



**Rules of
Department of Revenue
Division 10—Director of Revenue
Chapter 25—Motor Vehicle Financial Responsibility**

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**Title 12—DEPARTMENT OF
REVENUE**

**Division 10—Director of Revenue
Chapter 25—Motor Vehicle Financial
Responsibility**

**12 CSR 10-25.010 Application for
Certificate of Self-Insurance**
(Rescinded August 30, 1991)

AUTHORITY: section 303.290, RSMo 1986. Original rule filed Oct. 30, 1974, effective Nov. 11, 1974. Emergency rescission filed March 15, 1991, effective March 25, 1991, expired July 23, 1991. Rescinded: Filed March 15, 1991, effective Aug. 30, 1991.

**12 CSR 10-25.020 Procedures for Obtain-
ing Securities When a Judgment is Ren-
dered**

PURPOSE: This rule sets forth the procedures to be followed in order to obtain securities which have been posted with the director of revenue in compliance with Chapter 303, RSMo in satisfaction of a judgment for damages arising out of the ownership and use of a motor vehicle.

(1) Petitions for recovery of damages shall be sent to the Department of Revenue, Drivers License Bureau. The petition copy shall carry the official filing stamp of the court within which it is filed. The drivers license number of the defendant shall be provided by the attorney who submits the petition.

(2) The bureau, upon receipt of the petition, shall mark the file of the defendant subject "Litigation Pending." If the filing stamp on the petition indicates it was filed within one (1) year of the accident, a letter confirming this is sent to the plaintiff's attorney.

(3) Upon rendition of a judgment for plaintiff and after the time for appeal has expired, the plaintiff or the plaintiff's attorney may submit a certified copy of the judgment to the bureau. The bureau, in the case of cash deposits, shall submit a check to the plaintiff or plaintiff's attorney made payable to the plaintiff. When other forms of security are posted, that is, real estate bonds or security bonds, the bond shall be sent to the clerk of the court. The attorney for the plaintiff shall be notified in each case of the submission of the security to the clerk. It shall be the attorney's responsibility to receive the security and make partial or full satisfaction and release of the judgment.

(4) The bureau shall notify the person who posted the security of its submission to the plaintiff or plaintiff's attorney.

(5) Whenever the words plaintiff and defendant are used in this procedure, plaintiff shall mean the person in whose favor the judgment is rendered, defendant shall mean the judgment debtor who has posted security with the Drivers License Bureau, regardless of the fact that the judgment may have been rendered upon a counterclaim or upon a third-party pleading.

AUTHORITY: section 303.290, RSMo 1986. Original rule filed June 12, 1974, effective June 24, 1974. Amended: Filed Sept. 14, 1981, effective Jan. 1, 1982. Amended: Filed Nov. 21, 1991, effective April 9, 1992.*

**Original authority: 303.290, RSMo 1953, amended 1957, 1986.*

**12 CSR 10-25.030 Hearings Held Pursuant
to Section 303.290.1, RSMo**

*PURPOSE: This rule sets forth the procedures used by the director in holding hearings as required by statute and the United States Supreme Court ruling of **Bell v. Burson** prior to the time any action is taken for compliance with the Safety Responsibility Law.*

(1) Parties must request a hearing by the compliance date as established by the Department of Revenue. Failure to request a hearing by the date will be considered a waiver of the right to an administrative hearing and will make final for the purposes of review of the director's decision.

(2) If any request for a hearing required to be filed on or before a prescribed date is delivered after that date by United States mail to the director of revenue, or the office or person in that office with which or with whom the request is required to be filed, the date of the United States postmark stamped on the envelope shall be deemed to be the date of filing. This shall apply only if the postmarked date falls on or before the compliance date as established by the Department of Revenue. If any date for performing any act falls on a Saturday, Sunday or legal holiday in this state, the performance of the act shall be considered timely if it is performed on the next succeeding day which is not a Saturday, Sunday or legal holiday.

(3) Failure to request a hearing by the compliance date with the Department of Revenue, Drivers License Bureau, or failure to appear

at a hearing in person, by affidavit or by telephone, will preclude that party from obtaining judicial review in the circuit court of the county of the residence of the licensee. The filing of a petition for review under section 303.290.2, RSMo automatically will stay any decision of the director pending the decision of the court; provided, a copy of the petition is filed with the director.

(4) Hearings for mandatory insurance sampling cases will be scheduled and conducted by telephone unless a request for an in-person hearing is made. All other hearings under Chapter 303, RSMo will be held in Jefferson City, Missouri.

(5) Parties requesting hearings will be notified of the date and the time of the hearing by first class mail at least ten (10) days prior to the hearing date. Copies of the notices will go to the attorneys of record and the parties involved.

(6) Parties requesting hearings will be allowed one (1) continuance at the discretion of the hearing officer provided good cause be shown. All requests for continuances shall be made in writing, shall state good cause for the continuance, shall be signed and verified by the party making the request or his/her attorney or authorized representative. All requests for continuance must be filed not later than six (6) days prior to the date of the scheduled hearing. The following events or conditions shall constitute good cause to continue a hearing:

(A) Death of a party, representative or attorney of a party, or witness to an essential fact;

(B) Incapacitating illness of a party or representative, or attorney of a party, or witness to an essential fact. The request must contain a written statement by an attending physician reciting the nature and probable duration of the illness; and

(C) Unavailability of a party, representative or attorney, or material witness due to an unavoidable emergency.

(7) Cases under section 303.290.1, RSMo shall be considered contested cases as that term is defined in Chapter 536, RSMo.

(8) Hearing Procedures.

(A) The director or his/her representative shall state to the requesting party that the request for hearing for the Notice of Suspension has been received. Other uninsured parties involved in the case, if any, shall be notified that the Department of Revenue has made a preliminary determination that a party was an uninsured motorist and subject



to the Motor Vehicle Financial Responsibility Law, and a request for an administrative hearing has been received. All other insured parties involved in the case, if any, shall be notified that the Department of Revenue has determined the uninsured parties driving and/or registration privileges may be suspended as required by the Motor Vehicle Financial Responsibility Law, and a request for an administrative hearing has been received.

(B) The requesting party may present any new facts which s/he feels may show that there is no reasonable possibility of a money judgment being rendered or that the percent of liability or amount of security required should be reduced. The party may also present any new facts that s/he feels may show why s/he should not be suspended for violation of the Motor Vehicle Financial Responsibility Law.

(C) Parties may present testimony by affidavit. Affidavits may be filed at time of hearing or after notice of setting of hearing.

(D) Failure to appear at the hearing in person, by affidavit or by telephone at the stated time will make final the decision of the director as of that date.

(E) The provisions of Chapter 536, RSMo shall apply to hearings held pursuant to section 303.290.1, RSMo.

(9) The director shall make Findings of Fact and Conclusions of Law and enter his/her decision. All parties will be mailed a copy of the Findings of Fact and Conclusions of Law when they become final. No decision will be given at the time of the hearing.

(10) The effective date of the director's decision shall be the compliance date established by the Department of Revenue or the date set out in the hearing decision letter, whichever date is later.

(11) A properly received request for a hearing will automatically stay the order of suspension of the director until the effective date of the director's decision.

AUTHORITY: section 303.290, RSMo 2000. Original rule filed Nov. 23, 1973, effective Dec. 3, 1973. Amended: Filed Jan. 17, 1974, effective Jan. 27, 1974. Amended: Filed July 3, 1981, effective Oct. 15, 1981. Amended: Filed May 31, 2000, effective Nov. 30, 2000. Amended: Filed Dec. 28, 2000, effective July 30, 2001.*

**Original authority: 303.290, RSMo 1953, amended 1957, 1986.*

Op. Atty. Gen. No. 92, Reiss (12-9-76). Chapter 303, RSMo requires the director of revenue to suspend a person's driver's license and registration upon receipt of a certified copy of a final judgment pursuant to sections 303.090, 303.100 and 303.110, RSMo when the judgment is rendered against that person by a court of competent jurisdiction of any state or of the United States as a result of a claim for damages arising out of the ownership, maintenance or use of any motor vehicle. There is no statutory requirement that the injury giving rise to the claim must either occur in this state or on the public highways and streets of this state.

12 CSR 10-25.040 Posting Real Estate Bonds as Security for an Accident

PURPOSE: This rule sets forth the requirements to be met in order that real estate bonds may be posted with the director as security for an accident when security is required pursuant to section 303.050, RSMo.

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) A real estate bond of the type mentioned in section 303.230, RSMo is acceptable as a means of posting security required under sections 303.030 and 303.050, RSMo.

(2) Before a real estate bond can be accepted by the director as security to be posted pursuant to section 303.030, RSMo the following requirements must be met:

(A) A DOR-1721A Form, Proof of Financial Responsibility Bond, incorporated by reference, must be completed;

(B) A separate DOR-1585 Form, Justification of Securities, incorporated by reference, must be executed by the principal and each surety to the real estate bond until the equity in real estate owned by the principal and the sureties taken together equals at least twice the amount of the security required to be posted by the director under sections 303.030 and 303.050, RSMo;

(C) A legal description of all property listed in each DOR-1585 Form must be stated;

(D) The value of the interest of the principal and each surety in property listed in the DOR-1585 Form must be stated;

(E) The property must not be subject to any previous encumbrances;

(F) The name of the legal titleholder of any property listed in any DOR-1585 Form must be stated;

(G) All real estate bonds must be approved by the judge of the circuit court of the county or city in which any real estate listed in the DOR-1585 Form is situated and must bear the official seal of the circuit court; and

(H) All real estate bonds must be recorded with the recorder of deeds in the county where the real estate is situated, as verified by the recorder or an authorized representative, prior to acceptance as security by the director.

(3) Any request to accept a real estate bond as security for an accident under the Motor Vehicle Safety Responsibility Law can be rejected by the director if, in his/her discretion, the bond is not adequate to provide the security required by sections 303.030 and 303.050, RSMo.

(4) Whenever any real estate bond posted as security for an accident under the Motor Vehicle Safety Responsibility Law no longer fulfills the purpose for which it was posted in the opinion of the director, the director may require the filing of security in a different form and shall suspend the license and registration or the nonresident operating privilege pending the filing of other proof.

AUTHORITY: section 303.290, RSMo 2000. This version of rule filed April 23, 1975, effective May 5, 1975. Amended: Filed Oct. 22, 1997, effective April 30, 1998. Amended: Filed July 26, 2004, effective Jan. 30, 2005.*

**Original authority: 303.290, RSMo 1953, amended 1957, 1986.*

12 CSR 10-25.050 Filing a Report of an Accident With the Director of Revenue (Rescinded June 30, 2018)

AUTHORITY: sections 303.040 and 303.290, RSMo 2000. This version of rule filed Dec. 10, 1973, effective Dec. 20, 1973. Amended: Filed Sept. 27, 1976, effective Jan. 13, 1977. Amended: Filed Nov. 21, 1991, effective April 9, 1992. Amended: Filed Dec. 12, 1997, effective June 30, 1998. Amended: Filed Aug. 21, 2000, effective Feb. 28, 2001. Amended: Filed Dec. 14, 2004, effective July 30, 2005. Rescinded: Filed Dec. 22, 2017, effective June 30, 2018.



12 CSR 10-25.060 Insurance Identification Cards

(Rescinded June 30, 2018)

AUTHORITY: section 303.290, RSMo 1994. Original rule filed May 7, 1987, effective Aug. 27, 1987. Amended: Filed Nov. 26, 1991, effective April 9, 1992. Amended: Filed Sept. 15, 1995, effective March 30, 1996. Rescinded: Filed Dec. 22, 2017, effective June 30, 2018.

12 CSR 10-25.070 Power of Attorney

(Rescinded June 30, 2018)

AUTHORITY: section 303.290, RSMo 1986. Original rule filed May 7, 1987, effective Aug. 27, 1987. Amended: Filed Nov. 26, 1991, effective April 9, 1992. Rescinded: Filed Dec. 22, 2017, effective June 30, 2018.

12 CSR 10-25.080 Failure to Produce Insurance Identification Card—Other Types of Proof Acceptable

(Rescinded June 30, 2018)

AUTHORITY: section 303.290, RSMo 1994. Original rule filed July 6, 1987, effective Oct. 25, 1987. Amended: Filed Aug. 21, 1998, effective Feb. 28, 1999. Rescinded: Filed Dec. 22, 2017, effective June 30, 2018.

12 CSR 10-25.090 Fees Assessed for Failure to Surrender Drivers License or Registration Plates After Suspension

(Rescinded July 30, 2000)

AUTHORITY: section 303.290, RSMo 1994. Original rule filed July 6, 1987, effective Oct. 25, 1987. Amended: Filed Nov. 26, 1991, effective April 9, 1992. Rescinded: Filed Jan. 5, 2000, effective July 30, 2000.

12 CSR 10-25.100 Distribution of Fees

PURPOSE: This rule establishes procedures for distribution of fees deposited with the Drivers License Bureau in compliance with Chapters 302 and 303, RSMo.

(1) When an individual has more than one (1) action of suspension or revocation requiring the payment of various fees and the payee does not specify to which action the payment(s) should be applied, the monies shall be applied first to any security compliance deposit required for a motor vehicle accident. If the payment received is not sufficient to apply in total to the security compliance

deposit required, payments shall be applied in suspension/revocation effective date order.

(2) Monies shall be deposited in state accounts according to the priority in which they are accepted.

(3) The suspended driver or owner, or both, shall be notified, in writing, of how the monies were distributed and of any balance due to the Drivers License Bureau. If the individual advises that s/he did not intend for monies to be distributed in the priority accounts established, the file shall be evaluated to determine reassessment of money distribution.

(4) Any excess of fees paid shall be distributed in the following manner:

(A) If seven dollars and fifty cents (\$7.50) or less, the monies shall be deposited into appropriate accounts. If the individual requests refund of overpayment, a refund of seven dollars and fifty cents (\$7.50) or less shall be given; and

(B) If monies are in excess of seven dollars and fifty cents (\$7.50), a refund of overpayment shall be given to the individual automatically.

AUTHORITY: sections 302.304, RSMo Supp. 1991 and 303.041 and 303.290, RSMo 1986. Original rule filed Aug. 8, 1989, effective Nov. 26, 1989. Amended: Filed Dec. 11, 1991, effective April 9, 1992. Amended: Filed Aug. 12, 1992, effective Feb. 26, 1993.*

**Original authority: 302.304, RSMo 1961, amended 1972, 1973, 1979, 1983, 1984, 1989, 1991; 303.041, RSMo 1986; and 303.290, RSMo 1953, amended 1957, 1986.*

12 CSR 10-25.110 Application for Certificate of Self-Insurance

PURPOSE: This rule establishes prerequisites necessary to apply for a self-insurance certificate pursuant to the provisions of section 303.220, RSMo (Senate Bill 424, 83rd General Assembly, Second Regular Session).

(1) The application for self-insurance authorization shall include the following:

(A) A written request from the applicant and, if from a company or business, the written request must be on the company's letterhead and signed by an officer;

(B) Financial statements, including balance sheets and income statements audited by an independent certified public accountant containing opinions of the statements for the preceding three (3) years; and

(C) A list of all vehicles registered in the name of the company or individual. This list

must contain at least twenty-six (26) vehicles and each vehicle must be described by make, model, year of manufacture, vehicle identification number, title number and vehicle registration number.

(2) The director shall determine, after reviewing the application, if self-insurance authorization is granted or denied and the basis for the decision and the director shall advise the applicant of the decision in writing.

(3) Self-insurance authorization shall be valid for one (1) year from the date approved by the director unless otherwise terminated.

(4) Renewal of self-insurance authorization may be granted if the holder provides the financial statements described in subsection (1)(B) for the year preceding the date of application and a list of vehicles as described in subsection (1)(C).

(5) The director shall issue a Certificate of Self-Insurance to an applicant qualifying for self-insurance authorization.

(6) The director shall issue a sufficient number of identification cards for the self-insured vehicles as provided in section 303.220, RSMo.

(7) The director, upon reasonable grounds and after giving ten (10) days' notice, shall cancel a Certificate of Self-Insurance. Reasonable grounds may include, but not be limited to, failure of the self-insured to settle a court judgment or notice of bankruptcy proceedings by the self-insured. The director shall notify the self-insured in writing of his/her decision and provide the self-insured an opportunity to have an administrative hearing. The administrative hearing shall be conducted in accordance with section 303.290, RSMo.

AUTHORITY: section 303.290, RSMo 1986. Original rule filed Sept. 8, 1989, effective Jan. 26, 1990. Amended: Filed Nov. 26, 1991, effective April 9, 1992.*

**Original authority 1953, amended 1957, 1986.*

12 CSR 10-25.120 Application for Certificate of Self-Insurance from Religious Denominations

PURPOSE: This rule establishes the prerequisites necessary to apply for a self-insurance certificate pursuant to the provisions of section 303.220, RSMo (Senate Bill 424, 83rd General Assembly, Second Regular Session).



(1) The application for self-insurance authorization shall include the following:

(A) The request for self-insurance on the letterhead of the religious denomination signed by the head of the denomination;

(B) A list of all members in the church organization who own motor vehicles. There must be at least twenty-six (26) members in the church who own motor vehicles. The list must include the following:

1. The name of the church member as shown on the motor vehicle application;

2. The church member's most current address; and

3. A description of each motor vehicle owned by the church member which is registered in Missouri. The description must include the vehicle year, make, model, vehicle identification number and current registration plate number;

(C) A notarized affidavit from the church organization specifying that it prohibits its members from purchasing insurance, of any form, as being contrary to its religious tenets;

(D) A written explanation of how the church organization intends to settle damages/personal injuries caused in a motor vehicle accident by a member of the church;

(E) Examples (statements) of how the church organization has settled or paid for motor vehicle accident claims in the past; and

(F) A copy of a membership charter showing affiliation with a larger church organization is required when the church has fewer than twenty-six (26) members owning motor vehicles in Missouri.

(2) The director shall determine after reviewing the application, if self-insurance authorization is granted or denied and the basis for the decision and the director shall advise the requestor of the decision in writing.

(3) Self-insurance authorization shall be valid for one (1) year from the date approved by the director unless otherwise terminated.

(4) Renewal of self-insurance authorization may be granted if the religious denomination maintains membership of at least twenty-six (26) church members owning motor vehicles. A list of members and vehicles as described in subsection (1)(B) shall be provided annually.

(5) The director shall issue a Certificate of Self-Insurance to a religious denomination qualifying for self-insurance authorization.

(6) The director shall issue a sufficient number of identification cards for the self-insurance religious denomination vehicles as provided in section 303.220, RSMo.

(7) The director, upon reasonable grounds and after giving ten (10) days' notice, shall cancel a Certificate of Self-Insurance. Reasonable grounds may include, but not be limited to, failure of the self-insured to settle a court judgment or notice of bankruptcy proceedings by the self-insured. The director shall notify the self-insured in writing of his/her decision and provide the self-insured an opportunity to have an administrative hearing. The administrative hearing shall be conducted in accordance with section 303.290, RSMo.

*AUTHORITY: section 303.290, RSMo 1986. * Original rule filed Sept. 8, 1989, effective Jan. 26, 1990. Amended: Filed Nov. 26, 1991, effective April 9, 1992.*

**Original authority: 303.290, RSMo 1953, amended 1957, 1986.*

12 CSR 10-25.130 Proof of Financial Responsibility for Reinstatement of Failure to Show Proof of Financial Responsibility Suspensions

PURPOSE: This rule establishes the types of proof of financial responsibility that will be accepted for reinstatement of a suspension for failure to show proof of financial responsibility pursuant to Chapter 303, RSMo.

(1) For purposes of sections 303.042 and 303.044, RSMo, other forms of proof of insurance shall be a legible copy of an insurance identification card, a motor vehicle liability insurance policy, a motor vehicle liability insurance binder or a receipt which contains the policy information required in subsection 2 of section 303.024, RSMo. The director of revenue may as he/she deems necessary require additional documentation in order to determine the authenticity of any document submitted as proof of financial responsibility.

(2) If the driver's address and driver license number are not contained on the proof of insurance document, a document containing such information must accompany the proof of insurance forwarded to the Drivers License Bureau. The driver may supply this information by returning a copy of the suspension notice received from the Department of Revenue with the proof of insurance as it contains the pertinent information.

(3) If the driver's name is not indicated on the proof of insurance document, the insured driver must submit a copy of his or her insurance policy so the director can verify the driver has the necessary insurance.

(4) The proof of insurance document must contain the most current effective date of the policy.

*AUTHORITY: section 303.290, RSMo 1994. * Original rule filed Aug. 21, 2000, effective Feb. 28, 2001.*

**Original authority: 303.290, RSMo 1953, amended 1957, 1986.*

12 CSR 10-25.140 Financial Responsibility—Inoperable/Stored Vehicles

PURPOSE: This rule establishes the procedures for individuals to notify the director of revenue that a vehicle is inoperable or has been stored and is exempt from the financial responsibility laws pursuant to sections 303.025 and 303.409, RSMo.

(1) Proof of inoperability or storage shall be submitted to the director of revenue in the form of a certified statement. Such certified statement shall describe the reason for the inoperability and/or the period and terms of storage of the motor vehicle. The director shall have the authority to require additional documentation in order to determine the authenticity of such certified statement. Such documentation shall include, but not be limited to, repair bills, a statement from a mechanic or copies of any rental, lease or storage agreements.

*AUTHORITY: section 303.290, RSMo 1994. * Original rule filed Aug. 21, 2000, effective Feb. 28, 2001.*

**Original authority: 303.290, RSMo 1953, amended 1957, 1986.*

12 CSR 10-25.150 Financial Responsibility Sampling

PURPOSE: This rule establishes procedures and guidelines necessary to administer the sampling of automobile insurance cancellations as provided in section 303.026.3(1), RSMo.

(1) A licensed insurance company, as referred to in section 303.026, RSMo, shall include any insurance company which has been issued a certificate of authority by the Missouri Department of Insurance and writes private passenger automobile liability insurance.

(2) All licensed insurance companies, upon request by the director of revenue, shall provide the full name, date of birth, drivers license or Social Security number and address of the named insured; the make, year



and the vehicle identification number as shown on the company's record of each insured motor vehicle; the policy number, effective date of the policy and the National Association of Insurance Commissioners (NAIC) identification number. By the seventh day of each month, such information shall be submitted on all active liability policies for the previous month.

**Original authority: 303.290, RSMo 1953, amended 1957, 1986.*

(3) Policy information reported pursuant to section (2) of this rule shall be reported only on active liability policies written for vehicles that are principally garaged in the state of Missouri.

(4) As used in this rule, the term active liability policies shall be all motor vehicle liability policies in force at 11:59 p.m. on the last day of each month.

(5) As used in this rule, the term "private passenger automobile liability insurance" shall have the same meaning as the term "private automobile insurance" as defined and used in section 374.450, RSMo, and 20 CSR 600-3.100, except that the term shall be limited to liability insurance. Private passenger automobile liability insurance shall also include liability insurance policies issued on motorcycles and motortricycles.

(6) For purposes of electronically reporting insurance information pursuant to section 303.026, RSMo electronic reporting shall be defined as reporting in a manner by which the data is exchanged between the insurance company and the director of revenue through use of the department's computer system without requiring the director to manually enter the information through human intervention. An electronic format shall include, but not be limited to, online, Internet E-mail, tape, and disk.

(7) Insurers with a statistically insignificant number of policies in force shall be exempt from the requirement to electronically report the information described in section (2) of this rule. For purposes of section 303.026, RSMo, insurers with a statistically insignificant number of policies in force shall be defined as any licensed insurance company which has fewer than one hundred (100) active liability policies. Those companies that are exempt from electronic reporting and do not report electronically shall report the information required by section (2) of this rule to the director of revenue using a written format as specified by the director.

*AUTHORITY: section 303.290, RSMo 1994. * Original rule filed Aug. 21, 2000, effective Feb. 28, 2001.*