FIRST REGULAR SESSION
[CORRECTED]
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 262

101ST GENERAL ASSEMBLY
2021

AN ACT
To repeal sections 142.803, 142.824, 142.869, 301.192, 301.280, 302.755, 407.526, 407.536, and 407.556, RSMo, and to enact in lieu thereof eleven new sections relating to transportation, with penalty provisions.

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

Section A. Sections 142.803, 142.824, 142.869, 301.192, 301.280, 302.755, 407.526, 407.536, and 407.556, RSMo, are repealed and eleven new sections enacted in lieu thereof, to be known as sections 142.803, 142.822, 142.824, 142.869, 142.1000, 301.192, 301.280, 302.755, 407.526, 407.536, and 407.556, to read as follows:

142.803. 1. A tax is levied and imposed on all motor fuel used or consumed in this state as follows:

(1) Motor fuel, seventeen cents per gallon;

(2) Alternative fuels, not subject to the decal fees as provided in section 142.869, with a power potential equivalent of motor fuel. In the event alternative fuel, which is not commonly sold or measured by the gallon, is used in motor vehicles on the highways of this state, the director is authorized to assess and collect a tax upon such alternative fuel measured by the nearest power potential

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.
equivalent to that of one gallon of regular grade gasoline. The determination by the director of the power potential equivalent of such alternative fuel shall be prima facie correct;

(3) Aviation fuel used in propelling aircraft with reciprocating engines, nine cents per gallon as levied and imposed by section 155.080 to be collected as required under this chapter;

(4) Compressed natural gas fuel, five cents per gasoline gallon equivalent until December 31, 2019, eleven cents per gasoline gallon equivalent from January 1, 2020, until December 31, 2024, and then seventeen cents per gasoline gallon equivalent thereafter. The gasoline gallon equivalent and method of sale for compressed natural gas shall be as published by the National Institute of Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions thereof. In the absence of such standard or agreement, the gasoline gallon equivalent and method of sale for compressed natural gas shall be equal to five and sixty-six-hundredths pounds of compressed natural gas. All applicable provisions contained in this chapter governing administration, collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on compressed natural gas, including but not limited to licensing, reporting, penalties, and interest;

(5) Liquefied natural gas fuel, five cents per diesel gallon equivalent until December 31, 2019, eleven cents per diesel gallon equivalent from January 1, 2020, until December 31, 2024, and then seventeen cents per diesel gallon equivalent thereafter. The diesel gallon equivalent and method of sale for liquefied natural gas shall be as published by the National Institute of Standards and
Technology in Handbooks 44 and 130, and supplements thereto or revisions thereof. In the absence of such standard or agreement, the diesel gallon equivalent and method of sale for liquefied natural gas shall be equal to six and six-hundredths pounds of liquefied natural gas. All applicable provisions contained in this chapter governing administration, collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on liquefied natural gas, including but not limited to licensing, reporting, penalties, and interest;

(6) Propane gas fuel, five cents per gallon until December 31, 2019, eleven cents per gallon from January 1, 2020, until December 31, 2024, and then seventeen cents per gallon thereafter. All applicable provisions contained in this chapter governing administration, collection, and enforcement of the state motor fuel tax shall apply to the tax imposed on propane gas including, but not limited to, licensing, reporting, penalties, and interest;

(7) If a natural gas, compressed natural gas, liquefied natural gas, electric, or propane connection is used for fueling motor vehicles and for another use, such as heating, the tax imposed by this section shall apply to the entire amount of natural gas, compressed natural gas, liquefied natural gas, electricity, or propane used unless an approved separate metering and accounting system is in place.

2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax.
3. In addition to any tax collected under subdivision (1) of subsection 1 of this section, the following tax is levied and imposed on all motor fuel used or consumed in this state, subject to the exemption on tax liability set forth in section 142.822: from October 1, 2021, to June 30, 2022, two and a half cents per gallon; from July 1, 2022, to June 30, 2023, five cents per gallon; from July 1, 2023, to June 30, 2024, seven and a half cents per gallon; from July 1, 2024, to June 30, 2025, ten cents per gallon; and on and after July 1, 2025, twelve and a half cents per gallon.

142.822. 1. Motor fuel used for purposes of propelling motor vehicles on highways shall be exempt from the fuel tax collected under subsection 3 of section 142.803, and an exemption and refund may be claimed by the taxpayer if the tax has been paid and no refund has been previously issued, provided that the taxpayer applies for the exemption and refund as specified in this section. The exemption and refund shall be issued on a fiscal year basis to each person who pays the fuel tax collected under subsection 3 of section 142.803 and who claims an exemption and refund in accordance with this section, and shall apply so that the fuel taxpayer has no liability for the tax collected in that fiscal year under subsection 3 of section 142.803.

2. To claim an exemption and refund in accordance with this section, a person shall present to the director a statement containing a written verification that the claim is made under penalty of perjury and that states the total fuel tax paid in the applicable fiscal year for each vehicle for which the exemption and refund is claimed. The claim shall not be transferred or assigned, and shall be filed on or after July first, but not later than September thirtieth,
following the fiscal year for which the exemption and refund is claimed. The claim statement may be submitted electronically, and shall at a minimum include the following information:

(1) Vehicle identification number of the motor vehicle into which the motor fuel was delivered;
(2) Date of sale;
(3) Name and address of purchaser;
(4) Name and address of seller;
(5) Number of gallons purchased; and
(6) Number of gallons purchased and charged Missouri fuel tax, as a separate item.

3. Every person shall maintain and keep records supporting the claim statement filed with the department of revenue for a period of three years to substantiate all claims for exemption and refund of the motor fuel tax, together with invoices, original sales receipts marked paid by the seller, bills of lading, and other pertinent records and paper as may be required by the director for reasonable administration of this chapter.

4. The director may make any investigation necessary before issuing an exemption and refund under this section, and may investigate an exemption and refund under this section after it has been issued and within the time frame for making adjustments to the tax pursuant to this chapter.

5. If an exemption and refund is not issued within forty-five days of an accurate and complete filing, as required by this chapter, the director shall pay interest at the rate provided in section 32.065 accruing after the expiration of the forty-five-day period until the date the exemption and refund is issued.
6. The exemption and refund specified in this section shall be available only with regard to motor fuel delivered into a motor vehicle with a gross weight, as defined in section 301.010, of twenty-six thousand pounds or less.

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

142.824. 1. To claim a refund in accordance with section 142.815, a person shall present to the director a statement containing a written verification that the claim is made under penalties of perjury and lists the total amount of motor fuel purchased and used for exempt purposes. The claim shall not be transferred or assigned and shall be filed not more than three years after the date the motor fuel was imported, removed or sold if the claimant is a supplier, importer, exporter or distributor. If the claim is filed by the ultimate consumer, a consumer must file the claim within one year of the date of purchase or April fifteenth following the year of purchase, whichever is later. The claim statement may be submitted electronically, and shall be supported by [the original sales slip, invoice
or other documentation as approved by the director and shall include the following information:

(1) Date of sale;
(2) Name and address of purchaser;
(3) Name and address of seller;
(4) Number of gallons purchased and base price per gallon;
(5) Number of gallons purchased and charged Missouri fuel tax, as a separate item; and
(6) Number of gallons purchased and charged sales tax, if applicable, as a separate item;
(7) Marked paid by the seller.

2. If the original sales slip or invoice is lost or destroyed, a statement to that effect shall accompany the claim for refund, and the claim statement shall also set forth the serial number of the invoice. If the director finds the claim is otherwise regular, the director may allow such claim for refund.

3. The director may make any investigation necessary before refunding the motor fuel tax to a person and may investigate a refund after the refund has been issued and within the time frame for making adjustments to the tax pursuant to this chapter.

4. In any case where a refund would be payable to a supplier pursuant to this chapter, the supplier may claim a credit in lieu of such refund for a period not to exceed three years.

5. Every person shall maintain and keep for a period of three years records to substantiate all claims for refund of the motor fuel tax, together with invoices, original sales slips marked paid by the seller, bills of lading, and
other pertinent records and paper as may be required by the
director for reasonable administration of this chapter.

6. Motor fuel tax that has been paid more than once
with respect to the same gallon of motor fuel shall be
refunded by the director to the person who last paid the tax
after the subsequent taxable event upon submitting proof
satisfactory to the director.

7. Motor fuel tax that has otherwise been erroneously
paid by a person shall be refunded by the director upon
proof shown satisfactory to the director.

8. [If a refund is not issued within ninety days of an
accurate and complete filing, as required by this chapter,
the director shall pay interest at the rate set out in
section 32.065 accruing after the expiration of the ninety-
day period until the date the refund is issued. After
December 31, 2000,] If a refund is not issued within
[thirty] forty-five days of an accurate and complete filing,
as required by this chapter, the director shall pay interest
at the rate provided in section 32.065 accruing after the
expiration of the [thirty-day] forty-five-day period until
the date the refund is issued.

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

142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel, and for which a valid decal has been acquired as provided in this section, provided that sales made to alternative fueled vehicles powered by propane, compressed natural gas, or liquefied natural gas that do not meet the requirements of subsection 3 of this section shall be taxed exclusively pursuant to subdivisions (4) to (7) of subsection 1 of section 142.803, respectively. The owners or operators of such motor vehicles, except plug-in electric hybrids, shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: seventy-five dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; one hundred fifty dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; two hundred fifty dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered
with a license plate designated with the letter "F"; and one
thousand dollars on each motor vehicle with a licensed gross
vehicle weight in excess of thirty-six thousand pounds.
Owners or operators of plug-in electric hybrids shall pay
one-half of the stated annual alternative fuel decal fee.
Notwithstanding provisions of this section to the contrary,
motor vehicles licensed as historic under section 301.131
which are powered by alternative fuel shall be exempt from
both the tax imposed by this chapter and the alternative
fuel decal requirements of this section. For the purposes
of this section, a plug-in electric hybrid shall be any
hybrid vehicle made by a manufacturer with a model year of
2018 or newer, that has not been modified from the original
manufacturer specifications, with an internal combustion
engine and batteries that can be recharged by connecting a
plug to an electric power source.

2. Beginning January 1, 2022, the fees in subsection 1
of this section shall be increased by twenty percent of the
fee in effect on August 28, 2021, per year for a period of
five years, except that the fee for motor vehicles with a
licensed gross vehicle weight in excess of thirty-six
thousand pounds shall be increased by ten percent of the fee
in effect on August 28, 2021, per year for a period of five
years.

3. Except interstate fuel users and vehicles licensed
under a reciprocity agreement as defined in section 142.617,
the tax imposed by section 142.803 shall not apply to motor
vehicles registered outside this state which are powered by
alternative fuel other than propane, compressed natural gas,
and liquefied natural gas, and for which a valid temporary
alternative fuel decal has been acquired as provided in this
section. The owners or operators of such motor vehicles
shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of eight dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such decal and fee shall not be transferable. All proceeds from such decal fees shall be deposited as specified in section 142.345. Alternative fuel dealers selling such decals in accordance with rules and regulations prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted to the director.

[3.] 4. Owners or operators of passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by compressed natural gas or liquefied natural gas who have installed a compressed natural gas fueling station or liquefied natural gas fueling station used solely to fuel the motor vehicles they own or operate as of December 31, 2015, may continue to apply for and use the alternative fuel decal in lieu of paying the tax imposed under subdivisions (4) and (5) of subsection 1 of section 142.803. Owners or operators of compressed natural gas fueling stations or liquefied natural gas fueling stations whose vehicles bear an alternative fuel decal shall be prohibited from selling or providing compressed natural gas or liquefied natural gas to any motor vehicle they do not own or operate. Owners or operators of motor vehicles powered by compressed natural gas or liquefied natural gas bearing an alternative fuel decal after January 1, 2016, that decline to renew the alternative fuel decals for such motor vehicles shall no longer be eligible to apply for and use alternative fuel
decals under this subsection. Any compressed natural gas or
liquefied natural gas obtained at any fueling station not
owned by the owner or operator of the motor vehicle bearing
an alternative fuel decal shall be subject to the tax under
subdivisions (4) and (5) of subsection 1 of section 142.803.

[4.] 5. An owner or operator of a motor vehicle
powered by propane may continue to apply for and use the
alternative fuel decal in lieu of paying the tax imposed
under subdivision (6) of subsection 1 of section 142.803.
If the appropriate motor fuel tax under subdivision (6) of
subsection 1 of section 142.803 is collected at the time of
fueling, an operator of a propane fueling station that uses
quick-connect fueling nozzles may sell propane as a motor
fuel without verifying the application of a valid Missouri
alternative fuel decal. If an owner or operator of a motor
vehicle powered by propane that bears an alternative fuel
decal refuels at an unattended propane refueling station,
such owner or operator shall not be eligible for a refund of
the motor fuel tax paid at such refueling.

[5.] 6. The director shall annually, on or before
January thirty-first of each year, collect or cause to be
collected from owners or operators of the motor vehicles
specified in subsection 1 of this section the annual decal
fee. Applications for such decals shall be supplied by the
department of revenue. In the case of a motor vehicle which
is not in operation by January thirty-first of any year, a
decal may be purchased for a fractional period of such year,
and the amount of the decal fee shall be reduced by one-
twelth for each complete month which shall have elapsed
since the beginning of such year. This subsection shall not
apply to an owner or operator of a motor vehicle powered by
propane who fuels such vehicle exclusively at unattended
fueling stations that collect the motor fuel tax.

[6.] 7. Upon the payment of the fee required by
subsection 1 of this section, the director shall issue a
decal, which shall be valid for the current calendar year
and shall be attached to the lower right-hand corner of the
front windshield on the motor vehicle for which it was
issued.

[7.] 8. The decal fee paid pursuant to subsection 1 of
this section for each motor vehicle shall be transferable
upon a change of ownership of the motor vehicle and, if the
LP gas or natural gas equipment is removed from a motor
vehicle upon a change of ownership and is reinstalled in
another motor vehicle, upon such reinstallation. Such
transfers shall be accomplished in accordance with rules and
regulations promulgated by the director.

[8.] 9. It shall be unlawful for any person to operate
a motor vehicle required to have an alternative fuel decal
upon the highways of this state without a valid decal unless
the motor vehicle is exclusively fueled at propane,
compressed natural gas, or liquefied natural gas fueling
stations that collect the motor fuel tax.

[9.] 10. No person shall cause to be put, or put, any
alternative fuel into the fuel supply receptacle or battery
of a motor vehicle required to have an alternative fuel
decal unless the motor vehicle either has a valid decal
attached to it or the appropriate motor fuel tax is
collected at the time of such fueling.

[10.] 11. Any person violating any provision of this
section is guilty of an infraction and shall, upon
conviction thereof, be fined five hundred dollars.
11. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter.

142.1000. 1. There is hereby created within the department of revenue the "Electric Vehicle Task Force" to consist of the following members:

(1) The director of the department of revenue, or his or her designee, who shall serve as chair;

(2) The chairman of the public service commission, or his or her designee, who shall serve as vice chair;

(3) The director of the department of transportation, or his or her designee;

(4) One member of the senate committee with jurisdiction over transportation matters, to be appointed by the president pro tempore of the senate;

(5) One member of the house of representatives committee with jurisdiction over transportation matters, to be appointed by the speaker of the house of representatives;

(6) One member of the senate committee with jurisdiction over transportation matters, to be appointed by the minority floor leader of the senate;

(7) One member of the house of representatives committee with jurisdiction over transportation matters, to be appointed by the minority floor leader of the house of representatives;

(8) One representative of the trucking or heavy vehicle industry, to be appointed by the president pro tempore of the senate;

(9) One representative of electric vehicle manufacturers or dealers, to be appointed by the speaker of the house of representatives;
(10) One representative of conventional motor vehicle manufacturers or dealers, to be appointed by the president pro tempore of the senate;

(11) One representative of the petroleum industry or convenience stores, to be appointed by the speaker of the house of representatives;

(12) One representative of electric vehicle charging station manufacturers or operators, to be appointed by the president pro tempore of the senate; and

(13) One representative of electric utilities, to be appointed by the speaker of the house of representatives.

2. The task force shall analyze the following in the context of transportation funding, and make recommendations as to any actions the state should take to fund transportation infrastructure in anticipation of more widespread adoption of electric vehicles:

(1) Removal or mitigation of barriers to electric vehicle charging, including strategies, such as time-of-use rates, to reduce operating costs for current and future electric vehicle owners without shifting costs to electric ratepayers who do not own or operate electric vehicles;

(2) Strategies for managing the impact of electric vehicles on, and services provided for electric vehicles by, the electricity transmission and distribution system;

(3) Electric system benefits and costs of electric vehicle charging, electric utility planning for electric vehicle charging, and rate design for electric vehicle charging;

(4) The appropriate role of electric utilities with regard to the deployment and operation of electric vehicle charging systems;
(5) How and on what terms, including quantity, pricing, and time of day, charging stations owned or operated by entities other than electric utilities will obtain electricity to provide to electric vehicles;

(6) What safety standards should apply to the charging of electric vehicles;

(7) The recommended scope of the jurisdiction of the public service commission, the department of revenue, and other state agencies over charging stations owned or operated by entities other than electric utilities;

(8) Whether charging stations owned or operated by entities other than electric utilities will be free to set the rates or prices at which they provide electricity to electric vehicles, and any other issues relevant to the appropriate oversight of the rates and prices charged by such stations, including transparency to the consumer of those rates and prices; and

(9) The recommended billing and complaint procedures for charging stations;

(10) Options to address how electric vehicle users pay toward the cost of maintaining the state's transportation infrastructure, including methods to assess the impact of electric vehicles on that infrastructure and how to calculate a charge based on that impact, the potential assessment of a charge to electric vehicles as a rate per kilowatt hour delivered to an electric vehicle, varying such per-kilowatt-hour charge by size and type of electric vehicle, and phasing in such per-kilowatt-hour charge;

(11) The accuracy of electric metering and submetering technology for charging electric vehicles;
(12) Strategies to encourage electric vehicle usage without shifting costs to electric ratepayers who do not own or charge electric vehicles; and

(13) Any other issues the task force considers relevant.

3. The department of revenue shall provide such research, clerical, technical, and other services as the task force may require in the performance of its duties.

4. The task force may hold public meetings at which it may invite testimony from experts, or it may solicit information from any party it deems may have information relevant to its duties under this section.

5. No later than December 31, 2022, the task force shall provide to the general assembly and the governor a written report detailing its findings and recommendations, including identifying any recommendations that may require enabling legislation.

6. Members shall serve on the task force without compensation, but may, at the discretion of the director of the department of revenue, be reimbursed for actual and necessary expenses incurred in the performance of their official duties as members of the task force.

7. The task force shall expire on December 31, 2022.
issue a certificate of ownership, not less than thirty days
after receiving the completed application, provided it is
accompanied by:

(1) An affidavit explaining how the motor vehicle or
trailer was acquired and the reasons a valid certificate of
ownership cannot be furnished;

(2) Presentation of all evidence of ownership in the
applicant's possession;

(3) Title verification from a state in which the
vehicle was previously titled or registered if known,
provided the vehicle was so previously titled or registered;

(4) A notarized lien release from any lienholder of
record;

(5) A vehicle examination certificate issued by the
Missouri state highway patrol, or other law enforcement
agency as authorized by the director of revenue. The
vehicle examination shall include a verification of the
vehicle's identification number and a determination that the
vehicle has not been reported stolen in Missouri or any
other state. The fee for the vehicle examination
certificate shall be twenty-five dollars and shall be
collected by the director of revenue at the time of the
request for the application;

(6) A statement certifying the odometer reading of the
motor vehicle if less than [ten] twenty years of age; and

(7) A surety bond or a suitable financial security
instrument in a form prescribed by the director of revenue
and executed by the applicant and a person authorized to
conduct surety business in this state. The bond shall be an
amount equal to two times the value of the vehicle as
determined by the Kelly Blue Book, NADA Used Car Guide or
two appraisals from a licensed motor vehicle dealer. The
bond shall be for a minimum of one hundred dollars and
conditioned to indemnify any prior owner or lienholder and
any subsequent purchaser of the vehicle or person acquiring
any security interest in it, and their respective successors
in interest, against any expense, loss or damage including
reasonable attorney's fees, by reason of the issuance of the
certificate of ownership of the vehicle or on account of any
defect in or undisclosed security interest upon the right,
title and interest of the applicant in and to the vehicle.
Any such interested person has a right of action to recover
on the bond for any breach of its conditions, but the
aggregate liability of the surety to all persons shall not
exceed the amount of the bond. The bond shall be returned
at the end of three years, unless the department has been
notified of the pendency of an action to recover on the bond.

2. Upon satisfaction with the genuineness of the
application and supporting documents, the director of
revenue shall issue a new certificate of ownership. The
certificate of ownership shall appropriately be designated
with the words "BONDED VEHICLE".

301.280. 1. Every motor vehicle dealer and boat
dealer shall make a monthly report to the department of
revenue, on blanks to be prescribed by the department of
revenue, giving the following information: date of the sale
of each motor vehicle, boat, trailer and all-terrain vehicle
sold; the name and address of the buyer; the name of the
manufacturer; year of manufacture; model of vehicle; vehicle
identification number; style of vehicle; odometer setting;
and it shall also state whether the motor vehicle, boat,
trailer or all-terrain vehicle is new or secondhand. Each
monthly sales report filed by a motor vehicle dealer who
collects sales tax under subsection 10 of section 144.070
shall also include the amount of state and local sales tax
collected for each motor vehicle sold if sales tax was due.
The odometer reading is not required when reporting the sale
of any motor vehicle that is [ten] twenty years old or
older, any motor vehicle having a gross vehicle weight
rating of more than sixteen thousand pounds, new vehicles
that are transferred on a manufacturer's statement of origin
between one franchised motor vehicle dealer and another, or
boats, all-terrain vehicles or trailers. The sale of all
temporary permits shall be recorded in the appropriate space
on the dealer's monthly sales report, unless the sale of the
temporary permit is already recorded by electronic means as
determined by the department. The monthly sales report
shall include a statement of motor vehicles or trailers sold
during the month under subsection 5 of section 301.210. The
monthly sales report shall be completed in full and signed
by an officer, partner, or owner of the dealership, and
actually received by the department of revenue on or before
the fifteenth day of the month succeeding the month for
which the sales are being reported. If no sales occur in
any given month, a report shall be submitted for that month
indicating no sales. Any vehicle dealer who fails to file a
monthly report or who fails to file a timely report shall be
subject to disciplinary action as prescribed in section
301.562 or a penalty assessed by the director not to exceed
three hundred dollars per violation. Every motor vehicle
and boat dealer shall retain copies of the monthly sales
report as part of the records to be maintained at the
dealership location and shall hold them available for
inspection by appropriate law enforcement officials and
officials of the department of revenue. Every vehicle
dealer selling twenty or more vehicles a month shall file
the monthly sales report with the department in an
electronic format. Any dealer filing a monthly sales report
in an electronic format shall be exempt from filing the
notice of transfer required by section 301.196. For any
dealer not filing electronically, the notice of transfer
required by section 301.196 shall be submitted with the
monthly sales report as prescribed by the director.

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

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

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

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

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

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

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

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

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

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

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

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

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

4. Any person is disqualified from driving a
commercial motor vehicle for life who uses a commercial or
noncommercial motor vehicle in the commission of any felony
involving the manufacture, distribution, or dispensing of a
controlled substance, or possession with intent to
manufacture, distribute, or dispense a controlled substance.

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

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

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

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

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

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

11. Any person convicted of a first violation of an
out-of-service order while transporting hazardous materials
or while operating a motor vehicle designed to transport
sixteen or more passengers, including the driver, is
disqualified for a period of one hundred eighty days.
12. Any person convicted of any subsequent violation of an out-of-service order in a separate incident within ten years after a previous violation, while transporting hazardous materials or while operating a motor vehicle designed to transport fifteen passengers, including the driver, is disqualified for a period of three years.

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

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

15. Any person disqualified from operating a commercial motor vehicle pursuant to subsection 1, 2, 3 or 4 of this section shall have such commercial driver's license cancelled, and upon conclusion of the period of disqualification shall take the written and driving tests and meet all other requirements of sections 302.700 to 302.780. Such disqualification and cancellation shall not be withdrawn by the director until such person reapply for a commercial driver's license in this or any other state after meeting all requirements of sections 302.700 to 302.780.

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

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

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

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

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

2. Odometer fraud in the third degree is a class C misdemeanor.
407.536. 1. Any person transferring ownership of a motor vehicle previously titled in this or any other state shall do so by assignment of title and shall place the mileage registered on the odometer at the time of transfer above the signature of the transferor. The signature of the transferor below the mileage shall constitute an odometer mileage statement. The transferee shall sign such odometer mileage statement before an application for certificate of ownership may be made. If the true mileage is known to the transferor to be different from the number of miles shown on the odometer or the true mileage is unknown, a statement from the transferor shall accompany the assignment of title which shall contain all facts known by the transferor concerning the true mileage of the motor vehicle. That statement shall become a part of the permanent record of the motor vehicle with the Missouri department of revenue. The department of revenue shall place on all new titles issued after September 28, 1977, a box titled "mileage at the time of transfer".

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

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

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

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

(2) Where the transferor has submitted an explanation
why this mileage is incorrect, an asterisk shall follow the
mileage on the face of the title or document of ownership
issued by the Missouri department of revenue. The asterisk
shall reference to a statement on the face and at the bottom
of the title document which shall read as follows: "This is
not the true and accurate mileage of this motor vehicle.
Consult the documents on file with the Missouri department
of revenue for an explanation of the inaccuracy.". Further
wording shall be included as follows:

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

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

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

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

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

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

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

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

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

(2) Any motor vehicle that is twenty years old or older;

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

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