this section may be displayed on any vessel or vessel trailer owned and held for resale by a boat manufacturer or a boat dealer, and used by a customer who is test driving the vessel or vessel trailer, or is used by an employee or officer on a vessel or vessel trailer only, but shall not be displayed on any motor vehicle owned by a boat manufacturer, boat dealer, or trailer dealer, or vessel or vessel trailer hired or loaned to others or upon any regularly used service vessel or vessel trailer. Boat dealers and boat manufacturers may display their certificate of number on a vessel or vessel trailer when transporting a vessel or vessels to an exhibit or show.

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

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

(2) The educational seminar shall include, but is not limited to, the dealer requirements of sections 301.550 to 301.573, the rules promulgated to implement, enforce, and administer sections 301.550 to 301.570, and any other rules and regulations promulgated by the department.
applicant or licensee of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The department may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license issued under sections 301.550 to 301.573 for any one or any combination of the following causes:

(1) The applicant or license holder was previously the holder of a license issued under sections 301.550 to 301.573, which license was revoked for cause and never reissued by the department, or which license was suspended for cause and the terms of suspension have not been fulfilled;

(2) The applicant or license holder was previously a partner, stockholder, director or officer controlling or managing a partnership or corporation whose license issued under sections 301.550 to 301.573 was revoked for cause and never reissued or was suspended for cause and the terms of suspension have not been fulfilled;

(3) The applicant or license holder has, within ten years prior to the date of the application, been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions, or duties of any business licensed under sections 301.550 to 301.573; for any offense, an essential element of which is fraud, dishonesty, or an act of violence; or for any offense involving moral turpitude, whether or not sentence is imposed;

(4) Use of fraud, deception, misrepresentation, or bribery in securing any license issued pursuant to sections 301.550 to 301.573;

(5) Obtaining or attempting to obtain any money, commission, fee, barter, exchange, or other compensation by fraud, deception, or misrepresentation;

(6) Violation of, or assisting or enabling any person to violate any provisions of this chapter and chapters 143, 144, 306, 307, 407, 578, and 643 or of any lawful rule or regulation adopted pursuant to this chapter and chapters 143, 144, 306, 307, 407, 578, and 643;

(7) The applicant or license holder has filed an application for a license which, as of its effective date, was incomplete in any material respect or contained any statement which was, in light of the circumstances under which it was made, false or misleading with respect to any material fact;

(8) The applicant or license holder has failed to pay the proper application or license fee or other fees required pursuant to this chapter or chapter 306 or fails to establish or maintain a bona fide place of business;

(9) Uses or permits the use of any special license or license plate assigned to the license holder for any purpose other than those permitted by law;

(10) The applicant or license holder is finally adjudged insane or incompetent by a court of competent jurisdiction;
(11) Use of any advertisement or solicitation which is false;
(12) Violations of sections 407.511 to 407.556, section 578.120, which resulted in a
conviction or finding of guilt or violation of any federal motor vehicle laws which result in a
conviction or finding of guilt.

3. Any such complaint shall be filed within one year of the date upon which the
department receives notice of an alleged violation of an applicable statute or regulation. After
the filing of such complaint, the proceedings shall, except for the matters set forth in
subsection 5 of this section, be conducted in accordance with the provisions of chapter 621.
Upon a finding by the administrative hearing commission that the grounds, provided in
subsection 2 of this section, for disciplinary action are met, the department may, singly or in
combination, refuse to issue the person a license, issue a license for a period of less than two
years, issue a private reprimand, place the person on probation on such terms and conditions as
the department deems appropriate for a period of one day to five years, suspend the person's
license from one day to six days, or revoke the person's license for such period as the department
deems appropriate. The applicant or licensee shall have the right to appeal the decision of the
administrative hearing commission and department in the manner provided in chapter 536.

4. Upon the suspension or revocation of any person's license issued under sections
301.550 to 301.573, the department shall recall any distinctive number plates that were issued
to that licensee. If any licensee who has been suspended or revoked shall neglect or refuse
to surrender his or her license or distinctive number license plates issued under sections
301.550 to 301.580, the director shall direct any agent or employee of the department or
any law enforcement officer, to secure possession thereof and return such items to the
director. For purposes of this subsection, a "law enforcement officer" means any member
of the highway patrol, any sheriff or deputy sheriff, or any peace officer certified under
chapter 590 acting in his or her official capacity. Failure of the licensee to surrender his
or her license or distinctive number license plates upon demand by the director, any agent
or employee of the department, or any law enforcement officer shall be a class A
misdemeanor.

5. Notwithstanding the foregoing provisions of this section, the following events or
acts by the holder of any license issued under sections 301.550 to 301.580 are deemed to
present a clear and present danger to the public welfare and shall be considered cause for
suspension or revocation of such license under the procedure set forth in subsection 6 of
this section, at the discretion of the director:

(1) The expiration or revocation of any corporate surety bond or irrevocable letter
of credit, as required by section 301.560, without submission of a replacement bond or
letter of credit which provides coverage for the entire period of licensure;
(2) The failure to maintain a bona fide established place of business as required by
section 301.560;
(3) Criminal convictions as set forth in subdivision (3) of subsection 2 of this section; or
(4) Three or more occurrences of violations, which have been established following proceedings before the administrative hearing commission under subsection 3 of this section, or which have been established following proceedings before the director under subsection 6 of this section, of this chapter and chapters 143, 144, 306, 307, 578, and 643 or of any lawful rule or regulation adopted under this chapter and chapters 143, 144, 306, 307, 578, and 643, not previously set forth herein.

6. (1) Any license issued under sections 301.550 to 301.580 shall be suspended or revoked, following an evidentiary hearing before the director or his or her designated hearing officer, if affidavits or sworn testimony by an authorized agent of the department alleges the occurrence of any of the events or acts described in subsection 5 of this section.
(2) For any license which the department believes may be subject to suspension or revocation under this subsection, the director shall immediately issue a notice of hearing to the licensee of record. The director's notice of hearing:
   (a) Shall be served upon the licensee personally or by first class mail to the dealer's last known address, as registered with the director;
   (b) Shall be based on affidavits or sworn testimony presented to the director, and shall notify the licensee that such information presented therein constitutes cause to suspend or revoke the licensee's license;
   (c) Shall provide the licensee with a minimum of ten days' notice prior to hearing;
   (d) Shall specify the events or acts which may provide cause for suspension or revocation of the license, and shall include with the notice a copy of all affidavits, sworn testimony or other information presented to the director which support discipline of the license; and
   (e) Shall inform the licensee that he or she has the right to attend the hearing and present any evidence in his or her defense, including evidence to show that the event or act which may result in suspension or revocation has been corrected to the director's satisfaction, and that he or she may be represented by counsel at the hearing.
(3) At any hearing before the director conducted under this subsection, the director or his or her designated hearing officer shall consider all evidence relevant to the issue of whether the license should be suspended or revoked due to the occurrence of any of the acts set forth in subsection 5 herein. Within twenty business days after such hearing, the director or his or her designated hearing officer shall issue a written order, with findings of fact and conclusions of law, which either grants or denies the issuance of an order of suspension or revocation. The suspension or revocation shall be effective ten days after the date of the order. The written order of the director or his or her hearing officer shall be
the final decision of the director and shall be subject to judicial review under the provisions of chapter 536.

(4) Notwithstanding the provisions of this chapter or chapter 610 or 621, to the contrary, the proceedings under this section shall be closed and no order shall be made public until it is final, for purposes of appeal.

301.567. 1. For purposes of this section, a violation of any of the following advertising standards shall be deemed an attempt by the advertising dealer to obtain a fee or other compensation by fraud, deception or misrepresentation in violation of section 301.562:

(1) A motor vehicle shall not be advertised as new, either by express terms or implication, unless it is a new motor vehicle as defined in section 301.550;

(2) When advertising any motor vehicle which is not a new motor vehicle, such advertisement must expressly identify that the motor vehicle is a used motor vehicle by express use of the term "used", or by such other term as is commonly understood to mean that the vehicle is used;

(3) Any terms, conditions, and disclaimers relating to the advertised motor vehicle's price or financing options shall be stated clearly and conspicuously. An asterisk or other reference symbol may be used to point to a disclaimer or other information, but not be used as a means of contradicting or changing the meaning of an advertised statement;

(4) The expiration date, if any, of an advertised sale or vehicle price shall be clearly and conspicuously disclosed. In the absence of such disclosure, the advertised sale or vehicle price shall be deemed effective so long as such vehicles remain in the advertising dealership's inventory;

(5) The terms "list price", "sticker price", or "suggested retail price" shall be used only in reference to the manufacturer's suggested retail price for new motor vehicles, and, if used, shall be accompanied by a clear and conspicuous disclosure that such terms represent the manufacturer's suggested retail price of the advertised vehicle;

(6) Terms such as "at cost", "$...... above cost", "invoice price", and "$ ..... below/over invoice" shall not be used in advertisements because of the difficulty in determining a dealer's actual net cost at the time of the sale;

(7) When the price or financing terms of a motor vehicle are advertised, the vehicle shall be fully identified as to year, make, and model. In addition, in advertisements placed by individual dealers and not line-make marketing groups, the advertised price or credit terms shall include all charges which the buyer must pay to the dealer, except buyer-selected options and state and local taxes. If a processing fee or freight or destination charges are not included in the advertised price, the amount of any such processing fee and freight or destination charge must be clearly and conspicuously disclosed within the advertisement;
Advertisements of dealer rebates shall not be used, however, this shall not be deemed to prohibit the advertising of manufacturer rebates, so long as all material terms of such rebates are clearly and conspicuously disclosed;

(9) "Free", or "at no cost" shall not be used if any purchase is required to qualify for the free item, merchandise, or service;

(10) Bait advertising, in which an advertiser may have no intention to sell at the prices or terms advertised, shall not be used. Bait advertising shall include, but not be limited to, the following examples:

(a) Not having available for sale the advertised motor vehicles at the advertised prices. If a specific vehicle is advertised, the dealer shall be in possession of a reasonable supply of such vehicles, and they shall be available at the advertised price. If the advertised vehicle is available only in limited numbers or only by order, such limitations shall be stated in the advertisement;

(b) Advertising a motor vehicle at a specified price, including such terms as "as low as $......", but having available for sale only vehicles equipped with dealer-added cost options which increase the selling price above the advertised price;

(11) Any reference to monthly payments, down payments, or other reference to financing or leasing information shall be accompanied by a clear and conspicuous disclosure of the following:

(a) Whether the payment or other information relates to a financing or a lease transaction;

(b) If the payment or other information relates to a financing transaction, the minimum down payment, annual percentage interest rate, and number of payments necessary to obtain the advertised payment amount must be disclosed, in addition to any special qualifications required for obtaining the advertised terms including, but not limited to, first-time buyer discounts, college graduate discounts, and a statement concerning whether the advertised terms are subject to credit approval;

(c) If the payment or other information relates to a lease transaction, the total amount due from the purchaser at signing with such costs broken down and identified by category, lease term expressed in number of months, whether the lease is closed-end or open-end, and total cost to the lessee over the lease term in dollars;

(12) Any advertisement which states or implies that the advertising dealer has a special arrangement or relationship with the distributor or manufacturer, as compared to similarly situated dealers, shall not be used;

(13) Any advertisement which, in the circumstances under which it is made or applied, is false, deceptive, or misleading shall not be used;

(14) No abbreviations for industry words or phrases shall be used in any advertisement unless such abbreviations are accompanied by the fully spelled or spoken words or phrases.
2. The requirements of this section shall apply regardless of whether a dealer advertises by means of print, broadcast, or electronic media, or direct mail. If the advertisement is by means of a broadcast or print media, a dealer may provide the disclaimers and disclosures required under subdivision (3) of subsection 1 of this section by reference to an Internet web page or toll-free telephone number containing the information required to be disclosed.

3. Dealers shall clearly and conspicuously identify themselves in each advertisement by use of a dealership name which complies with subsection 6 of section 301.560.

301.570. 1. It shall be unlawful for any person, partnership, corporation, company or association, unless the seller is a financial institution, or is selling repossessed motor vehicles or is disposing of vehicles used and titled solely in its ordinary course of business or is a collector of antique motor vehicles, to sell or display with an intent to sell six or more motor vehicles in a calendar year, except when such motor vehicles are registered in the name of the seller, unless such person, partnership, corporation, company or association is:
   (1) Licensed as a motor vehicle dealer by the department under the provisions of sections 301.550 to 301.573;
   (2) Exempt from licensure as a motor vehicle dealer pursuant to subsection 4 of section 301.559;
   (3) Selling commercial motor vehicles with a gross weight of at least nineteen thousand five hundred pounds, but only with respect to such commercial motor vehicles;
   (4) An auctioneer, acting at the request of the owner at an auction, when such auction is not a public motor vehicle auction.

2. Any person, partnership, corporation, company or association that has reason to believe that the provisions of this section are being violated shall file a complaint with the prosecuting attorney in the county in which the violation occurred. The prosecuting attorney shall investigate the complaint and take appropriate action.

3. For the purposes of sections 301.550 to 301.573, the sale, barter, exchange, lease or rental with option to purchase of six or more motor vehicles in a calendar year by any person, partnership, corporation, company or association, whether or not the motor vehicles are owned by them, shall be prima facie evidence of intent to make a profit or gain of money and such person, partnership, corporation, company or association shall be deemed to be acting as a motor vehicle dealer without a license.

4. Any person, partnership, corporation, company or association who violates subsection 1 of this section is guilty of a class A misdemeanor. A second or subsequent conviction shall be deemed a class D felony.

5. The provisions of this section shall not apply to liquidation of an estate.

301.580. 1. The department of revenue may issue special event motor vehicle auction licenses under the provisions of this section. For purposes of this section, a "special event motor vehicle auction" is a motor vehicle auction which:
(1) Ninety percent of the vehicles being auctioned are at least ten years old or older;
(2) The licensee shall auction no more than three percent of the total number of vehicles presented for auction which are owned and titled in the name of the licensee or its owners; and
(3) The duration is no more than three consecutive calendar days and is held no more than two times in a calendar year by a licensee.

2. A special event motor vehicle auction shall be considered a public motor vehicle auction for purposes of sections 301.559 and 301.564.

3. Special event motor vehicle auction licensees shall be exempt from the requirements of section 301.560, with the exception of subdivision (4) of subsection 1 of section 301.560.

4. An application for a special event motor vehicle auction license must be received by the department at least ninety days prior to the beginning of the special event auction.

5. Applicants for a special motor vehicle auction are limited to no more than two special event auctions in any calendar year. A separate application is required for each special event motor vehicle auction.

6. At least ninety percent of the vehicles being auctioned at a special event motor vehicle auction shall be ten years old or older. The licensee shall, within ten days of the conclusion of a special event motor vehicle auction, submit a report in the form approved by the director to the department that includes the make, model, year, and vehicle identification number of each vehicle included in the auction. Every vehicle included in the special event auction shall be listed, including those vehicles that were auctioned and sold and those vehicles that were auctioned but did not sell. Violation of this subsection is a class A misdemeanor.

7. The applicant for the special event motor vehicle auction shall be responsible for ensuring that a sales tax license or special event sales tax license is obtained for the event if one is required.

8. The fee for a special event motor vehicle auction license shall be one thousand dollars. For every vehicle auctioned in violation of subsection 6 of this section, an administrative fee of five hundred dollars shall be paid to the department. Such fees shall be deposited in like manner as other license fees of this section.

9. In addition to the causes set forth in section 301.562, the department may promulgate rules that establish additional causes to refuse to issue or to revoke a special event license.

10. A special motor vehicle auction shall last no more than three consecutive days.

11. The applicant for a special event motor vehicle auction shall be registered to conduct business in this state.
12. Every applicant for a special event motor vehicle auction license shall furnish with the application a corporate surety bond or an irrevocable letter of credit as defined in section 400.5-102 issued by any state or federal financial institution in the penal sum of one hundred thousand dollars on a form approved by the department. The bond or irrevocable letter of credit shall be conditioned upon the applicant complying with the provisions of the statutes applicable to a special event auction license holder and the bond shall be an indemnity for any loss sustained by reason of the acts of the person bonded when such acts constitute grounds for the revocation or denial of a special event auction license. The bond shall be executed in the name of the state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of credit shall name the state of Missouri as the beneficiary. The aggregate liability of the surety or financial institution to the aggrieved parties shall not exceed the amount of the bond or irrevocable letter of credit. The proceeds of the bond or irrevocable letter of credit shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party.

13. No dealer, driveaway, auction, or wholesale plates, or temporary permit booklets, shall be issued in conjunction with a special event motor vehicle auction license.

14. Any person or entity who sells a vehicle at a special event motor vehicle auction shall provide, to the buyer, current contact information including, but not limited to, name, address, and telephone number.

15. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

301.600. 1. Unless excepted by section 301.650, a lien or encumbrance on a motor vehicle or trailer, as defined by section 301.010, is not valid against subsequent transferees or lienholders of the motor vehicle or trailer who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 301.600 to 301.660.

2. Subject to the provisions of section 301.620, a lien or encumbrance on a motor vehicle or trailer is perfected by the delivery to the director of revenue of a notice of a lien in a format as prescribed by the director of revenue. The notice of lien is perfected as of the time of its creation if the delivery of such notice to the director of revenue is completed within thirty days thereafter, otherwise as of the time of the delivery. A notice of lien shall contain the name and
address of the owner of the motor vehicle or trailer and the secured party, a description of the
motor vehicle or trailer, including the vehicle identification number, and such other information
as the department of revenue may prescribe. A notice of lien substantially complying with the
requirements of this section is effective even though it contains minor errors which are not
seriously misleading. Provided the lienholder submits complete and legible documents, the
director of revenue shall mail confirmation or electronically confirm receipt of such notice of lien
to the lienholder as soon as possible, but no later than fifteen business days after the filing of the
notice of lien.

3. Notwithstanding the provisions of section 301.620, on a refinance by a different
lender of a prior loan secured by a motor vehicle or trailer a lien is perfected by the delivery to
the director of revenue of a notice of lien completed by the refinancing lender in a format
prescribed by the director of revenue.

4. To perfect a subordinate lien, the notice of lien must be accompanied by the
documents required to be delivered to the director pursuant to subdivision (3) of section 301.620.

5. Liens may secure future advances. The future advances may be evidenced by one or
more notes or other documents evidencing indebtedness and shall not be required to be executed
or delivered prior to the date of the future advance lien securing them. The fact that a lien may
secure future advances shall be clearly stated on the security agreement and noted as "subject to
future advances" on the notice of lien and noted on the certificate of ownership if the motor
vehicle or trailer is subject to only one notice of lien. To secure future advances when an
existing lien on a motor vehicle or trailer does not secure future advances, the lienholder shall
file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances
is perfected in the same time and manner as any other lien, except as follows: proof of the lien
for future advances is maintained by the department of revenue; however, there shall be
additional proof of such lien when the notice of lien reflects such lien for future advances, is
receipted for by the department of revenue, and returned to the lienholder.

6. If a motor vehicle or trailer is subject to a lien or encumbrance when brought into this
state, the validity and effect of the lien or encumbrance is determined by the law of the
jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrance attached that the motor
vehicle or trailer would be kept in this state and it was brought into this state within thirty days
thereafter for purposes other than transportation through this state, the validity and effect of the
lien or encumbrance in this state is determined by the law of this state;

(2) If the lien or encumbrance was perfected pursuant to the law of the jurisdiction where
the motor vehicle or trailer was when the lien or encumbrance attached, the following rules
apply:
If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state; if the name of the lienholder is not shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state three months after a first certificate of ownership of the motor vehicle or trailer is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period; in that case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, it may be perfected in this state; in that case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection either as provided in subsection 2 or 4 of this section or by the lienholder delivering to the director of revenue a notice of lien or encumbrance in the form the director of revenue prescribes and the required fee.

7. By rules and regulations, the director of revenue shall establish a security procedure for the purpose of verifying that an electronic notice of lien or notice of satisfaction of a lien on a motor vehicle or trailer given as permitted in sections 301.600 to 301.640 is that of the lienholder, verifying that an electronic notice of confirmation of ownership and perfection of a lien given as required in section 301.610 is that of the director of revenue, and detecting error in the transmission or the content of any such notice. A security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself be a security procedure.

302.010. Except where otherwise provided, when used in this chapter, the following words and phrases mean:

(1) "Circuit court", each circuit court in the state;

(2) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than fifteen passengers;

(3) "Conviction", any final conviction; also a forfeiture of bail or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction, except that when any conviction as a result of which points are assessed pursuant to section 302.302 is appealed, the term "conviction" means the original judgment of conviction for the purpose of determining the assessment of points, and the date of final judgment affirming the conviction shall be the date determining the beginning of any license suspension or revocation pursuant to section 302.304;

(4) "Criminal history check", a search of criminal records, including criminal history record information as defined in section 43.500, maintained by the Missouri state
highway patrol in the Missouri criminal records repository or by the Federal Bureau of
Investigation as part of its criminal history records, including, but not limited to, any
record of conviction, plea of guilty or nolo contendre, or finding of guilty in any state for
any offense related to alcohol, controlled substances, or drugs;
(5) "Director", the director of revenue acting directly or through the director's authorized
officers and agents;
(5) (6) "Farm tractor", every motor vehicle designed and used primarily as a farm
implement for drawing plows, mowing machines and other implements of husbandry;
(6) (7) "Highway", any public thoroughfare for vehicles, including state roads, county
roads and public streets, avenues, boulevards, parkways, or alleys in any municipality;
(7) (8) "Incompetent to drive a motor vehicle", a person who has become physically
incapable of meeting the prescribed requirements of an examination for an operator's license, or
who has been adjudged by a probate division of the circuit court in a capacity hearing of being
incapacitated;
(8) (9) "License", a license issued by a state to a person which authorizes a person to
operate a motor vehicle;
(9) (10) "Motor vehicle", any self-propelled vehicle not operated exclusively upon
tracks except motorized bicycles, as defined in section 307.180;
(10) (11) "Motorcycle", a motor vehicle operated on two wheels; however, this
definition shall not include motorized bicycles as defined in section 301.010;
(11) (12) "Motor tricycle", a motor vehicle operated on three wheels, including a
motorcycle operated with any conveyance, temporary or otherwise, requiring the use of a third
wheel;
(12) (13) "Moving violation", that character of traffic violation where at the time of
violation the motor vehicle involved is in motion, except that the term does not include the
driving of a motor vehicle without a valid motor vehicle registration license, or violations of
sections 304.170 to 304.240, inclusive, relating to sizes and weights of vehicles;
(13) (14) "Municipal court", every division of the circuit court having original
jurisdiction to try persons for violations of city ordinances;
(14) (15) "Nonresident", every person who is not a resident of this state;
(15) (16) "Operator", every person who is in actual physical control of a motor vehicle
upon a highway;
(16) (17) "Owner", a person who holds the legal title of a vehicle or in the event a
vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of
purchase upon performance of the conditions stated in the agreement and with an immediate
right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a
vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be
deemed the owner for the purpose of sections 302.010 to 302.540;
[(17)] (18) "Record" includes, but is not limited to, papers, documents, facsimile information, microphotographic process, electronically generated or electronically recorded information, digitized images, deposited or filed with the department of revenue;

[(18)] (19) "Residence address", "residence", or "resident address" shall be the location at which a person has been physically present, and that the person regards as home. A residence address is a person's true, fixed, principal, and permanent home, to which a person intends to return and remain, even though currently residing elsewhere;

[(19)] (20) "Restricted driving privilege", a driving privilege issued by the director of revenue following a suspension of driving privileges for the limited purpose of driving in connection with the driver's business, occupation, employment, formal program of secondary, postsecondary or higher education, or for an alcohol education or treatment program or certified ignition interlock provider;

[(20)] (21) "School bus", when used in sections 302.010 to 302.540, means any motor vehicle, either publicly or privately owned, used to transport students to and from school, or to transport pupils properly chaperoned to and from any place within the state for educational purposes. The term "school bus" shall not include a bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interstate transportation of passengers when such bus is not traveling a specific school bus route but is:

(a) On a regularly scheduled route for the transportation of fare-paying passengers; or

(b) Furnishing charter service for the transportation of persons enrolled as students on field trips or other special trips or in connection with other special events;

[(21)] (22) "School bus operator", an operator who operates a school bus as defined in subdivision [(20)] (21) of this section in the transportation of any schoolchildren and who receives compensation for such service. The term "school bus operator" shall not include any person who transports schoolchildren as an incident to employment with a school or school district, such as a teacher, coach, administrator, secretary, school nurse, or janitor unless such person is under contract with or employed by a school or school district as a school bus operator;

[(22)] (23) "Signature", any method determined by the director of revenue for the signing, subscribing or verifying of a record, report, application, driver's license, or other related document that shall have the same validity and consequences as the actual signing by the person providing the record, report, application, driver's license or related document;

[(23)] (24) "Substance abuse traffic offender program", a program certified by the division of alcohol and drug abuse of the department of mental health to provide education or rehabilitation services pursuant to a professional assessment screening to identify the individual needs of the person who has been referred to the program as the result of an alcohol- or drug-related traffic offense. Successful completion of such a program includes participation in any education or rehabilitation program required to meet the needs identified in the assessment screening. The assignment recommendations based upon such assessment shall be subject to
judicial review as provided in subsection 14 of section 302.304 and subsections 1 and 5 of section 302.540;

[(24)] (25) "Vehicle", any mechanical device on wheels, designed primarily for use, or used on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons.

302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

1. To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

2. To any person who is under the age of sixteen years, except as hereinafter provided;

3. To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

4. To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

5. To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

6. To any person who, when required by this law to take an examination, has failed to pass such examination;

7. To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

8. To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

9. To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted [of], pled guilty to or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this
state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has been convicted twice within a five-year period of violating state law, or a county or municipal ordinance, of driving while intoxicated, or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023, or who has been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition. The director shall not issue a license to such person for five years from the date such person was convicted or pled guilty for involuntary manslaughter while operating a motor vehicle in an intoxicated condition or for driving while intoxicated or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023 for the second time; pled guilty to or been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, or to any person who has been convicted twice within a five-year period of violating state law, county or municipal ordinance of driving while intoxicated, or any other intoxication-related traffic offense as defined in section 577.023, except that, after the expiration of five years from the date of conviction of the last offense of violating such law or ordinance, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to, or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances, or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding five years, and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents...
or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.

3. Any person who petitions the court for reinstatement of his or her license pursuant to subdivision (9) or (10) of subsection 1 of this section shall make application with the Missouri state highway patrol as provided in section 43.540, and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for reinstatement. The applicant shall pay the fee for the state criminal history check pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward a copy of the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

302.130. 1. Any person at least fifteen years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a license pursuant to sections 302.010 to 302.340 may apply for and the director shall issue a temporary instruction permit entitling the applicant, while having such permit in the applicant's immediate possession, to drive a motor vehicle of the appropriate class upon the highways for a period of twelve months, but any such person, except when operating a motorcycle or motortricycle, must be accompanied by a licensed operator for the type of motor vehicle being operated who is actually occupying a seat beside the driver for the purpose of giving instruction in driving the motor vehicle, who is at least twenty-one years of age, and in the case of any driver under sixteen years of age, the licensed operator occupying the seat beside the driver shall be a grandparent, parent, guardian, a person who is at least twenty-five years of age who has been licensed for
a minimum of three years and has received written permission from the parent or legal
guardian to escort or accompany the driver, a driver training instructor holding a valid driver
education endorsement on a teaching certificate issued by the department of elementary and
secondary education or a qualified instructor of a private drivers' education program who has a
valid driver's license. An applicant for a temporary instruction permit shall successfully
complete a vision test and a test of the applicant's ability to understand highway signs which
regulate, warn or direct traffic and practical knowledge of the traffic laws of this state, pursuant
to section 302.173. In addition, beginning January 1, 2007, no permit shall be granted pursuant
to this subsection unless a parent or legal guardian gives written permission by signing the
application and in so signing, state they, or their designee as set forth in subsection 2 of this
section, will provide a minimum of forty hours of behind-the-wheel driving instruction,
including a minimum of ten hours of behind-the-wheel driving instruction that occurs during the
nighttime hours falling between sunset and sunrise. The forty hours of behind-the-wheel driving
instruction that is completed pursuant to this subsection may include any time that the holder of
an instruction permit has spent operating a motor vehicle in a driver training program taught by
a driver training instructor holding a valid driver education endorsement on a teaching certificate
issued by the department of elementary and secondary education or by a qualified instructor of
a private drivers' education program. If the applicant for a permit is enrolled in a federal
residential job training program, the instructor, as defined in subsection 5 of this section, is
authorized to sign the application stating that the applicant will receive the behind-the-wheel
driving instruction required by this section.

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

3. The director, upon proper application on a form prescribed by the director, in his or
her discretion, may issue a restricted instruction permit effective for a school year or more
restricted period to an applicant who is enrolled in a high school driver training program taught
by a driver training instructor holding a valid driver education endorsement on a teaching
certificate issued by the state department of elementary and secondary education even though the applicant has not reached the age of sixteen years but has passed the age of fifteen years. Such instruction permit shall entitle the applicant, when the applicant has such permit in his or her immediate possession, to operate a motor vehicle on the highways, but only when a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education is occupying a seat beside the driver.

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

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

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

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

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

9. The director may adopt rules and regulations necessary to carry out the provisions of this section.
302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:
   (a) A business, occupation, or employment;
   (b) Seeking medical treatment for such operator;
   (c) Attending school or other institution of higher education;
   (d) Attending alcohol or drug treatment programs;
   (e) Seeking the required services of a certified ignition interlock device provider; or
   (f) Any other circumstance the court or director finds would create an undue hardship on the operator; the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving
privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;
(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; or

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed such revocation.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least three years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. The court or the director shall review the results of a criminal history check prior to granting any limited privilege under this subdivision. If the court or the director finds that the petitioner has been convicted, pled guilty to, or been found guilty of, or has a pending charge for any offense related to alcohol, controlled substances, or drugs, or has any other alcohol-related enforcement contact as defined in section 302.525 during the preceding three years, the court or the director shall not grant a limited driving privilege to the applicant.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate
a motor vehicle revoked where that person cannot obtain a new license for a period of five years
because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of
subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this
subsection if such person has served at least two years of such disqualification or revocation.

Such person shall present evidence satisfactory to the court or the director that such person has
not been convicted of any offense related to alcohol, controlled substances or drugs during the
preceding two years and that the person's habits and conduct show that the person no longer
poses a threat to the public safety of this state. The court or the director shall review the
results of a criminal history check prior to granting any limited privilege under this
subdivision. If the court or director finds that the petitioner has been convicted, pled guilty
to, or been found guilty of, or has a pending charge for any offense related to alcohol,
controlled substances, or drugs, or has any other alcohol-related enforcement contact as
defined in section 302.525 during the preceding two years, the court or the director shall
not grant a limited driving privilege to the applicant. Any person who is denied a license
permanently in this state because of an alcohol-related conviction subsequent to a restoration of
such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be
eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving
privilege to a participant in or graduate of the program who would otherwise be ineligible for
such privilege under another provision of law. The DWI docket or court shall not grant a limited
driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege
by the director of revenue may make a request for a review of the director's determination in the
circuit court of the county in which the person resides or the county in which is located the
person's principal place of business or employment within thirty days of the date of mailing of
the notice of denial. Such review shall be based upon the records of the department of revenue
and other competent evidence and shall be limited to a review of whether the applicant was
statutorily entitled to the limited driving privilege.

5. Any person who petitions a court or makes application with the director for a
limited driving privilege pursuant to paragraphs (a) or (b) of subdivision (8) of subsection
3 of this section shall make application with the Missouri state highway patrol as provided
in section 43.540 and shall submit two sets of fingerprints collected pursuant to standards
as determined by the highway patrol. One set of fingerprints shall be used by the highway
patrol to search the criminal history repository and the second set shall be forwarded to
the Federal Bureau of Investigation for searching the federal criminal history files. At the
time of application, the applicant shall supply to the highway patrol the court name and
case number for the court where he or she has filed his or her petition for limited driving
privileges. The applicant shall pay the fee for the state criminal history record information
pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

6. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record if the individual was not operating a commercial motor vehicle or a commercial driver's license holder at the time of the offense. The filing of financial responsibility with
the bureau of safety responsibility, department of revenue, shall not be required as a condition
of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general
operating revenue from fines and court costs for traffic violations occurring on state highways,
all revenues from such violations in excess of thirty-five percent of the annual general operating
revenue of the city, town or village shall be sent to the director of the department of revenue and
shall be distributed annually to the schools of the county in the same manner that proceeds of all
penalties, forfeitures and fines collected for any breach of the penal laws of the state are
distributed. For the purpose of this section the words "state highways" shall mean any state or
federal highway, including any such highway continuing through the boundaries of a city, town
or village with a designated street name other than the state highway number. The director of
the department of revenue shall set forth by rule a procedure whereby excess revenues as set
forth above shall be sent to the department of revenue. If any city, town, or village disputes a
determination that it has received excess revenues required to be sent to the department of
revenue, such city, town, or village may submit to an annual audit by the state auditor under the
authority of article IV, section 13 of the Missouri Constitution. Any rule or portion of a rule, as
that term is defined in section 536.010, that is created under the authority delegated in this
section shall become effective only if it complies with and is subject to all of the provisions of
chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
and if any of the powers vested with the general assembly under chapter 536 to review, to delay
the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall
be invalid and void.

302.530. 1. Any person who has received a notice of suspension or revocation may
make a request within fifteen days of receipt of the notice for a review of the department's
determination at a hearing. If the person's driver's license has not been previously surrendered,
it may be surrendered at the time the request for a hearing is made.

2. At the time the request for a hearing is made, if it appears from the record that the
person is the holder of a valid driver's license issued by this state, and that the driver's license has
been surrendered, the department shall issue a temporary permit which shall be valid until the
scheduled date for the hearing. The department may later issue an additional temporary permit
or permits in order to stay the effective date of the suspension or revocation until the final order
is issued following the hearing, as required by section 302.520.

3. The hearing may be held by telephone, or if requested by the person, such person's
attorney or representative, [in the county where the arrest was made] at a regional location as
designated by the director. The hearing shall be conducted by examiners who are licensed to
practice law in the state of Missouri and who are employed by the department on a part-time or
full-time basis as the department may determine.
4. The sole issue at the hearing shall be whether by a preponderance of the evidence the person was driving a vehicle pursuant to the circumstances set out in section 302.505. The burden of proof shall be on the state to adduce such evidence. If the department finds the affirmative of this issue, the suspension or revocation order shall be sustained. If the department finds the negative of the issue, the suspension or revocation order shall be rescinded.

5. The procedure at such hearing shall be conducted in accordance with chapter 536, with sections 302.500 to 302.540. A report certified under subsection 2 of section 302.510 shall be admissible in a like manner as a verified report as evidence of the facts stated therein and any provision of chapter 536 to the contrary shall not apply.

6. The department shall promptly notify the person of its decision including the reasons for that decision. Such notification shall include a notice advising the person that the department's decision shall be final within fifteen days from the date such notice was mailed unless the person challenges the department's decision within that time period by filing an appeal in the circuit court in the county where the arrest occurred.

7. Unless the person, within fifteen days after being notified of the department's decision, files an appeal for judicial review pursuant to section 302.535, the decision of the department shall be final.

8. The director may adopt any rules and regulations necessary to carry out the provisions of this section.

302.700. 1. Sections 302.700 to 302.780 may be cited as the "Uniform Commercial Driver's License Act".

2. When used in sections 302.700 to 302.780, the following words and phrases mean:

(1) "Alcohol", any substance containing any form of alcohol, including, but not limited to, ethanol, methanol, propanol and isopropanol;

(2) "Alcohol concentration", the number of grams of alcohol per one hundred milliliters of blood or the number of grams of alcohol per two hundred ten liters of breath or the number of grams of alcohol per sixty-seven milliliters of urine;

(3) "CDLIS driver record", the electronic record of the individual commercial driver's status and history stored by the state of record as part of the Commercial Driver's License Information System (CDLIS) established under 49 U.S.C. Section 31309, ef seq.;

(4) "CDLIS motor vehicle record (CDLIS MVR)", a report generated from the CDLIS driver record which meets the requirements for access to CDLIS information and is provided by states to users authorized in 49 CFR Part 384, subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. Sections 2721 to 2725, ef seq.;

(5) "Commercial driver's instruction permit", a permit issued pursuant to section 302.720;

[(4)] (6) "Commercial driver's license", a license issued by this state to an individual which authorizes the individual to operate a commercial motor vehicle;
"Commercial driver's license downgrade", occurs when:
(a) A driver changes the self-certification to interstate, but operates exclusively in transportation or operation excepted from 49 CFR Part 391, as provided in 49 CFR Part 390.3(f), 391.2, 391.68, or 398.3;
(b) A driver changes the self-certification to intrastate only, if the driver qualifies under the state's physical qualification requirements for intrastate only;
(c) A driver changes the self-certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or
(d) The state removes the commercial driver's license privilege from the driver's license;
"Commercial driver's license information system", the information system established pursuant to the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers;
"Commercial motor vehicle", a motor vehicle designed or used to transport passengers or property:
(a) If the vehicle has a gross combination weight rating of twenty-six thousand one or more pounds inclusive of a towed unit which has a gross vehicle weight rating of ten thousand one pounds or more;
(b) If the vehicle has a gross vehicle weight rating of twenty-six thousand one or more pounds or such lesser rating as determined by federal regulation;
(c) If the vehicle is designed to transport sixteen or more passengers, including the driver; or
(d) If the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Materials Transportation Act (46 U.S.C. 1801, et seq.);
"Controlled substance", any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), and includes all substances listed in schedules I through V of 21 CFR part 1308, as they may be revised from time to time;
"Conviction", an unvacated adjudication of guilt, including pleas of guilt and nolo contendre, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative proceeding, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether the penalty is rebated, suspended or prorated, including an offense for failure to appear or pay;
"Director", the director of revenue or his authorized representative;
"Disqualification", any of the following three actions:
(a) The suspension, revocation, or cancellation of a commercial driver's license;
(b) Any withdrawal of a person's privileges to drive a commercial motor vehicle by a state, Canada, or Mexico as the result of a violation of federal, state, county, municipal, or local law relating to motor vehicle traffic control or violations committed through the operation of motor vehicles, other than parking, vehicle weight, or vehicle defect violations;

c) A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under 49 CFR Part 383.52 or Part 391;

[(11)] (14) "Drive", to drive, operate or be in physical control of a commercial motor vehicle;

[(12)] (15) "Driver", any person who drives, operates, or is in physical control of a motor vehicle, or who is required to hold a commercial driver's license;

(16) "Driver applicant", an individual who applies to obtain, transfer, upgrade, or renew a commercial driver's license in this state;

[(13)] (17) "Driving under the influence of alcohol", the commission of any one or more of the following acts:

(a) Driving a commercial motor vehicle with the alcohol concentration of four one-hundredths of a percent or more as prescribed by the secretary or such other alcohol concentration as may be later determined by the secretary by regulation;

(b) Driving a commercial or noncommercial motor vehicle while intoxicated in violation of any federal or state law, or in violation of a county or municipal ordinance;

(c) Driving a commercial or noncommercial motor vehicle with excessive blood alcohol content in violation of any federal or state law, or in violation of a county or municipal ordinance;

(d) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance; or

(e) Having any state, county or municipal alcohol-related enforcement contact, as defined in subsection 3 of section 302.525; provided that any suspension or revocation pursuant to section 302.505, committed in a noncommercial motor vehicle by an individual twenty-one years of age or older shall have been committed by the person with an alcohol concentration of at least eight-hundredths of one percent or more, or in the case of an individual who is less than twenty-one years of age, shall have been committed by the person with an alcohol concentration of at least two-hundredths of one percent or more, and if committed in a commercial motor vehicle, a concentration of four-hundredths of one percent or more;

[(14)] (18) "Driving under the influence of a controlled substance", the commission of any one or more of the following acts in a commercial or noncommercial motor vehicle:

(a) Driving a commercial or noncommercial motor vehicle while under the influence of any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), including any substance listed in schedules I through V of 21 CFR Part 1308, as they may be revised from time to time;
(b) Driving a commercial or noncommercial motor vehicle while in a drugged condition in violation of any federal or state law or in violation of a county or municipal ordinance; or

(c) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance;

[(15)] (19) "Employer", any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle or assigns a driver to operate such a vehicle;

(20) "Endorsement", an authorization on an individual's commercial driver's license permitting the individual to operate certain types of commercial motor vehicles;

[(16)] (21) "Farm vehicle", a commercial motor vehicle controlled and operated by a farmer used exclusively for the transportation of agricultural products, farm machinery, farm supplies, or a combination of these, within one hundred fifty miles of the farm, other than one which requires placarding for hazardous materials as defined in this section, or used in the operation of a common or contract motor carrier, except that a farm vehicle shall not be a commercial motor vehicle when the total combined gross weight rating does not exceed twenty-six thousand one pounds when transporting fertilizers as defined in subdivision [(21)]

[(20)] (26) "Gross vehicle weight rating" or "GVWR", the value specified by the manufacturer as the loaded weight of a single vehicle;

[(19)] (25) "Gross combination weight rating" or "GCWR", the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon;

[(20)] (27) "Hazardous materials", any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of CFR Part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73. Fertilizers, including but not limited to ammonium nitrate, phosphate, nitrogen, anhydrous ammonia, lime, potash, motor fuel or special fuel, shall not be considered hazardous materials when transported by a farm vehicle provided all other provisions of this definition are followed;

[(22)] (28) "Imminent hazard", the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion
date of a formal proceeding begins to lessen the risk of that death, illness, injury, or endangerment;

[(23)] (29) "Issuance", the initial licensure, license transfers, license renewals, and license upgrades;

(30) "Medical examiner", a person who is licensed, certified, or registered, in accordance with applicable state laws and regulations, to perform physical examinations. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic;

(31) "Medical variance", when a driver has received one of the following that allows the driver to be issued a medical certificate:

(a) An exemption letter permitting operation of a commercial motor vehicle under 49 CFR Part 381, Subpart C or 49 CFR Part 391.64;

(b) A skill performance evaluation certificate permitting operation of a commercial motor vehicle under 49 CFR Part 391.49;

[(24)] (32) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks;

[(25)] (33) "Noncommercial motor vehicle", a motor vehicle or combination of motor vehicles not defined by the term "commercial motor vehicle" in this section;

[(26)] (34) "Out of service", a temporary prohibition against the operation of a commercial motor vehicle by a particular driver, or the operation of a particular commercial motor vehicle, or the operation of a particular motor carrier;

[(27)] (35) "Out-of-service order", a declaration by [the Federal Highway Administration, or any] an authorized enforcement officer of a federal, state, [Commonwealth of Puerto Rico,] Canadian, Mexican or any local jurisdiction, that a driver, or a commercial motor vehicle, or a motor carrier operation, is out of service under 49 CFR Part 386.72, 392.5, 392.9a, 395.13, or 396.9, or comparable laws, or the North American Standard Out-of-Service Criteria;

[(28)] (36) "School bus", a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier as defined by the Secretary;

[(29)] (37) "Secretary", the Secretary of Transportation of the United States;

[(30)] (38) "Serious traffic violation", driving a commercial motor vehicle in such a manner that the driver receives a conviction for the following offenses or driving a noncommercial motor vehicle when the driver receives a conviction for the following offenses and the conviction results in the suspension or revocation of the driver's license or noncommercial motor vehicle driving privilege:

(a) Excessive speeding, as defined by the Secretary by regulation;
(b) Careless, reckless or imprudent driving which includes, but shall not be limited to,
any violation of section 304.016, any violation of section 304.010, or any other violation of
federal or state law, or any county or municipal ordinance while driving a commercial motor
vehicle in a willful or wanton disregard for the safety of persons or property, or improper or
erratic traffic lane changes, or following the vehicle ahead too closely, but shall not include
careless and imprudent driving by excessive speed;

c) A violation of any federal or state law or county or municipal ordinance regulating
the operation of motor vehicles arising out of an accident or collision which resulted in death to
any person, other than a parking violation;

d) Driving a commercial motor vehicle without obtaining a commercial driver's license
in violation of any federal or state or county or municipal ordinance;

e) Driving a commercial motor vehicle without a commercial driver's license in the
driver's possession in violation of any federal or state or county or municipal ordinance. Any
individual who provides proof to the court which has jurisdiction over the issued citation that the
individual held a valid commercial driver's license on the date that the citation was issued shall
not be guilty of this offense;

(f) Driving a commercial motor vehicle without the proper commercial driver's license
class or endorsement for the specific vehicle group being operated or for the passengers or type
of cargo being transported in violation of any federal or state law or county or municipal
ordinance; or

(g) Any other violation of a federal or state law or county or municipal ordinance
regulating the operation of motor vehicles, other than a parking violation, as prescribed by the
secretary by regulation;

[(31)] (39) "State", a state[; territory or possession] of the United States[, the District of
Columbia, the Commonwealth of Puerto Rico, Mexico, and any province of Canada];

[(32)] (40) "United States", the fifty states and the District of Columbia.

302.768. 1. Any applicant for a commercial driver's license or commercial driver's
instruction permit shall comply with the Federal Motor Carrier Safety Administration
application requirements of 49 CFR Part 383.71 by certifying to one of the following
applicable statements relating to federal and state driver qualification rules:

(1) Nonexcepted interstate: Certifies the applicant is a driver operating or
expecting to operate in interstate or foreign commerce, or is otherwise subject to and meets
requirements of 49 CFR Part 391 and is required to obtain a medical examiner's certificate
as defined in 49 CFR Part 391.45;

(2) Excepted interstate: Certifies the applicant is a driver operating or expecting
to operate entirely in interstate commerce that is not subject to Part 391 and is subject to
Missouri driver qualifications and not required to obtain a medical examiner's certificate;
(3) Nonexcepted intrastate: Certifies the applicant is a driver operating only in intrastate commerce and is subject to Missouri driver qualifications;

(4) Excepted intrastate: Certifies the applicant operates or expects to operate only in intrastate commerce, and engaging only in operations excepted from all parts of the Missouri driver qualification requirements.

2. Any applicant who cannot meet certification requirements under one of the categories defined in subsection 1 of this section shall be denied issuance of a commercial driver's license or commercial driver's instruction permit.

3. An applicant certifying to operation in nonexcepted interstate or nonexcepted intrastate commerce shall provide the state with an original or copy of a current medical examiners certificate or a medical examiners certificate accompanied by a medical variance or waiver. The state shall retain the original or copy of the documentation of physical qualification for a minimum of three years beyond the date the certificate was issued.

4. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce shall provide an updated medical certificate or variance documents to maintain a certified status during the term of the commercial driver's license or commercial driver's instruction permit in order to retain commercial privileges.

5. The director shall post the medical examiners certificate of information, medical variance if applicable, the applicant's self-certification and certification status to the Missouri driver record within ten calendar days and such information will become part of the CDLIS driver record.

6. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce who fail to provide or maintain a current medical examiners certificate, or if the state has received notice of a medical variance or waiver expiring or being rescinded, the state shall, within ten calendar days, update the driver's medical certification status to "not certified". The state shall notify the driver of the change in certification status and require the driver to annually comply with requirements for a commercial driver's license downgrade within sixty days of the expiration of the applicant certification.

7. The department of revenue may, by rule, establish the cost and criteria for submission of updated medical certification status information as required under this section.

8. Any person who falsifies any information in an application for or update of medical certification status information for a commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the person's commercial driver's license shall be canceled for a period of one year after the director discovers such falsification.

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

303.200. After consultation with insurance companies authorized to issue automobile liability policies in this state, the director of the department of insurance, financial institutions and professional registration shall approve a reasonable plan or plans for the equitable apportionment among such companies of applicants for such policies and for motor vehicle liability policies who are in good faith entitled to but are unable to procure such policies through ordinary methods. When any such plan has been approved, all such insurance companies shall subscribe thereto and participate therein. Any such plan shall contract with an entity or entities to accept and service applicants and policies for any company that does not elect to accept and service applicants and policies. By October 1 of each year any company that elects to accept and service applicants and policies for the next calendar year for any such plan shall so notify the plan. Any company that does not so notify a plan shall be excused from accepting and servicing applicants and policies for the next calendar year for such plan and shall pay a fee to the plan or servicing entity for providing such services. The fee shall be based on the company's market share on the kinds of insurance offered by the plan. Any applicant for any such policy, any person insured under any such plan, and any insurance company affected, may appeal to the director from any ruling or decision of the manager or committee designated to operate such plan. Any person aggrieved hereunder by any order or act of the director may, within ten days after notice thereof, file a petition in the circuit court of the county of Cole for a review thereof. The court shall summarily hear the petition and may make any appropriate order or decree.

304.033. 1. No person shall operate a recreational off-highway vehicle, as defined in section 301.010, upon the highways of this state, except as follows:

   (1) Recreational off-highway vehicles owned and operated by a governmental entity for official use;

   (2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premises purposes;

   (3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;
(4) Recreational off-highway vehicles operated by handicapped persons for short
distances occasionally only on the state's secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for
special uses of recreational off-highway vehicles on highways within the city limits. Fees
of fifteen dollars may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for
special uses of recreational off-highway vehicles on county roads within the county. Fees
of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a recreational off-highway vehicle within any stream or
river in this state, except that recreational off-highway vehicles may be operated within
waterways which flow within the boundaries of land which a recreational off-highway
vehicle operator owns, or for agricultural purposes within the boundaries of land which
a recreational off-highway vehicle operator owns or has permission to be upon, or for the
purpose of fording such stream or river of this state at such road crossings as are
customary or part of the highway system. All law enforcement officials or peace officers
of this state and its political subdivisions or department of conservation agents or
department of natural resources park rangers shall enforce the provisions of this
subsection within the geographic area of their jurisdiction.

3. A person operating a recreational off-highway vehicle on a highway pursuant
to an exception covered in this section shall have a valid operator's or chauffeur's license,
except that a handicapped person operating such vehicle pursuant to subdivision (4) of
subsection 1 of this section, but shall not be required to have passed an examination for the
operation of a motorcycle. An individual shall not operate a recreational off-highway
vehicle upon a highway in this state without displaying a lighted headlamp and a lighted
tail lamp. A person may not operate a recreational off-highway vehicle upon a highway
of this state unless such person wears a seat belt. When operated on a highway, a
recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction
to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover.

304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations
for motor vehicles within the limits of such municipalities. No person who is not a resident of
such municipality and who has not been within the limits thereof for a continuous period of more
than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown
by competent evidence that there was posted at the place where the boundary of such
municipality joins or crosses any highway a sign displaying in black letters not less than four
inches high and one inch wide on a white background the speed fixed by such municipality so
that such sign may be clearly seen by operators and drivers from their vehicles upon entering
such municipality.

2. Municipalities, by ordinance, may:
(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;
(2) Establish one-way streets and provide for the regulation of vehicles thereon;
(3) Require vehicles to stop before crossing certain designated streets and boulevards;
(4) Limit the use of certain designated streets and boulevards to passenger vehicles, except that each municipality shall allow at least one route, with lawful traffic movement and access from both directions, to be available for use by commercial motor vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize a municipality to limit the use of all routes in the municipality;
(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;
(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;
(7) Require the use of signaling devices on all motor vehicles; and
(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessee of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessee of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessee who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial motor vehicles on all routes within the municipality. For purposes of this section, the term "route" shall mean any state road, county road, or public street, avenue, boulevard, or parkway.

304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the corporate limits of cities containing seventy-five thousand inhabitants or more or within two miles of the corporate limits of the city or within the commercial zone of the city shall exceed fifteen feet in height.
2. No motor vehicle operating exclusively within any said area shall have a greater weight than twenty-two thousand four hundred pounds on one axle.

3. The "commercial zone" of the city is defined to mean that area within the city together with the territory extending one mile beyond the corporate limits of the city and one mile additional for each fifty thousand population or portion thereof provided, however:

   (1) The commercial zone surrounding a city not within a county shall extend twenty-five miles beyond the corporate limits of any such city not located within a county and shall also extend throughout any county with a charter form of government which adjoins that city and throughout any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants that is adjacent to such county adjoining such city; [further, provided, however,]

   (2) The commercial zone of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles beyond the corporate limits of any such city; except that this zone shall extend from the southern border of such city's limits, beginning with the western-most freeway, following said freeway south to the first intersection with a multilane undivided highway, where the zone shall extend south along said freeway to include a city of the fourth classification with more than eight thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the intersection of said freeway and multilane undivided highway along the multilane undivided highway to the city limits of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants, and shall extend east from the city limits of a special charter city with more than two hundred seventy-five but fewer than three hundred seventy-five inhabitants along state route 210 and northwest from the intersection of state route 210 and state route 10 to include the boundaries of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county; [further provided, however,] The commercial zone described in this subdivision shall be extended to also include the stretch of state route 45 from its intersection with Interstate 29 extending northwest to the city limits of any village with more than forty but fewer than fifty inhabitants and located in any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat;

   (3) The commercial zone of a city of the third classification with more than nine thousand six hundred fifty but fewer than nine thousand eight hundred inhabitants shall extend south from the city limits along U.S. Highway 61 to the intersection of state route OO in a county of the third classification without a township form of government and with more than seventeen thousand eight hundred but fewer than seventeen thousand nine hundred inhabitants.
4. In no case shall the commercial zone of a city be reduced due to a loss of population. The provisions of this section shall not apply to motor vehicles operating on the interstate highways in the area beyond two miles of a corporate limit of the city unless the United States Department of Transportation increases the allowable weight limits on the interstate highway system within commercial zones. In such case, the mileage limits established in this section shall be automatically increased only in the commercial zones to conform with those authorized by the United States Department of Transportation.

[4.] 5. Nothing in this section shall prevent a city, county, or municipality, by ordinance, from designating the routes over which such vehicles may be operated.

[5.] 6. No motor vehicle engaged in interstate commerce, whether unladen or with load, whose operations in the state of Missouri are limited exclusively to the commercial zone of a first class home rule municipality located in a county with a population between eighty thousand and ninety-five thousand inhabitants which has a portion of its corporate limits contiguous with a portion of the boundary between the states of Missouri and Kansas, shall have a greater weight than twenty-two thousand four hundred pounds on one axle, nor shall exceed fifteen feet in height.

304.289. The timing of any traffic-control signal shall conform to regulations promulgated by the Department of Transportation. The department of transportation shall establish minimal yellow light change interval times for traffic-control devices. The minimal yellow light change interval time shall be established in accordance with nationally recognized engineering standards set forth in the Manual on Uniform Traffic Control Devices, and any such established time shall not be less than the recognized national standard.

306.127. 1. Beginning January 1, 2005, every person born after January 1, 1984, or as required pursuant to section 306.128, who operates a vessel on the lakes of this state shall possess, on the vessel, a boating safety identification card issued by the Missouri state water patrol or its agent which shows that he or she has:

(1) Successfully completed a boating safety course approved by the National Association of State Boating Law Administrators and certified by the Missouri state water patrol. The boating safety course may include a course sponsored by the United States Coast Guard Auxiliary or the United States Power Squadron. The Missouri state water patrol may appoint agents to administer a boater education course or course equivalency examination and issue boater identification cards under guidelines established by the water patrol. The Missouri state water patrol shall maintain a list of approved courses; or

(2) Successfully passed an equivalency examination prepared by the Missouri state water patrol and administered by the Missouri state water patrol or its agent. The equivalency examination shall have a degree of difficulty equal to, or greater than, that of the examinations given at the conclusion of an approved boating safety course; or
2. The Missouri state water patrol or its agent shall issue a permanent boating safety identification card to each person who complies with the requirements of this section which is valid for life unless invalidated pursuant to law.

3. The Missouri state water patrol may charge a fee for such card or any replacement card that does not substantially exceed the costs of administrating this section. The Missouri state water patrol or its designated agent shall collect such fees. These funds shall be forwarded to general revenue.

4. The provisions of this section shall not apply to any person who:
   (1) Is licensed by the United States Coast Guard to serve as master of a vessel;
   (2) Operates a vessel only on a private lake or pond that is not classified as waters of the state;
   (3) Until January 1, 2006, is a nonresident who is visiting the state for sixty days or less;
   (4) Is participating in an event or regatta approved by the water patrol;
   (5) Is a nonresident who has proof of a valid boating certificate or license issued by another state if the boating course is approved by the National Association of State Boating Law Administrators (NASBLA);
   (6) Is exempted by rule of the water patrol;
   (7) Is currently serving in any branch of the United States armed forces, reserves, or Missouri national guard, or any spouse of a person currently in such service; or
   (8) Has previously successfully completed a boating safety education course approved by the National Association of State Boating Law Administrators (NASBLA).

5. The Missouri state water patrol shall inform other states of the requirements of this section.

6. No individual shall be detained or stopped strictly for the purpose of checking whether the individual possesses a boating safety identification card or a temporary boater education permit.

7. [Beginning January 1, 2006, any nonresident born after January 1, 1984, desiring to operate a rental vessel on the lakes of this state, may obtain a temporary boater education permit by completing and passing a written examination developed by the Missouri state water patrol, provided the person meets the minimum age requirements for operating a vessel in this state. The Missouri state water patrol is authorized to promulgate rules for developing the examination and any requirements necessary for issuance of the temporary boater education permit. The temporary boater education permit shall expire when the nonresident obtains a permanent identification card pursuant to subsection 2 of this section or thirty days after issuance, whichever occurs first. The Missouri state water patrol may charge a fee not to exceed ten dollars for such temporary permit. Upon successful completion of an examination and prior to renting a vessel,]
the business entity responsible for giving the examination shall collect such fee and forward all
collected fees to the Missouri state water patrol on a monthly basis for deposit in the state general
revenue fund. Such business entity shall incur no additional liability in accepting the
responsibility for administering the examination. This subsection shall terminate on December

Any person or company that rents or sells vessels may issue a temporary boating
safety identification card to a nonresident of the state to operate a rented vessel or a vessel
being considered for sale, for a period of up to seven days, provided that the individual
meets the minimum age requirements for operating a vessel in this state. In order to
qualify for the temporary boating safety identification card, the applicant shall provide a
valid driver's license establishing that the applicant is a nonresident and shall sign an
affidavit that he or she has reviewed the Missouri State Highway Patrol Handbook of
Missouri Boating Laws and Responsibilities. Any nonresident holding a valid temporary
boating safety identification card shall be deemed in compliance with the requirements of
this section. The Missouri state highway patrol shall charge a fee of nine dollars for such
temporary boating safety identification card. Nonresidents shall not be eligible for more
than one temporary boating safety identification card. No person or company may issue
a temporary boating safety identification card to a nonresident under the provisions of this
subsection unless such person or company is capable of submitting the applicant's
temporary boating safety identification card information and payment in an electronic
format as prescribed by the Missouri state highway patrol. The business entity issuing a
temporary boating safety identification card to a nonresident under the provisions of this
subsection shall transmit the applicant's temporary boating safety identification card
information electronically to the Missouri state highway patrol, in a manner and format
prescribed by the superintendent, using an electronic online registration process developed
and provided by the Missouri state highway patrol. The electronic online process
developed and provided by the Missouri state highway patrol shall allow the applicant to
pay the temporary boating safety identification card fee by credit card or debit card.
Notwithstanding any provision in section 306.185 to the contrary, all fees collected under
the authority of this subsection shall be deposited in the water patrol division fund. The
Missouri state highway patrol shall promulgate rules for developing the temporary boating
safety identification card and any requirements necessary to the issuance, processing, and
payment of the temporary boating safety identification card. The Missouri state highway
patrol shall, by rule, develop a boating safety checklist for each applicant seeking a
temporary boating safety identification card. The provisions of this subsection shall expire
on December 31, 2022.

306.400. 1. As used in sections 306.400 to 306.440, the terms motorboat, vessel, and
watercraft shall have the same meanings given them in section 306.010, and the term outboard
motor shall include outboard motors governed by section 306.530.
2. Unless excepted by section 306.425, a lien or encumbrance on an outboard motor, motorboat, vessel, or watercraft shall not be valid against subsequent transferees or lienholders of the outboard motor, motorboat, vessel or watercraft, who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 306.400 to 306.430.

3. A lien or encumbrance on an outboard motor, motorboat, vessel or watercraft is perfected by the delivery to the director of revenue of a notice of lien in a format as prescribed by the director. Such lien or encumbrance shall be perfected as of the time of its creation if the delivery of the items required in this subsection to the director of revenue is completed within thirty days thereafter, otherwise such lien or encumbrance shall be perfected as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the outboard motor, motorboat, vessel or watercraft and the secured party, a description of the outboard motor, motorboat, vessel or watercraft motor, including any identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of each notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

4. Notwithstanding the provisions of section 306.410, on a refinance by a different lender of a prior loan secured by an outboard motor, motorboat, vessel or watercraft, a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" in the second lienholder's portion of the notice of lien. To secure future advances when an existing lien on an outboard motor, motorboat, vessel or watercraft does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows. Proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. Whether an outboard motor, motorboat, vessel, or watercraft is subject to a lien or encumbrance shall be determined by the laws of the jurisdiction where the outboard motor,
motorboat, vessel, or watercraft was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrances attached that the outboard motor, motorboat, vessel, or watercraft would be kept in this state and it is brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state shall be determined by the laws of this state;

(2) If the lien or encumbrance was perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, his or her lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by the jurisdiction, the lien or encumbrance continues perfected in this state for three months after the first certificate of title of the outboard motor, motorboat, vessel, or watercraft is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period, in which case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, it may be perfected in this state, in which case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection in the same manner as provided in subsection 3 of this section.

7. The director of revenue shall by rules and regulations establish a security procedure to verify that an electronic notice or lien or notice of satisfaction of a lien on an outboard motor, motorboat, vessel or watercraft given pursuant to sections 306.400 to 306.440 is that of the lienholder, to verify that an electronic notice of confirmation of ownership and perfection of a lien given pursuant to section 306.410 is that of the director of revenue and to detect error in the transmission or the content of any such notice. Such a security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself constitute a security procedure.

307.365. 1. No permit for an official inspection station shall be assigned or transferred or used at any location other than therein designated and every permit shall be posted in a conspicuous place at the location designated. The superintendent of the Missouri state highway...
patrol shall design and furnish each official inspection station, at no cost, one official sign made
of metal or other durable material to be displayed in a conspicuous location to designate the
station as an official inspection station. Additional signs may be obtained by an official
inspection station for a fee equal to the cost to the state. Each inspection station shall also be
supplied with one or more posters which must be displayed in a conspicuous location at the place
of inspection and which informs the public that required repairs or corrections need not be made
at the inspection station.

2. No person operating an official inspection station pursuant to the provisions of
sections 307.350 to 307.390 may issue a certificate of inspection and approval for any vehicle
except upon an official form furnished by the superintendent of the Missouri state highway patrol
for that purpose and only after inspecting the vehicle and determining that its brakes, lighting
equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires,
wheels, exhaust system, glazing, air pollution control devices, fuel system and any other safety
equipment as required by the state are in proper condition and adjustment to be operated upon
the public highways of this state with safety to the driver or operator, other occupants therein,
as well as other persons and property upon the highways, as provided by sections 307.350 to
307.390 and the regulations prescribed by the superintendent of the Missouri state highway
patrol. Brakes may be inspected for safety by means of visual inspection or computerized brake
testing. No person operating an official inspection station shall furnish, loan, give or sell a
certificate of inspection and approval to any other person except those entitled to receive it under
provisions of sections 307.350 to 307.390. No person shall have in such person's possession any
certificate of inspection and approval and/or inspection sticker with knowledge that the
certificate and/or inspection sticker has been illegally purchased, stolen or counterfeited.

3. The superintendent of the Missouri state highway patrol may require officially
designated stations to furnish reports upon forms furnished by the superintendent for that purpose
as the superintendent considers reasonably necessary for the proper and efficient administration
of sections 307.350 to 307.390.

4. If, upon inspection, defects or unsafe conditions are found, the owner may correct
them or shall have them corrected at any place the owner chooses within twenty days after the
defect or unsafe condition is found, and shall have the right to remove the vehicle to such place
for correction, but before the vehicle is operated thereafter upon the public highways of this state,
a certificate of inspection and approval must be obtained. The inspecting personnel of the
official inspection station must inform the owner that the corrections need not be made at the
inspection station.

5. A fee, not to exceed twelve dollars, as determined by each official inspection station,
may be charged by an official inspection station for each official inspection including the
issuance of the certificate of inspection and approval, sticker, seal or other device and a total fee,
not to exceed ten dollars, as determined by each official inspection station, may be charged for
an official inspection of a trailer or motorcycle, which shall include the issuance of the certificate of inspection and approval, sticker, seal or other device. Such fee shall be conspicuously posted on the premises of each such official inspection station. No owner shall be charged an additional inspection fee upon having corrected defects or unsafe conditions found in an inspection completed within the previous twenty consecutive days, excluding Saturdays, Sundays and holidays, if such follow-up inspection is made by the station making the initial inspection. Every inspection for which a fee is charged shall be a complete inspection, and upon completion of the inspection, if any defects are found the owner of the vehicle shall be furnished a list of the defects and a receipt for the fee paid for the inspection. If the owner of a vehicle decides to have any necessary repairs or corrections made at the official inspection station, the owner shall be furnished a written estimate of the cost of such repairs before such repairs or corrections are made by the official inspection station. The written estimate shall have plainly written upon it that the owner understands that the corrections need not be made by the official inspection station and shall have a signature line for the owner. The owner must sign below the statement on the signature line before any repairs are made.

6. Certificates of inspection and approval, sticker, seal or other device shall be purchased by the official inspection stations from the superintendent of the Missouri state highway patrol. The superintendent of the Missouri state highway patrol shall collect a fee of one dollar and fifty cents for each certificate of inspection, sticker, seal or other device issued to the official inspection stations, except that no charge shall be made for certificates of inspection, sticker, seal or other device issued to official inspection stations operated by governmental entities. All fees collected shall be deposited in the state treasury with one dollar of each fee collected credited to the state highway fund and, for the purpose of administering and enforcing the state motor vehicle laws and traffic regulations, fifty cents credited to the "Highway Patrol Inspection Fund" which is hereby created. The moneys collected and deposited in the highway patrol inspection fund shall be expended subject to appropriations by the general assembly for the administration and enforcement of sections 307.350 to 307.390 by the Missouri state highway patrol. The unexpended balance in the fund at the end of each biennium exceeding the amount of the appropriations from the fund for the first two fiscal years shall be transferred to the state road fund, and the provisions of section 33.080, relating to the transfer of funds to the general revenue fund at the end of the biennium, shall not apply to the fund.

7. The owner or operator of any inspection station who discontinues operation during the period that a station permit is valid or whose station permit is suspended or revoked shall return all official signs and posters and any current unused inspection stickers, seals or other devices to the superintendent of the Missouri state highway patrol and shall receive a full refund on request except for official signs and posters, provided the request is made during the calendar year or within sixty days thereafter in the manner prescribed by the superintendent of the Missouri state highway patrol. Stations which have a valid permit shall exchange unused
previous year issue inspection stickers and/or decals for an identical number of current year issue, provided the unused stickers and/or decals are submitted for exchange not later than April thirtieth of the current calendar year, in the manner prescribed by the superintendent of the Missouri state highway patrol.

8. Notwithstanding the provisions of section 307.390 to the contrary, a violation of this section shall be a class C misdemeanor.

9. The owner or operator of any inspection station shall maintain liability insurance at all times to cover possible damage to vehicles during the inspection process.

387.040. 1. No motor carrier subject to the provisions of this chapter shall engage or participate in the transportation of passengers [or household goods], between points within this state, until its schedules of rates, fares and charges shall have been filed with the state Highways and Transportation Commission and published in accordance with the provisions of this chapter. Any motor carrier, which shall undertake to perform any service or furnish any product or commodity unless or until the rates, tolls, fares, charges, classifications and rules and regulations relating thereto, applicable to such service, product or commodity, have been filed with the Highways and Transportation Commission and published in accordance with the provisions of this chapter, shall be subject to forfeiture to the state pursuant to the provisions of sections 390.156 to 390.176.

2. [Notwithstanding subsection 1 of this section, a motor carrier shall not be required to file its schedules of rates, fares, and charges for shipments of household goods that are transported wholly or exclusively within a commercial zone as defined in 390.020 or within a commercial zone established by the Highways and Transportation Commission pursuant to the provisions of subdivision (4) of section 390.041.]

Notwithstanding any provision of this chapter or chapter 390 to the contrary, a motor carrier transporting household goods in intrastate commerce shall not be required to file its schedule of rates, fares, and charges with the state Highways and Transportation Commission. In lieu of filing its schedules of rates, fares, charges, rules, or tolls with the state Highways and Transportation Commission, a motor carrier transporting household goods in intrastate commerce shall maintain and publish its schedules of rates, fares, charges, rules, and tolls in every station or office as described in subsection 3 of section 387.050 and such rates shall be available for inspection by the state Highways and Transportation Commission, shippers, and the public upon request. Any motor carrier transporting household goods in intrastate commerce that fails to comply with the provisions of this subsection shall be subject to forfeiture to the state pursuant to the provisions of sections 390.156 to 390.176.

387.050. 1. Every motor carrier shall file with the [division of motor carrier and railroad safety] state Highways and Transportation Commission and shall print and keep open to public inspection schedules showing the rates, fares and charges for the transportation of passengers and household goods within this state between each point upon its route and all other
points thereon and between each point upon its route and all points upon every route leased, 
operated or controlled by it and between each point on its route or upon any route leased, 
operated or controlled by it and all points upon the route of any other motor carrier, whenever 
a through route and joint rate shall have been established or ordered between any two such 
points. If no joint rate over a through route has been established, the several carriers in such 
through route shall file, print and keep open to public inspection, as aforesaid, the separately 
established rates, fares and charges applied to the through transportation. **Beginning August 28, 
2012, motor carriers shall not be required to file their schedules showing the rates, fares, 
rules, and charges for the transportation of household goods within this state but shall 
print and keep open for public inspection such schedules in accordance with this section 
and section 387.040.**

2. The schedules printed as aforesaid shall plainly state the places between which 
household goods and passengers will be carried, and shall also contain the classification of 
passengers or household goods in force, and shall also state separately all terminal charges, 
storage charges, icing charges and all other charges which the [division] state Highways and 
Transportation Commission may require to be stated, all privileges or facilities granted or 
allowed, and any rules or regulations which may in any way change, affect or determine any part 
or the aggregate of such aforesaid rates, fares and charges, or the value of the service rendered 
to the passenger, shipper or consignee.

3. Such schedules shall be plainly printed in large type, and a copy thereof shall be kept 
by every such carrier readily accessible to and for convenient inspection by the public in every 
station or office of such carrier where passengers or household goods are respectively received 
for transportation, when such station or office is in charge of an agent, and in every station or 
office of such carrier where passenger tickets for transportation or tickets covering bills of lading 
or receipts for household goods are issued. All or any of such schedules kept as aforesaid shall 
be immediately produced by such carrier for inspection upon the demand of any person.

4. A notice printed in bold type and stating that such schedules are on file with the agent 
and open to inspection by any person and that the agent will assist any such person to determine 
from such schedules any transportation rates or fares or rules or regulations which are in force 
shall be kept posted by the carrier in two public and conspicuous places in every such station or 
office.

5. The form of every such schedule shall be prescribed by the [division] state Highways 
and Transportation Commission.

6. The [division] state Highways and Transportation Commission shall have power, 
from time to time, in its discretion, to determine and prescribe by order such changes in the form 
of such schedules as may be found expedient, and to modify the requirements of this section in 
respect to publishing, posting and filing of schedules either in particular instances or by general 
order applicable to special or peculiar circumstances or conditions.
387.080. 1. The names of the several carriers which are parties to any joint tariff shall be specified therein, and each of the parties thereto, other than the one filing the same, shall file with the state Highways and Transportation Commission such evidence of concurrence therein or acceptance thereof as may be required or approved by the state Highways and Transportation Commission; and where such evidence of concurrence or acceptance is filed, it shall not be necessary for the carriers filing the same also to file copies of the tariffs in which they are named as parties. The provisions of this subsection shall not apply to motor carriers of household goods. Carriers of household goods participating in through routes or interline service shall publish joint tariffs and evidence of concurrence or acceptance thereof or individual tariffs for each participating carrier in accordance with sections 387.040 and 387.050.

2. Every motor carrier shall file with the state Highways and Transportation Commission sworn copies of every contract, agreement or arrangement with any other motor carrier or motor carriers relating in any way to the transportation of passengers or property.

3. Motor carriers of household goods are prohibited from participation in any joint tariff pursuant to the provisions of this chapter, except that this subsection shall not prohibit joint tariffs relating to joint rates for household goods transportation over any through routes or by interline service performed by two or more separate motor carriers.

387.110. [1.] No motor carrier shall make or give any undue or unreasonable preference or advantage to any person or corporation or to any locality or to any particular description of traffic in any respect whatsoever, or subject any particular person or corporation or locality or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

[2. Notwithstanding any other provision of law to the contrary, no common carrier of household goods shall use any schedule of rates or charges, or both, for the transportation of household goods within this state which divides this state into territorial rate areas. Any schedule of rates or charges, or both, which divides, or attempts to divide, this state into territorial rate areas is unjust, unreasonable, and invalid.]

387.137. The state Highways and Transportation Commission shall establish consumer protection requirements for motor carriers transporting household goods in intrastate commerce and establish a system for filing, logging, and responding to consumer complaints.

387.139. 1. The division of motor carrier services shall keep an information file about each complaint filed with it regarding the movement of household goods in intrastate commerce. The division of motor carrier service's information file shall be kept current and contain a record for each complaint of:

(1) All persons contacted in relation to the complaint;

(2) A summary of findings in response to the complaint;
(3) An explanation of the reason for a complaint that is dismissed; and
(4) Any other relevant information.

2. If a written complaint is filed with the division that is within the division’s jurisdiction, the division, at least as frequently as quarterly and until final disposition of the complaint, shall notify the complainant of the status of the complaint unless the notice would jeopardize an ongoing investigation.

3. The state Highways and Transportation Commission shall adopt by rule a form to standardize information concerning complaints made to the division of motor carrier services regarding the transportation of household goods. The commission shall prescribe by rule information to be provided to a person when the person files a complaint with the division of motor carrier services.

4. The state Highways and Transportation Commission shall promulgate rules and regulations for the implementation and administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

387.207. 1. All rates, tolls, charges, schedules and joint rates fixed by the state Highways and Transportation Commission with reference to the transportation of passengers [or household goods] by motor carrier shall be in force and shall be prima facie lawful, and all regulations, practices and services prescribed by the commission shall be in force and shall be prima facie lawful and reasonable until found otherwise in a suit brought for that purpose pursuant to the provisions of this chapter.

2. All rates, tolls, charges, schedules, and joint rates published in accordance with subsection 3 of section 387.050 with reference to the transportation of household goods by motor carrier shall be in force and shall be prima facie lawful, and all regulations, practices and services prescribed by the state Highways and Transportation Commission shall be in force and shall be prima facie lawful and reasonable until found otherwise in a suit brought for that purpose pursuant to the provisions of this chapter.

387.355. On August 28, 2012, all rate orders issued by the state Highways and Transportation Commission or its predecessors affecting the transportation of household goods by common carriers in intrastate commerce, pursuant to the authority of any of the provisions in this chapter or chapter 390, shall be vacated and set aside, but only to the extent that those rate orders require or prescribe any minimum rates, maximum rates, or minimum-and-maximum rates for the transportation of household goods by common
carriers in intrastate commerce. This section shall not vacate or set aside any other
requirements or provisions contained in those rate orders.

390.051. 1. Except as otherwise provided in section 390.030, no person shall engage in
the business of a common carrier of household goods or passengers in intrastate commerce on
any public highway in this state unless there is in force with respect to such carrier a certificate
issued by the [division] state Highways and Transportation Commission authorizing such
operations.

2. Application for a certificate shall be made in writing to the [division] state Highways
and Transportation Commission and shall contain such information as the [division] state
Highways and Transportation Commission shall, by rule, require and shall include:

1. Full information concerning the ownership, financial [condition] status of applicant
through the submission of documentation describing assets, liabilities, and capital,
equipment to be used and a statement listing the physical equipment of applicant and the
reasonable value thereof;

2. The complete route or routes over which the applicant desires to operate, or territory
to be served; except that the state Highways and Transportation Commission shall not
restrict any certificate or permit authorizing the transportation of household goods or
passengers with reference to any route or routes; except that the state Highways and
Transportation Commission shall restrict the applicant's registration against the
transportation of any hazardous material as designated in Title 49, Code of Federal
Regulations, if the state Highways and Transportation Commission finds that the applicant
has not shown it is qualified to safely transport that hazardous material in compliance with
all registration, liability insurance, and safety requirements applicable to the
transportation of that hazardous material pursuant to Title 49, Code of Federal
Regulations;

3. The proposed rates, schedule or schedules, or timetable of the applicant.

3. [Except as provided for in subsection 4 of this section, if the division] If the state
Highways and Transportation Commission finds that an applicant seeking to transport
[general and specialized commodities in truckload lots, agricultural commodities in bulk in dump
trucks] household goods or passengers [in charter service] is fit, willing and able to properly
perform the service proposed and to conform to the provisions of this chapter and the
requirements, rules and regulations of the [division] state Highways and Transportation
Commission established thereunder, a certificate therefor shall be issued.

4. If the division finds that an applicant seeking to transport:

1. General and specialized commodities in less-than-truckload lots;

2. Commodities in bulk in dump trucks, other than agricultural commodities in bulk in
dump trucks, as defined in section 390.020;

3. Mobile homes;
(4) Household goods;
(5) Passengers other than in charter service;
(6) Gasoline, fuel oil or liquefied petroleum gas;
(7) Boats; is fit, willing and able to properly perform the service proposed, and to
conform to the provisions of this chapter and the requirement, rules and regulations of the
division, and that the service proposed will serve a useful present or future public purpose, a
certificate therefor specifying the service authorized shall be issued, unless the division finds on
the basis of evidence presented by persons objecting to the issuance of a certificate that the
transportation to be authorized by the certificate will be inconsistent with the public convenience
and necessity.

5. In making findings under subsection 4 of this section, the division shall consider the
testimony of the applicant, the proposed users of the service contemplated by the applicant, and
any other relevant testimony or evidence, and the division shall consider, and to the extent
applicable, make findings on at least the following:

(1) The transportation policy of section 390.011; and
(2) The criteria set forth in this subsection. In cases where persons object to the issuance
of a certificate, the diversion of revenue or traffic from existing carriers shall be considered.

6.] The [division] state Highways and Transportation Commission shall streamline
and simplify to the maximum extent practicable the process for issuance of certificates to which
the provisions of this section apply. The state Highways and Transportation Commission
is authorized to enter into interagency agreements with any entity created and operating
under the provisions of section 67.1800 to 67.1822 to deal with any public safety issues that
may arise as a result of the provisions of this section.

7.] 5. The [division] state Highways and Transportation Commission shall dismiss
on its motion any application for substantially the same common [or contract] authority that has
been previously denied within six months of filing the subsequent application.

390.054. Beginning August 28, 2012, and continuing thereafter, no certificate or
permit to transport household goods in intrastate commerce shall be issued or renewed
unless the applicant demonstrates that the applicant has workers' compensation insurance
coverage that complies with chapter 287, for all employees. If any household goods carrier
subject to the provisions of this chapter or chapter 387 is found by the division of workers'
compensation to be out of compliance with chapter 287, the division shall report such fact
to the state Highways and Transportation Commission. The commission shall suspend the
household goods carrier's certificate or permit pursuant to section 390.106 until such time
as the carrier demonstrates that it has procured workers' compensation insurance coverage
that complies with chapter 287.

390.061. 1. Except as otherwise provided in section 390.030, no person shall engage in
the business of a contract carrier of household goods or passengers in intrastate commerce on
any public highway in this state unless there is in force with respect to such carrier a permit
issued by the [division of motor carrier and railroad safety] state Highways and Transportation
Commission authorizing such operations.

2. Applications for such permits shall be made to the [division] state Highways and
Transportation Commission in writing and shall contain such information as the [division]
state Highways and Transportation Commission shall, by rule, require and shall include:

   (1) Full information concerning the ownership, financial [condition] status of applicant
through the submission of documentation describing assets, liabilities, and capital,
equipment to be used and a statement listing the physical equipment of applicant and the
reasonable value thereof;

   (2) The complete route or routes over which the applicant desires to operate, or territory
to be served; except that the state Highways and Transportation Commission shall not
restrict any certificate or permit authorizing the transportation of household goods or
passengers with reference to any route or routes; except that the state Highways and
Transportation Commission shall restrict the applicant's registration against the
transportation of any hazardous material as designated in Title 49, Code of Federal
Regulations, if the state Highways and Transportation Commission finds that the applicant
has not shown it is qualified to safely transport that hazardous material in compliance with
all registration, liability insurance, and safety requirements applicable to the
transportation of that hazardous material pursuant to Title 49, Code of Federal
Regulations.

3. If the [division] state Highways and Transportation Commission shall find that the
applicant is seeking to transport [general and specialized commodities in truckload lots,
aricultural commodities in bulk,] household goods or passengers [in charter service], and is fit,
willing and able to properly perform the service proposed and to conform to the provisions of
this chapter and the requirements, rules and regulations of the [division] state Highways and
Transportation Commission thereunder, a permit therefor shall be issued.

4. If the division finds that an applicant seeking to transport commodities or passengers
as described in subsection 4 of section 390.051 is fit, willing and able to properly perform the
service proposed, and to conform to the provisions of this chapter and the requirements, rules
and regulations of the division, and that the service proposed will serve a useful present or future
purpose, a permit therefor specifying the service authorized shall be issued, unless the division
finds on the basis of evidence presented by persons objecting to the issuance of a permit that the
transportation to be authorized by the permit will be inconsistent with the public convenience
and necessity.

5. Any permit issued under this section shall specify the service to be rendered, the
contracting parties, and the points or area to be served.
[6.] 5. The division state Highways and Transportation Commission will not have jurisdiction over contract rates. A copy of the original contract must be filed with the division state Highways and Transportation Commission prior to issuance of a permit. In the event the applicant chooses not to disclose contract rates in the application, the contract shall contain in lieu of rates a specific provision which incorporates by reference a schedule of rates, in writing, to be effective between carrier and shipper. Current contracts and rate schedules must be maintained by the carrier and contracting shippers. A contract permit, authorizing the transportation of [commodities] household goods or passengers [other than as described in subsection 4 of section 390.051], may be amended to include additional contracting parties by the filing of said contracts with the division state Highways and Transportation Commission and acknowledgment by the division state Highways and Transportation Commission.

6. The state Highways and Transportation Commission is authorized to enter into interagency agreements with any entity created and operating under the provisions of section 67.1800 to 67.1822 to deal with any public safety issues that may arise as a result of the provisions of this section.

390.063. 1. As used in this chapter, the following terms mean:

(1) "Elderly", any person who is sixty years of age or older;

(2) "Handicapped", any person having a physical or mental condition, either permanent or temporary, which would substantially impair ability to operate or utilize available transportation; and

(3) "Urbanized area", an area so designated by the United States Bureau of Census as provided under section 12(c)(11) of the Urban Mass Transportation Act of 1964, as amended, and which has a population of more than fifty thousand persons.

2. Notwithstanding any provisions of this chapter to the contrary, the division shall issue a certificate or permit in accordance with the provisions of this section to a not-for-profit corporation seeking to transport by motor vehicle, as a common carrier or contract carrier in intrastate commerce, exclusively passengers other than in charter service who are:

(1) Elderly;

(2) Handicapped;

(3) Preschool disadvantaged children transported for the purpose of participating in a federal Head Start program; or

(4) Transported in areas other than urbanized areas as defined in this section, for which the motor carrier is authorized to be subsidized or reimbursed under section 18 of the Urban Mass Transportation Act of 1964, as amended, section 1614 of Title 49, United States Code, with federal funds administered by the Missouri transportation department, except that priority shall be given to serving passengers who are elderly, handicapped or preschool disadvantaged children under the certificate or permit issued under this section.
3. A not-for-profit corporation seeking a certificate or permit under this section shall make a written application to the division, in the form and containing the information which the division shall require by rule. The application shall include at least a complete description of the routes or territory to be served, and a list of the equipment to be used by the applicant in providing the proposed service. If the division finds that an applicant seeking to transport passengers as described in subsection 2 of this section is willing and able to properly perform the service proposed and to conform to the applicable provisions of this chapter, and the applicable rules and orders of the division, a certificate or permit authorizing such transportation shall be issued. The division may, by rule, make reasonable requirements to prevent the unauthorized transportation of passengers other than as described in subsection 2 of this section, by motor carriers to whom a certificate or permit is issued under this section.

4. The division shall not have jurisdiction over the rates charged by motor carriers for the transportation of passengers as described in subsection 2 of this section and provided under the authority of a certificate or permit issued under this section. Such motor carriers shall not be required to file with the division or publish tariff schedules setting forth their rates and charges for such transportation.

5. The provisions of section 390.136 shall not apply to motor vehicles exclusively used to transport passengers as described in subsection 2 of this section under the authority of a certificate or permit issued under this section. [6. Notwithstanding any provisions of subsection 3 of section 390.030 to the contrary, it is unlawful for any person to operate any motor vehicle having a capacity of more than five passengers, exclusive of the driver, in intrastate commerce or operate any motor vehicle designed to transport more than fifteen passengers, including the driver, in interstate commerce, unless the vehicle is equipped and operated as required by parts 390 through 397, Title 49, Code of Federal Regulations, as those regulations have been and may periodically be amended. Those regulations are hereby made applicable to all passenger-carrying motor vehicles having a capacity of more than five passengers, exclusive of the driver, when operated in intrastate commerce, and to all motor vehicles designed to transport more than fifteen passengers, including the driver, when operated in interstate commerce, and the division shall have power and authority to enforce those regulations wholly within terminals, as they apply to those motor vehicles and drivers.]

390.116. 1. Common carriers of [property] household goods may establish reasonable through routes or interline service and joint rates, charges and classifications with other such carriers or with common carriers by railroad or express; and common carriers of passengers may establish reasonable through routes and joint rates, fares or charges with other such carriers or with common carriers by railroad. In case of such joint rates, fares, charges or classifications, it shall be the duty of the participating carriers, parties thereto, to establish just and reasonable regulations and practices in connection therewith, and just, reasonable and equitable divisions thereof as between the carriers participating therein which shall not unduly prefer or prejudice
any of such participating carriers and shall not result in any rate, fare, charge, classification, regulation, or practice that is unjust or unreasonable to the shipper or receiver of the household goods. Carriers of household goods participating in through routes or interline service shall publish joint tariffs and evidence of concurrence or acceptance thereof, in accordance with section 387.080, or individual tariffs for each participating carrier, which shall set forth the joint or individual rates, fares, charges, classifications, regulations, practices, and division of rates applicable to such through routes or interline service, all in accordance with the applicable provisions in chapter 387.

2. The state Highways and Transportation Commission may, whenever deemed by it to be necessary or desirable in the public interest, after hearing, upon complaint or upon its own motion, order the establishment of just and reasonable through routes and joint rates, fares, charges, regulations or practices, applicable to the transportation of passengers or property by common carriers.

390.201. Subject to any exceptions which are applicable under section 307.400 or subsection 6 of section 390.063, the officers and commercial motor vehicle inspectors of the state highway patrol, the enforcement personnel of the division of motor carrier and railroad safety, and other authorized peace officers of this state and any civil subdivision of this state, may enforce any of the provisions of Parts 350 through 399 of Title 49, Code of Federal Regulations, as those regulations have been and may periodically be amended, as they apply to motor vehicles and drivers operating in interstate or intrastate commerce within this state; except that the enforcement personnel of the division of motor carrier and railroad safety shall be authorized to enforce those regulations wholly within the terminals of motor carriers and private carriers by motor vehicle.

390.280. 1. Certificates or permits, or both, which were issued before January 1, 1995, and which authorized a person to transport any property in intrastate commerce by motor vehicle as a common carrier or contract carrier, or both, are void, except that to the extent such certificates or permits, or portions thereof, authorized a person to transport household goods over irregular routes or passengers in intrastate commerce, or any property or passengers in interstate commerce, those certificates or permits, or portions thereof, are exempt from the provisions of this subsection.

2. Persons who owned certificates or permits, or both, that were in active status with the division on December 31, 1994, and persons to whom the division issued certificates and permits after December 31, 1994, pursuant to emergency rules adopted by the division, are deemed to be qualified as registered property carriers, unless the person's certificate or permit has been suspended, revoked or transferred to another person as provided by law. A person deemed qualified pursuant to this subsection is not required to file an application pursuant to section 390.290 to continue providing intrastate transportation as a registered property carrier, but rather, upon such person's compliance with the licensing and insurance requirements of the division the
person is deemed to have a property carrier registration in force as required pursuant to section 390.270, authorizing the person to transport property except household goods in intrastate commerce on the public highways, unless the person's property carrier registration is suspended, revoked or transferred to another person as provided by law. Within a reasonable time after August 28, 1996, the division shall issue property carrier registrations to all persons who are deemed to be qualified as registered property carriers and deemed to have property carrier registrations in force pursuant to this subsection.

3. Notwithstanding any provision of this section to the contrary, this section shall not be construed as authorizing any person to transport any hazardous material as designated in Title 49, Code of Federal Regulations, except hazardous materials which that person was expressly authorized to transport in intrastate commerce within this state on August 28, 1996. A person may file an application for property carrier registration pursuant to section 390.290 to transport additional hazardous materials. Nothing in this section shall be construed to conflict with chapter 260, or of relieving an applicant of any duty to obtain a license pursuant to chapter 260.

4. Notwithstanding any provision of the law to the contrary, any geographic restriction or provision limiting the carrier's scope of authority to particular routes within this state contained in a certificate or permit, or both, authorizing the transportation of household goods in intrastate commerce, which was issued prior to August 28, 2012, and any similar provision contained in a carrier's tariff schedule filed prior to such date, shall be deemed void. In lieu of the geographic restrictions expressed in such certificates, permits, or tariff schedules, a motor carrier shall be authorized to provide intrastate transportation of household goods between all points and destinations within the state until such time as the certificates, permits, and tariff schedules are reissued or amended to reflect the motor carrier's statewide operating authority. Nothing contained in the provisions of sections 390.051 to 390.116 shall be construed to exempt or to alter the obligation of compliance by carriers transporting passengers point-to-point within the jurisdiction described in 67.1802 from the provisions of sections 67.1800 to 67.1822.

544.046. The Nonresident Violator Compact, hereinafter called "the compact," is hereby enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as follows:

Article I

(a) The party jurisdictions find that:

(1) In most instances, a motorist who is cited for a traffic violation in a jurisdiction other than his home jurisdiction:

(i) Must post collateral or bond to secure appearance for trial at a later date; or

(ii) If unable to post collateral or bond, is taken into custody until the collateral or bond is posted; or

(iii) Is taken directly to court for his trial to be held.
(2) In some instances, the motorist's driver's license may be deposited as collateral to be returned after he has complied with the terms of the citation.

(3) The purpose of the practices described in paragraphs (1) and (2) above is to ensure compliance with the terms of a traffic citation by the motorist who, if permitted to continue on his way after receiving the traffic citation, could return to his home jurisdiction and disregard his duty under the terms of the traffic citation.

(4) A motorist receiving a traffic citation in his home jurisdiction is permitted, except for certain violations, to accept the citation from the officer at the scene of the violation and to immediately continue on his way after promising or being instructed to comply with the terms of the citation.

(5) The practice described in paragraph (1) above causes unnecessary inconvenience and, at times, a hardship for the motorist who is unable at the time to post collateral, furnish a bond, stand trial, or pay the fine, and thus is compelled to remain in custody until some arrangement can be made.

(6) The deposit of a driver's license as a bail bond, as described in paragraph (2) above, is viewed with disfavor.

(7) The practices described herein consume an undue amount of law enforcement time.

(b) It is the policy of the party jurisdictions to:

(1) Seek compliance with the laws, ordinances, and administrative rules and regulations relating to the operation of motor vehicles in each of the jurisdictions.

(2) Allow motorists to accept a traffic citation for certain violations and proceed on their way without delay whether or not the motorist is a resident of the jurisdiction in which the citation was issued.

(3) Extend cooperation to its fullest extent among the jurisdictions for obtaining compliance with the terms of a traffic citation issued in one jurisdiction to a resident of another jurisdiction.

(4) Maximize effective utilization of law enforcement personnel and assist court systems in the efficient disposition of traffic violations.

(c) The purpose of this compact is to:

(1) Provide a means through which the party jurisdictions may participate in a reciprocal program to effectuate the policies enumerated in paragraph (b) above in a uniform and orderly manner.

(2) Provide for the fair and impartial treatment of traffic violators operating within party jurisdictions in recognition of the motorist's right of due process and the sovereign status of a party jurisdiction.

Article II

(a) In the Nonresident Violator Compact, the following words have the meaning indicated, unless the context requires otherwise.
(b)(1) "Citation" means any summons, ticket, or other official document issued by a police officer for a traffic violation containing an order which requires the motorist to respond.

(2) "Collateral" means any cash or other security deposited to secure an appearance for trial, following the issuance by a police officer of a citation for a traffic violation.

(3) "Court" means a court of law or traffic tribunal.

(4) "Driver's license" means any license or privilege to operate a motor vehicle issued under the laws of the home jurisdiction.

(5) "Home jurisdiction" means the jurisdiction that issued the driver's license of the traffic violator.

(6) "Issuing jurisdiction" means the jurisdiction in which the traffic citation was issued to the motorist.

(7) "Jurisdiction" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(8) "Motorist" means a driver of a motor vehicle operating in a party jurisdiction other than the home jurisdiction.

(9) "Personal recognizance" means an agreement by a motorist made at the time of issuance of the traffic citation that he will comply with the terms of that traffic citation.

(10) "Police officer" means any individual authorized by the party jurisdiction to issue a citation for a traffic violation.

(11) "Terms of the citation" means those options expressly stated upon the citation.

Article III

(a) When issuing a citation for a traffic violation, a police officer shall issue the citation to a motorist who possesses a driver's license issued by a party jurisdiction and shall not, subject to the exceptions noted in paragraph (b) of this article, require the motorist to post collateral to secure appearance, if the officer receives the motorist's signed, personal recognizance that he or she will comply with the terms of the citation.

(b) Personal recognizance is acceptable only if not prohibited by law. If mandatory appearance is required, it must take place immediately following issuance of the citation.

(c) Upon failure of a motorist to comply with the terms of a traffic citation, the appropriate official shall report the failure to comply to the licensing authority of the jurisdiction in which the traffic citation was issued. The report shall be made in accordance with procedures specified by the issuing jurisdiction and shall contain information as specified in the Compact Manual as minimum requirements for effective processing by the home jurisdiction.

(d) Upon receipt of the report, the licensing authority of the issuing jurisdiction shall transmit to the licensing authority in the home jurisdiction of the motorist the information in a form and content as contained in the Compact Manual.

(e) The licensing authority of the issuing jurisdiction may not suspend the privilege of a motorist for whom a report has been transmitted.
(f) The licensing authority of the issuing jurisdiction shall not transmit a report on any violation if the date of transmission is more than six months after the date on which the traffic citation was issued unless the motorist was operating a Commercial Motor Vehicle (CMV) or was a Commercial Driver License (CDL) holder at the time of the offense.

(g) The licensing authority of the issuing jurisdiction shall not transmit a report on any violation where the date of issuance of the citation predates the most recent of the effective dates of entry for the two jurisdictions affected.

Article IV

(a) Upon receipt of a report of a failure to comply from the licensing authority of the issuing jurisdiction, the licensing authority of the home jurisdiction shall notify the motorist and initiate a suspension action, in accordance with the home jurisdiction's procedures, to suspend the motorist's driver's license until satisfactory evidence of compliance with the terms of the traffic citation has been furnished to the home jurisdiction licensing authority. Due process safeguards will be accorded.

(b) The licensing authority of the home jurisdiction shall maintain a record of actions taken and make reports to issuing jurisdictions as provided in the Compact Manual.

Article V

Except as expressly required by provisions of this compact, nothing contained herein shall be construed to affect the right of any party jurisdiction to apply any of its other laws relating to licenses to drive to any person or circumstance, or to invalidate or prevent any driver license agreement or other cooperative arrangement between a party jurisdiction and a nonparty jurisdiction.

Article VI

(a) For the purpose of administering the provisions of this compact and to serve as a governing body for the resolution of all matters relating to the operation of this compact, a Board of Compact Administrators is established. The board shall be composed of one representative from each party jurisdiction to be known as the compact administrator. The compact administrator shall be appointed by the jurisdiction executive and will serve and be subject to removal in accordance with the laws of the jurisdiction he represents. A compact administrator may provide for the discharge of his duties and the performance of his functions as a board member by an alternate. An alternate may not be entitled to serve unless written notification of his identity has been given to the board.

(b) Each member of the Board of Compact Administrators shall be entitled to one vote. No action of the board shall be binding unless taken at a meeting at which a majority of the total number of votes on the board are cast in favor. Action by the board shall be only at a meeting at which a majority of the party jurisdictions are represented.

(c) The board shall elect annually, from its membership, a chairman and a vice chairman.
(d) The board shall adopt bylaws, not inconsistent with the provisions of this compact or the laws of a party jurisdiction, for the conduct of its business and shall have the power to amend and rescind its bylaws.

(e) The board may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any jurisdiction, the United States, or any other governmental agency, and may receive, utilize, and dispose of the same.

(f) The board may contract with, or accept services or personnel from, any governmental or intergovernmental agency, person, firm, or corporation, or any private nonprofit organization or institution.

(g) The board shall formulate all necessary procedures and develop uniform forms and documents for administering the provisions of this compact. All procedures and forms adopted pursuant to board action shall be contained in the Compact Manual.

Article VII

(a) This compact shall become effective when it has been adopted by at least two jurisdictions.

(b)(1) Entry into the compact shall be made by a Resolution of Ratification executed by the authorized officials of the applying jurisdiction and submitted to the chairman of the board.

(2) The resolution shall be in a form and content as provided in the Compact Manual and shall include statements that in substance are as follows:

(i) A citation of the authority by which the jurisdiction is empowered to become a party to this compact.

(ii) Agreement to comply with the terms and provisions of the compact.

(iii) That compact entry is with all jurisdictions then party to the compact and with any jurisdiction that legally becomes a party to the compact.

(3) The effective date of entry shall be specified by the applying jurisdiction, but it shall not be less than 60 days after notice has been given by the chairman of the Board of Compact Administrators or by the secretariat of the board to each party jurisdiction that the resolution from the applying jurisdiction has been received.

(c) A party jurisdiction may withdraw from this compact by official written notice to the other party jurisdictions, but a withdrawal shall not take effect until 90 days after notice of withdrawal is given. The notice shall be directed to the compact administrator of each member jurisdiction. No withdrawal shall affect the validity of this compact as to the remaining party jurisdictions.

Article VIII
The provisions of this compact shall not apply to parking or standing violations, highway
weight limit violations, and violations of law governing the transportation of hazardous
materials.

Article IX
(a) This compact may be amended from time to time. Amendments shall be presented
in resolution form to the chairman of the Board of Compact Administrators and may be initiated
by one or more party jurisdictions.
(b) Adoption of an amendment shall require endorsement of all party jurisdictions and
shall become effective 30 days after the date of the last endorsement.
(c) Failure of a party jurisdiction to respond to the compact chairman within 120 days
after receipt of the proposed amendment shall constitute endorsement.

Article X
This compact shall be liberally construed so as to effectuate the purposes stated herein.
The provisions of this compact shall be severable and if any phrase, clause, sentence, or
provision of this compact is declared to be contrary to the constitution of any party jurisdiction
or of the United States or the applicability thereof to any government, agency, person, or
circumstance, the compact shall not be affected thereby. If this compact shall be held contrary
to the constitution of any jurisdiction party thereto, the compact shall remain in full force and
effect as to the remaining jurisdictions and in full force and effect as to the jurisdiction affected
as to all severable matters.

Article XI
This compact shall be known as the Nonresident Violator Compact.

643.320. 1. The commission shall prescribe the standards and equipment necessary for
an official emissions inspection station and the qualifications for persons who conduct the
inspections, and no applicant for certificate of authorization to conduct emissions inspections
may be approved to operate an official emissions inspection station until the applicant meets the
standards and has the required equipment and qualified inspectors as prescribed by the
commission. An official emissions inspection station shall maintain liability insurance at
all times to cover possible damage to vehicles during the inspection process as a condition
of operating an official emissions inspection station. The commission shall establish
standards and procedures to be followed in the making of inspections required by sections
643.300 to 643.355 and shall prescribe rules for the operation of emissions inspection stations.
2. The application for a certificate of authorization to operate as an official emissions
inspection station shall be made to the commission on a form furnished by the commission. The
application shall be accompanied by a fee established by the commission by rule, but in no case
shall the fee exceed one hundred dollars. The certificate of authorization shall be renewed
annually on the date of issue. All fees shall be payable to the director of revenue and shall be
deposited by the director of revenue in the state treasury to the credit of the Missouri air emission
reduction fund established under section 643.350.

3. The commission or its designee shall cause unannounced inspections to be made of
the operation of each emissions inspection station at least once during each calendar year. The
inspection may include submitting a known high emission vehicle for inspection without prior
disclosure to the inspection station. At any time the commission or its designee shall have reason
to believe that any person has violated any provisions of the provisions of sections 643.300 to
643.355 or the rules promulgated thereunder, the commission or its designee shall refuse to issue
or shall revoke or suspend any certificate of authority under this section. The suspension or
revocation of a certificate of authority shall be in writing to the operator, inspector, or the person
in charge of the emissions inspection station. Before suspending or revoking the certificate of
authority to conduct emissions inspections, the commission or its designee shall serve notice in
writing by certified mail or by personal service to the inspection station at the operator's address
of record giving the permittee the opportunity to appear in the office of the commission on a
stated date, not less than ten nor more than thirty days after the mailing or service of the notice,
for a hearing to show cause why the inspection station's certificate of authority should not be
suspended or revoked. An inspection station owner or an inspector may appear in person or by
counsel in the office of the commission or its designee to show cause why the proposed
suspension or revocation is in error, or to present any other facts or testimony that would bear
on the final decision of the commission or its designee. If the operator, owner, or inspector does
not appear on the stated day after receipt of notice, it shall be presumed that such party admits
the allegations of fact contained in the hearing notification letter. The decision of the
commission or its designee may in such case be based upon the written reports submitted by the
commission's officers. The order of the commission, specifying his findings of fact and
conclusions of law, shall be considered final immediately after receipt of notice thereof by the
inspection station.

4. The department may require emissions inspection stations to furnish reports, upon
forms furnished by the department for that purpose, that the department considers necessary for
the administration of sections 643.300 to 643.355.

5. The commission may impose alternative administrative enforcement mechanisms in
lieu of suspending or revoking a certificate of authority. Such alternative administrative
enforcement mechanisms may include, but not be limited to, requiring inspectors to successfully
complete a commission-approved retraining program. The commission also may require any
individual who has his or her certificate of authority suspended to undergo remedial retraining
as a condition of removing such suspension.

6. The commission shall design and furnish each official emissions inspection station,
at no cost, one official sign made of metal or other durable material to be displayed in a
conspicuous location to designate the station as an official emissions inspection station.
Additional signs may be obtained by an official inspection station for a fee equal to the cost to
the state. Each official emissions inspection station shall also be supplied with one or more
posters which must be displayed in a conspicuous location at the place of inspection and which
informs the public that required repairs or corrections need not be made at the inspection station.

Section B. Because of the need to ensure that out-of-state residents are knowledgeable
in the safe operation of vessels, the repeal and reenactment of section 306.127 of this act is
deemed necessary for the immediate preservation of the public health, welfare, peace and safety,
and is hereby declared to be an emergency act within the meaning of the constitution, and the
repeal and reenactment of section 306.127 of this act shall be in full force and effect upon its
passage and approval.

Section C. The repeal and reenactment of section 302.700 and the enactment of section
302.768 of this act shall become effective on the date the director of the department of revenue
begins accepting commercial driver license medical certifications under sections 302.700 and
302.768, or on May 1, 2013, whichever occurs first. If the director of revenue begins accepting
commercial driver license medical certifications under sections 302.700 and 302.768 prior to
May 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such
fact.