



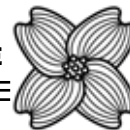
RULES OF

Department of Revenue

Division 10—Director of Revenue

Chapter 25—Motor Vehicle Financial Responsibility

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**TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue**

Chapter 25 – Motor Vehicle Financial Responsibility

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(Rescinded August 30, 1991)

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 Rescinded: Filed March 15, 1991, effective Aug. 30, 1991.

12 CSR 10-25.020 Procedures for Obtaining Securities When a Judgment is Rendered

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

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

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

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

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

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

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

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

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

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

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

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

(3) Failure to request a hearing by the compliance date with the Department of Revenue, Drivers License Bureau, or failure to appear at a hearing in person, by affidavit or by telephone, will preclude that party from obtaining judicial review in the circuit court of the county of the residence of the licensee. The filing of a petition for review under section 303.290.2, RSMo automatically will stay any decision of the director pending the decision of the court; provided, a copy of the petition is filed with the director.

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

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

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

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

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

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



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

(8) Hearing Procedures.

(A) The director or his/her representative shall state to the requesting party that the request for hearing for the Notice of Suspension has been received. Other uninsured parties involved in the case, if any, shall be notified that the Department of Revenue has made a preliminary determination that a party was an uninsured motorist and subject to the Motor Vehicle Financial Responsibility Law, and a request for an administrative hearing has been received. All other insured parties involved in the case, if any, shall be notified that the Department of Revenue has determined the uninsured parties driving and/or registration privileges may be suspended as required by the Motor Vehicle Financial Responsibility Law, and a request for an administrative hearing has been received.

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

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

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

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

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

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

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

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

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

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

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

(Rescinded May 30, 2024)

AUTHORITY: section 303.290, RSMo 2000. This version of rule filed April 23, 1975, effective May 5, 1975. Amended: Filed Oct. 22, 1997, effective April 30, 1998. Amended: Filed July 26, 2004, effective Jan. 30, 2005. Rescinded: Filed Nov. 8, 2023, effective May 30, 2024.

12 CSR 10-25.050 Filing a Report of an Accident With the Director of Revenue

(Rescinded June 30, 2018)

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

12 CSR 10-25.060 Insurance Identification Cards

(Rescinded June 30, 2018)

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

12 CSR 10-25.070 Power of Attorney

(Rescinded June 30, 2018)

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

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

(Rescinded June 30, 2018)

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

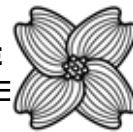
12 CSR 10-25.090 Fees Assessed for Failure to Surrender Drivers License or Registration Plates After Suspension

(Rescinded July 30, 2000)

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

12 CSR 10-25.100 Distribution of Fees

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



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

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

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

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

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

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

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

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

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

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

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

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

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

(C) A list of all vehicles registered in the name of the company or individual. This list must contain at least twenty-six (26) vehicles and each vehicle must be described by make, model, year of manufacture, vehicle identification number, title number and vehicle registration number.

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

(3) Self-insurance authorization shall be valid for one (1) year

from the date approved by the director unless otherwise terminated.

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

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

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

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

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

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

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

PURPOSE: This rule establishes how certain religious denominations may apply for a self-insurance certificate pursuant to the provisions of section 303.220, RSMo.

(1) Applicants for self-insurance authorization will complete an application in a form prescribed by the director of revenue which will include the following:

(A) A notarized affidavit, as prescribed by the director of revenue, on which the affiant swears or affirms to the following:

1. That the religious denomination and all its members are discouraged from purchasing insurance, of any form, as being contrary to the religious denomination's tenets; and

2. That there are at least twenty-six (26) members in the religious denomination who own motor vehicles;

(B) A list, which is attached to the affidavit required by subsection (1)(A), of all members in the religious denomination who own motor vehicles. There must be at least twenty-six (26) members in the religious denomination who own motor vehicles. The list must include the following information:

1. The full name of the member as shown on the motor vehicle application for registration;

2. The member's current address; and

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

(C) A written explanation of how the religious denomination intends to settle damages or personal injuries caused in a motor vehicle accident by a member, and documentation of



all vehicle claims made against the religious denomination in the past twelve (12) months, and those claims' resolutions, or an attestation that no such claims have been made in the past twelve (12) months;

(D) A statement indicating any limits of liability of coverage by members of the religious denomination, but in no case may the self-insurance provided by the religious denomination be less than the minimum financial responsibility requirements established in Chapter 303, RSMo; and

(E) If applicable, a copy of a membership charter showing affiliation with a larger religious denomination is required when the applicant has fewer than twenty-six (26) members owning motor vehicles in Missouri.

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

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

(4) Renewal of self-insurance authorization may be granted if the religious denomination maintains membership of at least twenty-six (26) members owning motor vehicles. Any addition or removal of members or vehicles as described in, and required by, subsection (1)(B) shall be provided to the director prior to the member or vehicle being self-insured.

(A) The affidavit prescribed by the director in subsection (1)(A) must be completed by all religious denominations every three (3) years.

(B) A list of members and vehicles as described in subsection (1)(B) shall be provided to the director annually.

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

(6) The director will issue a Certificate of Self-Insurance for the organization to print and distribute for vehicles identified by the religious denomination.

(7) The director may request documentary proof from an applicant for self-insurance authorization or a religious denomination issued a Certificate of Self-Insurance to demonstrate that the religious denomination has unencumbered assets equal to at least the minimum financial responsibility requirements established in Chapter 303, RSMo. The religious denomination will have thirty (30) days from the date the request is made to provide the proof required by this section. Failure to timely respond or to provide adequate proof may be considered reasonable grounds to cancel a Certificate of Self-Insurance in accordance with section (8).

(8) The director, upon reasonable grounds and after giving ten (10) days notice, shall cancel a Certificate of Self-Insurance. Reasonable grounds may include, but not be limited to, failure of the self-insured to settle a claim or satisfy a court judgment, receipt of notice of bankruptcy proceedings by the self-insured, failure to provide documentary proof as required by section (7), or evidence establishing the falsity of any information on which the department relies in issuing a Certificate of Self-Insurance. The director shall notify the religious denomination in writing of their decision and provide the religious denomination

an opportunity for a contested administrative hearing. The administrative hearing shall be conducted in accordance with section 303.290, RSMo, and Chapter 536, RSMo.

AUTHORITY: section 303.290, RSMo 2016. Original rule filed Sept. 8, 1989, effective Jan. 26, 1990. Amended: Filed Nov. 26, 1991, effective April 9, 1992. Amended: Filed Sept. 24, 2021, effective March 30, 2022.*

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

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

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

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

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

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

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

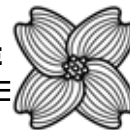
AUTHORITY: section 303.290, RSMo 1994. Original rule filed Aug. 21, 2000, effective Feb. 28, 2001.*

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

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

PURPOSE: This rule establishes the procedures for individuals to notify the director of revenue that a vehicle is inoperable or has been stored and is exempt from the financial responsibility laws pursuant to sections 303.025 and 303.409, RSMo, and how to remove voluntary suspension and payment of any fines owed pursuant to sections 303.025 and 303.041, RSMo.

(1) Proof of inoperability or storage shall be submitted to the director of revenue in the form of a certified statement.



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

(2) To remove the voluntary suspension, the director shall require proof of financial responsibility and a certified statement that the vehicle is operable or no longer being stored. The Department of Revenue will not charge a reinstatement fee for removing the voluntary suspension.

(3) At the court's discretion, any fines owed to the state pursuant to section 303.025, RSMo, may be eligible for payment in installments based on the individual's ability to pay and within a period of time the court determines to be reasonable. Application for such payment plan must be made with the court.

AUTHORITY: section 303.290, RSMo 2016, and section 303.025, RSMo Supp. 2023. Original rule filed Aug. 21, 2000, effective Feb. 28, 2001. Amended: Filed Feb. 6, 2024, effective Sept. 30, 2024.*

**Original authority: 303.025, RSMo 1986, amended 1997, 1999, 2000, 2001, 2010, 2011, 2014, 2022, and 303.290, RSMo 1953, amended 1957, 1986.*

12 CSR 10-25.150 Financial Responsibility Sampling

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

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

(2) All licensed insurance companies, upon request by the director of revenue, shall provide the full name, date of birth, drivers license or Social Security number, and address of the named insured; the make, year, and the vehicle identification number as shown on the company's record of each insured motor vehicle; the policy number, effective date of the policy, and the National Association of Insurance Commissioners (NAIC) identification number. Such information shall be electronically submitted on all active liability policies for a given month by the seventh day of each following month. At such time as the director has a computer system capable of making real-time inquiries or receiving real-time electronic reporting of the policy information reported pursuant to this section, all license insurance companies shall be required to provide all active liability policies in real-time.

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

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

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

(6) For purposes of electronically reporting insurance information pursuant to section 303.026, RSMo, electronic reporting shall be defined as reporting in a manner by which the data is exchanged between the insurance company and the director of revenue through use of the department's computer system without requiring the director to manually enter the information through human intervention.

AUTHORITY: section 303.290, RSMo 2016. Original rule filed Aug. 21, 2000, effective Feb. 28, 2001. Amended: Filed Oct. 28, 2020, effective May 30, 2021.*

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