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

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**Title 12—DEPARTMENT OF
REVENUE
Division 10—Director of Revenue
Chapter 24—Drivers 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				
DRIVER'S LICENSE DEPOSIT RECEIPT				
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			Address	
This receipt is valid until _____				
Month		Day	Year	
DEPOSITED LICENSE INFORMATION				
Name: Last			First	Initial
Street Address			Driver's License Number	Restriction Codes
City			State	Zip
Date of Birth			Height	Weight
Eye Color			License Class	Motorcycle qualified: <input type="checkbox"/> Yes <input type="checkbox"/> No
Receipt issued by: _____				
Name			Title	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) Any person aggrieved by a decision of the department rendered at an administrative hearing pursuant to section 302.530, RSMo shall file an appeal for judicial review within fifteen (15) days after being notified by certified letter of the department's decision or the decision shall be final.

(2) The appeal from the decision of the department shall be in the form of a petition for trial de novo. The petition shall be filed in the circuit court of the county where the arrest occurred. The trial de novo shall be conducted pursuant to the Missouri rules of civil procedure and not as an appeal of an administrative decision pursuant to Chapter 536, RSMo. Process shall be served personally upon the director of revenue, Harry S Truman State Office Building, Room 660, 301 West High Street, Jefferson City, MO 65105. The case shall be decided by the judge sitting without a jury.

(3) If the person files a timely petition for trial de novo under section 302.535.1., RSMo and if the person's driving record shows no prior alcohol-related enforcement contact during the immediately preceding five (5) years, the petitioner shall be issued a restricted driving privilege for the limited purpose of driving in connection with the petitioner's business, occupation, employment or formal program of secondary, post-secondary or higher education. The restricted driving privilege shall not be issued until the petitioner has completed the first thirty (30) days of a 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: 302.525, RSMo Supp. 1991, 302.530 and 302.535, RSMo 1986.* 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.

*Original authority: 302.525, RSMo 1983, amended 1984, 1991 and 302.530 and 302.535, RSMo 1983, amended 1984.

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, Drivers and Vehicle Services 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) If the person is a holder of a valid drivers license issued by this state, and if the person's drivers license has not been previously surrendered, it must be surrendered at the time the request for hearing is made. Failure to surrender the license shall be deemed a waiver of the right to an administrative hearing absent good cause shown in writing at the time a request for hearing is made.

(A) If the person's license has been lost, destroyed or stolen, and s/he is not currently

suspended or revoked for any reason, s/he must apply for a duplicate license and surrender the sixty (60)-day driving receipt with the hearing request.

(B) If the person's license has been lost, destroyed or stolen, and s/he is currently suspended or revoked, s/he must submit a notarized affidavit of lost, destroyed or stolen license with the hearing request.

(3) 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.

(4) 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.

(5) 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.

(6) 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.

(7) 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.

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

(9) 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.

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

(11) 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 2000. 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.

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

12 CSR 10-24.040 Completion Date 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 drivers license has been suspended or revoked pursuant to sections 302.500–302.540, 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 302.500–302.540, RSMo.

(2) The department may waive this requirement only upon evidence of the following:

(A) Completion of a comparable program as determined by the director of revenue. Completion of the program shall be accepted only if it contains professional assessment of the individual needs of the person suspended and is completed after the date of arrest for which the license was suspended pursuant to sections 302.500–302.540, RSMo; or

1. Each program must contain a professional assessment of the person and must include recommendations for a particular type or level of program based on the assessment and driving record of the person. Completion of the items and recommendations in the assessment must be demonstrated to the Department of Revenue before the program will be considered comparable to Substance Abuse Traffic Offender Programs (SATOPs). Each level of recommendation may include, but is not limited to, the following:

A. First Level: A ten to fifteen (10–15)-hour education course which is de-

signed to assist first-time offenders in understanding the choices they made that led to their intoxication and arrest. Education must include ways to take responsibility for actions, relate the course to their lives, and make changes in their thinking, belief, and behavior;

B. Second Level: A program designed primarily for repeat offenders or “high risk” first-time offenders with intensive education and counseling intervention methods throughout with at least forty-eight (48) continuous hours of structured activities. Activities must be designed to encourage the offender to confront his/her harmful behavior and take responsibility for his/her life. The program must be conducted in a restrictive environment;

C. Third Level: A program consisting of intensive outpatient counseling for three to six (3–6) weeks based on the needs of the persistent or “high risk” offender. Each offender must participate in and complete a minimum of fifty (50) total hours of treatment activity consisting of individual counseling, group counseling and group education at a certified treatment facility. These programs must be certified by the appropriate agency in the state in which they are conducted and/or be accredited by the Joint Commission on Accreditation of Health Care Organization (JCAHO), the Commission on the Accreditation of Rehabilitation Facilities (CARF), or the American Osteopathic Association (AOA); and

D. Fourth Level: A minimum of two hundred (200) treatment hours of either hospitalization and/or outpatient counseling for persons with alcoholism and/or drug abuse prior to or in conjunction with the assessment. These programs must be accredited by the appropriate agency in the state in which they are conducted and/or the Joint Commission on Accreditation of Health Care Organizations (JCAHO), the Commission on the Accreditation of Rehabilitation Facilities (CARF), or the American Osteopathic Association (AOA).

(B) Establishment of residency in another state; provided, the person has applied for a drivers license in that state.

AUTHORITY: sections 302.342 and 302.540, RSMo 1994. 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.*

**Original authority: 302.342, RSMo 1991 and 302.540, RSMo 1983, amended 1984.*

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 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" or a state, county or municipal violation of "driving while suspended/revoked";

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

(D) The suspension or revocation on the driver record was reinstated more than five (5) years previously and did not involve the failure to maintain financial responsibility as provided in section 303.041, RSMo;

(E) 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;

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

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

(H) 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. 2001.**

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.

**Original authority: 302.286, RSMo 2001; 302.304, RSMo 1961, amended 1972, 1973, 1979, 1983, 1984, 1989, 1991, 1996, 1999, 2001; 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. 1989. 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.*

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



MISSOURI DEPARTMENT OF REVENUE
DRIVERS EXAMINATION RECORD

DATE				
NEW	EXP	OS	E	CITED
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DRIVERS LICENSE NUMBER				STATE	EXPIRES	CLEARANCE REQUIRED	
/ /					/ /	<input type="checkbox"/> YES <input type="checkbox"/> NO	
NAME (LAST, FIRST, MIDDLE)						SOCIAL SECURITY NUMBER	
/ / /						/ /	
RESIDENCE: STREET OR RFD					CITY, STATE, ZIP CODE		
DATE OF BIRTH	HEIGHT	WEIGHT	EYES/COLOR	SEX	RESTRICTIONS	CLASSIFICATION	
/ /						<input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> M <input type="checkbox"/> PERMIT	
ACUITY	LEFT	RIGHT	BOTH	ROAD SIGNS		<input type="checkbox"/> PASS <input type="checkbox"/> FAIL	
NO AID	20/	20/	20/	COMMENTS			
CORRECTED	20/	20/	20/	_____			
FIELD				_____			
WRITTEN	E	F	M	SCH BUS	_____		
ROAD	E	F	M	_____			
LOCATING CONTROLS	2	4	8	LOCATING CONTROLS	3	5	10
STARTING	1	3	6	CONTROL OF CYCLE	3	5	10
BACKING	1	3	6	BALANCE	FOOT TOUCHES GROUND		5 10
PARALLEL PARKING	1	3	6	TOUCHES BOUNDARY		5	10
PARK ON GRADE	1	3	6	STOPS DURING EXERCISE			
START ON GRADE	1	3	6	TIME	5	10	15 20
FIRST TRAFFIC LIGHT	1	3	6	WEAVE	SKIPS OR HITS CONES		5 10
SECOND TRAFFIC LIGHT	1	3	6	FOOT TOUCHES GROUND		5	10
FIRST STOP SIGN	1	3	6	SHIFTING	IMPROPER SHIFT		5 10
SECOND STOP SIGN	1	3	6	NORMAL STOP		SKID	10
OTHER SIGNS	1	3	6	STOPPED POSITION			
CONTROL OF SPEED	2	4	8	QUICK STOP	TIME		
GENERAL CONTROL	2	4	8	BRAKES TOO SOON		5	10
LANE USAGE	1	3	6	TOO FAST FIRST RUN			
RIGHT TURN	FIRST		SECOND		TOO SLOW FIRST RUN		
SIGNAL	1	2	4	1	2	4	IMPROPER SPEED SECOND RUN
SPEED	1	2	4	1	2	4	FRONT WHEEL RAISED WHEN STARTING
LANE	1	2	4	1	2	4	DISTANCE
LEFT TURN	FIRST		SECOND		IMMEDIATE FAILURE		TOTAL POINTS
SIGNAL	1	2	4	1	2	4	<input type="checkbox"/> FAILS TO FOLLOW INSTRUCTIONS
SPEED	1	2	4	1	2	4	<input type="checkbox"/> DROPS MOTORCYCLE
LANE	1	2	4	1	2	4	<input type="checkbox"/> UNSAFE ACT
EXAMINER (LAST NAME)	BADGE NUMBER		TEST SITE LOCATION		2 WHEEL	3 WHEEL	
AUTHORIZED SIGNATURE						BADGE NUMBER	
I AM NOT SUSPENDED OR REVOKED IN MISSOURI OR ANY OTHER STATE.							
APPLICANT SIGNATURE							
D4R (5-91) DOR-100 (5-91) MO 860-1530 (5-91)				DISTRIBUTION: WHITE - EXAMINERS FILE YELLOW - ATTACH TO APPLICATION FOR LICENSE PINK - ATTACH TO RECEIPT FOR LICENSE		CONTROL NUMBER B076001	

SAMPLE

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 Drivers License 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 drivers license or a person renewing a license 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 with restrictions as described in sections (5)–(8) or may deny a license 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 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 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; and

(C) 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 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 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.

(8) A restriction may be removed or waived from the drivers license 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 drivers license.

AUTHORITY: section 302.175, RSMo 1994. 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.*

**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

PURPOSE: This rule establishes procedures to issue a drivers license to a person under an assumed or common use name.

(1) When a person applies for a Missouri drivers license or nondriver license in a name other than what is indicated on personal documents accepted by the department for identification, the department shall issue a drivers license or nondriver license in the assumed or common use name provided the applicant completes an affidavit of name change on a form prescribed by the department to be maintained as a permanent record. That affidavit shall advise the applicant of penalties of Missouri law for making a false statement.

(2) In order to provide proof of use of the assumed or common use name, the person shall provide one (1) document to the director which contains the name to be used. This document shall be required in addition to the affidavit described in section (1) of this rule. Documents acceptable to the director may include, but may not be limited to:

- (A) Passport;
- (B) Nondriver license;
- (C) Birth certificate;
- (D) Social Security card;
- (E) Medical record(s);
- (F) School record(s);
- (G) Bank record(s);
- (H) Marriage license;
- (I) Divorce decree; or
- (J) Court order.

AUTHORITY: section 302.171, RSMo Supp. 1995. 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.*

**Original authority: 302.171, RSMo 1951, amended 1955, 1984, 1989, 1991, 1995.*



MO 860-0012 (2-86)

DOR-2613 (2-86)

Driver License Bureau Affidavit

I, _____, license number _____
swear under oath that:

I have changed my name:
 FROM: _____
 TO: _____
 TO: _____
 BY MEANS OF: Common Usage Marriage Divorce Adoption Other _____
 SUPPORTIVE DOCUMENTS (List): _____

- I do not possess and have never been issued a Social Security number. I understand that failure to disclose my Social Security Number for Missouri driver license purposes will result in the revocation of my license.
- I have not received my driver license issued and mailed by the Department of Revenue on _____. Should I receive the driver license, I will return it to the Department of Revenue immediately. I hereby apply for a duplicate license at no additional cost.
- I have not received my identification card issued and mailed by the Department of Revenue on _____. Should I receive the identification card, I will return it to the Department of Revenue immediately. I hereby apply for a duplicate identification card at no additional cost.
- My driver license, sequential number _____, which will expire on _____, 19_____,
 has been lost, destroyed or stolen is being surrendered.

I FURTHER CERTIFY, under penalty of Chapters 302/303, RSMo, that the foregoing information is true and this sworn affidavit is made without intent to defraud.

Applicant's Signature

Subscribed and sworn to before me on this _____ day of _____, 19____

Notary Public

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 Reissuance of a Missouri Driver License or Nondriver License Not Received After Mailing by the Department

PURPOSE: This rule establishes the procedures to be followed when an applicant for a driver license or nondriver license does not receive the document after mailing by the department.

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

(A) The applicant shall receive a duplicate driver license or nondriver license 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 or nondriver license shall be processed at no additional cost to the applicant; and

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

(2) If the applicant requests any changes on the duplicate Missouri driver license or nondriver license, the fee of seven dollars and fifty cents (\$7.50) for a Class F or Class M license, fifteen dollars (\$15) for a Class E license, twenty dollars (\$20) for a Class A, B or C license, or three dollars (\$3) for a photo nondriver license shall be required. A one dollar (\$1) fee is required for a duplicate non-photo nondriver license.

AUTHORITY: sections 302.181, RSMo Supp. 1999 and 302.185, RSMo 1994.* 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.

*Original authority: 302.181, RSMo 1939, amended 1951, 1961, 1971, 1973, 1979, 1984, 1986, 1989, 1991, 1992, 1995, 1996; 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 Drivers License Retesting Requirements After a License, School Bus Permit or Temporary Instruction Permit Expires

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 drivers license, school bus permit, or temporary instruction permit shall renew that license or permit on or before the date of expiration.

(2) If a person does not renew the drivers license, school bus permit, or temporary instruction permit on or before the date of expiration, the person is allowed a grace period of six (6) months (one hundred eighty-four (184) days) to renew the license, school bus permit, or temporary instruction permit without being required to take the written and /or skills examinations as described in 12 CSR 10-24.060 or 12 CSR 10-24.400. However, the grace period for retesting does not allow the person to continue driving on the expired license, school bus permit, or temporary instruction permit.

(3) If a person is surrendering a license from another state, such person shall be allowed to surrender the license and obtain a Missouri license without being required to take the written and/or skills examinations as described in 12 CSR 10-24.060 provided the surrendered license has not been expired for more than six (6) months (one hundred eighty-four (184) days). This does not entitle the driver to continue to operate a motor vehicle while driving on an expired license.

(4) 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.

AUTHORITY: section 302.173, RSMo Supp. 2001. 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.*

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

12 CSR 10-24.200 Drivers 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) or a registered gross 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 or a registered gross weight 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 property, 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 drivers 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 W 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. section 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 drivers 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 (1000 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 (1000 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.

(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 a school bus permit in accordance with the requirement of section 302.272, RSMo.

(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, a person who takes

the skills test for a Class A license in a vehicle whose combined registered gross weight is twenty-six thousand one (26,001) pounds or more, but whose combined gross vehicle weight rating as specified by the manufacturer is twenty-six thousand (26,000) pounds or less, towing a unit(s) whose gross vehicle weight rating as specified by the manufacturer is greater than ten thousand (10,000) pounds, shall be restricted to operating vehicle combinations or single vehicles with a manufacturer's specified gross vehicle weight rating of twenty-six thousand (26,000) pounds or less.

(18) In addition to any other restrictions prescribed by the director, a person who takes the skills test for a Class B license in a vehicle whose gross registered weight is twenty-six thousand one pounds (26,001 lbs.) or more, but whose gross vehicle weight rating as specified by the manufacturer is twenty-six thousand pounds (26,000 lbs.) or less, shall be restricted to operating vehicles with a manufacturer's specified gross vehicle weight rating of twenty-six thousand pounds (26,000 lbs.) or less.

AUTHORITY: sections 302.015, RSMo 1994 and 302.700, RSMo Supp. 1999. 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.*

**Original authority: 302.015, RSMo 1989 and 302.700, RSMo 1989, amended 1991, 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; and

(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.

(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, the holder must take and successfully complete the Hazardous Materials Test.

(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) 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.

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

(11) 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.

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

(13) 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.

(14) 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 for a period of one (1) year after the director discovers the falsification.

AUTHORITY: sections 302.735, RSMo Supp. 2001 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.*

**Original authority: 302.735, RSMo 1989, amended 1999, 2001 and 302.765, RSMo 1989, amended 1993, 1995.*

12 CSR 10-24.305 Commercial Drivers License Requirements/Exemptions

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

(1) In order to obtain a commercial drivers license, an applicant must take and successfully pass written and driving tests for the operation of a commercial motor vehicle. 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 military 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;

(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.

(2) 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: sections 302.765 and 302.775, RSMo 1994. 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.*

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

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 operations 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 commercial driver's license applicant applying for a Missouri driver's license 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. Every noncommercial driver's license applicant age seventeen (17) or older who is required to complete a new driver's license application must be checked through the National Driver Register as well, except for a noncommercial driver's license applicant holding a valid noncommercial Missouri driver's license and upgrading or downgrading to a noncommercial classification (Class E or Class F) or an applicant applying for a motorcycle permit when he or she has a valid Missouri noncommercial driver's license.

(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, RSMo Supp. 1997 and 302.600, RSMo 1994. 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.*

**Original authority: 302.060, RSMo 1939, amended 1951, 1961, 1982, 1983, 1984, 1987, 1989, 1991, 1996 and 302.600, RSMo 1985.*

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 section 302.311, 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.

(11) Any Missouri public school district and their pupil transportation contractor or Missouri state operated training center is exempt from the requirement and sanctions in the third party tester/examiner requirements stating the third party tester may not both train and test.



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

EXAMINER

VIOLATIONS FIRST OFFENSE SECOND OFFENSE THIRD OFFENSE FOURTH OFFENSE

EXAMINER RECORDKEEPING AND BUSINESS PRACTICES				
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 does not adhere to fee schedule.	Warning letter	30-day suspension.	60-day suspension.	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		
EXAMINER QUALIFICATIONS				
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 lasts 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 re-certification courses as required by the Director every three (3) years or when required based upon audit findings.	Suspension until re-certification course completed.	Decertification		



Examiner fails to report suspension, revocation, cancellation or disqualification.	Suspension up to one year or decertification.			
SKILLS TEST ADMINISTRATION				
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 tests applicant for whom the tester/ examiner provided training. *** See Administrative Rule, Part 11, for exemptions to this policy.	30 day suspension	60 day suspension	Decertification	
Examiner knowingly re-tests failed applicant within same day.	Warning	30-day suspension	60-day suspension	Decertification
Examiner allows unauthorized passengers in the test vehicle during skills testing.	Warning 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

VIOLATIONS	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
TESTER RECORDS AND BUSINESS PRACTICES				
Tester operates without Department of Revenue authorization.	Application denied for minimum of five (5) years.			
Tester does not maintain insurance as required per section 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 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 does not adhere to fee scheduling.	Warning letter to TPT	30 day suspension	60 day suspension	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 to TPT	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 to TPT. If audit cannot be completed, warning letter to TPT 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	30-day suspension.	Decertification	

TEST SITE FACILITIES				
Site does not comply with basic control, pre-trip and skills course layout or space requirements.	Warning and/or up to 30 day suspension	Warning and/or up to 60 day suspension	One (1) year suspension or possible decertification.	Decertification
TEST ADMINISTRATION				
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	30 day suspension	60 day suspension	Decertification
Tester allows examiner to administer skills tests with unauthorized passengers in test vehicle.	Warning	30 day suspension	60 day suspension	Decertification
Tester administers test to employees or students whom the tester has trained. *** See Administrative Rule, Part 11, for exemptions to this policy.	30 day suspension	60 day suspension	Decertification	