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

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**Title 12—DEPARTMENT OF
REVENUE**

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

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(Rescinded August 30, 1991)

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 Rescinded: Filed March 15, 1991, effective Aug. 30, 1991.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(8) Hearing Procedures.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) A DOR-1721A Form, Proof of Financial Responsibility Bond, published with this rule, must be completed;

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

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

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

(E) The nature of any and all encumbrances upon property listed in each DOR-1585 Form must be stated;

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

(G) All real estate bonds must be approved by the judge of the circuit court of the county or city in which any real estate listed in the

DOR-1585 Form is situated and must bear the official seal of the circuit court; and

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

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

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

AUTHORITY: section 303.290, RSMo 1994. This version of rule filed April 23, 1975, effective May 5, 1975. Amended: Filed Oct. 22, 1997, effective April 30, 1998.*

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



MISSOURI DEPARTMENT OF REVENUE
 DRIVERS LICENSE BUREAU
 PROOF OF FINANCIAL RESPONSIBILITY BOND

| |
|--------------------------------------|
| FORM 1721A (REV. 10-97) |
|--------------------------------------|

KNOW ALL MEN BY THESE PRESENTS;

WHEREAS, it is provided in the Missouri Financial Responsibility Law that a Surety Bond will be accepted as proof of financial responsibility.

THEREFORE, we _____ as PRINCIPAL, and _____ and _____ as SURETIES, each owning real estate within this state as hereinafter scheduled and together having equities equal in value to at least twice the amount of this bond, are held and firmly bound unto the State of Missouri in the sum of _____ (\$ _____) for the benefit of any person who shall recover any final judgment or judgments for damages against the Principal arising out of a motor vehicle accident for which payment will well and truly be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly be these presents.

The condition of this obligation is such that, whereas the said Principal is required to deposit security as provided in the Financial Responsibility Law, Chapter 303, as a condition to his right to operate a motor vehicle upon the public highways of Missouri, and, in conformity with the provisions of said law.

Now, therefore, if the said _____ as Principal shall pay or satisfy any judgment or judgments rendered against him as a result of a motor vehicle accident, or in any case where such judgment is rendered upon a liability on account of the ownership, maintenance, use or operation of a motor vehicle, or motor vehicles, as a result of a motor vehicle accident herein referred to, provided further that such liability of the surety shall in no event exceed the amount of _____ Dollars, then this obligation shall be void, otherwise to remain in full force and effect until cancelled.

PRINCIPAL

SURETY

BY AUTHORIZED REPRESENTATIVE

NOTARY PUBLIC

| | | | | | |
|---|------------------------------------|-------------------------------|---|-----------|--|
| NOTARY PUBLIC EMBOSSEER OR BLACK INK RUBBER STAMP SEAL | STATE OF MISSOURI | COUNTY (OR CITY OF ST. LOUIS) | ON THIS _____ DAY OF _____ 19____ | BEFORE ME | |
| | NAME OF NOTARY (PRINT OR TYPE) | | A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED | | |
| | NAME OF INDIVIDUAL (PRINT OR TYPE) | | KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE WITHIN | | |
| | TYPE OF DOCUMENT | | AND ACKNOWLEDGE TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES THEREIN STATED | | |
| | NOTARY PUBLIC SIGNATURE | | USE RUBBER STAMP HERE | | |
| | MY COMMISSION EXPIRES | | | | |

MO 860-1817 (10-97)

DOR-1721A (10-97)



MISSOURI DEPARTMENT OF REVENUE
DRIVERS LICENSE BUREAU
JUSTIFICATION OF SURETIES

| |
|-------------------------------------|
| FORM 1585 (REV. 10-97) |
|-------------------------------------|

SURETY

I, _____, being first duly sworn on oath depose and state that I am a resident of the State of Missouri, that I am one of the Sureties in the attached bond. That for the purpose of qualifying on this bond and in accordance with the Financial Responsibility Law, Chapter 303, RSMo, I do hereby schedule the following described real estate to-wit:

Description of Real Estate, nature and extent of Encumbrances, value of surety's interest in real estate, name of holder of legal title.

| |
|--|
| |
| |
| |
| |

Which real estate is worth the full amount stated in the above schedule, less the encumbrances as therein stated and that the net value set out above is the actual value of such real estate. That the foregoing property is scheduled as required by the Financial Responsibility Law of Missouri and is a part and portion of said bond.

| | |
|--------|------|
| SURETY | DATE |
|--------|------|

| | | | |
|---|---|--|--|
| NOTARY | | COUNTY (OR CITY OF ST. LOUIS) | |
| NOTARY PUBLIC EMBOSSER OR BLACK INK RUBBER STAMP SEAL | STATE OF | USE RUBBER STAMP IN CLEAR AREA BELOW. | |
| | SUBSCRIBED AND SWORN BEFORE ME, THIS DAY OF 19 | | |
| | NOTARY PUBLIC SIGNATURE | MY COMMISSION EXPIRES | |
| | NOTARY PUBLIC NAME (TYPED OR PRINTED) | | |

| | | |
|----------------------|-------------------------------|----------------------|
| CIRCUIT JUDGE | COUNTY (OR CITY OF ST. LOUIS) | ON THIS DAY OF 19 |
| STATE OF MISSOURI | | |

Approved and recorded upon the records of this Court by order of the Circuit Judge.

| | | |
|-------|-----------------------------|-------------------------------|
| JUDGE | OF THE CIRCUIT COURT OF THE | JUDICIAL CIRCUIT OF MISSOURI. |
|-------|-----------------------------|-------------------------------|

| | | | |
|--------------------------|----------------------------------|-------------------------------|--|
| RECORDER OF DEEDS | | ON THIS DAY OF 19 | BEFORE ME |
| RECORDER OF DEEDS SEAL | STATE OF MISSOURI | COUNTY (OR CITY OF ST. LOUIS) | |
| | NAME OF RECORDER (PRINT OR TYPE) | | RECORDER OF DEEDS IN AND FOR SAID COUNTY CERTIFY THE WITHIN |
| | TYPE OF DOCUMENT | | WAS DULY FILED FOR RECORD AND IS RECORDED IN THE RECORDS OF THIS OFFICE. |
| | DEPUTY SIGNATURE | BOOK | PAGE TIME <input type="checkbox"/> AM <input type="checkbox"/> PM |
| | RECORDER SIGNATURE | | |
| | MY COMMISSION EXPIRES | USE RUBBER STAMP HERE | |

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

PURPOSE: This rule sets forth the attached form as the form to be utilized in filing accident reports by persons required to make reports pursuant to section 303.040, RSMo.

(1) A special form prescribed by this rule and incorporated by reference at the end of this rule, MO 860-0427, Missouri Motor Vehicle Accident Report Form and Instructions is to be used in the filing of an accident report. No form other than the one prescribed in this rule will be permitted in the filing of an accident report as requested by section 303.040, RSMo.

AUTHORITY: section 303.290, RSMo 1994. 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.*

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



MISSOURI MOTOR VEHICLE ACCIDENT REPORT FORM AND INSTRUCTIONS

FILE THIS REPORT IF:

1. The accident happened in Missouri.
2. One year has not passed since the accident happened.
3. An uninsured motorist was involved in the accident.

AND

4. There is damage to any one person's property in excess of \$500; or there was personal injury or death.

FILING A REPORT:

1. Fill in all blanks on the attached report, if possible.
2. Sign the report.
3. Attach any of the following reports that pertain to this accident.
 - A. Estimate of repair cost for vehicle or other property.
 1. Estimate must be itemized.
 2. Estimate must be signed by the person making the damage appraisal.
 - B. Physician's report.
 1. Physician's report must give a detailed explanation of the type and extent of injury.
 2. Physician's report must be signed by the physician.
 - C. Death certificate or copy of police report which explains details of accident fatality.

**** GENERAL INFORMATION ****

- * It is the responsibility of the operator, not the state, to bring an action at law on the claim of the operator arising out of the accident.
- * The security deposited shall only be applied to the payment of a judgment against the person or persons on whose behalf the deposit was made.
- * The Department of Revenue shall return the deposit to the depositor after the expiration of one year from the date of the accident, or as otherwise provided in Missouri Revised Statute, Section 303.060.



MISSOURI DEPARTMENT OF REVENUE
MOTOR VEHICLE ACCIDENT REPORT

BUREAU CASE NUMBER

| | | | |
|--|---|--|----------------------------------|
| ACCIDENT DATE | TIME <input type="checkbox"/> A.M. <input type="checkbox"/> P.M. | NUMBER OF VEHICLES INVOLVED | STATE IN WHICH ACCIDENT OCCURRED |
| ACCIDENT LOCATION - STREET NAME OR HIGHWAY NUMBER | | AT OR NEAR INTERSECTION | COUNTY |
| WAS A POLICE REPORT MADE ON THIS ACCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO | | IF YES, WHAT POLICE AGENCY MADE THE REPORT | |

LIABILITY INSURANCE INFORMATION: IF ANY OF THIS INFORMATION IS INCOMPLETE, YOU WILL BE CONSIDERED UNINSURED FOR THIS ACCIDENT.

| | | |
|--|-------------------|----------------------|
| AT THE TIME OF THE ACCIDENT, WAS YOUR VEHICLE COVERED BY PROPERTY AND BODILY INJURY LIABILITY INSURANCE? <input type="checkbox"/> YES <input type="checkbox"/> NO | INSURANCE COMPANY | INSURANCE POLICY NO. |
|--|-------------------|----------------------|

| | | | | | | | |
|--|-------------------------|----------|-----------------------|---|-------------------------|-------|------|
| YOUR VEHICLE - DRIVER INFORMATION | | | | YOUR VEHICLE - OWNER INFORMATION | | | |
| DRIVER | SEX | OWNER | OWNER'S DATE OF BIRTH | SEX | | | |
| STREET ADDRESS | | | STREET ADDRESS | | DRIVER'S LICENSE NUMBER | | |
| CITY, STATE | | ZIP CODE | CITY, STATE | | ZIP CODE | | |
| DRIVER'S DATE OF BIRTH | DRIVER'S LICENSE NUMBER | STATE | VEHICLE MAKE/YEAR | TYPE OF VEHICLE | LICENSE PLATE NO. | STATE | YEAR |

OTHER INVOLVED PARTIES

| | | | | | | | |
|---|-------------------------|----------|-----------------------|--|-------------------------|-------|------|
| OTHER VEHICLE - DRIVER INFORMATION | | | | OTHER VEHICLE - OWNER INFORMATION | | | |
| DRIVER | SEX | OWNER | OWNER'S DATE OF BIRTH | SEX | | | |
| STREET ADDRESS | | | STREET ADDRESS | | DRIVER'S LICENSE NUMBER | | |
| CITY, STATE | | ZIP CODE | CITY, STATE | | ZIP CODE | | |
| DRIVER'S DATE OF BIRTH | DRIVER'S LICENSE NUMBER | STATE | VEHICLE MAKE/YEAR | TYPE OF VEHICLE | LICENSE PLATE NO. | STATE | YEAR |

| | | | | | | | |
|---|-------------------------|----------|-----------------------|--|-------------------------|-------|------|
| OTHER VEHICLE - DRIVER INFORMATION | | | | OTHER VEHICLE - OWNER INFORMATION | | | |
| DRIVER | SEX | OWNER | OWNER'S DATE OF BIRTH | SEX | | | |
| STREET ADDRESS | | | STREET ADDRESS | | DRIVER'S LICENSE NUMBER | | |
| CITY, STATE | | ZIP CODE | CITY, STATE | | ZIP CODE | | |
| DRIVER'S DATE OF BIRTH | DRIVER'S LICENSE NUMBER | STATE | VEHICLE MAKE/YEAR | TYPE OF VEHICLE | LICENSE PLATE NO. | STATE | YEAR |

| | | | | | | | |
|---|-------------------------|----------|-----------------------|--|-------------------------|-------|------|
| OTHER VEHICLE - DRIVER INFORMATION | | | | OTHER VEHICLE - OWNER INFORMATION | | | |
| DRIVER | SEX | OWNER | OWNER'S DATE OF BIRTH | SEX | | | |
| STREET ADDRESS | | | STREET ADDRESS | | DRIVER'S LICENSE NUMBER | | |
| CITY, STATE | | ZIP CODE | CITY, STATE | | ZIP CODE | | |
| DRIVER'S DATE OF BIRTH | DRIVER'S LICENSE NUMBER | STATE | VEHICLE MAKE/YEAR | TYPE OF VEHICLE | LICENSE PLATE NO. | STATE | YEAR |

COMPLETE REVERSE SIDE



12 CSR 10-25.060 Insurance Identification Cards

PURPOSE: This rule establishes standards for insurance identification cards (Senate Bill 424, 83rd General Assembly, Second Regular Session).

(1) On and after July 1, 1987, each insurer or agent of an insurer issuing motor vehicle liability policies in Missouri shall provide an insurance identification card to the named insured for each motor vehicle insured.

(2) The insurance identification card must include all of the following information:

- (A) Name and address of insurer;
- (B) Name of the named insured;
- (C) The policy number;
- (D) The beginning and ending effective dates of the policy coverage, including month, day and year;
- (E) The year and make of the insured motor vehicle to include at least the last five (5) digits of the vehicle identification number (VIN); and
- (F) If there are five (5) or more vehicles under common ownership, the word fleet may be used in lieu of describing each vehicle by year, make and VIN.

(3) The following statement must be displayed prominently on the front or back of the insurance identification card: THIS CARD MUST BE CARRIED IN THE INSURED MOTOR VEHICLE FOR PRODUCTION UPON DEMAND.

(4) An insurance identification card, as described in this rule, shall be issued with each new policy (unless five (5) or more vehicles are covered as a fleet), or whenever there is a change of vehicle.

(5) In the event of loss of an original insurance identification card, a replacement card shall be issued at the request of the insured.

(6) To establish uniformity for insurance identification cards, the department recommends using number twenty (20#) white paper stock and card size of three inches by two and one-fourth inches to five and one-half inches by three and three-fourths inches (3" × 2 1/4"—5 1/2" × 3 3/4"). It shall not be a violation of this provision if the insurance identification card does not meet these exact specifications.

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.

*Original authority 1953, amended 1957, 1986.

12 CSR 10-25.070 Power of Attorney

PURPOSE: This rule establishes the procedures for filing proof of financial responsibility by an insurance company not authorized to transact business in Missouri.

(1) Section 303.180, RSMo establishes the statutory authority for proving financial responsibility by an insurance company not licensed to transact business in Missouri.

(2) The department shall accept a written certificate of financial responsibility for a non-resident vehicle owner or operator if the insurance carrier does the following:

- (A) Executes a power of attorney as described in the following form entitled Power of Attorney to Accept Service of Process;
- (B) Executes and certifies a resolution of the insurance company as described in the following form entitled Certified Copy of Resolution; and
- (C) Submits a certificate which conforms to all requirements of Chapter 303, RSMo as prescribed by the department.

(3) An approved power of attorney and resolution authorizes the director to receive and accept service of notice or process in any action arising out of a motor vehicle accident in this state.

(4) An approved power of attorney and resolution shall be valid for a period of three (3) years from date of filing notwithstanding the provisions of section 303.180, RSMo and shall be renewed at the request of the department.

(5) If any insurance company which is not authorized to transact business in Missouri, but has complied with the requirements set out in subsections (2)(A)–(C) of this rule, defaults on the requirements contained in subsections (2)(A)–(C), the director shall no longer accept from the company any certificates of financial responsibility for as long as the default continues. No certificates of financial responsibility previously filed or subsequently tendered shall be accepted for as long as the default continues.

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.

*Original authority 1953, amended 1957, 1986.



POWER OF ATTORNEY TO ACCEPT SERVICE OF PROCESS

KNOW ALL MEN BY THESE PRESENTS -

That the _____ is an insurance corporation, duly organized under and by virtue of the laws of the State of _____, having its principal place of business in _____ in the State of _____ .

That the said _____ has made, constituted and appointed, and does hereby make, constitute and appoint, the Director of Revenue of the State of Missouri its true and Lawful attorney in the State of Missouri, on whom service of notice or process against said company may be made in any action arising out of a motor vehicle accident in the State of Missouri. Said attorney is hereby authorized and empowered to receive and accept such service of notice or process, and such service shall be taken and held as valid as if served upon said Company.

IN WITNESS WHEREOF, said _____ in pursuance of a resolution duly adopted by its Board of Directors, has caused this instrument to be executed in its name by its _____ and _____ and its corporate seal to be hereto affixed this _____ day of _____, 19____ .

By _____

State of)
) ss
County of)

I, _____, a Notary Public in and for the County and State aforesaid, do hereby certify that _____ and _____, personally known to me to be the _____ and _____, respectively, of the _____ and known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered this instrument as their free and voluntary act, and as the free and voluntary act and deed of said _____ for the uses and purposes therein set forth. And the said _____, _____ of said company, did then and there acknowledge and declare that he had affixed thereto the Corporate Seal of said _____, pursuant to the authority granted to him by the by-laws of said _____ Given under my hand and Notarial Seal this _____ day of _____ A.D, 19 ____

Notary Public

(8-91)

CERTIFIED COPY OF RESOLUTION

WHEREAS THE _____ Insurance Company may desire to file with Department of Revenue of the State of Missouri and with the Director thereof, a written certificate of insurance as proof of financial responsibility of one or more of its policy holders under the Statutes of Missouri, and

WHEREAS it is necessary for the said Insurance Company to make several agreements and representations to enable the Department of Revenue and the Director thereof to accept such proof, therefore, be it

RESOLVED by the Board of Directors of the _____ Insurance Company-

- 1. That the President and Secretary of the said Insurance Company be and hereby are authorized to execute a power of attorney constituting and appointing the Director of Revenue of the State of Missouri, the true and lawful attorney of the _____ Insurance Company in any action upon such policy or bond arising out of a motor vehicle accident in the State of Missouri,
2. That in all cases wherein a certificate is filed under said law by said Insurance Company, the insurance policy, declared by said certificate, shall be deemed to be varied to comply with the law of Missouri relating to the terms of a motor vehicle liability policy issued in the State of Missouri,
3. That the said Insurance Company will accept as final and binding any final judgment of any court of competent jurisdiction in the State of Missouri duly rendered in any action arising out of a motor vehicle accident in the State of Missouri.

IT IS HEREBY CERTIFIED that the foregoing resolution was duly adopted by the Board of Directors of the _____ Insurance Company at a meeting of said Board held on the _____ day of _____, 19__.

WITNESS my hand and the seal of said Company this _____ day of _____, 19__.

Secretary



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

PURPOSE: This rule establishes types of documents acceptable to prove financial responsibility when demanded to exhibit by a law enforcement official as provided in section 303.024, RSMo.

(1) The operator of an insured motor vehicle shall exhibit the insurance identification card on the demand of any police officer, commercial vehicle enforcement officer or commercial vehicle inspector who lawfully stops the operator.

(2) If the operators do not exhibit insurance identification cards, they may produce one (1) or more of the following documents as satisfactory evidence of insurance in lieu of an insurance identification card:

(A) A motor vehicle liability insurance policy;

(B) A motor vehicle liability insurance binder;

(C) A receipt showing payment for motor vehicle liability insurance;

(D) A self-insured identification card issued by the department;

(E) A card issued by the department which indicates the motor vehicle owner or operator has filed proof of financial responsibility in accordance with section 303.160, RSMo; and

(F) The vehicle operator is exempt from the provisions of this law in accordance with 303.350, RSMo as it relates to government vehicles and common carriers and no card will be required.

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.

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

12 CSR 10-25.090 Fees Assessed for Failure to Surrender Drivers License or Registration Plates After Suspension (Rescinded July 30, 2000)

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

12 CSR 10-25.100 Distribution of Fees

PURPOSE: This rule establishes procedures for distribution of fees deposited with the

Drivers License Bureau in compliance with Chapters 302 and 303, RSMo.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AUTHORITY: section 303.290, RSMo 1986.* Original rule filed Sept. 8, 1989, effective



Jan. 26, 1990. Amended: Filed Nov. 26, 1991, effective April 9, 1992.

*Original authority 1953, amended 1957, 1986.

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

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

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

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

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

1. The name of the church member as shown on the motor vehicle application;
2. The church member's most current address; and
3. A description of each motor vehicle owned by the church member which is registered in Missouri. The description must include the vehicle year, make, model, vehicle identification number and current registration plate number;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 CSR 10-25.150 Financial Responsibility Sampling

PURPOSE: This rule establishes procedures and guidelines necessary to administer the

sampling of automobile insurance cancellations as provided in section 303.026.3(1), RSMo.

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

(2) All licensed insurance companies, upon request by the director of revenue, shall provide the full name, date of birth, drivers license or Social Security number and address of the named insured; the make, year and the vehicle identification number as shown on the company's record of each insured motor vehicle; the policy number, effective date of the policy and the National Association of Insurance Commissioners (NAIC) identification number. By the seventh day of each month, such information shall be submitted on all active liability policies for the previous month.

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

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

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

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

(7) Insurers with a statistically insignificant number of policies in force shall be exempt from the requirement to electronically report

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

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

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