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**Rules of  
Department of Revenue  
Division 10—Director of Revenue  
Chapter 24—Driver License Bureau Rules**

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**Title 12—DEPARTMENT OF  
REVENUE  
Division 10—Director of Revenue  
Chapter 24—Driver License  
Bureau Rules**

**12 CSR 10-24.010 Form Filing**

*PURPOSE: This rule complies with section 544.045, RSMo which provides for a form to be approved by the director of revenue to be used by judicial officers and law enforcement as a receipt for a Missouri driver's license accepted in lieu of bail.*

(1) The attached form is filed to establish a uniform driver's license deposit receipt in lieu of bail for use by Missouri courts and law enforcement.

*AUTHORITY: section 544.045, RSMo 1994.\*  
Original rule filed May 28, 1975, effective June 7, 1975. Amended: Filed Oct. 22, 1997, effective April 30, 1998.*

*\*Original authority: 544.045, RSMo 1967, amended 1985, 1989, 1991.*

Control Number			
<b>DRIVER'S LICENSE DEPOSIT RECEIPT</b>			
This receipt is to be accepted for purposes of driving a motor vehicle in place of a Missouri driver's license deposited in lieu of bail with:			
Name of Court <span style="float: right;">Vehicle</span>			
This receipt is valid until:			
month <span style="float: right;">day <span style="float: right;">year</span></span>			
<b>DEPOSITED LICENSE INFORMATION</b>			
Name Last	First	Initial	Driver's license number
Street Address			Expiration Date
City	State	Zip	Motorcycle operator <input type="checkbox"/> Yes <input type="checkbox"/> No
Date of Birth	Height	Weight	Eye Color
License Class			
Receipt issued by		Date	

If you fail to appear at the proper time to answer the charge placed against you, the clerk of the court, or the judge of the court, if there is no clerk, shall within ten days notify the Director of Revenue of the failure to appear, and the director shall thereafter withhold any renewal of a license or the issuance of a duplicate license to you until notified by the court that the charge has been reduced to final judgment.

**12 CSR 10-24.020 Trial De Novo Procedures and Parties**

*PURPOSE:* This rule establishes the proper procedures and parties necessary for a trial *de novo* in the circuit court following an administrative hearing sustaining the suspension or revocation of a person's driving privilege pursuant to section 302.530, RSMo.

(1) Upon the filing of a petition for trial *de novo*, process shall be served personally or by certified mail upon the Director of Revenue, Harry S Truman State Office Building, Room 670, 301 West High Street, Jefferson City, MO 65105.

(2) The case shall be decided by the judge sitting without a jury.

(3) A restricted driving privilege issued pursuant to section 302.535.2, RSMo shall not be issued until the petitioner for the trial *de novo* has completed the first thirty (30) days of the administrative suspension.

(4) The department shall not issue a restricted driving privilege to a petitioner whose driving record shows any prior alcohol-related enforcement contact during the immediately preceding five (5) years.

(5) The director of revenue shall be represented at trials *de novo* under section 302.535.1, RSMo by attorneys from the Department of Revenue, Office of the General Counsel.

*AUTHORITY:* sections 302.530 RSMo 2000 and 302.525 and 302.535, RSMo Supp. 2002.\* Original rule filed Feb. 3, 1984, effective May 11, 1984. Amended: Filed Aug. 14, 1984, effective Dec. 13, 1984. Amended: Filed Oct. 1, 1985, effective Dec. 26, 1985. Amended: Filed Nov. 12, 1991, effective March 9, 1992. Amended: Filed July 2, 1992, effective Feb. 26, 1993. Amended: Filed Aug. 23, 2002, effective Feb. 28, 2003.

\*Original authority: 302.525, RSMo 1983, amended 1984, 1991, 2002; and 302.530, RSMo 1983, amended 1984, 1996; and 302.535, RSMo 1983, amended 1984, 1996, 2001, 2002.

**12 CSR 10-24.030 Hearings**

*PURPOSE:* This rule sets forth the procedures used by the director in holding hearings following the suspension or revocation of a person's driving privilege pursuant to section 302.530, RSMo.

(1) Individuals shall make a written request for a review of the director's determination.

At the time of such request the individual must indicate whether the request is for an in-person hearing. If an in-person hearing is not requested the individual will be scheduled for a telephone hearing and will waive any further opportunity for in-person hearing. The request must actually be filed with the department on or before the effective date of the suspension or revocation. The effective date shall be fifteen (15) days after the date of issuance of the notice of suspension if the notice is hand delivered or eighteen (18) days from the date of mailing if the notice of suspension is mailed from the department. If any request for a hearing is delivered by United States mail postage prepaid after the effective date of suspension or revocation, the date of the United States postmark stamped on the envelope shall be deemed to be the date of filing. The request shall be sent to: Missouri Department of Revenue, Driver License Bureau, PO Box 3700, Jefferson City, MO 65105-3700. If the effective date falls on a Saturday, Sunday or legal holiday in this state, the request for hearing shall be considered timely if it is filed on the next succeeding day which is not a Saturday, Sunday or a legal holiday as specified in 12 CSR 10-24.340.

(2) Failure to properly request a hearing shall be considered a waiver of the right to an administrative hearing and shall make the director's determination final.

(3) Individuals requesting hearings may request one (1) continuance for good cause shown. The decision to grant a continuance shall be at the discretion of the department. All requests for continuances should be in writing, state the factual basis for continuance and be signed by the individual making the request or his/her attorney. 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.

(4) Any delay in a hearing which is caused or requested which is not for good cause shall not result in a stay of the suspension or revocation during the period of delay.

(5) Based upon the type of hearing requested by the individual in the written request for review the director will schedule a hearing. The party arrested/stopped may be represented by an attorney during any telephonic or in-person hearing. Notice of the hearing, place, date and time shall be sent to the party arrested/stopped and to the attorney of record, if known, at the time of notice. Suspension or revocation shall be stayed until a final order is issued following the hearing. The hearing will be conducted by department examiners who are licensed to practice law in Missouri.

(6) The sole issue at the hearing shall be whether, by the preponderance of the evidence, the person was arrested/stopped upon probable cause to believe the alcohol concentration in the person's blood exceeded the limits provided in section 302.505, RSMo. The provisions of Chapter 536, RSMo shall apply when not inconsistent with Chapter 302, RSMo.

(7) Subsequent to the hearing, the director shall render a final decision separately stating findings of fact and conclusions of law. The party and the attorney of record shall be mailed copies of the findings of fact and conclusions of law by regular mail.

(8) At the hearing the party may present any facts which show the party was not driving a motor vehicle while the alcohol concentration in the person's blood exceeded the limits provided in section 302.505, RSMo. A party may subpoena witnesses in accordance with the procedures of section 536.077, RSMo. A party may subpoena witnesses, including the law enforcement officer or blood alcohol concentration analyzer to attend the hearing or participate in a telephonic hearing, by requesting a subpoena from the Department of Revenue at least five (5) working days prior to the hearing. If a witness fails to appear or participate in the hearing, after proper service of the subpoena, the Department of Revenue will continue the hearing to enforce the subpoena including enforcement action as provided in section 536.077, RSMo. In the case of death or total incapacitation of the witness, where enforcement action is not feasible, the department may consider written testimony of the witness prepared at or near the time of the incident in lieu of the actual appearance of such witness and the party may make any objection or



argument to such written testimony of the witness.

(9) The party may examine all available evidence before the hearing. Any witness may be cross-examined during the hearing.

(10) The party aggrieved by the decision of the director may appeal to the circuit court of the county in which the arrest occurred. This appeal must be filed within fifteen (15) days after the date of the final decision of the director.

*AUTHORITY: section 302.530, RSMo Supp. 2005.\* Original rule filed Feb. 3, 1984, effective May 11, 1984. Amended: Filed Aug. 2, 1985, effective Dec. 26, 1985. Emergency amendment filed June 26, 1992, effective July 6, 1992, expired Nov. 2, 1992. Emergency amendment filed Oct. 22, 1992, effective Nov. 3, 1992, expired March 2, 1993. Amended: Filed June 26, 1992, effective Feb. 26, 1993. Amended: Filed Nov. 24, 1993, effective June 6, 1994. Amended: Filed Dec. 15, 1998, effective June 30, 1999. Emergency amendment filed Sept. 20, 2001, effective Sept. 30, 2001, expired March 28, 2002. Amended: Filed July 25, 2001, effective Feb. 28, 2002. Amended: Filed Oct. 20, 2005, effective May 30, 2006.*

*\*Original authority: 302.530, RSMo 1983, amended 1984, 1996, 2005.*

### 12 CSR 10-24.040 Completion Requirement for Driving While Intoxicated (DWI) Rehabilitation Program

*PURPOSE: This rule requires a driver to complete a rehabilitation program after an arrest for driving while intoxicated or driving with excessive blood alcohol content and establishes standards for judging whether a program is comparable to Substance Abuse Traffic Offender Programs.*

(1) Prior to reinstatement, any person whose driver license has been suspended or revoked pursuant to sections 302.304, 302.500–302.540, or 577.041, RSMo shall successfully complete a substance abuse traffic offender education or rehabilitation program approved by the Department of Mental Health. Completion of the program shall be accepted only if completed after the date of arrest for which the license was suspended or revoked pursuant to sections 302.304, 302.500–302.540, or 577.041, RSMo.

*AUTHORITY: sections 302.304, 302.540 and 577.041, RSMo Supp. 2003 and 302.342, RSMo 2000.\* Original rule filed Jan. 15, 1985, effective June 13, 1985. Amended: Filed Nov. 12, 1991, effective March 9, 1992. Amended: Filed July 2, 1992, effective Feb. 26, 1993. Amended: Filed March 9, 1995, effective Sept. 30, 1995. Amended: Filed Oct. 10, 2003, effective April 30, 2004.*

*\*Original authority: 302.304, RSMo 1961, amended 1972, 1973, 1979, 1983, 1984, 1989, 1991, 1996, 1999, 2001, 2003; 302.342, RSMo 1991; 302.540, RSMo 1983, amended 1984, 1993, 1996, 2001, 2002, 2003; and 577.041, RSMo 1982, amended 1987, 1991, 1993, 1996, 1998, 2001, 2002, 2003.*

### 12 CSR 10-24.050 Deletion of Traffic Convictions and Suspension or Revocation Data From Missouri Driver Records

*PURPOSE: This rule clarifies procedures to be followed for expungement from a Missouri driver record of previously recorded traffic violations or suspensions or revocations of a driving privilege.*

(1) The Department of Revenue, when otherwise not prohibited by law, may delete from a Missouri driver record a previously recorded traffic conviction, suspension or revocation of a driving privilege if all of the following conditions are met:

(A) The conviction in question occurred more than three (3) years previously, did not involve a commercial driver license (CDL) holder or a commercial motor vehicle, and did not cause a suspension or revocation of the individual's driving privilege;

(B) The conviction is not for a state violation of "no driver license," a state violation of "no motorcycle qualified," a state, county or municipal violation of "driving while suspended/revoked," a state violation of "leaving the scene of an accident," or a state "felony";

(C) The conviction in question involved a CDL holder or a commercial motor vehicle and the following conditions exist:

1. Serious traffic violations, as described in 49 CFR 383.5 and 49 CFR 383.51 occurred more than four (4) years ago and did not cause a suspension, revocation, or disqualification of a driving privilege;

2. Railroad-highway grade crossing violations, as described in 49 CFR 384.223 and 49 CFR 383.51 occurred more than four (4) years ago and did not cause a suspension, revocation, or disqualification of a driving privilege;

3. Driving while out-of-service traffic violations, as described in 49 CFR 384.222 and 49 CFR 383.51 occurred more than fif-

teen (15) years ago;

4. Major traffic violations, as described in 49 CFR 383.51 occurred more than fifty-five (55) years ago;

5. All other traffic violations occurred more than three (3) years ago and did not cause a suspension, revocation, or disqualification of a driving privilege;

(D) The conviction did not involve an alcohol- or drug-related driving offense or enforcement contact;

(E) The suspension or revocation on the driver record was reinstated more than five (5) years previously, did not involve the failure to maintain financial responsibility as provided in section 303.041, RSMo, and did not involve a CDL holder or a commercial motor vehicle violation;

(F) The suspension or revocation on the driver record did not involve an alcohol-related offense or enforcement contact; except when the offense was committed by a person under the age of twenty-one (21), who had a blood alcohol content of .02 or more and an expungement of the records is provided for in section 302.545, RSMo;

(G) The suspension on the driver record did not involve the theft of motor fuel as provided in section 302.286, RSMo;

(H) The suspension on the driver record was not imposed as a result of a person's failure to stop before reaching a school bus that was receiving or discharging school children;

(I) The failure to appear suspension involving a CDL holder or commercial motor vehicle was reinstated and no longer supported by any of the violations described in (1)(C)1. through (1)(C)5;

(J) The disqualification on the driver record was reinstated and/or restored and no longer supported by any of the violations described in (1)(C)1. through (1)(C)5;

(K) The driver record does not contain information regarding the mental or physical competence of the individual to retain a driver's license; and

(L) The driver record is not currently under investigation.

(2) Items deleted from a driver record pursuant to this rule shall be available to courts, administrative agencies and law enforcement agencies for purposes of prosecution, litigation, sentencing and determination of driving privileges. However, nothing contained in this rule shall be construed to prevent the obtaining of information as specified in section 302.120, RSMo.

*AUTHORITY: sections 302.286, 302.304, 302.309 and 303.041, RSMo Supp. 2004, and 49 CFR 384.231 (d). \* Original rule filed*



May 27, 1986, effective Aug. 25, 1986. Amended: Filed Sept. 8, 1989, effective Jan. 26, 1990. Amended: Filed Jan. 31, 1992, effective June 25, 1992. Amended: Filed Nov. 4, 1999, effective May 30, 2000. Amended: Filed May 1, 2000, effective Oct. 30, 2000. Amended: Filed Sept. 27, 2001, effective March 30, 2002. Amended: Filed July 22, 2002, effective Jan. 30, 2003. Amended: Filed April 11, 2005, effective Oct. 30, 2005.

\*Original authority: 302.286, RSMo 2001; 302.304, RSMo 1961, amended 1972, 1973, 1979, 1983, 1984, 1989, 1991, 1996, 1999, 2001, 2002, 2003; 302.309, RSMo 1961, amended 1965, 1967, 1977, 1978, 1983, 1984, 1987, 1989, 1990, 1991, 1993, 1996, 1999, 2001; and 303.041, RSMo 1986, amended 1999, 2000, 2001.

**12 CSR 10-24.060 Delegation of Authority to Administer Missouri Drivers License Examinations**

*PURPOSE:* This rule establishes the authority of the Missouri State Highway Patrol to administer written and driving examinations.

(1) The director authorizes the Missouri State Highway Patrol to administer a written examination, approved by the director, to assist the director of revenue in determining an applicant's eligibility for a Missouri drivers license.

(A) The written examination shall consist of twenty-five (25) questions, including, but not limited to, an understanding of highway signs, proper turning, backing and signaling, and practical knowledge of the traffic laws of this state.

(B) Successful completion of a written examination requires the applicant for a Class F license to correctly answer twenty (20) out of twenty-five (25) questions.

(C) Successful completion of a written examination requires the applicant for a Class E license to correctly answer twenty (20) out of twenty-five (25) questions relative to commercial motor vehicle laws in addition to twenty (20) out of twenty-five (25) questions as for a Class F license.

(D) Successful completion of a written examination requires the applicant for a Class M license to correctly answer twenty (20) out of twenty-five (25) questions as for a Class F license and twenty (20) out of twenty-five (25) questions relative to the operation of a motorcycle.

(E) If an applicant for a Class E or Class M license has successfully completed the written examination for a Class F license or has a valid Class F license, and submits a copy of the test paper to the examiner, this

portion of the examination for a Class E or Class M license shall be waived.

(2) The director authorizes the Missouri State Highway Patrol to administer a driving skills examination, approved by the director, to assist the director of revenue in determining an applicant's ability to operate a motor vehicle safely.

(A) Driving skills examinations shall be conducted on dates and at locations agreed upon by the director of revenue and superintendent of the Missouri State Highway Patrol.

(B) The driving skills examination shall determine an applicant's ability to operate a motor vehicle safely and shall require, but not be limited to, the skills of starting, stopping, parking, backing, signaling, and overall control of a vehicle.

(C) Successful completion of the driving skills examination requires a score of at least seventy percent (70%) and disallows dangerous actions and traffic violations.

(3) The director authorizes the Missouri State Highway Patrol to administer the vision acuity test as defined in section 302.175, RSMo.

(4) The director shall provide all forms necessary to administer driving tests.

*AUTHORITY:* section 302.173, RSMo Supp. 2013.\* Original rule filed July 14, 1986, effective Nov. 28, 1986. Emergency amendment filed March 18, 1992, effective April 1, 1992, expired July 29, 1992. Emergency amendment filed July 22, 1992, effective Aug. 1, 1992, expired Nov. 28, 1992. Amended: Filed March 18, 1992, effective Sept. 6, 1992. Amended: Filed Feb. 17, 2015, effective Aug. 30, 2015.

\*Original authority: 302.173, RSMo 1951, amended 1965, 1971, 1983, 1987, 1989, 1995, 1999, 2001, 2004, 2012.

**12 CSR 10-24.070 License Issuance Procedures and One License Concept of the Drivers License Compact**

*PURPOSE:* This rule establishes the one license concept for any person applying for a Missouri drivers license.

(1) A new resident applying for a Missouri drivers license shall surrender any license in his/her possession. If the new resident has either lost or had the license(s) issued in any prior state of residence stolen, the Missouri State Highway Patrol may approve a letter of clearance issued by the prior licensing state or request the Drivers License Bureau to conduct an inquiry through the National Driver

Register in order to determine the applicant's eligibility for a Missouri drivers license. If a letter of clearance is approved by the Missouri State Highway Patrol, it should accompany the license application.

(2) A new resident between the ages of sixteen (16) and eighteen (18) who surrenders a valid license from another state, shall receive an intermediate license if all other licensing requirements are met.

*AUTHORITY:* sections 302.010, 302.301 and 302.720, RSMo Supp. 1999 and 302.015 and 302.600, RSMo 1994.\* Original rule filed Sept. 1, 1986, effective Nov. 28, 1986. Amended: Filed Dec. 11, 1991, effective April 9, 1992. Amended: Filed Jan. 26, 1994, effective July 30, 1994. Amended: Filed June 29, 2000, effective Dec. 30, 2000.

\*Original authority: 302.010, RSMo 1939, amended 1949, 1951, 1955, 1961, 1978, 1980, 1983, 1984, 1986, 1987, 1988, 1989, 1991, 1995, 1996; 302.015, RSMo 1989; 302.301, RSMo 1951, amended 1989, 1996; 302.600, RSMo 1985; 302.720, RSMo 1989, amended 1995.

**12 CSR 10-24.080 Drivers License Instruction Permit**  
(Rescinded January 13, 1992)

*AUTHORITY:* section 302.140, RSMo 1936. Original rule filed Nov. 6, 1986, effective Nov. 28, 1987. Rescinded: Filed Sept. 16, 1991, effective Jan. 13, 1992.

**12 CSR 10-24.090 Missouri Driver License or Permit Vision Test Guidelines**

*PURPOSE:* This rule establishes the vision reading requirements necessary to receive a Missouri drivers license and the restrictions imposed when a person's vision is less than 20/40.

(1) The director shall require any person applying for a new driver license or permit or a person renewing a license or permit to submit to an examination of his/her vision.

(2) The vision examination shall be conducted with the use of the Snellan Vision Chart or other vision device of the same standard. Vision examinations may be conducted by any person employed by the Department of Revenue, fee office employees to whom the director has delegated authority and members of the Missouri State Highway Patrol. This person shall administer the vision test without cost to the applicant. Upon notification to the department, a registered optometrist or





physician may conduct the vision examination at the applicant's own expense.

(3) The director may issue a license or permit with restrictions as described in sections (5)–(8) or may deny a license or permit to any applicant as described in section (9).

(4) Any person whose naked vision in either eye or both eyes is 20/40 or better may receive a license or permit without vision restrictions.

(5) Any person whose naked vision is less than 20/40 with either eye or both eyes may receive a conditional license or permit based upon compliance with the following standards:

(A) 20/40 or better with either eye or both eyes with corrective lenses shall be subject to the following restriction:

1. Corrective lenses;

(B) 20/40 or better in the right eye and applicant's left eye tests 20/100 or less shall be subject to the following restriction(s):

1. With corrective lenses—Left outside rearview mirror and corrective lenses; and

2. Without corrective lenses—Left outside rearview mirror. The corrective lenses restriction may not be required if the left eye reading cannot be improved to 20/40 or better by corrective lenses;

(C) 20/40 or better in the left eye and applicant's right eye tests 20/100 or less shall be subject to the following restriction(s):

1. With corrective lenses—Right outside rearview mirror and corrective lenses; and

2. Without corrective lenses—Right outside rearview mirror. The corrective lenses restriction may not be required if the right eye reading cannot be improved to 20/40 or better by corrective lenses; and

(D) Any applicant not meeting the vision readings with or without correction as specified in this section shall be referred to a registered optometrist or physician for further testing.

(6) Any applicant whose vision does not meet the 20/40 reading with corrective lenses and has been referred to a registered optometrist or physician may receive a conditional license or permit based upon compliance with the following standards:

(A) 20/40 or better with either eye or both eyes with corrective lenses shall be subject to the following restriction:

1. Corrective lenses;

(B) 20/41–20/59 with either eye or both eyes with corrective lenses shall be subject to the following restriction:

1. Corrective lenses; and daylight driving only; and

(C) 20/60–20/74 with either eye or both eyes with corrective lenses shall be subject to the following restriction:

1. Corrective lenses; daylight driving only; and operating a motor vehicle at no more than forty-five miles per hour (45 mph).

(7) Any applicant for a driver license whose vision reading is 20/75–21/160 with either eye or both eyes with corrective lenses shall be referred to the department. The department shall require the applicant to submit to an examination to determine his/her ability to operate a vehicle safely upon the public streets and highways of this state in spite of the vision infirmity. If the department is satisfied that the person safely can operate a motor vehicle, a conditional license restricting the applicant to points of operation, times of operation or any other driving conditions deemed necessary may be issued. The examination is not required prior to issuance of a permit.

(8) A restriction may be removed or waived from the driver license or permit under the following circumstances:

(A) If an applicant's vision is better than 20/160 and cannot be improved with corrective lenses, the corrective lenses restriction shall not be required. Other restrictions may be required as determined by the department; and

(B) If a registered optometrist or physician recommends removal of the daylight driving only restriction; or operating a motor vehicle at no more than forty-five miles per hour (45 mph) restriction.

(9) Any applicant with a vision reading of 20/161 or less shall be denied a Missouri driver license or permit.

(10) Vision readings completed by a registered optometrist or physician are valid for one (1) year from date of eye examination.

(11) Any applicant requesting a license with aid of bioptic telescopic lenses, whether monocular or binocular, must be able to pass a vision test, up to 20/160, without the aid of a telescopic lens or lenses to be eligible for a Missouri license. If the applicant has a telescopic lens or lenses mounted above the line of sight through the carrier lens of the glasses, the telescopic lens can be a supplement to the person's vision. Under no condition can the telescopic lens be used to correct the person's vision in order to meet the licensing standard up to 20/160.

*AUTHORITY: section 302.175, RSMo 2000.\* Original rule filed Dec. 2, 1986, effective March 26, 1987. Amended: Filed Sept. 17, 1987, effective Jan. 14, 1988. Amended: Filed Nov. 12, 1991, effective March 9, 1992. Amended: Filed Aug. 11, 1995, effective Feb. 25, 1996. Amended: Filed Aug. 27, 2003, effective Feb. 29, 2004.*

*\*Original authority: 302.175, RSMo 1965, amended 1987, 1989.*

## 12 CSR 10-24.100 Driver License Procedures for Persons Under the Age of Twenty-One

*PURPOSE: This rule establishes the procedures to be followed for issuance of a driver license to any person under the age of twenty-one.*

(1) Application for a driver license shall be completed in accordance with licensing requirements in Chapter 302, RSMo.

(2) An applicant under the age of twenty-one (21) shall receive a Missouri driver license with the applicant's photo image located on the left side of the driver license and the date that the individual reaches the age of twenty-one (21) printed in red on the driver license.

*AUTHORITY: section 302.181, RSMo Supp. 1999.\* Emergency rule filed Jan. 5, 1987, effective Jan. 15, 1987, expired May 15, 1987. Original rule filed Jan. 5, 1987, effective April 11, 1987. Amended: Filed Dec. 11, 1991, effective April 9, 1992. Amended: Filed May 31, 2000, effective Nov. 30, 2000.*

*\*Original authority: 302.181, RSMo 1939, amended 1951, 1961, 1971, 1973, 1979, 1984, 1986, 1989, 1991, 1992, 1995, 1996.*

## 12 CSR 10-24.110 Procedures for Issuance of a Nondriver License

*PURPOSE: This rule establishes the procedures to be followed for issuance of a nondriver license.*

(1) Application for a nondriver license shall be completed in accordance with the following procedures:

(A) The applicant shall have a Missouri address or reside within the boundaries of Missouri; and

(B) The applicant shall provide verification of name, date of birth and Social Security number as established by the department.

(2) An applicant under the age of twenty-one (21) shall receive a Missouri nondriver



license with the applicant's photo image located on the left side of the nondriver license and the date that the individual reaches the age of twenty-one (21) printed in red on the nondriver license.

*AUTHORITY: section 302.181, RSMo Supp. 1999.\* Emergency rule filed Jan. 5, 1987, effective Jan. 15, 1987, expired May 15, 1987. Original rule filed Jan. 5, 1987, effective April 11, 1987. Amended: Filed July 19, 1991, effective Dec. 9, 1991. Amended: Filed Nov. 21, 1991, effective April 9, 1992. Amended: Filed Sept. 11, 1992, effective April 8, 1993. Amended: Filed May 31, 2000, effective Nov. 30, 2000.*

*\*Original authority: 302.181, RSMo 1939, amended 1951, 1961, 1971, 1973, 1979, 1984, 1986, 1989, 1991, 1992, 1995, 1996.*

**12 CSR 10-24.120 Assumed or Common Use Name**  
(Rescinded May 30, 2006)

*AUTHORITY: section 302.171, RSMo 2000. Original rule filed Jan. 29, 1987, effective May 11, 1987. Amended: Filed Feb. 28, 1992, effective Aug. 6, 1992. Amended: Filed Sept. 11, 1992, effective April 8, 1993. Amended: Filed Jan. 23, 1996, effective July 30, 1996. Amended: Filed Nov. 15, 2002, effective May 30, 2003. Rescinded: Filed Nov. 10, 2005, effective May 30, 2006.*

**12 CSR 10-24.130 Horizontal Peripheral Vision Screening Temporal Requirements**

*PURPOSE: This rule establishes the horizontal peripheral vision requirements necessary to receive a Missouri drivers license.*

(1) In addition to the visual acuity standards required by Missouri statutes and rules, as stated in 12 CSR 10-24.090, the director shall require any person applying for a drivers license to submit to a screening of his/her horizontal peripheral field of vision by an objective quantitative visual field instrument.

(2) If an applicant has a fifty-five degree (55°) or better temporal horizontal peripheral vision in each eye, s/he shall receive a license with no additional restrictions.

(3) If an applicant has less than fifty-five degree (55°) temporal horizontal peripheral vision in one (1) eye and at least eighty-five degree (85°) temporal horizontal peripheral vision in the other eye, s/he shall receive a license with the following restriction:

(A) If the applicant's right eye has less than fifty-five degree (55°) temporal horizontal peripheral vision, a right outside rearview mirror shall be required; and

(B) If the applicant's left eye has less than fifty-five degree (55°) temporal horizontal peripheral vision, a left outside rearview mirror shall be required.

(4) If an applicant has less than fifty-five degree (55°) temporal horizontal peripheral vision in one (1) eye and less than eighty-five degree (85°) temporal horizontal peripheral vision in the other eye, s/he shall be referred to an eye doctor or physician of his/her choice for screening of his/her horizontal peripheral vision by an objective quantitative visual field instrument and shall receive a conditional license with the following restrictions:

- (A) Daylight driving only; and
- (B) Restricted to forty-five miles per hour (45 mph).

1. At the discretion of the department, either of the two (2) restrictions listed in subsections (4)(A) and (B) may be removed or waived from the drivers license if an eye doctor or physician recommends removal.

2. A specific driving radius may be required if a registered optometrist or physician recommends this restriction.

(5) Any applicant with a combined horizontal peripheral vision reading of less than seventy degree (70°) shall be denied a Missouri drivers license.

(6) Horizontal peripheral field of vision readings completed by an eye doctor or physician are valid for one (1) year from date of eye examination.

*AUTHORITY: section 302.175, RSMo 1994.\* Original rule filed Oct. 1, 1987, effective March 11, 1988. Amended: Filed Dec. 11, 1991, effective April 9, 1992. Amended: Filed Dec. 15, 1998, effective June 30, 1999.*

*\*Original authority: 302.175, RSMo 1965, amended 1987, 1989.*

**12 CSR 10-24.140 Procedures for Re-issuance of a Missouri Driver License, Nondriver License, or Instruction Permit Not Received After Mailing by the Department**

*PURPOSE: This rule establishes the procedures to be followed when an applicant for a driver license, nondriver license, or instruc-*

*tion permit does not receive the document after mailing by the department.*

(1) If an applicant for a driver license, nondriver license, or instruction permit does not receive the driver license, nondriver license, or instruction permit the following procedures apply:

(A) The applicant shall receive a duplicate driver license, nondriver license, or instruction permit if it was not received within twenty-five (25) working days after mailing from Jefferson City, but not more than ninety (90) days from the date of application. The duplicate driver license, nondriver license, or instruction permit shall be processed at no additional cost to the applicant; and

(B) The applicant shall complete the proper application for a duplicate driver license, or nondriver license, or instruction permit.

(2) If the applicant requests any changes on the duplicate driver license, nondriver license, or instruction permit, the applicant shall pay the appropriate fee as follows:

(A) For a duplicate Class F or M license, the fee shall be seven dollars and fifty cents (\$7.50).

(B) For a duplicate Class E license, the fee shall be fifteen dollars (\$15).

(C) For a duplicate Class A, B, or C license, the fee shall be twenty dollars (\$20).

(D) For a duplicate Class E, F, or M instruction permit, the fee shall be one dollar (\$1).

(E) For a duplicate photo nondriver license, the fee shall be six dollars (\$6).

(F) For a duplicate nonphoto nondriver license, the fee shall be one dollar (\$1).

(G) For a duplicate Class A, B, or C instruction permit, the fee shall be five dollars (\$5).

(3) An additional processing fee may be charged by agents who contract with the Department of Revenue. Beginning July 1, 2003, all documents processed by state owned Department of Revenue branch offices will also include a state processing fee equal to that charged by contract agents (as authorized by section 136.055, RSMo Supp. 2002).

*AUTHORITY: sections 136.055, RSMo Supp. 2002, 302.181 and 302.185, RSMo 2000.\* Original rule filed April 15, 1988, effective Sept. 29, 1988. Amended: Filed Dec. 11, 1991, effective April 9, 1992. Amended: Filed Sept. 11, 1992, effective April 8, 1993. Amended: Filed May 31, 2000, effective Nov. 30, 2000. Amended: Filed Jan. 21, 2003, effective Sept. 30, 2003.*

*\*Original authority: 136.055, RSMo 1951, amended 1965, 1976, 1979, 1985, 1990, 1997, 1999, 2000, 2002; 302.181, RSMo 1939, amended 1951, 1961, 1971, 1973,*



1979, 1984, 1986, 1989, 1991, 1992, 1995, 1996, 1999; and 302.185, RSMo 1939, amended 1951, 1961, 1972, 1984, 1989.

**12 CSR 10-24.150 Procedures for Obtaining Criminal Record Check Prior to Issuance of School Bus Operator's Permit**  
(Rescinded February 28, 1999)

*AUTHORITY: section 302.272, RSMo Supp. 1989. Original rule filed Aug. 8, 1989, effective Jan. 12, 1990. Amended: Filed Dec. 11, 1991, effective April 9, 1992. Rescinded: Filed Aug. 21, 1998, effective Feb. 28, 1999.*

**12 CSR 10-24.160 Missouri School Bus Operator's Permit Driving History Guidelines**

*PURPOSE: This rule establishes the criteria for denying issuance of a school bus operator's permit due to driving history.*

(1) An applicant shall be denied a school bus operator's permit if more than two (2) convictions or six (6) or more points have been accumulated within the twelve (12) months preceding the date of application.

(2) An applicant shall be denied a school bus operator's permit if his/her driving privilege has been suspended or revoked within five (5) years preceding the date of application—

(A) For violating the provisions of sections 302.500–302.540, RSMo;

(B) As a result of a first conviction for an alcohol or drug offense or felony; or

(C) For refusing to submit to a chemical test as specified in section 577.020, RSMo.

(3) An applicant shall be denied a school bus operator's permit if his/her driving privilege has been suspended or revoked two (2) or more times within the ten (10) years preceding the date of the application—

(A) For violating the provisions of sections 302.500–302.540, RSMo;

(B) As a result of convictions of alcohol or drug offense or felony; or

(C) For refusing to submit to a chemical test as specified in section 577.020, RSMo.

(4) If the laws of any other state do not provide for offenses or violations denominated or described in precisely the words used in sections (2) and (3), the director shall identify and determine the applicability of any offense or violation of substantially similar nature as those offenses and violations described in Missouri law.

(5) An applicant shall be denied a school bus operator's permit if s/he has one (1) or more

convictions for involuntary manslaughter while operating a motor vehicle in an intoxicated condition within ten (10) years preceding the date of application.

(6) An applicant shall be denied a school bus operator's permit if his/her driving privilege has been suspended or revoked in the previous three (3) years for any reason not listed in sections (1)–(5), except for violation of Chapter 303, RSMo or sections 544.046 and 302.341, RSMo.

(7) The criteria outlined in sections (1) through (6) of this rule for denying issuance of a school bus operator's permit to an applicant also apply to current holders of a school bus operator's permit. When these actions or violations occur, the school bus permit holder is notified that his or her school bus operator's permit is no longer valid due to the holder's driving history.

*AUTHORITY: section 302.272, RSMo Supp. 1997.\* Original rule filed Aug. 8, 1989, effective Nov. 26, 1989. Amended: Filed March 27, 1998, effective Sept. 30, 1998. Amended: Filed Dec. 15, 1998, effective June 30, 1999.*

*\*Original authority: 302.272, RSMo 1986, amended 1987, 1989, 1996.*

**12 CSR 10-24.180 Third-Party Certification of the Department of Elementary and Secondary Education**  
(Rescinded March 9, 1992)

*AUTHORITY: section 302.272, RSMo Supp. 1989. Emergency rule filed Aug. 11, 1989, effective Aug. 21, 1989, expired Dec. 19, 1989. Original rule filed Aug. 14, 1989, effective Nov. 26, 1989. Amended: Filed Feb. 2, 1990, effective May 11, 1990. Emergency amendment filed June 20, 1990, effective June 30, 1990, expired Oct. 27, 1990. Amended: Filed June 20, 1990, effective Dec. 31, 1990. Emergency amendment filed Oct. 26, 1990, effective Nov. 5, 1990, expired March 4, 1991. Rescinded: Filed Nov. 12, 1991, effective March 9, 1992.*

**12 CSR 10-24.190 Driver License Retesting Requirements After a License, School Bus Permit or Temporary Instruction Permit Expires/Examination Results to be Invalid After (1) Year**

*PURPOSE: This rule establishes the retesting requirements after a license, school bus permit or temporary instruction permit expires.*

(1) Every holder of a valid Missouri driver

license, school bus permit, or temporary instruction permit shall renew that license or permit on or before the date of expiration. This license or permit can be renewed up to six (6) months (one hundred eighty-four (184) days) prior to the date of expiration.

(2) If a person does not renew a driver license, issued by this state or any other state, school bus permit, or temporary instruction permit, within one hundred eighty-four (184) days from the expiration date of the license or permit, the holder of such license or permit shall be required to complete all written and skills tests required to qualify for such license or permit as required pursuant to Chapter 302, RSMo. No license or permit is valid for operation of a motor vehicle beyond the date of expiration of the license or permit.

(3) If the end of the one hundred eighty-four (184)-day period falls on a legal holiday, Saturday or Sunday, the one hundred eighty-fourth day shall be deemed to fall on the next working day.

(4) Examinations for a driver license, school bus permit or temporary instruction permit shall remain valid unless retesting is required by Missouri law or for a period of one (1) year from the date the examination completion form was completed by the Missouri State Highway Patrol or a certified Commercial Driver License Third Party Tester, whichever occurs first. An applicant shall be re-examined prior to issuance of a driver license or instruction permit if the examinations have been completed more than one (1) year prior to the date of application for a driver license, school bus permit or temporary instruction permit.

*AUTHORITY: sections 302.173, RSMo Supp. 2001, and 302.720, RSMo Supp. 2002.\* Original rule filed Oct. 30, 1989, effective Feb. 25, 1990. Amended: Filed July 15, 1991, effective Oct. 31, 1991. Amended: Filed Nov. 21, 1991, effective April 9, 1992. Amended: Filed June 29, 2000, effective Dec. 30, 2000. Amended: Filed Sept. 27, 2001, effective March 30, 2002. Emergency amendment filed April 4, 2002, effective April 14, 2002, expired Oct. 10, 2002. Amended: Filed April 4, 2002, effective Sept. 30, 2002. Amended: Filed Nov. 15, 2002, effective May 30, 2003.*

*\*Original authority: 302.173, RSMo 1951, amended 1965, 1971, 1983, 1987, 1989, 1995, 1999, 2001 and 302.720, RSMo 1989, amended 1995, 2002.*

**12 CSR 10-24.200 Driver License Classes**

*PURPOSE: This rule establishes classes of*



*licenses for Missouri motor vehicle operators.*

(1) There shall be six (6) classes of licenses in Missouri.

(2) Class A—The holder of a Class A license may drive any combination of vehicles with a Gross Combination Weight Rating (GCWR) of twenty-six thousand one pounds (26,001 lbs.) or more, provided the Gross Vehicle Weight Rating (GVWR) of the vehicle(s) being towed is ten thousand one pounds (10,001 lbs.) or more; provided, the license bears the proper endorsement(s), if any, required for the type of vehicle being driven. A holder of a Class A license may drive all vehicles which may be driven by a holder of a Class B, Class C, Class E, or Class F license, but not motorcycles or vehicles which require an endorsement(s) unless the proper endorsement(s) appears on the license.

(3) Class B—The holder of a Class B license may drive any single vehicle with a GVWR of twenty-six thousand one pounds (26,001 lbs.) or more, or any such vehicle towing a vehicle with a GVWR of ten thousand pounds (10,000 lbs.) or less; provided, the license bears the proper endorsement(s), if any, required for the type of vehicle being driven. A holder of a Class B license may drive all vehicles which may be driven by a holder of a Class C, Class E, or Class F license, but not motorcycles or vehicles which require an endorsement(s) unless the proper endorsement(s) appears on the license.

(4) Class C—The holder of a Class C license may drive any single vehicle with a GVWR of twenty-six thousand pounds (26,000 lbs.) or less if the vehicle is designed to transport sixteen (16) or more passengers, including the driver, or if the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Material Transportation Act (46 U.S.C. section 1801), or any such vehicle towing a vehicle with a GVWR of ten thousand pounds (10,000 lbs.) or less; provided, the license bears the proper endorsement(s), if any, required for the type of vehicle being driven. A holder of a Class C license may drive all vehicles which may be driven by a holder of a Class E or Class F license, but not motorcycles or vehicles which require an endorsement(s) unless the proper endorsement(s) appears on the license.

(5) Class E—The holder of a Class E license who receives compensation in wages, salary, commission, or fare to drive any motor vehicle in the transportation of persons or prop-

erty, or is an owner or employee and drives a motor vehicle carrying passengers or property for hire, or regularly drives a commercial motor vehicle of another person in the course of or as an incident to his/her employment, but whose principal occupation is not the driving of that motor vehicle, may drive any of the described vehicles. A holder of a Class E license shall not be entitled to drive any vehicle whose operation requires the driver to hold a Class A, Class B, or Class C license. A holder of a Class E license may drive all vehicles which may be driven by a holder of a Class F license, but not motorcycles or vehicles which require an endorsement(s) unless the proper endorsement(s) appears on the license.

(6) Class F—The holder of a Class F license may drive any motor vehicle other than one requiring the driver to hold a Class A, Class B, Class C, or Class E license, including any recreational vehicle being used solely for personal use, except that the holder of a Class F license may not drive motorcycles or vehicles which require an endorsement(s) unless the proper endorsement(s) appears on the license. Nothing in this section shall be construed to prevent operators of recreational motor vehicles for personal use from operating those vehicles with a Class F license. The holder of a Class F intermediate license may drive the same types of vehicles as those driven by the holder of a Class F driver license except that the holder of a Class F intermediate license cannot operate a motor vehicle on the highways of the state between the hours of 1:00 a.m. and 5:00 a.m. unless accompanied by a person who is at least twenty-one (21) years of age. The licensee is not required to be accompanied by someone twenty-one (21) years of age or older if the travel is to or from a school or educational program or activity, a regular place of employment or in emergency situations. An emergency situation is defined as any sudden or unexpected event in which a potential injury or death may occur to a living being that requires the operation of a motor vehicle.

(7) Class M—The holder of a Class M license may drive only a motorcycle or motortricycle, however, the holder of a Class M license with a U201 restriction may drive only a motortricycle.

(8) In addition to holding the appropriate class of license as prescribed, a driver of a motor vehicle used to transport hazardous material in a type, quantity, or both, as to require placarding under the Hazardous Material Transportation Act (46 U.S.C. sec-

tion 1801) and the Hazardous Materials Regulations (49 CFR part 172, subpart F) must have qualified for and obtained an H endorsement. Any applicant for a commercial driver license requiring a hazardous material endorsement shall be at least twenty-one (21) years of age.

(9) In addition to holding the appropriate class of license as prescribed, a driver of a motor vehicle designed to transport any liquid or gaseous material in bulk having a rated capacity of one thousand gallons (1,000 gal.) must have qualified for and obtained an N endorsement.

(10) In addition to holding the appropriate class of license as prescribed, a driver of any commercial motor vehicle that is designed to transport any liquid or gaseous material within a tank that is either permanently or temporarily attached to the vehicle or the chassis having a rated capacity of one thousand gallons (1,000 gal.) or more must have qualified for and obtained an N endorsement.

(11) In addition to holding the appropriate class of license as prescribed, a driver of any motor vehicle designed to transport sixteen (16) or more passengers, including the driver, must have qualified for and obtained a P endorsement. In addition to any other restrictions prescribed by the director, the holder of a P endorsement may be issued a restriction of M or N limiting the passenger vehicle classification which the driver may operate. The restriction is determined by the classification of the passenger vehicle in which the driving skills examination was completed. The restriction M limits passenger vehicle operation to Class B or Class C types only. The restriction N limits passenger vehicle operation to Class C type only.

(12) In addition to holding the appropriate class of license as prescribed, a driver of a motor vehicle in any combination with double or triple trailers must have qualified for and obtained a T endorsement.

(13) If a driver has qualified for both an H endorsement and an N endorsement, an X endorsement shall be shown on the license in lieu of the H and N endorsements.

(14) If the holder of a Class A, Class B, Class C, Class E, or Class F license desires to drive a motorcycle or motortricycle upon the highways of this state, the holder must have qualified for and obtained an M endorsement.

(15) In addition to holding the appropriate class of license as prescribed, the driver of a



school bus owned by or under contract with a public school or the State Board of Education, must have qualified for and obtained an S endorsement in accordance with the requirement of section 302.272, RSMo. In addition, the holder of an S endorsement may be issued a restriction limiting the classification of school bus which the driver may operate. The restriction is determined by the school bus in which the driving skills examination was completed.

(16) In addition to any other restrictions prescribed by the director, the holder of a Class A, Class B, or Class C license who has not qualified to drive a motor vehicle equipped with air brakes shall have a restriction L shown on the license. The restriction L does not allow the holder of a license to drive a commercial motor vehicle equipped with air brakes.

(17) In addition to any other restrictions prescribed by the director, the holder of a Class A, Class B, or Class C license may be issued an E restriction limiting the driver to a commercial motor vehicle with an automatic transmission if the driving skills examination was completed in a vehicle equipped with an automatic transmission.

*AUTHORITY: sections 302.015 and 302.765, RSMo 2000, and section 302.700, RSMo Supp. 2013.\* Original rule filed Jan. 16, 1990, effective May 11, 1990. Emergency amendment filed June 20, 1990, effective June 30, 1990, expired Oct. 27, 1990. Amended: Filed June 20, 1990, effective Dec. 31, 1990. Emergency amendment filed Oct. 26, 1990, effective Nov. 5, 1990, expired March 4, 1991. Amended: Filed Jan. 3, 1991, effective June 10, 1991. Emergency amendment filed April 8, 1991, effective April 18, 1991, expired Aug. 15, 1991. Amended: Filed April 8, 1991, effective Aug. 30, 1991. Emergency amendment filed July 15, 1991, effective July 25, 1991, expired Nov. 21, 1991. Amended: Filed July 15, 1991, effective Oct. 31, 1991. Amended: Filed July 2, 1992, effective Feb. 26, 1993. Amended: Filed March 10, 1993, effective Sept. 9, 1993. Amended: Filed April 16, 1993, effective Oct. 10, 1993. Amended: Filed Nov. 1, 1993, effective May 9, 1994. Emergency amendment filed Dec. 1, 1995, effective Dec. 11, 1995, expired June 7, 1996. Amended: Filed Dec. 1, 1995, effective May 30, 1996. Amended: Filed June 29, 2000, effective Dec. 30, 2000. Amended: Filed Oct. 10, 2003, effective April 30, 2004. Amended: Filed Feb. 17, 2015, effective Aug. 30, 2015.*

*\*Original authority: 302.015, RSMo 1989; 302.700, RSMo 1989, amended 1991, 1995, 2003, 2004, 2009, 2012, 2013; and 302.765, RSMo 1989, amended 1993, 1995.*

### 12 CSR 10-24.300 Commercial Drivers License Written Examinations

*PURPOSE: This rule establishes the criteria for taking the written examination for a Class A, Class B or Class C license.*

(1) The following shall be the types of written examinations for Class A, Class B and Class C licenses:

(A) Basic Knowledge Test—this examination shall consist of fifty (50) questions which shall include, but not be limited to, questions concerning safe vehicle operation, commercial motor vehicle safety control systems, procedures for safe vehicle control, principles and procedures for the proper handling of cargo and knowledge of what constitutes hazardous material;

(B) Air Brakes Test—this examination shall consist of twenty-five (25) questions which shall include, but not be limited to, questions concerning air brake systems nomenclature, dangers of contaminated air supply, implications of severed or disconnected air lines, implications of low air pressure, procedures for safe and accurate pretrip inspections and procedures for conducting en route and post-trip inspections of air brake systems;

(C) Combination Vehicle Test—this examination shall consist of twenty (20) questions, which shall include, but not be limited to, questions concerning coupling and uncoupling procedures and procedures for performing vehicle safety inspections on combination vehicles;

(D) Hazardous Material Test—this examination shall consist of thirty (30) questions which shall include, but not be limited to, questions concerning hazardous materials regulations, the hazardous materials table, shipping paper requirements, marking, labeling, placarding requirements, hazardous materials packaging, reporting hazardous materials accidents, tunnels and railroad crossings, forbidden materials and packaging, loading and unloading, cargo segregation, parking, routes, cargo tanks, emergency equipment operations and emergency response procedures;

(E) Tank Vehicle Test—this examination shall consist of twenty (20) questions which shall include, but not be limited to, questions concerning causes, prevention and effects of cargo surge, proper braking procedures, difference in handling baffled versus nonbaffled vehicles, effects of road grade and curvature on tank vehicles and proper use of emergency systems;

(F) Passenger Vehicle Test—this examination shall consist of twenty (20) questions which shall include, but not be limited to, questions concerning loading and unloading procedures, proper use of emergency exits, proper responses to emergency situations, proper procedures at railroad crossings and drawbridges and proper braking procedures;

(G) Double/Triple Trailer Test—this examination shall consist of twenty (20) questions which shall include, but not be limited to, questions concerning procedures for assembly and hookup of units, proper placement of heaviest trailer, handling and stability characteristics of double/triple combinations and potential traffic problems of double/triple combinations; and

(H) School Bus Test—this examination shall consist of twenty (20) questions which shall include, but not be limited to, questions concerning loading and unloading of passengers, emergency exits procedures for safely evacuating passengers, and state and federal laws and regulations related to safely traversing highway rail grade crossings.

(2) In order to obtain a Class A license, an applicant must take and successfully complete the Basic Knowledge Test, the Combination Vehicle Test and the Air Brakes Test, if appropriate. The holder of an out-of-state commercial drivers license or commercial driver instruction permit can surrender his/her valid out-of-state license or permit and qualify for a waiver of the Class A Written Tests.

(3) In order to obtain a Class B license, an applicant must take and successfully complete the Basic Knowledge Test and the Air Brakes Test, if appropriate. The holder of an out-of-state commercial drivers license or commercial driver instruction permit can surrender his/her valid out-of-state license or permit and qualify for a waiver of the Class B Written Tests.

(4) In order to obtain a Class C license, an applicant must take and successfully complete the Basic Knowledge Test, and either the Passenger Test, the Hazardous Materials Test, or both. The holder of an out-of-state commercial drivers license or commercial driver instruction permit can surrender his/her valid out-of-state license or permit and qualify for a waiver of the Class C Written Tests.

(5) In order to obtain an H endorsement, the applicant must take and successfully complete the Hazardous Materials Test. In order to retain an H endorsement, upon renewal or transfer, the holder must take and successfully complete the Hazardous Materials Test. In



addition to the required written test, all H endorsement applicants must have an approved security threat assessment to obtain or retain the endorsement, pursuant to requirements of the USA Patriot Act.

(6) In order to obtain an N endorsement, the applicant must take and successfully complete the Tank Vehicle Test.

(7) In order to obtain a P endorsement, the applicant must take and successfully complete the Passenger Vehicle Test.

(8) In order to obtain a T endorsement, the applicant must take and successfully complete the Double/Triple Trailer Test.

(9) In order to obtain an S endorsement, the applicant must take and successfully complete the school bus written test.

(10) An applicant who has taken and successfully completed both the Tank Vehicle Test and the Hazardous Materials Test shall be entitled to obtain an X endorsement.

(11) Successful completion of a test requires a score of at least eighty percent (80%) on each test taken.

(12) If an applicant does not successfully complete any written examination required in this rule, s/he immediately may retake the examination, however the examiner administering the examination shall have discretion to require the applicant to return for a retake at a later date.

(13) Written examinations shall be available at all Missouri State Highway Patrol examination stations.

(14) The Missouri State Highway Patrol, in conjunction with the director of revenue, at their discretion, may administer the written examinations required in this rule to selected groups at locations other than Missouri State Highway Patrol examination stations.

(15) Any person who practices or attempts to practice any fraud or deception while taking any test required in this rule, or who takes the test for another, or who in any way falsifies any information in a test required in this rule shall not be licensed to operate a commercial motor vehicle or non-commercial motor vehicle for a period of one (1) year after the director discovers the falsification.

*AUTHORITY: sections 302.010, 302.233, 302.272, 302.273, 302.700 and 302.735, RSMo Supp. 2004 and 302.765, RSMo 2000.\* Original rule filed March 5, 1990,*

*effective June 11, 1990. Emergency amendment filed June 20, 1990, effective June 30, 1990, expired Oct. 27, 1990. Amended: Filed June 20, 1990, effective Dec. 31, 1990. Emergency amendment filed Oct. 26, 1990, effective Nov. 5, 1990, expired March 4, 1991. Amended: Filed April 8, 1991, effective Aug. 30, 1991. Emergency amendment filed July 15, 1991, effective July 25, 1991, expired Nov. 21, 1991. Amended: Filed July 15, 1991, effective Oct. 31, 1991. Amended: Filed Dec. 15, 1997, effective June 30, 1998. Amended: Filed Sept. 27, 2001, effective March 30, 2002. Amended: Filed Aug. 31, 2005, effective Feb. 28, 2006.*

*\*Original authority: 302.010, RSMo 1939, amended 1949, 1951, 1955, 1961, 1978, 1980, 1983, 1984, 1986, 1987, 1988, 1989, 1991, 1995, 1996, 2002; 302.233, RSMo 2004; 302.272, RSMo 1986, amended 1987, 1989, 1996, 2004; 302.273, RSMo 2004; 302.700, RSMo 1989, amended 1991, 1995, 2003, 2004; 302.735, RSMo 1989, amended 1999, 2001, 2004; and 302.765, RSMo 1989, amended 1993, 1995.*

## 12 CSR 10-24.305 Commercial Driver License Requirements/Exemptions

*PURPOSE: This rule defines testing required for a commercial driver license and the conditions under which drivers of commercial motor vehicles are exempt from the provisions of sections 302.700–302.780, RSMo.*

(1) To obtain a commercial driver license, an applicant must take and successfully pass written and driving tests for the operation of a commercial motor vehicle. The issuance of a commercial learner's permit is a precondition to the initial issuance of a commercial driver license or an upgrade of a commercial driver license if the upgrade requires a skills test. The commercial learner's permit holder is not eligible to take the commercial driver license skills test in the first fourteen (14) days after initial issuance of the permit.

(2) The only drivers operating a commercial motor vehicle as defined in section 302.700, RSMo, who are not required to possess a Class A, Class B, or Class C license are—

(A) Any person driving a farm vehicle, exclusively for the transportation of agricultural products, farm machinery, farm supplies, or fertilizers, which may include, but are not limited to, ammonium nitrate, phosphate, nitrogen, anhydrous ammonia, lime, potash, motor fuel, or special fuel, provided the Gross Vehicle Weight Rating (GVWR) of the farm vehicle does not exceed twenty-six thousand one pounds (26,001 lbs.) when transporting these hazardous materials, or a combination of them, within one hundred

fifty (150) air miles of the farm, if the person is a farmer, a family member of a farmer, or an employee of a farmer and who is not a common or contract carrier;

(B) Any person driving vehicles for military purposes, which includes active duty military personnel, a member of the reserves or national guard on full-time training duty or inactive duty for training, and national guard military technicians;

(C) Any person in the employ of a fire organization or a member of a volunteer fire organization driving emergency or fire equipment;

(D) Any person in the employ of a federal, state, or local government forest service, police department, rescue and emergency squads, or departments of safety who drive emergency or firefighting equipment which shall include, but not be limited to, riot buses or volunteers who perform wilderness search and rescue functions and disaster relief activities in government-owned vehicles only when such vehicles are used in the execution of emergency governmental functions performed under emergency conditions;

(E) Any person driving or pulling, strictly for family or personal use, a recreational vehicle as defined in sections 301.010 and 700.010, RSMo;

(F) Any person driving, for personal use, a vehicle which is a commercial motor vehicle under section 302.700, RSMo, while transporting personal property of his/her own or of another, but not for hire nor as a common or contract carrier;

(G) Any person driving, in connection with construction activities, for a limited distance on the highways of this state, construction equipment which by design, appearance, and function is not intended for use on the highways. This equipment would include motorscrapers, backhoes, motor graders, compactors, excavators, tractors, trenchers, and bulldozers, but not dump trucks, tank trucks, or any equipment designed to transport materials or construction equipment overland; and

(H) Any person driving a vehicle, such as amusement park trams, used exclusively on private property and not operated on any highway, state, county, or public road.

(3) A driver exempted under this rule from possessing a Class A, Class B, or Class C license must possess a valid Class E or F license, as appropriate, with the necessary restrictions and endorsements for the vehicle being driven.

*AUTHORITY: section 302.765, RSMo 2000, and sections 302.700, 302.720, and 302.775, RSMo Supp. 2013.\* Original rule filed March*



5, 1990, effective June 11, 1990. Amended: Filed Sept. 24, 1990, effective Feb. 14, 1991. Emergency amendment filed Dec. 13, 1990, effective Dec. 23, 1990, expired April 21, 1991. Emergency amendment filed April 8, 1991, effective April 18, 1991, expired Aug. 15, 1991. Amended: Filed April 8, 1991, effective Aug. 30, 1991. Emergency amendment filed July 26, 1991, effective Aug. 5, 1991, expired Dec. 2, 1991. Amended: Filed July 26, 1991, effective Dec. 9, 1991. Amended: Filed Dec. 13, 1994, effective May 28, 1995. Emergency amendment filed March 29, 1995, effective April 22, 1995, expired Aug. 19, 1995. Amended: Filed Nov. 15, 2002, effective May 30, 2003. Amended: Filed Aug. 16, 2010, effective Feb. 28, 2011. Amended: Filed Feb. 17, 2015, effective Aug. 30, 2015.

\*Original authority: 302.700, RSMo 1989, amended 1991, 1995, 2003, 2004, 2009, 2012, 2013; 302.720, RSMo 1989, amended 1995, 2002, 2004, 2006, 2007, 2008, 2013; 302.765, RSMo 1989, amended 1993, 1995; and 302.775, RSMo 1989, amended 2004, 2009.

#### 12 CSR 10-24.310 Social Security Number as Drivers License Number (Rescinded November 30, 2000)

**AUTHORITY:** sections 302.171, RSMo Supp. 1991, 302.181, RSMo Supp. 1992 and 302.765, RSMo Supp. 1989. Original rule filed March 5, 1990, effective June 11, 1990. Amended: Filed April 8, 1991, effective Oct. 31, 1991. Emergency amendment filed July 15, 1991, effective July 25, 1991, expired Nov. 21, 1991. Amended: Filed July 15, 1991, effective Oct. 31, 1991. Amended: Filed Sept. 16, 1991, effective Jan. 13, 1992. Rescinded: Filed May 31, 2000, effective Nov. 30, 2000.

#### 12 CSR 10-24.315 Tow Truck Operator's and Commercial Drivers Licensing

**PURPOSE:** This rule specifies conditions under which tow truck drivers and tow truck operators must meet or are exempt from the Uniform Commercial Driver License Act, sections 302.700–302.780, RSMo.

(1) The driver of a tow truck which has a Gross Combination Weight Rating (GCWR) of twenty-six thousand one (26,001) or more pounds, inclusive of the Gross Vehicle Weight Rating (GVWR) of any towed vehicle of ten thousand one (10,001) or more pounds, must possess a valid Class A license, with appropriate endorsements and restrictions.

(2) The driver of a tow truck which has a GVWR of twenty-six thousand one (26,001)

or more pounds, or any such vehicle towing a vehicle which has a GVWR of ten thousand pounds (10,000 lbs.) or less, must possess either a valid Class A or Class B license, with appropriate endorsements and restrictions.

(3) The driver of a tow truck which has a GVWR of twenty-six thousand (26,000) or fewer pounds must possess a Class C license if on a subsequent move towing a vehicle placarded for hazardous materials.

(4) If a tow truck driver tows a vehicle under emergency conditions in a first move from the site of a malfunction or accident to the nearest appropriate repair facility, the driver must possess a valid license of the appropriate class, but need not possess an H, N, P, T or X endorsement.

(5) If a tow truck driver tows a vehicle on a subsequent or second move from one (1) repair facility or disposal facility to another, the driver must possess a valid license of the appropriate class with endorsements appropriate for the type of vehicle being towed, except that a tow truck driver towing a passenger vehicle need not possess a P endorsement.

**AUTHORITY:** section 302.765, RSMo Supp. 1989.\* Original rule filed March 5, 1990, effective June 11, 1990. Amended: Filed May 21, 1991, effective Oct. 31, 1991.

\*Original authority: 302.765, RSMo 1989.

#### 12 CSR 10-24.320 Notification to Complete Written Examinations for a Class A, B or C License

(Rescinded December 3, 1992)

**AUTHORITY:** sections 302.700–302.780, RSMo Supp. 1989. Emergency rule filed April 18, 1990, effective April 28, 1990, expired Aug. 25, 1990. Original rule filed April 18, 1990, effective June 28, 1990. Emergency amendment filed July 15, 1991, effective July 25, 1991, expired Nov. 21, 1991. Amended: Filed July 15, 1991, effective Oct. 31, 1991. Rescinded: Filed April 28, 1992, effective Dec. 3, 1992.

#### 12 CSR 10-24.325 License Denial for Suspension, Revocation, Disqualification or Cancellation

**PURPOSE:** This rule establishes the basis for denial of a Missouri driver's license when the applicant is suspended, revoked, disqualified or cancelled in this or any other state.

(1) Every applicant for a Missouri driver license or permit, including applicants for renewal or transfer, shall be checked through the National Driver Register and other records available to the director to determine the person's license status in all states.

(2) Any person shown in the records of the National Driver Register or other records available to the director as suspended, revoked, disqualified or cancelled in this or any other state shall be denied a Missouri driver's license until such time that the suspension, revocation, disqualification or cancellation has been cleared.

**AUTHORITY:** sections 302.060 and 302.600, RSMo 2000 and 302.171 and 302.740, RSMo Supp. 2004\* and 49 CFR 383.73(a). Emergency rule filed June 20, 1990, effective June 30, 1990, expired Oct. 27, 1990. Emergency rule filed Oct. 26, 1990, effective Nov. 5, 1990, expired March 4, 1991. Original rule filed June 20, 1990, effective Dec. 31, 1990. Amended: Filed Dec. 14, 1993, effective July 10, 1994. Amended: Filed March 27, 1998, effective Sept. 30, 1998. Amended: Filed Aug. 31, 2005, effective Feb. 28, 2006.

\*Original authority: 302.060, RSMo 1939, amended 1951, 1961, 1982, 1983, 1984, 1987, 1989, 1991, 1996, 1999; 302.171, RSMo 1951, amended 1955, 1984, 1989, 1991, 1995, 1996, 1997, 2000, 2003, 2004; 302.600, RSMo 1985; and 302.740, RSMo 1989, amended 2004.

#### 12 CSR 10-24.326 Third Party Tester and Examiner Sanction and Hearing Guidelines

**PURPOSE:** This rule establishes the guidelines for sanctioning third party testers and examiners for not conforming to the requirements of the third party tester contract, the laws and regulations of this state concerning commercial drivers and the provisions of the third party tester/examiner requirements produced by the Department of Revenue. It also includes the hearing rights and procedures of such parties.

(1) As used in this rule the following terms mean:

(A) Certification—the authority issued by the director of revenue to a third party tester to open a testing facility or to a third party examiner to administer testing for a third party tester;

(B) Decertification—the director of revenue's removal of authority or certification from a third party tester or examiner. Such removal shall be for a minimum period of one



(1) year after which time a new application may be made; and

(C) Denial—the director does not issue a certification to a third party tester or examiner. Such tester or examiner once denied may not reapply for a period of one (1) year.

(2) The department may warn, deny, refuse to issue or renew, suspend, revoke, or decertify a third party tester or examiner’s authority, whether initial or renewed. Such action may result from any violation of the third party tester contract or third party tester/examiner requirements, including but not limited to, those violations listed in the Missouri Department of Revenue Third Party Testing Program Sanctions for Examiner or Tester included herein and made a part of this rule. The department recommendations for sanctions are listed in the Department’s Third Party Testing Program Sanctions for Examiners and Testers in this rule.

(3) The department shall notify the tester or examiner of its proposed action to deny, refuse to issue or renew, suspend, revoke or decertify a third party tester or examiner certification by mailing via certified mail, notice to the party’s last known address in the department’s records.

(4) The department’s notice of proposed action shall state that the party may request a hearing on the denial, refusal to issue or renew, suspension, revocation or decertification by the department within thirty (30) days of the mailing of such notice.

(5) Failure to request a hearing shall result in the proposed action of the director becoming effective thirty (30) days from the date of mailing of notice.

(6) Upon receipt of a written request for a hearing, the director shall set a hearing date, a time and location designated by the director. Notice of hearing shall be mailed to the tester or examiner at the last known address for such entity within the department’s records. Notice shall be complete upon mailing and shall state the time, date, and place of hearing and the reason or reasons for the proposed action. If a hearing is requested, the action of the director shall be stayed until a hearing is held and an order entered thereon.

(7) Such hearings shall be conducted by the director or the director’s designated hearing officer. Such hearings shall be heard in substantially the same manner as provided in Chapter 536, RSMo.

(8) The director shall enter a written hearing

decision and mail that decision to the party requesting the hearing at the last known address for such party in the department’s records.

(9) Further review of the action of the director as a result of an administrative hearing may be taken pursuant to Chapter 536, RSMo.

(10) Notwithstanding the provisions of section (5) of this rule the department may summarily revoke or suspend the certificate of a third party tester, without opportunity for stay, provided that the department finds that the public safety requires emergency action and it incorporates its findings to that effect in its notice of suspension or revocation. If so requested, a hearing to review the summary action and the underlying cause shall be held in an expedited time frame not to exceed thirty (30) days and the summary suspension or revocation shall be promptly determined.





**MISSOURI DEPARTMENT OF REVENUE THIRD PARTY TESTING PROGRAM  
SANCTIONS**

**EXAMINER**

<b>VIOLATIONS</b>	<b>FIRST OFFENSE</b>	<b>SECOND OFFENSE</b>	<b>THIRD OFFENSE</b>	<b>FOURTH OFFENSE</b>
<b>EXAMINER RECORDKEEPING AND BUSINESS PRACTICES</b>				
Examiner conducts test while non-certified, suspended, or decertified.	Decertification			
Examiner conducts tests without DOR approval or conducts tests for more than one tester.	Decertification			
Examiner fails to maintain or complete records as required.	Warning letter	30-day suspension	60-day suspension	Decertification
Examiner fails to respond to DOR/MSHP request for information or fails to comply with DOR/MSHP instruction, directive, or ruling.	Suspension until complies	Decertification		
<b>EXAMINER QUALIFICATIONS</b>				
Examiner application indicates felony conviction in last five years.	Denial/Decertification			
Examiner driving history indicates conviction for any alcohol related enforcement contacts (DWI, DUI, BAC, DUID, etc) in MO or any other state within last five years.	Denial/Decertification			
Examiner driving history indicates a suspension, revocation, cancellation, or disqualification in MO or any other state within last five years.	Denial/Decertification			
Examiner fails to attend required recertification courses as required by the director.	Suspension until recertification course completed.	Decertification		
Examiner fails to report suspension, revocation, cancellation, or disqualification.	Suspension up to one year or decertification.			
<b>SKILLS TEST ADMINISTRATION</b>				
Examiner encourages or accepts bribe or gratuity.	Decertification			
Examiner falsifies records or information or misrepresents by omitting any test requirement or procedure.	Suspension up to one year and/or decertification.			
Examiner fails to inform DOR/MSHP concerning civil or criminal actions related to skills test	Suspension up to one year and/or decertification.			
Examiner administers skills test without proper CDL License and appropriate endorsements and/or restrictions.	30-day minimum suspension and re-audit.	Decertification		
Examiner knowingly retests failed applicant within same day.	30-day suspension	60-day suspension	Decertification	
Examiner allows unauthorized passengers in the test vehicle during skills testing.	Warning letter and possible re-audit	30-day suspension	60-day suspension	Decertification
Audit of examiner finds scoring and form completions inconsistent with TPT manual guidelines.	Re-audit and/or 30 day suspension	60-day suspension	Decertification	



**MISSOURI DEPARTMENT OF REVENUE THIRD PARTY TESTING PROGRAM  
SANCTIONS**

**TESTER**

<b>VIOLATIONS</b>	<b>FIRST OFFENSE</b>	<b>SECOND OFFENSE</b>	<b>THIRD OFFENSE</b>	<b>FOURTH OFFENSE</b>
<b>TESTER RECORDS AND BUSINESS PRACTICES</b>				
Tester operates without Department of Revenue authorization.	Application denied for minimum of five years			
Tester does not maintain insurance as required per C-3 in tester contract.	Suspended until department receives proof of required insurance.	30-day suspension and must submit proof of required insurance to Department of Revenue.	Decertification	
Tester does not maintain security bond as required in tester contract.	Suspended until department receives proof of required bond	Decertification		
Tester does not maintain certificate of authorization for use of test site(s) as required.	Suspended until receipt of authorization and posting of certificate.	30-day suspension and must receive authorization and post certificate	Decertification	
Tester uses non-certified, suspended, or decertified examiner.	Decertification			
Tester uses examiner without Department of Revenue approval or allows examiner to test for more than one tester.	Decertification			
Tester representative fails to attend audit/inspection without notification.	30-day suspension	60-day suspension	Decertification	
Tester fails to comply with monthly reporting requirements.	Warning letter	30-day suspension	60-day suspension	Decertification
Tester fails to respond to DOR/MSHP request for information or fails to comply with DOR/MSHP instruction, directive, or ruling.	Suspension until complies	Decertification		
Tester fails to maintain permanent structure and business street address.	Suspension until complies	Decertification		
Tester records not maintained at each test site in centralized location.	If audit can be completed, warning letter. If audit cannot be completed, warning letter and reschedule audit.	30-day suspension	Indefinite suspension until complies	Decertification
Tester fails to notify DOR of any changes to tester or examiner status.	Warning letter	30-day suspension	Decertification	
<b>TEST SITE FACILITIES</b>				
Site does not comply with pre-trip, basic control and skills course layout, or space requirements.	Warning letter and/or up to 30-day suspension	Warning letter and/or up to 60-day suspension	Decertification	



<b>TEST ADMINISTRATION</b>				
Tester encourages or accepts bribe or gratuity.	Decertification			
Tester falsifies records or information, or misrepresents by omitting, any test requirement or procedure or encourages/requires examiner to do the same.	Decertification			
Tester fails to inform DOR/MSHP concerning civil or criminal actions related to complaints regarding skills testing.	Suspension up to one year pending additional action or decertification.			
Tester allows examiner to administer skills test without proper CDL license and appropriate restrictions or endorsements.	30-day suspension and re-audit.	Decertification		
Tester allows examiner to administer tests during non-daylight hours.	30-day suspension	60-day suspension	Decertification	
Tester allows examiner to knowingly re-test failed applicant within same day.	Warning letter	30-day suspension	60-day suspension	Decertification
Tester allows examiner to administer skills tests with unauthorized passengers in test vehicle.	Warning letter	30-day suspension	60-day suspension	Decertification



AUTHORITY: sections 302.720 and 302.721, RSMo Supp. 2013, and section 302.765, RSMo 2000.\* Original rule filed Sept. 27, 2001, effective April 30, 2002. Emergency amendment filed April 12, 2002, effective April 30, 2002, expired Oct. 26, 2002. Amended: Filed April 12, 2002, effective Sept. 30, 2002. Amended: Filed Feb. 17, 2015, effective Aug. 30, 2015.

\*Original authority: 302.720, RSMo 1989, amended 1995, 2002, 2004, 2006, 2007, 2008, 2013; 302.721, RSMo 2002; and 302.765, RSMo 1989, amended 1993, 1995.

12 CSR 10-24.330 Delegation of Authority to Third-Party Testers to Conduct Skills Tests of Applicants for Commercial Drivers Licenses

PURPOSE: This rule establishes the authority of third-party testers to administer skills tests to commercial motor vehicle drivers.

- (1) The director shall authorize any third-party tester certified by the director to administer skills tests to commercial motor vehicle operator applicants in accordance with the laws of this state and 49 CFR 383.75, including, but not limited to, maintaining a security bond and submitting test results electronically to the Department of Revenue. Any third-party tester that is a governmental entity shall not be required to maintain the security bond.
(2) The third-party tester shall administer to each applicant a skills test approved by the director, which is the same as the skills tests administered to the applicants by the Missouri State Highway Patrol.
(3) The third-party tester shall enter into a written contract with the director governing the conducting of skills tests by third-party examiners employed by the third-party tester.
(4) The third-party tester shall provide documentation to the applicant, on a form prescribed by the director, showing that the applicant has successfully completed the skills tests required by that applicant.
(5) The third-party tester shall provide information and documentation to the director regarding any person who takes the skills test for another or who in any way falsifies any information in any test given by the third-party examiner.
(6) The director shall prescribe all forms which the third-party tester shall provide and use in administering the skills tests.
(7) The third-party tester shall abide by all third-party tester/examiner requirements and

any changes which may occur to these requirements as prescribed by the director.

AUTHORITY: section 302.700, RSMo Supp. 2013, and section 302.765, RSMo 2000.\* Emergency rule filed June 20, 1990, effective June 30, 1990, expired Oct. 27, 1990. Emergency rule filed Oct. 26, 1990, effective Nov. 5, 1990, expired March 4, 1991. Original rule filed June 20, 1990, effective Dec. 31, 1990. Amended: Filed Feb. 17, 2015, effective Aug. 30, 2015.

\*Original authority: 302.700, RSMo 1989, amended 1991, 1995, 2003, 2004, 2012, 2013 and 302.765, RSMo 1989, amended 1993, 1995.

12 CSR 10-24.335 Commercial Drivers Licensing Third Party Examination Audit Retest Process

PURPOSE: This rule establishes the requirements for the Missouri State Highway Patrol and the Missouri Department of Revenue to conduct retesting of commercial drivers license applicants in order to determine compliance with the Third Party Commercial Drivers License Examination Program.

- (1) Third-party testers certified by the director of revenue to conduct commercial drivers license skill examinations shall notify the Missouri State Highway Patrol no later than two (2) business days prior to conducting a commercial drivers license skills examination.
(A) Such notification shall be sent to the third-party tester's designated Missouri State Highway Patrol auditor in a manner determined by the Missouri State Highway Patrol.
(B) The notification shall state the test applicant's name, address, phone number, drivers license number/permit number, date and time of scheduled test, class and type of test, location of the examination(s), and the examiner scheduled to give the test.
(C) All third-party tests must be administered during normal business hours approved by the Department of Revenue.
(2) The Missouri State Highway Patrol auditor may agree to shorten the two- (2-) day notice for a third-party tester for emergency or urgent situations. If it is determined by the Missouri State Highway Patrol or the Missouri Department of Revenue that the scheduling or emergency scheduling process is not being adhered to, the third-party tester and/or the examiner in question may be sanctioned as outlined in 12 CSR 10-24.326.
(3) Prior to conducting commercial drivers license skills examinations, a third-party tester is required to provide a notice to every individual examined that he or she may be

subject to a retest by the Missouri State Highway Patrol. The applicant must acknowledge such notice by providing their signature on the notice.

- (4) The Missouri State Highway Patrol shall retest a minimum of ten percent (10%) of drivers who have taken a commercial drivers license skills examination administered by a certified third-party tester. Such retests may be unannounced and may be conducted the same day and same time as the test administered by the third-party tester or at a later date as determined by the Missouri State Highway Patrol.
(5) The Missouri State Highway Patrol auditor shall notify the director of revenue of any individual who fails to pass a retest.
(6) The Missouri State Highway Patrol, on behalf of the Missouri Department of Revenue shall notify an individual who failed to pass the retest that they must complete a commercial drivers license examination with the Highway Patrol or a pre-approved third-party examiner prior to issuance of a commercial drivers license.
(7) The third-party tester and third-party examiner shall be subject to sanctions from the director of revenue as outlined in 12 CSR 10-24.326.

AUTHORITY: section 302.721, RSMo Supp. 2013.\* Original rule filed July 11, 2005, effective Jan. 30, 2006. Amended: Filed Feb. 17, 2015, effective Aug. 30, 2015.

\*Original authority: 302.721, RSMo 2002.

12 CSR 10-24.340 Receipt of Mail of Compliance Documents

PURPOSE: This rule establishes a consistent and effective method of determining receipt of mail of compliance documents for purposes of license suspension, revocation and reinstatement.

- (1) The director of revenue shall consider as received on the official postmark date of the United States Postal System any documents required for compliance on any suspension or revocation under Chapters 302, 303, 544 and 577, RSMo.
(A) If any date for performing any act falls on a Saturday, Sunday or legal holiday in this state, the performance of that act shall be considered timely if it is performed on the next succeeding day which is not a Saturday, Sunday or legal holiday.
(B) Any mail delivered by third party



means other than the United States Postal Service, such as Federal Express, Express Mail or United Parcel, shall be considered received by the date the transporting agency receives the mail item to be delivered as specified on the mailing invoice or order.

(2) If the official postmark date of the United States Postal System is not readable, the documents required for compliance shall be considered received three (3) days before the documents are stamped received by the Department of Revenue.

*AUTHORITY: sections 302.281, 302.291, 302.304, 303.030 and 577.520, RSMo Supp. 1989 and 302.515, 302.520, 302.525, 302.530, 302.535, 303.040, 303.041, 303.042, 303.060, 303.120, 303.140, 303.270, 303.290 and 544.046, RSMo 1986.\* Emergency rule filed Dec. 13, 1990, effective Dec. 23, 1990, expired April 21, 1991. Original rule filed Sept. 27, 1990, effective Feb. 14, 1991.*

*\*Original authority: 302.281, RSMo 1951, amended 1955, 1961, 1989; 302.291, RSMo 1951, amended 1989; 302.304, RSMo 1961, amended 1972, 1973, 1979, 1983, 1984, 1989, 1991; 303.030, RSMo 1953, amended 1965, 1969, 1981, 1986; 577.520, RSMo 1987, amended 1991; 302.515, RSMo 1983, amended 1984; 302.520 and 302.525, RSMo 1983, amended 1984, 1991; 302.530 and 302.535, RSMo 1983, amended 1984; 303.040, RSMo 1953, amended 1976, 1979, 1986; 303.041 and 303.042, RSMo 1986; 303.060, RSMo 1953, amended 1957, 1986; 303.120, RSMo 1953, amended 1965, 1981; 303.140, RSMo 1953, amended 1961, 1965, 1986; 303.270, RSMo 1953; 303.290, RSMo 1953, amended 1957, 1986; and 544.046, RSMo 1980.*

### 12 CSR 10-24.350 Group Testing of Commercial Motor Vehicle Drivers by Missouri State Highway Patrol

*PURPOSE: This rule establishes guidelines for administering written tests for commercial drivers licenses to groups of applicants.*

(1) The director authorizes the Missouri State Highway Patrol to conduct group testing by written examinations as approved by the director to applicants for commercial drivers licenses.

(2) For the purpose of this rule, a group shall consist of a number of persons adequate to conduct written tests as determined by the superintendent of the Missouri State Highway Patrol.

(3) In order to be eligible to participate in group testing, an applicant must possess a valid, unexpired drivers license from this or any other state and must be a resident of Missouri who will need a Missouri commer-

cial drivers license.

(4) Each applicant shall be responsible for maintaining the copy of any written test results given to the applicant at the time of the testing. If test results cannot be provided by the driver at the time of application for a commercial drivers license, the applicant shall be required to retake the tests.

(5) An applicant who completed tests through group participation may not apply for a commercial drivers license from the department before the scheduled date for license renewal as established by the director.

*AUTHORITY: sections 302.720 and 302.765, RSMo Supp. 1989.\* Original rule filed Nov. 15, 1990, effective April 29, 1991.*

*\*Original authority: 302.720, RSMo 1989 and 302.765, RSMo 1989.*

### 12 CSR 10-24.360 Third-Party Trainers

*PURPOSE: This rule establishes the authority of third-party trainers to train third-party examiners.*

(1) As used in this rule, the term third-party trainer means an entity certified by the director of revenue to instruct third-party examiners who are employees or potential employees of a third-party tester in the administration of commercial drivers license skills tests.

(2) A third-party trainer may be a Missouri state college, Missouri state university, state community college or the Missouri State Highway Patrol.

(3) Third-party trainers shall provide a course of instruction in the administration of commercial drivers license skills tests of at least forty (40) hours, approved by the director in consultation with the superintendent of the Missouri State Highway Patrol.

(4) Third-party trainers shall provide certification to every graduate who completes an approved training program successfully.

(5) The authority of a third-party trainer may be terminated by the director at any time upon ten (10) days' written notice. If a third-party trainer disagrees with the director's determination to terminate his/her authority, s/he may request a hearing before the director, or his/her designee, to contest the director's decision. A request for hearing must be made within thirty (30) days of the date notice of termination is sent to the trainer.

(6) A third-party trainer shall maintain a

record of every person who participates in an approved training program. That record shall contain, at a minimum, the name of the training program, the name of the person, the type and date of instruction given, course content and the name of the instructor. Those records shall be filed with the director for each person who has participated in the program.

(7) A third-party trainer shall display its certificate of authorization at its principal place of business.

*AUTHORITY: sections 302.720 and 302.765, RSMo Supp. 1989.\* Original rule filed Nov. 15, 1990, effective April 29, 1991.*

*\*Original authority: 302.720, RSMo 1989 and 302.765, RSMo 1989.*

### 12 CSR 10-24.370 Criteria for an Approved School Bus Program to Waive the Written Examination (Rescinded June 30, 2006)

*AUTHORITY: section 302.272, RSMo Supp. 1997. Emergency rule filed March 15, 1991, effective March 25, 1991, expired July 23, 1991. Original rule filed March 15, 1991, effective Aug. 30, 1991. Amended: Filed Nov. 21, 1991, effective April 9, 1992. Amended: Filed Oct. 22, 1997, effective April 30, 1998. Rescinded: Filed Dec. 19, 2005, effective June 30, 2006.*

### 12 CSR 10-24.380 Hazardous Materials Written Test Requirements for Commercial Drivers License Transfer or Renewal

*PURPOSE: This rule establishes the conditions under which an applicant for a commercial drivers license is required to complete the written knowledge test successfully for a hazardous materials endorsement.*

(1) Before adding or continuing a hazardous materials endorsement, any applicant for a new, new resident transfer or renewal of a Class A, Class B or Class C commercial drivers license shall be required to successfully complete the hazardous materials written knowledge test.

(2) Any applicant for a Class A, Class B or Class C commercial drivers license where a hazardous materials endorsement is being carried over on a new license application shall be required to successfully complete the hazardous materials written knowledge test if more than one (1) year has passed since the applicant completed his/her previous hazardous materials written knowledge test.



(3) To continue a hazardous materials endorsement, any applicant for a duplicate Class A, Class B or Class C commercial drivers license shall not be required to successfully complete the hazardous materials written knowledge test.

*AUTHORITY: section 302.720, RSMo Supp. 1989.\* Emergency rule filed April 8, 1991, effective April 18, 1991, expired Aug. 15, 1991. Original rule filed April 8, 1991, effective Aug. 30, 1991. Emergency amendment filed July 15, 1991, effective July 25, 1991, expired Nov. 21, 1991. Amended: Filed July 15, 1991, effective Oct. 31, 1991. Amended: Filed April 16, 1993, effective Oct. 10, 1993.*

*\*Original authority: 302.720, RSMo 1989.*

**12 CSR 10-24.385 School Bus Permits**  
(Rescinded August 30, 2015)

*AUTHORITY: section 302.272, RSMo 2000. Emergency rule filed June 7, 1991, effective June 17, 1991, expired Oct. 4, 1991. Emergency rule filed Sept. 24, 1991, effective Oct. 4, 1991, expired Jan. 31, 1992. Original rule filed June 7, 1991, effective Oct. 31, 1991. Amended: Filed Oct. 22, 1997, effective April 30, 1998. Amended: Filed June 24, 2003, effective Dec. 30, 2003. Rescinded: Filed Feb. 17, 2015, effective Aug. 30, 2015.*

**12 CSR 10-24.390 Commercial Driver Instruction Permit**

*PURPOSE: This rule establishes requirements for a commercial driver to obtain a commercial driver instruction permit.*

- (1) Before applying for a commercial driver instruction permit, the person shall possess a valid Missouri driver license.
- (2) Any applicant for a commercial driver instruction permit shall meet all requirements of the Commercial Motor Vehicle Safety Act (sections 302.700–302.780, RSMo), except for the pretrip inspection, off-road basic controls, and on-road driving tests.
- (3) Prior to issuance of a commercial driver instruction permit, the person shall present evidence that the appropriate commercial motor vehicle written tests were completed for the class and type of vehicle to be operated.
- (4) A commercial driver instruction permit cannot be used to operate a commercial

motor vehicle transporting hazardous materials as defined in 49 CFR 383.5.

*AUTHORITY: section 302.720, RSMo Supp. 2013, and section 302.765, RSMo 2000.\* Emergency rule filed June 7, 1991, effective June 17, 1991, expired Oct. 4, 1991. Original rule filed June 7, 1991, effective Dec. 9, 1991. Emergency rule filed Sept. 24, 1991, effective Oct. 4, 1991, expired Jan. 31, 1992. Amended: Filed Feb. 28, 1992, effective Aug. 6, 1992. Amended: Filed June 24, 2003, effective Dec. 30, 2003. Amended: Filed Feb. 17, 2015, effective Aug. 30, 2015.*

*\*Original authority: 302.720, RSMo 1989, amended 1995, 2002, 2004, 2006, 2007, 2008, 2013 and 302.765, RSMo 1989, amended 1993, 1995.*

**12 CSR 10-24.395 Delegation of Authority to the Missouri State Highway Patrol to Conduct Skills Testing of Applicants for Commercial Driver Licenses**

*PURPOSE: This rule establishes the authority of the Missouri State Highway Patrol to administer skills tests to commercial motor vehicle drivers.*

*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. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.*

- (1) The director authorizes the Missouri State Highway Patrol to administer skills tests to commercial motor vehicle operator applicants in accordance with the laws of this state.
- (2) Any person requiring a commercial driver license who must successfully complete the skills tests shall pass a pretrip inspection, off-road basic controls test and on-road driving test.
- (3) The person shall complete three (3) skills tests, unless otherwise specified here, for a Class A, Class B, or Class C commercial driver license.
  - (A) Except for Class C drivers, the pretrip inspection shall be required for any vehicle

equipped with airbrakes and only those vehicles with a manufacturer's Gross Vehicle Weight Rating (GVWR) of ten thousand one pounds (10,001 lbs.) or more. A pretrip inspection shall include, but not be limited to, the inspection of:

- 1. Air brakes;
- 2. Fluid levels;
- 3. Air/electric lines;
- 4. Doors;
- 5. Exhaust system;
- 6. Frame;
- 7. Belts;
- 8. Hoses;
- 9. Fifth wheel;
- 10. Lights;
- 11. Leaks;
- 12. Tires;
- 13. Steering; and
- 14. Axles.

(B) An off-road basic controls test shall include, but not be limited to:

- 1. Straight line backing;
- 2. Alley docking;
- 3. Conventional parallel parking; and
- 4. Side sight parallel parking.

(C) An on-road driving test shall include, but not be limited to, a demonstration of skills by:

- 1. Making four (4) right turns;
- 2. Making four (4) left turns;
- 3. Driving on a straight section of an urban business street;
- 4. Driving through intersections;
- 5. Driving through a railroad crossing;
- 6. Maneuvering a curve;
- 7. Driving on an expressway or two (2) lane rural road;
- 8. Driving on a downgrade;
- 9. Driving on an upgrade;
- 10. Stopping; and
- 11. Driving through/over an underpass, low clearance or bridge.

(4) Successful completion of the tests indicated previously requires a score as shown on the Commercial Driver License (CDL) Performance Test Passing Scores form, incorporated by reference, and disallows dangerous actions and traffic violations during the off-road basic controls, on-road driving tests, or both.

(5) Test scores shall be submitted to the Department of Revenue through a secure electronic means. The test scores remain valid unless retesting is required by Missouri law or one (1) year from the date indicated on the examination results, whichever occurs first. Each person shall be responsible for maintaining a copy of the test results. If test results cannot be provided by the driver at the



time of application for a Missouri commercial driver license, the applicant shall be required to retake any test(s) necessary to receive the class of license requested.

(6) The director shall provide all forms necessary to administer driving tests to the Missouri State Highway Patrol.

*AUTHORITY: section 302.720, RSMo Supp. 2013, and section 302.765, RSMo 2000.\* Emergency rule filed June 7, 1991, effective June 17, 1991, expired Oct. 4, 1991. Emergency rule filed Sept. 24, 1991, effective Oct. 4, 1991, expired Jan. 31, 1992. Original rule filed June 7, 1991, effective Oct. 31, 1991. Amended: Filed May 15, 1995, effective Nov. 30, 1995. Amended: Filed Nov. 15, 2002, effective May 30, 2003. Amended: Filed Feb. 17, 2015, effective Aug. 30, 2015.*

*\*Original authority: 302.720, RSMo 1989, amended 1995, 2002, 2004, 2006, 2007, 2008, 2013 and 302.765, RSMo 1989, amended 1993, 1995.*

#### **12 CSR 10-24.400 Delegation of Authority to Administer Missouri School Bus Operator's Permit Examinations** (Rescinded June 30, 2006)

*AUTHORITY: section 302.272, RSMo Supp. 1989. Original rule filed July 15, 1991, effective Oct. 31, 1991. Emergency amendment filed March 18, 1992, effective April 1, 1992, expired July 29, 1992. Amended: Filed March 18, 1992, effective Sept. 6, 1992. Emergency amendment filed July 22, 1992, effective Aug. 1, 1992, expired Nov. 28, 1992. Rescinded: Filed Dec. 19, 2005, effective June 30, 2006.*

#### **12 CSR 10-24.402 Department of Revenue Instruction Permits**

*PURPOSE: This rule establishes the requirements necessary to obtain an instruction permit issued by the director of revenue.*

(1) An applicant shall not be issued a restricted temporary instruction permit until his/her fifteenth birthday.

(2) Until his/her sixteenth birthday, the holder of a temporary permit shall be accompanied at all times while driving a motor vehicle by a grandparent, parent, guardian, driver training instructor certified by the Department of Elementary and Secondary Education or a qualified instructor of a private drivers' education program as defined in the following:

(A) Grandparent shall include a foster grandparent, step-grandparent or adoptive grandparent;

(B) Parent shall include a foster parent, stepparent or adoptive parent;

(C) Guardian shall be a court-appointed guardian, or, in the event the parent, grandparent or guardian of the person under sixteen (16) years of age has a physical disability which prohibits or disqualifies them from being a qualified licensed operator, the parent, grandparent or guardian may designate a maximum of two (2) individuals authorized to accompany the applicant for the purpose of giving instruction in driving the motor vehicle. The designee must meet the requirements outlined in section 302.130, RSMo. The parent, grandparent or guardian must complete a certified statement prescribed by the director of revenue and must provide the designee's full name and drivers license number. The name and drivers license number of the designee shall be displayed on a label affixed to the temporary permit;

(D) A certified driver trainer must hold a valid drivers license and an education endorsement on a teaching certificate issued by the Department of Elementary and Secondary Education and may be a driver trainer employed by a federal residential job training program; and

(E) A qualified private drivers' education program instructor must hold a valid drivers license.

(3) The temporary instruction permit form shall be the same form used for sixteen (16)-year old applicants, except such form shall state that the person until age sixteen (16) shall be accompanied by a grandparent, parent, guardian or designated person as specified in section (1) of this rule while driving a motor vehicle.

(4) In order for the temporary instruction permit to be used in driving the motorcycle or motortricycle, the M endorsement must be shown on the permit. The temporary instruction permit issued pursuant to section 302.130, RSMo, shall not entitle the holder to legally operate a motorized bicycle.

(5) The temporary instruction permit issued pursuant to section 302.130, RSMo, shall expire twelve (12) months from the date of application. An individual may renew such permit within one hundred eighty-four (184) days of the expiration date without being required to take the written examination.

(6) The temporary motorcycle instruction permit issued pursuant to section 302.132, RSMo, shall expire six (6) months (one hundred eighty-four (184) days) from the date of

application. An individual may renew such permit within one hundred eighty-four (184) days of the expiration date without being required to take the written examination.

(7) A student instruction permit issued pursuant to section 302.130.3, RSMo, shall not entitle the holder to legally operate a motorcycle, motortricycle or motorized bicycle.

*AUTHORITY: sections 302.130, RSMo Supp. 2001 and 302.132, RSMo 2000.\* Emergency rule filed Sept. 16, 1991, effective Sept. 26, 1991, expired Jan. 23, 1992. Original rule filed Sept. 16, 1991, effective Jan. 13, 1992. Amended: Filed Sept. 15, 1995, effective March 30, 1996. Amended: Filed Dec. 12, 1997, effective June 30, 1998. Amended: Filed Oct. 1, 1998, effective March 30, 1999. Amended: Filed Oct. 6, 2000, effective April 30, 2001. Amended: Filed Sept. 27, 2001, effective March 30, 2002.*

*\*Original authority: 302.130, RSMo 1939, amended 1951, 1989, 1991, 1995, 1997, 1998, 1999, 2001 and 302.132, RSMo 1995.*

#### **12 CSR 10-24.404 Commercial Drivers License Reciprocity**

*PURPOSE: This rule establishes the requirements for accepting out-of-state test results for a commercial drivers license.*

(1) The director, in his/her discretion, may accept written and road test scores from an applicant for a Class A, Class B or Class C commercial drivers license from any state which administers tests which comply with the minimum federal standards established by the Office of the Secretary of Transportation and has certified that fact to the director.

(2) In order for the test scores to be accepted, the applicant shall provide them on forms of another state acceptable to the director as officially issued by that state, or its third-party tester as agreed upon between the director and that state.

(3) The applicant shall not be required to retake the tests for a commercial drivers license unless the applicant desires to obtain a hazardous materials endorsement, change classifications of license other than what the test(s) was administered for, remove any restriction(s) or add an endorsement(s) to the license application.

(4) If the director has reason to believe that the test scores are false or have been tampered with, the applicant shall be required to



retake all tests required for a commercial driver's license as specified in 12 CSR 10-24.300 and 12 CSR 10-24.395.

(5) The test scores are valid for one (1) year except for the reasons stated in sections (3) and (4) of this rule.

*AUTHORITY: section 302.720, RSMo Supp. 1997.\* Emergency rule filed Sept. 16, 1991, effective Sept. 26, 1991, expired Jan. 23, 1992. Original rule filed Sept. 16, 1991, effective Jan. 13, 1992. Amended: Filed Dec. 15, 1998, effective June 30, 1999.*

*\*Original authority: 302.720, RSMo 1989, amended 1995.*

**12 CSR 10-24.406 Procedures for Assessment of Points When Traffic Convictions Are Filed With the Director**  
(Rescinded October 30, 1997)

*AUTHORITY: sections 302.060 and 302.302, RSMo Supp. 1989. Original rule filed Sept. 16, 1991, effective Jan. 13, 1992. Rescinded: Filed April 30, 1997, effective Oct. 30, 1997.*

**12 CSR 10-24.408 Required Signature(s) on a Commercial Drivers License Transaction**

(Rescinded May 28, 1995)

*AUTHORITY: section 302.765, RSMo Supp. 1989. Emergency rule filed Oct. 15, 1991, effective Oct. 25, 1991, expired Feb. 12, 1992. Original rule filed Oct. 15, 1991, effective Feb. 6, 1992. Amended: Filed April 28, 1992, effective Dec. 3, 1992. Amended: Filed March 10, 1993, effective Sept. 9, 1993. Emergency rescission filed Dec. 13, 1994, effective Dec. 23, 1994, expired April 21, 1995. Rescinded: Filed Dec. 13, 1994, effective May 28, 1995.*

**12 CSR 10-24.410 Driver Examination Denial**

*PURPOSE: This rule establishes the authority of the Missouri State Highway Patrol and Department of Revenue to deny further skills test to an applicant for a Missouri drivers license.*

(1) If an applicant fails the skills test after three (3) attempts, the Missouri State Highway Patrol shall not permit the applicant to take a fourth skills test until the director of revenue approves the applicant for further testing.

(2) The director shall review the denial report and supporting documentation received from the Missouri State Highway Patrol. Information reviewed shall include, but not be limited to, test scores, physical abilities, driving problem(s) and driver examiner recommendations. The director may solicit recommendations, when appropriate, from the Medical/Vision Advisory Board.

(3) Based upon this review, the director may—

- (A) Deny further testing;
- (B) Allow the applicant to test at a different site with a different examiner;
- (C) Request the applicant to fulfill other conditions as may be deemed necessary to successfully complete the skills test; or
- (D) Request the applicant to enroll in a driver training course to improve his/her driving skills. While in training, the applicant shall possess a valid temporary instruction permit as specified in 12 CSR 10-24.402 to legally operate a motor vehicle.

(4) If the director refers the applicant for training, the driver training instructor shall submit the results of the applicant's training to the director.

(A) If the applicant fails the training program, another skills test shall not be given for one (1) year and the person's driving privilege shall be revoked.

(B) If the applicant fails the training program and has never been licensed in Missouri, the person's driving privilege shall be denied for one (1) year.

(C) If the applicant passes the training program and the driver training instructor's recommendations are acceptable to the director, another skills test shall be authorized for the applicant to take.

(5) Any decision of the director shall be given to the applicant in writing by registered mail. Any person who is aggrieved by the decision of the director may appeal to the circuit court in the county of residence as prescribed in section 302.311, RSMo.

*AUTHORITY: section 302.173, RSMo Supp. 1989.\* Original rule filed Feb. 28, 1992, effective Aug. 6, 1992.*

*\*Original authority: 302.173, RSMo 1951, amended 1965, 1971, 1983, 1987, 1989.*

**12 CSR 10-24.412 Commercial Driver License Waiver For Farm-Related Service Industries**

*PURPOSE: This rule establishes the criteria for issuance of seasonal restricted commercial drivers licenses for operators of commercial motor vehicles involved in farm-related service industries.*

*cial drivers licenses for operators of commercial motor vehicles involved in farm-related service industries.*

(1) Any person who operates a Class B or Class C commercial motor vehicle who is involved in one (1) or more of the following farm-related service industries may apply for a restricted commercial drivers license:

- (A) Farm retail outlets and suppliers;
- (B) Agrichemical businesses;
- (C) Custom harvesters; or
- (D) Livestock feeders.

(2) A restricted commercial drivers license shall not be issued to operate a Class A motor vehicle.

(3) Any commercial drivers license issued in accordance with this rule shall be valid for the operation of commercial motor vehicles for one (1) period which shall not exceed one hundred eighty (180) consecutive calendar days in any twelve (12)-month period. The period of valid operation shall be indicated on a restriction card which must be carried by the operator with the commercial drivers license.

(4) Any holder of a commercial drivers license restricted in accordance with this rule may operate a commercial motor vehicle only within a one hundred fifty (150)-mile radius of the place of business or farm being served.

(5) A holder of a restricted commercial drivers license issued in accordance with this rule shall not transport hazardous materials in placardable quantities except that a holder of a restricted commercial drivers license may transport one thousand gallons (1,000 gal.) or less of diesel fuel, three thousand gallons (3,000 gal.) or less of liquid fertilizer or any quantity of solid fertilizer not mixed with any organic substance.

(6) To apply for a commercial driver license restricted in accordance with this rule, the applicant must certify to the following:

- (A) That s/he has held a drivers license for at least one (1) year;
- (B) That s/he has not had more than one (1) drivers license;
- (C) That his/her driving privilege has not been suspended, revoked, canceled or disqualified in this or any other state within the last two (2) years;
- (D) That s/he has not been convicted for any of the following offenses in any type of motor vehicle within the last two (2) years:

1. Driving while under the influence of alcohol as defined in section 302.700, RSMo (which includes driving while intoxicated





(DWI) and blood alcohol content (BAC));

2. Driving while under the influence of a controlled substance as defined in section 302.700, RSMo;

3. Refusal to submit to an alcohol test;

4. Leaving the scene of an accident;

5. Felony involving a motor vehicle other than a felony described in paragraph (6)(D)8.;

6. Driving a commercial motor vehicle when, as a result of prior violations committed while operating a commercial motor vehicle, the driver's commercial driver license is revoked, suspended, or canceled, or the driver is disqualified from operating a commercial motor vehicle;

7. Causing a fatality through the negligent operation of a commercial motor vehicle, including but not limited to, the crimes of vehicular manslaughter, homicide by motor vehicle and negligent homicide;

8. Using any vehicle in the commission of a felony involving the manufacturing, distributing or dispensing of a controlled substance;

9. Speeding fifteen (15) or more miles over the posted speed limit;

10. Careless, imprudent or reckless driving;

11. Erratic or improper traffic lane changes;

12. Following too closely;

13. Violating state or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with a fatal accident;

14. Driving a commercial motor vehicle without obtaining a commercial driver license;

15. Driving a commercial motor vehicle without a commercial driver license in the driver's possession;

16. Driving a commercial motor vehicle without the proper class of commercial driver license and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported; or

17. Any conviction for a traffic law violation in connection with an accident; and

(E) That s/he has not had an accident in which s/he was found to have been at fault within the last two (2) years.

(7) The applicant shall indicate on the application the seasonal time period the person needs to operate commercial motor vehicles in accordance with this rule. The one (1) period shall not exceed one hundred eighty (180) consecutive calendar days in any twelve (12)-month period.

(8) If the applicant can certify to the information required in section (6) of this rule, the

director will issue a restricted commercial drivers license to the applicant if otherwise eligible for licensure without completion of the commercial drivers license written and skills tests.

(9) If the applicant for a restricted commercial drivers license previously held a Class E license or its equivalent, the person is permitted to operate Class E or Class F motor vehicles on the restricted commercial license at any time. If the applicant for a restricted commercial drivers license previously held a Class F license or its equivalent, the person is permitted to operate only Class F motor vehicles, other than when operating commercial motor vehicles in accordance with this rule.

(10) The director shall annually review the driving record of the holder of any seasonal commercial drivers license prior to the seasonal period indicated on the restriction card. If the driver record meets the criteria set forth in section (6) of this rule, the restricted commercial drivers license shall be revalidated and the holder shall be permitted to operate commercial motor vehicles in accordance with the license and this rule. If the driver record indicates that the holder of the restricted commercial drivers license no longer meets the criteria set forth in section (6) of this rule, the restricted commercial drivers license shall be canceled for a period of two (2) years.

(11) At the time of renewal of the restricted commercial driver license, the holder may apply for the license and restriction card at a Department of Revenue contract office.

*AUTHORITY: sections 302.775, RSMo Supp. 2005 and 302.765, RSMo 2000\* and 49 CFR 383.3. Emergency rule filed May 6, 1992, effective May 16, 1992, expired Sept. 12, 1992. Emergency rule filed Sept. 3, 1992, effective Sept. 13, 1992, expired Jan. 10, 1993. Original rule filed May 6, 1992, effective Dec. 3, 1992. Emergency amendment filed Nov. 9, 1994, effective Nov. 19, 1994, expired March 18, 1995. Emergency amendment filed March 9, 1995, effective March 19, 1995, expired July 16, 1995. Amended: Filed Nov. 9, 1994, effective May 28, 1995. Amended: Filed June 23, 1997, effective Dec. 30, 1997. Amended: Filed Sept. 6, 2005, effective March 30, 2006.*

*\*Original authority: 302.765, RSMo 1989, 1993, 1995 and 302.775, RSMo 1989, amended 2004.*

**12 CSR 10-24.414 Class E, Class F or Nonlicensed Drivers Completing Driver Examinations For a Commercial Drivers License While Under Suspension/Revocation**

(Rescinded June 30, 1999)

*AUTHORITY: sections 302.304, RSMo Supp. 1991 and 302.765, RSMo Supp. 1989.\* Original rule filed June 16, 1992, effective Jan. 15, 1993. Rescinded: Filed Dec. 15, 1998, effective June 30, 1999.*

**12 CSR 10-24.420 Standards Governing Motorcycle Helmet Construction**

*PURPOSE: This rule establishes minimum performance standards for motorcycle helmets manufactured for use by motorcyclists and other motor vehicle users.*

*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. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.*

(1) Protective headgear worn by operators of, or passengers on, motorcycles in this state shall meet the standards and specifications of the Department of Transportation (DOT) Standard No. 218 as published in the *Code of Federal Regulations* (49 CFR 571.218). This standard establishes minimum performance criteria and testing methods for protective headgear.

*AUTHORITY: section 302.020, RSMo Supp. 1997.\* This rule was previously filed as 12 CSR 10-40.010. Original rule filed Sept. 15, 1977, effective Feb. 11, 1978. Emergency amendment filed July 9, 1993, effective July 19, 1993, expired Nov. 16, 1993. Emergency amendment filed Nov. 16, 1993, effective Nov. 26, 1993, expired March 25, 1994. Amended: Filed July 9, 1993, effective Jan. 31, 1994. Amended: Filed March 27, 1998, effective Sept. 30, 1998.*

*\*Original authority: 302.020, RSMo 1939, amended 1951, 1967, 1984, 1988, 1989, 1995, 1996.*



**12 CSR 10-24.422 Medical Card/Medical Exemption Card**

(Rescinded April 30, 1998)

*AUTHORITY:* sections 302.720, 302.735 and 302.765, RSMo Supp. 1989. Emergency rule filed Nov. 15, 1993, effective Nov. 25, 1993, expired March 25, 1994. Emergency rule filed March 16, 1994, effective March 26, 1994, expired July 23, 1994. Original rule filed Nov. 15, 1993, effective June 6, 1994. Rescinded: Filed Oct. 22, 1997, effective April 30, 1998.

**12 CSR 10-24.424 Medical Card Denial**

(Rescinded April 30, 1998)

*AUTHORITY:* sections 302.720, 302.735 and 302.765, RSMo Supp. 1989. Emergency rule filed Nov. 15, 1993, effective Nov. 25, 1993, expired March 24, 1994. Emergency rule filed March 16, 1994, effective March 26, 1994, expired July 23, 1994. Original rule filed Nov. 15, 1993, effective June 6, 1994. Rescinded: Filed Oct. 22, 1997, effective April 30, 1998.

**12 CSR 10-24.428 Excessive Speed Defined**

*PURPOSE:* This rule defines excessive speed used for commercial motor vehicle disqualification actions.

*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) For the purpose of disqualification under 302.755, RSMo, a conviction for excessive speed is a serious traffic violation as prescribed by 49 CFR section 383.5 of the Federal Motor Carrier Safety Regulations, which has been incorporated by reference, published by the Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, July 31, 2002, if the actual speed is fifteen (15) miles per hour or more above the posted speed limit while the driver is operating a commercial motor vehicle or if the driver is licensed as a commer-

cial (Class A, B or C) driver and is driving a noncommercial vehicle. This rule does not incorporate any subsequent amendments or additions.

*AUTHORITY:* sections 302.700, RSMo Supp. 2004 and 302.755 and 302.765, RSMo 2000.\* Original rule filed July 21, 1994, effective Jan. 29, 1995. Amended: Filed Aug. 11, 1995, effective Feb. 25, 1996. Amended: Filed April 11, 2005, effective Oct. 30, 2005.

\*Original authority: 302.700, RSMo 1989, amended 1991, 1995, 2003; 302.755, RSMo 1989, amended 1995; and 302.765, RSMo 1989, amended 1993, 1995.

**12 CSR 10-24.430 Back of Driver License, Permits, and Nondriver License**

*PURPOSE:* This rule complies with section 302.181, RSMo, which provides for a form to be utilized for designating anatomical gifts as provided in section 194.255, RSMo, and the name and address of the person designated as the licensee's attorney-in-fact for the purposes of a durable power of attorney for health care decisions.

(1) The information that may be printed on the back of a person's driver license, permit, or nondriver license includes endorsements, restrictions, two (2)-dimensional bar code, permanent disability indicator, boater identification indicator, and areas for indicating whether the person has taken a skills test, for designating anatomical gifts, and for designating the name and address of the licensee's attorney-in-fact for the purposes of a durable power of attorney for health care decisions.

(2) The following information will be contained in the two (2)-dimensional bar code on the back of a person's license document(s):

- (A) Driver license number;
- (B) License expiration date;
- (C) License classification;
- (D) Driver name (as it appears on the face of the license);
- (E) Date of birth;
- (F) Residence address (which includes street, city, state and zip code);
- (G) County of residence;
- (H) Sex;
- (I) Height;
- (J) Weight;
- (K) Eye color;
- (L) Restrictions;
- (M) Endorsements;
- (N) License issue date;
- (O) Sequential control number; and
- (P) State of Missouri identifier.

*AUTHORITY:* sections 302.171, 302.181, 302.182, and 302.184, RSMo Supp. 2009.\* Original rule filed Sept. 15, 1995, effective March 30, 1996. Amended: Filed Aug. 26, 1999, effective Feb. 29, 2000. Amended: Filed June 20, 2002, effective Dec. 30, 2002. Amended: Filed Aug. 27, 2003, effective Feb. 29, 2004. Emergency amendment filed June 21, 2010, effective July 1, 2010, expired Dec. 28, 2010. Amended: Filed June 21, 2010, effective Dec. 30, 2010.

\*Original authority: 302.171, RSMo 1951, amended 1955, 1984, 1989, 1991, 1995, 1996, 1997, 1999, 2000, 2003, 2004, 2006, 2007, 2008, 2009; 302.181, RSMo 1939, amended 1951, 1961, 1971, 1973, 1979, 1984, 1986, 1989, 1991, 1992, 1995, 1996, 1999, 2004; 302.182, RSMo 2009; and 302.184, RSMo 2009.

**12 CSR 10-24.438 Department of Revenue not Designated as an Election Official**

*PURPOSE:* This rule is established to clarify that the Department of Revenue is not an election official.

(1) The Department of Revenue is required by law to provide voter application forms as a simultaneous part of an application for a drivers license, renewal of a drivers license, change of address, duplicate request and/or a nondrivers license. The Department of Revenue is not an election official which is authorized to register voters.

*AUTHORITY:* section 115.160, RSMo 1994.\* Original rule filed Dec. 22, 1994, effective June 30, 1995.

\*Original authority: 115.160, RSMo, 1994.

**12 CSR 10-24.440 Motor Voter Registration Application Form**

*PURPOSE:* This rule complies with section 115.160, RSMo which provides for a form to be utilized in applying for voter registration simultaneously as a part of the application for a drivers license, renewal of a drivers license, change of address, duplicate request and/or nondrivers license.

*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) The application for applying for voter registration is incorporated by reference.

*AUTHORITY: section 115.160, RSMo Supp. 2004.\* Original rule filed Dec. 22, 1994, effective June 30, 1995. Amended: Filed April 5, 1999, effective Sept. 30, 1999. Amended: Filed June 3, 2004, effective Dec. 30, 2004.*

*\*Original authority: 115.160, RSMo 1994, amended 1997, 2002.*

### **12 CSR 10-24.442 Stacking Sixty (60)-Day, Ninety (90)-Day, One Hundred Twenty (120)-Day and One Hundred Eighty (180)-Day Disqualifications**

(Rescinded August 30, 2015)

*AUTHORITY: section 302.765, RSMo 1994. Original rule filed Oct. 18, 1995, effective April 30, 1996. Rescinded: Filed Feb. 17, 2015, effective Aug. 30, 2015.*

### **12 CSR 10-24.444 Ten-Year Disqualification**

*PURPOSE: This rule establishes the requirements for obtaining a commercial drivers license after receiving a ten-year disqualification under section 302.755.3, RSMo.*

(1) Any person disqualified for life who wishes to have commercial driving privileges restored after such person has been disqualified for at least ten (10) years, shall apply in writing to the director of revenue under section 302.755.3, RSMo.

(2) The applicant must prove to the director that during the ten (10) years immediately preceding the application the applicant:

(A) Has had no alcohol- or drug-related conviction(s) as defined in section 302.700, RSMo, in Missouri or any other jurisdiction;

(B) Has successfully completed an alcohol- or drug-related traffic offender rehabilitation, or a comparable program, which meets or exceeds the minimum standards approved by the Department of Mental Health if the disqualifying offenses were drug or alcohol related;

(C) Has had no commercial motor vehicle conviction(s) in Missouri or any other state during the ten (10)-year period preceding the application;

(D) Is no longer a threat to the public safety of this state. The director may request, and the applicant must provide, any additional information or documentation which the director deems necessary to determine the applicant's fitness for relicensure;

(E) Is otherwise eligible for licensure; and  
(F) Has not previously been restored to commercial motor vehicle privileges following a prior ten (10)-year minimum disqualification.

(3) For purposes of verifying an applicant's prior ten (10)-year alcohol and drug history, the applicant shall provide a copy of his/her closed criminal history for the immediately preceding ten (10) years to the director of revenue.

(4) If the director finds the applicant is eligible for restoration to commercial driving status, the written and driving skills examinations as specified in 12 CSR 10-24.395 shall be successfully completed before a commercial driver license is issued.

(5) If the applicant is found ineligible for restoration of commercial driving privileges, the director shall notify the applicant of such findings by certified mail and continue the denial of commercial driving privilege until such ineligibility has been disproven to the director's satisfaction.

(6) Any applicant who previously had his/her commercial motor vehicle privileges restored pursuant to this rule, shall not be able to apply for restoration of another lifetime disqualification.

(7) Any applicant who is aggrieved by the decision of the director may appeal to the circuit court in the county of residence as prescribed in section 302.311, RSMo.

*AUTHORITY: sections 302.755, RSMo Supp. 2007 and 302.765, RSMo 2000.\* Original rule filed Nov. 29, 1995, effective May 30, 1996. Amended: Filed April 11, 2005, effective Oct. 30, 2005. Amended: Filed Aug. 8, 2007, effective Feb. 29, 2008.*

*\*Original authority: 302.755, RSMo 1989, amended 1995, 2004 and 302.765, RSMo 1989, amended 1993, 1995.*

### **12 CSR 10-24.446 Affidavit of Interpretation**

(Rescinded June 30, 1999)

*AUTHORITY: section 302.171, RSMo Supp. 1995. Original rule filed June 28, 1996, effective Dec. 30, 1996. Rescinded: Filed Dec. 15, 1998, effective June 30, 1999.*

### **12 CSR 10-24.448 Documents Required for Issuance of a Driver or Nondriver License or Instruction Permit**

*PURPOSE: This rule establishes the guidelines and documentation acceptable as proof of lawful presence, identity, Social Security number and residency for driver and nondriver license or instruction permit applicants.*

*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) All applicants for a driver or nondriver license or instruction permit must provide:

(A) Proof of Lawful Presence—proof of lawful presence must be shown for any new or renewal driver or nondriver license or instruction permit application. U.S. citizens who have previously verified lawful presence and the license record indicates such verification may not be required to show proof upon subsequent applications.

(B) Proof of Identity—proof of identity must be shown for any new, renewal, or duplicate driver or nondriver license or instruction permit. The proof of identity document must contain the applicant's full legal name and date of birth. The document must match the person's current name unless a change of name is established by a court order, marriage certificate, marriage license, adoption papers (court order/amended birth certificate) or divorce decree. Only original documents or a photocopy bearing an original certification by the issuing authority is acceptable.

(C) Proof of Social Security Number—proof of Social Security number must be provided for any new, renewal, or duplicate driver or nondriver license or instruction permit. Applicants who have previously verified Social Security number and the license record indicates such verification may not be required to show proof upon subsequent applications.

(D) Proof of Residency—proof of residency must be shown upon application for a new, renewal or duplicate driver or nondriver license or instruction permit application.



(2) Documents acceptable as proof of lawful presence, identity, Social Security number and residency are described in the following document "DOCUMENTS REQUIRED TO APPLY FOR OR RENEW A MISSOURI DRIVER LICENSE, NONDRIVER LICENSE, OR INSTRUCTION PERMIT," which has been incorporated by reference, published by the Missouri Department of Revenue, PO Box 200, Jefferson City, MO 65105-0200, September 7, 2005. The "DOCUMENTS REQUIRED TO APPLY FOR OR RENEW A MISSOURI DRIVER LICENSE, NONDRIVER LICENSE, OR INSTRUCTION PERMIT" does not include any amendments or additions to the September 7, 2005 document which is available on the Department of Revenue's website http://www.dor.mo.gov/mvdl/drivers/idrequirements.htm or by mailing a written request to the Missouri Department of Revenue, PO Box 200, Jefferson City, MO 65105-0200, or by telephone (573) 751-2730.

(3) In exceptional circumstances where proof of lawful presence, identity, Social Security Number, and/or residency are not available, personnel authorized by the Director of Revenue may accept alternative documents as proof required for issuance of a driver license, nondriver license, or instruction permit.

*AUTHORITY:* sections 302.011, 302.130, 302.171, 302.181, 302.720 and 302.735, RSMo Supp. 2004 and 302.080, RSMo 2000.\* Original rule filed March 27, 1998, effective Sept. 30, 1998. Emergency amendment filed Dec. 16, 2002, effective Dec. 26, 2002, expired June 23, 2003. Amended: Filed Dec. 16, 2002, effective May 30, 2003. Emergency amendment filed June 21, 2005, effective July 1, 2005, expired Dec. 28, 2005. Amended: Filed June 21, 2005, effective Dec. 30, 2005.

\*Original authority: 302.011, RSMo 2004; 302.080, RSMo 1939, amended 1943, 1965, 1989, 1990; 302.130, RSMo 1939, amended 1951, 1989, 1991, 1995, 1997, 1998, 1999, 2001, 2002, 2004; 302.171, RSMo 1951, amended 1955, 1984, 1989, 1991, 1995, 1996, 1997, 1999, 2000, 2003, 2004; 302.181, RSMo 1939, amended 1951, 1961, 1971, 1973, 1979, 1984, 1986, 1989, 1991, 1992, 1995, 1996, 1999, 2004; 302.720, RSMo 1989, amended 1995, 2002, 2004; and 302.735, RSMo 1989, amended 1999, 2001, 2004.

**12 CSR 10-24.450 Staggering Expiration Dates of Driver/Nondriver Licenses**  
(Rescinded April 30, 2004)

*AUTHORITY:* section 302.177, RSMo Supp. 1999. Original rule filed March 27, 2000, effective Sept. 30, 2000. Rescinded: Filed Oct. 10, 2003, effective April 30, 2004.

**12 CSR 10-24.452 Highway Sign Recognition Test**

*PURPOSE:* This rule establishes the passing score for the highway sign recognition test as outlined in section 302.173, RSMo.

(1) The director shall require any person applying for a new or renewal driver license to submit to an examination that tests his/her ability to understand highway signs regulating, warning or directing traffic.

(2) The person shall be presented with six (6) highway signs and must successfully identify four (4) out of the six (6) signs to pass the examination.

*AUTHORITY:* section 302.173, RSMo Supp. 1999.\* Original rule filed March 27, 2000, effective Sept. 30, 2000.

\*Original authority: 302.173, RSMo 1951, amended 1965, 1971, 1983, 1987, 1989, 1995.

**12 CSR 10-24.460 Driver's Privacy Protection Act**

*PURPOSE:* This rule defines express consent and opt-in pursuant to the Federal Driver's Privacy Protection Act, section 2721(b)(11) and 2721(b)(12) of Title 18 of the United States Code and as amended by Public Law 106-69, section 350.

(1) A record holder is deemed to have given express consent to release his/her personal information when the Department of Revenue receives a written request from the record holder for the release of this information to another party. The Department of Revenue shall require express consent from the record holder each time a request for the record holder's personal information is submitted from another party who is not exempt under the provisions of sections 32.090 and 32.091, RSMo.

*AUTHORITY:* section 32.091, RSMo Supp. 1999.\* Original rule filed May 31, 2000, effective Dec. 30, 2000.

\*Original authority: 32.091, RSMo 1997.

**12 CSR 10-24.462 Prohibit Release of Information on Peace Officers and Their Immediate Family**  
(Rescinded March 30, 2013)

*AUTHORITY:* sections 32.056 and 590.100, RSMo Supp. 2001. Original rule filed Sept. 27, 2001, effective March 30, 2002.

Rescinded: Filed Sept. 17, 2012, effective March 30, 2013.

**12 CSR 10-24.465 Disqualification of Commercial Motor Vehicle Operators Due to Railroad-Highway Grade Crossing Violations**

*PURPOSE:* This rule establishes that commercial motor vehicle (CMV) drivers who are convicted of violating federal, state, or local laws pertaining to railroad-highway grade crossings be disqualified from operating a CMV. This rule is pursuant to the Department of Transportation's rules as published in the Code of Federal Regulations (49 CFR parts 383 and 384).

(1) A driver who is convicted of operating a commercial motor vehicle (CMV) in violation of a federal, state, or local law or regulation pertaining to one (1) of the following six (6) offenses at a railroad-highway grade crossing must be disqualified for the period of time specified in section (2) of this rule:

(A) For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train;

(B) For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear;

(C) For drivers who are always required to stop, failing to stop before driving onto the crossing;

(D) Failing to have sufficient space to drive completely through the crossing without stopping;

(E) Failing to obey a traffic control device or the directions of an enforcement official at the crossing; or

(F) Failing to negotiate a crossing because of insufficient undercarriage clearance.

(2) When convicted of a railroad crossing CMV violation, persons will be disqualified from operating a commercial motor vehicle as follows:

(A) First violation. A driver will be disqualified for sixty (60) days if the driver is convicted of a first railroad-highway grade crossing violation;

(B) Second violation. A driver will be disqualified for one hundred twenty (120) days if, during any three (3)-year period, the driver is convicted of a second railroad-highway grade crossing violation in separate incidents; or

(C) Third or subsequent violation. A driver will be disqualified for one (1) year if, during any three (3)-year period, the driver is



convicted of a third or subsequent railroad-highway grade crossing violation in separate incidents.

*AUTHORITY: section 302.755, RSMo 2000.\* Original rule filed May 24, 2001, effective Dec. 30, 2001.*

*\*Original authority: 302.755, RSMo 1989, amended 1995.*

### 12 CSR 10-24.470 Procedure for Obtaining a “J88” Notation on a Drivers License for Deafness or Hard of Hearing

*PURPOSE: This rule establishes the procedures for an individual to obtain a “J88” (Deaf or Hard of Hearing) notation on a drivers license as provided in section 302.174, 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. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency’s headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.*

(1) An applicant for a drivers license, non-drivers license, or permit may request that a notation be placed on the applicant’s license, non-drivers license or permit which indicates that the person is deaf or hard of hearing. For purposes of this rule such notation shall be shown as “J88” on the license or permit document.

(2) In order to obtain the “J88” notation an applicant at the time of application for an initial, renewal or duplicate license, non-drivers license or permit shall inform the license office personnel completing the transaction of his or her intent to have the notation displayed on the license, non-drivers license or permit. In addition, the applicant shall provide one of the following documents which indicates that the person is deaf or hard of hearing:

(A) Medical statement from a licensed medical professional;

(B) Statement from an approved or authorized agency as indicated in section (3) of this rule; or

(C) Certified affidavit form, incorporated by reference, shall be used when an applicant certifies that he or she is deaf or hearing impaired.

(3) Agencies or programs authorized to provide documentation that a license, non-drivers license or permit applicant is deaf or hearing impaired shall include but not be limited to the following:

(A) The Missouri Commission for the Deaf;

(B) Social Security Administration;

(C) A vocational rehabilitation program;

(D) A federal, state or county department of health; or

(E) An independent living center.

(4) The director of revenue shall have authorization to review and determine acceptability of any documentation from an agency or program not listed in section (3) of this rule.

*AUTHORITY: section 302.174, RSMo Supp. 2001.\* Original rule filed Nov. 15, 2001, effective May 30, 2002.*

*\*Original authority: 302.174, RSMo 2001.*

### 12 CSR 10-24.472 “Permit Driver” Sign

*PURPOSE: This rule establishes the design and size requirements for a “Permit Driver” sign issued pursuant to section 302.130, 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. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency’s headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.*

(1) Upon successful application for an instruction permit issued pursuant to subsection 1 of section 302.130, RSMo, the director shall issue a sign bearing the words “Permit Driver,” form DOR-5007, which is incorporated by reference.

(2) Such sign shall measure eleven inches wide by four and one-fourth inches high (11”

× 4 1/4”).

(3) Such sign shall be printed with black ink on goldenrod stock paper.

*AUTHORITY: section 302.130, RSMo Supp. 2002.\* Original rule filed Nov. 15, 2002, effective May 30, 2003.*

*\*Original authority: 302.130, RSMo 1939, amended 1951, 1989, 1991, 1995, 1997, 1998, 1999, 2001, 2002.*

### 12 CSR 10-24.474 Calculation of the Commercial Driver Disqualification

*PURPOSE: This rule defines the usage of the motor vehicle violation (offense) date when determining if two (2) or more serious traffic convictions occurred within the three (3)-year period specified in 49 CFR 383.51.*

(1) For the purpose of disqualification under section 302.755.5, RSMo, the motor vehicle traffic violation offense date shall be used in determining if two (2) or more serious traffic convictions occurred within a three (3)-year period.

*AUTHORITY: sections 302.755.5 and 302.765, RSMo 2000\* and 49 CFR 383.51. Original rule filed April 11, 2005, effective Oct. 30, 2005.*

*\*Original authority: 302.755, RSMo 1989, amended 1995; and 302.765, RSMo 1989, amended 1993, 1995.*

### 12 CSR 10-24.480 Boater Identification Indicator on Driver or Nondriver License

*PURPOSE: This rule establishes the cost and criteria for placement of a boater identification indicator on a driver or nondriver license.*

(1) To obtain a boater identification indicator on the back of a driver or nondriver license, the applicant must present a boater identification card issued by the Missouri State Water Patrol indicating the applicant has complied with the provisions of section 306.127, RSMo.

(2) A cost of one dollar (\$1) will be charged to the applicant in addition to any fees required under law or state regulation for placement of the boater identification indicator on a driver or nondriver license.

(A) An applicant will be required to pay the one dollar (\$1)-cost only upon initial issuance of the boater identification indicator



on each document type—driver or nondriver license—received. Applicants renewing or updating a driver or nondriver license with a current indicator will not incur any cost to retain the indicator.

(B) The one dollar (\$1)-cost will not be charged to applicants requesting to remove a boater identification indicator. Any fees required under law or state regulation to obtain the new, renewal, or duplicate driver or nondriver license will apply.

*AUTHORITY: section 302.184, RSMo Supp. 2009.\* Emergency rule filed June 21, 2010, effective July 1, 2010, expired Dec. 28, 2010. Original rule filed June 21, 2010, effective Dec. 30, 2010.*

*\*Original authority: 302.184, RSMo 2009.*

**12 CSR 10-24.485 Permanent Disability Indicator on Driver or Nondriver License**

*PURPOSE: This rule establishes the criteria for placement of a permanent disability indicator on a driver or nondriver license.*

(1) As used in this rule, the term “permanently disabled” means having a physical or mental impairment, which substantially limits one’s ability to perform one (1) or more major life activities and is permanent in nature, as determined by a licensed physician, physical therapist, or occupational therapist licensed pursuant to Chapter 334, RSMo, or other authorized licensed healthcare practitioner.

(2) As used in this rule, the term “healthcare practitioner” means a licensed physician, physical therapist, or occupational therapist licensed under Chapter 334, RSMo, or other authorized healthcare provider, licensed under the laws of the state of Missouri and approved by the director of revenue.

(3) To obtain a permanent disability indicator on a driver or nondriver license, an applicant at the time of application for an initial, renewal, or duplicate driver or nondriver license shall present a medical statement, as provided in section (1), completed and certified by a healthcare practitioner as provided in section (2).

(4) The issuance of a permanent disability indicator or notation on a driver or nondriver license is not for the purpose of any determination of eligibility or entitlement to any benefit or accommodation.

*AUTHORITY: section 302.182, RSMo Supp.*

*2009.\* Emergency rule filed June 24, 2010, effective July 4, 2010, expired Dec. 31, 2010. Original rule filed June 24, 2010, effective Dec. 30, 2010.*

*\*Original authority: 302.182, RSMo 2009.*