



license plates assigned to the vehicle until they expire.

(2) It will be the owner's responsibility to submit proof that the name s/he is changing from and the name s/he is changing to are the same owner(s), and no change of ownership has occurred. This proof may be by certified copy of the name-change document issued by the Office of the Secretary of State or court order.

(3) If the entire ownership of a business is sold to another individual, partnership or corporation, the registration of any commercial motor vehicles owned by the business may be transferred to the new owner. A statement from the seller which gives permission for the new owners to use the license plates currently on the vehicles until their date of expiration is required. This statement is sometimes included as part of the sale contract.

(4) Examples.

(A) Corporate Name Change. ABC Corporation changes its name to DEF Corporation with no change of owners. A name-change document from the secretary of state is required. The old license plate may be used. No transfer fee will be charged unless the corporation is transferring the license from one (1) vehicle to another. If a name-change document is not presented, new license plates must be purchased.

(B) Corporate Name Change—Additional Owners. ABC Corporation owned by two (2) people changes its name to DEF Corporation which will be owned by four (4) people. A change of ownership is involved. New license plates are required. New license plates will not be required for any commercial motor vehicles involved in the change of ownership. A statement from the seller will be required.

(C) Corporate Distribution to Shareholder. ABC Corporation, owned by John Doe, wants to retitle a vehicle with the corporation's name to the individual's name. A change of ownership is involved. New license plates are required. New license plates will not be required for any commercial motor vehicles involved in the change of ownership. A statement from the seller will be required.

(D) Shareholder Contribution to Corporation. John Doe wants to retitle his privately owned vehicle to his corporation's name, ABC Corporation. A change of ownership is involved. New license plates are required. New license plates will not be required for any commercial motor vehicles involved in the change of ownership. A statement from the seller will be required.

(E) Incorporation of a Company. XYZ Company incorporates and changes to XYZ Corporation. A change of ownership is involved. New license plates are required. New license plates will not be required for any commercial motor vehicles involved in the change of ownership. A statement from the seller will be required.

(F) Company Name Change. XYZ Company changes its name to ABC Company with no change of ownership. A name-change document from the secretary of state is required. The old license plates may be used. No transfer fee is charged unless the company or corporation is transferring the license from one (1) vehicle to another. If a name-change document cannot be presented, new license plates must be purchased.

(G) Individual to Company Name Change. John Doe wants to retitle his privately owned vehicle to his privately owned company, John's Delivery Company. A copy of Registration of Fictitious Name form filed with the secretary of state is required. The old license plates may be used. No transfer fee is charged unless John Doe is transferring the license plates from one (1) vehicle to another. If the Registration of Fictitious Name form cannot be presented, new license plates must be purchased.

(H) Company Name Change—Additional Owners. ABC Company owned by two (2) people changes its name to XYZ Company owned by four (4) people. A change of ownership is involved. New license plates are required. New license plates will not be required for any commercial motor vehicles involved in the change of ownership. A statement from the seller will be required.

(I) Individual Name Change. Because of marriage, divorce or establishment of name by common usage, Mary Jones changes her last name on a certificate of title to Mary Johnson. Mary must present her Missouri driver's license showing her name. This will constitute sufficient proof of name change. If Mary does not have a Missouri driver's license, or has not applied for a new driver's license which reflects her name change, she must complete an affidavit stating her name change was due to marriage or divorce, or present three (3) affidavits stating the name change was due to establishment of name by common usage. Her old license plates may be used if Mary's previous name was on the original title.

(J) Court Authorized Individual Name Change. John Brown wants to change his name to Bobby Smith on a certificate of title. A certified copy of the court order authorizing the name change is required. His old license plates may be used.

AUTHORITY: sections 301.140, RSMo Supp. 1987 and 301.442, RSMo 1986. Original rule filed April 21, 1986, effective Aug. 11, 1986.*

**Original authority: 301.140, RSMo 1987, amended 1947, 1951, 1978, 1979, 1986, 1987 and 301.442, RSMo 1981.*

12 CSR 10-23.295 Witnessing Proof of Federal Heavy Vehicle Use Tax Payment or Exemption

PURPOSE: Section 301.025, RSMo prohibits the director of revenue from registering any vehicle subject to Federal Heavy Vehicle Use Tax unless the applicant submits proof of payment or exemption. This rule clarifies what constitutes proof of payment or exemption of the Federal Heavy Vehicle Use Tax imposed by Section 4481 of the Internal Revenue Code.

(1) All applications (new or renewal) for a commercial motor vehicle registration with a licensed gross weight of sixty thousand ten pounds (60,010 lbs.) or above must be accompanied by proof that federal heavy vehicle use tax has been paid on the vehicle or that the vehicle is tax exempt. Acceptable proof includes:

(A) Schedule 1 to the federal Heavy Highway Vehicle Use Tax Return, Form 2290 appropriately stamped paid or received by the Internal Revenue Service; or

(B) A copy of the front and back of the applicant's cancelled check made payable to the Internal Revenue Service for the heavy vehicle use tax and the applicant's copy of Schedule 1 to Form 2290.

(2) Proof of tax payment or tax exemption is not required for—

(A) Federal, state, city, and county owned vehicles;

(B) Vehicles owned by the American National Red Cross, a nonprofit volunteer fire department, ambulance association, or rescue squad; or

(C) Vehicles purchased no more than sixty (60) days prior to the date of application for registration.

(3) The Heavy Highway Vehicle Use Tax Return (FORM 2290) and the Schedule 1 to FORM 2290, may be obtained at www.irs.gov, or by phone at 1 (800) 829-3676, or at many Internal Revenue Service offices, post offices, and libraries.

AUTHORITY: section 301.025, RSMo Supp. 2006. Original rule filed May 27, 1986,*



effective Aug. 25, 1986. Amended: Filed June 1, 2007, effective Nov. 30, 2007.

*Original authority: 301.025.2, RSMo 1951, amended 1974, 1984, 1987, 1995, 1997, 1998, 1999, 2000, 2004, 2005.

12 CSR 10-23.300 Use of Local Commercial Motor Vehicle License Plates for Farm or for Farming Transportation Operations

PURPOSE: This rule sets forth the manner of the use of local commercial motor vehicle license plates issued to motor vehicles used for farm or farming transportation operations.

(1) Any applicant who requests a farm license plate will be issued a local commercial license plate for the appropriate gross weight category and an "F" tab. The tab (which shall be a black letter F on a yellow background) referred to as a "farm" tab, should be affixed to the license plate in the lower left-hand corner. If the owner is issued Local 6,000 or Local 12,000 license plates, two (2) farm tabs must be issued. If the owner is issued a Local 18,000 through 80,000 license plate, one (1) farm tab will be issued. The farm tab(s) shall be issued at no fee.

(2) A farmer operating his/her truck on a local commercial motor vehicle license plate with a farm tab may travel beyond the fifty (50) mile limit as defined in section 301.010(25), RSMo while empty or loaded. If the motor vehicle is loaded, the property being transported must be going to or from the farm for use in the operation of the farm.

(3) A farmer operating on a local commercial motor vehicle license plate with a farm tab may not make a for hire haul.

AUTHORITY: section 301.030, RSMo 2000. Original rule filed June 9, 1986, effective Sept. 26, 1986. Amended: Filed June 24, 2003, effective Dec. 30, 2003.*

*Original authority: 301.030, RSMo 1947, amended 1951, 1965, 1974, 1983, 1986, 1993, 1995, 1997.

12 CSR 10-23.305 No-Fee Transactions

PURPOSE: This rule establishes when the department may issue, on a no-fee basis, any replacement certificate of title, license plate or tab.

(1) When the department's records indicate a certificate of title, license plate or tab was

mailed to any applicant and the applicant contacts the department stating s/he did not receive the item in the mail, the department will issue a duplicate certificate of title, license plate or tab at no fee provided the applicant submits an application and a notarized affidavit to the department. This rule will apply if a certificate of title, license plate or tab was not received by the applicant within one (1) calendar year after the item was issued (mailed) by the department. After the one (1) calendar year period has elapsed, the applicant must submit the required documents and fee to obtain the duplicate title, replacement plates, tabs or plates and tabs.

(2) The application must be completed in its entirety. The affidavit must state that the certificate of title, license plate or tab was not received by the applicant and, if the item is received at a later date, it will be returned to the department immediately.

AUTHORITY: section 136.030, RSMo 1986. Original rule filed June 10, 1986, effective Sept. 26, 1986.*

*Original authority: 136.030, RSMo 1945, amended 1947, 1949, 1965.

12 CSR 10-23.310 Issuance of Special Fuel Decals

PURPOSE: This rule establishes the procedures for issuance of special fuel decals.

(1) The owners of the motor vehicles powered by liquefied petroleum (LP) gas, natural gas or electricity annually shall purchase a special fuel decal prior to January 31 and pay the annual decal fee set by law. For motor vehicles obtained and converted to run on LP gas, natural gas or electricity after January 31 of any year, the decal fee shall be reduced by one-twelfth (1/12) for each month which has elapsed since the beginning of the year. The owner of any vehicle that was titled, registered and equipped to run on LP gas, natural gas or electricity as of January 31 shall pay the full year's fee.

(A) Example A: An applicant has May plates on a vehicle equipped to run on LP gas and applies for a special fuel decal during February of the following year. The full fee is due.

(B) Example B: An applicant purchases a vehicle equipped to run on LP gas in May and titles and registers his/her vehicle in the same month. The applicant will be issued a special fuel decal and the fee would be prorated over eight (8) months.

(C) Example C: An applicant owns a vehicle which has been previously titled and registered and converts it to use LP gas in May. The applicant will be issued a special fuel decal and the fee would be prorated over eight (8) months.

(2) The special fuel decal fee paid for each motor vehicle is transferable upon either a change of ownership of the motor vehicle or if the LP gas, natural gas or electrical equipment is removed from the vehicle by the seller upon change of ownership and is subsequently installed in another vehicle acquired or owned by the seller.

(A) When the ownership of a motor vehicle is transferred to another person, the decal issued to the motor vehicle will remain with the vehicle and shall be transferred to the new owner. The new owner shall complete a new application for the special fuel decal but no fee will be charged for the decal transfer.

(B) When LP gas equipment, natural gas equipment or electrical power equipment is removed by the owner upon sale of the vehicle and later installed on another vehicle owned or purchased by the same individual, the special fuel decal may be transferred to the newly equipped vehicle. In order to receive credit, the owner will be required to remove the special fuel decal from the vehicle from which s/he removed the LP gas, natural gas or electrical power equipment and surrender the decal. The department's fee agent and branch office employees will verify the removal of the decal and issue a replacement decal for the balance of the registration period at no fee.

(3) If a special fuel decal is lost, stolen, mutilated or destroyed, the owner shall make application for a replacement decal and pay the replacement fee established by law.

(4) If an owner of a commercial motor vehicle powered by LP gas, natural gas or electricity wishes to change the licensed gross weight/zone of the commercial motor vehicle and that change puts the vehicle into an increased special fuel decal fee category, additional decal fees shall be collected. If the change of weight/zone would require a decrease in the decal fee from what was originally paid, no credit shall be allowed.

AUTHORITY: section 142.611, RSMo 1986. Original rule filed June 9, 1986, effective Sept. 26, 1986. Amended: Filed Sept. 16, 1991, effective Jan. 13, 1992.*

*Original authority: 142.611, RSMo 1972.



12 CSR 10-23.315 Motorized Bicycles

PURPOSE: This rule clarifies titling, registration, use and regulation of motorized bicycles.

(1) Section 301.010(18), RSMo defines a motorized bicycle as any two (2)-wheeled or three (3)-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty (50) cubic centimeters, which produces less than three (3) gross brake horsepower and is capable of propelling the device at a maximum speed of not more than thirty (30) miles per hour on level ground.

(A) Because a motorized bicycle (moped) is neither a vehicle nor a motor vehicle, the Department of Revenue does not title or license these units.

(B) Motorized bicycles are not required to be licensed to be operated on the streets and highways. The registration requirements of Chapter 301, RSMo pertain only to motor vehicles, trailers and all-terrain vehicles.

(C) Motorized bicycles may not be operated upon any interstate highway. They may be operated upon any other public street or highway.

(D) The operator of a motorized bicycle does not have to be motorcycle qualified to operate this unit.

(E) The motorcycle helmet law does not apply to motorized bicycles.

(F) Those persons engaged in the business of selling motorized bicycles do not have to be registered dealers.

(G) An operator of a motorized bicycle is subject to point assessment for moving violations.

(H) An operator of a motorized bicycle shall have a valid driver's license.

AUTHORITY: sections 301.010, 301.020, 302.020, 307.195, RSMo Supp. 1989, 301.190, RSMo Supp. 1990 and 307.190 and 307.193, RSMo 1986. Original rule filed June 10, 1986, effective Sept. 26, 1986. Amended: Filed Oct. 30, 1989, effective Feb. 25, 1990.*

**Original authority: 301.010, RSMo 1939, amended 1945, 1949, 1951, 1969, 1974, 1979, 1980, 1983, 1985, 1986, 1987, 1988, 1989; 301.020, RSMo 1939, amended 1943, 1945, 1949, 1957, 1969, 1985, 1986, 1986, 1987, 1988, 1989, 1990; 302.020, RSMo 1939, amended 1951, 1967, 1984, 1988, 1989; 307.190 and 307.193, RSMo 1977, amended 1980; 307.195, RSMo 1980, amended 1989.*

12 CSR 10-23.320 Assessment of Motor Vehicle and Trailer License Plate Transfer Fee

PURPOSE: This rule clarifies when a license plate transfer fee shall be assessed.

(1) When ownership of a registered motor vehicle or trailer is transferred, the original owner may register another motor vehicle or trailer under the same license plate number provided the owner pays the transfer fee set by law and also that the motor vehicle or trailer being newly registered is of either a horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) a seating capacity not in excess of the originally registered vehicle. When the newly registered vehicle is of greater horsepower, gross weight or seating capacity than the previously owned and registered vehicle, the owner shall pay the transfer fee set by law and a pro rata portion for the difference in registration fees. Occasions when the license plate transfer fee shall not be assessed are detailed as follows:

(A) When ownership of a registered motor vehicle or trailer is transferred during or immediately prior to the month of expiration of the owner's license plates, or license plates are transferred to a previously nonused vehicle, the original owner may register another motor vehicle or trailer under the same license plate number without paying a license plate transfer fee if the motor vehicle or trailer being registered is of either a horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) a seating capacity not in excess of the originally owned and registered vehicle. For example, an individual purchases a new vehicle—

1. During the month of expiration of his/her license plates and wants to transfer and renew his/her license plates at the time s/he titles the new vehicle. No license plate transfer fee shall be charged to the applicant but the applicant shall be charged the full year's registration fee for the new vehicle;

2. Immediately prior to the month of expiration of his/her license plates. The applicant submits an application for title to his/her new vehicle during the month his/her license plates expire and submits an affidavit of nonuse indicating the vehicle has not been operated on the streets and highways since the date of purchase. No license plate transfer fee shall be charged to the applicant, but the applicant shall be charged the full year's registration fee for the new vehicle; and

3. After the sixteenth day of the month immediately prior to the month of expiration of his/her license plates. The applicant

desires to transfer and renew his/her license plates early on the new vehicle when s/he makes application for title. No transfer fee shall be charged to the applicant but the applicant shall be charged the full year's registration fee for the new vehicle.

AUTHORITY: section 301.140, RSMo Supp. 1987. Original rule filed July 25, 1986, effective Nov. 28, 1986.*

**Original authority: 301.140, RSMo 1939, amended 1947, 1951, 1978, 1979, 1986, 1987.*

12 CSR 10-23.325 Transfer of Passenger Vehicle License Plates From One Horsepower Category to Another—Waiver of Additional Registration Fees and Lack of Refund Provision

PURPOSE: This rule clarifies the procedures by which payment of additional registration fees may be waived upon transfer of passenger vehicle license plates, as well as the director's lack of authority to refund previously paid registration fees in certain license plate transfer situations.

(1) Should an applicant desire to transfer current passenger vehicle license plates from a vehicle of a lesser horsepower to a vehicle of a greater corresponding horsepower, s/he may do so without payment of an additional registration fee provided the applicant submits a validated registration certificate as proof that s/he originally purchased the license plates to be transferred within the same registration year and for the greater registration category to which s/he wishes to return.

(2) Should an applicant desire to transfer current passenger vehicle license plates from a vehicle of a greater horsepower to a vehicle of a lesser corresponding horsepower, s/he shall not be entitled to a refund of the difference in registration fees between the greater and lesser categories.

AUTHORITY: section 301.140, RSMo Supp. 1987. Original rule filed July 25, 1986, effective Nov. 28, 1986.*

**Original authority: 301.140, RSMo 1939, amended 1947, 1951, 1978, 1979, 1986, 1997.*

12 CSR 10-23.330 Registration of Motorcycles or Motortricycles

PURPOSE: This rule clarifies the procedures for issuance of motorcycle or motortricycle license plates.



(1) The department shall issue one (1) license plate to a motorcycle or motortricycle.

(2) The motorcycle or motortricycle license plate shall be renewable by the issuance of a tab. Motorcycle or motortricycle license plates expire on April 30 of the registration period.

(3) The registration fee for a motorcycle or motortricycle purchased or acquired in any given month, and for which the owner does not hold a motorcycle or motortricycle license plate to transfer, shall be prorated based upon the number of months from the date of operation until April of the expiration of the registration year.

AUTHORITY: sections 301.055 and 301.080, RSMo 2000. Original rule filed July 25, 1986, effective Nov. 28, 1986. Amended: Filed June 24, 2003, effective Dec. 30, 2003.*

**Original authority: 301.055, RSMo 1969, amended 1984; 301.080, RSMo 1947, amended 1951, 1969, 1987.*

12 CSR 10-23.335 Issuance of Title to a Surviving Spouse or Unmarried Minor Children of a Decedent

PURPOSE: This rule clarifies the issuance of an original certificate of ownership to one automobile or other passenger motor vehicle to a surviving spouse, if any, or to surviving unmarried minor children in equal shares.

(1) When a decedent has not disposed of an automobile or other passenger motor vehicle by will, the surviving spouse, or in the event there is no surviving spouse, the unmarried minor children may equally take title to one (1) automobile or other passenger motor vehicle including a pickup truck without the issuance of a probate court order. The surviving spouse or unmarried minor children shall submit the following documents to the Department of Revenue in order to obtain a certificate of title:

- (A) Application for Title;
- (B) Affidavit to Establish Title to Exempt Property;
- (C) Certificate of title in the decedent's name or with the decedent named as purchaser of the motor vehicle;
- (D) Copy of the death certificate;
- (E) Proof that the applicant was legally married to the decedent or is an unmarried minor child of the decedent, if applicable; and
- (F) All taxes and fees required by law.

(2) For the purposes of obtaining a certificate of ownership, one (1) automobile or other passenger motor vehicle, as provided in section 474.250, RSMo, shall include any motor vehicle which is titled in the name of the decedent or assigned to the decedent. The ownership of non-passenger vehicles such as recreational vehicles, all-terrain vehicles, trailers, commercial trucks (trucks licensed for over eighteen thousand (18,000) pounds), buses and boats and outboard motors shall not be transferred by the Department of Revenue to a surviving spouse or unmarried minor children without presenting an appropriate court order.

AUTHORITY: section 474.250, RSMo 2000. Original rule filed July 25, 1986, effective Nov. 28, 1986. Amended: Filed July 17, 1989, effective Oct. 27, 1989. Amended: Filed Sept. 16, 2004, effective March 30, 2005.*

**Original authority: 474.250, RSMo 1939, amended 1955, 1957, 1980, 1996.*

12 CSR 10-23.340 Imposition and Waiver of Motor Vehicle and Trailer Titling and Registration Penalties

PURPOSE: This rule clarifies the reasons for imposition and waiver of all penalties assessed by the department on motor vehicles and trailers.

(1) The department shall assess penalties on three (3) types of motor vehicle and trailer titling and registration transactions. These penalties are—a delinquent registration renewal penalty, a failure to title penalty and a failure to renew or transfer a multiyear license plate penalty. All penalties may be waived by the department under certain circumstances.

(A) Delinquent Registration Renewal Penalty. If an owner of a multiyear license plate submits his/her application for renewal on the first day of the month following the month of expiration of the license plate, a delinquent registration renewal penalty shall be assessed. If the last day of the month of expiration falls on a Saturday, Sunday or legal state holiday, the following state working day is penalty free. If, for example, an owner has November license plates and the last day of November falls on Sunday, Monday, December 1 would be considered penalty free for all November renewals.

1. Once a motor vehicle is registered for use on Missouri highways, it is subject to annual registration. The motor vehicle is to be registered annually whether or not it is

actually on or off the highways for any period of time. This obligation to register the vehicle annually continues until the owner ceases to operate the vehicle on Missouri highways, at which time s/he is required to return his/her license plates to the director of revenue within ninety (90) days. If an owner of a motor vehicle surrenders his/her license plates to an office of the Department of Revenue within the ninety (90)-day period after ceasing to operate the motor vehicle, s/he may register that same vehicle again at a later date (see subparagraphs (1)(A)1.A.–C.) without being subject to a delinquent registration renewal penalty.

A. If an owner elects to renew the registration of a vehicle which s/he has ceased operating anytime during the twelve (12)-month period following the expiration of the license plates, s/he will be issued the appropriate license plate and validation tabs and be charged the appropriate twelve (12)-month registration fee. A delinquent registration renewal penalty shall not be charged provided the owner submits the receipt documenting his/her surrender of previously issued license plates.

B. An owner's registration shall be automatically cancelled after one (1) year from the date of expiration of a Missouri license plate. If an owner elects to cease operation of his/her vehicle, and the license plates on the vehicle have been expired for at least one (1) year, the owner will not be required to pay a delinquent registration renewal penalty if s/he elects to relicense the vehicle after one (1) year from the date of expiration of the license plates.

C. The owner of a motor vehicle may not surrender his/her license plates and request new license plates on the same day in order to avoid paying a delinquent registration renewal penalty.

(B) Failure to Title Penalty. If a purchaser of a motor vehicle or trailer fails to make application for a certificate of ownership within thirty (30) days after acquiring a motor vehicle or trailer, the department shall assess the title penalty set by law for each thirty (30)-day period of delinquency, not to exceed the maximum penalty allowed. The first penalty fee shall be assessed on the 31st day of delinquency. If the 30th, 60th, 90th, 120th, 150th, 180th, 210th, 240th or the 270th day of delinquency falls on a Saturday, Sunday or legal state holiday, the penalty fee shall not be imposed on the next state working day. If, for example, an individual purchases a motor vehicle on August 1, and the 30th day of the first period of delinquency falls on Sunday, August 31, the first penalty



would not be imposed on Monday, September 1 but on Tuesday, September 2.

(C) Penalty for Failure to Renew or Transfer a Multiyear License Plate. A penalty fee shall be imposed on any applicant who elects not to renew or transfer a multiyear license plate. Multiyear license plates are issued to—passenger vehicles; recreational vehicles; motorcycles; motortricycles; commercial motor vehicles registered for Local (L) 6000, L 12,000, Beyond Local (BL) 6000, BL 9000 and BL 12,000; shuttle buses; and van pool vehicles. If an applicant does not renew the multiyear license plates currently registered to his/her vehicle, but requests that new multiyear license plates be issued, a penalty fee shall not be imposed provided the applicant changes license plate categories. For example, if the applicant has regular passenger license plates and requests disabled person license plates, no failure to renew or transfer penalty shall be imposed.

AUTHORITY: sections 301.050, RSMo 1986 301.190 and 301.300, RSMo Supp. 1990. Original rule filed July 30, 1986, effective Nov. 28, 1986.*

**Original authority: 301.050, RSMo 1947, amended 1953, 1984; 301.190, RSMo 1939, amended 1947, 1965, 1981, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990; and 301.300, RSMo 1939, amended 1941, 1947, 1981, 1984, 1988, 1990.*

12 CSR 10-23.345 Definition of Major Component Parts of a Motor Vehicle

PURPOSE: This rule clarifies, by written definitions and illustrations, the seven major component parts commonly used in the reconstruction of a motor vehicle.

(1) The seven (7) major component parts which are commonly used to reconstruct a motor vehicle shall be defined solely for reconstruction purposes as follows. The written definition of each major component part is further clarified by an artist's drawing:

(A) Front-end assembly—An integrated unit consisting of that portion of the body from the firewall forward, that is, hood, both fenders, inner skirt of fenders, radiator or core support and grille;

(B) Front clip—All parts of the front-end assembly plus complete cowl. It may include instrumentation and steering column. It requires cutting of vehicle floor and windshield post;

(C) Cab—The passenger compartment of a common truck. It is a one (1)-piece sheet metal construction which may or may not include glass, instrumentation, steering column and seat;

(D) Rear clip—The complete rear sheet metal assembly formed by severing the vehicle across the floor and either through the windshield post or through the rear window post;

(E) Cowl—The sheet metal formed by severing the vehicle across the floor in the vicinity of the front seat and severing the windshield posts. It does not include parts forward of the firewall. If a cowl is included as an integrated part of a front clip, front-end assembly or rear clip, it shall not be considered a major component part for the purpose of determining the total number of the major component parts used in the reconstruction of a motor vehicle;

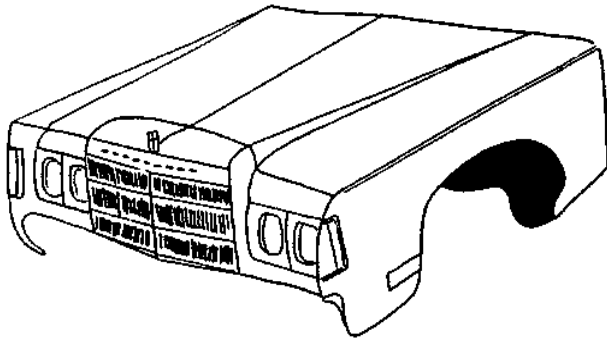
(F) Frame—The steel basic structure which runs the entire length of some vehicles and onto which the suspension parts are bolted to the lower side and the body is bolted to the top side. Unibody vehicles do not have this type of frame; and

(G) Body—The shell, either of a unibody or frame-type passenger vehicle, which consists of a one (1)-piece, integrated sheet metal construction extending from the firewall back. The body includes a cowl but not a front-end assembly. It may or may not include an interior, doors and deck lid. It does not include a frame as defined in subsection (1)(F).

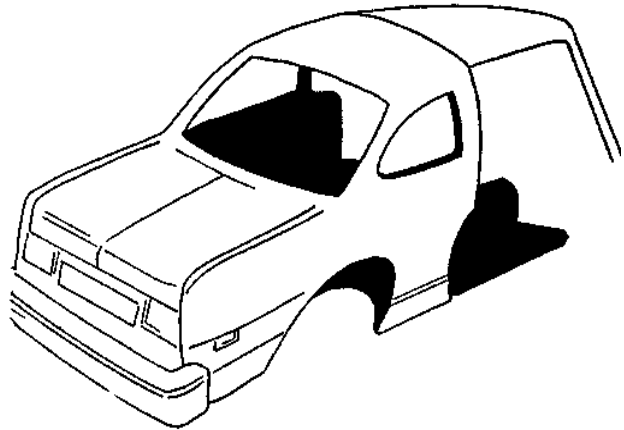
AUTHORITY: section 301.010, RSMo Supp. 1989. Original rule filed Sept. 1, 1986, effective Nov. 28, 1986.*

**Original authority: 301.010, RSMo 1939, amended 1945, 1949, 1951, 1969, 1974, 1979, 1980, 1983, 1983, 1985, 1986, 1986, 1987, 1988, 1989.*

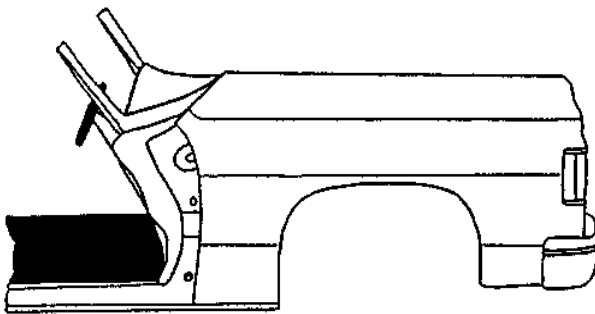
FRONT END ASSEMBLY



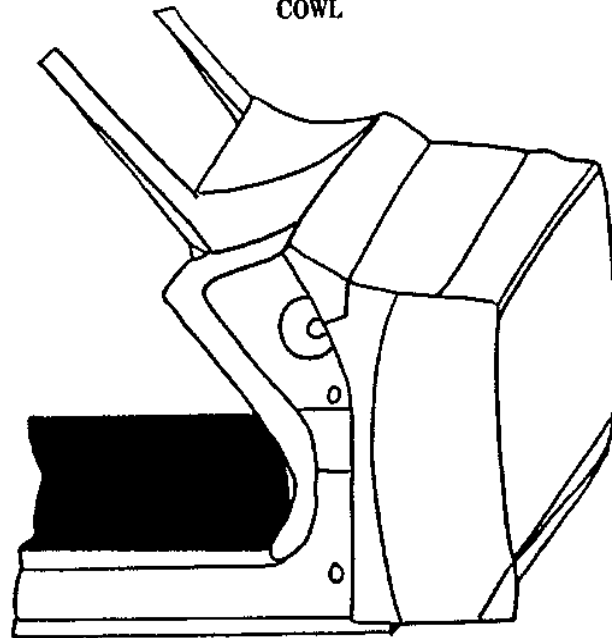
REAR CLIP



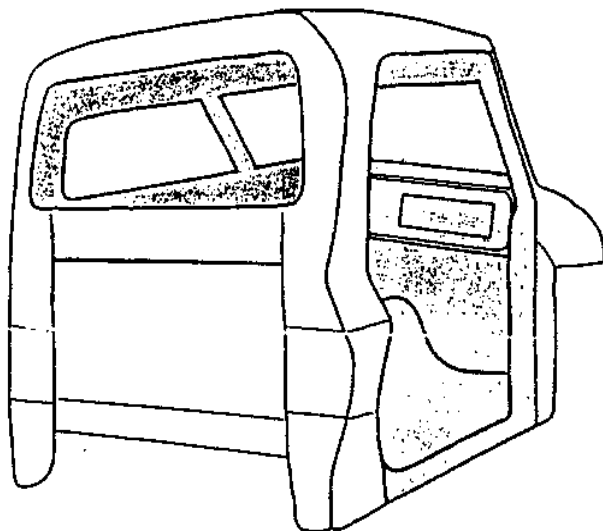
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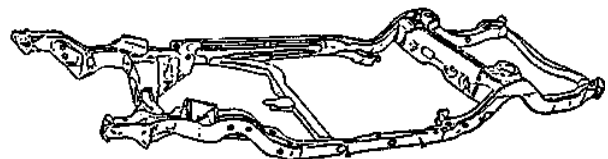
COWL



TRUCK CAB



FRAME





12 CSR 10-23.350 Honorary Consular License Plates

PURPOSE: This rule establishes procedures for the issuance of license plates to honorary consuls.

Editor's Note: The secretary of state has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire text of the material referenced has been filed with the secretary of state. This material may be found at the Office of the Secretary of State or at the headquarters of the agency and is available to any interested person at a cost established by state law.

(1) Under the authority of the Foreign Missions Act, 22 U.S.C. Section 4301, the Office of Foreign Missions of the United States Department of State has begun issuing a new series of motor vehicle license plates for vehicles owned by foreign missions and their authorized representatives. These new federal license plates replace and supersede the special diplomatic and consular plates formerly issued by the various states including Missouri. The new law also provides for federal titling of vehicles owned by foreign missions and their authorized representatives.

(2) The new federal license plates are issued to the following categories of personnel:

(A) Representatives of foreign missions (nationwide) having diplomatic status;

(B) Representatives of foreign missions (nationwide) having consular status;

(C) Representatives of foreign missions (nationwide) having official status;

(D) Official representatives of foreign missions (United Nations) whose member states maintain permanent missions at the United Nations headquarters;

(E) Official representatives of foreign missions (United Nations) assigned to the United Nations and family members;

(F) Officials of the Secretariat of the United Nations; and

(G) Official representatives to the Organization of American States.

(3) The new federal license plates are easily recognizable, being painted red, white and blue, are the standard six inches by twelve inches (6" × 12") in size and bear the words Issued by the United States Department of State at the bottom.

(4) In accordance with the Foreign Missions Act, 22 U.S.C. Section 4301, the United States Department of State has directed that license plates issued by any state, including

Missouri, to honorary consuls must contain words, symbols and colors that are clearly distinguishable from the federal plates. Furthermore, each state has been requested to refrain from embossing the words, CONSULAR OFFICER on the license plates issued by the states. This procedure should assist law enforcement agencies in determining if the license plate displayed on a motor vehicle is a federal- or state-issued plate. Missouri may not issue license plates to any motor vehicle which is required to be registered with the federal government.

(5) Honorary consuls are defined as United States nationals or permanent residents who are appointed as honorary consular officers of foreign missions. The United States Department of State has notified Missouri that honorary consuls will not be permitted to register their vehicles under the federal program. However, honorary consuls are authorized under section 26.140, RSMo to use Missouri motor vehicle license plates which identify them as honorary consular officers. Accordingly, the director of revenue has established a category of specialized personalized license plates for issuance to honorary consuls patterned after the provisions of section 301.144.2., RSMo.

(6) Honorary consular license plates shall consist of white letters and numerals on a royal blue field. The configuration of these plates shall consist of the letter C followed by a dash and the numerals one through and including sixty-six (1-66). At the bottom of the royal blue field shall appear the words HON. CONSUL in the place of Show Me State.

(7) No more than one (1) set of two (2) honorary consular license plates shall be issued to a qualified applicant.

(8) A qualified applicant is an honorary consular officer who—

(A) Appears on the United States Department of State, Office of Foreign Missions, Foreign Consular Duty Officer List;

(B) Has registered as an honorary consular officer with the United States Department of State and has been duly issued an exequatur or a diplomatic note by that department which remains valid;

(C) Has presented his/her credentials to the governor of Missouri;

(D) Has obtained from the Missouri secretary of state an identification card identifying him/her as an honorary consular officer; and

(E) Is a resident of Missouri.

(9) Honorary consular license plates shall only be issued to passenger motor vehicles subject to the registration fees provided in section 301.055, RSMo.

(10) Applicants for honorary consular license plates shall be required to comply with all Missouri laws and rules relating to the taxing, titling, registration and safety inspection of motor vehicles.

(11) Any person desiring to obtain a set of two (2) honorary consular license plates must make application and shall pay an annual personalized plate fee of fifteen dollars (\$15) in addition to the regular registration fees for passenger vehicles as detailed in section 301.055, RSMo. Initial application for honorary consular license plates shall be submitted to the Department of Revenue, Motor Vehicle Bureau, P.O. Box 100, Jefferson City, MO 65105 and shall be accompanied by the personalized plate fee, a paid personal property tax receipt of the previous calendar year or a statement of nonassessment for the same period, a vehicle safety/emissions inspection not more than sixty (60) days old, a statement certifying proof of insurance and a copy of the honorary consular officer identification card issued by the Missouri secretary of state. Upon approval, honorary consular license plates will be issued by the Motor Vehicle Bureau. Subsequent annual renewals may be accomplished at any branch or fee agent office statewide where the renewing applicant will be issued universal registration renewal tabs.

(12) Prior to the receipt of honorary consular license plates, the applicant must surrender all previously issued license plates which bear the words Consular Officer and pay any additional fees due. If no consular officer plates were issued, the applicant must surrender the regular license plates which the honorary consular license plates will replace. If the honorary consular license plates are to be issued for a period of less than one (1) full year, the department shall assess registration fees on a prorated basis. No refunds shall be made for any unused portion of registration fees for any license plates surrendered in exchange for honorary consular license plates.

(13) Applications for renewal of honorary consular license plates shall be filed with the Department of Revenue prior to the last regular work day of January each year. All plates annually expire on January 31.

(14) According to the United States Department of State, honorary consular officers who



have been issued license plates identifying them as honorary consuls are not entitled to diplomatic immunity from any state, county or municipal parking or traffic laws or from arrest or detention for violation of those laws.

(15) According to the United States Department of State, honorary consuls are not exempt from any taxes whatsoever, including county or City of St. Louis personal property tax, state sales or use taxes, or local sales taxes. No tax exemption shall be granted in connection with any application for honorary consular license plates unless exempt status is certified to the department by the United States Department of State for each proposed transaction.

(16) On January 1, 1987, all consular officer license plates previously issued by the Missouri Department of Revenue which bear the words Consular Officer and which have white lettering on a red field shall become invalid.

AUTHORITY: sections 26.140 and 301.135, RSMo 1986 and 301.144, RSMo Supp. 1989. Original rule filed Oct. 3, 1986, effective Dec. 26, 1986. Emergency amendment filed Oct. 30, 1989, effective Nov. 9, 1989, expired March 8, 1990. Amended: Filed Oct. 30, 1989, effective Feb. 25, 1990.*

**Original authority: 26.140, RSMo 1955, amended 1985; 301.135, RSMo 1981; and 301.144, RSMo 1977, amended 1979, 1983, 1984, 1989.*

12 CSR 10-23.355 Junking Certificates for Motor Vehicles

PURPOSE: This rule establishes the procedures for issuance of a junking certificate.

Editor's Note: The form mentioned in this rule follows 12 CSR 10-23.265.

(1) The department will issue a junking certificate to the purchaser of a vehicle which is sold for parts, scrapping or junking and not for rebuilding or reconstruction. An applicant must submit the following documents to the department in order to obtain a junking certificate:

- (A) Application for junking certificate; and
- (B) Proof of ownership in the form of a properly assigned salvage certificate of title, junking certificate, original certificate of title, court order or proof of compliance with state statutes.

(2) If the seller of the vehicle has not made application for a salvage certificate of title, junking certificate or an original certificate of

title in his/her name but the seller has been, nonetheless, properly assigned that certificate by the previous owner, the seller must provide the purchaser with a notarized, descriptive bill of sale to the vehicle as well as the outstanding certificate of ownership on which the seller appears as the last assignee.

(3) If the department determines the seller violated the provisions of section 301.190, RSMo by failing to take title to and pay taxes on the vehicle, the department will initiate tax assessment action against the seller. The action shall in no way impede issuance of a junking certificate to the purchaser of the vehicle; except that, if the department's records show that a lien has been perfected on the vehicle, the applicant for a junking certificate must obtain and submit a notarized lien release from the prior owner's lienholder before a junking certificate may be issued.

AUTHORITY: section 301.227, RSMo Supp. 1990. Original rule filed Nov. 18, 1986, effective March 12, 1987.*

**Original authority: 301.227, RSMo 1979, amended 1983, 1984, 1986, 1988, 1990.*

12 CSR 10-23.365 Issuance of Nonresident Salvage-Buyer's Identification Card (Rescinded February 29, 2008)

AUTHORITY: section 301.218, RSMo 1986. Original rule filed Nov. 18, 1986, effective March 12, 1987. Emergency rescission filed Aug. 8, 2007, effective Aug. 28, 2007, expired Feb. 23, 2008. Rescinded: Filed Aug. 8, 2007, effective Feb. 29, 2008.

12 CSR 10-23.370 Issuance of Certificates of Title to Recreational Vehicles Manufactured by Two Separate Manufacturers

PURPOSE: This rule establishes uniform procedures to be followed in the titling of multistage, manufactured recreational vehicles or motor homes often referred to as multistage vehicles.

(1) When recreational vehicles or motor homes are manufactured by separate manufacturers and have separate and distinct Manufacturers' Statements of Origin (MSO) issued for the unit, the following titling procedures shall apply:

(A) When an application for a Missouri certificate of title to a new recreational vehicle or motor home is submitted, both the MSO issued by the vehicle's chassis or first-

stage manufacturer and the MSO issued by the vehicle's final-stage manufacturer must accompany the application;

(B) The year model assigned to the recreational vehicle shall be obtained from the MSO issued by the recreational vehicle's final-stage manufacturer;

(C) The vehicle make assigned to a vehicle shall be obtained from the MSO issued by the vehicle's final-stage manufacturer. For example, first-stage manufacturer, Chrysler Corporation builds a Dodge chassis which is subsequently made into a recreational vehicle or motor home by the final-stage manufacturer, Winnebago. The make of the vehicle will be Winnebago. Note, however, that the make of a Ford van converted by a custom converter to a recreational vehicle which does not meet the requirements of a motor home detailed in section (2) must remain a Ford; and

(D) The vehicle identification number (VIN) assigned to the recreational vehicle or motor home shall be the chassis identification number shown on the first-stage MSO. For example, the VIN for a completed Winnebago recreational vehicle or motor home manufactured on a Dodge chassis will be the identification number assigned by Chrysler Corporation to the Dodge chassis.

(2) For the purpose of this rule, motor home shall be defined as a new vehicular unit, designed to provide temporary living quarters, built into as an integral part of, or permanently attached to a self-propelled motor vehicle chassis or van. The vehicle must contain permanently installed independent life support systems which meet the American National Standards Institute/National Fire Protection Association (ANSI/NFPA) 501C Standard and provide at least four (4) of the following facilities: cooking, refrigeration or ice box, self-contained toilet, heating or air conditioning, or both, a portable water supply system including a faucet and sink, separate one hundred ten to one hundred twenty-five (110–125)-volt electrical power supply or a liquefied petroleum (LP) gas supply or both. The basic types are specified as follows:

(A) Type A. A raw chassis upon which is built a driver's compartment and an entire body which provides temporary living quarters as previously defined;

(B) Type B. A completed van-type vehicle which has been altered to provide temporary living quarters as defined previously; and

(C) Type C. An incomplete vehicle upon which is permanently attached a body designed to provide temporary living quarters as previously defined.



AUTHORITY: sections 301.010, 301.190 and 301.200, RSMo 2000. Original rule filed Dec. 2, 1986, effective March 12, 1987. Amended: Filed June 24, 2003, effective Dec. 30, 2003.*

**Original authority: 301.010, RSMo 1939, amended 1945, 1949, 1951, 1969, 1974, 1979, 1980, 1983, 1985, 1986, 1987, 1988, 1989, 1992, 1993, 1995, 1996, 1997, 1998, 2000; 301.190, RSMo 1939, amended 1947, 1965, 1981, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1992, 1993, 1999; and 301.200, RSMo 1939, amended 1947, 1984, 1986.*

12 CSR 10-23.375 Fire Department License Plates

(Rescinded March 30, 2005)

AUTHORITY: sections 301.144.2 and 301.444, RSMo 1986. Original rule filed Jan. 5, 1987, effective April 11, 1987. Rescinded: Filed Sept. 16, 2004, effective March 30, 2005.

12 CSR 10-23.380 Motor Vehicle Shows or Tent Sales

(Rescinded April 29, 1991)

AUTHORITY: section 301.254, RSMo 1986. Original rule filed March 5, 1987, effective Aug. 27, 1987. Rescinded: Filed Nov. 15, 1990, effective April 29, 1991.

12 CSR 10-23.385 Verification of the Vehicle Identification Number and Odometer Reading of Motor Vehicles Previously Titled in Another State

PURPOSE: This rule provides alternatives to the requirement for Missouri residents who are serving on active duty in the military and stationed outside Missouri; or residents who are located outside Missouri for an extended period of time; or residents who purchase nonoperable vehicles titled in another state to submit a Missouri motor vehicle inspection approval certificate with an application for Missouri title.

(1) A Missouri motor vehicle inspection approval certificate (see 11 CSR 50-2.120) from an official inspection station authorized by the Missouri State Highway Patrol which verifies the manufacturer's vehicle identification number and the vehicle's odometer reading shall accompany every application for a Missouri certificate of title to a motor vehicle which was previously titled in a state other than Missouri. The following alternatives to this requirement shall be available:

(A) A Missouri resident, on active duty in the military and stationed out-of-state, who purchases a vehicle previously titled in another state and is unable to transport it to Missouri for an inspection may submit a document signed by a commissioned officer of one of the United States Armed Forces verifying the manufacturer's identification number and odometer reading of the vehicle at the time application for title is made.

1. Example: John Doe (a Missouri resident who is a sergeant in the Army) purchases a motor vehicle in South Carolina. The South Carolina title is assigned to John Doe. Although Sgt. Doe will be stationed in South Carolina for two (2) years, he wants to title and register his motor vehicle in Missouri, his official domicile. Sgt. Doe cannot readily transport the vehicle to an official Missouri inspection station for an inspection because the vehicle is located outside Missouri; therefore, Sgt. Doe may submit a signed document in the form described in subsection (1)(A) of this rule with his application for title;

(B) A Missouri resident, located outside Missouri for an extended period of time due to employment, schooling, or others who purchases a vehicle previously titled in another state and is unable to transport it to Missouri for an inspection may present a notarized affidavit stating why the vehicle cannot be inspected in Missouri along with a notice of an inspection performed by an authorized inspection station or law enforcement officer in the state where the resident is located. The inspection shall verify the manufacturer's identification number and odometer reading of the vehicle.

1. Example: John Doe (a Missouri resident who is employed in Washington for two (2) years) purchases a motor vehicle in Washington. The Washington title is assigned to John Doe. Although Mr. Doe is employed in Washington for two (2) years, he wants to title and register his motor vehicle in Missouri, his official domicile. Mr. Doe cannot readily transport the vehicle to an official Missouri inspection station for an inspection because the vehicle is outside Missouri; therefore with his title application, Mr. Doe may submit a notarized affidavit stating why the vehicle cannot be inspected in Missouri and a notice of inspection which verifies the manufacturer's identification number of the vehicle and its odometer reading. The inspection shall be performed by either an authorized inspection station or law enforcement officer in Washington; or

(C) A Missouri resident purchases a vehicle previously titled in another state. The motor vehicle is not operational and is towed to the owner's legal address in Missouri. The

resident may submit a document signed by an authorized Missouri law enforcement officer who has verified the manufacturer's identification number and odometer reading of the vehicle.

1. Example: John Doe purchases a motor vehicle in Oklahoma. The Oklahoma title is assigned to John Doe. Since the motor vehicle is not operational, Mr. Doe has the vehicle towed to his legal address in Missouri. He wants to title his vehicle but cannot readily transport it to an official inspection station for an inspection. Mr. Doe may submit with his application for title a document signed by an authorized Missouri law enforcement officer who has verified the manufacturer's identification number and odometer reading of the nonoperable vehicle. The inspecting officer's report must clearly state that the vehicle is not operational.

AUTHORITY: section 301.190, RSMo 1986. Original rule filed May 11, 1987, effective Aug. 27, 1987.*

**Original authority: 301.190, RSMo 1939, amended 1947, 1965, 1981, 1983, 1984, 1985, 1986, 1986, 1987, 1988, 1989, 1990.*

12 CSR 10-23.390 License Plates for Disabled Veterans

(Rescinded May 30, 2006)

AUTHORITY: sections 301.071-301.075, RSMo 1986. Original rule filed June 16, 1988, effective Nov. 24, 1988. Rescinded: Filed Nov. 8, 2005, effective May 30, 2006.

12 CSR 10-23.395 Regulation of Boat Dealer's Certificate of Number and Plates

(Rescinded June 30, 2008)

AUTHORITY: section 301.560, RSMo Supp. 1990. Original rule filed July 17, 1989, effective Oct. 27, 1989. Rescinded: Filed Dec. 28, 2007, effective June 30, 2008.

12 CSR 10-23.400 Transfer of License Plates

PURPOSE: This rule clarifies when a motor vehicle or trailer owner may transfer license plates to a newly acquired motor vehicle or trailer and operate the vehicle for thirty days.

(1) Whenever a motor vehicle or trailer owner purchases a replacement motor vehicle or trailer from an individual or a dealership, the owner of a motor vehicle or trailer may operate the newly acquired motor vehicle or trailer with the transferred license plates for



no more than thirty (30) days from the date of purchase, until making proper application for title and transfer of license plates with an office of the Department of Revenue.

(2) The license plates may only be transferred if the vehicle acquired is of the same vehicle category as the vehicle being replaced. Example: A passenger vehicle must be replaced by another passenger vehicle in order to attach passenger license plates. The vehicle owner may not use commercial vehicle (truck) license plates on a newly acquired passenger vehicle.

AUTHORITY: section 301.140, RSMo Supp. 1990. Original rule filed Feb. 2, 1990, effective May 11, 1990.*

**Original authority: 301.140, RSMo 1939, amended 1947, 1951, 1978, 1979, 1986, 1987.*

12 CSR 10-23.405 Emblem Use Authorization Statement and Format for Collegiate License Plates

PURPOSE: This rule clarifies the process to be used by colleges and universities in order to have personalized collegiate license plates available.

(1) Any community college or four (4)-year public or private institution of higher education located in Missouri authorizing the use of its official emblem to be affixed to a license plate annually must issue an emblem-use authorization statement. The statement must be on a form prescribed by the director of the Department of Revenue and must include the name of the community college or four (4)-year public or private institution, the applicant's name and address, the amount of fee paid and the date of payment.

(2) One (1) emblem-use authorization statement must be issued for each collegiate license plate application. A statement issued prior to July 1 of any calendar year shall be accepted for applications for collegiate license plates with an expiration month of the upcoming October, with the exception of collegiate license plates issued during the first year of issuance (1990). In this case, statements dated prior to July 1, 1991 will be accepted for applications for collegiate license plates with an expiration in October, 1991. Statements issued after the last day of June of any calendar year will be accepted for applications for collegiate license plates to be issued or renewed in the coming October with an expiration month of the next succeeding October.

(A) Example One: Emblem-use authorization statements dated before July 1, 1991 will result in issuance or renewal of collegiate license plates which expire in October 1991.

(B) Example Two: Emblem-use authorization statements dated after July 1, 1991 and before June 30, 1992 will result in issuance or renewal of collegiate license plates which expire in October 1992.

(3) Any community college or four (4)-year public or private institution of higher education which desires to have license plates issued which display its emblem, logo or seal must issue four hundred fifty (450) emblem-use authorization statements before the Department of Revenue will authorize the manufacture of license plates displaying its emblem, logo or seal.

(4) Should the community college or four (4)-year public or private institution of higher education be unable to issue four hundred fifty (450) emblem-use authorization statements, the institution must establish a mechanism for refunding the contributions to the applicant for these statements in the event refunds are requested by the applicant. Refunds shall only be made in the event the minimum number of emblem-use authorization statements are not issued.

(5) Any community college or four (4)-year public or private institution of higher education which desires to have collegiate license plates issued must submit a preliminary design of the emblem, logo or seal which it desires to be displayed upon the license plates as well as school colors that need to be included. This design must be formatted in accordance with the design of the plate as prescribed in section (6) of this rule. The department will submit the design to the vendor for the material to manufacture the plates. The vendor will prepare the finished artwork for the emblem, logo or seal and submit it to the Department of Revenue and the appropriate institution for approval. Upon approval, the department will authorize the manufacture of the plates, provided the community college or four (4)-year public or private institution of higher education has issued the required minimum number of emblem-use authorization statements and has notified the Department of Revenue in writing that the required minimum number of emblem-use authorization statements have been issued to applicants.

(6) On the top of the collegiate license plate shall appear the words OCT and MO. The left-hand portion of the plate will bear a

reproduction of the college emblem, seal or logo in an area not to exceed two and one-half inches by three inches (2 1/2" x 3"). Immediately to the right of the emblem, seal or logo, shall appear one to five (1-5) characters. The bottom of the license plate shall bear the name of the community college or public or private institution of higher education, in lieu of SHOW ME STATE, in an area not to exceed eleven inches by one inch (11" x 1").

AUTHORITY: section 301.449, RSMo Supp. 1990. Original rule filed Nov. 1, 1989, effective Feb. 25, 1990.*

**Original authority: 301.449, RSMo 1989.*

12 CSR 10-23.410 Certificate of Registration to Documented Vessels
(Rescinded February 25, 1996)

AUTHORITY: section 306.851, RSMo Supp. 1990. Emergency rule filed Nov. 2, 1990, effective Nov. 12, 1990, expired March 11, 1991. Original rule filed Nov. 2, 1990, effective March 14, 1996. Amended: Filed June 18, 1991, effective Oct. 31, 1996. Rescinded: Filed Sept. 1, 1995, effective Feb. 25, 1996.

12 CSR 10-23.415 Sample License Plates
(Rescinded November 30, 2007)

AUTHORITY: sections 301.130 and 301.449, RSMo Supp. 1990. Original rule filed Nov. 8, 1990, effective April 29, 1991. Rescinded: Filed May 23, 2007, effective Nov. 30, 2007.

12 CSR 10-23.420 Secure Power of Attorney Requirements

PURPOSE: This rule establishes the procedures for using a secure power of attorney in conjunction with a certificate of title as provided for in federal and state law.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.



(1) Section 407.536(8), RSMo and the Motor Vehicle Information and Cost Savings Act allow the transferor of a motor vehicle to execute a secure power of attorney (POA) when the certificate of ownership is held by a lienholder or for the purpose of assigning a duplicate title in order to comply with federal and state odometer disclosure requirements. The Secure Power of Attorney form, which has been incorporated by reference, published by the Missouri Department of Revenue, PO Box 100, Jefferson City, MO 65105-0100, contains a revision date of November 2005. The Secure Power of Attorney form does not include any amendments or additions to the November 2005 document.

(2) If the dealer sells the vehicle before the title is received as provided in section 301.894, RSMo, the dealer and purchaser may complete the secure POA to authorize the dealer to sign on behalf of the purchaser and make the odometer disclosure on the second title assignment so the purchaser is not required to return to the dealership once the title issues to acknowledge the disclosure. In this case, upon receipt of the title, the dealer must:

(A) Inspect the title to ensure the mileage on the title is consistent with what was recorded on the POA;

(B) Complete the first and second title assignments; and

(C) Complete the secure POA certifying that the mileage the dealer disclosed on the title document is consistent with the mileage provided to the dealer in the POA.

(3) The secure power of attorney form and corresponding certificate of ownership shall accompany the purchaser's application for title.

(4) Secure power of attorney forms and copies of corresponding titles received by a dealer in a particular month shall be submitted with the sales report completed for the month. If the dealer sales report is filed electronically, the POA forms and the title copies must be filed with the Department of Revenue by the fifteenth day of the month following the month in which the sale occurred. The dealer shall ensure that the original and all other copies of the secure power of attorney form and certificate of title are completed in full and are legible. The dealer shall retain a photocopy of the secure power of attorney form and the front and back of the corresponding certificate of ownership as a part of the dealership's records for a period of five (5) years.

(5) A Missouri motor vehicle dealer may buy and sell a motor vehicle out-of-state when a secure power of attorney form accompanies the title. When an out-of-state secure power of attorney form is involved, the Missouri dealer shall obtain the appropriate copy of the secure power of attorney form and the certificate of title, but shall not be required to submit copies of those documents with the dealer's sales report.

(6) A motor vehicle dealer listed as the purchaser on the secure power of attorney form may elect to title the vehicle in the dealership's name by submitting the original secure power of attorney form and the original ownership document with the dealer's application for title.

AUTHORITY: sections 301.280, RSMo Supp. 2005 and 407.536.8, RSMo 2000. Emergency rule filed March 11, 1991, effective March 21, 1991, expired July 17, 1991. Emergency rule filed July 9, 1991, effective July 19, 1991, expired Nov. 15, 1991. Original rule filed March 11, 1991, effective Aug. 30, 1991. Amended: Filed July 2, 1992, effective Feb. 26, 1993. Amended: Filed June 24, 2003, effective Dec. 30, 2003. Amended: Filed Dec. 19, 2005, effective June 30, 2006.*

**Original authority: 301.280, RSMo 1939, amended 1974, 1983, 1984, 1986, 1988, 1990, 1993, 1997, 2004 and 407.536.8, RSMo 1977, amended 1983, 1988, 1989, 1990, 1992.*

12 CSR 10-23.422 Issuance of Purple Heart License Plates (Rescinded February 28, 2007)

AUTHORITY: sections 301.144, RSMo Supp. 1990 and 301.451, RSMo Supp. 1991. Emergency rule filed Sept. 16, 1991, effective Sept. 26, 1991, expired Jan. 23, 1992. Original rule filed Sept. 16, 1991, effective Jan. 13, 1992. Rescinded: Filed Aug. 23, 2006, effective Feb. 28, 2007.

12 CSR 10-23.424 Leasing Company Registration

PURPOSE: This rule sets forth the requirements for obtaining a permit to operate as a motor vehicle, trailer, boat or outboard motor leasing company.

(1) Any person, company or corporation engaged in the business of renting or leasing motor vehicles, trailers, boats or outboard motors either may elect to pay sales tax on the purchase price or elect to collect and

remit sales tax on the gross receipts from the rental or lease of the motor vehicles, trailers, boats or outboard motors. Any person, company or corporation electing to collect and remit sales tax on the gross receipts from rental or lease shall apply to the director of revenue for a permit to operate as a leasing company.

(2) To apply for registration as a leasing company, the applicant shall submit a completed application on a biennial basis as prescribed by the director. A copy of the applicant's Missouri sales tax license shall accompany the initial application. The applicant also shall be properly registered with the Office of the Missouri Secretary of State and shall furnish proof of that registration upon request.

(3) Renewal applications for registration as a leasing company shall be filed with the director prior to December 1 of each registration period. Leasing company registrations shall expire on December 31 of each registration period. Leasing companies with expired registrations shall not be entitled to the sales tax option provided by section 144.070, RSMo, but shall pay all state and local sales tax on the purchase price of any units acquired while the registration is expired.

(4) Motor vehicles, trailers, boats and outboard motors purchased by a registered leasing company shall be titled in the name of the leasing company as registered with the director. The leasing company shall record its leasing permit number assigned by the director on all applications for title in order to be exempt from sales tax at the time of titling.

(5) Any transfer of a motor vehicle, trailer, boat or outboard motor to another division from one (1) division of a corporation which authorizes a division to register as a motor vehicle leasing company shall be a sale at retail as defined in section 144.010, RSMo.

(6) The director shall deny application for, or recall any permit to operate as a leasing company, if the applicant—

(A) Has fraudulently completed the application for registration;

(B) No longer holds a valid Missouri sales tax license; or

(C) Is no longer properly registered with the Office of the Missouri Secretary of State.

(7) A leasing company registered with the director pursuant to section 144.070, RSMo, which ceases to operate as a leasing company in accordance with the law, the rules established by the director, or both, shall notify



the director accordingly and, within ten (10) days of cessation of operation, return the permit to operate as a leasing company to the director.

AUTHORITY: sections 144.010, RSMo Supp. 2003 and 144.070, RSMo 2000. Emergency rule filed Oct. 28, 1991, effective Nov. 7, 1991, expired March 6, 1992. Emergency rule filed Feb. 26, 1992, effective March 7, 1992, expired July 5, 1992. Original rule filed Oct. 28, 1991, effective May 14, 1992. Amended: Filed Oct. 10, 2003, effective April 30, 2004.*

**Original authority: 144.010, RSMo 1939, amended 1941, 1943, 1945, 1947, 1974, 1975, 1977, 1978, 1979, 1981, 1985, 1988, 1993, 1996, 1998, 1999, 2001 and 144.070, RSMo 1939, amended 1941, 1943, 1945, 1947, 1951, 1961, 1974, 1975, 1977, 1985, 1997.*

12 CSR 10-23.426 Special Identification Numbers

PURPOSE: This rule clarifies the issuance of special identification numbers to units seized by law enforcement because the identification number has been removed, covered, altered, destroyed or defaced and the procedures for obtaining these numbers.

(1) Section 301.390, RSMo provides that any motor vehicle, trailer, boat, outboard motor, vehicle part, motor vehicle tire, farm machinery, farm implement or construction equipment which has been seized by authorized law enforcement because the identification number has been removed, covered, altered, destroyed or defaced shall be placed in the custody of a court of competent jurisdiction. The court may not release that unit until a special identification number is issued by the Department of Revenue.

(2) In order to obtain a special identification number, the owner or purchaser of the unit shall submit—

(A) An Order for Special Identification Number executed by the circuit court that has custody of the unit. The attached sample order contains the format that should be used. The judge must sign and date the order;

(B) An Application for Replacement of Vehicle Identification Number Plate, DOR-923 (see 12 CSR 10-23.180), completed by the applicant and either the law enforcement agency that seized the unit, an authorized member of the Missouri State Highway Patrol or other law enforcement agencies authorized by the director of revenue; and

(C) The appropriate fee for the special identification number.

(3) If the unit requiring a special identification number is a motor vehicle, trailer, boat or outboard motor, the owner or purchaser of the unit shall apply for a new certificate of title which shall reflect the new assigned identification number. To obtain a new certificate of title, the applicant shall submit the following in addition to the documents and fee outlined in section (2):

(A) An Application for Missouri Title and License, DOR-108 (see 12 CSR 10-23.265), completed and signed;

(B) The certificate of title if the unit is already titled in the applicant's name or a sheriff's bill of sale if ownership of the unit has been transferred by the court or a court order establishing ownership;

(C) The applicable title fee; and

(D) State and local taxes on the purchase price of the unit, if applicable.

(4) The Department of Revenue shall issue one (1) metal plate bearing the assigned identification number and a certificate of title reflecting this number on certain units as outlined in section (3). The metal plate shall be affixed to the unit and shall be the lawful number for the purpose of identification.

(5) The assigned special identification number shall consist of seventeen (17) characters. The special number shall begin with the two (2) letters as outlined in this rule, followed by thirteen (13) letters and numbers followed by MO.

(A) Motor vehicle or manufactured trailer—DR.

(B) Vehicle part or motor vehicle tire—VP.

(C) Farm machinery, farm implement or construction equipment—FC.

AUTHORITY: section 301.390, RSMo 1986. Original rule filed April 23, 1992, effective Dec. 3, 1992.*

**Original authority: 301.390, RSMo 1939, amended 1953, 1982, 1986.*



IN THE CIRCUIT COURT OF _____ COUNTY, MISSOURI

_____)	
Plaintiff,)	
)	
vs.)	Case No. _____
)	
_____)	
Defendant.)	

ORDER FOR SPECIAL IDENTIFICATION NUMBER

NOW on this _____ day of _____, 19_____, after hearing the evidence and testimony presented, it is hereby found that:

1. (Complete description of motor vehicle trailer, boat, outboard motor, vehicle part, motor vehicle tire, farm machinery, farm implement or construction equipment seized including make, model, year, type of unit, etc.) was seized by (law enforcement agency) on _____, and was thereafter deposited into the custody of this court, in accordance with section 301.390, RSMo, because the identification number of the above-referenced unit(s) have been removed, covered, altered, destroyed or defaced.

2. _____ is the lawful owner of the above-described unit(s) and is entitled to possession thereof.

WHEREFORE, it is hereby ordered, adjudged and decreed that the Missouri Department of Revenue issue Special Identification Numbers for the above-described unit(s), upon proper application by the owner and payment of the appropriate fees. Upon proof of issuance of Special Identification Number(s) by the Department of Revenue, the above-referenced vehicle(s) shall be released to the owner(s) named herein.

Date

Judge



MISSOURI DEPARTMENT OF REVENUE
MOTOR VEHICLE BUREAU
**APPLICATION FOR REPLACEMENT OF VEHICLE
IDENTIFICATION NUMBER PLATE**

SEE INSTRUCTIONS ON REVERSE			
VALIDATION ONLY			
REGISTERED OWNER (LAST, FIRST, MIDDLE)			
STREET, R.R. OR P.O. BOX NUMBER			COUNTY
CITY, STATE, ZIP CODE			TELEPHONE NUMBER
YEAR	MAKE	BODY STYLE	VEHICLE IDENTIFICATION NUMBER
MISSOURI TITLE NUMBER	LICENSE NUMBER	LOSS OF VIN PLATE REPORT TO:	DATE
REASON REQUIRED			
<input type="checkbox"/> LOST <input type="checkbox"/> STOLEN <input type="checkbox"/> MUTILATED <input type="checkbox"/> DESTROYED			
I certify that the statements above are true and that I am the registered owner of the above described vehicle.			
NOTARY SEAL		APPLICANT'S SIGNATURE	
		SWORN TO AND DESCRIBED BEFORE ME THIS	
		DAY OF _____, 19____	
NOTARY PUBLIC		COMMISSION EXPIRATION	
I certify that on _____ DATE I physically inspected the above described vehicle after the applicant provided satisfactory proof of ownership and found the vehicle identification number to be:			
LAW ENFORCEMENT AGENCY			FILE NUMBER
INSPECTING OFFICER			BADGE NUMBER
I certify that on _____ DATE I did affix the replacement vehicle identification plate number _____ INSERT NUMBER issued by the Department of Revenue to the above vehicle.			
LAW ENFORCEMENT AGENCY			
LAW ENFORCEMENT OFFICER			BADGE NUMBER

MO 860-0315 (9-86)

DISTRIBUTION: WHITE, YELLOW, PINK - DEPT. OF REVENUE
GOLDENROD - INSPECTING LAW ENFORCEMENT AGENCY

DOR-923 (9-86)



12 CSR 10-23.428 All-Terrain Vehicles Modified for Highway Use

(Rescinded December 30, 2005)

AUTHORITY: section 301.010, RSMo Supp. 1989, 301.190, RSMo Supp. 1990 and 301.700, Supp. 1988. Original rule filed April 23, 1992, effective Dec. 3, 1992. Emergency rescission filed June 9, 2005, effective June 19, 2005, expired Dec. 16, 2005. Rescinded: Filed June 9, 2005, effective Dec. 30, 2005.

12 CSR 10-23.430 Registration of a Motor Vehicle or Trailer When the Out-Of-State Lienholder Refuses to Release the Title

PURPOSE: This rule clarifies the requirements for and the issuance of registration by the Department of Revenue in certain situations for motor vehicles or trailers when an individual has established residency in Missouri and the out-of-state lienholder refuses to release the title.

(1) An individual establishing residency in Missouri is required to title and register all motor vehicles and trailers owned by him/her within thirty (30) days of establishing residency. On occasion, the lienholder named on the out-of-state title may refuse to release the title to either the owner or the Department of Revenue in order for the owner to title the vehicle in Missouri. Since the owner is obligated to obtain Missouri license plates for his/her vehicle, s/he shall apply for registration by submitting the following:

(A) APPLICATION FOR MISSOURI TITLE AND LICENSE, DOR-108 (see 12 CSR 10-23.265), completed and signed;

(B) A copy of the front and back of the out-of-state title issued in the owner's name;

(C) A written statement from the lienholder refusing to release the title;

(D) All documents and fees required to obtain Missouri license plates; and

(E) A fee equal to the title fee required pursuant to section 301.190, RSMo.

(2) The validated pink receipt from the application will serve as the applicant's registration certificate.

(3) No more than one (1) application for registration under this rule may be approved at any given time for a motor vehicle or trailer.

*AUTHORITY: sections 301.010 and 301.190, RSMo Supp. 1992. * Original rule filed April 16, 1993, effective Oct. 10, 1993.*

**Original authority: 301.010, RSMo 1939, amended 1945, 1949, 1951, 1969, 1974, 1979, 1980, 1983, 1985, 1986, 1987, 1988, 1989, 1992; 301.190, RSMo 1939, amended 1947, 1965, 1981, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1992.*

12 CSR 10-23.432 Registration of a Motor Vehicle or Trailer Subject to a Lease With a Right to Purchase Clause

PURPOSE: This rule clarifies the requirements for and the issuance of registration by the Department of Revenue in certain situations for motor vehicles or trailers which are the subjects of leases which contain a right to purchase clause.

(1) Under certain circumstances, the Department of Revenue will process an application for a Missouri registration which allows the applicant to obtain a Missouri certificate of registration and license plates for a motor vehicle or trailer when the applicant is not the title owner of the motor vehicle or trailer.

(2) Any person, firm, corporation or association which, as the result of entering into a lease agreement containing a right to purchase clause, is considered the owner of a motor vehicle or trailer, as that term is defined in section 301.010, RSMo, may make application for registration by submitting the following:

(A) APPLICATION FOR MISSOURI TITLE AND LICENSE, DOR-108 (see 12 CSR 10-23.265), completed and signed;

(B) A copy of the lease agreement containing a right to purchase clause that is signed by the lessor and the lessee;

(C) All documents and fees required to obtain Missouri license plates; and

(D) A fee equal to the title fee required pursuant to section 301.190, RSMo.

(3) The validated pink receipt from the application will serve as the applicant's registration certificate.

(4) No more than one (1) application for registration under this rule may be approved at any given time for a motor vehicle or trailer.

*AUTHORITY: sections 301.010 and 301.190, RSMo Supp. 1992. * Original rule filed April 16, 1993, effective Oct. 10, 1993.*

**Original authority: 301.010, RSMo 1939, amended 1945, 1949, 1951, 1969, 1974, 1979, 1980, 1983, 1985, 1986, 1987, 1988, 1989, 1992; 301.190, RSMo 1939, amended 1947, 1965, 1981, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1992.*

12 CSR 10-23.434 Use of a Reassignment of Ownership by Registered Dealer Form

PURPOSE: This rule clarifies who may use a Reassignment of Ownership by Registered Dealer (Rider) Form and when the form may be used.

(1) The Reassignment of Ownership by Registered Dealer (Rider) Form may be used by a registered Missouri motor vehicle dealer to make one (1) reassignment of ownership of a motor vehicle or trailer in addition to the reassignments contained on the back of a manufacturer's statement of origin or certificate of title when all existing reassignment spaces have been used.

(2) The Missouri rider form can only be—

(A) Used by a registered Missouri motor vehicle dealer; and

(B) Attached to a manufacturer's statement of origin, Missouri certificate of title or out-of-state certificate of title. The Missouri rider form cannot be used when ownership of the vehicle is transferred to the dealer on an out-of-state rider.

(3) Only one (1) Missouri rider may be attached to a manufacturer's statement of origin, Missouri certificate of title or out-of-state certificate of title.

(4) The Reassignment of Ownership by Registered Dealer (Rider) Form must be on a secure form approved by the director of revenue. Forms 2447 and M2447 follow this rule.

*AUTHORITY: section 301.200, RSMo 1986. * Emergency rule filed July 30, 1993, effective Aug. 9, 1993, expired Dec. 6, 1993. Original rule filed July 30, 1993, effective Jan. 31, 1994.*

**Original authority: 301.200, RSMo 1939, amended 1947, 1984, 1986.*



MISSOURI DEPARTMENT OF REVENUE MOTOR VEHICLE BUREAU REASSIGNMENT OF OWNERSHIP BY REGISTERED DEALER		FORM 2447 (REV. 4-92)	MUST BE PRINTED LEGIBLY
<p>THIS REASSIGNMENT BY A REGISTERED DEALER FORM (DOR-2447) MAY BE USED ONLY BY A REGISTERED MISSOURI DEALER WHEN MAKING AN ASSIGNMENT OF OWNERSHIP ON MANUFACTURER'S STATEMENT OF ORIGIN OR CERTIFICATE OF TITLE CONTAINING LESS THAN FOUR ASSIGNMENT SPACES. Only one of these forms may be used and must be securely attached to the accompanying Manufacturer's Statement of Origin or Certificate of Title.</p> <p>WARNING: ALTERATIONS OR ERASURES WILL VOID THIS REASSIGNMENT OF OWNERSHIP BY A REGISTERED DEALER FORM.</p> <p>INSTRUCTIONS TO SELLER: Complete ALL spaces below except the blocks for the signature and printed names of the purchaser. Complete the mileage block as of the date of sale or transfer. Sign and hand print your name as seller only after the purchaser has signed and hand printed their name. Also record your position with the dealership. You state under penalty of perjury that the total purchase price represents the sale amount collected for the sale of this vehicle.</p> <p>INSTRUCTIONS TO PURCHASER: You must sign and hand print your name in the area provided.</p>			
VEHICLE IDENTIFICATION NUMBER		YEAR	MAKE
TITLE NUMBER		MODEL	BODY STYLE
I/We hereby assign and warrant the Manufacturer's Statement of Origin or Certificate of Title of the vehicle described on the face of the Manufacturer's Statement of Origin or Certificate of Title to which this form is attached and I/we certify the accuracy of the sale price and mileage as specified below subject to the following lien or encumbrance, if any.			
PURCHASER(S) NAME (PRINTED OR TYPED)		SALE PRICE BY SELLER	
ADDRESS		\$	
LIENHOLDER(S) NAME (PRINTED OR TYPED)		DATE OF SALE	
ADDRESS		DATE OF LIEN	
ODOMETER READING (NO TENTHS)		<input type="checkbox"/> MILEAGE IN EXCESS OF ITS MECHANICAL LIMITS <input type="checkbox"/> MILEAGE READING NOT ACTUAL (WARNING: ODOMETER DISCREPANCY)	
I state that the odometer now reads the aforementioned miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein, unless one of the following statements is checked.			
SIGNATURE OF PURCHASER(S)		SIGNATURE OF SELLER(S)	
HAND PRINTED NAME(S) BY PURCHASER (AGENT/POSITION)		HAND PRINTED NAME(S) BY SELLER(S) (AGENT/POSITION)	
DEALER NUMBER, IF APPLICABLE		DEALER NUMBER	
DISTRIBUTION: WHITE ORIGINAL-attach to Manufacturer's Statement of Origin or Certificate of Title; PINK-retain for dealer's records.		NO. 1054809	

MO 860-0387 (4-92)



REASSIGNMENT OF OWNERSHIP BY REGISTERED DEALER		FORM M2447 (REV. 4-93)	MUST BE PRINTED LEGIBLY
<p>THIS REASSIGNMENT BY A REGISTERED DEALER (RIDER) MAY BE USED ONLY BY A REGISTERED MISSOURI DEALER WHEN MAKING AN ASSIGNMENT OF OWNERSHIP ON A MANUFACTURER'S STATEMENT OF ORIGIN OR CERTIFICATE OF TITLE. ONLY ONE OF THESE FORMS MAY BE USED AND MUST BE SECURELY ATTACHED TO THE ACCOMPANYING MANUFACTURER'S STATEMENT OF ORIGIN OR CERTIFICATE OF TITLE.</p> <p>WARNING: ALTERATIONS OR ERASURES WILL VOID THIS REASSIGNMENT OF OWNERSHIP BY A REGISTERED DEALER.</p> <p>INSTRUCTIONS TO SELLER: Complete ALL spaces below except the blocks for the signature and printed names of the purchaser. Complete the mileage block as of the date of sale or transfer. Sign and hand print your name as seller only after the purchaser has signed and hand printed their name. Also record your position with the dealership. You state under penalty of perjury that the total purchase price represents the true amount collected for the sale of this vehicle.</p> <p>INSTRUCTIONS TO PURCHASER: You must sign and hand print your name in the area provided.</p>			
VEHICLE IDENTIFICATION NUMBER		YEAR	MAKE
TITLE NUMBER		MODEL	BODY STYLE
<p>I/We hereby assign and warrant the Manufacturer's Statement of Origin or Certificate of Title for the vehicle described on the face of the Manufacturer's Statement of Origin or Certificate of Title to which this form is attached and I/we certify the accuracy of the sale price and mileage as specified below subject to the following lien or encumbrance, if any.</p>			
PURCHASER(S) NAME (PRINTED OR TYPED)		SALE PRICE BY SELLER	
ADDRESS		DATE OF SALE	
LIENHOLDER(S) NAME (PRINTED OR TYPED)		DATE OF LIEN	
ADDRESS			
ODOMETER READING (NO TENTHS)	I state that the the odometer now reads the aforementioned miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein, unless one of the following statements is checked.		
	<input type="checkbox"/> MILEAGE IN EXCESS OF ITS MECHANICAL LIMITS <input type="checkbox"/> MILEAGE READING NOT ACTUAL (WARNING: ODOMETER DISCREPANCY)		
SIGNATURE OF PURCHASER(S)		SIGNATURE OF SELLER(S)	
HAND PRINTED NAME(S) BY PURCHASER (AGENT/POSITION)		HAND PRINTED NAME(S) BY SELLER(S) (AGENT/POSITION)	
DEALER NUMBER, IF APPLICABLE		DEALER NUMBER	
DISTRIBUTION: WHITE ORIGINAL-attach to Manufacturer's Statement of Origin or Certificate of Title; PINK-retain for dealer's records.			

REORDER FORM #M2447 (4/93) MADA P.O. BOX 1158, JEFFERSON CITY, MO. 65102



12 CSR 10-23.436 Application For Title
(Rescinded December 30, 2003)

AUTHORITY: sections 301.190, 301.700 and 700.320, RSMo 1994. Original rule filed Nov. 28, 1994, effective May 28, 1995. Rescinded: Filed June 24, 2003, effective Dec. 30, 2003.

12 CSR 10-23.440 Replacement License Tabs

(Rescinded May 30, 2006)

AUTHORITY: section 301.301, RSMo Supp. 1995. Original rule filed Sept. 1, 1995, effective Feb. 25, 1996. Rescinded: Filed Nov. 1, 2005, effective May 30, 2006.

12 CSR 10-23.442 Outboard Motor

PURPOSE: This rule defines the type of outboard motor required to be titled and registered.

(1) An outboard motor is defined as an internal combustion engine with an integrally attached propeller or waterjet propulsion unit that is designed to be temporarily secured to the stern of a boat.

(2) Only outboard motors, as defined above, are subject to the titling and registration requirements of Chapter 306, RSMo.

AUTHORITY: section 306.530, RSMo 1994. Emergency rule filed March 12, 1999, effective March 22, 1999, expired Sept. 17, 1999. Original rule filed March 12, 1999, effective Aug. 30, 1999.*

**Original authority: 306.530, RSMo 1945, amended 1949, 1985.*

12 CSR 10-23.444 Historic Vehicle License
(Rescinded December 30, 2003)

AUTHORITY: section 301.131, RSMo Supp. 1998. Original rule filed March 12, 1999, effective Sept. 30, 1999. Rescinded: Filed June 24, 2003, effective Dec. 30, 2003.

12 CSR 10-23.446 Notice of Lien

PURPOSE: This rule outlines the requirements for the perfection of a lien on a motor vehicle, trailer, manufactured home, all terrain vehicle, boat, or outboard motor by physical delivery or electronic filing of the notice of lien.

(1) A lien on a motor vehicle, trailer, manufactured home, all terrain vehicle, boat, or outboard motor is perfected when a notice of lien meeting the requirements in section (2) is delivered to the director of revenue, whether or not the ownership thereof is being transferred. A processing fee is collected when the notice of lien is delivered to the director. Delivery to the director of revenue may be physical delivery of the notice of lien to the director by mail, or to the director or agent of the director in a Department of Revenue office, or by electronic filing of the notice of lien. A received date stamp placed on the notice of lien application receipt or an electronic confirmation receipt issued by the director or his/her agent will be *prima facie* proof of the date of delivery.

(2) A notice of lien for a motor vehicle, trailer, manufactured home, all terrain vehicle, boat, or outboard motor shall be in a form or electronic format provided or approved by the director of revenue. The notice of lien shall contain, but not be limited to, the following information:

- (A) Name and address of owner(s);
- (B) Unit description, by make, and identification number;
- (C) Purchase date;
- (D) Name and address of first and second lienholder(s), if applicable; and
- (E) Subject to future advances if applicable.

(3) As used in this rule, the term "boat" includes all motorboats, vessels, or watercraft as the terms are defined in section 306.010, RSMo.

(4) Any lienholder who elects to file a lien electronically must apply to use this option and be approved by the director.

AUTHORITY: sections 301.600, 301.610, 301.620, 301.660, 306.400, 306.405, 306.410, 306.430, 700.350, 700.355, 700.360, and 700.380, RSMo Supp. 2011. Emergency rule filed Aug. 18, 1999, effective Aug. 28, 1999, expired Feb. 23, 2000. Original rule filed Aug. 18, 1999, effective Feb. 29, 2000. Amended: Filed June 13, 2000, effective Dec. 30, 2000. Amended: Filed April 9, 2003, effective Oct. 30, 2003. Amended: Filed Oct. 6, 2006, effective April 30, 2007. Amended: Filed Jan. 17, 2012, effective July 30, 2012.*

**Original authority: 301.600, RSMo 1965, amended 1989, 1999, 2000, 2001, 2002, 2008, 2011; 301.610, RSMo 1965, amended 1990, 1992, 1999, 2002, 2008; 301.620, RSMo 1965, amended 1990, 1992, 1999, 2002, 2008; 301.660, RSMo 1965, amended 1990, 2002, 2008; 306.400, RSMo 1985, amended 1999, 2000, 2002, 2008, 2011; 306.405, RSMo 1985, amended 1999, 2002, 2008; 306.410, RSMo*

1985, amended 1999, 2000, 2002, 2003, 2008, 2009; 306.430, RSMo 1985, amended 2002, 2008; 700.350, RSMo 1985, amended 1989, 2002, 2008, 2010, 2011; 700.355, RSMo 1985, amended 2002, 2008; 700.360, RSMo 1985, amended 2002, 2008, 2010; and 700.380, RSMo 1985, amended 2002, 2008.

12 CSR 10-23.450 Guidelines for Use of Handicapped Parking Cones

PURPOSE: This rule establishes guidelines for the use of handicapped parking cones.

(1) Any person who is issued disabled person license plates or a removable windshield placard and who uses a wheelchair or transports a person who uses a wheelchair, may utilize a parking cone bearing the international symbol of accessibility and the words "wheelchair parking space."

(2) Parking cones shall be predominantly orange, fluorescent red-orange or fluorescent yellow-orange, not less than eighteen inches (18") in height and shall be made of a material that can be struck without damaging vehicles on impact.

(3) Any cone that conforms to the requirements of this provision will be sufficient for use by such person without further authorization from the director.

AUTHORITY: section 301.139, RSMo Supp. 1999. Original rule filed Oct. 27, 1999, effective May 30, 2000.*

**Original authority: 301.139, RSMo 1999.*

12 CSR 10-23.452 Internet Renewal of License Plates

PURPOSE: This rule will allow Missouri citizens to renew their Missouri license plates via the Missouri On-Line Registration Exchange, Missouri Internet Vehicle Registration Renewal System, by using a Personal Identification Number.

(1) Any person desiring to renew their Missouri license plates via the Missouri On-Line Registration Exchange (MORE), Missouri Internet Vehicle Registration Renewal System, must use the eight (8) digit Personal Identification Number (PIN) recorded on their renewal notice. Entering the PIN into the Missouri Internet Vehicle Registration Renewal System shall be deemed the signature of the owner where a signature is required. This includes certification by the vehicle owner that he/she has and will maintain, during the period of registration, financial responsibility with respect to each motor



vehicle that is owned, licensed or operated on the streets or highways.

(2) Only vehicle owners whose county (including the City of St. Louis) has provided the owner's personal property tax records to the Department of Revenue's Personal Property Tax Record System may have the option of renewing the license plates via the Missouri Internet Vehicle Registration Renewal System.

(3) Only vehicle owners displaying regular or personalized license plates in one of the following categories may use the Missouri Internet Vehicle Registration Renewal System for vehicle renewal purposes:

(A) Motor vehicles subject to the registration fees according to horsepower, as provided in section 301.055, RSMo;

(B) Local and beyond local property-carrying commercial motor vehicles licensed for a gross weight not to exceed fifty-four thousand (54,000) pounds;

(C) Trailers, excluding trailers displaying a three (3)-year trailer plate;

(D) Recreational vehicles;

(E) Motorcycles and motortricycles;

(F) Shuttle buses;

(G) Van pool; and

(H) Private school buses.

(4) Vehicles owners who must annually present an Emblem Use Authorization Statement issued by the organization cannot renew their registration through the Missouri Internet Vehicle Registration Renewal System.

(5) If a vehicle owner enters information into the Missouri Internet Vehicle Registration Renewal System indicating that his/her vehicle has been out-of-state for the past sixty (60) days and he/she is unable to enter a vehicle safety or emissions inspection number, if applicable, the owner must enter the out-of-state address. The Missouri Department of Revenue will mail the validation tabs to the out-of-state address entered by the applicant.

AUTHORITY: section 32.300, RSMo 2000. Original rule filed June 7, 2001, effective Dec. 30, 2001.*

**Original authority: 32.300, RSMo 2000.*

12 CSR 10-23.454 Electric Personal Assistive Mobility Device (EPAMD)

PURPOSE: This rule gives the definition, titling and registration requirements of an Electric Personal Assistive Mobility Device (EPAMD) pursuant to section 307.205.1,

RSMo.

(1) An Electric Personal Assistive Mobility Device (EPAMD) is a nontandem two-wheeled device with an electric propulsion system of one (1) horsepower with maximum speed of less than twenty (20) miles per hour. The device meets the definition of a motorized bicycle as defined in section 301.010(36), RSMo and is therefore exempt from titling and registration pursuant to Chapter 301, RSMo.

AUTHORITY: sections 301.010 and 301.190, RSMo 2000 and 307.205, RSMo Supp. 2002. Original rule filed Aug. 23, 2002, effective Feb. 28, 2003.*

**Original authority: 301.010, RSMo 1939, amended 1945, 1949, 1951, 1969, 1974, 1979, 1980, 1983, 1985, 1986, 1987, 1988, 1989, 1992, 1993, 1995, 1996, 1997, 1998, 2000; 301.190, RSMo 1939, amended 1947, 1965, 1981, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1992, 1997, 1999; and 307.205, RSMo 2002.*

12 CSR 10-23.456 Marine Application for Title

PURPOSE: This rule clarifies when the Application for Missouri Watercraft or Outboard Motor Title and Registration (DOR-93 revision date of March 2003) must be used.

(1) Effective July 1, 2003, the department will begin issuing the revised Application for Missouri Watercraft or Outboard Motor Title and Registration form (DO-93 revision date of March 2003). This form can be requested from the department of revenue's website at <http://www.dort.state.mo.us/mvd1/formorder>.

(2) All Missouri dealers, lienholders, and applications must submit this form when applying for title and registration on an outboard motor or vessel.

(3) Previous versions of the application form (DOR-93) may no longer be accepted on or after December 31, 2003.

AUTHORITY: sections 306.400 and 306.410, RSMo Supp. 2003. Original rule filed May 22, 2003, effective Dec. 30, 2003.*

**Original authority: 306.400, RSMo 1985, amended 1999, 2000, 2002; 306.410, RSMo 1985, amended 1999, 2000, 2002.*

12 CSR 10-23.458 Documents Accepted as a Release of Lien

PURPOSE: This rule clarifies what docu-

ments are acceptable to the Department of Revenue to release a lien on a motor vehicle, trailer, all-terrain vehicle, outboard motor, vessel, or manufactured home.

(1) Every release of lien for a motor vehicle, trailer, all-terrain vehicle, outboard motor, vessel, or manufactured home issued on or after July 1, 2003, must be notarized.

(2) The following notarized documents will be accepted as a lien release for liens released on or after July 1, 2003.

(A) Notice of Lien Release (DOR-4809), which can be requested from the Department of Revenue's website at <http://www.dort.state.mo.us/mvd1/formorder>; or

(B) Lien release issued on the lienholder's business letterhead. The release shall contain the owner's name, year, make, vehicle identification number, lien release date, and lienholder name and signature.

AUTHORITY: sections 301.640, 306.410, 306.420 and 700.370, RSMo Supp. 2003. Original rule filed June 24, 2003, effective Dec. 30, 2003.*

**Original authority: 301.640, RSMo 1965, amended 1990, 1992, 1998, 1999, 2002; 306.410, RSMo 1985, amended 1999, 2000, 2002; 306.420, RSMo 1985, amended 1999, 2000, 2002; 700.370, RSMo 1985, amended 2002.*

12 CSR 10-23.460 Issuance of Biennial Disabled Person Placard

(Rescinded November 30, 2007)

AUTHORITY: sections 301.003, RSMo 2000 and 301.142, RSMo Supp. 2004. Original rule filed Nov. 13, 2003, effective May 30, 2004. Amended: Filed Dec. 14, 2004, effective July 30, 2005. Rescinded: Filed May 23, 2007, effective Nov. 30, 2007.

12 CSR 10-23.465 Issuance of Biennial Salvage Business Licenses

PURPOSE: This rule provides for issuing biennial salvage business licenses on a staggered basis to equalize the Department of Revenue's workload and for the corresponding fees that are required.

(1) Salvage business licenses expire June 30 of the designated expiration year. The renewal period begins April 1 in the year of their expiration.

(A) New applicants for salvage business licensure processed on or after August 28, 2004, will be issued a two (2)-year license expiring June 30 of the appropriate year. The



cost for licensure shall be one hundred thirty dollars (\$130) for each type of business activity indicated on the application, except that only one (1) one hundred thirty dollar (\$130) fee shall be collected if the applicant applies for licensure as a used parts dealer and a salvage dealer or dismantler. If the licensure period is for less than a two (2)-year period, the licensure fee shall be prorated for each type of business activity on a quarterly basis based on application receipt date as follows:

1. July 1 to September 30—one hundred thirty dollars (\$130)
2. October 1 to December 31—one hundred thirteen dollars and seventy-five cents (\$113.75)
3. January 1 to March 31—ninety-seven dollars and fifty cents (\$97.50)
4. April 1 to June 30—eighty-one dollars and twenty-five cents (\$81.25)

(B) Late renewal applicants who submitted their application for a salvage business license before August 28, 2004, but who are not approved until on or after August 28, 2004, will receive a one (1)-year license expiring June 30, 2005, at a cost of sixty-five dollars (\$65) for each type of business activity conducted.

(C) Late renewal applicants who submit their application for a salvage business license on or after August 28, 2004, have the option of receiving a one (1)-year or two (2)-year license. These applicants must obtain a certification from authorized law enforcement as required by section 301.219, RSMo.

(D) Renewal applicants for salvage business licensure who renew during the renewal cycle beginning April 1, 2005, and who have an even-numbered license number, will be issued a one (1)-year license expiring June 30, 2006, at a cost of sixty-five dollars (\$65) for each business activity conducted. During the renewal cycle beginning April 1, 2006, these renewal applicants will be issued a two (2)-year license expiring June 30, 2008.

(E) Renewal applicants for salvage business licensure who renew during the renewal cycle beginning April 1, 2005, and who have an odd-numbered license number, will be issued a two (2)-year license expiring June 30, 2007, at a cost of one hundred thirty dollars (\$130) for each business activity conducted.

(2) Each application for a salvage business license must be accompanied by a five-dollar (\$5) fee for a criminal record check for each owner, partner, or corporate officer listed on the application. The deposited fees are forwarded to the Missouri State Highway Patrol. The patrol shall provide the director with the results of the applicant's criminal record

check to assist the director in determining the applicant's qualifications as provided in section 301.221, RSMo.

(3) In the event that owners, partners, or principal officers (if a corporation) are residents of a state other than Missouri or another country, they must obtain a current criminal record check from their state highway patrol or corresponding law enforcement agency and submit that record check with new and renewal applications. The five-dollar (\$5) fee referenced in section (2) of this rule is inapplicable to this circumstance.

AUTHORITY: sections 301.219 and 301.221, RSMo Supp. 2004 and 301.229, RSMo 2000. Original rule filed Sept. 16, 2004, effective March 30, 2005.*

**Original authority: 301.219, RSMo 1979, amended 1986, 2004; 301.221, RSMo 1979, amended 1986, 2004; and 301.229, RSMo 1979, amended 1988.*

12 CSR 10-23.470 Notice of Sale

PURPOSE: Section 301.196, RSMo, requires the seller of a motor vehicle, trailer, or all-terrain vehicle to report the sale to the Department of Revenue. Section 301.280, RSMo, requires dealers who do not file their monthly sales reports electronically to submit a notice of sale as required by section 301.196, RSMo, with their monthly sales report. This rule establishes the forms for reporting the sale to the department.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) When selling a motor vehicle, trailer, or all-terrain vehicle to a Missouri resident, the seller must report the sale to the Department of Revenue.

(A) Sellers, other than Missouri licensed dealers, must complete one (1) of the following forms and submit it to the Department of Revenue within thirty (30) days of the sale.

1. Notice of Sale, (Form DOR 5049), required when title does not include the perforated notice of sale;

2. The Notice of Sale (Form DOR 5049A) portion of the Missouri Certificate of Title; or

3. Bill of Sale (Form DOR 1957), used when applying for a tax credit under section 144.025, RSMo. Notice of Sale, (Form DOR 5049), revised October 2005, Notice of Sale (Form DOR 5049A) portion of the Missouri Certificate of Title, revised July 2005, and the Bill of Sale (Form DOR 1957), revised August 2005, are incorporated by reference, are published by and can be obtained from the Missouri Department of Revenue, PO Box 100, Jefferson City, MO 65105-0100. These forms do not include any amendments or additions since the revision dates noted.

(B) Missouri licensed dealers who do not file their sales reports electronically must complete a Notice of Sale using Form DOR 5049 and DOR 5049A for each retail sale made to a Missouri resident and submit the forms with the corresponding dealer's monthly sales reports.

AUTHORITY: sections 301.196, 301.197, 301.198 and 301.280, RSMo Supp. 2005. Original rule filed Dec. 19, 2005, effective June 30, 2006.*

**Original authority: 301.196, RSMo 2004; 301.197, RSMo 2004; 301.198, RSMo 2004; and 301.280, RSMo 1939, amended 1974, 1983, 1984, 1986, 1988, 1990, 1993, 1997, 2004.*

12 CSR 10-23.475 Fees and Required Documentation for Designating Manufactured Homes as Real or Personal Property

PURPOSE: This rule establishes the fees and requirements for filing documentation with the Department of Revenue for purposes of designating manufactured homes as real estate or personal property under section 700.111, RSMo.

(1) An Affidavit of Affixation must be recorded with the recorder of deeds in accordance with section 442.015, RSMo, and filed with the director of revenue in accordance with section 700.111, RSMo, when a manufactured home is to be deemed as real estate.

(2) An Affidavit of Severance must be recorded with the recorder of deeds in accordance with section 442.015, RSMo, and filed with the director of revenue in accordance with section 700.111, RSMo, when a certificate of title application is completed on a manufactured home that was previously deemed as real estate through the filing of a properly executed Affidavit of Affixation with the director of revenue.



(3) When submitting a recorded Affidavit of Affixation to the director of revenue under section 700.111, RSMo, the affidavit shall be accompanied by either an Application for Surrender of Title or a Manufacturer's Certificate of Origin, or an Application for Confirmation of Conversion when no such certificate of title or manufacturer's certificate of origin can be located.

(4) The department will make available suggested forms containing the standard requirements for the Affidavit of Affixation, Affidavit of Severance, Application for Confirmation of Conversion, and Application for Surrender of Title or Manufacturer's Certificate of Origin. The department's suggested forms, or forms that substantially comply with their requirements, shall be used for filing with the recorder of deeds and director of revenue. All available forms may be obtained by mail by requesting a form in writing from the Missouri Department of Revenue, Motor Vehicle Bureau, Truman State Office Building, Room 370, 301 West High Street, PO Box 100, Jefferson City, MO 65105-0100 or from the department's website.

(5) The fee for filing an Affidavit of Affixation or Affidavit of Severance with the Department of Revenue for the purposes of complying with section 700.111, RSMo, shall be the same amount as the fee collected for an original title in accordance with section 301.190, RSMo. In addition to such filing fee, the director shall collect a processing fee in accordance with subparagraph (2) of subsection 1 of section 136.055, RSMo.

AUTHORITY: section 700.111, RSMo Supp. 2010. Emergency rule filed Feb. 1, 2011, effective March 1, 2011, expired Aug. 27, 2011. Original rule filed Feb. 1, 2011, effective July 30, 2011.*

**Original authority: 700.111, RSMo 1991, amended 2010.*

12 CSR 10-23.500 Optional Second Plate for Commercial Motor Vehicles

PURPOSE: This rule establishes how the Department of Revenue will distinguish the optional second license plate for commercial motor vehicles and sets the fee authorized by section 301.130, RSMo Supp. 2013.

(1) When a person registers a property-carrying commercial motor vehicle licensed in excess of twelve thousand (12,000) pounds and requests two (2) license plates, the director of revenue shall issue a second plate to be attached to the rear of the vehicle. The rear

plate shall contain a sticker in the upper right corner to distinguish the difference between the front and rear plate and to alert law enforcement that the owner is required to have two (2) license plates.

(2) The fee for the optional second license plate for a commercial motor vehicle is eight dollars and fifty cents (\$8.50).

AUTHORITY: section 301.130, RSMo Supp. 2013. Emergency rule filed Aug. 19, 2013, effective Aug. 29, 2013, expired Feb. 27, 2014. Original rule filed Aug. 19, 2013, effective Feb. 28, 2014.*

**Original authority: 301.130, RSMo 1939, amended 1947, 1949, 1951, 1969, 1977, 1981, 1983, 1986, 1987, 1993, 1995, 2001, 2003, 2005, 2007, 2008, 2013.*

12 CSR 10-23.600 Complaint, Inspection, and Disciplinary Process for Transportation Network Companies

PURPOSE: This rule clarifies application, inspection, and disciplinary processes and procedures related to transportation network companies.

(1) As used herein, the following terms mean:

(A) "Commission", the regional taxicab commission established pursuant to section 67.1804, RSMo;

(B) "Department", the Missouri Department of Revenue;

(C) "Director", the director of the Missouri Department of Revenue or a hearing officer or appeals referee duly appointed by the director;

(D) "Home rule city", any home rule city with more than four hundred thousand (400,000) inhabitants and located in more than one (1) county; and

(E) "Transportation network company" or "TNC", a corporation, partnership, sole proprietorship, or other entity that is licensed pursuant to sections 387.400 to 387.440, RSMo, and operating in the state of Missouri, that uses a digital network to connect TNC riders to TNC drivers who provide prearranged rides.

(2) Applicants for initial TNC licensure or renewal shall apply to the department by completing an application and providing the following:

(A) The registered name, address, and contact information of the applicant, including a phone number and e-mail address;

(B) The name of the registered agent within the state who will accept service of process and notifications as required by section 387.406, RSMo, and direct contact informa-

tion for the agent including physical address, phone number, e-mail address, and regular business hours;

(C) The name and e-mail address for an account administrator designated by the applicant for purposes of creating and maintaining an account which will meet all reporting requirements contained in section 387.436, RSMo;

(D) The five-thousand dollar (\$5,000) application fee; and

(E) A copy of the applicant's privacy policy as required by, and in accordance with, section 387.425, RSMo.

Applicants shall certify that they will comply with all requirements contained in sections 387.400 to 387.440, RSMo, sections 379.1700 to 379.1708, RSMo, and all regulations promulgated by the department that are consistent with sections 387.400 to 387.440, RSMo, pursuant to the authority delegated to the department under section 387.430, RSMo. Applicants shall further certify that their privacy policy, as provided to the department, meets all the requirements contained in section 387.425, RSMo. Applicants for renewal shall meet all of the above requirements except that applicants shall only be required to resubmit the applicant's privacy policy if the policy has changed or is different from the privacy policy on file with the department.

(3) Upon approval of an application for TNC licensure, the designated account administrator of the TNC will be sent an electronic notification by the department containing instructions on how to create and maintain an electronic reporting account with the department for purposes of complying with section 387.436, RSMo. The TNC's account shall be created prior to the TNC doing business as a licensee and shall be maintained throughout the duration of the license.

(4) TNCs shall cooperate with any investigation or audit by the department related to sections 387.400 to 387.440, RSMo, and sections 379.1700 to 379.1708, RSMo. TNCs shall permit an employee or agent of the department to inspect, during normal business hours, any and all records which are required to be maintained pursuant to sections 387.400 to 387.440, RSMo, if related to an investigation as described above. If a third party is utilized in accordance with section 387.420, RSMo, all records gathered and supplied by the third party shall be maintained and available for inspection by the department. Any records which may be reviewed by a home rule city or the commission must also be made available to the department for inspection purposes upon



request. TNCs shall make requested records available for review or provide electronic copies of records within thirty (30) days in order to comply with the provisions of this section.

(5) The department may refuse to issue or renew any license required pursuant to sections 387.400 to 387.440, RSMo, for a specified period of time for any one (1) or any combination of causes stated in this section. The department shall notify the applicant or licensee in writing at their last known address of the reasons for the refusal to issue or renew the license and shall advise the applicant or licensee of their right to file an appeal with the administrative hearing commission as provided in Chapter 621, RSMo.

(A) The following acts constitute cause for refusal to issue or renew a license:

1. Any violation of sections 387.400 to 387.440, RSMo, sections 379.1700 to 379.1708, RSMo, or any rule promulgated under the authority delegated to the department under section 387.430, RSMo;

2. The applicant or license holder was previously the holder of a license issued under sections 387.400 to 387.440, RSMo, which license was suspended or denied for cause and was never reissued by the department;

3. The applicant or license holder was previously a partner, stockholder, director, or officer controlling or managing a partnership or corporation whose license issued under sections 387.400 to 387.440, RSMo, was suspended or denied for cause and was never reissued;

4. Use of fraud, deception, misrepresentation, or bribery in securing a license issued pursuant to sections 387.400 to 387.440, RSMo; and

5. Failure to cooperate with the department or failure to timely respond to a request for records by the department in connection with an investigation.

(6) To the extent permitted by section 387.440, RSMo, a home rule city or the commission may assess a fine of up to five-hundred dollars (\$500) to a TNC for failure to comply with sections 387.400 to 387.440, RSMo, and shall comply with all notification requirements contained in this section.

(A) The home rule city or the commission shall send a notice to the TNC's registered agent which includes the amount of the fine, a brief statement of facts establishing the TNC's failure to comply with any requirement in sections 387.400 to 387.440, RSMo, and a statement indicating the right of appeal in substantially the following language: "If you are

adversely affected by this notice, you may appeal to the Department of Revenue. To appeal, you must file a request for hearing with the Department of Revenue, PO Box 703, Jefferson City, MO 65105, within thirty (30) days after the date this notice was mailed or the date it was delivered, whichever date was earlier. If any such request for hearing is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the Department of Revenue." A copy of the notice must be provided to the department upon issuance by mailing it to Department of Revenue, PO Box 703, Jefferson City, MO 65105 or by sending it electronically to mvbmail@dor.mo.gov.

1. Any TNC fined by a home rule city or the commission shall be entitled to a hearing before the director by filing a request for hearing with the department within thirty (30) days after the date this notice was mailed or the date it was delivered, whichever date was earlier. If the request for hearing is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the Department of Revenue.

2. Failure to file a timely request for hearing will be considered a waiver of the right to an administrative hearing and will establish and make final, for the purposes of administrative appeal, the home rule city or the commission's factual findings and fines.

(B) Hearings will be held in Jefferson City, Missouri, and shall be considered contested cases as that term is defined in Chapter 536, RSMo. Hearings will be placed on an administrative docket in the order in which they are received.

(C) Parties will be notified by first class mail of the date and time of the hearing. A copy of the notice will be sent to each party or the party's attorney of record.

(D) Parties may be allowed one (1) continuance at the discretion of the director provided good cause is shown. All requests for continuances shall be made in writing, state good cause for the continuance, and be signed and verified by the party making the request or their attorney of record. All requests for continuance must be filed at least five (5) days prior to the date of the scheduled hearing.

(E) The department will make a record of the proceedings and evidence presented. Hearing procedures shall be substantially as follows:

1. The home rule city or the commission will have the initial burden of proof and must

present, by a preponderance of the evidence, facts establishing the TNC's failure to comply with sections 387.400 to 387.440, RSMo;

2. The TNC may present any evidence establishing or suggesting compliance with the provisions of sections 387.400 to 387.440, RSMo, or any rebuttal evidence;

3. Parties may present testimony by notarized affidavit or by stipulation of the parties. Affidavits or stipulations may be filed at the time of hearing or any time prior to the hearing;

4. The department will receive oral testimony and any live witnesses will be subject to cross examination;

5. Failure to appear at the hearing at the stated time may result in a default finding and decision against the absent party; and

6. When not inconsistent with this subsection, the provisions of Chapter 536, RSMo shall apply to hearings held in accordance with section 387.440, RSMo.

(F) The director shall consider all the evidence presented, make written findings of fact and conclusions of law, and enter a final decision at or within sixty (60) days from the date of the hearing. All parties will be mailed a copy of the findings of fact, conclusions of law, and final decision. No decision will be entered at the time of the hearing.

(G) The effective date of the director's final decision shall be thirty (30) days from the date the final decision is entered.

(H) Any fines paid by a TNC in accordance with the provisions of section 387.440, RSMo, shall be remitted to the department within fifteen (15) days from the effective date of the final decision of the director or any final decision or order entered by a court of law having jurisdiction over the appeal of such fine.

(I) Any fines remitted to, or collected by, the department in accordance with sections 387.439 and 387.440, RSMo, will be distributed in accordance with Article IX, Section 7 of the *Missouri Constitution*.

(7) License suspensions under subsection 4 of section 387.439, RSMo shall be for a period of thirty (30) days per violation.

AUTHORITY: section 387.430, RSMo Supp. 2017. Original rule filed July 6, 2017, effective Dec. 30, 2017.*

**Original authority: 387.430, RSMo 2017.*