

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 89
101ST GENERAL ASSEMBLY

1040H.06C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 68.075, 300.010, 300.155, 301.010, 301.147, 301.192, 301.280, 301.558, 301.3139, 302.010, 302.174, 302.755, 304.001, 304.022, 304.050, 304.153, 304.240, 304.281, 307.025, 307.128, 307.175, 307.180, 307.188, 307.193, 307.350, 307.380, 365.020, 385.220, 385.320, 407.300, 407.526, 407.536, 407.556, 407.560, 407.815, 407.1025, 570.030, 578.120, and 643.315, RSMo, and to enact in lieu thereof forty-six new sections relating to transportation, with penalty provisions.

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

Section A. Sections 68.075, 300.010, 300.155, 301.010, 301.147, 301.192, 301.280, 301.558, 301.3139, 302.010, 302.174, 302.755, 304.001, 304.022, 304.050, 304.153, 304.240, 304.281, 307.025, 307.128, 307.175, 307.180, 307.188, 307.193, 307.350, 307.380, 365.020, 385.220, 385.320, 407.300, 407.526, 407.536, 407.556, 407.560, 407.815, 407.1025, 570.030, 578.120, and 643.315, RSMo, are repealed and forty-six new sections enacted in lieu thereof, to be known as sections 9.315, 68.075, 300.010, 300.155, 301.010, 301.033, 301.147, 301.192, 301.280, 301.558, 301.3083, 301.3139, 301.3179, 302.010, 302.174, 302.755, 304.001, 304.022, 304.050, 304.153, 304.240, 304.281, 307.025, 307.128, 307.175, 307.180, 307.188, 307.193, 307.194, 307.350, 307.380, 365.020, 385.220, 385.320, 385.450, 407.300, 407.526, 407.536, 407.556, 407.560, 407.815, 407.1025, 570.030, 578.120, 643.315, and 1, to read as follows:

9.315. May tenth of each year is hereby designated as "School Bus Drivers' Appreciation Day" in Missouri. Citizens of this state are encouraged to recognize the day with appropriate events and activities to express appreciation for the dedicated bus drivers who transport children to and from school safely every day.

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.

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

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

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

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

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

22 (4) "Related facility", a facility operated by a company or a related company prior to the
23 establishment of the AIM zone in question located within any port district, as defined under
24 section 68.015, which is directly related to the operations of the facility within the new AIM
25 zone.

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

32 4. Fifty percent of the state tax withholdings imposed by sections 143.191 to 143.265
33 on new jobs within such zone after development or redevelopment has commenced shall not be
34 remitted to the general revenue fund of the state of Missouri. Such moneys shall be deposited
35 into the port authority AIM zone fund established under subsection 5 of this section for the
36 purpose of continuing to expand, develop, and redevelop AIM zones identified by the port

37 authority board of commissioners and may be used for managerial, engineering, legal, research,
38 promotion, planning, satisfaction of bonds issued under section 68.040, and any other expenses.

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

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

54 7. The provision of section 23.253 notwithstanding, no AIM zone may be established
55 after August 28, [~~2023~~] **2031**. Any AIM zone created prior to that date shall continue to exist
56 and be coterminous with the retirement of all debts incurred under subsection 4 of this section.
57 No debts may be incurred or reauthorized using AIM zone revenue after August 28, [~~2023~~] **2031**.

300.010. The following words and phrases when used in this ordinance mean:

- 2 (1) "Alley" or "alleyway", any street with a roadway of less than twenty feet in width;
- 3 (2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
4 off-highway use, with an unladen dry weight of one thousand five hundred pounds or less,
5 traveling on three, four or more nonhighway tires, with either:
 - 6 (a) A seat designed to be straddled by the operator, and handlebars for steering control,
7 **but excluding an electric bicycle**; or
 - 8 (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire
9 rim, regardless of seating or steering arrangement;
- 10 (3) "Authorized emergency vehicle", a vehicle publicly owned and operated as an
11 ambulance, or a vehicle publicly owned and operated by the state highway patrol, police or fire
12 department, sheriff or constable or deputy sheriff, traffic officer or any privately owned vehicle
13 operated as an ambulance when responding to emergency calls;
- 14 (4) "Business district", the territory contiguous to and including a highway when within
15 any six hundred feet along the highway there are buildings in use for business or industrial

16 purposes, including but not limited to hotels, banks, or office buildings, railroad stations and
17 public buildings which occupy at least three hundred feet of frontage on one side or three
18 hundred feet collectively on both sides of the highway;

19 (5) "Central business (or traffic) district", all streets and portions of streets within the
20 area described by city ordinance as such;

21 (6) "Commercial vehicle", every vehicle designed, maintained, or used primarily for the
22 transportation of property;

23 (7) "Controlled access highway", every highway, street or roadway in respect to which
24 owners or occupants of abutting lands and other persons have no legal right of access to or from
25 the same except at such points only and in such manner as may be determined by the public
26 authority having jurisdiction over the highway, street or roadway;

27 (8) "Crosswalk",

28 (a) That part of a roadway at an intersection included within the connections of the
29 lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the
30 absence of curbs from the edges of the traversable roadway;

31 (b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for
32 pedestrian crossing by lines or other markings on the surface;

33 (9) "Curb loading zone", a space adjacent to a curb reserved for the exclusive use of
34 vehicles during the loading or unloading of passengers or materials;

35 (10) "Driver", every person who drives or is in actual physical control of a vehicle;

36 (11) **"Electric bicycle", a bicycle equipped with fully operable pedals, a saddle or
37 seat for the rider, and an electric motor of less than 750 watts that meets the requirements
38 of one of the following three classes:**

39 (a) **"Class 1 electric bicycle", an electric bicycle equipped with a motor that
40 provides assistance only when the rider is pedaling and that ceases to provide assistance
41 when the bicycle reaches the speed of twenty miles per hour;**

42 (b) **"Class 2 electric bicycle", an electric bicycle equipped with a motor that may
43 be used exclusively to propel the bicycle and that is not capable of providing assistance
44 when the bicycle reaches the speed of twenty miles per hour; or**

45 (c) **"Class 3 electric bicycle", an electric bicycle equipped with a motor that
46 provides assistance only when the rider is pedaling and that ceases to provide assistance
47 when the bicycle reaches the speed of twenty-eight miles per hour;**

48 (12) "Freight curb loading zone", a space adjacent to a curb for the exclusive use of
49 vehicles during the loading or unloading of freight (or passengers);

50 ~~[(12)]~~ **(13)** "Highway", the entire width between the boundary lines of every way
51 publicly maintained when any part thereof is open to the use of the public for purposes of
52 vehicular travel;

53 ~~[(13)]~~ **(14)** "Intersection",

54 (a) The area embraced within the prolongation or connection of the lateral curb lines, or,
55 if none, then the lateral boundary lines of the roadways of two highways which join one another
56 at, or approximately at, right angles, or the area within which vehicles traveling upon different
57 highways joining at any other angle may come in conflict;

58 (b) Where a highway includes two roadways thirty feet or more apart, then every
59 crossing of each roadway of such divided highway by an intersecting highway shall be regarded
60 as a separate intersection. In the event such intersecting highway also includes two roadways
61 thirty feet or more apart, then every crossing of two roadways of such highways shall be regarded
62 as a separate intersection;

63 ~~[(14)]~~ **(15)** "Laned roadway", a roadway which is divided into two or more clearly
64 marked lanes for vehicular traffic;

65 ~~[(15)]~~ **(16)** "Motor vehicle", any self-propelled vehicle not operated exclusively upon
66 tracks, except farm tractors, **electric bicycles**, and motorized bicycles;

67 ~~[(16)]~~ **(17)** "Motorcycle", every motor vehicle having a seat or saddle for the use of the
68 rider and designed to travel on not more than three wheels in contact with the ground, but
69 excluding **an electric bicycle and** a tractor;

70 ~~[(17)]~~ **(18)** "Motorized bicycle", any two-wheeled or three-wheeled device having an
71 automatic transmission and a motor with a cylinder capacity of not more than fifty cubic
72 centimeters, which produces less than three gross brake horsepower, and is capable of propelling
73 the device at a maximum speed of not more than thirty miles per hour on level ground, **but**
74 **excluding an electric bicycle**;

75 ~~[(18)]~~ **(19)** "Official time standard", whenever certain hours are named herein they shall
76 mean standard time or daylight-saving time as may be in current use in the city;

77 ~~[(19)]~~ **(20)** "Official traffic control devices", all signs, signals, markings and devices not
78 inconsistent with this ordinance placed or erected by authority of a public body or official having
79 jurisdiction, for the purpose of regulating, warning or guiding traffic;

80 ~~[(20)]~~ **(21)** "Park" or "parking", the standing of a vehicle, whether occupied or not,
81 otherwise than temporarily for the purpose of and while actually engaged in loading or unloading
82 merchandise or passengers;

83 ~~[(21)]~~ **(22)** "Passenger curb loading zone", a place adjacent to a curb reserved for the
84 exclusive use of vehicles during the loading or unloading of passengers;

85 ~~[(22)]~~ **(23)** "Pedestrian", any person afoot;

86 [~~(23)~~] **(24)** "Person", every natural person, firm, copartnership, association or
87 corporation;

88 [~~(24)~~] **(25)** "Police officer", every officer of the municipal police department or any
89 officer authorized to direct or regulate traffic or to make arrests for violations of traffic
90 regulations;

91 [~~(25)~~] **(26)** "Private road" or "driveway", every way or place in private ownership and
92 used for vehicular travel by the owner and those having express or implied permission from the
93 owner, but not by other persons;

94 [~~(26)~~] **(27)** "Railroad", a carrier of persons or property upon cars, other than streetcars,
95 operated upon stationary rails;

96 [~~(27)~~] **(28)** "Railroad train", a steam engine, electric or other motor, with or without cars
97 coupled thereto, operated upon rails, except streetcars;

98 [~~(28)~~] **(29)** "Residence district", the territory contiguous to and including a highway not
99 comprising a business district when the property on such highway for a distance of three hundred
100 feet or more is in the main improved with residences or residences and buildings in use for
101 business;

102 [~~(29)~~] **(30)** "Right-of-way", the right of one vehicle or pedestrian to proceed in a lawful
103 manner in preference to another vehicle or pedestrian approaching under such circumstances of
104 direction, speed and proximity as to give rise to danger of collision unless one grants precedence
105 to the other;

106 [~~(30)~~] **(31)** "Roadway", that portion of a highway improved, designed or ordinarily used
107 for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or
108 more separate roadways the term "roadway" as used herein shall refer to any such roadway
109 separately but not to all such roadways collectively;

110 [~~(31)~~] **(32)** "Safety zone", the area or space officially set apart within a roadway for the
111 exclusive use of pedestrians and which is protected or is so marked or indicated by adequate
112 signs as to be plainly visible at all times while set apart as a safety zone;

113 [~~(32)~~] **(33)** "Sidewalk", that portion of a street between the curb lines, or the lateral lines
114 of a roadway, and the adjacent property lines, intended for use of pedestrians;

115 [~~(33)~~] **(34)** "Stand" or "standing", the halting of a vehicle, whether occupied or not,
116 otherwise than for the purpose of and while actually engaged in receiving or discharging
117 passengers;

118 [~~(34)~~] **(35)** "Stop", when required, complete cessation from movement;

119 [~~(35)~~] **(36)** "Stop" or "stopping", when prohibited, any halting even momentarily of a
120 vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or
121 in compliance with the directions of a police officer or traffic control sign or signal;

122 ~~[(36)]~~ (37) "Street" or "highway", the entire width between the lines of every way
123 publicly maintained when any part thereof is open to the uses of the public for purposes of
124 vehicular travel. "State highway", a highway maintained by the state of Missouri as a part of the
125 state highway system;

126 ~~[(37)]~~ (38) "Through highway", every highway or portion thereof on which vehicular
127 traffic is given preferential rights-of-way, and at the entrances to which vehicular traffic from
128 intersecting highways is required by law to yield rights-of-way to vehicles on such through
129 highway in obedience to either a stop sign or a yield sign, when such signs are erected as
130 provided in this ordinance;

131 ~~[(38)]~~ (39) "Traffic", pedestrians, ridden or herded animals, vehicles, streetcars and other
132 conveyances either singly or together while using any highway for purposes of travel;

133 ~~[(39)]~~ (40) "Traffic control signal", any device, whether manually, electrically or
134 mechanically operated, by which traffic is alternately directed to stop and to proceed;

135 ~~[(40)]~~ (41) "Traffic division", the traffic division of the police department of the city, or
136 in the event a traffic division is not established, then said term whenever used herein shall be
137 deemed to refer to the police department of the city;

138 ~~[(41)]~~ (42) "Vehicle", any mechanical device on wheels, designed primarily for use, or
139 used, on highways, except motorized bicycles, **electric bicycles**, vehicles propelled or drawn by
140 horses or human power, or vehicles used exclusively on fixed rails or tracks, cotton trailers or
141 motorized wheelchairs operated by handicapped persons.

300.155. Whenever traffic is controlled by traffic control signals exhibiting different
2 colored lights, or colored lighted arrows, successively one at a time or in combination, only the
3 colors green, red and yellow shall be used, except for special pedestrian signals carrying a word
4 legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

5 (1) Green indication

6 (a) Vehicular traffic facing a circular green signal may proceed straight through or turn
7 right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including
8 vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians
9 lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited;

10 (b) Vehicular traffic facing a green arrow signal, shown alone or in combination with
11 another indication, may cautiously enter the intersection only to make the movement indicated
12 by such arrow, or such other movement as is permitted by other indications shown at the same
13 time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an
14 adjacent crosswalk and to other traffic lawfully using the intersection;

15 (c) Unless otherwise directed by a pedestrian control signal as provided in section
16 300.160, pedestrians facing any green signal, except when the sole green signal is a turn arrow,
17 may proceed across the roadway within any marked or unmarked crosswalk.

18 (2) Steady yellow indication

19 (a) Vehicular traffic facing a steady yellow signal is thereby warned that the related green
20 movement is being terminated or that a red indication will be exhibited immediately thereafter
21 when vehicular traffic shall not enter the intersection;

22 (b) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian
23 control signal as provided in section 300.160, are thereby advised that there is insufficient time
24 to cross the roadway before a red indication is shown and no pedestrian shall then start to cross
25 the roadway.

26 (3) Steady red indication

27 (a) Vehicular traffic facing a steady red signal alone shall stop before entering the
28 crosswalk on the near side of the intersection or, if none, then before entering the intersection
29 and shall remain standing until a green indication is shown except as provided in paragraph (b)
30 of this subdivision;

31 (b) The driver of a vehicle which is stopped as close as practicable at the entrance to the
32 crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection
33 in obedience to a red signal, may cautiously enter the intersection to make a right turn but shall
34 yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the
35 intersection, except that the state highways and transportation commission with reference to an
36 intersection involving a state highway, and local authorities with reference to an intersection
37 involving other highways under their jurisdiction, may prohibit any such right turn against a red
38 signal at any intersection where safety conditions so require, said prohibition shall be effective
39 when a sign is erected at such intersection giving notice thereof;

40 (c) **The driver of a vehicle which is in the left-most lane on a one-way street and**
41 **stopped as close as practicable at the entrance to the crosswalk on the near side of the**
42 **intersection or, if none, then at the entrance to the intersection in obedience to a red signal,**
43 **may cautiously enter the intersection to make a left turn onto a one-way street but shall**
44 **yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal**
45 **at the intersection, except that the state highways and transportation commission with**
46 **reference to an intersection involving a state highway, and local authorities with reference**
47 **to an intersection involving other highways under their jurisdiction, may prohibit any such**
48 **left turn against a red signal at any intersection where safety conditions so require and**
49 **such prohibition shall be effective when a sign is erected at such intersection giving notice**
50 **thereof;**

51 (d) Unless otherwise directed by a pedestrian control signal as provided in section
52 300.160, pedestrians facing a steady red signal alone shall not enter the roadway.

53 (4) In the event an official traffic control signal is erected and maintained at a place other
54 than an intersection, the provisions of this section shall be applicable except as to those
55 provisions which by their nature can have no application. Any stop required shall be made at a
56 sign or marking on the pavement indicating where the stop shall be made, but in the absence of
57 any such sign or marking the stop shall be made at the signal.

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

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

6 (a) A seat designed to be straddled by the operator, and handlebars for steering control,
7 **but excluding an electric bicycle**; or

8 (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire
9 rim, regardless of seating or steering arrangement;

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

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

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

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

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

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

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

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

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

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

38 (12) "Director" or "director of revenue", the director of the department of revenue;

39 (13) "Driveaway operation":

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

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

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

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

56 (15) **"Electric bicycle", a bicycle equipped with fully operable pedals, a saddle or**
57 **seat for the rider, and an electric motor of less than 750 watts that meets the requirements**
58 **of one of the following three classes:**

59 (a) **"Class 1 electric bicycle", an electric bicycle equipped with a motor that**
60 **provides assistance only when the rider is pedaling and that ceases to provide assistance**
61 **when the bicycle reaches the speed of twenty miles per hour;**

62 (b) **"Class 2 electric bicycle", an electric bicycle equipped with a motor that may**
63 **be used exclusively to propel the bicycle and that is not capable of providing assistance**
64 **when the bicycle reaches the speed of twenty miles per hour; or**

65 (c) "Class 3 electric bicycle", an electric bicycle equipped with a motor that
66 provides assistance only when the rider is pedaling and that ceases to provide assistance
67 when the bicycle reaches the speed of twenty-eight miles per hour;

68 (16) "Farm tractor", a tractor used exclusively for agricultural purposes;

69 [(16)] (17) "Fleet", any group of ten or more motor vehicles owned by the same owner;

70 [(17)] (18) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

71 [(18)] (19) "Fullmount", a vehicle mounted completely on the frame of either the first
72 or last vehicle in a saddlemount combination;

73 [(19)] (20) "Gross weight", the weight of vehicle and/or vehicle combination without
74 load, plus the weight of any load thereon;

75 [(20)] (21) "Hail-damaged vehicle", any vehicle, the body of which has become dented
76 as the result of the impact of hail;

77 [(21)] (22) "Highway", any public thoroughfare for vehicles, including state roads,
78 county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

79 [(22)] (23) "Improved highway", a highway which has been paved with gravel,
80 macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard,
81 smooth surface;

82 [(23)] (24) "Intersecting highway", any highway which joins another, whether or not it
83 crosses the same;

84 [(24)] (25) "Junk vehicle", a vehicle which:

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

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

89 [(25)] (26) "Kit vehicle", a motor vehicle assembled by a person other than a generally
90 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
91 an authorized manufacturer and accompanied by a manufacturer's statement of origin;

92 [(26)] (27) "Land improvement contractors' commercial motor vehicle", any not-for-hire
93 commercial motor vehicle the operation of which is confined to:

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

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

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

103 ~~[(27)]~~ **(28)** "Local commercial motor vehicle", a commercial motor vehicle whose
104 operations are confined to a municipality and that area extending not more than fifty miles
105 therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely
106 to the transportation of property owned by any person who is the owner or operator of such
107 vehicle to or from a farm owned by such person or under the person's control by virtue of a
108 landlord and tenant lease; provided that any such property transported to any such farm is for use
109 in the operation of such farm;

110 ~~[(28)]~~ **(29)** "Local log truck", a commercial motor vehicle which is registered pursuant
111 to this chapter to operate as a motor vehicle on the public highways of this state[;] ; used
112 exclusively in this state[;] ; used to transport harvested forest products, operated solely at a
113 forested site and in an area extending not more than a ~~[one hundred]~~ **one hundred fifty** mile
114 radius from such site[; ~~carries a load with dimensions not in excess of twenty-five cubic yards~~
115 ~~per two axles with dual wheels,~~] ; **operated with a weight not exceeding twenty-two thousand**
116 **four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight**
117 **hundred pounds on any tandem axle, except the front steering axle shall not exceed fifteen**
118 **thousand pounds or the gross vehicle rating set by the manufacturer, with a total weight**
119 **not to exceed one hundred five thousand pounds**; and when operated on the national system
120 of interstate and defense highways described in 23 U.S.C. Section 103, as amended, or outside
121 the ~~[one hundred]~~ **one hundred fifty** mile radius from such site with an extended distance local
122 log truck permit, such vehicle ~~[shall]~~ **does** not exceed the weight limits of section 304.180, does
123 not have more than four axles, and does not pull a trailer which has more than three axles.
124 Harvesting equipment which is used specifically for cutting, felling, trimming, delimiting,
125 debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local
126 log truck. A local log truck ~~[may]~~ **shall** not exceed the limits required by law, however, if the
127 truck does exceed such limits as determined by the inspecting officer, then notwithstanding any
128 other provisions of law to the contrary, ~~[such truck shall be subject to the weight limits required~~
129 ~~by such sections as licensed for eighty thousand pounds]~~ **violations of axle weight limitations**
130 **shall be subject to the load limit penalty as described in sections 304.180 to 304.220**;

131 ~~[(29)]~~ **(30)** "Local log truck tractor", a commercial motor vehicle which is registered
132 under this chapter to operate as a motor vehicle on the public highways of this state[;] ; used
133 exclusively in this state[;] ; used to transport harvested forest products[;] ; operated at a forested
134 site and in an area extending not more than a ~~[one hundred]~~ **one hundred fifty** mile radius from
135 such site[; ~~operates~~] ; **operated** with a weight not exceeding twenty-two thousand four hundred
136 pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on

137 any tandem axle, **except the front steering axle shall not exceed fifteen thousand pounds or**
138 **the gross vehicle weight rating set by the manufacturer with a total weight not to exceed**
139 **one hundred five thousand pounds**; and when operated on the national system of interstate and
140 defense highways described in 23 U.S.C. Section 103, as amended, or outside the ~~[one hundred]~~
141 **one hundred fifty** mile radius from such site with an extended distance local log truck permit,
142 such vehicle does not exceed the weight limits contained in section 304.180, and does not have
143 more than three axles and does not pull a trailer which has more than three axles. Violations of
144 axle weight limitations shall be subject to the load limit penalty as described for in sections
145 304.180 to 304.220;

146 ~~[(30)]~~ **(31)** "Local transit bus", a bus whose operations are confined wholly within a
147 municipal corporation, or wholly within a municipal corporation and a commercial zone, as
148 defined in section 390.020, adjacent thereto, forming a part of a public transportation system
149 within such municipal corporation and such municipal corporation and adjacent commercial
150 zone;

151 ~~[(31)]~~ **(32)** "Log truck", a vehicle which is not a local log truck or local log truck tractor
152 and is used exclusively to transport harvested forest products to and from forested sites which
153 is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this
154 state for the transportation of harvested forest products;

155 ~~[(32)]~~ **(33)** "Major component parts", the rear clip, cowl, frame, body, cab, front-end
156 assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules
157 and regulations or by illustrations;

158 ~~[(33)]~~ **(34)** "Manufacturer", any person, firm, corporation or association engaged in the
159 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

160 ~~[(34)]~~ **(35)** "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
161 receives a new, rebuilt or used engine, and which used the number stamped on the original
162 engine as the vehicle identification number;

163 ~~[(35)]~~ **(36)** "Motor vehicle", any self-propelled vehicle not operated exclusively upon
164 tracks, except farm tractors **and electric bicycles**;

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

168 (a) Offered for hire or lease; or

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

170 ~~[(37)]~~ **(38)** "Motorcycle", a motor vehicle operated on two wheels;

171 ~~[(38)]~~ **(39)** "Motorized bicycle", any two-wheeled or three-wheeled device having an
172 automatic transmission and a motor with a cylinder capacity of not more than fifty cubic

173 centimeters, which produces less than three gross brake horsepower, and is capable of propelling
174 the device at a maximum speed of not more than thirty miles per hour on level ground, **but**
175 **excluding an electric bicycle**;

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

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

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

183 ~~[(42)]~~ **(43)** "Non-USA-std motor vehicle", a motor vehicle not originally manufactured
184 in compliance with United States emissions or safety standards;

185 ~~[(43)]~~ **(44)** "Operator", any person who operates or drives a motor vehicle;

186 ~~[(44)]~~ **(45)** "Owner", any person, firm, corporation or association, who holds the legal
187 title to a vehicle or who has executed a buyer's order or retail installment sales contract with a
188 motor vehicle dealer licensed under sections 301.550 to 301.580 for the purchase of a vehicle
189 with an immediate right of possession vested in the transferee, or in the event a vehicle is the
190 subject of an agreement for the conditional sale or lease thereof with the right of purchase upon
191 performance of the conditions stated in the agreement and with an immediate right of possession
192 vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to
193 possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner;

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

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

199 ~~[(47)]~~ **(48)** "Reconstructed motor vehicle", a vehicle that is altered from its original
200 construction by the addition or substitution of two or more new or used major component parts,
201 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

202 ~~[(48)]~~ **(49)** "Recreational motor vehicle", any motor vehicle designed, constructed or
203 substantially modified so that it may be used and is used for the purposes of temporary housing
204 quarters, including therein sleeping and eating facilities which are either permanently attached
205 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.
206 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor
207 vehicle if the motor vehicle could otherwise be so registered;

208 ~~[(49)]~~ **(50)** "Recreational off-highway vehicle", any motorized vehicle manufactured and
209 used exclusively for off-highway use which is more than fifty inches but no more than eighty
210 inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry
211 weight of three thousand five hundred pounds or less, traveling on four or more nonhighway tires
212 and which may have access to ATV trails;

213 ~~[(50)]~~ **(51)** "Recreational trailer", any trailer designed, constructed, or substantially
214 modified so that it may be used and is used for the purpose of temporary housing quarters,
215 including therein sleeping or eating facilities, which can be temporarily attached to a motor
216 vehicle or attached to a unit which is securely attached to a motor vehicle;

217 ~~[(51)]~~ **(52)** "Rollback or car carrier", any vehicle specifically designed to transport
218 wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected
219 to a wrecker or towing service;

220 ~~[(52)]~~ **(53)** "Saddlemount combination", a combination of vehicles in which a truck or
221 truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame
222 or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front
223 axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a
224 fifth wheel kingpin connection. When two vehicles are towed in this manner the combination
225 is called a "double saddlemount combination". When three vehicles are towed in this manner,
226 the combination is called a "triple saddlemount combination";

227 ~~[(53)]~~ **(54)** "Salvage dealer and dismantler", a business that dismantles used motor
228 vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and
229 accessories;

230 ~~[(54)]~~ **(55)** "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

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

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

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

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

242 (e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157
243 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild

244 or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling
245 inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on
246 parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair
247 market value" means the retail value of a motor vehicle as:

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

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

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

256 ~~[(55)]~~ **(56)** "School bus", any motor vehicle used solely to transport students to or from
257 school or to transport students to or from any place for educational purposes;

258 ~~[(56)]~~ **(57)** "Scrap processor", a business that, through the use of fixed or mobile
259 equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing
260 or transportation to a shredder or scrap metal operator for recycling;

261 ~~[(57)]~~ **(58)** "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
262 corporation as an incidental service to transport patrons or customers of the regular business of
263 such person, firm, or corporation to and from the place of business of the person, firm, or
264 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
265 buses or as commercial motor vehicles;

266 ~~[(58)]~~ **(59)** "Special mobile equipment", every self-propelled vehicle not designed or
267 used primarily for the transportation of persons or property and incidentally operated or moved
268 over the highways, including farm equipment, implements of husbandry, road construction or
269 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,
270 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt
271 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
272 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump
273 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and
274 shall not operate to exclude other such vehicles which are within the general terms of this
275 section;

276 ~~[(59)]~~ **(60)** "Specially constructed motor vehicle", a motor vehicle which shall not have
277 been originally constructed under a distinctive name, make, model or type by a manufacturer of
278 motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

279 [~~(60)~~] **(61)** "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth
280 wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

281 [~~(61)~~] **(62)** "Tandem axle", a group of two or more axles, arranged one behind another,
282 the distance between the extremes of which is more than forty inches and not more than ninety-
283 six inches apart;

284 [~~(62)~~] **(63)** "Towaway trailer transporter combination", a combination of vehicles
285 consisting of a trailer transporter towing unit and two trailers or semitrailers, with a total weight
286 that does not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry
287 no property and constitute inventory property of a manufacturer, distributor, or dealer of such
288 trailers or semitrailers;

289 [~~(63)~~] **(64)** "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle
290 designed for drawing other vehicles, but not for the carriage of any load when operating
291 independently. When attached to a semitrailer, it supports a part of the weight thereof;

292 [~~(64)~~] **(65)** "Trailer", any vehicle without motive power designed for carrying property
293 or passengers on its own structure and for being drawn by a self-propelled vehicle, except those
294 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
295 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
296 rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers
297 as defined in this section and shall not include manufactured homes as defined in section
298 700.010;

299 [~~(65)~~] **(66)** "Trailer transporter towing unit", a power unit that is not used to carry
300 property when operating in a towaway trailer transporter combination;

301 [~~(66)~~] **(67)** "Truck", a motor vehicle designed, used, or maintained for the transportation
302 of property;

303 [~~(67)~~] **(68)** "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the
304 two trailing units are connected with a B-train assembly which is a rigid frame extension
305 attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point
306 for the second semitrailer and has one less articulation point than the conventional A-dolly
307 connected truck-tractor semitrailer-trailer combination;

308 [~~(68)~~] **(69)** "Truck-trailer boat transporter combination", a boat transporter combination
309 consisting of a straight truck towing a trailer using typically a ball and socket connection with
310 the trailer axle located substantially at the trailer center of gravity rather than the rear of the
311 trailer but so as to maintain a downward force on the trailer tongue;

312 [~~(69)~~] **(70)** "Used parts dealer", a business that buys and sells used motor vehicle parts
313 or accessories, but not including a business that sells only new, remanufactured or rebuilt parts.
314 Business does not include isolated sales at a swap meet of less than three days;

315 ~~[(70)]~~ (71) "Utility vehicle", any motorized vehicle manufactured and used exclusively
316 for off-highway use which is more than fifty inches but no more than eighty inches in width,
317 measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three
318 thousand five hundred pounds or less, traveling on four or six wheels, to be used primarily for
319 landscaping, lawn care, or maintenance purposes;

320 ~~[(71)]~~ (72) "Vanpool", any van or other motor vehicle used or maintained by any person,
321 group, firm, corporation, association, city, county or state agency, or any member thereof, for the
322 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
323 and from their place of employment; however, a vanpool shall not be included in the definition
324 of the term bus or commercial motor vehicle as defined in this section, nor shall a vanpool driver
325 be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool
326 vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an
327 unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-
328 sharing arrangement;

329 ~~[(72)]~~ (73) "Vehicle", any mechanical device on wheels, designed primarily for use, or
330 used, on highways, except motorized bicycles, **electric bicycles**, vehicles propelled or drawn by
331 horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers
332 or motorized wheelchairs operated by handicapped persons;

333 ~~[(73)]~~ (74) "Wrecker" or "tow truck", any emergency commercial vehicle equipped,
334 designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from
335 a highway, road, street or highway rights-of-way to a point of storage or repair, including towing
336 a replacement vehicle to replace a disabled or wrecked vehicle;

337 ~~[(74)]~~ (75) "Wrecker or towing service", the act of transporting, towing or recovering
338 with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the
339 wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives
340 compensation or other personal gain.

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

10 issue an identification number to each registered owner of a fleet of farm vehicles
11 registered under this section.

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

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

33 4. Except as specifically provided in this subsection, all farm vehicles registered
34 under this section shall be issued a special license plate which shall have the words "Farm
35 Fleet Vehicle" and shall meet the requirements prescribed by section 301.130. Farm fleet
36 vehicles shall be issued multiyear license plates as provided in this section which shall not
37 require issuance of a renewal tab. Upon payment of appropriate registration fees, the
38 director of revenue shall issue a registration certificate or other suitable evidence of
39 payment of the annual or biennial fee, and such evidence of payment shall be carried at all
40 times in the vehicle for which it is issued.

41 5. The director shall make all necessary rules and regulations for the
42 administration of this section and shall design all necessary forms required by this section.
43 Any rule or portion of a rule, as that term is defined in section 536.010, that is created
44 under the authority delegated in this section shall become effective only if it complies with
45 and is subject to all the provisions of chapter 536 and, if applicable, section 536.028. This

46 **section and chapter 536 are nonseverable, and if any of the powers vested with the general**
47 **assembly under chapter 536 to review, to delay the effective date, or to disapprove and**
48 **annul a rule are subsequently held unconstitutional, then the grant of rulemaking**
49 **authority and any rule proposed or adopted after August 28, 2021, shall be invalid and**
50 **void.**

301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary,
2 beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than
3 commercial motor vehicles licensed in excess of fifty-four thousand pounds gross weight, the
4 option of biennially registering motor vehicles[~~Any vehicle manufactured as an even-numbered~~
5 ~~model year vehicle shall be renewed each even-numbered calendar year and any such vehicle~~
6 ~~manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered~~
7 ~~calendar year], subject to the following requirements:~~

8 (1) The fee collected at the time of biennial registration shall include the annual
9 registration fee plus a pro rata amount for the additional twelve months of the biennial
10 registration;

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

16 2. The director of revenue may prescribe rules and regulations for the effective
17 administration of this section. The director is authorized to adopt those rules that are reasonable
18 and necessary to accomplish the limited duties specifically delegated within this section. Any
19 rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant
20 to the authority delegated in this section shall become effective only if it has been promulgated
21 pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and
22 if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay
23 the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then
24 the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be
25 invalid and void.

26 3. The director of revenue shall have the authority to stagger the registration period of
27 motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand
28 pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial
29 registration, such registration must be maintained for the full twenty-four month period.

301.192. 1. In addition to any other requirements of section 301.190, when application
2 is made for a certificate of ownership for a motor vehicle or trailer seven years old or older and

3 the value of vehicle does not exceed three thousand dollars, for which no record of any prior
4 application for a certificate of ownership exists in the records of the director of revenue or for
5 which the records of the director of revenue reflect incomplete or conflicting documentation of
6 ownership, the director of revenue may issue a certificate of ownership, not less than thirty days
7 after receiving the completed application, provided it is accompanied by:

- 8 (1) An affidavit explaining how the motor vehicle or trailer was acquired and the reasons
9 a valid certificate of ownership cannot be furnished;
 - 10 (2) Presentation of all evidence of ownership in the applicant's possession;
 - 11 (3) Title verification from a state in which the vehicle was previously titled or registered
12 if known, provided the vehicle was so previously titled or registered;
 - 13 (4) A notarized lien release from any lienholder of record;
 - 14 (5) A vehicle examination certificate issued by the Missouri state highway patrol, or
15 other law enforcement agency as authorized by the director of revenue. The vehicle examination
16 shall include a verification of the vehicle's identification number and a determination that the
17 vehicle has not been reported stolen in Missouri or any other state. The fee for the vehicle
18 examination certificate shall be twenty-five dollars and shall be collected by the director of
19 revenue at the time of the request for the application;
 - 20 (6) A statement certifying the odometer reading of the motor vehicle if less than ~~ten~~
21 **twenty** years of age; and
 - 22 (7) A surety bond or a suitable financial security instrument in a form prescribed by the
23 director of revenue and executed by the applicant and a person authorized to conduct surety
24 business in this state. The bond shall be an amount equal to two times the value of the vehicle
25 as determined by the Kelly Blue Book, NADA Used Car Guide or two appraisals from a licensed
26 motor vehicle dealer. The bond shall be for a minimum of one hundred dollars and conditioned
27 to indemnify any prior owner or lienholder and any subsequent purchaser of the vehicle or person
28 acquiring any security interest in it, and their respective successors in interest, against any
29 expense, loss or damage including reasonable attorneys fees, by reason of the issuance of the
30 certificate of ownership of the vehicle or on account of any defect in or undisclosed security
31 interest upon the right, title and interest of the applicant in and to the vehicle. Any such
32 interested person has a right of action to recover on the bond for any breach of its conditions, but
33 the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The
34 bond shall be returned at the end of three years, unless the department has been notified of the
35 pendency of an action to recover on the bond.
- 36 2. Upon satisfaction with the genuineness of the application and supporting documents,
37 the director of revenue shall issue a new certificate of ownership. The certificate of ownership
38 shall appropriately be designated with the words "BONDED VEHICLE".

301.280. 1. Every motor vehicle dealer and boat dealer shall make a monthly report to the department of revenue, on blanks to be prescribed by the department of revenue, giving the following information: date of the sale of each motor vehicle, boat, trailer and all-terrain vehicle sold; the name and address of the buyer; the name of the manufacturer; year of manufacture; model of vehicle; vehicle identification number; style of vehicle; odometer setting; and it shall also state whether the motor vehicle, boat, trailer or all-terrain vehicle is new or secondhand. Each monthly sales report filed by a motor vehicle dealer who collects sales tax under subsection 10 of section 144.070 shall also include the amount of state and local sales tax collected for each motor vehicle sold if sales tax was due. The odometer reading is not required when reporting the sale of any motor vehicle that is ~~ten~~ **twenty** years old or older, any motor vehicle having a gross vehicle weight rating of more than sixteen thousand pounds, new vehicles that are transferred on a manufacturer's statement of origin between one franchised motor vehicle dealer and another, or boats, all-terrain vehicles or trailers. The sale of all temporary permits shall be recorded in the appropriate space on the dealer's monthly sales report, unless the sale of the temporary permit is already recorded by electronic means as determined by the department. The monthly sales report shall include a statement of motor vehicles or trailers sold during the month under subsection 5 of section 301.210. 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

37 information in a file kept by the dealer or garage keeper. The record shall be kept for five years
38 and be open for inspection by law enforcement officials, members or authorized or designated
39 employees of the Missouri highway patrol, and persons, agencies and officials designated by the
40 director of revenue.

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

49 4. The director of revenue shall maintain appropriately indexed cumulative records of
50 unclaimed vehicles reported to the director. Such records shall be kept open to public inspection
51 during reasonable business hours.

52 5. The alteration or obliteration of the vehicle identification number on any such motor
53 vehicle shall be prima facie evidence of larceny, and the dealer or person operating such public
54 garage shall upon the discovery of such obliteration or alteration immediately notify the highway
55 patrol, sheriff, marshal, constable or chief of police of the municipality where the dealer or
56 garage keeper has his place of business, and shall hold such motor vehicle or trailer for a period
57 of forty-eight hours for the purpose of an investigation by the officer so notified.

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

301.558. 1. A motor vehicle dealer, boat dealer, or powersport dealer may fill in the
2 blanks on standardized forms in connection with the sale or lease of a new or used motor vehicle,
3 vessel, or vessel trailer if the motor vehicle dealer, boat dealer, or powersport dealer does not
4 charge for the services of filling in the blanks or otherwise charge for preparing documents.

5 2. A motor vehicle dealer, boat dealer, or powersport dealer may charge an
6 administrative fee in connection with the sale or lease of a new or used motor vehicle, vessel,
7 or vessel trailer for the storage of documents or any other administrative or clerical services not
8 prohibited by this section. A portion of the administrative fee may result in profit to the motor
9 vehicle dealer, boat dealer, or powersport dealer.

10 3. **(1) Ten percent of any fee authorized under this section and charged by motor**
11 **vehicle dealers shall be remitted to the motor vehicle administration technology fund**
12 **established in this subsection, for the development of the system specified in this**

13 subsection. Following the development of the system specified in this subsection, the
14 director of the department of revenue shall notify motor vehicle dealers and implement the
15 system, and the percentage of any fee authorized under this section required to be remitted
16 to the fund shall be reduced to one percent, which shall be used for maintenance of the
17 system. This subsection shall expire on January 1, 2037.

18 (2) There is hereby created in the state treasury the "Motor Vehicle Administration
19 Technology Fund", which shall consist of moneys collected as specified in this subsection.
20 The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and
21 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund
22 and moneys in the fund shall be used solely by the department of revenue for the purpose
23 of development and maintenance of a modernized, integrated system for the titling of
24 vehicles, issuance and renewal of vehicle registrations, issuance and renewal of driver's
25 licenses and identification cards, and perfection and release of liens and encumbrances on
26 vehicles.

27 (3) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
28 remaining in the fund at the end of the biennium shall not revert to the credit of the
29 general revenue fund.

30 (4) The state treasurer shall invest moneys in the fund in the same manner as other
31 funds are invested. Any interest and moneys earned on such investments shall be credited
32 to the fund.

33 4. No motor vehicle dealer, boat dealer, or powersport dealer that sells or leases new or
34 used motor vehicles, vessels, or vessel trailers and imposes an administrative fee of [~~less than~~
35 ~~two~~] **five** hundred dollars **or less** in connection with the sale or lease of a new or used vehicle,
36 vessel, or vessel trailer for the storage of documents or any other administrative or clerical
37 services shall be deemed to be engaging in the unauthorized practice of law. **The maximum**
38 **administrative fee permitted under this subsection shall be increased annually by an**
39 **amount equal to the percentage change in the annual average of the Consumer Price Index**
40 **for All Urban Consumers or its successor index, as reported by the federal Bureau of**
41 **Labor Statistics or its successor agency, or by zero, whichever is greater. The director of**
42 **the department of revenue shall annually furnish the maximum administrative fee**
43 **determined under this section to the secretary of state, who shall publish such value in the**
44 **Missouri register as soon as practicable after January fourteenth of each year.**

45 [4.] 5. If an administrative fee is charged under this section, the same administrative fee
46 shall be charged to all retail customers [~~and~~] **unless the fee is limited by the dealer's franchise**
47 **agreement to certain classes of customers. The fee shall be** disclosed on the retail buyer's
48 order form as a separate itemized charge.

49 ~~[5-]~~ 6. A preliminary worksheet on which a sale price is computed and that is shown to
50 the purchaser, a retail buyer's order form from the purchaser, or a retail installment contract shall
51 include, in reasonable proximity to the place on the document where the administrative fee
52 authorized by this section is disclosed, the amount of the administrative fee and the following
53 notice in type that is boldfaced, capitalized, underlined, or otherwise conspicuously set out from
54 the surrounding written material:

55 "AN ADMINISTRATIVE FEE IS NOT AN OFFICIAL FEE AND IS NOT
56 REQUIRED BY LAW BUT MAY BE CHARGED BY A DEALER. THIS
57 ADMINISTRATIVE FEE MAY RESULT IN A PROFIT TO DEALER. NO
58 PORTION OF THIS ADMINISTRATIVE FEE IS FOR THE DRAFTING,
59 PREPARATION, OR COMPLETION OF DOCUMENTS OR THE
60 PROVIDING OF LEGAL ADVICE. THIS NOTICE IS REQUIRED BY LAW."

61 ~~[6-]~~ 7. The general assembly believes that an administrative fee charged in compliance
62 with this section is not the unauthorized practice of law or the unauthorized business of law so
63 long as the activity or service for which the fee is charged is in compliance with the provisions
64 of this section and does not result in the waiver of any rights or remedies. Recognizing,
65 however, that the judiciary is the sole arbitrator of what constitutes the practice of law, in the
66 event that a court determines that an administrative fee charged in compliance with this section,
67 and that does not waive any rights or remedies of the buyer, is the unauthorized practice of law
68 or the unauthorized business of law, then no person who paid that administrative fee may recover
69 said fee or treble damages, as permitted under section 484.020, and no person who charged that
70 fee shall be guilty of a misdemeanor, as provided under section 484.020.

301.3083. 1. Any person may receive special license plates as prescribed by this
2 **section, for any motor vehicle such person owns, either solely or jointly, other than an**
3 **apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four**
4 **thousand pounds gross weight. Upon making a twenty-five dollar annual contribution to**
5 **support cancer awareness activities conducted by the department of health and senior**
6 **services, the vehicle owner may apply for a cancer awareness license plate. If the**
7 **contribution is made directly to the state treasurer, the state treasurer shall issue the**
8 **individual making the contribution a receipt verifying the contribution that may be used**
9 **to apply for the cancer awareness license plate. If the contribution is made directly to the**
10 **director of revenue, the director shall note the contribution and the owner may then apply**
11 **for the cancer awareness plate. The applicant for such plate shall pay a fifteen dollar fee**
12 **in addition to the regular registration fees and present any other documentation required**
13 **by law for each set of cancer awareness plates issued pursuant to this section. The state**
14 **treasurer or the director of revenue shall deposit the twenty-five dollar annual contribution**

15 in the Missouri public health services fund. Funds in such account shall be used to support
16 cancer awareness activities conducted by the department of health and senior services.

17 2. Upon presentation of the annual statement or a twenty-five dollar annual
18 contribution, as applicable, and payment of a fifteen dollar fee in addition to the
19 registration fee and documents which may be required by law, the department of revenue
20 shall issue to the vehicle owner a personalized license plate which shall bear the words
21 "Cancer Awareness" at the bottom of the plate, in a manner prescribed by the director of
22 revenue. Such license plates shall be made with fully reflective material with a common
23 color scheme and design of the standard license plate, shall be clearly visible at night, shall
24 have a reflective white background in the area of the plate configuration, and shall be
25 aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions
26 of section 301.144, no additional fee shall be charged for the personalization of license
27 plates pursuant to this section.

28 3. A vehicle owner, who was previously issued a plate with a cancer awareness
29 emblem authorized by this section but who does not provide an emblem-use authorization
30 statement at a subsequent time of registration, shall be issued a new plate which does not
31 bear the emblem, as otherwise provided by law. The director of revenue shall make
32 necessary rules and regulations for the administration of this section, and shall design all
33 necessary forms required by this section. Any rule or portion of a rule, as that term is
34 defined in section 536.010, that is created under the authority delegated in this section shall
35 become effective only if it complies with and is subject to all of the provisions of chapter
36 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and
37 if any of the powers vested with the general assembly pursuant to chapter 536 to review,
38 to delay the effective date, or to disapprove and annul a rule are subsequently held
39 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
40 after August 28, 2021, shall be invalid and void.

301.3139. 1. Any Boy Scout of appropriate age as prescribed by law or parent of a Boy
2 Scout may receive special license plates as prescribed by this section, for any motor vehicle such
3 person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial
4 motor vehicle licensed in excess of twenty-four thousand pounds gross weight, after an annual
5 payment of an emblem-use authorization fee to the Boy Scouts of America Council of which the
6 person is a member or the parent of a member. The Boy Scouts of America hereby authorizes
7 the use of its official emblem to be affixed on multiyear personalized license plates as provided
8 in this section. Any contribution to the Boy Scouts of America derived from this section, except
9 reasonable administrative costs, shall be used solely for the purposes of the Boy Scouts of
10 America. Any Boy Scout or parent of a Boy Scout may annually apply for the use of the emblem

11 and pay the twenty-five dollar emblem-use authorization fee at any local district council in the
12 state.

13 2. Upon annual application and payment of a twenty-five dollar emblem-use contribution
14 to the Boy Scouts of America, the organization shall issue to the vehicle owner, without further
15 charge, an emblem-use authorization statement, which shall be presented by the owner to the
16 department of revenue at the time of registration of a motor vehicle. Upon presentation of the
17 annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents
18 which may be required by law, the department of revenue shall issue to the vehicle owner a
19 personalized license plate which shall bear the emblem of the Boy Scouts of America and the
20 words "BOY SCOUTS OF AMERICA" in place of the words "SHOW-ME STATE". Such
21 license plates shall be made with fully reflective material with a common color scheme and
22 design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by
23 section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be
24 charged for the personalization of license plates pursuant to this section. **Notwithstanding**
25 **subdivision (2) of subsection 1 of section 301.3150, the Boy Scouts of America shall not be**
26 **required to submit a list of applicants who plan to purchase the specialty plate established**
27 **under this section.**

28 3. A vehicle owner, who was previously issued a plate with the Boy Scouts of America
29 emblem authorized by this section but who does not provide an emblem-use authorization
30 statement at a subsequent time of registration, shall be issued a new plate which does not bear
31 the Boy Scouts of America emblem, as otherwise provided by law. The director of revenue shall
32 make necessary rules and regulations for the administration of this section, and shall design all
33 necessary forms required by this section. No rule or portion of a rule promulgated pursuant to
34 the authority of this section shall become effective unless it has been promulgated pursuant to
35 the provisions of chapter 536. Any rule or portion of a rule, as that term is defined in section
36 536.010, that is created under the authority delegated in this section shall become effective only
37 if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
38 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
39 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove
40 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority
41 and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

301.3179. 1. Any vehicle owner may apply for "Negro Leagues Baseball Museum"
2 **license plates for any motor vehicle the person owns, either solely or jointly, other than an**
3 **apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four**
4 **thousand pounds gross weight. Upon making a ten dollar contribution to the Negro**
5 **Leagues Baseball Museum, the vehicle owner may apply for the "Negro Leagues Baseball**

6 Museum" plate. If the contribution is made directly to the Negro Leagues Baseball
7 Museum, the organization shall issue the individual making the contribution a receipt,
8 verifying the contribution, that may be used to apply for the "Negro Leagues Baseball
9 Museum" license plate. The applicant for such plate shall pay a fifteen dollar fee in
10 addition to the regular registration fees and present any other documentation required by
11 law for each set of "Negro Leagues Baseball Museum" plates issued pursuant to this
12 section. Notwithstanding the provisions of section 301.144, no additional fee shall be
13 charged for the personalization of license plates issued pursuant to this section. The
14 "Negro Leagues Baseball Museum" plate shall bear the emblem of the Negro Leagues
15 Baseball Museum as prescribed by the director of revenue and shall have the words
16 "NEGRO LEAGUES BASEBALL MUSEUM". Such license plates shall be made with
17 fully reflective material with a common color scheme and design, shall be clearly visible at
18 night, and shall be aesthetically attractive, as prescribed by section 301.130.

19 2. The director of revenue may promulgate rules and regulations for the
20 administration of this section. Any rule or portion of a rule, as that term is defined in
21 section 536.010, that is created under the authority delegated in this section shall become
22 effective only if it complies with and is subject to all of the provisions of chapter 536 and,
23 if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any
24 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay
25 the effective date, or to disapprove and annul a rule are subsequently held
26 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
27 after August 28, 2021, shall be invalid and void.

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

- 3 (1) "Circuit court", each circuit court in the state;
- 4 (2) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying
5 freight and merchandise, or more than fifteen passengers;
- 6 (3) "Conviction", any final conviction; also a forfeiture of bail or collateral deposited to
7 secure a defendant's appearance in court, which forfeiture has not been vacated, shall be
8 equivalent to a conviction, except that when any conviction as a result of which points are
9 assessed pursuant to section 302.302 is appealed, the term "conviction" means the original
10 judgment of conviction for the purpose of determining the assessment of points, and the date of
11 final judgment affirming the conviction shall be the date determining the beginning of any
12 license suspension or revocation pursuant to section 302.304;
- 13 (4) "Criminal history check", a search of criminal records, including criminal history
14 record information as defined in section 43.500, maintained by the Missouri state highway patrol

15 in the Missouri criminal records repository or by the Federal Bureau of Investigation as part of
16 its criminal history records, including, but not limited to, any record of conviction, plea of guilty
17 or nolo contendere, or finding of guilty in any state for any offense related to alcohol, controlled
18 substances, or drugs;

19 (5) "Director", the director of revenue acting directly or through the director's authorized
20 officers and agents;

21 (6) "Farm tractor", every motor vehicle designed and used primarily as a farm implement
22 for drawing plows, mowing machines and other implements of husbandry;

23 (7) "Highway", any public thoroughfare for vehicles, including state roads, county roads
24 and public streets, avenues, boulevards, parkways, or alleys in any municipality;

25 (8) "Incompetent to drive a motor vehicle", a person who has become physically
26 incapable of meeting the prescribed requirements of an examination for an operator's license, or
27 who has been adjudged by a probate division of the circuit court in a capacity hearing of being
28 incapacitated;

29 (9) "License", a license issued by a state to a person which authorizes a person to operate
30 a motor vehicle;

31 (10) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks
32 except motorized bicycles, as defined in section 307.180 **and electric bicycles, as defined in**
33 **section 301.010;**

34 (11) "Motorcycle", a motor vehicle operated on two wheels; however, this definition
35 shall not include motorized bicycles **or electric bicycles as such terms are** defined in section
36 301.010;

37 (12) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle
38 operated with any conveyance, temporary or otherwise, requiring the use of a third wheel, **but**
39 **excluding an electric bicycle as defined in section 301.010;**

40 (13) "Moving violation", that character of traffic violation where at the time of violation
41 the motor vehicle involved is in motion, except that the term does not include the driving of a
42 motor vehicle without a valid motor vehicle registration license, or violations of sections 304.170
43 to 304.240, inclusive, relating to sizes and weights of vehicles;

44 (14) "Municipal court", every division of the circuit court having original jurisdiction
45 to try persons for violations of city ordinances;

46 (15) "Nonresident", every person who is not a resident of this state;

47 (16) "Operator", every person who is in actual physical control of a motor vehicle upon
48 a highway;

49 (17) "Owner", a person who holds the legal title of a vehicle or in the event a vehicle is
50 the subject of an agreement for the conditional sale or lease thereof with the right of purchase

51 upon performance of the conditions stated in the agreement and with an immediate right of
52 possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle
53 is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed
54 the owner for the purpose of sections 302.010 to 302.540;

55 (18) "Record" includes, but is not limited to, papers, documents, facsimile information,
56 microphotographic process, electronically generated or electronically recorded information,
57 digitized images, deposited or filed with the department of revenue;

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

62 (20) "Restricted driving privilege", a sixty-day driving privilege issued by the director
63 of revenue following a suspension of driving privileges for the limited purpose of driving in
64 connection with the driver's business, occupation, employment, formal program of secondary,
65 postsecondary or higher education, or for an alcohol education or treatment program or certified
66 ignition interlock provider, or a ninety-day interlock restricted privilege issued by the director
67 of revenue for the limited purpose of driving in connection with the driver's business, occupation,
68 employment, seeking medical treatment for such driver or a dependent family member, attending
69 school or other institution of higher education, attending alcohol- or drug-treatment programs,
70 seeking the required services of a certified ignition interlock provider, fulfilling court obligations,
71 including required appearances and probation and parole obligations, religious services, the care
72 of a child or children, including scheduled visitation or custodial obligations pursuant to a court
73 order, fueling requirements for any vehicle utilized, and seeking basic nutritional requirements;

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

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

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

83 (22) "School bus operator", an operator who operates a school bus as defined in
84 subdivision (21) of this section in the transportation of any schoolchildren and who receives
85 compensation for such service. The term "school bus operator" shall not include any person who
86 transports schoolchildren as an incident to employment with a school or school district, such as

87 a teacher, coach, administrator, secretary, school nurse, or janitor unless such person is under
88 contract with or employed by a school or school district as a school bus operator;

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

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

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

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

2 (1) "Deaf person", any person who, because of hearing loss, is not able to discriminate
3 speech when spoken in a normal conversation tone regardless of the use of amplification devices;

4 (2) "DHH", a notation on a driver's license that indicates the person is a deaf or hard of
5 hearing person who uses alternative communication;

6 (3) "Hard of hearing person", any person who, because of hearing loss, has a diminished
7 capacity to discriminate speech when spoken in a normal conversational tone.

8 2. Any resident of this state who is a deaf or hard of hearing person may apply to the
9 department of revenue to have the notation "DHH" placed on the person's driver's license. The
10 department of revenue, by rule, may establish the cost and criteria for placement of the DHH
11 notation, such as requiring an applicant to submit certain medical proof of deafness or hearing
12 loss. The department may also, by rule, elect to use the phrase "deaf or hard of hearing" in lieu
13 of the notation DHH on a driver's license.

14 3. **Any resident of this state who applies for a driver's license with a deaf or hard**
15 **of hearing notation under subsection 2 of this section may also apply to the department for**
16 **an optional deaf or hard of hearing license plate sticker to be placed on the rear license**
17 **plate of the resident's motor vehicle. The department may promulgate all necessary rules**
18 **and regulations for the administration of this subsection.**

19 4. The Missouri commission for the deaf and hard of hearing shall make an
20 informational video in American Sign Language explaining what a DHH notation means on a
21 driver's license and informing Missourians of their right to receive a license with the DHH
22 notation under this section. This video shall also be captioned in English and converted to
23 QR-Code which shall be posted in a conspicuous place at every driver's license office in
24 Missouri.

25 [4-] 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is
26 created under the authority delegated in this section shall become effective only if it complies
27 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
28 This section and chapter 536 are nonseverable and if any of the powers vested with the general
29 assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and
30 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
31 any rule proposed or adopted after August 28, 2001, shall be invalid and void.

302.755. 1. A person is disqualified from driving a commercial motor vehicle for a
2 period of not less than one year if convicted of a first violation of:

3 (1) Driving a motor vehicle under the influence of alcohol or a controlled substance, or
4 of an alcohol-related enforcement contact as defined in subsection 3 of section 302.525;

5 (2) Driving a commercial motor vehicle which causes a fatality through the negligent
6 operation of the commercial motor vehicle, including but not limited to the offenses of vehicular
7 manslaughter, homicide by motor vehicle, and negligent homicide;

8 (3) Driving a commercial motor vehicle while revoked pursuant to section 302.727;

9 (4) Leaving the scene of an accident involving a commercial or noncommercial motor
10 vehicle operated by the person;

11 (5) Using a commercial or noncommercial motor vehicle in the commission of any
12 felony, as defined in section 302.700, except a felony as provided in subsection 4 of this section.

13 2. If any of the violations described in subsection 1 of this section occur while
14 transporting a hazardous material the person is disqualified for a period of not less than three
15 years.

16 3. Any person is disqualified from operating a commercial motor vehicle for life if
17 convicted of two or more violations of any of the offenses specified in subsection 1 of this
18 section, or any combination of those offenses, arising from two or more separate incidents. The
19 director may issue rules and regulations, in accordance with guidelines established by the
20 Secretary, under which a disqualification for life under this section may be reduced to a period
21 of not less than ten years.

22 4. Any person is disqualified from driving a commercial motor vehicle for life who uses
23 a commercial or noncommercial motor vehicle in the commission of any felony involving the

24 manufacture, distribution, or dispensing of a controlled substance, or possession with intent to
25 manufacture, distribute, or dispense a controlled substance.

26 5. Any person is disqualified from operating a commercial motor vehicle for a period
27 of not less than sixty days if convicted of two serious traffic violations or one hundred twenty
28 days if convicted of three serious traffic violations, arising from separate incidents occurring
29 within a three-year period.

30 6. Any person found to be operating a commercial motor vehicle while having any
31 measurable alcohol concentration shall immediately be issued a continuous twenty-four-hour
32 out-of-service order by a law enforcement officer in this state.

33 7. Any person who is convicted of operating a commercial motor vehicle beginning at
34 the time of issuance of the out-of-service order until its expiration is guilty of a class A
35 misdemeanor.

36 8. Any person convicted for the first time of driving while out of service shall be
37 disqualified from driving a commercial motor vehicle in the manner prescribed in 49 CFR 383,
38 or as amended by the Secretary.

39 9. Any person convicted of driving while out of service on a second occasion during any
40 ten-year period, involving separate incidents, shall be disqualified in the manner prescribed in
41 49 CFR 383, or as amended by the Secretary.

42 10. Any person convicted of driving while out of service on a third or subsequent
43 occasion during any ten-year period, involving separate incidents, shall be disqualified for a
44 period of three years.

45 11. Any person convicted of a first violation of an out-of-service order while transporting
46 hazardous materials or while operating a motor vehicle designed to transport sixteen or more
47 passengers, including the driver, is disqualified for a period of one hundred eighty days.

48 12. Any person convicted of any subsequent violation of an out-of-service order in a
49 separate incident within ten years after a previous violation, while transporting hazardous
50 materials or while operating a motor vehicle designed to transport fifteen passengers, including
51 the driver, is disqualified for a period of three years.

52 13. Any person convicted of any other offense as specified by regulations promulgated
53 by the Secretary of Transportation shall be disqualified in accordance with such regulations.

54 14. After suspending, revoking, cancelling, or disqualifying a driver, the director shall
55 update records to reflect such action and notify a nonresident's licensing authority and the
56 commercial driver's license information system within ten days in the manner prescribed in 49
57 CFR 384, or as amended by the Secretary.

58 15. Any person disqualified from operating a commercial motor vehicle pursuant to
59 subsection 1, 2, 3 or 4 of this section shall have such commercial driver's license cancelled, and

60 upon conclusion of the period of disqualification shall take the written and driving tests and meet
61 all other requirements of sections 302.700 to 302.780. Such disqualification and cancellation
62 shall not be withdrawn by the director until such person reapplies for a commercial driver's
63 license in this or any other state after meeting all requirements of sections 302.700 to 302.780.

64 16. The director shall disqualify a driver upon receipt of notification that the Secretary
65 has determined a driver to be an imminent hazard pursuant to 49 CFR 383.52. Due process of
66 a disqualification determined by the Secretary pursuant to this section shall be held in accordance
67 with regulations promulgated by the Secretary. The period of disqualification determined by the
68 Secretary pursuant to this section shall be served concurrently to any other period of
69 disqualification which may be imposed by the director pursuant to this section. Both
70 disqualifications shall appear on the driving record of the driver.

71 17. The director shall disqualify a commercial license holder or operator of a commercial
72 motor vehicle from operation of any commercial motor vehicle upon receipt of a conviction for
73 an offense of failure to appear or pay, and such disqualification shall remain in effect until the
74 director receives notice that the person has complied with the requirement to appear or pay.

75 18. The disqualification period must be in addition to any other previous periods of
76 disqualification in the manner prescribed in 49 CFR 383, or as amended by the Secretary, except
77 when the major or serious violations are a result of the same incident.

78 **19. Any person is disqualified from driving a commercial motor vehicle for life if**
79 **convicted of using a commercial motor vehicle in the commission of a felony involving an**
80 **act or practice of severe forms of trafficking in persons, as defined in 22 U.S.C. Section**
81 **7102 (11). A disqualification for life under this subsection shall not be reduced.**

304.001. As used in this chapter and chapter 307, the following terms shall mean:

2 (1) "Abandoned property", any unattended motor vehicle, trailer, all-terrain vehicle,
3 outboard motor or vessel removed or subject to removal from public or private property as
4 provided in sections 304.155 and 304.157, whether or not operational. For any vehicle towed
5 from the scene of an accident at the request of law enforcement and not retrieved by the vehicle's
6 owner within five days of the accident, the agency requesting the tow shall be required to write
7 an abandoned property report or a crime inquiry and inspection report;

8 (2) "Commercial vehicle enforcement officers", employees of the Missouri state highway
9 patrol who are not members of the patrol but who are appointed by the superintendent of the
10 highway patrol to enforce the laws, rules, and regulations pertaining to commercial vehicles,
11 trailers, special mobile equipment and drivers of such vehicles;

12 (3) "Commercial vehicle inspectors", employees of the Missouri state highway patrol
13 who are not members of the patrol but who are appointed by the superintendent of the highway

14 patrol to supervise or operate permanent or portable weigh stations in the enforcement of
15 commercial vehicle laws;

16 (4) "Commission", the state highways and transportation commission;

17 (5) "Department", the state transportation department;

18 (6) "Freeway", a divided state highway with four or more lanes, with no access to the
19 throughways except the established interchanges and with no at-grade crossings;

20 (7) "Interstate highway", a state highway included in the national system of interstate
21 highways located within the boundaries of Missouri, as officially designated or as may be
22 hereafter designated by the state highways and transportation commission with the approval of
23 the Secretary of Transportation, pursuant to Title 23, U.S.C., as amended;

24 (8) "Members of the patrol", the superintendent, lieutenant colonel, majors, captains,
25 director of radio, lieutenants, sergeants, corporals and patrolmen of the Missouri state highway
26 patrol;

27 (9) "Off-road vehicle", any vehicle designed for or capable of cross-country travel on or
28 immediately over land, water, ice, snow, marsh, swampland, or other natural terrain without
29 benefit of a road or trail:

30 (a) Including, without limitation, the following:

31 a. Jeeps;

32 b. All-terrain vehicles;

33 c. Dune buggies;

34 d. Multiwheel drive or low-pressure tire vehicles;

35 e. Vehicle using an endless belt, or tread or treads, or a combination of tread and
36 low-pressure tires;

37 f. Motorcycles, trail bikes, minibikes and related vehicles;

38 g. Any other means of transportation deriving power from any source other than muscle
39 or wind; and

40 (b) Excluding the following:

41 a. Registered motorboats;

42 b. Aircraft;

43 c. Any military, fire or law enforcement vehicle;

44 d. Farm-type tractors and other self-propelled equipment for harvesting and transporting
45 farm or forest products;

46 e. Any vehicle being used for farm purposes, earth moving, or construction while being
47 used for such purposes on the work site;

48 f. Self-propelled lawnmowers, or lawn or garden tractors, or golf carts, while being used
49 exclusively for their designed purpose; and

- 50 g. Any vehicle being used for the purpose of transporting a handicapped person;
- 51 **h. Electric bicycles, as defined in section 301.010;**
- 52 (10) "Person", any natural person, corporation, or other legal entity;
- 53 (11) "Right-of-way", the entire width of land between the boundary lines of a state
54 highway, including any roadway;
- 55 (12) "Roadway", that portion of a state highway ordinarily used for vehicular travel,
56 exclusive of the berm or shoulder;
- 57 (13) "State highway", a highway constructed or maintained by the state highways and
58 transportation commission with the aid of state funds or United States government funds, or any
59 highway included by authority of law in the state highway system, including all right-of-way;
- 60 (14) "Towing company", any person or entity which tows, removes or stores abandoned
61 property;
- 62 (15) "Urbanized area", an area with a population of fifty thousand or more designated
63 by the Bureau of the Census, within boundaries to be fixed by the state highways and
64 transportation commission and local officials in cooperation with each other and approved by
65 the Secretary of Transportation. The boundary of an urbanized area shall, at a minimum,
66 encompass the entire urbanized area as designed by the Bureau of the Census.

304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal
2 by siren or while having at least one lighted lamp exhibiting red light visible under normal
3 atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a
4 flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the
5 right-of-way and shall immediately drive to a position parallel to, and as far as possible to the
6 right of, the traveled portion of the highway and thereupon stop and remain in such position until
7 such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

8 2. Upon approaching a stationary vehicle displaying lighted red or red and blue lights,
9 or a stationary vehicle displaying lighted amber or amber and white lights, the driver of every
10 motor vehicle shall:

11 (1) Proceed with caution and yield the right-of-way, if possible with due regard to safety
12 and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary
13 vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the
14 same direction as the approaching vehicle; or

15 (2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe
16 speed for road conditions, if changing lanes would be unsafe or impossible.

17 3. The motorman of every streetcar shall immediately stop such car clear of any
18 intersection and keep it in such position until the emergency vehicle has passed, except as
19 otherwise directed by a police or traffic officer.

20 4. An "emergency vehicle" is a vehicle of any of the following types:

21 (1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri
22 capitol police, a conservation agent, or a state park ranger, those vehicles operated by
23 enforcement personnel of the state highways and transportation commission, police or fire
24 department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to
25 carry firearms and to make arrests for violations of the laws of the United States, traffic officer,
26 [ø] coroner, **medical examiner, or forensic investigator of the county medical examiner's**
27 **office**, or by a privately owned emergency vehicle company;

28 (2) A vehicle operated as an ambulance or operated commercially for the purpose of
29 transporting emergency medical supplies or organs;

30 (3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

31 (4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or
32 public service corporation while performing emergency service;

33 (5) Any vehicle transporting equipment designed to extricate human beings from the
34 wreckage of a motor vehicle;

35 (6) Any vehicle designated to perform emergency functions for a civil defense or
36 emergency management agency established pursuant to the provisions of chapter 44;

37 (7) Any vehicle operated by an authorized employee of the department of corrections
38 who, as part of the employee's official duties, is responding to a riot, disturbance, hostage
39 incident, escape or other critical situation where there is the threat of serious physical injury or
40 death, responding to mutual aid call from another criminal justice agency, or in accompanying
41 an ambulance which is transporting an offender to a medical facility;

42 (8) Any vehicle designated to perform hazardous substance emergency functions
43 established pursuant to the provisions of sections 260.500 to 260.550;

44 (9) Any vehicle owned by the state highways and transportation commission and
45 operated by an authorized employee of the department of transportation that is marked as a
46 department of transportation emergency response or motorist assistance vehicle; or

47 (10) Any vehicle owned and operated by the civil support team of the Missouri National
48 Guard while in response to or during operations involving chemical, biological, or radioactive
49 materials or in support of official requests from the state of Missouri involving unknown
50 substances, hazardous materials, or as may be requested by the appropriate state agency acting
51 on behalf of the governor.

52 5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound
53 the siren thereon or have the front red lights or blue lights on except when such vehicle is
54 responding to an emergency call or when in pursuit of an actual or suspected law violator, or
55 when responding to, but not upon returning from, a fire.

- 56 (2) The driver of an emergency vehicle may:
- 57 (a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;
- 58 (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be
59 necessary for safe operation;
- 60 (c) Exceed the prima facie speed limit so long as the driver does not endanger life or
61 property;
- 62 (d) Disregard regulations governing direction of movement or turning in specified
63 directions.
- 64 (3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this
65 subsection shall apply only when the driver of any such vehicle while in motion sounds audible
66 signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle
67 is equipped with at least one lighted lamp displaying a red light or blue light visible under normal
68 atmospheric conditions from a distance of five hundred feet to the front of such vehicle.
- 69 6. No person shall purchase an emergency light as described in this section without
70 furnishing the seller of such light an affidavit stating that the light will be used exclusively for
71 emergency vehicle purposes.
- 72 7. Violation of this section shall be deemed a class A misdemeanor.

304.050. 1. (1) The driver of a vehicle upon a highway upon meeting or overtaking
2 from either direction any school bus which has stopped on the highway for the purpose of
3 receiving or discharging any school children and whose driver has in the manner prescribed by
4 law given the signal to stop, shall stop the vehicle before reaching such school bus and shall not
5 proceed until such school bus resumes motion, or until signaled by its driver to proceed.

6 (2) **School buses under the provisions of subsections 1, 2, 5, 6, 7, 8, and 9 of this**
7 **section shall include Head Start buses that have been certified by the Missouri highway**
8 **patrol as meeting the provisions of section 307.375, are operated by a holder of a valid**
9 **school bus endorsed commercial driver's license, and who meet the equivalent medical**
10 **requirements prescribed in section 162.604, and which are transporting Head Start**
11 **students to and from Head Start.**

12 2. Every bus used for the transportation of school children shall bear upon the front and
13 rear thereon a plainly visible sign containing the words "school bus" in letters not less than eight
14 inches in height. Each bus shall have lettered on the rear in plain and distinct type the following:
15 "State Law: Stop while bus is loading and unloading". Each school bus subject to the provisions
16 of sections 304.050 to 304.070 shall be equipped with a mechanical and electrical signaling
17 device approved by the state board of education, which will display a signal plainly visible from
18 the front and rear and indicating intention to stop.

19 3. Every school bus operated to transport students in the public school system which has
20 a gross vehicle weight rating of more than ten thousand pounds, which has the engine mounted
21 entirely in front of the windshield and the entrance door behind the front wheels, and which is
22 used for the transportation of school children shall be equipped no later than August 1, 1998,
23 with a crossing control arm. The crossing control arm, when activated, shall extend a minimum
24 of five feet six inches from the face of the front bumper. The crossing control arm shall be
25 attached on the right side of the front bumper and shall be activated by the same controls which
26 activate the mechanical and electrical signaling devices described in subsection 2 of this section.
27 This subsection may be cited as "Jessica's Law" in commemoration of Jessica Leicht and all
28 other Missouri schoolchildren who have been injured or killed during the operation of a school
29 bus.

30 4. Except as otherwise provided in this section, the driver of a school bus in the process
31 of loading or unloading students upon a street or highway shall activate the mechanical and
32 electrical signaling devices, in the manner prescribed by the state board of education, to
33 communicate to drivers of other vehicles that students are loading or unloading. A public school
34 district shall have the authority pursuant to this section to adopt a policy which provides that the
35 driver of a school bus in the process of loading or unloading students upon a divided highway
36 of four or more lanes may pull off of the main roadway and load or unload students without
37 activating the mechanical and electrical signaling devices in a manner which gives the signal for
38 other drivers to stop and may use the amber signaling devices to alert motorists that the school
39 bus is slowing to a stop; provided that the passengers are not required to cross any traffic lanes
40 and also provided that the emergency flashing signal lights are activated in a manner which
41 indicates that drivers should proceed with caution, and in such case, the driver of a vehicle may
42 proceed past the school bus with due caution.

43 5. No driver of a school bus shall take on or discharge passengers at any location upon
44 a highway consisting of four or more lanes of traffic, whether or not divided by a median or
45 barrier, in such manner as to require the passengers to cross more than two lanes of traffic; nor
46 shall any passengers be taken on or discharged while the vehicle is upon the road or highway
47 proper unless the vehicle so stopped is plainly visible for at least five hundred feet in each
48 direction to drivers of other vehicles in the case of a highway with no shoulder and a speed limit
49 greater than sixty miles per hour and at least three hundred feet in each direction to drivers of
50 other vehicles upon other highways, and on all highways, only for such time as is actually
51 necessary to take on and discharge passengers.

52 [5-] 6. The driver of a vehicle upon a highway with separate roadways need not stop
53 upon meeting or overtaking a school bus which is on a different roadway, or which is proceeding
54 in the opposite direction on a highway containing four or more lanes of traffic, or which is

55 stopped in a loading zone constituting a part of, or adjacent to, a limited or controlled access
56 highway at a point where pedestrians are not permitted to cross the roadway.

57 [6-] 7. The driver of any school bus driving upon the highways of this state after loading
58 or unloading school children, shall remain stopped if the bus is followed by three or more
59 vehicles, until such vehicles have been permitted to pass the school bus, if the conditions
60 prevailing make it safe to do so.

61 [7-] 8. If any vehicle is witnessed by a peace officer or the driver of a school bus to have
62 violated the provisions of this section and the identity of the operator is not otherwise apparent,
63 it shall be a rebuttable presumption that the person in whose name such vehicle is registered
64 committed the violation. In the event that charges are filed against multiple owners of a motor
65 vehicle, only one of the owners may be convicted and court costs may be assessed against only
66 one of the owners. If the vehicle which is involved in the violation is registered in the name of
67 a rental or leasing company and the vehicle is rented or leased to another person at the time of
68 the violation, the rental or leasing company may rebut the presumption by providing the peace
69 officer or prosecuting authority with a copy of the rental or lease agreement in effect at the time
70 of the violation. No prosecuting authority may bring any legal proceedings against a rental or
71 leasing company under this section unless prior written notice of the violation has been given to
72 that rental or leasing company by registered mail at the address appearing on the registration and
73 the rental or leasing company has failed to provide the rental or lease agreement copy within
74 fifteen days of receipt of such notice.

75 [8-] 9. Notwithstanding the provisions in section 301.130, every school bus shall be
76 required to have two license plates.

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

2 (1) "Law enforcement officer", any public servant, other than a patrol officer, who is
3 defined as a law enforcement officer under section 556.061;

4 (2) "Motor club", ~~[an organization which motor vehicle drivers and owners may join that~~
5 ~~provide certain benefits relating to driving a motor vehicle]~~ **a legal entity that, in consideration**
6 **of dues, assessments, or periodic payments of money, promises to provide motor club**
7 **services to its members or subscribers in accordance with section 385.450;**

8 (3) "Patrol officer", a Missouri state highway patrol officer;

9 (4) "Tow list", a list of approved towing companies compiled, maintained, and utilized
10 by the Missouri state highway patrol or its designee;

11 (5) "Tow management company", any sole proprietorship, partnership, corporation,
12 fiduciary, association, or other business entity that manages towing logistics for government
13 agencies or motor clubs;

14 (6) "Tow truck", a rollback or car carrier, wrecker, or tow truck as defined under section
15 301.010;

16 (7) "Towing", moving or removing, or the preparation therefor, of a vehicle by another
17 vehicle for which a service charge is made, either directly or indirectly, including any dues or
18 other charges of clubs or associations
19 which provide towing services;

20 (8) "Towing company", any person, partnership, corporation, fiduciary, association, or
21 other entity that operates a wrecker or towing service as defined under section 301.010.

22 2. In authorizing a towing company to perform services, any patrol officer or law
23 enforcement officer within the officer's jurisdiction, or Missouri department of transportation
24 employee, may utilize the services of a tow management company or tow list, provided:

25 (1) The Missouri state highway patrol is under no obligation to include or retain the
26 services of any towing company in any contract or agreement with a tow management company
27 or any tow list established pursuant to this section. A towing company is subject to removal
28 from a tow list at any time;

29 (2) Notwithstanding any other provision of law or any regulation established pursuant
30 to this section, an owner or operator's request for a specific towing company shall be honored
31 by the Missouri state highway patrol unless:

32 (a) The requested towing company cannot or does not respond in a reasonable time, as
33 determined by a law enforcement officer; or

34 (b) The vehicle to be towed poses an immediate traffic hazard, as determined by a law
35 enforcement officer.

36 3. A patrol officer shall not use a towing company located outside of Missouri under this
37 section except under the following circumstances:

38 (1) A state or federal emergency has been declared; or

39 (2) The driver or owner of the vehicle, or a motor club of which the driver or owner is
40 a member, requests a specific out-of-state towing company.

41 4. A towing company shall not tow a vehicle to a location outside of Missouri without
42 the consent of the driver or owner of the motor vehicle, or without the consent of a motor club
43 of which the driver or owner of the motor vehicle is a member.

44 5. Any towing company or tow truck arriving at the scene of an accident that has not
45 been called by a patrol officer, a law enforcement officer, a Missouri department of
46 transportation employee, the driver or owner of the motor vehicle or his or her authorized agent,
47 including a motor club of which the driver or owner is a member, shall be prohibited from
48 towing the vehicle from the scene of the accident, unless the towing company or tow truck

49 operator is rendering emergency aid in the interest of public safety, or is operating during a
50 declared state of emergency under section 44.100.

51 6. A tow truck operator that stops and tows a vehicle from the scene of an accident in
52 violation of subsection 5 of this section shall be guilty of a class D misdemeanor upon conviction
53 or pleading guilty for the first violation, and such tow truck shall be subject to impounding. The
54 penalty for a second violation shall be a class A misdemeanor, and the penalty for any third or
55 subsequent violation shall be a class D felony. A violation of this section shall not preclude the
56 tow truck operator from being charged with tampering under chapter 569.

57 7. The provisions of this section shall also apply to motor vehicles towed under section
58 304.155 or 304.157.

59 8. The provisions of this section shall not apply to counties of the third or fourth
60 classification.

304.240. 1. Any person, firm, corporation, partnership or association violating any of
2 the provisions of sections 304.170 to 304.230 shall be deemed guilty of a misdemeanor and upon
3 conviction thereof shall be punished by a fine of not less than five dollars or by confinement in
4 a county jail for not more than twelve months, or by both the fine and confinement; provided,
5 however, that where load limits as defined in sections 304.180 to 304.220 have been violated,
6 the fine shall be two cents for each pound of excess weight up to and including five hundred, and
7 five cents for each pound of excess weight above five hundred and not exceeding one thousand,
8 and ten cents for each pound in excess weight above one thousand; provided that, when any
9 vehicle is being operated under a special permit as provided in section 304.200, the term "excess
10 weight" means only weight in excess of the amount permitted in the permit as issued. The court
11 may, in its discretion, cause to be impounded the motor vehicle operated by any person violating
12 the provisions of this section until such time as the fine and cost assessed by the court under this
13 section is paid.

14 2. **Notwithstanding subsection 1 of this section, the fine for a load-limit violation**
15 **under sections 304.180 to 304.220 involving a local log truck or a local log truck tractor,**
16 **as such terms are defined in section 301.010, shall be as follows:**

17 (1) **If the weight exceeds the limit by one pound to four thousand nine hundred**
18 **ninety-nine pounds, the fine shall be ten cents for each pound of excess weight;**

19 (2) **If the weight exceeds the limit by five thousand pounds to nine thousand nine**
20 **hundred ninety-nine pounds, the fine shall be twenty cents for each pound of excess**
21 **weight; and**

22 (3) **If the weight exceeds the limit by ten thousand pounds or more, the fine shall**
23 **be fifty cents for each pound of excess weight.**

304.281. 1. Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication

(a) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited;

(b) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection;

(c) Unless otherwise directed by a pedestrian control signal, as provided in section 304.291, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(2) Steady yellow indication

(a) Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection;

(b) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided in section 304.291, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(3) Steady red indication

(a) Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection at a clearly marked stop line but, if none, then before entering the intersection and shall remain standing until an indication to proceed is shown except as provided in paragraph (b);

(b) The driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red signal, may cautiously enter the intersection to make a right turn but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that the state highways and transportation commission with reference to an intersection involving a state highway, and local authorities with reference to an intersection

37 involving other highways under their jurisdiction, may prohibit any such right turn against a red
38 signal at any intersection where safety conditions so require, said prohibition shall be effective
39 when a sign is erected at such intersection giving notice thereof;

40 (c) **The driver of a vehicle which is in the left-most lane on a one-way street and**
41 **stopped as close as practicable at the entrance to the crosswalk on the near side of the**
42 **intersection or, if none, then at the entrance to the intersection in obedience to a red signal,**
43 **may cautiously enter the intersection to make a left turn onto a one-way street but shall**
44 **yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal**
45 **at the intersection, except that the state highways and transportation commission with**
46 **reference to an intersection involving a state highway, and local authorities with reference**
47 **to an intersection involving other highways under their jurisdiction, may prohibit any such**
48 **left turn against a red signal at any intersection where safety conditions so require and**
49 **such prohibition shall be effective when a sign is erected at such intersection giving notice**
50 **thereof;**

51 (d) Unless otherwise directed by a pedestrian control signal as provided in section
52 304.291, pedestrians facing a steady red signal alone shall not enter the roadway.

53 (4) In the event an official traffic control signal is erected and maintained at a place other
54 than an intersection, the provision of this section shall be applicable except as to those provisions
55 which by their nature can have no application. Any stop required shall be made at a sign or
56 marking on the pavement indicating where the stop shall be made, but in the absence of any such
57 sign or marking the stop shall be made at the signal.

58 2. Notwithstanding the provisions of section 304.361, violation of this section is a class
59 C misdemeanor.

307.025. The subsequent provisions of this chapter with respect to equipment and lights
2 on vehicles shall not apply to agricultural machinery and implements, road machinery, road
3 rollers, traction engines, motorized bicycles, **electric bicycles as defined in section 301.010**, or
4 farm tractors except as in this chapter made applicable.

307.128. 1. A headlamp on a motorcycle may be wired to modulate either the upper
2 beam or the lower beam from its maximum intensity to a lesser intensity provided that:

3 (1) The rate of modulation shall be two hundred forty plus or minus forty cycles per
4 minute;

5 (2) The headlamp shall be operated at a maximum power for fifty to seventy percent of
6 each cycle;

7 (3) The lowest intensity at any test point shall not be less than seventeen percent of the
8 maximum intensity measured at the same point;

9 (4) The modulator switch shall be wired in the power lead of the beam filament being
10 modulated and not in the ground side of the circuit;

11 (5) Means shall be provided so that both the lower beam and the upper beam remain
12 operable in the event of a modulation failure;

13 (6) The system shall include a sensor mounted with the axis of its sensing element
14 perpendicular to a horizontal plane. Headlamp modulation shall cease whenever the level of
15 light emitted by a tungsten filament operating at three thousand degrees kelvin is either less than
16 two hundred seventy lux of direct light for upward pointing sensors or less than sixty lux of
17 reflected light for downward pointing sensors. The light is measured by a silicon cell type light
18 meter that is located at the sensor and pointing in the same direction as the sensor. A photo gray
19 card is placed at ground level to simulate the road surface in testing downward pointing sensors;

20 (7) Means shall be provided so that both the lower and upper beam function at design
21 voltage when the headlamp control switch is in either the lower or upper beam position when the
22 modulator is off.

23 2. Each motorcycle headlamp modulator not intended as original equipment, or its
24 container, shall be labeled with the maximum wattage, and the minimum wattage appropriate
25 for its use. Additionally, each such modulator shall comply with the provisions of subdivisions
26 (1) to (7) of subsection 1 of this section when connected to a headlamp of the maximum-rated
27 power and headlamp of the minimum-rated power, and shall provide means so that the
28 modulated beam functions at design voltage when the modulator is off. Instructions, with a
29 diagram, shall be provided for mounting the light sensor including location on the motorcycle,
30 distance above the road surface, and orientation with respect to the light.

31 3. Notwithstanding any other provision of law, subject to the requirements of subsection
32 4 of this section, a motorcycle may be equipped with, and an operator of a motorcycle may use,
33 the following auxiliary lighting:

34 (1) ~~[Amber and white illumination]~~ **Any color illumination;**

35 (2) Standard bulb running lights; or

36 (3) Light-emitting diode pods and strips.

37 4. Lighting under subsection 3 of this section shall be:

38 (1) Nonblinking;

39 (2) Nonflashing;

40 (3) Nonoscillating; and

41 (4) Directed toward the engine and the drive train of the motorcycle to prevent
42 interference with the driver's operation of the vehicle.

307.175. 1. Motor vehicles and equipment which are operated by any member of an
2 organized fire department, ambulance association, or rescue squad, whether paid or volunteer,

3 may be operated on streets and highways in this state as an emergency vehicle under the
4 provisions of section 304.022 while responding to a fire call or ambulance call or at the scene
5 of a fire call or ambulance call and while using or sounding a warning siren and using or
6 displaying thereon fixed, flashing or rotating blue lights, but sirens and blue lights shall be used
7 only in bona fide emergencies.

8 2. (1) Notwithstanding subsection 1 of this section, the following vehicles may use or
9 display fixed, flashing, or rotating red or red and blue lights:

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

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

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

20 **(d) Vehicles and equipment owned, leased, or operated by a coroner, medical**
21 **examiner, or forensic investigator of the county medical examiner's office or a similar**
22 **entity, when responding to a crime scene, motor vehicle accident, workplace accident, or**
23 **any location at which the services of such professionals have been requested by a law**
24 **enforcement officer.**

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

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

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

34 (c) Vehicles and equipment operated by a utility worker performing work for the utility,
35 except that the amber or amber and white lights shall be displayed on vehicles described in this
36 paragraph only when such vehicles are stationary, such vehicles or equipment are located in a
37 work zone as defined in section 304.580, a utility worker is present, and such work zone is
38 designated by a sign or signs. As used in this paragraph, the term "utility worker" means any

39 employee while in performance of his or her job duties, including any person employed under
40 contract of a utility that provides gas, heat, electricity, water, steam, telecommunications or cable
41 services, or sewer services, whether privately, municipally, or cooperatively owned.

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

307.180. As used in sections 307.180 to 307.193:

2 (1) The word "bicycle" shall mean every vehicle propelled solely by human power upon
3 which any person may ride, having two tandem wheels, or two parallel wheels and one or two
4 forward or rear wheels, all of which are more than fourteen inches in diameter, except scooters
5 and similar devices;

6 (2) The term "motorized bicycle" shall mean any two- or three-wheeled device having
7 an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic
8 centimeters, which produces less than three gross brake horsepower, and is capable of propelling
9 the device at a maximum speed of not more than thirty miles per hour on level ground, **but**
10 **excluding an electric bicycle, as defined in section 301.010.** A motorized bicycle shall be
11 considered a motor vehicle for purposes of any homeowners' or renters' insurance policy.

307.188. Every person riding a bicycle, **electric bicycle**, or motorized bicycle upon a
2 street or highway shall be granted all of the rights and shall be subject to all of the duties
3 applicable to the driver of a vehicle as provided by chapter 304, except as to special regulations
4 in sections 307.180 to 307.193 and except as to those provisions of chapter 304 which by their
5 nature can have no application.

307.193. Any person seventeen years of age or older who violates any provision of
2 sections 307.180 to [~~307.193~~] **307.194** is guilty of an infraction and, upon conviction thereof,
3 shall be punished by a fine of not less than five dollars nor more than twenty-five dollars. Such
4 an infraction does not constitute a crime and conviction shall not give rise to any disability or
5 legal disadvantage based on conviction of a criminal offense. If any person under seventeen
6 years of age violates any provision of sections 307.180 to [~~307.193~~] **307.194** in the presence of
7 a peace officer possessing the duty and power of arrest for violation of the general criminal laws
8 of the state or for violation of ordinances of counties or municipalities of the state, said officer

9 may impound the bicycle or motorized bicycle involved for a period not to exceed five days upon
10 issuance of a receipt to the child riding it or to its owner.

**307.194. 1. Except as otherwise provided in this section, every person riding an
2 electric bicycle shall be granted all of the rights and shall be subject to all of the duties
3 applicable to the operator of a bicycle. An electric bicycle shall be considered a vehicle to
4 the same extent as a bicycle.**

**5 2. An electric bicycle or a person operating an electric bicycle is not subject to
6 provisions of law that are applicable to motor vehicles, all-terrain vehicles, off-road
7 vehicles, off-highway vehicles, motor vehicle rentals, motor vehicle dealers or franchises,
8 or motorcycle dealers or franchises, including vehicle registration, certificates of title,
9 drivers' licenses, and financial responsibility.**

**10 3. Beginning August 28, 2021, manufacturers and distributors of electric bicycles
11 shall apply a permanent label to each electric bicycle. The label, which shall be affixed to
12 the electric bicycle in a prominent location, shall contain the classification number, top
13 assisted speed, and motor wattage of the electric bicycle. The text on the label shall be
14 Arial font and in at least nine-point type.**

**15 4. No person shall tamper with or modify an electric bicycle so as to change the
16 motor-powered speed capability or engagement of an electric bicycle unless he or she
17 replaces the label required under subsection 3 of this section with a new label indicating
18 the new classification.**

**19 5. An electric bicycle shall comply with the equipment and manufacturing
20 requirements for bicycles adopted by the United States Consumer Product Safety
21 Commission, 16 CFR 1512.**

**22 6. An electric bicycle shall operate in a manner so that the electric motor is
23 disengaged or ceases to function when the rider stops pedaling or when the brakes are
24 applied.**

**25 7. An electric bicycle may be ridden where bicycles are permitted to travel, subject
26 to the following provisions:**

**27 (1) An electric bicycle may be ridden on bicycle or multi-use paths where bicycles
28 are permitted;**

**29 (2) Following notice and a public hearing, a municipality, local authority, or state
30 agency having jurisdiction over a bicycle or multi-use path may prohibit the operation of
31 a class 1 electric bicycle or class 2 electric bicycle on that path if it finds that such a
32 restriction is needed for safety reasons or compliance with other laws or legal obligations;**

33 **(3) A municipality, local authority, or state agency having jurisdiction over a**
34 **bicycle or multi-use path may prohibit the operation of a class 3 electric bicycle on that**
35 **path; and**

36 **(4) The provisions of this subsection shall not apply to a trail that is specifically**
37 **designated as nonmotorized and that has a natural surface tread that is made by clearing**
38 **and grading the native soil with no added surfacing materials. A local authority or agency**
39 **of the state having jurisdiction over a trail described in this subsection may regulate the**
40 **use of an electric bicycle on that trail.**

41 **8. The use of class 3 electric bicycles shall be subject to the following provisions:**

42 **(1) No person under sixteen years of age shall operate a class 3 electric bicycle. A**
43 **person under sixteen years of age may ride as a passenger on a class 3 electric bicycle that**
44 **is designed to accommodate passengers; and**

45 **(2) All class 3 electric bicycles shall be equipped with a speedometer that is capable**
46 **of displaying the speed an electric bicycle is traveling in miles per hour.**

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

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

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

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

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

15

16 shall submit such vehicles to a biennial inspection of their mechanism and equipment in
17 accordance with the provisions of sections 307.350 to 307.390 and obtain a certificate of
18 inspection and approval and a sticker, seal, or other device from a duly authorized official
19 inspection station. The inspection, except the inspection of school buses which shall be made
20 at the time provided in section 307.375, shall be made at the time prescribed in the rules and
21 regulations issued by the superintendent of the Missouri state highway patrol; but the inspection
22 of a vehicle shall not be made more than sixty days prior to the date of application for

23 registration or within sixty days of when a vehicle's registration is transferred; however, if a
24 vehicle was purchased from a motor vehicle dealer and a valid inspection had been made within
25 sixty days of the purchase date, the new owner shall be able to utilize an inspection performed
26 within ninety days prior to the application for registration or transfer. ~~[Any vehicle manufactured
27 as an even-numbered model year vehicle shall be inspected and approved pursuant to the safety
28 inspection program established pursuant to sections 307.350 to 307.390 in each even-numbered
29 calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall
30 be inspected and approved pursuant to sections 307.350 to 307.390 in each odd-numbered year.]~~
31 The certificate of inspection and approval shall be a sticker, seal, or other device or combination
32 thereof, as the superintendent of the Missouri state highway patrol prescribes by regulation and
33 shall be displayed upon the motor vehicle or trailer as prescribed by the regulations established
34 by him. The replacement of certificates of inspection and approval which are lost or destroyed
35 shall be made by the superintendent of the Missouri state highway patrol under regulations
36 prescribed by him.

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

43 3. No person whose motor vehicle was duly inspected and approved as provided in this
44 section shall be required to have the same motor vehicle again inspected and approved for the
45 sole reason that such person wishes to obtain a set of any special personalized license plates
46 available pursuant to section 301.144 or a set of any license plates available pursuant to section
47 301.142, prior to the expiration date of such motor vehicle's current registration.

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

307.380. 1. Every vehicle of the type required to be inspected upon having been
2 involved in an accident and when so directed by a police officer must be inspected and an official
3 certificate of inspection and approval, sticker, seal or other device be obtained for such vehicle
4 before it is again operated on the highways of this state. At the seller's expense every **used**
5 **motor** vehicle of the type required to be inspected by section 307.350~~[, whether new or used,]~~
6 shall immediately prior to sale be fully inspected regardless of any current certificate of
7 inspection and approval, and an appropriate new certificate of inspection and approval, sticker,
8 seal or other device shall be obtained.

9 2. Nothing contained in the provisions of this section shall be construed to prohibit a
10 dealer or any other person from selling a vehicle without a certificate of inspection and approval
11 if the vehicle is sold for junk, salvage, or for rebuilding, or for vehicles sold at public auction or
12 from dealer to dealer. The purchaser of any vehicle which is purchased for junk, salvage, or for
13 rebuilding, shall give to the seller an affidavit, on a form prescribed by the superintendent of the
14 Missouri state highway patrol, stating that the vehicle is being purchased for one of the reasons
15 stated herein. No vehicle of the type required to be inspected by section 307.350 which is
16 purchased as junk, salvage, or for rebuilding shall again be registered in this state until the owner
17 has submitted the vehicle for inspection and obtained an official certificate of inspection and
18 approval, sticker, seal or other device for such vehicle.

19 3. Notwithstanding the provisions of section 307.390, violation of this section shall be
20 deemed an infraction.

 365.020. Unless otherwise clearly indicated by the context, the following words and
2 phrases have the meanings indicated:

3 (1) "Cash sale price", the price stated in a retail installment contract for which the seller
4 would have sold to the buyer, and the buyer would have bought from the seller, the motor vehicle
5 which is the subject matter of the retail installment contract, if the sale had been a sale for cash
6 or at a cash price instead of a retail installment transaction at a time sale price. The cash sale
7 price may include any taxes, registration, certificate of title, license and other fees and charges
8 for accessories and their installment and for delivery, servicing, repairing or improving the motor
9 vehicle;

10 (2) "Director", the office of the director of the division of finance;

11 (3) "Holder" of a retail installment contract, the retail seller of the motor vehicle under
12 the contract or, if the contract is purchased by a sales finance company or other assignee, the
13 sales finance company or other assignee;

14 (4) "Insurance company", any form of lawfully authorized insurer in this state;

15 (5) "Motor vehicle", any new or used automobile, mobile home, manufactured home as
16 defined in section 700.010, excluding a manufactured home with respect to which the
17 requirements of subsections 1 to 3 of section 700.111, as applicable, have been satisfied,
18 motorcycle, all-terrain vehicle, motorized bicycle, **electric bicycle as defined in section**
19 **301.010**, moped, motortricycle, truck, trailer, semitrailer, truck tractor, or bus primarily designed
20 or used to transport persons or property on a public highway, road or street;

21 (6) "Official fees", the fees prescribed by law for filing, recording or otherwise perfecting
22 and releasing or satisfying any title or lien retained or taken by a seller in connection with a retail
23 installment transaction;

24 (7) "Person", an individual, partnership, corporation, association, and any other group
25 however organized;

26 (8) "Principal balance", the cash sale price of the motor vehicle which is the subject
27 matter of the retail installment transaction plus the amounts, if any, included in the sale, if a
28 separate identified charge is made therefor and stated in the contract, for insurance and other
29 benefits, including any amounts paid or to be paid by the seller pursuant to an agreement with
30 the buyer to discharge a security interest, lien, or lease interest on property traded in and official
31 fees, minus the amount of the buyer's down payment in money or goods. Notwithstanding any
32 law to the contrary, any amount actually paid by the seller pursuant to an agreement with the
33 buyer to discharge a security interest, lien or lease on property traded in which was included in
34 a contract prior to August 28, 1999, is valid and legal;

35 (9) "Retail buyer" or "buyer", a person who buys a motor vehicle from a retail seller in
36 a retail installment transaction under a retail installment contract;

37 (10) "Retail installment contract" or "contract", an agreement evidencing a retail
38 installment transaction entered into in this state pursuant to which the title to or a lien upon the
39 motor vehicle, which is the subject matter of the retail installment transaction is retained or taken
40 by the seller from the buyer as security for the buyer's obligation. The term includes a chattel
41 mortgage or a conditional sales contract;

42 (11) "Retail installment transaction", a sale of a motor vehicle by a retail seller to a retail
43 buyer on time under a retail installment contract for a time sale price payable in one or more
44 deferred installments;

45 (12) "Retail seller" or "seller", a person who sells a motor vehicle, not principally for
46 resale, to a retail buyer under a retail installment contract;

47 (13) "Sales finance company", a person engaged, in whole or in part, in the business of
48 purchasing retail installment contracts from one or more sellers. The term includes but is not
49 limited to a bank, trust company, loan and investment company, savings and loan association,
50 financing institution, or registrant pursuant to sections 367.100 to 367.200, if so engaged. The
51 term shall not include a person who makes only isolated purchases of retail installment contracts,
52 which purchases are not being made in the course of repeated or successive purchases of retail
53 installment contracts from the same seller;

54 (14) "Time price differential", the amount, however denominated or expressed, as
55 limited by section 365.120, in addition to the principal balance to be paid by the buyer for the
56 privilege of purchasing the motor vehicle on time to be paid for by the buyer in one or more
57 deferred installments;

58 (15) "Time sale price", the total of the cash sale price of the motor vehicle and the
59 amount, if any, included for insurance and other benefits if a separate identified charge is made
60 therefor and the amounts of the official fees and time price differential.

385.220. 1. The provisions of sections 385.200 to 385.220 shall not apply to:

- 2 (1) Warranties;
- 3 (2) Maintenance agreements;
- 4 (3) Commercial transactions; [~~and~~]
- 5 (4) Service contracts sold or offered for sale to persons other than consumers; **or**
- 6 **(5) Motor club contracts, as defined in section 385.450.**

7 2. Manufacturer's contracts on the manufacturer's products need only comply with the
8 provisions of sections 385.206, 385.208, and 385.216.

385.320. 1. Sections 385.300 to 385.320 shall not apply to:

- 2 (1) Warranties;
- 3 (2) Maintenance agreements;
- 4 (3) Warranties, service contracts, or maintenance agreements offered by public utilities
5 on their transmission devices to the extent they are regulated under the laws of this state;
- 6 (4) Service contracts sold or offered for sale to
7 persons other than consumers;
- 8 (5) Service contracts sold or offered to nonresidents of this state regardless of whether
9 the entity selling or offering such contracts is located or doing business in this state;
- 10 (6) Motor vehicle extended service contracts, as defined in section 385.200; [~~and~~]
- 11 **(7) Motor club contracts, as defined in section 385.450; or**
- 12 **(8) Agreements or warranties which provide for the service, repair, replacement, or**
13 **maintenance of the systems, appliances, and structural components of residential or commercial**
14 **real property.**

15 2. Manufacturer's service contracts on the manufacturer's products need only comply
16 with the provisions of sections 385.306, 385.308, and 385.316.

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

- 2 **(1) "Motor club", a legal entity that, in consideration of dues, assessments, or**
3 **periodic payments of money, promises to provide motor club services to its members or**
4 **subscribers;**
- 5 **(2) "Motor club contract", an agreement whereby a motor club promises to render,**
6 **furnish, or procure motor club services to or for its members or subscribers;**
- 7 **(3) "Motor club services", services that assist a member or subscriber of a motor**
8 **club in matters relating to motor travel or the operation, use, or maintenance of a motor**
9 **vehicle by supplying services that may include, but are not limited to, towing service,**

10 **emergency road service, bail and guaranteed arrest bond certificate service, discount**
 11 **service, theft service, map service, touring service, legal fee reimbursement service in the**
 12 **defense of traffic offenses, and participation in an accident and sickness or accidental death**
 13 **insurance benefit program issued by an insurance company authorized to do business in**
 14 **this state.**

15 **2. Fees collected from the sale of motor club contracts shall not be subject to**
 16 **taxation of premiums under chapter 148.**

17 **3. Motor clubs complying with the provisions of this section shall not be required**
 18 **to comply with the provisions of chapter 374 or 375, or any other provisions governing**
 19 **insurance companies, except as specifically provided.**

407.300. 1. Every purchaser or collector of, or dealer in, junk, scrap metal, or any
 2 secondhand property **who obtains items for resale or profit** shall keep a register containing a
 3 written or electronic record for each purchase or ~~[trade-in which]~~ **trade-in of** each type of
 4 material subject to the provisions of this section ~~[is]~~ obtained for value. There shall be a separate
 5 record for each transaction involving any:

- 6 (1) Copper, brass, or bronze;
- 7 (2) Aluminum wire, cable, pipe, tubing, bar, ingot, rod, fitting, or fastener;
- 8 (3) Material containing copper or aluminum that is knowingly used for farming purposes
- 9 as farming is defined in section 350.010; whatever may be the condition or length of such metal;
- 10 (4) Catalytic converter; or
- 11 (5) Motor vehicle, heavy equipment, or tractor battery.

12 2. The record required by this section shall contain the following data:

13 (1) A copy of the driver's license, or **other** photo identification issued by the state or by
 14 the United States government or agency thereof, ~~[to]~~ **of** the person from whom the material is
 15 obtained;

16 (2) The current address, gender, birth date, and a **color** photograph of the person from
 17 whom the material is obtained if not included or are different from the identification required in
 18 subdivision (1) of this subsection;

19 (3) The date, time, and place of the transaction;

20 (4) The license plate number of the vehicle used by the seller during the transaction; **and**

21 (5) A full description of the material, including the weight and purchase price.

22 3. The records required under this section shall be maintained for a minimum of
 23 ~~[twenty-four months]~~ **thirty-six months** from when such material is obtained and shall be
 24 available for inspection by any law enforcement officer.

25 4. ~~[Anyone convicted of violating this section shall be guilty of a class B misdemeanor.]~~

26 **No transaction that includes a catalytic converter shall occur at any location other than the**

27 **primary place of business of the purchaser or collector of, or dealer in, junk, scrap metal,**
28 **or any secondhand property. No catalytic converter shall be altered, modified,**
29 **disassembled, or destroyed until it has been in the purchaser's, collector's, or dealer's**
30 **possession for five business days.**

31 **5. Anyone licensed under section 301.218 who is convicted of knowingly purchasing**
32 **a stolen catalytic converter shall be subject to the following penalties:**

33 **(1) For a first violation, a fine in the amount of five-thousand dollars;**

34 **(2) For a second violation, a fine in the amount of ten-thousand dollars; and**

35 **(3) For a third violation, revocation of the license for a business described under**
36 **section 301.218.**

37 **6. This section shall not apply to any of the following transactions:**

38 **(1) Any transaction for which the total amount paid for all regulated material purchased**
39 **or sold does not exceed fifty dollars, unless the material is a catalytic converter;**

40 **(2) Any transaction for which the seller, including a farm or farmer, has an existing**
41 **business relationship with the scrap metal dealer and is known to the scrap metal dealer making**
42 **the purchase to be an established business or political subdivision that operates a business with**
43 **a fixed location that can be reasonably expected to generate regulated scrap metal and can be**
44 **reasonably identified as such a business, and for which the seller is paid by check or by**
45 **electronic funds transfer; or**

46 **(3) Any transaction for which the type of metal subject to subsection 1 of this section is**
47 **a minor part of a larger item, except for equipment used in the generation and transmission of**
48 **electrical power or telecommunications, unless the material is a catalytic converter that is not**
49 **operationally installed in a motor vehicle.**

407.526. 1. A person commits the crime of odometer fraud in the third degree if, with
2 the intent to defraud, he operates a motor vehicle less than ~~ten~~ **twenty** years old on any street
3 or highway knowing that the odometer of the motor vehicle is disconnected or not functioning.

4 2. Odometer fraud in the third degree is a class C misdemeanor.

407.536. 1. Any person transferring ownership of a motor vehicle previously titled in
2 this or any other state shall do so by assignment of title and shall place the mileage registered on
3 the odometer at the time of transfer above the signature of the transferor. The signature of the
4 transferor below the mileage shall constitute an odometer mileage statement. The transferee
5 shall sign such odometer mileage statement before an application for certificate of ownership
6 may be made. If the true mileage is known to the transferor to be different from the number of
7 miles shown on the odometer or the true mileage is unknown, a statement from the transferor
8 shall accompany the assignment of title which shall contain all facts known by the transferor
9 concerning the true mileage of the motor vehicle. That statement shall become a part of the

10 permanent record of the motor vehicle with the Missouri department of revenue. The department
11 of revenue shall place on all new titles issued after September 28, 1977, a box titled "mileage at
12 the time of transfer".

13 2. Any person transferring the ownership of a motor vehicle previously untitled in this
14 or any other state to another person shall give an odometer mileage statement to the transferee.
15 The statement shall include above the signature of the transferor and transferee the cumulative
16 mileage registered on the odometer at the time of transfer. If the true mileage is known to the
17 transferor to be different from the number of miles shown on the odometer or the true mileage
18 is unknown, a statement from the transferor shall accompany the assignment of title which shall
19 contain all facts known by the transferor concerning the true mileage of the motor vehicle. That
20 statement shall become a permanent part of the records of the Missouri department of revenue.

21 3. If, upon receiving an application for registration or for a certificate of ownership of
22 a motor vehicle, the director of revenue has credible evidence that the odometer reading provided
23 by a transferor is materially inaccurate, he may place an asterisk on the face of the title document
24 issued by the Missouri department of revenue, provided that the process required thereby does
25 not interfere with his obligations under subdivision (2) of subsection 3 of section 301.190. The
26 asterisk shall refer to a statement on the face and at the bottom of the title document which shall
27 read as follows: "This may not be the true and accurate mileage of this motor vehicle. Consult
28 the documents on file with the Missouri department of revenue for an explanation of the
29 inaccuracy.". Nothing in this section shall prevent any person from challenging the
30 determination by the director of revenue in the circuit courts of the state of Missouri. The burden
31 of proof shall be on the director of the department of revenue in all such proceedings.

32 4. The mileage disclosed by the odometer mileage statement for a new or used motor
33 vehicle as described in subsections 1 and 2 of this section shall be placed by the transferor on any
34 title or document evidencing ownership. Additional statements shall be placed on the title
35 document as follows:

36 (1) If the transferor states that to the best of his knowledge the mileage disclosed is the
37 actual mileage of the motor vehicle, an asterisk shall follow the mileage on the face of the title
38 or document of ownership issued by the Missouri department of revenue. The asterisk shall
39 reference to a statement on the face and bottom of the title document which shall read as follows:
40 "Actual Mileage";

41 (2) Where the transferor has submitted an explanation why this mileage is incorrect, an
42 asterisk shall follow the mileage on the face of the title or document of ownership issued by the
43 Missouri department of revenue. The asterisk shall reference to a statement on the face and at
44 the bottom of the title document which shall read as follows: "This is not the true and accurate

45 mileage of this motor vehicle. Consult the documents on file with the Missouri department of
46 revenue for an explanation of the inaccuracy.". Further wording shall be included as follows:

47 (a) If the transferor states that the odometer reflects the amount of mileage in excess of
48 the designed mechanical odometer limit, the above statement on the face of the title document
49 shall be followed by the words: "Mileage exceeds the mechanical limits";

50 (b) If the transferor states that the odometer reading differs from the mileage and that the
51 difference is greater than that caused by odometer calibration error and the odometer reading
52 does not reflect the actual mileage and should not be relied upon, the above statement on the face
53 of the title document shall be preceded by the words: "Warning Odometer Discrepancy".

54 5. The department of revenue shall notify all motor vehicle ownership transferees of the
55 civil and criminal penalties involving odometer fraud.

56 6. Any person defacing or obscuring or otherwise falsifying any odometer reading on any
57 document required by this section shall be guilty of a class E felony.

58 7. The granting or creation of a security interest or lien shall not be considered a change
59 of ownership for the purpose of this section, and the grantor of such lien or security interest shall
60 not be required to make an odometer mileage statement. The release of a lien by a mortgage
61 holder shall not be considered a change of ownership of the motor vehicle for the purposes of
62 this section. The mortgage holder or lienholder shall not be required to make an odometer
63 disclosure statement or state the current odometer setting at the time of the release of the lien
64 where there is no change of ownership.

65 8. For the purposes of the mileage disclosure requirements of this section, if a certificate
66 of ownership is held by a lienholder, if the transferor makes application for a duplicate certificate
67 of ownership, or as otherwise provided in the federal Motor Vehicle Information and Cost
68 Savings Act and related federal regulations, the transferor may execute a written power of
69 attorney authorizing a transfer of ownership. The person granted such power of attorney shall
70 restate exactly on the assignment of title the actual mileage disclosed at the time of transfer. The
71 power of attorney shall accompany the certificate of ownership and the original power of
72 attorney and a copy of the certificate of ownership shall be returned to the issuing state in the
73 manner prescribed by the director of revenue, unless otherwise provided by federal law, rule or
74 regulation. The department of revenue may prescribe a secure document for use in executing a
75 written power of attorney, **and may allow electronic signatures on such document.** The
76 department shall collect a fee for each form issued, not to exceed the cost of procuring the form.

407.556. 1. A violation of the provisions of sections 407.511 to 407.556 by any person
2 licensed or registered as a manufacturer or dealer pursuant to the provisions of chapter 301, shall
3 be considered a violation of the provisions of that chapter, subjecting that person to revocation
4 or suspension of any license issued pursuant to the provisions of that chapter.

5 2. The provisions of sections 407.511 to 407.556 do not apply to the following motor
6 vehicles:

7 (1) Any motor vehicle having a gross vehicle weight rating of more than sixteen
8 thousand pounds;

9 (2) Any motor vehicle that is [~~ten~~] **twenty** years old or older;

10 (3) Any motor vehicle sold directly by the manufacturer to any agency of the United
11 States in conformity with contractual specifications; or

12 (4) Any new vehicle prior to its first transfer for purposes other than resale.

407.560. As used in sections 407.560 to 407.579, the following terms mean:

2 (1) "Collateral charges", those additional charges to a consumer not directly attributable
3 to a manufacturer's suggested retail price label for the new motor vehicle. For the purposes of
4 sections 407.560 to 407.579, "collateral charges" includes all sales tax, license fees, registration
5 fees, title fees and motor vehicle inspections;

6 (2) "Comparable motor vehicle", an identical or reasonably equivalent motor vehicle;

7 (3) "Consumer", the purchaser, other than for the purposes of resale, of a new motor
8 vehicle, primarily used for personal, family, or household purposes, and any person to whom
9 such new motor vehicle is transferred for the same purposes during the duration of an express
10 warranty applicable to such new motor vehicle, and any other person entitled by the terms of
11 such warranty to enforce the obligations of the warranty;

12 (4) "Express warranty", any written affirmation of the fact or promise made by a
13 manufacturer to a consumer in connection with the sale of new motor vehicles which relates to
14 the nature of the material or workmanship or will meet a specified level of performance over a
15 specified period of time;

16 (5) "Manufacturer", any person engaged in the manufacturing or assembling of new
17 motor vehicles as a regular business;

18 (6) "New motor vehicle", any motor vehicle being transferred for the first time from a
19 manufacturer, distributor or new vehicle dealer, which has not been registered or titled in this
20 state or any other state and which is offered for sale, barter or exchange by a dealer who is
21 franchised to sell, barter or exchange that particular make of new motor vehicle. The term "new
22 motor vehicle" shall include only those vehicles propelled by power other than muscular power,
23 but the term shall not include vehicles used as a commercial motor vehicle, off-road vehicles,
24 mopeds, **electric bicycles as defined in section 301.010**, motorcycles or recreational motor
25 vehicles as defined in section 301.010, except for the chassis, engine, powertrain and component
26 parts of recreational motor vehicles. The term "new motor vehicle" shall also include
27 demonstrators or lease-purchase vehicles as long as a manufacturer's warranty was issued as a
28 condition of sale.

407.815. As used in sections 407.810 to 407.835, unless the context otherwise requires,
2 the following terms mean:

3 (1) "Administrative hearing commission", the body established in chapter 621 to conduct
4 administrative hearings;

5 (2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
6 off-highway use, with an unladen dry weight of one thousand five hundred pounds or less,
7 traveling on three, four or more nonhighway tires, with either:

8 (a) A seat designed to be straddled by the operator, and handlebars for steering control,
9 **but excluding an electric bicycle as defined in section 301.010**; or

10 (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire
11 rim, regardless of seating or steering arrangement;

12 (3) "Coerce", to compel or attempt to compel a person to act in a given manner by
13 pressure, intimidation, or threat of harm, damage, or breach of contract, but shall not include the
14 following:

15 (a) Good faith recommendations, exposition, argument, persuasion or attempts at
16 persuasion without unreasonable conditions;

17 (b) Notice given in good faith to any franchisee of such franchisee's violation of terms
18 or provisions of such franchise or contractual agreement; or

19 (c) Any conduct set forth in sections 407.810 to 407.835 that is permitted of the
20 franchisor;

21 (4) "Common entity", a person:

22 (a) Who is either controlled or owned, beneficially or of record, by one or more persons
23 who also control or own more than forty percent of the voting equity interest of a franchisor; or

24 (b) Who shares directors or officers or partners with a franchisor;

25 (5) "Control", to possess, directly or indirectly, the power to direct or cause the direction
26 of the management or policies of a person, whether through the ownership of voting securities,
27 by contract, or otherwise; except that "control" does not include the relationship between a
28 franchisor and a franchisee under a franchise agreement;

29 (6) "Dealer-operator", the individual who works at the established place of business of
30 a dealer and who is responsible for and in charge of day-to-day operations of that place of
31 business;

32 (7) "Distributor", a person, resident or nonresident, who, in whole or in part, sells or
33 distributes new motor vehicles to motor vehicle dealers in this state;

34 (8) "Franchise" or "franchise agreement", a written arrangement or contract for a definite
35 or indefinite period, in which a person grants to another person a license to use, or the right to
36 grant to others a license to use, a trade name, trademark, service mark, or related characteristics,

37 in which there is a community of interest in the marketing of goods or services, or both, at
38 wholesale or retail, by agreement, lease or otherwise, and in which the operation of the
39 franchisee's business with respect to such franchise is substantially reliant on the franchisor for
40 the continued supply of franchised new motor vehicles, parts and accessories for sale at
41 wholesale or retail. The franchise includes all portions of all agreements between a franchisor
42 and a franchisee, including but not limited to a contract, new motor vehicle franchise, sales and
43 service agreement, or dealer agreement, regardless of the terminology used to describe the
44 agreement or relationship between the franchisor and franchisee, and also includes all provisions,
45 schedules, attachments, exhibits and agreements incorporated by reference therein;

46 (9) "Franchisee", a person to whom a franchise is granted;

47 (10) "Franchisor", a person who grants a franchise to another person;

48 (11) "Good faith", the duty of each party to any franchise and all officers, employees, or
49 agents thereof, to act in a fair and equitable manner toward each other so as to guarantee the one
50 party freedom from coercion, intimidation, or threat of coercion or intimidation from the other
51 party;

52 (12) "Importer", a person who has written authorization from a foreign manufacturer of
53 a line-make of motor vehicles to grant a franchise to a motor vehicle dealer in this state with
54 respect to that line-make;

55 (13) "Line-make", a collection of models, series, or groups of motor vehicles
56 manufactured by or for a particular manufacturer, distributor or importer offered for sale, lease
57 or distribution pursuant to a common brand name or mark; provided, however:

58 (a) Multiple brand names or marks may constitute a single line-make, but only when
59 included in a common dealer agreement and the manufacturer, distributor or importer offers such
60 vehicles bearing the multiple names or marks together only, and not separately, to its authorized
61 dealers; and

62 (b) Motor vehicles bearing a common brand name or mark may constitute separate
63 line-makes when pertaining to motor vehicles subject to separate dealer agreements or when such
64 vehicles are intended for different types of use;

65 (14) "Manufacturer", any person, whether a resident or nonresident of this state, who
66 manufactures or assembles motor vehicles or who manufactures or installs on previously
67 assembled truck chassis special bodies or equipment which, when installed, form an integral part
68 of the motor vehicle and which constitute a major manufacturing alteration. The term
69 "manufacturer" includes a central or principal sales corporation or other entity, other than a
70 franchisee, through which, by contractual agreement or otherwise, it distributes its products;

71 (15) "Motor vehicle", for the purposes of sections 407.810 to 407.835, any motor-driven
72 vehicle required to be registered pursuant to the provisions of chapter 301, except that,

73 motorcycles, **electric bicycles**, and all-terrain vehicles as defined in section 301.010 shall not
74 be included. The term "motor vehicle" shall also include any engine, transmission, or rear axle,
75 regardless of whether attached to a vehicle chassis, that is manufactured for the installation in
76 any motor-driven vehicle with a gross vehicle weight rating of more than sixteen thousand
77 pounds that is registered for the operations on the highways of this state under chapter 301;

78 (16) "New", when referring to motor vehicles or parts, means those motor vehicles or
79 parts which have not been held except as inventory, as that term is defined in subdivision (4) of
80 section 400.9-109;

81 (17) "Person", a natural person, sole proprietor, partnership, corporation, or any other
82 form of business entity or organization;

83 (18) "Principal investor", the owner of the majority interest of any franchisee;

84 (19) "Reasonable", shall be based on the circumstances of a franchisee in the market
85 served by the franchisee;

86 (20) "Require", to impose upon a franchisee a provision not required by law or
87 previously agreed to by a franchisee in a franchise agreement;

88 (21) "Successor manufacturer", any manufacturer that succeeds, or assumes any part of
89 the business of, another manufacturer, referred to as the "predecessor manufacturer", as the result
90 of:

91 (a) A change in ownership, operation, or control of the predecessor manufacturer by sale
92 or transfer of assets, corporate stock, or other equity interest, assignment, merger, consolidation,
93 combination, joint venture, redemption, court-approved sale, operation of law, or otherwise;

94 (b) The termination, suspension or cessation of a part or all of the business operations
95 of the predecessor manufacturer;

96 (c) The noncontinuation of the sale of the product line; or

97 (d) A change in distribution system by the predecessor manufacturer, whether through
98 a change in distributor or the predecessor manufacturer's decision to cease conducting business
99 through a distributor altogether.

407.1025. As used in sections 407.1025 to 407.1049, unless the context otherwise
2 requires, the following terms mean:

3 (1) "Administrative hearing commission", the body established in chapter 621 to conduct
4 administrative hearings;

5 (2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
6 off-highway use, with an unladen dry weight of one thousand five hundred pounds or less,
7 traveling on three, four or more nonhighway tires, with either:

8 (a) A seat designed to be straddled by the operator, and handlebars for steering control,
9 **but excluding an electric bicycle as defined in section 301.010**; or

10 (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire
11 rim, regardless of seating or steering arrangement;

12 (3) "Coerce", to force a person to act in a given manner or to compel by pressure or
13 threat but shall not be construed to include the following:

14 (a) Good faith recommendations, exposition, argument, persuasion or attempts at
15 persuasion;

16 (b) Notice given in good faith to any franchisee of such franchisee's violation of terms
17 or provisions of such franchise or contractual agreement;

18 (c) Any other conduct set forth in section 407.1043 as a defense to an action brought
19 pursuant to sections 407.1025 to 407.1049; or

20 (d) Any other conduct set forth in sections 407.1025 to 407.1049 that is permitted of the
21 franchisor or is expressly excluded from coercion or a violation of sections 407.1025 to
22 407.1049;

23 (4) "Franchise", a written arrangement or contract for a definite or indefinite period, in
24 which a person grants to another person a license to use, or the right to grant to others a license
25 to use, a trade name, trademark, service mark, or related characteristics, in which there is a
26 community of interest in the marketing of goods or services, or both, at wholesale or retail, by
27 agreement, lease or otherwise, and in which the operation of the franchisee's business with
28 respect to such franchise is substantially reliant on the franchisor for the continued supply of
29 franchised new motorcycles or all-terrain vehicles, parts and accessories for sale at wholesale or
30 retail;

31 (5) "Franchisee", a person to whom a franchise is granted;

32 (6) "Franchisor", a person who grants a franchise to another person;

33 (7) "Motorcycle", a motor vehicle operated on two wheels, **but excluding an electric**
34 **bicycle as defined in section 301.010;**

35 (8) "New", when referring to motorcycles or all-terrain vehicles or parts, means those
36 motorcycles or all-terrain vehicles or parts which have not been held except as inventory, as that
37 term is defined in subdivision (4) of section 400.9-109;

38 (9) "Person", a sole proprietor, partnership, corporation, or any other form of business
39 organization.

570.030. 1. A person commits the offense of stealing if he or she:

2 (1) Appropriates property or services of another with the purpose to deprive him or her
3 thereof, either without his or her consent or by means of deceit or coercion;

4 (2) Attempts to appropriate anhydrous ammonia or liquid nitrogen of another with the
5 purpose to deprive him or her thereof, either without his or her consent or by means of deceit or
6 coercion; or

7 (3) For the purpose of depriving the owner of a lawful interest therein, receives, retains
8 or disposes of property of another knowing that it has been stolen, or believing that it has been
9 stolen.

10 2. The offense of stealing is a class A felony if the property appropriated consists of any
11 of the following containing any amount of anhydrous ammonia: a tank truck, tank trailer, rail
12 tank car, bulk storage tank, field nurse, field tank or field applicator.

13 3. The offense of stealing is a class B felony if:

14 (1) The property appropriated or attempted to be appropriated consists of any amount
15 of anhydrous ammonia or liquid nitrogen;

16 (2) The property consists of any animal considered livestock as the term livestock is
17 defined in section 144.010, or any captive wildlife held under permit issued by the conservation
18 commission, and the value of the animal or animals appropriated exceeds three thousand dollars
19 and that person has previously been found guilty of appropriating any animal considered
20 livestock or captive wildlife held under permit issued by the conservation commission.
21 Notwithstanding any provision of law to the contrary, such person shall serve a minimum prison
22 term of not less than eighty percent of his or her sentence before he or she is eligible for
23 probation, parole, conditional release, or other early release by the department of corrections;

24 (3) A person appropriates property consisting of a motor vehicle, watercraft, or aircraft,
25 and that person has previously been found guilty of two stealing-related offenses committed on
26 two separate occasions where such offenses occurred within ten years of the date of occurrence
27 of the present offense;

28 (4) The property appropriated or attempted to be appropriated consists of any animal
29 considered livestock as the term is defined in section 144.010 if the value of the livestock
30 exceeds ten thousand dollars; or

31 (5) The property appropriated or attempted to be appropriated is owned by or in the
32 custody of a financial institution and the property is taken or attempted to be taken physically
33 from an individual person to deprive the owner or custodian of the property.

34 4. The offense of stealing is a class C felony if the value of the property or services
35 appropriated is twenty-five thousand dollars or more.

36 5. The offense of stealing is a class D felony if:

37 (1) The value of the property or services appropriated is seven hundred fifty dollars or
38 more;

39 (2) The offender physically takes the property appropriated from the person of the
40 victim; or

41 (3) The property appropriated consists of:

42 (a) Any motor vehicle, watercraft or aircraft;

- 43 (b) Any will or unrecorded deed affecting real property;
- 44 (c) Any credit device, debit device or letter of credit;
- 45 (d) Any firearms;
- 46 (e) Any explosive weapon as defined in section 571.010;
- 47 (f) Any United States national flag designed, intended and used for display on buildings
- 48 or stationary flagstaffs in the open;
- 49 (g) Any original copy of an act, bill or resolution, introduced or acted upon by the
- 50 legislature of the state of Missouri;
- 51 (h) Any pleading, notice, judgment or any other record or entry of any court of this state,
- 52 any other state or of the United States;
- 53 (i) Any book of registration or list of voters required by chapter 115;
- 54 (j) Any animal considered livestock as that term is defined in section 144.010;
- 55 (k) Any live fish raised for commercial sale with a value of seventy-five dollars or more;
- 56 (l) Any captive wildlife held under permit issued by the conservation commission;
- 57 (m) Any controlled substance as defined by section 195.010;
- 58 (n) Ammonium nitrate;
- 59 (o) Any wire, electrical transformer, or metallic wire associated with transmitting
- 60 telecommunications, video, internet, or voice over internet protocol service, or any other device
- 61 or pipe that is associated with conducting electricity or transporting natural gas or other
- 62 combustible fuels; or
- 63 (p) Any material appropriated with the intent to use such material to manufacture,
- 64 compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their
- 65 analogues.
- 66 6. The offense of stealing is a class E felony if:
- 67 (1) The property appropriated is an animal; ~~or~~
- 68 (2) **The property is a catalytic converter; or**
- 69 (3) A person has previously been found guilty of three stealing-related offenses
- 70 committed on three separate occasions where such offenses occurred within ten years of the date
- 71 of occurrence of the present offense.
- 72 7. The offense of stealing is a class D misdemeanor if the property is not of a type listed
- 73 in subsection 2, 3, 5, or 6 of this section, the property appropriated has a value of less than one
- 74 hundred fifty dollars, and the person has no previous findings of guilt for a stealing-related
- 75 offense.
- 76 8. The offense of stealing is a class A misdemeanor if no other penalty is specified in this
- 77 section.

78 9. If a violation of this section is subject to enhanced punishment based on prior findings
79 of guilt, such findings of guilt shall be pleaded and proven in the same manner as required by
80 section 558.021.

81 10. The appropriation of any property or services of a type listed in subsection 2, 3, 5,
82 or 6 of this section or of a value of seven hundred fifty dollars or more may be considered a
83 separate felony and may be charged in separate counts.

84 11. The value of property or services appropriated pursuant to one scheme or course of
85 conduct, whether from the same or several owners and whether at the same or different times,
86 constitutes a single criminal episode and may be aggregated in determining the grade of the
87 offense, except as set forth in subsection 10 of this section.

578.120. 1. Notwithstanding any provision in this chapter to the contrary, no dealer,
2 distributor or manufacturer licensed under section 301.559 may keep open, operate, or assist in
3 keeping open or operating any established place of business for the purpose of buying, selling,
4 bartering or exchanging, or offering for sale, barter or exchange, any motor vehicle, whether new
5 or used, on Sunday. However, this section does not apply to the sale of manufactured housing;
6 the sale of recreational motor vehicles; the sale of motorcycles as that term is defined in section
7 301.010; the sale of motortricycles, motorized bicycles, **electric bicycles as defined in section**
8 **301.010**, all-terrain vehicles, recreational off-highway vehicles, utility vehicles, personal
9 watercraft, or other motorized vehicles customarily sold by powersports dealers licensed
10 pursuant to sections 301.550 to 301.560; washing, towing, wrecking or repairing operations; the
11 sale of petroleum products, tires, and repair parts and accessories; or new vehicle shows or
12 displays participated in by five or more franchised dealers or in towns or cities with five or fewer
13 dealers, a majority.

14 2. No association consisting of motor vehicle dealers, distributors or manufacturers
15 licensed under section 301.559 shall be in violation of antitrust or restraint of trade statutes under
16 chapter 416 or regulation promulgated thereunder solely because it encourages its members not
17 to open or operate on Sunday a place of business for the purpose of buying, selling, bartering or
18 exchanging any motor vehicle.

19 3. Any person who violates the provisions of this section shall be guilty of a class C
20 misdemeanor.

643.315. 1. Except as provided in sections 643.300 to 643.355, all motor vehicles which
2 are domiciled, registered or primarily operated in an area for which the commission has
3 established a motor vehicle emissions inspection program pursuant to sections 643.300 to
4 643.355 shall be inspected and approved prior to sale or transfer; provided that, if such vehicle
5 is inspected and approved prior to sale or transfer, such vehicle shall not be subject to another
6 emissions inspection for ninety days after the date of sale or transfer of such vehicle. [fr

7 ~~addition, any such vehicle manufactured as an even-numbered model year vehicle shall be~~
8 ~~inspected and approved under the emissions inspection program established pursuant to sections~~
9 ~~643.300 to 643.355 in each even-numbered calendar year and any such vehicle manufactured as~~
10 ~~an odd-numbered model year vehicle shall be inspected and approved under the emissions~~
11 ~~inspection program established pursuant to sections 643.300 to 643.355 in each odd-numbered~~
12 ~~calendar year.]~~ **In addition, any such vehicle shall be inspected and approved under the**
13 **emissions inspection program established under sections 643.300 and 643.355 at least**
14 **biennially.** All motor vehicles subject to the inspection requirements of sections 643.300 to
15 643.355 shall display a valid emissions inspection sticker, and when applicable, a valid
16 emissions inspection certificate shall be presented at the time of registration or **biennially for**
17 registration renewal of such motor vehicle. The department of revenue shall require evidence
18 of the safety and emission inspection and approval required by this section in issuing the motor
19 vehicle [~~annual~~] registration in conformity with the procedure required by sections 307.350 to
20 307.390 and sections 643.300 to 643.355. The director of revenue may verify that a successful
21 safety and emissions inspection was completed via electronic means.

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

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

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

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

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

32 (5) Motor vehicles registered in an area subject to the inspection requirements of sections
33 643.300 to 643.355 which are domiciled and operated exclusively in an area of the state not
34 subject to the inspection requirements of sections 643.300 to 643.355, but only if the owner of
35 such vehicle presents to the department an affidavit that the vehicle will be operated exclusively
36 in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355
37 for the next twenty-four months, and the owner applies for and receives a waiver which shall be
38 presented at the time of registration or registration renewal;

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

- 43 (7) Historic motor vehicles registered pursuant to section 301.131;
- 44 (8) School buses;
- 45 (9) Heavy-duty diesel-powered vehicles with a gross vehicle weight rating in excess of
46 eight thousand five hundred pounds;
- 47 (10) New motor vehicles that have not been previously titled and registered, for the four-
48 year period following their model year of manufacture, provided the odometer reading for such
49 motor vehicles are under forty thousand miles at their first required biennial safety inspection
50 conducted under sections 307.350 to 307.390; otherwise such motor vehicles shall be subject to
51 the emissions inspection requirements of subsection 1 of this section during the same period that
52 the biennial safety inspection is conducted;
- 53 (11) Motor vehicles that are driven fewer than twelve thousand miles between biennial
54 safety inspections; and
- 55 (12) Qualified plug-in electric drive vehicles. For the purposes of this section, "qualified
56 plug-in electric drive vehicle" shall mean a plug-in electric drive vehicle that is made by a
57 manufacturer, has not been modified from original manufacturer specifications, and can operate
58 solely on electric power and is capable of recharging its battery from an on-board generation
59 source and an off-board electricity source.
- 60 3. The commission may, by rule, allow inspection reciprocity with other states having
61 equivalent or more stringent testing and waiver requirements than those established pursuant to
62 sections 643.300 to 643.355.
- 63 4. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.550,
64 may choose to sell a motor vehicle subject to the inspection requirements of sections 643.300
65 to 643.355 either:
- 66 (a) With prior inspection and approval as provided in subdivision (2) of this subsection;
67 or
- 68 (b) Without prior inspection and approval as provided in subdivision (3) of this
69 subsection.
- 70 (2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer
71 shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the
72 emissions standards established pursuant to sections 643.300 to 643.355 or by obtaining a waiver
73 pursuant to section 643.335. A vehicle sold pursuant to this subdivision by a licensed motor
74 vehicle dealer shall be inspected and approved within the one hundred twenty days immediately
75 preceding the date of sale, and, for the purpose of registration of such vehicle, such inspection
76 shall be considered timely.
- 77 (3) If the dealer chooses to sell the vehicle without prior inspection and approval, the
78 purchaser may return the vehicle within ten days of the date of purchase, provided that the

79 vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails,
80 upon inspection, to meet the emissions standards specified by the commission and the dealer
81 shall have the vehicle inspected and approved without the option for a waiver of the emissions
82 standard and return the vehicle to the purchaser with a valid emissions certificate and sticker
83 within five working days or the purchaser and dealer may enter into any other mutually
84 acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and
85 approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the
86 purchaser has the option to return the vehicle within ten days, provided that the vehicle has no
87 more than one thousand additional miles since the time of sale, to have the dealer repair the
88 vehicle and provide an emissions certificate and sticker within five working days if the vehicle
89 fails, upon inspection, to meet the emissions standards established by the commission, or enter
90 into any mutually acceptable agreement with the dealer. A violation of this subdivision shall be
91 an unlawful practice as defined in section 407.020. No emissions inspection shall be required
92 pursuant to sections 643.300 to 643.360 for the sale of any motor vehicle which may be sold
93 without a certificate of inspection and approval, as provided pursuant to subsection 2 of section
94 307.380.

**Section 1. Notwithstanding any other provision of law to the contrary, any motor
2 vehicle, including any historic motor vehicle, that is not equipped with a front license plate
3 bracket shall not be required to display a front license plate on such vehicle. At the time
4 of initial registration or renewal of the registration, the owner of such vehicle shall
5 surrender the front license plate to the department of revenue and notify the department
6 that such vehicle is not equipped with a front license plate bracket.**

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