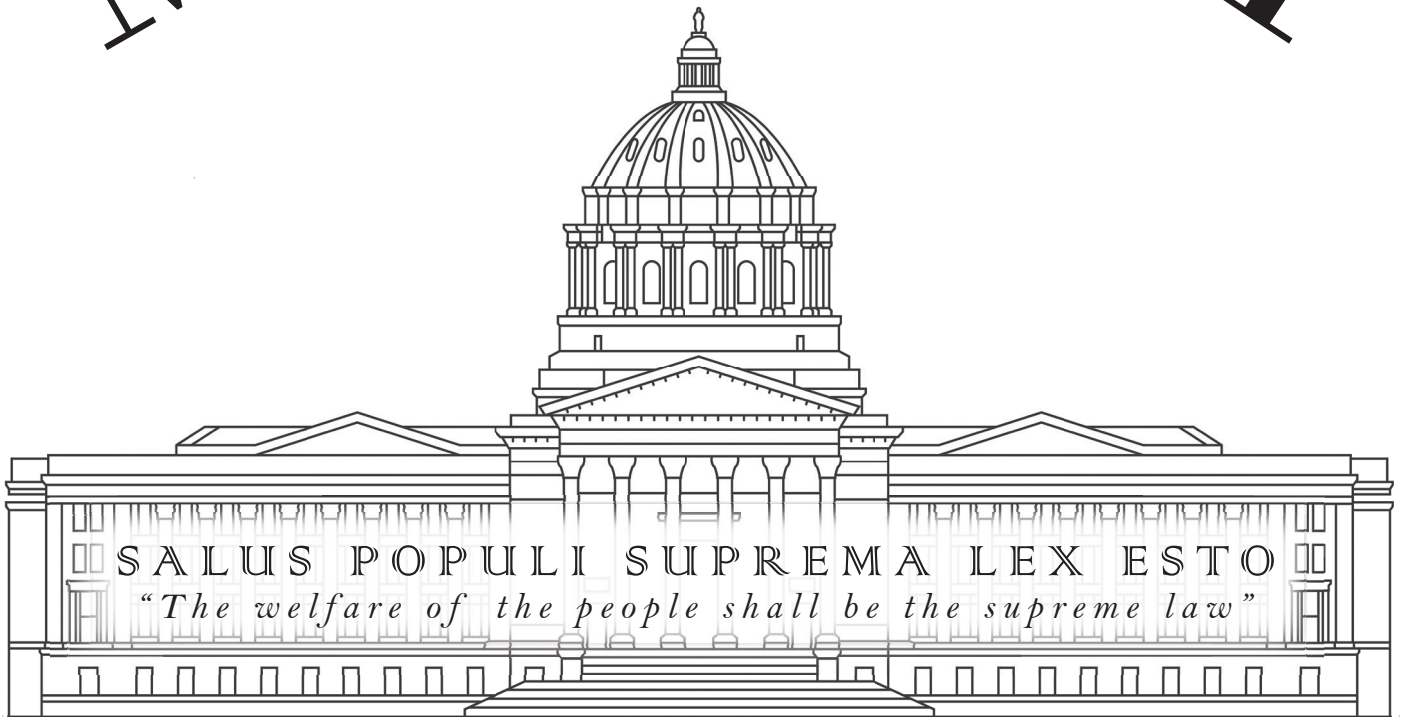


Volume 49, Number 12
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June 17, 2024

MISSOURI



REGISTER

John R. Ashcroft  Secretary of State

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SECRETARY OF STATE

John R. Ashcroft

Administrative Rules Division
James C. Kirkpatrick State Information Center
600 W. Main
Jefferson City, MO 65101
(573) 751-4015

EDITOR-IN-CHIEF
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PUBLICATION SPECIALIST II
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ADMINISTRATIVE AIDE III
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MISSOURI



REGISTER

June 17, 2024

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please see the website at sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES

The rules are codified in the *Code of State Regulations* in this system–

Title	CSR	Division	Chapter	Rule
3 Department	<i>Code of State Regulations</i>	10- Agency division	4 General area regulated	115 Specific area regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation; for example, 3 CSR 10-4.115, NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

Code and Register on the Internet

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is sos.mo.gov/adrules/csr/csr

The *Register* address is sos.mo.gov/adrules/moreg/moreg

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

**EXECUTIVE ORDER
24-06**

WHEREAS, I have been advised by the State Emergency Management Agency that the ongoing and forecasted severe storm systems have caused, or have the potential to cause, damage associated with tornados, straight-line winds, large hail, heavy rains, flooding and flash flooding affecting communities throughout the State of Missouri; and

WHEREAS, interruptions of public services are occurring, or anticipated to occur, as a result of the severe weather event starting on April 25, 2024, and continuing; and

WHEREAS, the severe storm systems beginning on April 25, 2024, and continuing, have the potential to create a condition of distress and hazard to the safety, welfare, and property of the people of the State of Missouri beyond the capabilities of some local jurisdictions and other established agencies; and

WHEREAS, the State of Missouri will continue to be proactive where the health and safety of the people of Missouri are concerned; and

WHEREAS, the resources of the State of Missouri may be needed to assist affected jurisdictions and to help relieve the condition of distress and hazard to the safety and welfare of our fellow Missourians; and

WHEREAS, invoking the provisions of sections 44.100 and 44.110, RSMo, is required to ensure the protection of the safety and welfare of the people of Missouri.

NOW, THEREFORE, I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the laws of the State of Missouri, including sections 44.100 and 44.110, RSMo, do hereby declare that a State of Emergency exists in the State of Missouri and direct the Missouri State Emergency Operations Plan be activated.

I further authorize and direct state agencies to provide assistance as needed.

This Order shall terminate on May 30, 2024, unless extended in whole or in part.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 2nd day of May, 2024.




MICHAEL L. PARSON
GOVERNOR

ATTEST:


JOHN R. ASHCROFT
SECRETARY OF STATE

RECEIVED & FILED

MAY 02 2024

SECRETARY OF STATE
COMMISSIONS DIVISION

The text of proposed rules and changes will appear under this heading. A notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This explanation is set out in the PURPOSE section of each rule. A citation of the legal authority to make rules is also required, and appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules that are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close-of-comments date will be used as the beginning day in the ninety- (90-) day count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice, file a new notice of proposed rulemaking, and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:
Boldface text indicates new matter.
[Bracketed text indicates matter being deleted.]

**TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 70 – Plant Industries
Chapter 25 – Pesticides**

PROPOSED RULE

2 CSR 70-25.005 Certification Allowances and Effective Date of New Categories

PURPOSE: This rule details the certification allowances and effective date of new categories in Chapter 25.

(1) Any certified applicator with a valid license and certification as of December 31, 2024, may continue to renew their license, if applicable, and operate pursuant to their license and certification allowances until such time that their certification expires, except that only licensed noncertified restricted use pesticide (RUP) applicators can use or determine the need

for the use of RUPs under the direct supervision of a certified applicator. Upon expiration of their certification held on December 31, 2024, the certified applicator will be required to obtain the appropriate license and certification required by the Missouri Pesticide Use Act.

AUTHORITY: section 281.025, RSMo 2016. Original rule filed May 15, 2024.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

**TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 70 – Plant Industries
Chapter 25 – Pesticides**

PROPOSED AMENDMENT

2 CSR 70-25.010 Definitions. The department is amending sections (2)–(4), (7)–(11), (15), (16), (20)–(22) and adding sections (6), (12), (13), (14), (17), (18), and (19).

PURPOSE: This amendment will update definitions to reflect regulation updates to 40 CFR Part 171-Certification of Pesticide Applicators.

(2) Agricultural commodity – any plant, **fungus, or algae**, or part **thereof, or any** animal or animal product produced or being produced by a person primarily for sale, consumption, propagation, or other use by man or animals. *[(Producers of an agricultural commodity include farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, sod producers, or other comparable persons.)]*

[(3) Direct supervision or directly supervised by—process by which a competent, noncertified applicator or pesticide technician uses or determines the need for the use of a pesticide while acting under control of a certified applicator, operator or private applicator with a permit. The certified applicator, operator or private applicator with a permit is responsible for the actions of the noncertified applicator or pesticide technician while using or determining the need for the use of a pesticide(s) even though the certified applicator, operator or private applicator with a permit is not present during the use of pesticides. This requires, at a minimum, that—

(A) Certified applicators, operators or private applicators with a permit and noncertified applicators or pesticide technicians work from the same physical location;

(B) While applying pesticides, noncertified applicators or pesticide technicians shall have in their possession either a work

order, job ticket, invoice or similar document for that pesticide application. Each document shall include, at a minimum:

1. Name and license or permit number of the certified applicator, operator or private applicator with a permit providing direct supervision;

2. Name of the noncertified applicator or name and license number of the pesticide technician being directly supervised; and

3. Name of the person requesting the pesticide use and the address or brief description of the pesticide(s) use location and the use date.

(C) The certified applicator providing direct supervision must provide the noncertified applicator or pesticide technician with a complete copy of the label and labeling for each pesticide used by the noncertified applicator or pesticide technician while using pesticides. The noncertified applicator or pesticide technician shall be required to follow all label and labeling directions;

(D) Certified applicators, operators or private applicators with a permit shall be available and, when needed, respond by phone, radio or in person when noncertified applicators or pesticide technicians use pesticides; and

(E) Certified applicators, operators or private applicators with a permit shall be at the pesticide use site when required by the pesticide label.]

(3) Direct supervision or supervise the use of – a process by which –

(A) A noncertified applicator uses or determines the need for the use of a pesticide while acting under the control of a certified commercial applicator; or

(B) A noncertified restricted use pesticide (RUP) applicator uses a restricted use pesticide while acting under the control of a certified noncommercial applicator or certified public operator;

(C) Process requires, at a minimum, that –

1. The certified applicator must be certified in the category of use and is responsible for the actions of the noncertified applicator even though the certified applicator is not present during the process;

2. The certified applicator and noncertified applicator must work from the same physical location and be employed by the same entity;

3. While applying pesticides, the noncertified applicator shall have in their possession either a work order, job ticket, invoice, or similar document for that pesticide application. Each document shall include, at a minimum –

A. The name and license number of the certified applicator;

B. The name and, if applicable, license number of the noncertified applicator; and

C. The name of the person requesting the pesticide application, the address or a brief description of the pesticide application location, and the application date;

4. The certified applicator must provide the noncertified applicator with a complete copy of the label and labeling for each pesticide to be used. The label and labeling must be in the possession of the noncertified applicator while using pesticides. The noncertified applicator shall follow all label and labeling directions;

5. When the label of a pesticide product requires that personal protective equipment be worn for mixing, loading, transferring, applying, or any other use activities, the certified applicator must ensure that the noncertified applicator has clean, label-required personal protective equipment in proper operating condition, and that the

personal protective equipment is worn and used correctly for its intended purpose;

6. Before each day of use, the certified applicator must ensure equipment used by the noncertified applicator for mixing, loading, transferring, or applying pesticides is in proper operating condition as intended by the manufacturer, and can be used without risk of reasonably foreseeable adverse effects on the applicator, other persons, or the environment;

7. The certified applicator shall be available by phone and, when needed, respond in person when the noncertified applicator is using pesticides; and

8. The certified applicator shall be at the pesticide use site when required by the pesticide label.

(4) End user of a pesticide – that individual who uses [or supervises the use of] a pesticide.

(6) Fumigant – a restricted use pesticide used in fumigation.

[(6)](7) In the business of using pesticides – using, supervising the use of, determining the need for the use of, or supervising the determination of the need for the use of any pesticide[s] on the lands of another as a service to the public in exchange for a fee or compensation.

[(7)](8) Label – the written, printed, or graphic matter on, or attached to, the pesticide or device or any of its containers or wrappers.

[(8)](9) Labeling – all labels and other written, printed, or graphic matter accompanying the pesticide or device at any time or to which reference is made on the label or in literature accompanying the pesticide or device. Official publications of the Environmental Protection Agency, the United States Departments of Agriculture, Interior, and Health, Education and Welfare, state experiment stations, state agricultural colleges, and other similar federal or state institutions or agencies authorized by law to conduct research in the field of pesticides are not to be considered labeling.

[(9)](10) Legal age – eighteen (18) years[, unless otherwise provide by law]. Individuals who are sixteen (16) or seventeen (17) years of age and an immediate family member of a certified private applicator are eligible to obtain certification as a certified provisional private applicator.

[(10)](11) Limited rodent fumigation – the use of calcium cyanide dust for rodent control, in accordance with the label or labeling, by applicators certified in the category of General Structural Pest Control, at a distance greater than ten feet (10') from any building or dwelling for the control of rodents associated with, or likely to be associated with, the building or dwelling.

(12) Mishap – an event that adversely affects man or the environment and that is related to the use of or presence of a pesticide, whether the event was unexpected or intentional.

(13) Noncertified applicator – any applicator not holding a valid license as a certified applicator, including pesticide technician trainees, pesticide technicians, or noncertified RUP applicators.

(14) Non-cropland – any land on which agricultural crops have not been planted and will not be planted during the current growing year.

[(11)](15) Ornamentals – trees, shrubs, and other plantings **intended primarily for aesthetic purposes** in and around habitations [generally, but not necessarily, located in urban and suburban areas], including residences, parks, streets, retail outlets, industrial **buildings**, and institutional buildings.

[(12)](16) Outlet – that site, location, place, vehicle, or personage (in the case of an individual who travels from place to place in the business of selling restricted use pesticides) at, or in which, or by whom, restricted use pesticides are sold at retail or otherwise made available to the end user. An outlet shall not necessarily be a site, location, place, or vehicle where restricted use pesticides are merely stored or where the purchaser takes physical possession of the restricted use pesticide after it has been purchased.

(17) Personal protective equipment – devices and apparel that are worn to protect the body from contact with pesticides or pesticide residues, including but not limited to coveralls, chemical-resistant suits, chemical-resistant gloves, chemical-resistant footwear, respirators, chemical-resistant aprons, chemical-resistant headgear, and protective eyewear.

(18) Physical location – principal structure where a certified applicator conducts business that involves the use of pesticides.

(19) Practical knowledge – the possession of pertinent facts and comprehension sufficient to properly perform functions associated with use of pesticides, including properly responding to reasonably foreseeable problems and situations.

[(13)](20) Regulated pest – a specific organism determined by state or federal law to be a pest requiring regulatory restrictions, regulations, or control procedures in order to protect the host, man, [and] or the environment.

[(14)](21) Standards of competence – the level of [excellence in the art of pest control] **knowledge needed for the safe and proper use of pesticides** to be demonstrated by the applicator or operator as a basis for certification or licensing.

[(15)](22) Structure – any edifice or building including the contents, any patio or terrace attached, and the land on which situated, plus any portion of land within the given proprietorship or any adjacent proprietorships which might constitute a potential harborage for pests which could affect the edifice or building or its contents, any portion of land upon which work has begun for the erection of an edifice or building, any wharf, dock, ship, boat, railroad siding, or refuse area, and any vehicle used as a common carrier.

AUTHORITY: section 281.025, RSMo [1986] 2016. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

TITLE 2 – DEPARTMENT OF AGRICULTURE

Division 70 – Plant Industries

Chapter 25 – Pesticides

PROPOSED AMENDMENT

2 CSR 70-25.020 To Whom Licenses Are Issued. The department is amending sections (1) and (3) and adding section (4).

PURPOSE: This amendment simplifies reference language and addresses license transferability.

(1) Licenses issued under the Missouri Pesticide Use Act (the Act) are issued to the individual and not to business entities. Licenses issued under the Act are valid anywhere in Missouri, provided that the licensee notifies the director in writing within ten (10) days of any change of name, business name, address, or any other information affecting licenses issued under sections 281.010 – 281.115, RSMo [(Supp. 1988)].

(3) Nonresident licenses shall be issued in accordance with the provisions for resident licenses, except as provided for in section 281.075, RSMo [(1986)].

(4) Licenses are not transferable to any individual or business.

AUTHORITY: section 281.030, RSMo Supp. [1988] 2023. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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TITLE 2 – DEPARTMENT OF AGRICULTURE

Division 70 – Plant Industries

Chapter 25 – Pesticides

PROPOSED AMENDMENT

2 CSR 70-25.030 Classification of Licenses. The department is amending sections (1)–(4), adding a new section (3), and renumbering as necessary.

PURPOSE: This amendment updates license classifications and provisions relating to license classifications.

(1) **[Pesticide] Certified Applicator [or Operator] Licenses.**

(A) Certified Commercial Applicator License. Certified commercial applicator licenses shall be obtained by individuals who use, supervise the use of, **supervise the determination of the need for the use of**, or determine the need for the use of any pesticide on the lands of another as a service to the public in exchange for a fee or compensation.

(C) Certified Private Applicator License. A certified private applicator license shall be obtained by those individuals who use *for supervise the use of* restricted use pesticides (RUP) as a private applicator as defined in section 281.020(2)(c)d., RSMo [(Supp. 1988)].

(D) Certified Provisional Private Applicator. A certified provisional private applicator license shall be obtained by individuals who use restricted use pesticides as a provisional private applicator as defined in section 281.020(2)(e).

[(D)](E) Certified Public Operator License. A certified public operator license shall be obtained by individuals who use or supervise the use of restricted use pesticides as employees of federal, state, county, or local governmental agencies. A public operator license is valid only when the licensee is functioning as an employee of the agency.

(2) Pesticide Technician License. Individuals under direct supervision of certified commercial applicators, using or determining the need for the use of **general use or minimal risk** pesticides in the category of ornamental and turf pest control, the subcategory of general structural pest control, or the subcategory termite pest control shall obtain a pesticide technician license. The certified commercial applicator must be certified in the same pest control category(ies).

(3) Noncertified RUP Applicator License. A noncertified RUP applicator license shall be obtained by individuals under the direct supervision of certified commercial applicators when using or determining the need for the use of restricted use pesticides. A noncertified RUP applicator license shall be obtained by individuals under the direct supervision of certified noncommercial applicators or certified public operators when using restricted use pesticides.

[(3)](4) Pesticide Dealer License. A pesticide dealer license shall be obtained by those individuals who sell *at retail,* or otherwise make available to the end user~~,~~ any restricted use pesticide.

AUTHORITY: section 281.030, RSMo Supp. [1988] 2023. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

TITLE 2 – DEPARTMENT OF AGRICULTURE

Division 70 – Plant Industries

Chapter 25 – Pesticides

PROPOSED AMENDMENT

2 CSR 70-25.050 Review of Certification or License. The department is amending sections (1), (2), and (4), adding sections (3), (5), (6), (7), (8), and (9), and renumbering as necessary.

PURPOSE: This amendment clarifies training and examination requirements for license holders.

(1) The director may investigate the need for hearings to deny, suspend, revoke, or modify a license~~,~~ or certification *for permit*. These investigations may extend to license qualifications and possible violations of the Missouri Pesticide Use Act.

(2) Additional training or reexamination of certified commercial applicators, certified noncommercial applicators, and certified public operators *shall be* is required within three (3) years from initial certification and within each subsequent three- (3)-~~year~~ year period. Additional training **and reexamination** shall pertain to maintaining competence and meeting the needs of changing technology in the safe and proper use of pesticides~~,~~ through one (1) of the following options:

(A) Certified commercial applicators, certified noncommercial applicators, and certified public operators must attend a recertification training program approved by the department that meets the general standards of competency and category specific standards of competency for each category of certification; or

(B) Certified commercial applicators, certified noncommercial applicators, and certified public operators must pass the general standards of competence exam (CORE) and each category exam for which the applicator is certified.

(3) Additional training of pesticide technicians is required within three (3) years from initial licensing and within each subsequent three- (3)- year period. Pesticide technicians may attend a recertification training program approved by the department that meets the general standards of competency and the category specific standards of

competency for each category in which the technician is licensed or by completing the approved technician classroom training program for each category. Additional training shall pertain to maintaining competence and meeting the needs of changing technology in the safe and proper use of pesticides.

~~[(3)](4)~~ Additional training or reexamination of certified private applicators *[shall be]* is required within five (5) years from initial certification and within each subsequent five- (5-) ~~[-]~~year period. This additional training and reexamination shall pertain to maintaining competence and meeting the needs of changing technology in the safe and proper use of agricultural pesticides~~].~~ through one (1) of the following options:

(A) Certified private applicators must attend a department-approved University of Missouri Extension private applicator in-person or online certification training program that meets the general standards of competency and the category specific standards of competency for each category of certification; or

(B) Certified private applicators must pass the examination for each category of certification: 20–General Agricultural Pest Control, 21–Soil Fumigation Pest Control, 22–Non-Soil Fumigation Pest Control, or 23–Aerial Pest Control.

(5) If successful completion of the additional training or reexamination requirement is not met prior to the CORE, training, or category(ies) expiration date, the CORE or category(ies) becomes invalid. Licensed applicators will be given sixty (60) days from the expiration date to properly comply with the additional training or reexamination requirement.

(A) Use of an invalid license or category during the sixty- (60-) day period following expiration will be in violation of the Act.

(6) Noncertified restricted use pesticide (RUP) applicator (NRUP) licenses will be cancelled if the NRUP training or the CORE examination requirement is not successfully completed within sixty (60) days of the CORE/Training expiration date.

(7) Certified Commercial Applicator, Certified Noncommercial Applicator, and Certified Public Operator licenses will be canceled if the CORE additional training or reexamination requirement is not successfully completed within sixty (60) days of the CORE expiration date.

(A) Categories will be canceled if the additional training or reexamination requirement is not successfully completed within sixty (60) days of the category expiration date. If all categories are canceled, the license will be canceled.

(8) Pesticide Technician categories will be canceled if the retraining requirement is not successfully completed within sixty (60) days of the category expiration date. If all categories are canceled, the license will be canceled, and the individual shall be required to satisfy all the requirements of licensure as if such individual was never licensed.

(9) Certified Private Applicator licenses will be canceled if the additional training or reexamination requirement for Category 20–General Agricultural Pest Control is

not successfully completed within sixty (60) days of the expiration date.

(A) Additional categories will be canceled if the additional training or reexamination requirement is not successfully completed within sixty (60) days of the category expiration date.

AUTHORITY: section 281.110, RSMo [1986] 2016. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

TITLE 2 – DEPARTMENT OF AGRICULTURE

Division 70 – Plant Industries

Chapter 25 – Pesticides

PROPOSED AMENDMENT

2 CSR 70-25.060 Applications for a Certified Commercial Applicator License, *[a]* Certified Noncommercial Applicator License, *[or a]* Certified Public Operator License, *Certified Private Applicator License, Certified Provisional Private Applicator License, Pesticide Dealer License, or Noncertified Restricted Use Pesticide (RUP) Applicator License.* The department is amending the rule title, amending sections (1), (3), (4), (6), and (7), adding section (5), and renumbering as necessary.

PURPOSE: This amendment clarifies the application provisions for pesticide applicators.

(1) *[A form for making a]* Applications for a certified commercial applicator license, *[a]* certified noncommercial applicator license, *[or a]* certified public operator license, **certified private applicator license, certified provisional private applicator license, noncertified RUP applicator license, or pesticide dealer license** will be furnished by *[regular mail upon written request to:]* the Bureau of Pesticide Control, Missouri Department of Agriculture, P.O. Box 630, Jefferson City, MO 65102.

(3) A clear full-face, head and shoulder photograph of the applicant, taken within the preceding twelve (12) months of the date of application~~], and not less than two and one-half inches (2 1/2") square,~~ shall be attached to the application.

(4) *[The director shall keep all documents filed in support of*

an application until such time as the documents are replaced, except that—] Applications are valid for eighteen (18) months from the date received by the director. If a license is not issued within eighteen (18) months from the date received by the director, all documents pertaining to that application may be destroyed.

[(A) If a license is not issued within one (1) year of passing required examinations, all documents pertaining to that application may be destroyed; or

(B) If a license expires for more than one (1) year, all documents pertaining to that license may be destroyed.]

(5) If a license expires for more than one (1) year, all documents pertaining to that license may be destroyed.

[(5)](6) [The applicant shall furnish the director with the following] Applications may contain the following:

(A) Name, including any other names under which the applicant has been known[:];

(B) Last four (4) digits of Social Security number;

(C) Date of birth;

(D) [Physical description] Name and private applicator license number of immediate family member if requesting a certified provisional private applicator license;

(E) [Home] Residential address (no PO Box accepted);

(F) Business/farm name and business/farm address from which pesticides will be used;

(G) Business/farm mailing address;

[(G)](H) Categories in which the applicant requests a license;

[(H)](I) List of present and past employers for the three (3) years prior to application;

[(I) List of three (3) references;]

(J) List of all present and past pesticide licenses, permits, certifications, [or] and registrations;

(K) Explanation of any violation of the statutes of Missouri, any state or protectorate of the United States, or of the federal government which resulted in the denial, suspension, revocation, or modification of a pesticide license, permit, certification, or registration, or issuance of a civil penalty; [and]

(L) Explanation of any criminal prosecution, whether or not sentence was imposed, in which the applicant was found guilty, entered a plea of guilty or *nolo contendere*, or is subject to criminal prosecution under the laws of any state or of the United States, for the following:

1. Offenses reasonably related to the qualifications, functions, or duties of professions regulated under this chapter;

2. Offenses an essential element of which is fraud, dishonesty, or an act of violence; and

3. Offenses involving moral turpitude[:]; and

(M) Private applicators must attest they are a producer of agricultural commodities as defined in the Act.

[(6)](7) Any applicant who willfully makes a false statement in an application may be subject to the provisions of section 281.060, RSMo [(1986)].

AUTHORITY: section 281.035, RSMo Supp. [1989] 2023. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

TITLE 2 – DEPARTMENT OF AGRICULTURE Division 70 – Plant Industries Chapter 25 – Pesticides

PROPOSED AMENDMENT

2 CSR 70-25.070 Requirements for Certified Commercial Applicators [or Public Operators] in Structural Pest Control. The department is amending the rule title and section (1).

PURPOSE: This amendment clarifies structural experience requirements for certified commercial applicators.

(1) Applicants for certified commercial applicator licenses [or public operator licenses] in structural pest control shall meet at least one (1) of the following requirements:

(A) Applicants shall have a minimum of an [A]associate's [of Arts (AA)] degree [or its equivalent] in agriculture, biology, chemistry, or entomology, or twenty (20) credit hours in agriculture, biology, chemistry, or entomology, from an accredited college or university. Evidence of this education shall be in the form of a copy of the degree or official transcript;

(B) Applicants shall have at least one (1) year of experience applying pesticides in accordance with the Missouri Pesticide[s] Use Act (the Act). Experience gained as an inspector or salesperson will not qualify in place of experience gained in applying pesticides. This experience shall be –

1. Gained within the three (3) years prior to the date of application;

2. As an applicator in accordance with the laws of any state or protectorate of the United States in the subcategory of structural pest control [which] that relates to the area of expertise in which the applicant will use pesticides; and

3. Evidenced in a [notarized] statement containing the name, address, and telephone number of the employer [from whom the applicant received the experience], name and license number of the certified commercial applicator(s), certified noncommercial applicator(s), or certified public operator(s) providing direct supervision, and dates of employment; or

(C) Applicants shall have a combination of education and pesticide application experience as follows:

1. Successful completion of [an] a department-approved correspondence course in pest control within three (3) years prior to application for licensure or addition of categories to an existing license;

2. At least six (6) months experience in accordance with the Act within the three (3) years prior to the date of application, as an applicator in accordance with the laws of any state

or protectorate of the United States in the subcategory of structural pest control *[which]* that relates to the area of expertise in which the applicant will use pesticides; and

3. Evidence of the approved correspondence course and pesticide application experience shall include:—

A. A copy of the certificate from the approved correspondence course; and

B. A *[notarized]* statement containing the name, address, and telephone number of the employer *[from whom the applicant received the experience]*, name and license number of the certified commercial applicator(s), certified noncommercial applicator(s), or certified public operator(s) providing direct supervision, and dates of employment.

AUTHORITY: section 281.025, RSMo Supp. [1989] 2023. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed July 8, 1977, effective Oct. 14, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

TITLE 2 – DEPARTMENT OF AGRICULTURE

Division 70 – Plant Industries

Chapter 25 – Pesticides

PROPOSED AMENDMENT

2 CSR 70-25.080 Stipulations for a Certified Commercial Applicator License, [a] Certified Noncommercial Applicator License, [or a] Certified Public Operator License, Certified Private Applicator License, Certified Provisional Private Applicator License, Noncertified Restricted Use Pesticide (RUP) Applicator License, Pesticide Technician License, and Pesticide Dealer License. The department is amending the rule title and sections (1)–(3) and adding sections (4), (5), and (6).

PURPOSE: This amendment clarifies and adds stipulations to pesticide license holders.

(1) No certified *[commercial applicator, certified noncommercial]* applicator, *[or certified public operator]* licensed noncertified RUP applicator, licensed pesticide technician, or pesticide dealer shall use *[his/her]* their license as authority to represent more than one (1) business or employer *[for the purpose of using, supervising the use of or determining the need for the use of pesticides]*.

(2) No certified private applicator, certified provisional private applicator, certified public operator, *[or]* certified noncommercial applicator, or licensed noncertified RUP applicator working under the direct supervision of a certified public operator or certified noncommercial applicator shall use *[his/her]* their license to solicit business from the public.

(3) Certified *[commercial applicators, certified noncommercial]* applicators, *[and certified public operators]* licensed pesticide technicians, and licensed noncertified RUP applicators must display their licenses at all times in a prominent place at the address which shall be printed on the license.

(4) Only certified commercial applicators, certified noncommercial applicators, certified public operators, licensed pesticide dealers, and certified private applicators may purchase restricted use pesticides. Certified commercial applicators, certified noncommercial applicators, certified public operators, and certified private applicators must be certified in the proper categories of certification to purchase and use the RUP.

(5) Certified commercial applicators, certified noncommercial applicators, and certified public operators may convert their existing valid license to a new license classification after meeting the licensing requirements for the new license.

(6) Licenses are invalid upon license expiration.

AUTHORITY: section 281.025, RSMo Supp. [1989] 2023. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

TITLE 2 – DEPARTMENT OF AGRICULTURE

Division 70 – Plant Industries

Chapter 25 – Pesticides

PROPOSED AMENDMENT

2 CSR 70-25.090 Examinations for Certified Commercial Applicators, Certified Noncommercial Applicators, [and] Certified Public Operators, Certified Private Applicators, Certified Provisional Private Applicators, Noncertified Restricted Use Pesticide (RUP) Applicators, and Pesticide

Dealers. The department is amending the rule title and sections (1) and (3)–(6), adding a new sections (3) and (6), and renumbering as necessary.

PURPOSE: This amendment clarifies examination requirements for pesticide applicators.

(1) Applicants for a certified commercial applicator license, [a] certified noncommercial applicator license, or [a] certified public operator license shall take [a] written examinations based on the **general standards of competence and category specific standards of competence** provided in 2 CSR 70-25.110. [When recommended by the director, the applicants shall take a written and oral examination and] Applicants for a certified private applicator license or certified provisional private applicator license may take a written examination for each requested category defined in 2 CSR 70-25.140 based on the standards of competence provided in 2 CSR 70-25.150. Applicants for a noncertified RUP applicator license may take a written examination based on the general standards of competence provided in 2 CSR 70-25.110(3). Applicants for a pesticide dealer license shall take a written examination based on the laws and regulations governing the use and sale of pesticides. Applicants may be required to conduct a practical demonstration of competence, **in addition to written examinations.**

(3) Applicants must present at the time of examination a valid, government-issued photo identification or other form of similarly reliable identification authorized by the director as proof of identity and age to be eligible for certification.

[(3)](4) Any applicant who gives or receives unauthorized assistance during an examination shall be dismissed from the examination and [his/her markings or results] the applicant's examination shall be voided. [Any such person shall be required to make reapplication for a license.]

[(4)](5) Only persons authorized by the director may be in the examination room during the examination. [The director may require identification for all applicants.]

(6) Only director-approved reference material provided by the examination proctor may be used during the examination. All reference material will be collected and examined by the examination proctor to ensure no portion of the reference material has been removed, altered, or destroyed. No portion of any examination or reference material may be copied, photographed, or retained by any person other than a proctor authorized by the director. Examination results shall be voided for any applicant found to have copied, photographed, retained, removed, altered, or destroyed any portion of the examination or reference material.

[(5)](7) Any applicant who fails to attain a passing score of at least seventy percent (70%) on any examination may request [in writing, by regular mail,] to retake the examination [The director will then inform the applicant, in writing, by regular mail, of the time and place the applicant may retake the examination. Upon failing the examination three (3) times, or failing to take the examination as scheduled three (3) times, the applicant shall reapply for a license] through the normal registration process.

[(6)](8) All examination[s taken to satisfy requirements of the Missouri Pesticide Use Act] results are valid for **eighteen (18) months** and shall be retained by the department for at least [one (1) year] **eighteen (18) months** from the examination date [they were completed]. **Following the eighteen- (18-) month period of retention, the examination results will be invalid.** Individuals who do not apply for a license during that [one (1)-year] **eighteen- (18-) month** period must [be reexamined before their license application will be accepted] **reexamine.** Applicants may use valid examinations to apply for additional licenses.

AUTHORITY: section 281.035, RSMo Supp. [1989] 2023. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

**TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 70 – Plant Industries
Chapter 25 – Pesticides**

PROPOSED AMENDMENT

2 CSR 70-25.100 Certification Categories for Certified Commercial Applicators, Certified Noncommercial Applicators, and Certified Public Operators. The department is amending the rule title, sections (1), (3), and (5), removing sections (2) and (4), adding new section (3), and renumbering as necessary.

PURPOSE: This amendment adds certification categories for certain pesticide applicators.

(1) To qualify for a certified commercial applicator license, [a] certified noncommercial applicator license, or [a] certified public operator license, [applicators of pesticides] individuals shall be certified in one (1) or more of the following pesticide applicator categories: Category 1 – Agricultural Pest Control, Subcategory a – Agricultural Plant Pest Control, Subcategory b – Agricultural Animal Pest Control; Category 2 – Forest Pest Control; Category 3 – Ornamental and Turf Pest Control; Category 4 – Seed Treatment; Category 5 – Aquatic Pest Control, **Subcategory b – Sewer Root Pest Control**; Category 6 – Right-of-Way Pest Control; Category 7 – Structural Pest Control, Subcategory a – General Structural Pest Control, Subcategory b – Termite Pest Control, Subcategory c – Fumigation Pest Control; Category 8 – Public Health Pest

Control; Category 9—Regulatory Pest Control; Category 10—Demonstration and Research Pest Control; *[and]* Category 11—Wood Products Pest Control; **Category 12—Soil Fumigation Pest Control; and Category 13—Aerial Pest Control.**

[(2) Commercial applicators, noncommercial applicators and public operators must be certified in at least one (1) of the categories provided in section (1) and may be certified in any number of or any combination of those categories.]

[(3)](2) Those individuals who wish to obtain a certified commercial applicator license, [a] certified noncommercial applicator license, or [a] certified public operator license as authority to conduct demonstrations involving pesticides and devices must be certified in Category 10—Demonstration and Research Pest Control. In addition, those individuals must be certified in the [category, or those] categories[, which] that relate to the area[s] of expertise in which they wish to conduct these demonstrations.

(3) Those individuals who wish to obtain a certified commercial applicator license, certified noncommercial applicator license, or certified public operator license as authority to use any pesticide with any manned or unmanned aircraft, either fixed wing or rotary wing, must be certified in Category 13—Aerial Pest Control, as well as the proper category(ies) of use.

[(4) Commercial applicators, noncommercial applicators and public operators shall be certified in the respective categories only after they have passed an examination based on the standards of competence as provided in 2 CSR 70-25.110.]

[(5)](4) Description of Commercial Applicator, Noncommercial Applicator, and Public Operator Certification Categories.

(A) Category 1—Agricultural Pest Control.

1. Subcategory a—Agricultural Plant Pest Control. This category is provided for *[public operators, noncommercial applicators and commercial applicators who use or supervise the use of] pesticide[s] use relating* to agricultural commodities, including~~[,] but not limited to[,]~~ tobacco, peanuts, cotton, corn, cereal grain, feed grains, soybeans, forages and forage crops, vegetables, small fruits, tree fruits and nuts, grassland and noncrop agricultural lands, greenhouse products, Christmas tree plantings, sod nurseries, *[and]* plant nurseries, and *[who apply pesticides for the conversion of] forested areas to be converted to* agricultural lands.

2. Subcategory b—Agricultural Animal Pest Control. This category is provided for *[public operators, noncommercial applicators and commercial applicators who use or supervise the use of] pesticide[s] use relating* to animals, including~~[,] but not limited to[,]~~ cattle, swine, sheep, furbearing animals, horses, goats, poultry *[and]*, **honey bees**, other livestock, *[and]* wild or exotic animals in captivity, and *[to] places [on or in which] where* animals are confined with the exception of aquatic harborages. This includes those agricultural animals used as work or draft animals and those used as pleasure animals.

(B) Category 2—Forest Pest Control. This category is provided for *[public operators, noncommercial applicators and commercial applicators who use or supervise the use of] pesticide[s in] use relating* to forests, forest nurseries, and forest seed producing areas for the purpose of the propagation and maintenance of those forests, forest nurseries, and forest seed producing areas.

(C) Category 3—Ornamental and Turf Pest Control. This

category is provided for *[public operators, noncommercial applicators and commercial applicators who use, supervise the use of or determine the need for the use of pesticides to control] pesticide use, excluding fumigants, relating to the control* of pests in the care and maintenance of ornamental trees, shrubs, flowers, and turf.

(D) Category 4—Seed Treatment. This category is provided for *[public operators, noncommercial applicators and commercial applicators who use or supervise the use of] pesticide[s] use relating* to seeds.

(E) Category 5—Aquatic Pest Control. This category is provided for *[public operators, noncommercial applicators and commercial applicators who use or supervise the use of] pesticide[s purposefully] use relating* to standing or running water for the control of aquatic pests with the exception of health-related pests.

1. Subcategory b—Sewer Root Pest Control. This subcategory is provided for pesticide use relating to the control of roots within sewer systems.

(F) Category 6—Right-of-Way Pest Control. This category is provided for *[public operators, noncommercial applicators and commercial applicators who use or supervise the use of] pesticide[s in] use relating* to the maintenance of public roads, electric power lines, pipelines, **industrial sites, electric and gas substations, cell phone towers, riprap along banks and shorelines, parking lots, trails, railroad rights-of-way, or** similar areas.

(G) Category 7—Structural Pest Control. This category is provided for *[public operators, noncommercial applicators and commercial applicators who use or supervise the use of] pesticide[s] use in, on, or around* any structure.

1. Subcategory a—General Structural Pest Control. This subcategory is provided for *[public operators, noncommercial applicators and commercial applicators who use, supervise the use of or determine the need for the use of pesticides for] pesticide use relating* to the control of general structural pests with the exception of wood-destroying organisms.

2. Subcategory b—Termite Pest Control. This subcategory is provided for *[public operators, noncommercial applicators and commercial applicators who use, supervise the use of or determine the need for the use of pesticides for] pesticide use relating* to the control of wood-destroying organisms, including~~[,] but not limited to[,]~~ termites, carpenter ants, and powderpost beetles.

3. Subcategory c—Fumigation Pest Control. This subcategory is provided for *[public operators, noncommercial applicators and commercial applicators who use or supervise] the use of fumigants for structural pest control [Certification in this category is not required for those applicators certified in the category of General Structural Pest Control who use calcium cyanide dust for limited rodent fumigation] and mole control.*

(H) Category 8—Public Health Pest Control. This category is provided for *[public operators, noncommercial applicators and commercial applicators who use or supervise the use of] pesticide[s] use* in public health programs *[for] relating* to the management and control of pests having medical and public health importance.

(I) Category 9—Regulatory Pest Control. This category is provided for *[state or federal employees who use or supervise the use of] pesticide[s in] use relating* to the control of regulated pests.

(J) Category 10—Demonstration and Research Pest Control. This category is provided for individuals who demonstrate to the public the proper use *[and techniques of application]* of restricted use pesticides or supervise the demonstration. It is

also provided for individuals **who** conduct[*ing*] field research with pesticides[*,*] and, in doing so, use or supervise the use of restricted[*-*]use pesticides. **The applicant must also be certified in the proper category(ies) of use.**

(K) Category 11 – Wood Products Pest Control. This category is provided for [*public operators, noncommercial applicators and commercial applicators who use or supervise the use of*] pesticide[s] **use relating to the control or prevention of wood-degrading organisms, including[*,*] but not limited to[*,*] insects and the fungi or bacteria causing surface molding, surface staining, sap staining, brown rot, white rot, dry rot, and soft rot.**

(L) **Category 12 – Soil Fumigation Pest Control.** This category is provided for the use of fumigants to soil for the control of pests (excluding moles) found in or on labeled sites.

(M) **Category 13 – Aerial Pest Control.** This category is provided for the use of pesticides applied by any manned or unmanned aircraft, either fixed or rotary wing. **The applicant must also be certified in the proper category(ies) of use.**

AUTHORITY: section[s] 281.035, RSMo Supp. 2023, and section 281.045, RSMo [Supp. 1988] 2016. Original rule filed May 12, 1976, effective Oct. 21, 1976. For intervening history, please consult the Code of State Regulations. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

**TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 70 – Plant Industries
Chapter 25 – Pesticides**

PROPOSED AMENDMENT

2 CSR 70-25.110 Standards of Competence for the Certification of Commercial Applicators, Noncommercial Applicators, [and] Public Operators, and Noncertified Restricted Use Pesticide (RUP) Applicators. The department is amending the rule title, amending section (1), removing sections (2) and (3), and adding new sections (2), (3), and (4).

PURPOSE: This amendment updates the standards of competence for certain pesticide applicators.

(1) Commercial applicators, noncommercial applicators, and public operators shall pass an examination to demonstrate competence in the use of pesticides based on the general

standards of competence and shall pass an examination based on the specific standards of competence for at least one (1) of the certification categories listed in 2 CSR 70-25.100.

[(2) General Standards of Competence for All Certification Categories.

(A) The applicant shall demonstrate a practical knowledge of the format and terminology of pesticide labels and labeling, and an understanding of instructions, warnings, terms, symbols and other information commonly appearing on pesticide labels. The applicant shall demonstrate a practical knowledge of the classification of pesticides as to general or restricted use and must understand the necessity for the use of a pesticide in a manner consistent with its labeling.

(B) The applicant shall demonstrate a practical knowledge of the factors of pesticide safety including pesticide toxicity, hazard to man, and common exposure routes. The applicant must demonstrate a practical knowledge of the types and causes of pesticide accidents, a practical knowledge of the precautions necessary to guard against injury to applicators and other individuals in or near treated areas; a practical knowledge of the need for, and the use of, protective clothing and equipment; a practical knowledge of symptoms of pesticide poisoning; and a practical knowledge of first aid and other procedures to be followed in case of pesticide accidents. The applicator shall demonstrate a practical knowledge of proper identification, storage, transport, handling, mixing procedures and disposal methods for pesticides and used pesticide containers including precautions to be taken to prevent children from having access to pesticides and pesticide containers.

(C) The applicant shall demonstrate a practical knowledge of the environment, including potential environmental consequences of the use, and the misuse, of pesticides as may be influenced by such factors as weather and other climatic conditions; as may be influenced by types of terrain, soil and other substrate; as may be influenced by the presence of fish, wildlife and other nontarget organisms; and as may be influenced by drainage patterns.

(D) The applicant shall demonstrate a practical knowledge of pests and pest recognition, including the common features of pest organisms and the characteristics of pest damage as a means of pest recognition; and a practical knowledge of pest development, including the biology and habits of pests as may be relevant to problem identification in pest control.

(E) The applicant shall demonstrate a practical knowledge of pesticides, including types of pesticides, types of pesticide formulations, compatibility, synergism, persistence and the toxicity of various pesticides and pesticide formulations to animals and plants; a practical knowledge of the hazards and residues associated with pesticide use; a practical knowledge of factors which influence pesticide effectiveness or lead to such problems as resistance to pesticides; and a practical knowledge of dilution procedures.

(F) The applicant shall demonstrate a practical knowledge of pesticide equipment, including the types of equipment and the advantages and limitations of each type, and a practical knowledge of the use, maintenance and calibration of pesticide equipment.

(G) The applicant shall demonstrate a practical knowledge of pesticide application techniques, including methods and procedures used to apply various formulations of pesticide solutions and gases, together with a knowledge of which application technique to use in a given situation; a practical knowledge of the relationship of discharge and placement of a pesticide to the proper use of the pesticide as well as to the unnecessary use of the pesticides; and a practical knowledge

of the prevention of pesticide drift and of pesticide loss into the environment.

(H) The applicant shall demonstrate a practical knowledge of the applicable state and federal laws and regulations.

(3) *Specific Standards of Competence for Certification Categories.*

(A) *Category 1—Agricultural Pest Control.*

1. *Subcategory a—Agricultural Plant Pest Control.* The applicant shall demonstrate a practical knowledge of the crops to which pesticides will be applied and a practical knowledge of the specific pests of those crops. A practical knowledge is required concerning potential soil and water problems, preharvested intervals, reentry intervals, phytotoxicity; and concerning the potential for environmental contamination, the potential for injury to nontarget plants and animals, and the potential for causing community problems resulting from the use of pesticides in agricultural areas.

2. *Subcategory b—Agricultural Animal Pest Control.* The applicant who applies pesticides directly to animals, or to the harborages of animals, must demonstrate a practical knowledge of these animals and their associated pests. A practical knowledge also is required concerning specific pesticide toxicity to animals and concerning the potential for illegal pesticide residues when these animals are to be used for human or animal food. The applicant also must demonstrate a practical knowledge of pesticide formulations and application techniques as they apply to animals of various ages and animals under various types of stress, and a practical knowledge concerning the extent of treatment of those animals.

(B) *Category 2—Forest Pest Control.* The applicant shall demonstrate a practical knowledge of the types of forest, forest nurseries and seed production and a practical knowledge of the pests involved. The applicant shall possess a practical knowledge of the cyclic occurrence of certain pests, and a practical knowledge of specific population dynamics as a basis for programming pesticide applications. Applicants shall demonstrate a practical knowledge regarding nontarget plants and animals and their vulnerability to pesticides. The applicator must demonstrate a practical knowledge of control methods which will minimize the possibility of secondary problems such as the unintended effects on wildlife and which will minimize problems of pollution. The applicator must demonstrate a practical knowledge of specialized equipment, especially as it relates to meteorological factors and adjacent land use.

(C) *Category 3—Ornamental and Turf Pest Control.* The applicant shall demonstrate a practical knowledge of pesticide problems associated with the production and maintenance of ornamental trees, shrubs, plantings and the production and maintenance of turf. The applicant shall demonstrate a practical knowledge concerning potential phytotoxicity (chemical burn of plant tissue) due to a wide variety of plant material involved. The applicant shall demonstrate a practical knowledge concerning pesticide drift and a practical knowledge concerning the persistence of pesticides beyond the intended period of pest control. Because of the frequent proximity of human habitations to application activities the applicant shall demonstrate a practical knowledge of application methods which will minimize or prevent hazards to humans, pets and other domestic animals.

(D) *Category 4—Seed Treatment.* The applicant shall demonstrate a practical knowledge of the types of seeds which require chemical protection against pests and a practical knowledge of factors such as seed coloration, pesticide carriers and surface active agents which influence pesticide binding and may affect germination. The applicant shall demonstrate

a practical knowledge of the hazards associated with the handling, sorting and mixing of treated seed. The applicant shall demonstrate practical knowledge of the problems regarding the misuse of seed treated with pesticides, such as the introduction of treated seed into food and feed channels. The applicant shall demonstrate a practical knowledge concerning the proper disposal of unused treated seed.

(E) *Category 5—Aquatic Pest Control.* The applicant shall demonstrate a practical knowledge of the secondary effects which can be caused by improper application rates, incorrect formulations and the faulty application of those pesticides used in this category. The applicant shall demonstrate a practical knowledge of various water use situations and the potential for downstream adverse effects. The applicant shall demonstrate a practical knowledge of the potential adverse effects of pesticides on nontarget plants, fish, birds, beneficial insects and other organisms which may be present in aquatic environments. The applicant shall demonstrate a practical knowledge of the principles of limited area applications.

(F) *Category 6—Right-of-Way Pest Control.* The applicant shall demonstrate a practical knowledge concerning the wide variety of environments involved in right-of-way pest control. The applicant shall demonstrate a practical knowledge of problems of pesticide run off, pesticide drift and problems of excess foliage destruction. The applicant shall demonstrate a practical knowledge concerning the recognition of target pest organisms involved in right-of-way pest control. The applicant shall demonstrate a practical knowledge of herbicides and the need for containing these pesticides within the right-of-way area. The applicant shall demonstrate a practical knowledge concerning the impact of pesticides on adjacent areas and communities.

(G) *Category 7—Structural Pest Control.*

1. *Subcategory a—General Structural Pest Control.* The applicant shall demonstrate a practical knowledge of a wide variety of structural pests, including the life cycle and habits of these pests. The applicant shall demonstrate a practical knowledge concerning the types of formulations appropriate for the control of these pests. The applicant shall demonstrate a practical knowledge concerning the application of pesticides in a manner to avoid damage to the structure, contamination of food, contamination of the structure and surrounding area and exposure of people and pets. The applicant shall demonstrate a practical knowledge of the specific factors which may lead to a hazardous condition, including continuous exposure in the various situations encountered in this category. The applicant must also demonstrate practical knowledge of environmental conditions relating to outdoor applications of pesticides used in this category.

2. *Subcategory b—Termite Pest Control.* The applicant shall demonstrate a practical knowledge of termites, including their life cycle and habits and a practical knowledge of termite damage. The applicant shall demonstrate a practical knowledge of various associated wood-destroying organisms, including, but not limited to, powder post beetles, carpenter ants and other wood destroying insects. The applicant shall demonstrate a practical knowledge concerning undue exposure to humans, domestic pets and other nontarget organisms; as well as a practical knowledge concerning potential contamination of the environment and associated problems.

3. *Subcategory c—Fumigation Pest Control.* The applicant shall demonstrate a practical knowledge concerning a wide variety of pests associated with those structures subject to fumigation. The applicant shall demonstrate a practical knowledge regarding the use of the various fumigants, including application techniques, and the use of specialized

safety equipment and specialized application techniques. The applicant shall demonstrate a practical knowledge concerning the use of fumigants in a manner to avoid contamination of food and surrounding areas and to prevent exposure of humans and pets. The applicant shall demonstrate a practical knowledge of the specific factors which may lead to a hazardous condition, including continuous exposure in the various situations encountered in this category. The applicant also must demonstrate practical knowledge of environmental conditions relating to outdoor applications of pesticides used in this category.

(H) *Category 8—Public Health Pest Control.* The applicant shall demonstrate a practical knowledge of vector-disease transmission as it relates to, and influences, pesticide application problems. The applicator shall demonstrate a practical knowledge concerning a wide variety of pests involved in public health pest control, including the life histories and habits of these pests. The applicant shall demonstrate a practical knowledge concerning a great variety of environments which range from streams to those conditions found in buildings. The applicant shall demonstrate a practical knowledge of the importance of, and employment of, such nonchemical control methods as sanitation, waste disposal and drainage.

(I) *Category 9—Regulatory Pest Control.* The applicant shall demonstrate a practical knowledge of regulated pests, applicable laws pertaining to pest quarantine and other forms of pest regulation and the potential impact on the environment of pesticides used in suppression and eradication programs. The applicant shall demonstrate a practical knowledge concerning factors influencing introduction, spread and population dynamics of relevant pests. The applicant shall demonstrate a practical knowledge which shall extend beyond that required by the immediate duties of the applicator since the services of the applicator frequently are required in other areas of the country where emergency measures are invoked to control regulated pests and where individual judgements must be made in new situations.

(J) *Category 10—Demonstration and Research Pest Control.* The applicant shall meet comprehensive standards reflecting a broad spectrum of pesticide uses. The applicant shall demonstrate a practical knowledge of problems, pest and population levels occurring in each demonstration or research situation required. The applicant shall demonstrate an understanding of pesticide-organism interactions and the importance of integrating pesticide use with other control methods. The applicant shall not only demonstrate competence in the category of Demonstration and Research Pest Control but also shall demonstrate the category competencies which apply to the area of expertise in which the applicant shall conduct demonstrations and research.

(K) *Category 11—Wood Products Pest Control.* The applicant shall demonstrate a practical knowledge of wood degradation and a general knowledge of pesticides used to prevent or control the degradation. The applicant shall demonstrate an understanding of the pesticides used to preserve wood including a knowledge of solution formulations, application techniques, hazards to man, domestic animals and the environment and the safe and proper means of container storage and disposal.]

(2) Noncertified RUP applicators may pass an examination to demonstrate competence in the use of restricted use pesticides based on the general standards of competence found in section (3) of this rule.

(3) General Standards of Competence for the CORE Examination. The applicant shall demonstrate a practical

knowledge of –

(A) Pesticide labels and labeling, including –

1. The format and terminology of pesticide labels and labeling, and an understanding of instructions, warnings, terms, symbols, and other information commonly appearing on pesticide labels;

2. The classification of pesticides as to general or restricted use and that a pesticide may be unclassified;

3. Understanding labeling requirements relating to supervising noncertified applicators who are working under the direct supervision of a certified applicator;

4. Understanding label requirements that a certified applicator must be physically present at the site of the application;

5. Recognizing and understanding the difference between mandatory and advisory labeling language; and

6. Understanding that they must comply with all use restrictions and directions for use found on the label and labeling, including being certified in the certification category appropriate to the type and site of application and that it is a violation of state and federal law to use any registered pesticide in a manner inconsistent with its labeling;

(B) Applicator pesticide safety, including –

1. Pesticide toxicity, hazards to man, and common exposure routes;

2. The types and causes of pesticide accidents and the precautions necessary to guard against injury to applicators and other individuals in or near treated areas;

3. Understanding the different natures of the risks of acute toxicity, as well as the long-term effects of pesticides;

4. The need for, and the use of, protective clothing and equipment;

5. Symptoms of pesticide poisoning;

6. First aid and other procedures to be followed in case of pesticide accidents; and

7. Proper identification, storage, transport, handling, mixing procedures, and disposal methods for pesticides and used pesticide containers including precautions to be taken to prevent children from having access to pesticides and pesticide containers;

(C) Environment, including –

1. Potential environmental consequences of the use, and the misuse, of pesticides as may be influenced by such factors as weather and other climatic conditions; types of terrain, soil, and other substrate; the presence of fish, wildlife, and other nontarget organisms; and drainage patterns;

(D) Pests and pest recognition, including –

1. The common features of pest organisms and the characteristics of pest damage as a means of pest recognition;

2. Pest development, including the biology and habits of pests, as may be relevant to problem identification in pest control; and

3. Correctly selecting the proper pesticide product(s) for effective pest control and verifying the labeling does not prohibit the use of the product for the control of the target pest(s) or use site;

(E) Pesticides, including –

1. Types of pesticides, types of pesticide formulations, compatibility, synergism, persistence, and the toxicity of various pesticides and pesticide formulations to animals and plants;

2. The hazards and residues associated with pesticide use;

3. Factors which influence pesticide effectiveness or lead to such problems as resistance to pesticides; and

4. Dilution procedures;

(F) Pesticide equipment, including –

1. The types of equipment and the advantages and limitations of each type;

2. The use, maintenance, and calibration of pesticide equipment; and

3. Drift prevention and pesticide loss into the environment;

(G) Application techniques, including –

1. Methods and procedures used to apply various formulations of pesticides and the application technique to use in a given situation;

2. Understanding how selection of application method and use of a pesticide may result in proper use, unnecessary or ineffective use, and misuse;

3. The prevention of pesticide drift and of pesticide loss into the environment; and

4. Which application method to use in a given situation and that use of a fumigant or aerial application requires additional certification;

(H) State and federal pesticide laws and regulations;

(I) Responsibility of certified applicators supervising noncertified applicators, including –

1. Understanding and complying with all regulations for certified applicators who supervise noncertified applicators using general use and restricted use pesticides and the regulatory requirements for recordkeeping for noncertified applicators who have demonstrated competency in the safe use of all pesticides;

2. Providing use-specific instructions to noncertified applicators prior to using general use and restricted use pesticides under the direct supervision of a certified applicator; and

3. Pertinent state and federal pesticide laws and regulations for explanation to noncertified applicators who use general use and restricted use pesticides under the direct supervision of certified applicators; and

(J) Professionalism, including –

1. Understanding of the importance for maintaining chemical security for all pesticides and how to communicate information about pesticide exposure and risks with the public; and

2. Pesticide product stewardship.

(4) Specific Standards of Competence for Certification of Commercial Applicator, Noncommercial Applicator, and Public Operator Categories. The applicant shall demonstrate a practical knowledge of at least one (1) of the following categories:

(A) Category 1 – Agricultural Pest Control, including –

1. Subcategory a – Agricultural Plant Pest Control, including –

A. The crops to which pesticides will be applied;

B. The specific pests of those crops; and

C. Potential soil and water problems, preharvest intervals, reentry intervals, phytotoxicity due to a wide variety of plants to be protected, drift, persistence beyond the intended period of pest control, potential for environmental contamination, potential for injury to nontarget plants and animals, and potential for causing community problems resulting from the use of pesticides in agricultural areas;

2. Subcategory b – Agricultural Animal Pest Control, including –

A. Animals or the harborages of animals to which the pesticides are applied and their associated pests;

B. Specific pesticide toxicity to animals and the potential for illegal pesticide residues when these animals are to be used for human or animal food; and

C. Hazards associated with pesticide formulations and application techniques as they apply to animals of various ages, animals under various types of stress, and the extent of treatment;

(B) Category 2 – Forest Pest Control, including –

1. The types of forest, forest nurseries, seed production, and the pests involved;

2. The cyclic occurrence of certain pests;

3. Specific population dynamics as a basis for programming pesticide applications;

4. Nontarget plants and animals and their vulnerability to pesticides;

5. Control methods which will minimize the possibility of secondary problems such as the unintended effects on wildlife and which will minimize problems of pollution;

6. Specialized equipment, especially as it relates to meteorological factors and adjacent land use;

7. Relevant organisms causing harm and their vulnerability to the pesticides to be applied;

8. How to determine when pesticide use is proper;

9. The selection of application method; and

10. Potential for phytotoxicity due to a wide variety of plants to be protected, drift, and persistence beyond the intended period of pest control;

(C) Category 3 – Ornamental and Turf Pest Control, including –

1. Pesticide problems associated with the production and maintenance of ornamental trees, shrubs, plantings, and the production and maintenance of turf;

2. Potential phytotoxicity (chemical burn of plant tissue) due to a wide variety of plant material involved;

3. Pesticide drift;

4. The persistence of pesticides beyond the intended period of pest control;

5. Application methods which will minimize or prevent hazards to humans, pets, and other domestic animals; and

6. Nontarget exposures;

(D) Category 4 – Seed Treatment, including –

1. The types of seeds which require chemical protection against pests;

2. Factors such as seed coloration, pesticide carriers, and surface active agents which influence pesticide binding and may affect germination;

3. The hazards associated with the handling, sorting, and mixing of treated seed;

4. The problems regarding the misuse of seed treated with pesticides, such as the introduction of treated seed into food and feed channels;

5. The proper disposal of unused treated seed; and

6. The importance of proper application techniques to avoid harm to nontarget organisms;

(E) Category 5 – Aquatic Pest Control, including –

1. The secondary effects which can be caused by improper application rates, incorrect formulations, and the faulty application of those pesticides used in this category;

2. Various water use situations and the potential for downstream adverse effects;

3. The potential adverse effects of pesticides on nontarget plants, fish, birds, beneficial insects, and other organisms which may be present in aquatic environments;

and

4. The principles of limited area applications.

5. Subcategory b – Sewer Root Pest Control.

A. Pesticide labels and labeling including metam-sodium pesticide products used for sewer root pest control.

B. Pesticide safety and the need for the use of personal protective equipment, including problems and mistakes leading to exposure and the signs and symptoms of human and environmental exposure.

C. Equipment used to perform sewer root pest control applications.

D. Proper storage, handling, transport, spills, cleanup, and disposal including the disposal of excess material, waste, and containers;

(F) Category 6 – Right-of-Way Pest Control, including –

1. The wide variety of environments involved in right-of-way pest control;

2. Techniques to minimize nontarget exposure, pesticide run off, pesticide drift, and excess foliage destruction;

3. The recognition of target pest organisms involved in right-of-way pest control;

4. Herbicides and the need for containing these pesticides within the right-of-way area;

5. The impact of pesticides on adjacent areas and communities;

6. Potential for phytotoxicity due to a wide variety of plants and pests to be controlled; and

7. Persistence beyond the intended period of pest control;

(G) Category 7 – Structural Pest Control, including –

1. Subcategory a – General Structural Pest Control, including –

A. A wide variety of structural pests, including signs of their presence, life cycles, biology, and behavior as it may be relevant to problem identification and control;

B. The types of formulations appropriate for the control of these pests;

C. The application of pesticides in a manner to avoid damage to the structure, contamination of food, contamination of the structure and surrounding area, and exposure of people and pets;

D. The specific factors which may lead to a hazardous condition, including continuous exposure in the various situations encountered in this category; and

E. Environmental conditions relating to outdoor applications of pesticides used in this category;

2. Subcategory b – Termite Pest Control, including –

A. Termites, including their life cycle and habits and a practical knowledge of termite damage;

B. Various associated wood-destroying organisms, including but not limited to powderpost beetles, carpenter ants, and other wood-destroying insects;

C. The use of pesticides in a manner to avoid exposure to humans, domestic pets, and other nontarget organisms;

D. Potential contamination of the environment and associated problems; and

E. Types of formulations appropriate for control; and

3. Subcategory c – Fumigation Pest Control, including –

A. Label and labeling comprehension. Familiarity with the pesticide labels and labeling for products used to perform non-soil fumigation, including labeling requirements specific to non-soil fumigants;

B. Safety. Measures to minimize adverse health effects, including all of the following:

(I) Understanding how certified applicators, noncertified applicators, and bystanders can become exposed to fumigants;

(II) Common problems and mistakes that can result in direct exposure to fumigants;

(III) Signs and symptoms of human exposure to fumigants;

(IV) Air concentrations of a fumigant that require applicators to wear respirators or to exit the work area entirely;

(V) Steps to take if a fumigant applicator experiences sensory irritation;

(VI) Understanding air monitoring, when it is required, and where and when to take samples;

(VII) Buffer zones, including procedures for buffer zone monitoring and who is allowed to be in a buffer zone;

(VIII) First-aid measures to take in the event of exposure to a fumigant; and

(IX) Labeling requirements for transportation, storage, spill clean up, and emergency response for non-soil fumigants, including safe disposal of containers and contaminated materials, and management of empty containers;

C. Non-soil fumigant chemical characteristics. Characteristics of non-soil fumigants including all of the following:

(I) Chemical characteristics of non-soil fumigants;

(II) Specific human exposure concerns for non-soil fumigants;

(III) How fumigants change from a liquid or solid to a gas;

(IV) How fumigants disperse in the application zone; and

(V) Compatibility concerns for tanks, hoses, tubing, and other equipment;

D. Application. Selecting appropriate application methods and timing, including all of the following:

(I) Application methods and equipment commonly used for non-soil fumigation;

(II) Site characteristics that influence fumigant exposure;

(III) Conditions that could impact timing of non-soil fumigant application, such as air stability, air temperature, humidity, and wind currents, and labeling statements limiting applications under specific conditions;

(IV) Conducting pre-application inspection of application equipment and the site to be fumigated;

(V) Understanding the purpose and methods of sealing the area to be fumigated, including the factors that determine which sealing method to use;

(VI) Calculating the amount of product required for a specific treatment area;

(VII) Understanding the basic techniques for calibrating non-soil fumigant application equipment; and

(VIII) Understanding when and how to conduct air monitoring and when it is required;

E. Pest factors. Pest factors that influence fumigant activity, including all of the following:

(I) Influence of pest factors on fumigant volatility;

(II) Factors that influence gaseous movement through the area being fumigated and into the air;

(III) Identifying pests causing the damage and verifying they can be controlled with fumigation;

(IV) Understanding the relationship between pest density and application rate; and

(V) The importance of proper application rate and

timing;

F. Personal protective equipment. Understanding what personal protective equipment is necessary and how to use it properly, including all of the following:

(I) Following label directions for required personal protective equipment;

(II) Selecting, inspecting, using, caring for, replacing, and disposing of personal protective equipment;

(III) Understanding the types of respirators required when using specific non-soil fumigants and how to use them properly, including medical evaluation, fit testing, and required replacement of cartridges and canisters; and

(IV) Labeling requirements and other laws applicable to medical evaluation for respirator use, fit tests, training, and recordkeeping;

G. Fumigant management plans and post-application summaries. Information about fumigant management plans and when they are required, including all of the following:

(I) When a fumigant management plan must be in effect, how long it must be kept on file, where it must be kept during the application, and who must have access to it;

(II) The elements of a fumigant management plan and resources available to assist the applicator in preparing a fumigant management plan;

(III) The person responsible for verifying that a fumigant management plan is accurate; and

(IV) The elements, purpose, and content of a post-application summary, who must prepare it, and when it must be completed; and

H. Posting requirements. Understanding posting requirements, including all of the following:

(I) Understanding who is allowed in an area being fumigated or after fumigation and who is prohibited from being in such areas;

(II) Distinguishing fumigant labeling-required posting and treated area posting, including the pre-application and post-application posting time frames for each; and

(III) Proper choice and placement of warning signs;

(H) Category 8 – Public Health Pest Control, including –

1. Vector-disease transmission as it relates to, and influences, pesticide application problems;

2. Pests commonly involved in public health pest control, including the life histories and habits of these pests;

3. Environments and sites commonly found in public health pest control, which range from streams to those conditions found in buildings;

4. The importance of, and employment of, such nonchemical control methods as sanitation, waste disposal, and drainage;

5. How to minimize damage to and contamination of areas treated;

6. Acute and chronic exposure of people and pets; and

7. Nontarget exposures;

(I) Category 9 – Regulatory Pest Control, including –

1. Regulated pests, applicable laws pertaining to pest quarantine and other forms of pest regulation, and the potential impact on the environment of pesticides used in suppression and eradication programs; and

2. Factors influencing introduction, spread, and population dynamics of relevant pests;

(J) Category 10 – Demonstration and Research Pest Control, including –

1. Comprehensive standards reflecting a broad spectrum of pesticide uses;

2. Problems, pests, and population levels occurring in each demonstration or research situation;

3. An understanding of pesticide-organism interactions and the importance of integrating pesticide use with other control methods;

4. Effects of restricted use pesticides on target and nontarget organisms; and

5. The applicant shall demonstrate competence in the category of Demonstration and Research Pest Control and must also be certified in the proper category(ies) of use;

(K) Category 11 – Wood Products Pest Control, including –

1. Wood degradation and a general knowledge of pesticides used to prevent or control the degradation; and

2. An understanding of the pesticides used to preserve wood, including a knowledge of solution formulations, application techniques, hazards to man, domestic animals, and the environment, and the safe and proper means of container storage and disposal;

(L) Category 12 – Soil Fumigation Pest Control, including –

1. Label and labeling comprehension. Familiarity with the pesticide labels and labeling for products used to perform soil fumigation, including all of the following:

A. Labeling requirements specific to soil fumigants;

B. Requirements for certified applicators of fumigants, fumigant handlers, and fumigant handler activities, and the safety information that certified applicators must provide to noncertified restricted use pesticide applicators using fumigants under their direct supervision;

C. Entry-restricted periods for tarped and untarped field application scenarios;

D. Recordkeeping requirements; and

E. Labeling provisions unique to fumigant products containing certain active ingredients;

2. Safety. Measures to minimize adverse health effects, including all of the following:

A. Understanding how certified applicators, noncertified RUP applicators using fumigants under direct supervision of certified applicators, field workers, and bystanders can become exposed to fumigants;

B. Common problems and mistakes that can result in direct exposures to fumigants;

C. Signs and symptoms of human exposure to fumigants;

D. Air concentrations of a fumigant that require that applicators wear respirators or exit the work area entirely;

E. Steps to take if a fumigant applicator experiences sensory irritation;

F. Understanding air monitoring, when it is required, and where and when to take samples;

G. Buffer zones, including procedures for buffer zone monitoring and determining who is allowed to be in the buffer zone;

H. First aid measures to take in the event of exposure to a soil fumigant; and

I. Labeling requirements for transportation, storage, spill cleanup, and emergency response for soil fumigants, including safe disposal of containers and contaminated soil, and management of empty containers;

3. Soil fumigant chemical characteristics. Characteristics of soil fumigants including all of the

following:

- A. Chemical characteristics of soil fumigants;
 - B. Specific human exposure concerns for soil fumigants;
 - C. How soil fumigants change from a liquid or solid to a gas;
 - D. How soil fumigants disperse in the application zone; and
 - E. Compatibility concerns for tanks, hoses, tubing, and other equipment;
4. Application. Selecting appropriate application methods and timing, including all of the following:
- A. Application methods, including but not limited to water-run and non-water-run applications, and equipment commonly used for each soil fumigant;
 - B. Site characteristics that influence fumigant exposure;
 - C. Understanding temperature inversions and their impact on soil fumigant application;
 - D. Weather conditions that could impact timing of soil fumigant application, such as air stability, air temperature, humidity, and wind currents, and labeling statements limiting applications during specific weather conditions;
 - E. Conducting pre-application inspection of application equipment;
 - F. Understanding the purpose and methods of soil sealing, including the factors that determine which soil sealing method to use;
 - G. Understanding the use of tarps, including the range of tarps available, how to seal tarps, and labeling requirements for tarp removal, perforation, and repair;
 - H. Calculating the amount of product required for a specific treatment area; and
 - I. Understanding the basic techniques for calibrating soil fumigant application equipment;
5. Soil and pest factors. Soil and pest factors that influence fumigant activity, including all of the following:
- A. Influence of soil factors on fumigant volatility and movement within the soil profile;
 - B. Factors that influence gaseous movement through the soil profile and into the air;
 - C. Soil characteristics, including how soil characteristics affect the success of a soil fumigant application, assessing soil moisture, and correcting for soil characteristics that could hinder a successful soil fumigant application;
 - D. Identifying pests causing the damage and verifying they can be controlled with soil fumigation;
 - E. Understanding the relationship between pest density and application rate; and
 - F. The importance of proper application depth and timing;
6. Personal protective equipment. Understanding what personal protective equipment is necessary and how to use it properly, including all of the following:
- A. Following labeling directions for required personal protective equipment;
 - B. Selecting, inspecting, using, caring for, replacing, and disposing of personal protective equipment;
 - C. Understanding the types of respirators required when using specific soil fumigants and how to use them properly, including medical evaluation, fit testing, and required replacement of cartridges and canisters; and
 - D. Labeling requirements and other laws applicable to medical evaluation for respirator use, fit tests, training,

and recordkeeping;

7. Fumigant management plans and post-application summaries. Information about fumigant management plans, including all of the following:

A. When a fumigant management plan must be in effect, how long it must be kept on file, where it must be kept during the application, and who must have access to it;

B. The elements of a fumigant management plan and resources available to assist the applicator in preparing a fumigant management plan;

C. The person responsible for verifying that a fumigant management plan is accurate; and

D. The elements, purpose, and content of a post-application summary, who must prepare it, and when it must be completed; and

8. Buffer zones and posting requirements. Understanding buffer zones and posting requirements, including all of the following:

A. Buffer zones and the buffer zone period;

B. Identifying who is allowed in the buffer zone during the buffer zone period and who is prohibited from being in a buffer zone during the buffer zone period;

C. Using the buffer zone table from the labeling to determine the size of the buffer zone;

D. Factors that determine the buffer zone credits for application scenarios and calculating buffer zones using credits;

E. Distinguishing buffer zone posting and treated area posting, including the pre-application and post-application posting time frames for each; and

F. Proper choice and placement of warning signs; and

(M) Category 13 – Aerial Pest Control, including –

1. Labeling. Labeling requirements and restrictions specific to aerial application of pesticides including –

A. Spray volumes;

B. Buffers and no-spray zones; and

C. Weather conditions specific to wind and inversions;

2. Application equipment. Understand how to choose and maintain manned and unmanned aircraft equipment, either fixed or rotary wing, for aerial application, including all of the following:

A. The importance of inspecting aerial application equipment to ensure it is in proper operating condition prior to beginning an application;

B. Selecting proper nozzles to ensure it is in proper operating condition prior to beginning an application;

C. Knowledge of components of an aerial pesticide application system, including pesticide hoppers, tanks, pumps, and types of nozzles;

D. Interpreting a nozzle flow chart;

E. Determining the number of nozzles for intended pesticide output using nozzle flow rate chart, aircraft speed, and swath width;

F. How to ensure nozzles are placed to compensate for uneven dispersal due to uneven airflow from wingtip vortices, helicopter rotor turbulence, and aircraft propeller turbulence;

G. Where to place nozzles to produce the appropriate droplet size;

H. How to maintain the application system in good repair, including pressure gauge accuracy, filter cleaning according to schedule, and checking nozzles for excessive wear;

I. How to calculate required and actual flow rate;
J. How to verify flow rate using fixed timing, open timing, known distance, or a flow meter; and

K. When to adjust and calibrate application equipment;

3. Application considerations. The applicator must demonstrate knowledge of factors to consider before and during application, including all of the following:

A. Weather conditions that could impact application by affecting aircraft engine power, take-off distance, and climb rate, or by promoting spray droplet evaporation;

B. How to determine wind velocity, direction, and air density at the application site; and

C. The potential impact of thermals and temperature inversions on aerial pesticide application;

4. Minimizing drift. The applicator must demonstrate knowledge of methods to minimize off-target pesticide movement, including all of the following:

A. How to determine drift potential of a product using a smoke generator;

B. How to evaluate vertical and horizontal smoke plumes to assess wind direction, speed, and concentration;

C. Selecting techniques that minimize pesticide movement out of the area to be treated; and

D. Documenting special equipment configurations or flight patterns used to reduce off-target pesticide drift;

5. Performing aerial application. The applicator must demonstrate competency in performing an aerial pesticide application, including all of the following:

A. Selecting a flight altitude that minimizes streaking and off-target pesticide drift;

B. Choosing a flight pattern that ensures applicator and bystander safety and proper application;

C. The importance of engaging and disengaging spray precisely when entering and exiting a predetermined swath pattern;

D. Tools available to mark swaths, such as global positioning systems and flags; and

E. Recordkeeping requirements for aerial pesticide applications including application conditions if applicable; and

6. The applicant shall not only demonstrate competence in the category of Aerial Pest Control, but must also be certified in the proper category(ies) of use.

AUTHORITY: section 281.025, RSMo Supp. [1989] 2023. Original rule filed May 12, 1976, effective Oct. 21, 1976. For intervening history, please consult the Code of State Regulations. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 70 – Plant Industries
Chapter 25 – Pesticides

PROPOSED AMENDMENT

2 CSR 70-25.120 Contents of Records Maintained by Certified Commercial Applicators, Certified Non-commercial Applicators, and Certified Public Operators. The department is amending the rule title and sections (1)–(4).

PURPOSE: This amendment clarifies recordkeeping requirements for pesticide applicators.

(1) Certified commercial applicators or their employers shall keep and maintain records for the use of *[any pesticide(s)] all pesticides*. These records shall be completed within three (3) business days from the date of use and be kept for three (3) years in a neat and legible condition.

(2) Certified noncommercial applicators and certified public operators or their employers shall keep and maintain records for the use of restricted use pesticides (RUP). These records shall be completed within three (3) business days from the date of use and be kept for a period of three (3) years in a neat and legible condition.

(3) These records shall be available for inspection by the director *[at a reasonable time]* during regular business hours at the physical location from which certified applicators use or supervise the use of pesticides or, upon request in writing, the director shall be furnished a copy of these records within ten (10) *[working]* days of receipt of request.

(4) These records shall contain the following for each application *[site]*:

(A) Name and license number of the certified applicator *[or operator]* using or supervising the use of pesticides;

(B) Name of the noncertified applicator, name and license number of the noncertified RUP applicator, name of the pesticide technician trainee, or the name and license number of the pesticide technician using the pesticide(s), if applicable;

(C) Application date, start time, and end time;

(F) Size of the area treated (such as square feet, linear feet, acres, etc.) excluding indoor spot and crack and crevice applications;

(G) The site, crop and variety name, commodity, or stored product to which pesticide was applied, if applicable;

[(F)](H) Target [P]pest(s) [controlled or prevented by the pesticide use];

[(G)](I) Complete trade (manufacturer's brand) name(s) from the label(s) of the pesticide(s) used;

*[(H)](J) The United States Environmental Protection Agency (EPA) registration number(s) from the label(s) of the pesticide(s) used and the special local need registration number, if applicable. In lieu of recording the United States EPA registration number(s) for each pesticide use, documentation shall be maintained *[which]* that provides incontrovertible correlation between each pesticide use and the United States EPA registration number(s) of the pesticide(s) used;*

[(I)](K) [Reasonable estimate of t]The [amount of] pesticide(s) [used, and, if applicable, the actual] mixture rate, the total amount of mixture used, and the rate of application expressed

in reasonable and understandable terms, **if applicable**; *[and]*

(L) For pre-mixed, ready-to-use pesticide products, a reasonable estimate of the amount of pesticide used and the actual rate of application expressed in reasonable and understandable terms, **if applicable**;

[(J)](M) [A reasonable estimate of the time,]The air temperature, [average] measured wind speed, and wind direction at the site of outdoor pesticide applications, excluding applications of pesticides in general structural pest control and termite pest control within ten feet (10') of a building[.]; and

(N) A written, signed, and dated request from the agricultural producer requesting the use of a lesser concentration of pesticide than is provided on the pesticide label, **if applicable**.

AUTHORITY: sections 281.035 and 281.045, RSMo Supp. [1990] 2023. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

**TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 70 – Plant Industries
Chapter 25 – Pesticides**

PROPOSED AMENDMENT

2 CSR 70-25.130 Requirements for a Certified Private Applicator License or Certified Provisional Private Applicator License. The department is amending the rule title and section (1).

PURPOSE: This amendment clarifies licensing requirements for private applicators.

(1) *[A] Applicants for a certified private applicator license [will be issued to any private applicator who meets the following requirements] or certified provisional private applicator license shall[.]–*

[(A) Applicants shall submit to the director a verification of training signed by the applicant and an authorized pesticide trainer; and

(B) The applicant shall have attended a private applicator training program provided by the director and presented by the University of Missouri Cooperative Extension Service or the applicant shall have demonstrated competence in the safe and

proper use of pesticides by completing any other program of pesticide training approved by the director.]

(A) Be of legal age;

(B) Be a producer of agricultural commodities as defined in 2 CSR 70-25.010;

(C) Present a valid, government-issued photo identification, or other form of similarly reliable identification approved by the director, as proof of identity and age at the time of the training program or examination to be eligible for certification or recertification;

(D) Obtain certification in Category 20–General Agricultural Pest Control:

1. Applicants for a Certified Private Applicator license shall also obtain certification in the following categories when required by the Act: Category 21–Soil Fumigation Pest Control, Category 22–Non-Soil Fumigation Pest Control, and Category 23–Aerial Pest Control.

2. Applicants for a Certified Provisional Private Applicator license are only eligible for certification in Category 20–General Agricultural Pest Control; and

(E) Meet one (1) of the following three (3) options for each required category:

1. Attend a private applicator certification training program approved by the director as required by section 281.040, RSMo, and provided and presented by the University of Missouri Extension. The individual's attendance of an approved private applicator certification training program and successful demonstration of competency in comprehending pesticide label and labeling directions for use shall be verified by the signature of the University of Missouri Extension instructor and the signature of the individual on a verification document provided by the director. The signed document shall be immediately forwarded to the Missouri Department of Agriculture as proof of attendance and evidence of successful demonstration of competency in comprehending pesticide label and labeling directions for use;

2. Complete a private applicator online certification training program approved by the director as required by section 281.040, RSMo, and provided and presented by the University of Missouri Extension. Immediately following the completion of an online private applicator certification training program, the University of Missouri Extension shall forward verification of the individual's successful completion of the training program, including evidence of the individual's demonstration of competency in comprehending pesticide label and labeling directions for use; or

3. Pass the required private applicator category certification examination(s) based on the standards of competence for Category 20–General Agricultural Pest Control, Category 21–Soil Fumigation Pest Control, Category 22–Non-Soil Fumigation Pest Control, and Category 23–Aerial Pest Control. Passing scores require at least seventy percent (70%).

AUTHORITY: section 281.040, RSMo [1986] Supp. 2023. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

**TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 70 – Plant Industries
Chapter 25 – Pesticides**

PROPOSED RULE

2 CSR 70-25.140 Certification Categories for Private Applicators and Certified Provisional Private Applicators

PURPOSE: This rule details the certification categories for private applicators.

(1) Category 20–General Agricultural Pest Control. This category is provided for private applicators who are required to obtain private applicator certification to use restricted use pesticides for the purpose of producing any agricultural commodity, excluding soil and non-soil fumigants and the aerial application of restricted use pesticides.

(2) Category 21–Soil Fumigation Pest Control. This category is provided for certified private applicators certified in Category 20 who are required to obtain proper category certification for the use of soil fumigants classified as restricted use pesticides for the control of pests found in or on soil during the production of any agricultural commodity.

(3) Category 22–Non-Soil Fumigation Pest Control. This category is provided for certified private applicators certified in Category 20 who are required to obtain proper certification for the use of non-soil fumigants classified as restricted use pesticides for the control of pests in the production and storage of any agricultural commodity.

(4) Category 23–Aerial Pest Control. This category is provided for certified private applicators certified in Category 20 who are required to obtain proper category certification to apply restricted use pesticides with manned or unmanned aircraft, either fixed wing or rotary wing, in the production of any agricultural commodity.

AUTHORITY: section 281.040, RSMo Supp. 2023. Original rule filed May 15, 2024.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be

considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

**TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 70 – Plant Industries
Chapter 25 – Pesticides**

PROPOSED AMENDMENT

2 CSR 70-25.150 [Course of Instruction and] Standards of Competence for [Certified] the Certification of Private Applicators. The department is amending the rule title, deleting sections (1)–(3), and adding new sections (1)–(6).

PURPOSE: This amendment clarifies the standards of competence for private applicators.

[(1) Certified private applicators shall attend a course of instruction approved by the director as required by section 281.040, RSMo (1986). The course of instruction shall encompass the standards of competence as provided in section (2) of this rule. Private applicators also shall be instructed as to the general pest problems and general pest control practices associated with agricultural operations, proper storage, application, handling and disposal of pesticides and pesticide containers and the legal responsibilities of private applicators.

(2) Standards of Competence.

(A) The recognition of common agricultural pests and the recognition of the damage caused by these pests;

(B) The reading and understanding of the label and labeling information, including the common name of the pesticide; the pest to be controlled; timing and methods of the application of the pesticide; safety precautions; pre-harvest intervals; reentry intervals and disposal procedures for pesticides and pesticide containers;

(C) The application of pesticides in accordance with label and labeling instructions and warnings, including the ability to prepare the proper concentration of the pesticides to be used under particular circumstances, taking into account factors such as the area to be covered, speed in which application equipment will be driven and the quantity to disperse in a given period of operation;

(D) The recognition of local environmental situations that must be considered during application to avoid contamination; and

(E) The recognition of poisoning symptoms and procedures to follow in case of a pesticide accident.

(3) Attendance of an approved course of instruction by the private applicator shall be verified by the signature of the instructor and the signature of the private applicator on a verification document provided by the director. The document shall be forwarded to the Missouri Department of Agriculture as proof of attendance. Upon receipt of the document of verification of attendance, the director shall forward to the private applicator a certified private applicator license.]

(1) To qualify for private applicator certification or provisional private applicator certification, private

applicators are required to read and demonstrate competency in the understanding of pesticide labels and labeling and shall –

(A) Attend a University of Missouri Extension private applicator Category 20–General Agricultural Pest Control certification training program;

(B) Complete a University of Missouri Extension private applicator Category 20–General Agricultural Pest Control online certification training program; or

(C) Pass the department’s private applicator Category 20–General Agricultural Pest Control certification examination.

(2) Private applicators must obtain certification in Category 20–General Agricultural Pest Control prior to becoming certified in one (1) of the additional private applicator certification categories. Private applicators that use restricted use pesticides to fumigate soil must also obtain certification in Category 21–Soil Fumigation Pest Control. Private applicators that use restricted use pesticides to fumigate non-soil commodities or non-soil sites must also obtain certification in Category 22–Non-Soil Fumigation Pest Control. Private applicators that apply restricted use pesticides through aerial application must also obtain certification in Category 23–Aerial Pest Control. The certification training programs, online certification training programs, and certification examinations provided for Categories 20, 21, 22, and 23 shall encompass the standards of competence as provided in sections (3), (4), (5), and (6) of this rule.

(3) Category 20–General Agricultural Pest Control Standards of Competence. The applicant shall demonstrate practical knowledge of –

(A) The recognition of common agricultural pests, damage caused by these pests, the importance of selecting proper pesticide products for effective control, and the importance of verifying that the label does not prohibit the use of the product to control the target pest(s) or use site;

(B) Reading and understanding the label and labeling information, including general format and terminology, the common name of the pesticide, the pest to be controlled, timing and methods of application of the pesticide, signal words, symbols, safety precautions, pre-harvest intervals, reentry intervals, and disposal procedures for pesticides and pesticide containers;

(C) All use restrictions and directions for use found on the label and labeling, certification requirements in the appropriate category to use restricted use pesticides, and state and federal pesticide laws requiring the use of any registered pesticide in a manner consistent with its labeling;

(D) The meaning of product classification, the difference between mandatory and advisory labeling language, and understanding and complying with product-specific notification requirements;

(E) The application of pesticides in accordance with label and labeling instructions and warnings, including the ability to prepare the proper concentration of the pesticides to be used under particular circumstances, taking into account factors such as the area to be covered, speed in which application equipment will be driven, and the quantity to dispense in a given period of operation;

(F) The characteristics of pesticides, including types of pesticides, types of formulations, compatibility, synergism,

persistence, animal and plant toxicity, hazards and residues associated with use, factors influencing effectiveness or leading to problems such as pesticide resistance, and dilution procedures;

(G) The recognition of local environmental situations that must be considered during application to avoid contamination and potential environmental consequences of the use and misuse of pesticides, including weather and other climatic conditions, types of terrain, soil, or other substrate, presence of fish, wildlife, and nontarget organisms, and drainage patterns;

(H) Measures to avoid or minimize adverse health effects, common types and causes of pesticide mishaps, needs for and proper use of personal protective clothing and equipment, and precautions to prevent injury to applicators and other individuals in or near treated areas;

(I) Likely ways pesticide exposure may occur, symptoms of pesticide poisoning, the difference between acute toxicity and chronic toxicity and their long-term effects, understanding that a pesticide’s risk is a function of exposure and the pesticide’s toxicity, and first aid and other procedures to be followed in case of a pesticide mishap;

(J) Proper identification, storage, transport, handling, mixing procedures, and disposal methods for pesticides and used pesticide containers, including precautions to be taken to prevent children from having access to pesticides and pesticide containers;

(K) Application equipment, including types of equipment and the advantages and limitations of each, uses, maintenance, and calibration procedures;

(L) Selecting appropriate application methods including methods used to apply various forms and formulations of pesticides, which application method to use in a given situation, that use of a fumigant or aerial application requires additional certification, and how the selection of application method and use of a pesticide may result in unnecessary, ineffective use and misuse;

(M) The prevention of pesticide drift and pesticide loss into the environment;

(N) The state and federal pesticide laws and regulations, including the Worker Protection Standard in 40 CFR Part 170;

(O) The importance of maintaining secure storage for pesticides and other chemicals and how to communicate information about pesticide exposures and risks with agricultural workers and handlers and other persons;

(P) Agricultural pest control, including specific pests of relevant agricultural commodities and the control of such pests with pesticides, how to avoid contamination of ground and surface waters, understanding pre-harvest and restricted entry intervals and entry-restricted periods and areas, and understanding specific pesticide toxicity and residue potential when pesticides are applied to animal or animal product agricultural commodities; and

(Q) Hazards associated with using pesticides on animals or places in which animals are confined based on formulation, application technique, age of animal, stress, and extent of treatment.

(4) Category 21–Soil Fumigation Pest Control Standards of Competence. The applicant shall demonstrate practical knowledge of –

(A) Fumigant label and labeling comprehension, including labeling requirements specific to soil fumigation, labeling requirements for certified applicators

and handlers of fumigants, permitted fumigant handler activities, and the safety information that certified applicators must possess while using fumigants;

(B) Entry-restricted period for different tarped and untarped field applications, recordkeeping requirements imposed by labels and labeling, and labeling provisions unique to products containing certain active ingredients;

(C) Labeling requirements for fumigation management plans, such as when a fumigant management plan must be in effect, how long it must be kept on file, where it must be kept during application, and who must have access to it;

(D) The elements of a fumigation plan and resources for preparing a plan, responsibility for verifying that the fumigant management plan is accurate, and the elements, purpose, and content of a post-application summary, who must prepare it, and when it must be completed;

(E) Measures to minimize adverse effects, including understanding how certified applicators, field workers, and bystanders can become exposed to fumigants;

(F) How common problems and mistakes can result in direct exposure to fumigants, the signs and symptoms of human exposure to fumigants, air concentrations, and requirements for respirators;

(G) The steps to take if a fumigant applicator experiences sensory irritation, air monitoring, when required and when to sample the air, buffer zones, first-aid measures, and the labeling requirements for transportation, storage, spill cleanup, and emergency response for soil fumigants, including safe disposal of containers and contaminated soil;

(H) Characteristics of soil fumigants, including specific human exposure concerns, how soil fumigants change from liquid or solid to a gas, how soil fumigants disperse in the application zone, and compatibility concerns for tanks, hoses, tubing, and other equipment;

(I) Selecting appropriate application methods and timing, including application methods for water-run and non-water-run applications, equipment used for each soil fumigant, and site characteristics that influence fumigant exposure;

(J) Temperature inversions and their impact on soil fumigant applications, weather conditions that could impact timing of soil fumigation application, pre-application inspection of application equipment, the purpose and methods of soil sealing, and which methods to use;

(K) The use of tarps, how to seal tarps, labeling requirements for tarp removal, perforation, and repair, calculating the amount of fumigant required for a specific treatment area, and understanding the basic techniques for calibrating soil fumigation equipment;

(L) Soil and pest factors that influence fumigant activity, including influence of soil factors on fumigant volatility and movement within the soil and factors that influence gaseous movement through soil and air;

(M) Soil characteristics, including how they affect the success of a soil fumigant application, assessing soil moisture, correcting for soil characteristics that could hinder a successful soil fumigation, pest(s) identification and verification that the soil fumigant will control pest(s), the relationship between pest density and application rate, and proper application depth and timing;

(N) Personal protective equipment (PPE), including following all label directions requiring PPE use and selecting, inspecting, using, caring for, and replacing PPE;

(O) The types of respirators required when using specific

soil fumigants and how to use respirators properly (medical evaluation, fit testing, and required replacement of cartridges and canisters), labeling requirements and other laws applicable to medical evaluation for respirator use, fit test, training, and recordkeeping;

(P) Fumigant management plans and post-application summaries, including when a fumigation management plan must be in effect, how long it must be kept on file, where it must be kept during a fumigant application, and who must have access to it;

(Q) The elements of a fumigant management plan and resources available for preparing a plan, the person responsible for verifying that a fumigation management plan is accurate, and the elements, purpose, and content of a post-application summary, who must prepare it, and when it must be completed;

(R) Buffer zones and posting requirements, including buffer zones and buffer zone periods, identifying those who can be in the buffer zone and those who cannot be in the buffer zone during the buffer zone period;

(S) How to use the buffer zone table from the labeling to determine the size of the buffer zone, factors that determine the buffer zone credits for application scenarios, and calculating buffer zones using credits; and

(T) Distinguishing buffer zone posting and treated area posting, including the pre-application and post-application posting time frames for each and the proper choice and placement of warning signs.

(5) Category 22–Non-Soil Fumigation Pest Control Standards of Competence. The applicant shall demonstrate a practical knowledge of –

(A) The use of fumigants on sites other than soil, including label and labeling comprehension of products used to perform non-soil fumigations and labeling requirements specific to non-soil fumigants;

(B) Safety measures to minimize adverse health effects, including understanding how applicators and bystanders can become exposed to fumigants, common problems and mistakes that can result in direct exposure to fumigants, and the signs and symptoms of human exposure to fumigants;

(C) When air concentrations trigger applicators, handlers, and workers to wear respirators or to exit the application site, the steps to take if an applicator using a fumigant experiences exposure, and first-aid measures to take in the event of exposure to a fumigant;

(D) When to monitor and sample air, monitoring buffer zones and who is permitted to be in the buffer zone, labeling requirements for transportation, storage, spill clean up, and emergency response to non-soil fumigants, the safe disposal of containers and contaminated materials, and management of empty containers;

(E) Non-soil fumigant chemical characteristics, specific human exposure concerns for non-soil fumigants, how fumigants change from a liquid or solid to a gas, and how fumigants disperse in the application zone;

(F) Compatibility concerns for tanks, hoses, tubing, and other equipment;

(G) Appropriate application methods and timing, including application methods and equipment commonly used for non-soil fumigation, site characteristics that influence fumigant exposure, and conditions that could impact timing of non-soil fumigations, such as air stability, air temperature, humidity, and wind currents, and labeling restrictions limiting applications when specific conditions

are present;

(H) Conducting pre-application inspections of equipment and the site to be fumigated, the purpose and methods of sealing the area to be fumigated, and the factors that determine when and which sealing methods to use;

(I) Calculating the amount of fumigant required to treat the site, basic techniques for calibrating non-soil fumigant application equipment, and understanding when and how to conduct air monitoring and when it is required;

(J) Pest factors that influence fumigant activity, including influence of pest factors on fumigant volatility, factors that influence gaseous movement through the area being fumigated and into the air, and identifying pests causing the damage and verifying they can be controlled with fumigation;

(K) The relationship between pest density and application rate and the importance of proper application rate and timing;

(L) Personal protective equipment, including how to use it properly, following labeling directions for required personal protective equipment, and selecting, inspecting, using, caring for, replacing, and disposing of personal protective equipment;

(M) The different types of respirators required when using non-soil fumigants and how to use them properly, including when to replace cartridges and canisters;

(N) Labeling requirements and other laws applicable to medical evaluations and fit testing for respirator use and applicable training and recordkeeping;

(O) When fumigation management plans and post-application summaries are required, including when a fumigation management plan must be in effect, how long it must be kept on file, where it must be kept during the application, and who must have access to it;

(P) The elements found in a fumigation management plan and resources available to assist the applicator in preparing the fumigant management plan, who is responsible for verifying the plan is accurate, and the elements, purpose, and content of a post-application summary, who must prepare it, and when it must be completed; and

(Q) Posting requirements, including understanding who is allowed in an area being fumigated or after fumigation and who is prohibited from being in such area, distinguishing fumigant labeling-required posting and treated area posting, including the pre-application and post-application posting time frames for each, and the proper choice and placement of warning signs.

(6) Category 23–Aerial Pest Control Standards of Competence. The applicant shall demonstrate a practical knowledge of –

(A) The pest problems and pest control practices associated with performing aerial applications;

(B) Labeling requirements and restrictions specific to aerial application of pesticides, spray volumes, buffer and no-spray zones, and weather conditions specific to wind and inversions;

(C) Label-mandated recordkeeping requirements for aerial pesticide applications including application conditions;

(D) Application equipment, including how to choose and maintain manned and unmanned aircraft equipment, either fixed or rotary wing, for aerial application, to ensure it is in proper operating condition prior to beginning an application, selecting proper nozzles to ensure appropriate

pesticide dispersal and to minimize drift;

(E) The components of an aerial pesticide application system (pesticide hoppers, tanks, pumps, and types of nozzles) and nozzle flow charts;

(F) Determining the number of nozzles for intended pesticide output using a nozzle flow rate chart, aircraft speed, and swath width;

(G) How nozzles are placed to compensate for uneven dispersal due to uneven airflow from wingtip vortices, helicopter rotor turbulence, and aircraft propeller turbulence and where to place nozzles to produce the appropriate droplet size;

(H) How to maintain the application system in good repair, including pressure gauge accuracy, filter cleaning according to schedule, and checking nozzles for excessive wear;

(I) How to calculate required and actual flow rates, how to verify flow rate using fixed timing, open timing, known distance, or a flow meter, and when to adjust and calibrate application equipment;

(J) Application factors to consider before and during the application, including weather conditions that could impact application by affecting aircraft engine power, take-off distance, climb rate, and spray droplet evaporation;

(K) How to determine wind velocity, direction, and air density at the application site and potential impact of thermals and temperature inversions on aerial pesticide application;

(L) Methods to minimize off-target pesticide movement, including determining drift potential of a product by use of a smoke generator and how to evaluate vertical and horizontal smoke plumes to assess wind direction, speed, and concentration;

(M) Selecting techniques that minimize pesticide movement out of the treated area and how to document special equipment configurations or flight patterns used to reduce off-target pesticide drift;

(N) Performing an aerial pesticide application, including selecting a flight altitude that minimizes streaking and off-target pesticide drift and choosing a flight pattern that ensures applicator and bystander safety and proper application; and

(O) The importance of engaging and disengaging spray precisely when entering a predetermined swath pattern at the application site and the tools used to mark swath patterns, such as global positioning systems and flags.

AUTHORITY: section 281.040, RSMo [1986] Supp. 2023. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri

Boulevard, Jefferson City, MO 65109.

TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 70 – Plant Industries
Chapter 25 – Pesticides

PROPOSED RULE

2 CSR 70-25.153 Stipulations and Training Requirements for Noncertified Restricted Use Pesticide (RUP) Applicators

PURPOSE: This rule details stipulations and training requirements for noncertified RUP applicators.

(1) Applicants for a noncertified RUP applicator license shall complete one (1) of the following options:

(A) Pass a written examination (CORE) based on the general standards of competence provided in 2 CSR 70-25.110(3). Passing the CORE examination provides a three- (3-) year retraining period; or

(B) Complete an approved noncertified RUP applicator training program. Completing an approved program provides a one- (1-) year retraining period.

1. Prior to training an individual as a noncertified RUP applicator, certified applicators or their employers must have an approved training program. Approved training programs shall be valid until revoked.

2. Noncertified RUP applicator training must be presented to applicants and noncertified RUP applicators either orally from written materials or audiovisually. The information must be presented live, whether in-person or virtual, in a manner that the applicants and noncertified RUP applicators can understand.

3. Individuals conducting training must be certified applicators of restricted use pesticides or designated by the department as educators with an institution of higher education or a professional association. The individuals conducting training must also be present during the entire training program and must respond to the noncertified applicators' questions.

4. The noncertified RUP applicator training materials must include the information that applicants and noncertified RUP applicators need in order to protect themselves, other people, and the environment before, during, and after making a restricted use pesticide application. The noncertified RUP applicator training materials must include, at a minimum, information regarding the following:

A. Potential hazards from toxicity and exposure that pesticides present to noncertified RUP applicators and their families, including acute and chronic effects, delayed effects, and sensitization;

B. Routes through which pesticides can enter the body;

C. Signs and symptoms of common types of pesticide poisoning;

D. Emergency first aid for pesticide injuries or poisonings;

E. Routine and emergency decontamination procedures, including emergency eye-flushing techniques. Noncertified RUP applicators must be instructed that if pesticides are spilled or sprayed on the body, to immediately wash or to rinse off in the nearest clean water. Noncertified RUP applicators must also be instructed to wash or shower with soap and water, shampoo hair, and change into clean clothes as soon as possible;

F. How and when to obtain emergency medical care;

G. After working with pesticides, wash hands before eating, drinking, using chewing gum or tobacco, or using the toilet;

H. Wash or shower with soap and water, shampoo hair, and change into clean clothes as soon as possible after working with pesticides;

I. Potential hazards from pesticide residues on clothing;

J. Wash work clothes before wearing them again and wash them separately from other clothes;

K. Do not take pesticides or pesticide containers used at work to your home;

L. Potential hazards to children and pregnant women from pesticide exposure;

M. After working with pesticides, remove work boots or shoes before entering your home, and remove work clothes and wash or shower before physical contact with children or family members;

N. How to report suspected pesticide use violations to the appropriate state or tribal agency responsible for pesticide enforcement;

O. Format and meaning of information contained on pesticide labels and in labeling applicable to the safe use of the pesticide, including the location and meaning of the restricted use product statement, how to identify when the labeling requires the certified applicator to be physically present during the use of the pesticide, and information on personal protective equipment;

P. Need for, and appropriate use and removal of, personal protective equipment;

Q. How to recognize, prevent, and provide first-aid treatment for heat-related illness;

R. Safety requirements for handling, transporting, storing, and disposing of pesticides, including general procedures for spill cleanup;

S. Environmental concerns such as drift, runoff, and wildlife hazards;

T. Restricted use pesticides may be used only by a certified applicator or by a noncertified RUP applicator working under the direct supervision of a certified commercial applicator, certified noncommercial applicator, or certified public operator;

U. The certified applicator's responsibility to provide each noncertified RUP applicator instructions specific to the site and pesticide used. These instructions must include labeling directions, precautions, and requirements applicable to the specific use and site, and how the characteristics of the use site (e.g., surface and ground water, endangered species, local population, and risks) and the conditions of application (e.g., equipment, method of application, formulation, and risks) might increase or decrease the risk of adverse effects. The certified applicator must provide these instructions in a manner the noncertified RUP applicator can understand;

V. The certified applicator's responsibility to ensure that each noncertified RUP applicator has access to the applicable product labeling at all times during its use;

W. The certified applicator's responsibility to ensure that when the labeling of a pesticide product requires that personal protective equipment be worn for mixing, loading, application, or any other use activities, each noncertified RUP applicator has clean, labeling-required personal protective equipment in proper operating condition, and that the personal protective equipment is worn and used correctly for its intended purpose;

X. The certified applicator's responsibility to ensure that before each day of use, equipment used for mixing,

loading, transferring, or applying pesticides is in proper operating condition as intended by the manufacturer, and can be used without risk of reasonably foreseeable adverse effects to the noncertified RUP applicator, other persons, or the environment;

Y. The certified applicator's responsibility to ensure that a means to immediately communicate with the certified applicator is available to each noncertified RUP applicator using restricted use pesticides under the certified applicator's direct supervision.

5. Employers or certified applicators must submit to the director a noncertified RUP applicator Notice of Training form provided by the director.

6. Employers or certified applicators shall keep and maintain a copy of the noncertified RUP applicator Notice of Training form and noncertified RUP applicator application for a period of two (2) years from the date the training was completed.

(2) Noncertified RUP applicators must pass the CORE exam or complete an approved training program prior to the expiration of their retraining date. Passing the CORE examination provides a three- (3-) year retraining period. Completing an approved training program provides a one- (1-) year retraining period.

(3) The CORE examination used to obtain a valid noncertified RUP applicator license may be used for eighteen (18) months from the examination date to meet the CORE examination requirement of a Certified Commercial Applicator, Certified Noncommercial Applicator, or Certified Public Operator license. The noncertified RUP applicator license will be canceled upon issuance of the Certified Commercial Applicator, Certified Noncommercial Applicator, or Certified Public Operator license.

AUTHORITY: section 281.025, RSMo Supp. 2023. Original rule filed May 15, 2024.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m., July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 70 – Plant Industries
Chapter 25 – Pesticides

PROPOSED AMENDMENT

2 CSR 70-25.156 Responsibilities of Certified Commercial Applicators or Their Employers; Application Requirements, Qualifications, and Stipulations for Pesticide Technician

Trainees and Pesticide Technicians. The department is amending the rule title and sections (1)–(4).

PURPOSE: This amendment updates pesticide technician stipulations and requirements.

(1) Responsibilities of Certified Commercial Applicators or Their Employers for Pesticide Technicians and Pesticide Technician Trainees.

(A) Prior to employment of pesticide technician trainees, certified commercial applicators or their employers must **have an approved** *[submit in writing, by regular mail, pesticide technician training programs to the director for approval. T] training program[s must be submitted]* for each category or subcategory in which pesticide technicians will use or determine the need for the use of pesticides and in accordance with guidelines provided by the director. *[Approved pesticide technician training programs shall be valid for one (1) year from the date of approval.]*

[(B)] In order to receive reapproval of pesticide technician training programs, certified commercial applicators or their employers shall submit written requests to the director by regular mail. Reapproval requests shall be in accordance with guidelines provided by the director.]

[(C)](B) Certified commercial applicators or their employers shall notify the director in writing, *[by regular mail,]* within ten (10) *[working]* days of the employment and of the discontinued employment of an individual as a pesticide technician or pesticide technician trainee. Notification shall include the applicant's name, **last four (4) digits of their** Social Security number, license number if applicable, business name and address, and the dates of employment and discontinued employment.

[(D)](C) Certified commercial applicators or their employers must submit to the director a Notice of Training form provided by the director. *[This form shall contain the name and signature of the pesticide technician trainee, dates of training, title and approval code of the training program used, the name(s), signature(s), and license number(s) of the person(s) providing training.]*

[(E)](D) Certified commercial applicators or their employers shall keep and maintain *[records of required training]* a **copy of the Notice of Training form** for a period of three (3) years from the date training was completed. *[These records]* **The form** shall include the name and business address of the pesticide technician trainee, the name(s) and license number(s) of the person(s) providing training, the title~~[(s)]~~ of and time spent on each standard of competence, the dates of training, and signatures of the trainer(s) and the pesticide technician trainee.

[(F)](E) Certified commercial applicators or their employers shall keep and maintain a copy of the approved training course used for a period of three (3) years from the last date used.

(2) Application for a Pesticide Technician License.

(A) The director shall provide a pesticide technician license application form *[by regular mail]* upon *[written]* request. Forms may be requested from the Bureau of Pesticide Control, Missouri Department of Agriculture, *[P.O. Box 630, Jefferson City, MO 65102].*

(C) The applicant shall attach to the application a clear, full-face, head-and-shoulder photograph of the applicant taken within twelve (12) months prior to the date of application. *[The photograph shall be at least two and one-half inches (2 1/2") square.]*

[(D) The director shall keep all documents filed in support of an application until they are replaced, except that—

1. If a license is not issued within one (1) year of employment as a pesticide technician trainee, all documents pertaining to that application may be destroyed; or

2. If a license expires for more than one (1) year, all documents pertaining to that license may be destroyed.]

(D) Applications are valid for one (1) year from the date received.

(E) If a license expires for more than one (1) year, all documents pertaining to that license may be destroyed.

[(E)](F) The applicant shall furnish the director with the following:

1. Name, including any other names under which the applicant has been known;

2. Last four (4) digits of Social Security number;

3. Date of birth;

4. [Physical description] Direct supervisor name;

5. [Home] Residential address (no PO Box accepted);

6. Business name and address from which pesticides will be used;

7. Categories in which the applicant requests a license;

8. A list of present and past employers for the three (3) years prior to application;

[9. A list of three (3) references;]

[10.]9. A list of all present and past pesticide licenses, permits, certifications, or registrations;

[11.]10. An explanation of any violation of the statutes of Missouri, any state or protectorate of the United States, or of the federal government which resulted in the denial, suspension, revocation, or modification of a pesticide license, permit, certification, or registration or issuance of a civil penalty; and

*[12.]11. An explanation of any criminal prosecution, whether or not sentence was imposed, in which the applicant was found guilty, entered a plea of guilty or *nolo contendere*, or is subject to criminal prosecution under the laws of any state or of the United States for the following:*

A. Offenses reasonably related to the qualifications, functions, or duties of professions regulated under this chapter;

B. Offenses an essential element of which is fraud, dishonesty, or an act of violence; or

C. Offenses involving moral turpitude.

(3) Qualification Requirements for a Pesticide Technician License.

(A) Applicants for a pesticide technician license shall successfully complete an approved program of verifiable training within one (1) year prior to issuance of a license. This training shall be *[a minimum of forty (40) hours in length, consisting of at least ten (10) hours of classroom-type training and at least thirty (30) hours of on-the-job, practical training]* in accordance with guidelines provided by the director. The on-the-job, practical training shall be in the physical presence and under the direct supervision of a commercial applicator certified in the category(ies) or subcategory(ies) in which the applicant is being trained. The training shall be specific to the following category(ies) or subcategory(ies), defined in 2 CSR 70-25.100, in which the applicant will use pesticides:

1. Category 3 – Ornamental and Turf Pest Control;

2. Category 7 – Structural Pest Control[;]–

A. Subcategory a – General Structural Pest Control; and

B. Subcategory b – Termite Pest Control.

(B) Pesticide technician training programs must include the following information pertaining to the standards of

competence for each category or subcategory of pest control in which the applicant will use pesticides. A pesticide technician training guideline shall be available from the director *[upon written request by regular mail.]:*

1. Pest identification – identifying pests, their habits and habitats through an understanding of life cycles, basic pest biology, identification of conditions which are favorable to pest infestations, and the pesticide(s) used for pest control;

2. Equipment – the proper use and maintenance of equipment, including proper application techniques and equipment calibration;

3. Pesticides – a basic knowledge of pesticides, including formulations, concentrations, mixing instructions, application rates, manufacturers' brand names, target areas, pests controlled, and basic information about each pesticide used;

4. Alternative control methods – alternative methods to pest control, including sanitation, mechanical, cultural, and biological means, the possible combinations of those means used in effective pest control, and other alternatives to the application of pesticides;

5. Labels – comprehension of basic information found on pesticide labels, including the name and type of pesticide, ingredients, precautionary statements, directions for use, dilution, storage, disposal, and any information required for the use of pesticides;

6. Pesticide hazards and safety – potential hazards to the applicator, environment, or other individuals, including poisoning symptoms and prevention, first aid, use and maintenance of protective clothing and equipment, and special use precautions;

7. Pesticide spills – information regarding the prevention, reporting, and cleanup of pesticide spills; and

8. Pesticide laws – state and federal pesticide laws and regulations.

[(C) Individuals continuously employed in the capacity of a pesticide technician for the one (1)-year period prior to the date of application for a pesticide technician license may be exempt from the on-the-job, practical training requirement. Evidence of continuous employment shall be submitted to the director in the form of a signed, notarized statement from each employer of the applicant. The statement(s) shall include the applicant's name and Social Security number, the business name(s), address(es) and telephone number(s) of the employer(s), the dates of employment and the category(ies) and subcategory(ies) in which the applicant used pesticides.]

(4) Stipulations for a Pesticide Technician License.

[(D) Additional training of pesticide technicians shall be required every three (3) years. Training shall pertain to maintaining competence and meeting the needs of changing technology in the safe and proper use of pesticides.]

[(E)](D) Persons shall not accrue more than forty-five (45) days of experience with the same employer as a pesticide technician trainee in any category or subcategory within a twelve- (12-)[-]-month period.

(E) If a pesticide technician is issued a certified commercial applicator license in the same category(ies), or issued a noncertified restricted use pesticide (RUP) applicator license, for the same business location, the pesticide technician license will be canceled.

AUTHORITY: section 281.038, RSMo Supp. [1990] 2023. Original rule filed Aug. 14, 1989, effective July 1, 1990. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state

agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 70 – Plant Industries
Chapter 25 – Pesticides

PROPOSED RESCISSION

2 CSR 70-25.160 Application for a Pesticide Dealer License. This rule listed dealer application requirements.

PURPOSE: This rule is being rescinded because the dealer application requirements were moved to 2 CSR 70-25.060.

AUTHORITY: section 281.050, RSMo Supp. 1990. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Rescinded: Filed May 15, 2024.

PUBLIC COST: This proposed rescission will not cost public entities more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 70 – Plant Industries
Chapter 25 – Pesticides

PROPOSED AMENDMENT

2 CSR 70-25.170 Stipulations for a Pesticide Dealer License. The department is amending section (1) and adding section (2).

PURPOSE: This amendment clarifies stipulations for pesticide dealers.

(1) A pesticide dealer must display *[the]* **their** license at all times in a prominent place at the outlet~~[,]~~ from which *[s/he]* **they** will sell restricted use pesticides, the address of which shall be printed on the license. In the case of pesticide dealers who sell restricted use pesticides by traveling on the road from place to place, the license shall be carried on the person of the licensee.

(2) Licensed pesticide dealers shall only sell, offer for sale, or distribute restricted use pesticides to licensed pesticide dealers or certified applicators who are eligible under 2 CSR 70-25.080(4) to purchase or acquire restricted use pesticides by holding valid certification in proper certification categories.

AUTHORITY: section 281.025, RSMo [1986] Supp. 2023. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 70 – Plant Industries
Chapter 25 – Pesticides

PROPOSED AMENDMENT

2 CSR 70-25.180 Contents of Records Maintained by Pesticide Dealers. The department is amending sections (1) and (3).

PURPOSE: This amendment updates recordkeeping requirements for pesticide dealers.

(1) **Pesticide dealers must keep records relating to the sale or distribution of restricted use pesticides. All required information must be recorded within three (3) business days of the sale or distribution and kept ~~[F]~~for three (3) years~~], pesticide dealers must keep and maintain records of sales and distribution of restricted use pesticides in a neat and legible condition~~.**

(3) Records shall contain the following information:

(B) The trade name, United States Environmental Protection Agency (EPA) registration number, the applicable state special local need (SLN) registration number(s), the amount of each restricted use pesticide made available at each transaction, and the date of the transaction; and

(C) Information related to the individual receiving the restricted use pesticide. This shall include~~:]~~–

1. The name, address, license number, certification category(ies), and license expiration date of the certified applicator [or operator] to whom the restricted use pesticide was made available; or

2. [The name, address and permit number of the private applicator with a permit to whom the restricted use pesticide was made available:] The name, address, license number, and license expiration date of the pesticide dealer to whom the restricted use pesticide was made available; and

3. The state, tribe, or federal agency that issued the certification or dealer license if not issued by the director; and

[3.]4. If applicable, the name, address, and verified relationship of the noncertified, designated representative to whom the restricted use pesticide was made available. The relationship between the certified applicator or pesticide dealer and noncertified, designated representative may be verified through one (1) of the following:

A. Actually seeing the certified applicator's [or operator's] or pesticide dealer's original license and an original identification document of the noncertified designated representative; or

B. Actually seeing a photocopy of the certified applicator's [or operator's] or pesticide dealer's license and a signed statement from the certified applicator [or operator] authorizing the noncertified designated representative to take possession of the restricted use pesticide; and].

[4. The name, address, license number and license expiration date of the pesticide dealer to whom the restricted use pesticide was made available.]

AUTHORITY: section 281.050, RSMo Supp. [1990] 2023. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. July 22, 2024. A public hearing is scheduled for 10 a.m. July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO 65109.

TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 90 – Weights, Measures and Consumer
Protection
Chapter 10 – Liquefied Petroleum Gases

PROPOSED AMENDMENT

2 CSR 90-10.011 Inspection Authority – Duties. The commission is amending section (3).

PURPOSE: This amendment updates the rule to reflect the adoption of the updated publication of NFPA 58 and NFPA 54.

(3) The standards for storage and handling of LP gases and the standards for the installation of gas appliances and gas piping as published in the National Fire Protection Association publications, Number[s] 54, [2015] 2024 edition[.];, and Number 58, [2017] 2024 edition. All publications are published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269-9101, [which] and are incorporated by reference, and will be adhered to by the inspection authority in the course of administering its duties. This rule does not incorporate any subsequent amendments or additions to the referenced material. These are adopted as rules in 2 CSR 90- 10.020, 2 CSR 90-10.040, 2 CSR 90-10.060, and 2 CSR 90-10.090.

AUTHORITY: section 323.020, RSMo 2016. Original rule filed July 13, 1977, effective Nov. 11, 1977. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support or in opposition to this proposed amendment with the Missouri Propane Safety Commission, 4110 Country Club Drive, Suite 200, Jefferson City MO 65109 or by email at admin@mopropanesc.org. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 90 – Weights, Measures and Consumer
Protection
Chapter 10 – Liquefied Petroleum Gases

PROPOSED AMENDMENT

2 CSR 90-10.012 Registration – Training. The commission is removing section (4), and renumbering as necessary.

PURPOSE: This amendment removes the testing requirement for registration, which has been determined to be unnecessary.

[(4) Every individual applying for registration to engage in the business of handling or storing LP gases or in the business of installing, repairing, converting, or servicing piping, equipment, or appliances for use with LP gases must score at least seventy-five percent (75%) on a written examination administered or authorized by the Missouri Propane Safety Commission before approval of registration will be granted.]

[(5)](4) Every individual handling LP gases or servicing appliances or equipment within any business involved in handling or storing LP gases or involved in the installation, repairing, converting, or servicing of piping, equipment, or appliances for use with LP gases must attend and complete

an initial training program as defined in 2 CSR 90-10.012(~~6~~5), including the passing of a written examination.

(A) Every individual subject to the requirements of this section shall attend training at least once every three (3) years. New employees shall be trained by their employer until such time that training is available through a training program approved by the director. The employer, or individual if self-employed, is responsible for ensuring compliance with this section.

(B) Individuals whose only propane-related job duty is to fill vehicles with autogas using low-emission transfer as defined in NFPA 58 are exempt from the training requirement of this section, provided they are initially trained by the manufacturer or installer of the autogas system

~~[(6)]~~(5) Each training program's curriculum must be based on the Propane and Education and Research Council (PERC) Certified Employee Training Program (CETP) or equivalent, structured to meet the trainee's needs, and contain information on applicable statutes and regulations governing liquefied petroleum gases. All training programs must be instructor-led by a commission-approved instructor, include hands-on training or a skills assessment, and include an exam which requires a passing score of at least seventy percent (70%) and graded by a third party. Programs must initially be approved by the commission or its designee and resubmitted for review and approval at least once every two (2) years or at such time change has been made. Any training program that, through audit, does not meet the approved training criteria may be rejected for use by the commission or its designee.

~~[(7)]~~(6) Residents of states other than Missouri who desire to engage in or continue to do business in the state shall submit an application for registration on forms MPSC-1219, MPSC-0910, and MPSC-1136, all published in 2016, and furnished for this purpose by the director, which may be obtained from the publisher, Missouri Propane Safety Commission at (573) 893-1073, 4110 Country Club Dr., Ste. 200 Jefferson City, MO 65109-0302, which are incorporated by reference. This rule does not incorporate any subsequent amendments or additions to the referenced material. Qualifications and approval for this registration permit will be determined on the basis outlined in Chapter 323, RSMo. The information submitted shall be related to the requirements of this state and any additional provisions required by the LP gas inspection authority of their state residency in determining eligibility for registration.

~~[(8)]~~(7) A registration application shall be filed and approved and a certificate of registration received before commencing operations by the classes described in this section. The registrant shall notify the inspection authority within ten (10) days after discontinuance of his/her individual operations, providing the name of his/her successor organization, if any. The classes are –

(A) Class I – General LP gas operator. The storage, sale, transportation, and distribution of LP gas at retail-wholesale and the installation, service, and repair of appliances, equipment, and piping for use with LP gas. This does not include LP gas carburetion or liquid meter service or repair;

(B) Class II – Installer and servicer of low pressure systems. The installation, service, and repair of appliances, equipment, and piping for use with LP gas. This class applies to only the low pressure portion of the LP gas system downstream of the first stage regulator and those systems addressed in NFPA 54;

(C) Class III – Installer and servicer of high pressure systems. The installation, service, and repair of piping and equipment

for use with LP gas. This class applies to only the high pressure and liquid portion of the LP gas system and those systems addressed in NFPA 58;

(D) Class IV – Installer and servicer of high and low pressure. The installation, service, and repair of appliances, equipment, and piping for use with LP gas, the installation of LP gas cylinders and tanks, and the delivery of LP gas cylinders. This class applies to both high and low pressure portions of LP gas systems as addressed in NFPA 54 and NFPA 58;

(E) Class V – LP service station operator (metered sales). The retail operation of an LP gas service station consisting of LP gas storage containers, piping, pumps, and other pertinent equipment utilized to fill portable LP gas containers by weight;

(F) Class VI – LP gas dispenser operator (non-metered sales). The retail operation of an LP gas dispensing station consisting of an LP gas storage container(s), piping, pumps, and other pertinent equipment utilized to fill portable LP gas containers by weight;

(G) Class VII – Cylinder exchange dealer. The operation of an LP gas cylinder exchange business whereby Department of Transportation (DOT) cylinders are stored in a secured cage or area and exchanged with customers (full cylinder for empty cylinder). This does not include the filling of any cylinder or tank on premises;

(H) Class VIII – Cylinder seller and servicer. An operation or business engaged in the filling, distribution, and service of LP gas cylinders;

(I) Class IX – Carburetion system installer and servicer. An operation or business engaged in the installation and services of LP gas carburetion systems; and

(J) Class X – Liquid meter repairer and servicer. The installation, repair, and service of LP gas meters utilized for liquid LP gas deliveries, i.e., bobtail delivery truck meters.

~~[(9)]~~(8) Each registrant shall be issued a certificate of registration which shall bear a permanent identifying number. This certificate shall be on file in the office at the address for which issuance was made.

AUTHORITY: section 323.020, RSMo 2016. Original rule filed July 13, 1977, effective Nov. 11, 1977. For intervening history, please consult the Code of State Regulations. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support or in opposition to this proposed amendment with the Missouri Propane Safety Commission, 4110 Country Club Drive, Suite 200, Jefferson City MO 65109 or by email at admin@mopropanesc.org. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PROPOSED AMENDMENT

2 CSR 90-10.020 NFPA Manual No. 54, National Fuel Gas Code. The commission is amending section (1).

PURPOSE: This amendment updates the newly adopted National Fire Protection Association publications.

(1) Standards contained in National Fire Protection Association (NFPA) Manual No. 54, *National Fuel Gas Code*, [2021] 2024 edition, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269-9101, are incorporated [herein] by reference. This rule does not incorporate any subsequent amendments or additions to the referenced material. The balance of this rule sets forth requirements for liquefied petroleum gas (LP gas) applications not covered in the manual. The scope of National Fire Protection Association (NFPA) Manual No. 54, *National Fuel Gas Code*, [2021] 2024 edition, is to develop fire safety codes, standards, recommended practices, and manuals, as may be considered desirable, covering the installation of piping and appliances using fuel gases such as natural gas, manufactured gas, liquefied petroleum gas, and liquefied petroleum gas-air mixture.

AUTHORITY: sections 261.023.6. and 323.020, RSMo 2016. Original rule filed Jan. 24, 1968, effective Feb. 3, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Propane Gas Commission, 4110 Country Club Drive, Suite 200, Jefferson City, Missouri 65109 or by email at admin@mopropanesc.org. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 90 – Weights, Measures and Consumer
Protection
Chapter 10 – Liquefied Petroleum Gases**

PROPOSED AMENDMENT

2 CSR 90-10.040 NFPA Manual No. 58, Storage and Handling of Liquefied Petroleum Gases. The commission is making changes to section (1).

PURPOSE: The commission is amending the dates in section (1) to reflect the adoption of the latest publication of NFPA 58.

(1) This rule incorporates by reference National Fire Protection Association (NFPA) Manual No. 58, *Storage and Handling of Liquefied Petroleum Gases*, [2020] 2024 edition, published by the National Fire Protection Association, 1 Batterymarch

Park, Quincy, MA 02269-9101, as the current standard for the storage and handling of liquefied petroleum gases (LP gas). This rule does not incorporate any subsequent amendments or additions to the referenced material.

AUTHORITY: sections 261.023.6. and 323.020, RSMo 2016. Original rule filed Jan. 24, 1968, effective Feb. 3, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support or in opposition to this proposed amendment with the Missouri Department of Agriculture, Missouri Propane Safety Commission, 4110 Country Club Drive, Suite 200, Jefferson City MO 65109 or by email at admin@mopropanesc.org. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**TITLE 5 – DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20 – Division of Learning Services
Chapter 200 – Office of College and Career
Readiness**

PROPOSED AMENDMENT

5 CSR 20-200.180 Area [Vocational School] Career Center Service Regions. The State Board of Education (state board) is amending the rule title and sections (1), (4), (5), (6), and (7).

PURPOSE: This proposed amendment updates outdated terminology.

(1) The initial assignment of a sending school district to a specific area vocational school will be effective for the 1983-84 school year and shall continue until the assignment is changed by action of the State Board of Education (state board).

(4) Future assignments for school districts not affiliated with an area vocational school during the 1983-84 school year shall be approved by the [S]state [B]board [of Education]. The request for assignment shall be submitted in writing to the assistant commissioner, [Division of Vocational and Adult Education] Office of College and Career Readiness, Department of Elementary and Secondary Education, by November 1, to be considered for the next year. For good cause shown, the state board may waive the requirement for submission by November 1. The request shall be authorized by the local board of education (board) and signed by the superintendent and shall include rationale justifying the affiliation. Based on the information presented and comments from officials of the area [vocational school] career center, the assistant commissioner will prepare a recommendation to the commissioner of education and the [S]state [B]board [of

Education]. All districts involved will be officially notified of the board's decision.

(5) School districts that desire to enroll students in more than one (1) area *[vocational school] career center* or to change affiliation from one (1) area *[vocational school] career center* to another shall obtain the approval of the *[S]state [B]board [of Education]*. The written request shall be submitted to the assistant commissioner, *[Division of Vocational and Adult Education] Office of College and Career Readiness*, Department of Elementary and Secondary Education, by November 1, to be considered for the next school year. The request shall be authorized by the board *[of education]* and signed by the superintendent and shall include a rationale justifying the request. Based on the information presented and on other information as may be requested from administrators of the school districts involved, the assistant commissioner will prepare a recommendation to the commissioner of education and the *[S]state [B]board [of Education]*. The *[S]state [B]board [of Education]* will make a determination regarding the district's affiliation based upon the information presented. All districts involved in the request will be officially notified by letter of the **state** board's decision.

(6) Any sending school district altering an affiliation with an area *[vocational school] career center* without following the procedures previously described in sections (4) and (5) may by action of the *[S]state [B]board [of Education]*, be disallowed any reimbursement for contracted services and any provision of transportation aid to and from the area *[vocational school] career center*.

(7) The service region for any additional area *[vocational school] career center* approved subsequent to the effective date of this rule will be defined at the time of approval.

AUTHORITY: sections 161.092, 178.510, RSMo [1986] 2016, and 178.530, RSMo Supp. [1991] 2023. This rule previously filed as 5 CSR 60-120.050. Original rule filed May 26, 1983, effective Nov. 14, 1983. Amended: Filed Feb. 8, 1985, effective June 1, 1985. Moved to 5 CSR 20-200.180, effective Aug. 16, 2011. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, ATTN: Travis Plume, Assistant Commissioner, Office of College and Career Readiness, PO Box 480, Jefferson City, MO 65102-0480, or by email to careered@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.*

PROPOSED AMENDMENT

5 CSR 20-400.610 Certification Requirements for Initial Administrator Certificate. The State Board of Education is amending subsections (2)(A) and (2)(B).

PURPOSE: This proposed amendment modifies the criteria required for the Initial Administrator Certificate and updates/clarifies outdated terminology.

(2) An applicant for a Missouri Initial Administrator Certificate (Career and Technical Education Administrator, Grades 7-12) who possesses good moral character may be granted an Initial Administrator Certificate (Career and Technical Education Administrator, Grades 7-12) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career and Technical Education Administrator, Grades 7-12:

(A) Professional Requirements. An Initial Administrator Certificate (Career and Technical Education Administrator, Grades 7-12), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

1. A permanent or professional education or **career and technical education (CTE)** Missouri teaching certificate of license to teach;

2. A minimum of three (3) years of **career and technical** education or secondary subject area teaching experience approved by the department;

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.320 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology/Education of the Exceptional Child;

5. Completion of a master's degree in educational leadership from a regionally accredited college or university or the equivalent thereof from another educational leadership program meeting approval of the department and which included knowledge and/or competency in each of the five (5) domains identified for the Initial Administrator Certificate (Career and Technical Education Administrator, Grades 7-12);

6. Recommendation for certification from the designated official of a regionally accredited college or university or other educational leadership program approved by the department. This recommendation shall be based upon the completion of a planned program for preparation of career and technical education administrators *[which includes at least twenty-six (26) semester hours of approved graduate credit, or an equivalent thereof which is approved by the department, in education courses]* focused upon administration and supervision of *[the] an area* career center. *[The approved graduate credit shall include:]* **Individuals who possess an initial secondary school, middle school, or K-12 school leader certificate and have a minimum of three (3) years of building-level administrator experience must complete a two- (2-) year CTE administrator mentoring program and a minimum of nine (9) graduate credit hours of CTE administration consisting of CTE foundations, CTE administration, and CTE finance. Individuals who possess an initial secondary school, middle school, or K-12 school leader certificate without three (3) years of building-level leaders experience, must complete a two- (2-) year CTE administrator mentoring program, and a minimum of fifteen (15) graduate credit hours of CTE administration consisting of CTE foundations, CTE administration, CTE**

TITLE 5 – DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20 – Division of Learning Services Chapter 400 – Office of Educator Quality

finance, CTE organization and administration, and a CTE administrative internship (three hundred (300) clock hours).

A. Coursework must be at the graduate level and fall within the following five (5) domains[—]:

(I) Visionary Leadership –

(a) Understands the importance of a vision and can demonstrate how it relates to the context and culture of the school community;

(b) Understands and can communicate the importance of all stakeholders knowing the collective mission, vision, and core values;

(c) Understands and can demonstrate how multiple sources of data are connected to a mission, vision, and core values and the legal and ethical handling of information;

(d) Knows the importance of utilizing employment trends and forecasting data to improve and expand *[Career and Technical Education (CTE)]* programming;

(e) Understands the importance of using *[common criteria and quality indicator (CCQI) of] a program evaluation instrument that leads to* high quality CTE; and

(f) Understands how the history and philosophy of CTE impacts leadership in CTE;

(II) Instructional Leadership –

(a) Understands standards and can demonstrate how they apply to horizontal and vertical alignment of local curricula and content areas;

(b) Understands a variety of research-based instructional practices and can demonstrate how to appropriately match learning content;

(c) Understands and engages in meaningful feedback related to teacher professional growth;

(d) Understands and demonstrates how to assess student learning using a variety of formal and informal assessments;

(e) Engages in and demonstrates meaningful observation and feedback related to effective instructional practice;

(f) Understands and can demonstrate multiple strategies for analyzing data to inform the instructional process;

(g) Understands the principles of adult learning and can demonstrate how these help develop teacher capacity;

(h) Understands the process of CTE curriculum development and implementation utilizing business/industry/workforce partners with the importance of assessing performance and industry credentials;

(i) Ensures CTE instruction entails Career Technical Student Organizations (CTSO) components (e.g., technical, academic, workplace, personal skills); and

(j) Implements instructional goals, assessment methods, and work-based learning by utilizing business/industry/workforce partners to address workforce needs;

(III) Managerial Leadership –

(a) Knows and can demonstrate how a safe and functional school facility and grounds supports student learning;

(b) Understands and can demonstrate how routines, procedures, and schedules support the school environment;

(c) Understands the tools and can demonstrate the skills required to determine key attributes of effective personnel and the legal and ethical decisions impacting evaluation;

(d) Understands and can demonstrate the necessity of establishing and communicating clear expectations, guidelines, and procedures which respect the rights of all

staff and students;

(e) Understands and can demonstrate the role of observation, feedback, and intervention for improving or removing personnel;

(f) Is knowledgeable of and can reflectively evaluate and communicate legal and ethical requirements regarding personnel records and reports;

(g) Understands and can communicate the legalities of how a school budget works and the major sources of revenue available to support school goals and priorities;

(h) Understands and can communicate how non-fiscal resources support school goals and priorities;

(i) Utilizes *[CCQI] a program evaluation instrument* to develop, evaluate, expand, and improve local CTE programs, including CTOS and business, industry, and workforce partnerships;

(j) Assesses stakeholder needs for CTE program budget development, implementation, and oversight;

(k) Understands CTE financial management, including funding mechanisms, financial management system, CTE grants and requirements, and CTE financial coding;

(l) Understands the impact of local, state, and federal legislation on CTE program management; and

(m) Develops teacher and staff capacity to monitor budgets, implement program standards and curriculum, meet certification requirements, follow school policies, and manage CTOS;

(IV) Relational Leadership –

(a) Knows how and why analysis of student demographics is used to determine the overall diversity of a school and can demonstrate its impact on the teaching and learning process;

(b) Understands and can communicate the in-school and out-of-school strategies and resources available to support the welfare of each student;

(c) Understands and can demonstrate how to build positive relationships in support of student learning and well-being;

(d) Understands and can demonstrate the components of building effective relationships with staff and cultivating ethical behaviors in others;

(e) Understands and can demonstrate how to develop a culture of support and respect among staff;

(f) Serves as a teacher leader and understands and demonstrates the importance of promoting teacher leadership;

(g) Understands and can communicate a variety of strategies and legal implications for building relationships with families;

(h) Recognizes the importance of and can demonstrate building positive relationships with other community stakeholders;

(i) Understands and can demonstrate the importance of building positive relationships with other community stakeholders, especially with CTE advisory committees and business/industry/workforce partners;

(j) Understands the unique needs of a CTE teacher who transitions from business/industry/workforce to the classroom; and

(k) Understands and can demonstrate the importance of building positive relationships with legislators and state agency staff;

(V) Innovative Leadership –

(a) Recognizes and can apply the knowledge, skills, and best practices that support continuous professional

growth;

(b) Understands and has the capacity to develop the need for professional networks as a key element of professional growth;

(c) Understands the importance of reflection and demonstrates a commitment to ongoing learning;

(d) Understands and can demonstrate the importance of feedback for improving performance;

(e) Understands and can demonstrate how time management is a key factor for maintaining a focus on school priorities;

(f) Recognizes and can demonstrate that beliefs based on new knowledge and understandings are used as a catalyst for change;

(g) Demonstrates flexibility by being willing to vary an approach when circumstances change, and models ethical personal conduct;

(h) Recognizes and demonstrates how business/industry/workforce partnerships influence or accelerate CTE program enhancement; and

(i) Understands and can communicate the unique professional development needs of a CTE teacher who transitions from business/industry/workforce to the classroom;

(B) Field and [C]clinical [E]experience (three (3) semester hours with a minimum of three hundred (300) clock hours) [.] and completion of a two- (2-) year CTE administrator mentoring program developed by the recommending institution.

1. The field and clinical experience and CTE administrator mentoring program in [Career and Technical Education] CTE [A]administration shall include[.] placements in which candidates have the opportunity to observe the importance and implementation of a school's vision, mission, and goals[.]; focus on teaching and student learning[.]; effective management of organizational systems[.]; importance of collaborating with families and stakeholders[.]; maintaining ethical standards and integrity[.]; and the role of continuous improvement through professional development. The experience will provide the candidate with the opportunity to lead and direct specific activities. Candidates are active participants completing required assignments and, as requested, working with students, faculty, staff, and stakeholders while under the supervision of the on-site and preparation program supervisors. The candidate must log a total of three hundred (300) clock hours in the major experience, divided into the required number of hours per leadership domain as specified in the Missouri Standards for Professional Educators (MoSPE).

AUTHORITY: sections 161.092, 168.011, 168.071, 168.081, 168.400, 168.405, and 168.409, RSMo 2016, and section 168.021, RSMo Supp. [2022] 2023. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed June 13, 2019, effective Jan. 30, 2020. Amended: Filed June 24, 2022, effective Feb. 28, 2023. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, ATTN: Travis Plume, Assistant Commissioner, Office of College and

Career Readiness, PO Box 480, Jefferson City, MO 65102-0480, or by email to careered@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

TITLE 5 – DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20 – Division of Learning Services

Chapter 400 – Office of Educator Quality

PROPOSED AMENDMENT

5 CSR 20-400.650 Certification Requirements for Career Continuous Student Services Certificate. The State Board of Education is amending paragraph (1)(C)2., deleting paragraph (1)(C)3., deleting section (2), and renumbering accordingly.

PURPOSE: This proposed amendment modifies the criteria required for the Career Continuous Student Services Certificate and updates/clarifies outdated terminology.

(1) An applicant for a Career Continuous Student Services Certificate who possesses good moral character may be granted a Career Continuous Student Services Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career Continuous Student Services Certificates:

(C) The Career Continuous Student Services Certificate holder is exempt from additional professional development if the holder has a local professional development plan in place with the school and meets at least two (2) of the following:

1. For the Career Continuous Student Services - Career Education Counselor Certificate –

A. Ten (10) years of Career Education Counselor experience approved by the department;

B. An education specialist degree in School Counseling or a closely related field; and/or

C. Certification from a nationally recognized professional [C]ounseling organization approved by the State Board of Education (board);

2. For the Career Continuous Student Services – [Elementary Counselor (Grades K-8) Certificate] School Counselor (K-12) Certificate –

A. Ten (10) years of School Counselor experience approved by the department;

B. An education specialist degree or higher in School Counseling or a closely related field; and/or

C. Certification from a nationally recognized professional School Counselor organization approved by the board;

[3. For the Career Continuous Student Services – Secondary Counselor (Grades 7-12) Certificate –

A. Ten (10) years of School Counselor experience approved by the department;

B. An education specialist degree in School Counseling or a closely related field; and/or

C. Certification from a nationally recognized professional School Counselor organization approved by the board;]

[4.]3. For the Career Continuous Student Services – School Psychological Examiner Certificate –

A. Ten (10) years of School Psychological Examiner experience approved by the department;

B. An education specialist degree in School Psychology or a closely related field; and/or

C. Certification from a nationally recognized professional School Psychology organization approved by the board;

[5.]4. For the Career Continuous Student Services – School Psychologist Certificate –

A. Ten (10) years of School Psychologist experience approved by the department;

B. An education specialist degree in School Psychology or a closely related field; and/or

C. Certification from a nationally recognized professional School Psychology organization approved by the board; and

[6.]5. For the Career Continuous Student Services – Speech-Language Pathologist (Birth-Grade 12) Certificate –

A. Ten (10) years of Speech-Language Pathologist experience approved by the department;

B. An education specialist degree in Speech-Language Pathology or a closely related field; and/or

C. Certification from a nationally recognized professional Speech-Language Pathology organization approved by the board.

[(2) The requirements of this rule shall become effective August 1, 2017.]

AUTHORITY: sections 161.092, 168.011, 168.071, 168.081, 168.400, 168.405, and 168.409, [RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400.] RSMo [Supp. 2013] 2016, and section 168.021, RSMo Supp. 2023. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, ATTN Travis Plume, Assistant Commissioner, Office of College and Career Readiness, PO Box 0480, Jefferson City, MO 65102-0480, or by email to careered@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.*

**TITLE 5 – DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20 – Division of Learning Services
Chapter 400 – Office of Educator Quality**

PROPOSED AMENDMENT

5 CSR 20-400.660 Certification Requirements for Career Education (Secondary) 7-12 Certificates. The State Board of Education is amending section (1) and deleting section (3).

PURPOSE: This proposed amendment modifies the criteria required for career and technical education staff certification and updates/clarifies outdated terminology.

(1) An applicant for a Career Education (Secondary) 7-12 Certificate who possesses good moral character may be granted a Career Education (Secondary) 7-12 Certificate subject to the

certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career Education (Secondary) Certificates:

(A) General Requirements –

1. The applicant must submit a joint application verifying contracted employment from a Missouri educational institution; and

2. One (1) of the following[;]–

A. Verification of a bachelor's degree or higher in an area appropriate for the subject area being taught, and **any combination of the following experiences obtained within the most recent ten (10) years that equal** four thousand (4,000) hours of *[related occupational]* total experience approved by the Missouri Department of Elementary and Secondary Education (department) *[and obtained within the most recent ten (10) years; or]*:

(I) Related occupational experience; and

(II) Related career and technical education (CTE) teaching experience at the postsecondary/adult level or an out-of-state school district (a school year equals two thousand (2,000) hours); or

B. Verification of an associate's degree in an area appropriate for the subject area being taught, and *[five thousand (5,000) hours of related occupational experience from within the most recent ten (10) years and approved by the department; or]* any combination of the following experiences obtained within the most recent ten (10) years that equal five thousand (5,000) hours of total experience approved by the department:

(I) Related occupational experience; and

(II) Related career and technical education (CTE) teaching experience at the postsecondary/adult level or an out-of-state school district (a school year equals two thousand (2,000) hours); or

C. Verification *[of six thousand (6,000) hours of related occupational experience]* of any combination of the following experiences obtained within the most recent ten (10) years (only for Health Sciences and Skilled Technical Sciences areas) that equal six thousand (6,000) hours of total experience *[and]* approved by the department[;]:

(I) Related occupational experience; and

(II) Related career and technical education (CTE) teaching experience at the postsecondary/adult level or an out-of-state school district (a school year equals two thousand (2,000) hours); and

3. Applicants for the specific area of Reserve Officers' Training Corps (ROTC) must submit a notarized letter from the appropriate branch of the armed services indicating that applicant is an approved Junior ROTC instructor;

(C) Certificate Titles and Specific Requirements for Each Specific Area of Career Education Certification –

1. Family[;] Consumer Sciences[;] and Human Services –

A. Apparel and Textiles;

B. Barber (requires professional licensing);

[B.]C. Cosmetologist (requires professional licensing);

[C.]D. Culinary Arts –

(I) For a Culinary Arts Certificate, candidates must satisfy the requirements of at least one (1) of the following:

(a) Satisfaction of the General Requirements and Professional Requirements in subsections (1)(A)-(B) of this rule[;] **and a valid ServSafe® Manager Certificate; or**

(b) Satisfaction of the requirements below[;]–

I. Bachelor of Science Degree in Home Economics Education, Family and Consumer Sciences Education, or Vocational Family Consumer Sciences; or possession of a valid Missouri professional teaching certificate in the area of Family

and Consumer Sciences; **and**

[II. Possession of a current Secondary Food Service Education Certificate from the National Restaurant Association Education Foundation, and a Serve Safe Certificate; and]

[III.]II. Two thousand (2000) hours of department-approved, related occupational experience from the most recent ten (10) years; or] and a valid ServSafe® Manager Certificate;

[(c) Satisfaction of the requirements below:

I. Bachelor of Science Degree in Home Economics Education, Family and Consumer Sciences Education, or Vocational Family Consumer Sciences; or possession of a valid Missouri professional teaching certificate in the area of Family and Consumer Sciences;

II. Possession of a current Secondary Culinary Education Certificate from the American Culinary Federation; and

III. Two thousand (2000) hours of department-approved, related occupational experience from the most recent ten (10) years; or]

[D.]E. Family and Consumer Sciences Related Careers Cooperative Education;

[E.]F. Food and Beverage/Restaurant Operations Manager;

[F.]G. Food Production, Management, and Related Services;

[G.]H. Hospitality Administration/Management, General;

[H.]I. Housing and Home Environments;

[I.]J. Human Development/Adult Development and Aging –

(I) A Human Development/Adult Development and Aging certificate requires a minimum of an associate's degree;

[J.]K. Human Development/Child Care –

(I) A Human Development/Child Care certificate requires a minimum of an associate's degree;

2. Applicants for a Family and Consumer Sciences Career Education Certificate of license to teach in the specific area of Human Development/Child Care and Human Development/Adult Development and Aging must have a minimum of an associate's or higher degree in an area appropriate for the subject area being taught and comply with subsections (1) (A)-(B) general and professional requirements. Applicants in the areas of Apparel and Textiles; **Barber**; Cosmetologist; Culinary Arts; Family and Consumer Sciences Related Careers Cooperative Education; Food and Beverage/Restaurant Operations Manager; Food Production, Management, and Related Services; Hospitality, Administration/Management, General; and Housing and Home Environments must comply with subsections (1)(A)-(B) general and professional requirements;

3. Health Sciences –

A. Dental Assistant (requires professional licensing/certification);

[B. Dental Laboratory Technician;]

[C.]B. Emergency Medical Technology/Technician (requires professional licensing/certification);

[D.]C. Health Aide or Health Services Assistant (requires professional licensing/certification);

[E. Medical Assistant (requires professional licensing);

F. Medical Laboratory Technician;]

D. Health Information/Medical Records Technology (requires professional licensing/certification);

E. Medical Assistant (requires professional licensing/certification);

[G.]F. Medical [Transcriptionist (requires professional licensing)] Laboratory Assistant (requires professional licensing/certification);

[H. Pharmacy Technician/Assistant (requires professional licensing); and

I. Sign Language Interpreter (requires professional licensing);]

G. Medical Transcriptionist (requires professional licensing/certification); and

H. Pharmacy Technician/Assistant (requires professional licensing/certification);

I. Secondary Practical Nursing (requires professional licensing/certification); and

J. Sports Medicine (requires professional licensing/certification);

4. The applicant for a Health Sciences Career Education Certificate of license to teach must comply with the general and professional requirements from paragraph (1)(C)3. and the following:

A. Applicant must provide a valid authorization from the applicable accrediting agency certifying that applicant meets requirements to teach in the subject area and student level of the instructional program; and

B. Applicant must provide documentation of a valid, unencumbered, undisciplined professional license (if applicable for instructional area to be taught);

5. Skilled Technical Sciences –

A. Certificate Titles –

(I) Aircraft Mechanic/Technician, Powerplant (requires professional licensing);

(II) Airframe Mechanic/Technician, Airframe (requires professional licensing);

(III) Animation, Interactive Technology, Video Graphics, and Special Effects;

[(III)](IV) Auto/Automotive Body Repairer;

[(IV)](V) Auto/Automotive Mechanic/Technician;

[(V)](VI) Aviation Management;

[(VI)](VII) Building/Property Maintenance and Manager;

[(VII)](VIII) Cabinet Maker and Mill[-]worker;

[(VIII)](IX) Carpenter;

[(IX)](X) Geographic Information Science and Cartography;

[(X)](XI) Commercial Photography;

(XII) Computer and Information Systems Security/Auditing/Information Assurance;

(XIII) Computer Game Programming;

[(XI)](XIV) Computer Maintenance Technology/Technician;

(XV) Computer Programming/Programmer, General;

(XVI) Computer Systems Networking and Telecommunications;

[(XII)](XVII) Construction/Building Technology/Technician;

(XVIII) Construction/Heavy Equipment/Earthmoving Equipment Operation;

[(XIII)](XIX) Crisis/Emergency/Disaster Management;

[(XIV)](XX) Diesel Engine Mechanic and Repairer;

[(XV)](XXI) Drafting, General;

[(XVI)](XXII) Electrical and Electronics Equipment Installer and Repairer, General;

[(XVII)](XXIII) Electrician;

[(XVIII)](XXIV) Fire Science/Firefighting;

[(XIX)](XXV) Graphic and Printing Equipment Operator, General;

~~[(XX)](XXVI)~~ Graphic Design, Commercial Art, and Illustration;

~~[(XXI)](XXVII)~~ Heating, Air Conditioning, and Refrigeration Mechanic and Repairer;

~~[(XXII)](XXVIII)~~ Heavy Equipment Maintenance and Repairer;

~~[(XXIII)](XXIX)~~ Industrial Technology/Technician;

~~[(XXIV)](XXX)~~ Laser and Optical Technology/Technician;

~~[(XXV)](XXXI)~~ Criminal Justice Technology;

~~[(XXVI)](XXXII)~~ Machinist/Machine Technologist;

~~[(XXVII)](XXXIII)~~ Marine Maintenance and Ship Repairer;

~~[(XXVIII)](XXXIV)~~ Mason and Tile Setter;

~~[(XXIX)](XXXV)~~ Motorcycle Mechanic and Repairer;

~~[(XXX)](XXXVI)~~ Plumbing Technology/Plumber;

~~(XXXVII)~~ Prepress/Desktop Publishing and Digital

Imaging Design;

~~[(XXXI)](XXXVIII)~~ Radio and Television Broadcasting Technology/Technician;

~~(XXXIX)~~ Remote Aircraft Pilot;

~~[(XXXI)](XL)~~ Small Engine Mechanic and Repairer;

~~(XLI)~~ Truck and Bus Driver/Commercial Vehicle

Operator;

~~(XLII)~~ Web Page, Digital/Multimedia and Information Resources Design;

~~[(XXXIII)](XLIII)~~ Welder/Welding Technologist; and

~~[(XXXIV)](XLIV)~~ Water Quality and Wastewater

Treatment Management and Recycling Technology/Technician;

6. The applicant for a Skilled Technical Sciences Career Education certificate of license to teach must comply with subsections (1)(A)-(B) general and professional requirements and the following:

A. The applicant must provide documentation of a valid, unencumbered, undisciplined license (if applicable for instructional area to be taught);

7. The applicant for a ROTC Career Education certificate of license to teach must comply with subsections (1)(A)-(B) general and professional requirements; and

8. The applicant for a Special Needs Career Education certificate of license to teach must comply with the general and professional requirements from subsections (1)(A)-(B) and the following:

A. Possession of a bachelor's degree or higher from a college or university approved by the department;

B. A valid professional classification Missouri certificate of license to teach in one (1) of the following areas: elementary education, middle school, math (Grades 9-12), English (Grades 7-12), industrial arts, technology education, counseling, special education, or career education; and

C. The applicant must provide documentation/transcripts of completion of a course in Methods of Teaching Disabled Students or a methods course appropriate to the disability area(s) of their employment.

[(3) The requirements of this rule shall become effective August 1, 2022.]

AUTHORITY: sections 161.092, 168.011, 168.071, 168.081, 168.400, 168.405, and 168.409, RSMo 2016, and section 168.021, RSMo Supp. [2021] 2023. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed Feb. 21, 2020, effective Oct. 30, 2020. Amended: Filed Oct. 27, 2021, effective May 30, 2022. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, ATTN Travis Plume, Assistant Commissioner, Office of College and Career Readiness, PO Box 480, Jefferson City, MO 65102-0480, or by email to careered@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.*

TITLE 5 – DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20 – Division of Learning Services Chapter 400 – Office of Educator Quality

PROPOSED AMENDMENT

5 CSR 20-400.670 Certification Requirements for Career Education (Adult) Certificate. The state board is amending section (1), deleting section (2), and renumbering accordingly.

PURPOSE: This proposed amendment modifies the criteria required for career and technical education staff certifications and updates/clarifies outdated terminology.

(1) An applicant for a Career Education (Adult) Certificate who possesses good moral character may be granted a Career Education (Adult) Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career Education (Adult) Certificates:

(A) General Requirements –

1. The applicant must submit a joint application verifying contracted employment from a Missouri educational institution; and

2. One (1) of the following:

A. Verification of a bachelor's degree or higher in an area appropriate for the subject area being taught, and **any combination of the following experiences obtained within the most recent ten (10) years that equal four thousand (4,000) hours of [related occupational] total experience** approved by the Missouri Department of Elementary and Secondary Education (department) *[and obtained within the most recent ten (10) years; or]*:

(I) Related occupational experience; and

(II) Related career and technical education (CTE) teaching experience at the postsecondary/adult level or an out-of-state school district (a school year equals two thousand (2,000) hours); or

B. Verification of an associate's degree in an area appropriate for the subject area being taught, and *[five thousand (5,000) hours of related occupational experience from within the most recent ten (10) years and approved by the department; or]* **any combination of the following experiences obtained within the most recent ten (10) years that equal five thousand (5,000) hours of total experience approved by the department:**

(I) Related occupational experience; and

(II) Related CTE teaching experience at the postsecondary/adult level or an out-of-state school district (a school year equals two thousand (2,000) hours); or

C. Verification [of six thousand (6,000) hours of related occupational experience] of any combination of the following experiences obtained within the most recent ten (10) years (only for Health Sciences and Skilled Technical Sciences areas) [and] that equal six thousand (6,000) hours of total experience approved by the department[.];

(I) Related occupational experience; and

(II) Related CTE teaching experience at the postsecondary/adult level or an out-of-state school district (a school year equals two thousand (2,000) hours); and

(C) Certificate Titles and Specific Requirements for Each Specific Area of Career Education Certification –

1. Agricultural Education –
 - A. Agricultural Education;
 - B. Agricultural Business;
 - C. Agricultural Mechanics;
 - D. Agricultural Production;
 - E. Agricultural Processing;
 - F. Agricultural Resources;
 - G. Agricultural Service/Supplies;
 - H. Forestry; and
 - I. Horticulture;

2. Business Education –

A. Career Business Education;

3. Family[,] Consumer Sciences[,] and Human Services –

A. Apparel and Textiles;

B. Barber (requires professional licensing);

[B.]C. Career Family and Consumer Sciences;

[C.]D. Cosmetologist (requires professional licensing);

[D.]E. Culinary Arts –

(I) For a Culinary Arts Certificate, candidates must satisfy the requirements of at least one (1) of the following:

(a) Satisfaction of the General Requirements and Professional Requirements in subsections (1)(A)-(B) of this rule[.]; and a valid ServSafe® Manager Certificate; or

(b) Satisfaction of the requirements below:

I. Bachelor of Science Degree in Home Economics Education, Family and Consumer Sciences Education, or Vocational Family Consumer Sciences; or possession of a valid Missouri professional teaching certificate in the area of Family and Consumer Sciences;

[II. Possession of a current Secondary Food Service Education Certificate from the National Restaurant Association Education Foundation, and a Serve Safe Certificate; and]

[III]II. Two thousand (2000) hours of department-approved, related occupational experience from the most recent ten (10) years; [or] and

III. A valid ServSafe® Manager Certificate;

[(c) Satisfaction of the requirements below:

I. Bachelor of Science Degree in Home Economics Education, Family and Consumer Sciences Education, or Vocational Family Consumer Sciences; or possession of a valid Missouri professional teaching certificate in the area of Family and Consumer Sciences;

II. Possession of a current Secondary Culinary Education Certificate from the American Culinary Federation; and

III. Two thousand (2000) hours of department approved, related occupational experience from the most recent ten (10) years.];

[E.]F. Dietetic Services;

[F.]G. Food and Beverage/Restaurant Operations Manager;

[G.]H. Food Production, Management, and Related Services;

[H.]I. Hospitality Administration/Management, General;

[I.]J. Housing and Home Environments;

[J.]K. Human Development/Adult Development and Aging;

[K.]L. Human Development/Child Care; and

[L.]M. Massage Therapy (requires professional licensing);

4. The applicant for a Family and Consumer Science Career Education Certificate of license to teach in the specific area of Human Development/Child Care and Human Development/Adult Development and Aging must have a minimum of an associate or higher degree in an area appropriate for the subject area being taught and comply with subsections (1)(A)-(B). Applicants in the areas of Apparel and Textiles; Career Family and Consumer Sciences; Culinary Arts; Food and Beverage/Restaurant Operation Manager; Food Production, Management, and Related Services; and Housing Environments must comply with subsections (1)(A)-(B);

5. Health Sciences –

A. Dental Assistant (requires professional licensing/certification);

B. Dental Hygienist (requires professional licensing);

[C.]Dental Laboratory Technician[.];

[D.]C. Diagnostic Medical Sonography Technician (requires professional licensing);

[E.]D. Emergency Medical Technology/Technician (requires professional licensing/certification);

[F.]E. Funeral Service and Mortuary Science (requires professional licensing);

[G.]F. Health Professions and Related Sciences, Other;

[H.]G. Health Unit Coordinator/Ward Clerk;

[I.]H. Licensed Practical Nursing (requires professional licensing);

[J.]I. Medical/Clinical Assistant (requires professional licensing/certification);

[K.]Medical Laboratory Assistant (requires professional licensing[.]);

[L.]J. Medical Laboratory Technician (requires professional licensing/certification);

[M.]K. Medical Radiologic Technology/Technician (requires professional licensing);

[N.]L. Medical Record Technology/ Technician (requires professional licensing/certification);

[O.]M. Medical Transcription (requires professional licensing/certification);

[P.]N. Nursing Assistant/Aide;

[Q.]Nursing, Other (requires professional licensing[.]);

[R.]O. Occupational Therapy Assistant (requires professional licensing);

[S.]P. Pharmacy Technician/Assistant (requires professional licensing/certification);

[T.]Q. Physical Therapy Assistant (requires professional licensing/certification);

R. Psychiatric/Mental Health Services Technician (requires professional licensing/certification);

[U.]S. Registered Nursing Training (requires professional licensing);

[V.]T. Respiratory Therapy Technician (requires professional licensing);

[W.]U. Sign Language Interpreter (requires professional licensing/certification); [and]

V. Substance Abuse/Addiction Counseling (requires professional licensing/certification); and

[X.JW. Surgical/Operating Room] Technology/Technologist (requires professional licensing);

6. The applicant for a Health Sciences Career Education Certificate of license to teach must comply with subsections (1)(A)-(B) and the following:

A. Applicant must provide a valid authorization from the applicable accrediting agency certifying that applicant meets requirements to teach in the subject area and student level of the instructional program; and

B. Applicant must provide documentation of a valid, unencumbered, undisciplined professional license (if applicable for instructional area to be taught);

7. Marketing Education –

A. Marketing;

8. Skilled Technical Sciences –

A. Certification Titles –

(I) Aircraft Mechanic/Technician, Powerplant (requires professional licensing);

(II) Airframe Mechanic/Technician, Airframe (requires professional licensing);

(III) Architectural Engineering Technology/Technician;

(IV) Auto/Automotive Body Repairer;

(V) Auto/Automotive Mechanic/Technician;

(VI) Automotive Engineering Technology/Technician;

(VII) Aviation Management;

(VIII) Aviation Systems and Avionics Maintenance Technology/Technician (requires professional licensing);

(IX) Biomedical Engineering-Related Technology/Technician;

(X) Building/Property Maintenance and Manager;

(XI) Cabinet Maker and Millworker;

(XII) Carpenter;

(XIII) Geographic Information Science and Cartography;

(XIV) Chemical Technology/Technician;

(XV) Civil Engineering/Civil Technology/Technician;

(XVI) Commercial Photography;

(XVII) Communications Systems Installer and

Repairer;

(XVIII) Computer Installer and Repairer;

(XIX) Computer Maintenance Technology/Technician;

(XX) Construction Equipment Operator;

(XXI) Construction/Building Technology/Technician;

(XXII) Crisis/Emergency/Disaster Management;

(XXIII) Diesel Engine Mechanic and Repairer;

(XXIV) Drafting, General;

(XXV) Electrical and Electronics Equipment Installer and Repairer, General;

(XXVI) Electrical and Power Transmission Installer,

General;

(XXVII) Electromechanical Technology/Technician;

(XXVIII) Fire Protection and Safety Technology/

Technician;

(XXIX) Fire Science/Firefighting;

(XXX) Graphic and Printing Equipment Operator,

General;

(XXXI) Graphic Design, Commercial Art, and

Illustration;

(XXXII) Heating, Air Conditioning, and Refrigeration Mechanic and Repairer;

(XXXIII) Heavy Equipment Maintenance and Repairer;

(XXXIV) Industrial Design;

(XXXV) Industrial Electronics Installer and Repairer;

(XXXVI) Industrial Machinery Maintenance and

Repairer;

(XXXVII) Instrumentation Technology/Technician;

(XXXVIII) Ironworking/ Ironworker;

(XXXIX) Laser and Optical Technology/Technician;

(XL) Criminal Justice Technology;

(XLI) Machinist/Machine Technologist;

(XLII) Major Appliance Installer and Repairer;

(XLIII) Manufacturing Technology;

(XLIV) Marine Maintenance and Ship Repairer;

(XLV) Mason and Tile Setter;

(XLVI) Mechanical Engineering/Mechanical Technology/Technician;

(XLVII) Motorcycle Mechanic and Repairer;

(XLVIII) Nuclear Engineering Technology/Technician;

(XLIX) Occupational Safety and Health Technology/Technician;

(L) Painter and Wall Coverer;

(LI) Pipefitting/Pipefitter and Sprinkler Fitter;

(LII) Plumbing Technology/Plumber;

(LIII) Quality Control Technology/Technician;

(LIV) Radio and Television Broadcasting Technology/Technician;

(LV) Robotics Technology/Technician;

(LVI) Sheet Metal Worker;

(LVII) Small Engine Mechanic and Repairer;

(LVIII) Truck, Bus, and Other Commercial Vehicle Operator (requires professional licensing);

(LIX) Upholsterer;

(LX) Water Quality and Wastewater Treatment Technology/Technician; and

(LXI) Welder/Welding Technologist; and

9. The applicant for a Skilled Technical Sciences career education certificate of license to teach must comply with subsections (1)(A)-(B) and the following:

A. Applicant must provide documentation of a valid, unencumbered, undisciplined copy of their professional license (if applicable for instructional area to be taught).

[(2) The requirements of this rule shall become effective August 1, 2022.]

AUTHORITY: sections 161.092, 168.011, 168.071, 168.081, 168.400, 168.405, and 168.409, RSMo 2016, and section 168.021, RSMo Supp. [2021] 2023. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed Oct. 27, 2021, effective May 30, 2022. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, ATTN: Travis Plume, Assistant Commissioner, Office of College and Career Readiness, PO Box 480, Jefferson City, MO 65102-0480, or by email to careered@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Division 40—Missouri Mining Commission
Chapter 10—Permit and Performance Requirements
for Industrial Mineral Open Pit and In-Stream Sand
and Gravel Operations**

PROPOSED RULE

10 CSR 40-10.025 Geologic Resources Fees

PURPOSE: This rule increases geologic resources fees for surface mining activities pursuant to section 256.700, RSMo.

(1) Any operator who applies for a permit pursuant to section 444.772, RSMo, except for operators of gravel mining operations where the annual tonnage of gravel mined by such operator is less than five thousand (5,000) tons, shall, in addition to all other authorized fees pursuant to such section, annually submit geologic resources fees as follows, in lieu of the amounts established in section 256.700.3, RSMo:

(A) For each permit, a permit fee of seventy-five dollars (\$75);

(B) For each site listed on a permit, a site fee of seventy-five dollars (\$75); and

(C) For each acre permitted by the operator pursuant to section 444.772, RSMo, an acreage fee of eight dollars (\$8) per acre for the first three hundred (300) acres and four dollars (\$4) for each additional acre exceeding three hundred (300) acres.

(2) In no case shall the annual geologic resources fee portion for any permit issued under section 444.772, RSMo, be more than three thousand five hundred dollars (\$3,500).

AUTHORITY: section 256.700, RSMo Supp. 2023. Original rule filed May 14, 2024.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities approximately two hundred fifty thousand dollars (\$250,000) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Natural Resources' Geological Survey Program, attention to Amber Steele, at PO Box 250, 111 Fairgrounds Rd., Rolla, MO 65402, or via email to amber.steele@dnr.mo.gov. To be considered, comments must be received by the close of the public comment period on July 17, 2024. A public hearing is scheduled for July 19, 2024, at 10 a.m. in the Mozarkite Conference Room, Missouri Geological Survey, 111 Fairgrounds Road, Rolla, MO 65401.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: Title 10 – DEPARTMENT OF NATURAL RESOURCES
Division Title: Division 40 – Missouri Mining Commission
Chapter Title: Chapter 10 – Permit and Performance Requirements for Industrial Mineral Open Pit and In-Stream Sand and Gravel Operations**

Rule Number and Title:	10 CSR 40 – 10.025 Geologic Resources Fees
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
200	Permitted surface mining operators	Approximately \$250/regulated entity that does not currently pay more than the statutory maximum annually for the 5 year life of the rule for a total cost in the aggregate of \$250,000.

III. WORKSHEET

It is projected that changes to the Geologic Resources permit, site, and acre fees will increase annual revenue from approximately \$200,000 to \$250,000. These additional fees would be distributed among surface mining operations across the state, with no regulated entity paying more than \$3,500 per year in these fees pursuant to section 256.700, RSMo. Over the five-year life of the rule, the costs to these private entities are approximately \$250,000.

IV. ASSUMPTIONS

The assumptions behind these projections are that base revenue will be stable into future fiscal years, that the number of surface mining operators and activity in Missouri will remain stable, and that pay plan projections will not change.

**TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 2 – Income Tax**

PROPOSED AMENDMENT

12 CSR 10-2.155 Regulated Investment Companies. The director is amending the purpose statement and sections (1) - (4).

PURPOSE: This amendment updates certain statutory references and alters a notice requirement to include electronic communications, among other changes.

PURPOSE: This rule explains when a corporate or individual taxpayer may [deduct] subtract or must add back income from a regulated investment company on its Missouri return.

(1) The term regulated investment company[,] (RIC or mutual fund), as used in this rule, shall mean an organization which meets the qualifications of, and has made the proper election required by *Internal Revenue Code* (IRC) section 851.

(2) Pass through of Exempt-Interest on United States Obligations. As used in this section, the term United States Obligations means those obligations described in section 143.121.3[(a)](1), RSMo, including those obligations described in 12 CSR 10-2.150]. An RIC having income from United States Obligations may pass the exempt character of that income through to its shareholders as state income tax exempt-interest dividends. To the extent provided in this section, this exempt-interest is allowable as a modification on the shareholder's income tax return. The modification allowed will be the amount received by the shareholder as a state income tax exempt-interest dividend, less the amounts described in subsections (2)(A) and (B). A state income tax exempt-interest dividend means any dividend or part of a dividend paid by an RIC, attributable to United States Obligations ([other than] not including exempt-interest dividends as defined in *Internal Revenue Code* (Section 852(b)(5))) [as determined by the RIC], and designated by the RIC as a state income tax exempt-interest dividend in a written notice mailed or otherwise sent (e.g., through electronic communication) to its shareholders not later than sixty (60) days after the close of its taxable year. The notice also must state the amount of interest paid or expense incurred by an RIC in the production of the state income tax exempt-interest dividends. The taxpayer's state income tax exempt-interest dividends shall be reduced by the amount of –

(B) Interest paid or expense incurred to produce the state income tax exempt-interest dividends, to the extent that the interest paid or expense incurred equals or exceeds five hundred dollars (\$500) [pursuant to] and to the extent that such expenses would trigger a reduction in the subtraction modification under section 143.121.3[(a)](1), RSMo.

(3) A taxpayer claiming state income tax exempt-interest dividends for a tax year shall attach to that tax year's Missouri income tax return a copy of the year-end statement received from the RIC identifying all United States Obligations by issuer or a summary document indicating the percentage of dividends attributable to interest on United States Obligations [must be attached to the Missouri income tax return when filed]. The percentage referred to in the preceding sentence shall be identical for every person who was a shareholder at

any time during a calendar year, irrespective of whether that shareholder acquired or disposed of [his/her] their interest during that year.

(4) Amounts excluded from a taxpayer's federal adjusted gross income or, in the case of a corporation, federal taxable income [on the taxpayer's federal return] as exempt-interest dividends, as defined in IRC section 852(b)(5), must be included in determining Missouri taxable income pursuant to section 143.121.2[(b)](2), RSMo, [to the extent that the interest from which they are derived would not be exempt from Missouri income tax if held directly by a resident] subject to any reduction required by section 143.121.2(2), RSMo. The previous sentence shall not apply to the extent such exempt-interest dividends are derived from interest on obligations of the state of Missouri or any of its political subdivisions or authorities or interest described in section 143.121.3(1), RSMo.

(A) Example: An RIC with only individual shareholders declares and pays a federal exempt-interest dividend pursuant to IRC section 852(b)(5) of [100x] ten thousand dollars (\$10,000) to all of its shareholders. The dividend is therefore exempt from federal income taxation. [20x] Two thousand dollars (\$2,000) of the federal exempt-interest paid is attributable to the net interest earned by the RIC on obligations issued by Missouri and its political subdivisions. [10x] One thousand dollars (\$1,000) of the federal exempt-interest dividend is attributable to the net interest earned on obligations of the territory of Puerto Rico, the interest on which, pursuant to federal law and section 143.121.3[(a)](1), RSMo, is exempt from Missouri income taxation. The remaining [70x] seven thousand dollars (\$7,000) of the federal exempt-interest dividend is attributable to the net interest earned on obligations from other states, the interest on which is not excludable from Missouri taxable income. Assume that IRC section 265 did not prohibit any deduction related to the aforementioned interest amounts. An RIC may designate [30x] three thousand dollars (\$3,000) of the federal exempt-interest dividend as a dividend which need not be included in Missouri taxable income. Each shareholder of the RIC may exclude thirty percent (30%) of [his/her] their federal exempt-interest dividend ([20x] two thousand dollars (\$2,000) plus [10x] one thousand dollars (\$1,000) divided by [100x] ten thousand dollars (\$10,000)) from Missouri taxable income by excluding such amount from federal adjusted gross income. The remaining seventy percent (70%) of the federal exempt-interest dividend is includable in Missouri taxable income as a Missouri addition modification by the shareholders of the RIC pursuant to section 143.121.2[(b)](2), RSMo.

AUTHORITY: section 143.961, RSMo [1994] 2016. Original rule filed Jan. 7, 1986, effective May 11, 1986. For intervening history, please consult the Code of State Regulations. Amended: Filed May 13, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Revenue, Legislative Office, 301 W. High St., Room 218, Jefferson City, MO 65109-0475. To be

considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 24 – Driver License Bureau Rules
PROPOSED AMENDMENT

12 CSR 10-24.060 Delegation of Authority to Administer Missouri Driver[s] License Examinations and the Actual Demonstration of Ability to Exercise Due Care in the Operation of a Motor Vehicle of the Classification for Which the License is Sought. The director is amending the title, section (1), and the rule authority.

PURPOSE: This amendment updates the title, makes spelling corrections, and updates the rule authority.

(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 driver[s] license.

AUTHORITY: section 302.173, RSMo Supp. [2013] 2023. Original rule filed July 14, 1986, effective Nov. 28, 1986. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 13, 2024

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Revenue, Legislative Office, 301 W. High St., Room 218, Jefferson City, MO 65109-0475. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 24 – Driver License Bureau Rules

PROPOSED AMENDMENT

12 CSR 10-24.420 Standards Governing Motorcycle Helmet Construction. The director is amending section (1) and adding a new section (2).

PURPOSE: This amendment incorporates by reference 49 CFR 571.218 and updates the rule authority.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public

for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

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

(2) 49 CFR 571.218, revised May 2013, is incorporated by reference and published by the National Highway Traffic Safety Administration and can be obtained at www.federalregister.gov. This rule does not include any amendments or additions since the revision date noted.

AUTHORITY: section 302.020, RSMo Supp. [1997] 2023. This rule was previously filed as 12 CSR 10-40.010. Original rule filed Sept. 15, 1977, effective Feb. 11, 1978. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 13, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Revenue, Legislative Office, 301 W. High St., Room 218, Jefferson City, MO 65109-0475. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

TITLE 13 – DEPARTMENT OF SOCIAL SERVICES
Division 70 – MO HealthNet Division
Chapter 98 – Behavioral Health Services

PROPOSED RESCISSION

13 CSR 70-98.020 Prior Authorization Committee for Non-Pharmaceutical Behavioral Health Services. This rule established a committee to advise the MO HealthNet Division on a prior authorization process for non-pharmaceutical behavioral health services. The prior authorization process served as a utilization management measure to ensure that services were medically necessary, appropriate, and cost-effective.

PURPOSE: This rule is being rescinded as there is no longer a need for this committee to meet quarterly to advise on prior authorizations.

AUTHORITY: sections 208.201 and 660.017, RSMo 2016. Original rule filed Jan. 15, 2004, effective Aug. 30, 2004. Amended: Filed Oct. 30, 2007, effective April 30, 2008. Amended: Filed Oct. 10, 2013, effective April 30, 2014. Amended: Filed Oct. 1, 2018, effective May 30, 2019. Rescinded: Filed May 6, 2024.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

**Division 2085 – Board of Cosmetology and Barber Examiners
Chapter 3 – License Fees**

PROPOSED AMENDMENT

20 CSR 2085-3.010 Fees. The board is amending sections (1), (2), and (3), adding new section (4), and renumbering remaining sections.

PURPOSE: This amendment increases various fees.

(1) The following barber-related fees are hereby established by the State Board of Cosmetology and Barber Examiners for those fees, activities, or licenses governed by Chapter 328, RSMo.

- (A) Apprentice Barber
 - 1. Registration [~~\$ 5~~]~~\$ 25~~
- (B) Apprentice Supervisor
 - 1. Application [~~Fee~~] \$ 75
- (C) Barber
 - 1. Reciprocity \$100
 - 2. Exam Score Endorsement [~~Fee~~] \$100
 - 3. Certificate of Registration (first license) \$ 20
 - 4. License Renewal [~~\$ 50~~]~~\$ 60~~
 - A. Reinstatement (delinquent) [~~Fee~~] after November 30 (not renewable after two (2) years) [~~\$ 80~~]~~\$ 90~~
 - B. Military renewal under section 328.110.3, RSMo \$ 1
 - 5. Inactive License [~~Fee~~] [~~\$ 20~~]~~\$ 30~~
- (D) Barber Establishment (Full Service/Chair Rental)
 - 1. Certificate of Registration/License \$100
 - 2. Change of Location
 - A. Full Service Barber Establishment \$100
 - B. Barber Chair/Individual Space Renter \$ 50
 - 3. Change of Ownership \$ 50
 - 4. Adding a Co-Owner \$ 50
 - 5. License Renewal [~~\$ 50~~]~~\$ 75~~
 - A. Penalty [~~Fee~~] after

- October 30 [~~\$ 80~~]~~\$105~~
- 6. Delinquent [~~Fee~~] (opening a barber establishment without registering before opening) \$100
- (E) Instructor
 - 1. Certificate of Registration (first license) \$ 20
 - 2. License Renewal [~~\$ 30~~]~~\$ 60~~
 - A. Reinstatement (delinquent) [~~Fee~~] after April 30 not renewable after two (2) years [~~\$ 50~~]~~\$ 90~~
 - 3. Inactive License [~~Fee~~] [~~\$12.50~~]~~\$ 30~~
- [(F)] Miscellaneous Fees (applicable to all licensees/registrants)
 - 1. Certification/Affidavit of Licensure \$ 10
 - 2. Certification of Training Hours, Examination Scores \$ 10
 - 3. Duplicate License/Registration Fee \$ 10
 - 4. Handling/Insufficient Funds Fee (any uncollectible check or other financial instrument) \$ 25
 - 5. Late Fee \$ 30
 - 6. Name Search Fee (as determined by the Missouri State Highway Patrol)
- [(G)](F) School
 - 1. Application [~~Fee~~] to Open a New School/College \$500
 - 2. Change of Location \$500
 - 3. Change of Ownership \$300
 - 4. Adding a Co-Owner \$ 50
 - 5. License Renewal \$500
- [(H)](G) Student Barber
 - 1. Enrollment Application [~~Fee~~] [~~\$ 5~~]~~\$ 25~~

(2) The following cosmetology-related fees are hereby established by the board for those fees, activities, or licenses governed by Chapter 329, RSMo.

- (A) Apprentice Cosmetology
 - 1. Enrollment [~~Fee~~] [~~\$ 5~~]~~\$ 25~~
- (B) Apprentice Supervisor
 - 1. Application [~~Fee~~] \$ 75
- (C) Cosmetology Establishments (up to and including three (3) operators)
 - 1. Application/License [~~Fee~~] (Full Service [~~&~~]and Rental Station) \$100
 - 2. Change of Location –
 - A. Full Service Cosmetology Establishment \$100
 - B. Rental Station/Independent Contractors \$ 50
 - 3. Change of Ownership \$100
 - 4. Adding Co-Owner \$ 50
 - 5. Delinquent [~~Fee~~] (opening a cosmetology establishment without registering before opening) \$100
 - 6. Renewal [~~Fee~~] (Full Service [~~&~~]and Rental Station) [~~\$ 50~~]~~\$ 75~~
 - A. Reinstatement (includes late fee) [~~\$ 80~~]~~\$105~~

(D) Instructors		[6.]5. Inactive License [Fee]	[\$12.50]\$ 30
1. License [Fee]	\$ 30	[(C)] Miscellaneous Fees	
2. Instructor Trainee Enrollment [Fee]	[\$ 5]\$ 25	1. Certification/Affidavit of Licensure	\$ 10
3. Reciprocity [Fee]	\$100	2. Certification of Training Hours, Examination Scores	\$ 10
4. Reinstatement [Fee] (includes late fee)	[\$ 60]\$ 90	3. Duplicate License Fee	\$ 10
5. Renewal [Fee]	[\$ 30]\$ 60	4. Handling Fee (any uncollectible check or other financial instrument)	\$ 25
6. Inactive License [Fee]	[\$12.50]\$ 30	5. Late Fee	\$ 30
[(E)] Miscellaneous Fees (applicable to all licensees/registrants)		6. Name Search Fee (as determined by the Missouri State Highway Patrol)	
1. Certification/Affidavit of Licensure/Registration	\$ 10	7. Certificate of Registration (Hair Braiding)	\$ 20]
2. Certification of Training Hours, Examination Scores	\$ 10	[(D)](C) Operators	
3. Duplicate License Fee	\$ 10	1. Initial Application/License [Fee]	\$100
4. Handling Fee (any uncollectible check or other financial instrument)	\$ 25	2. Reciprocity [Fee]	\$100
5. Late Fee	\$ 30]	3. Exam Score Endorsement [Fee]	\$100
[(F)](E) Operator [Fees]		4. Reinstatement [Fee] (includes late fee)	[\$ 90]\$150
1. Additional Operator [Fee]	\$ 10	5. Renewal [Fee]	[\$ 60]\$120
2. Reciprocity [Fee]	\$100	6. Inactive License	\$ 30
3. Exam Score Endorsement [Fee]	\$100	[(E)](D) Schools	
4. Reinstatement [Fee] (includes late fee)	[\$ 80]\$ 90	1. Change of Location [Fee] (schools)	\$850
5. Renewal [Fee]	[\$ 50]\$ 60	2. Delinquent [Fee] (opening a school without required license)	\$100
6. Inactive [Fee]	[\$ 20]\$ 30	3. Initial Application/License [Fee]	\$850
[(G)](F) School		4. Reinstatement [Fee] (schools) (includes late fee)	\$880
1. Change of Location [Fee]	\$500	5. Renewal [Fee] (schools)	\$850
2. School Application/License [Fee]	\$500		
3. Satellite Classroom License [Fee]	\$300	(4) Miscellaneous fees applicable to all licensees and registrants.	
4. Satellite Classroom Renewal [Fee]	\$300	(A) Certification/Affidavit of Licensure	\$ 10
5. School Renewal [Fee]	\$500	(B) Certification of Training Hours, Examination Scores	\$ 10
[(H)](G) Student		(C) Duplicate License	\$ 10
1. Enrollment Application [Fee]	[\$ 5]\$ 25	(D) Bad Check	\$ 25
		(E) Late Fee	\$ 30
		(F) Certificate of Registration (Hair Braiding)	\$ 20
(3) The following fees are hereby established by the board for crossover licensees under Chapter 328 or Chapter 329, RSMo.		[(4)](5) All fees are nonrefundable [and are payable in the form of a cashier's check, money order, or personal check].	
(A) Establishments:		[(5)](6) Checks or other financial instruments returned to the board as uncollectible shall be turned over to the prosecuting attorney's office or the licensee shall be required to pay a [handling] bad check fee in addition to submitting replacement funds to the board.	
1. Application/License [Fee]	\$100	[(6)](7) Payment of any copy/printout fees and search fees may be required before any information will be provided, pursuant to section 610.026, RSMo.	
2. Change of Ownership	\$100	[(7)](8) The provisions of this rule are declared severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.	
3. Adding Co-Owner	\$ 50		
4. Change of Location [Fee] (Full Service)	\$100		
5. Change of Location [Fee] (Rental)	\$ 50		
6. Delinquent [Fee] (opening an establishment without a license)	\$100		
7. Reinstatement [Fee] (includes late fee)	[\$130]\$180		
8. Renewal [Fee] (Full Service [&]and Rental Station)	[\$100]\$150		
(B) Instructors			
1. Certificate of Registration	\$ 20		
[2.] Instructor Trainee Enrollment Fee (applicants required to complete additional cosmetology instructor education or training for crossover license)	\$ 5]		
[3.]2. Reciprocity [Fee]	\$100		
[4.]3. Reinstatement [Fee] (includes late fee)	[\$60]\$150		
[5.]4. Renewal [Fee]	[\$ 30]\$120		

*AUTHORITY: sections 329.025(4) and 329.275, RSMo Supp. [2021] 2023. Original rule filed June 27, 2007, effective Dec. 30, 2007. For intervening history, please consult the **Code of State Regulations**. Amended: Filed May 13, 2024.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities approximately one hundred six thousand six hundred sixty dollars (\$106,660) annually and \$1,056,450 biennially for the life of the rule.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Cosmetology and Barber Examiners, PO Box 1062, Jefferson City, MO 65102, by facsimile at (573) 751-8176, or via email at cosbar@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

PRIVATE FISCAL NOTE**I. RULE NUMBER**

Title 20 -Department of Commerce and Insurance
Division 2085—Board of Cosmetology and Barber Examiners
Chapter 3—License Fees
Proposed Amendment to 20 CSR 2085-3.010 Fees

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated costs for the life of the rule by affected entities:
15	Barber Apprentice Registration (Fee Increase @ \$20)	\$300
85	Barber Reinstatement (Fee Increase @ \$10)	\$850
45	Barber Establishment Renewal Late Fee (Fee Increase @ \$25)	\$1,125
1	Barber Instructor Reinstatement (Fee Increase @ \$40)	\$40
400	Barber Student Enrollment Application (Fee Increase @ \$20)	\$8,000
100	Cosmetology Apprentice Enrollment (Fee Increase @ \$20)	\$2,000
475	Cosmetology Establishment Reinstatement (Fee Increase @ \$25)	\$11,875
40	Cosmetology Instructor Trainee Enrollment (Fee Increase @ \$20)	\$800
10	Cosmetology Instructor Reinstatement (Fee Increase @ \$30)	\$300

1,800	Cosmetology Operator Reinstatement (Fee Increase @ \$10)	\$18,000
3,000	Cosmetology Student Enrollment (Fee Increase @ \$20)	\$60,000
50	Crossover Establishment Reinstatement (Fee Increase @ \$50)	\$2,500
3	Crossover Instructor Reinstatement (Fee Increase @ \$90)	\$270
10	Crossover Operator Reinstatement (Fee Increase @ \$60)	\$600
Estimated Revenue Beginning in FY25 and Annually Thereafter		\$106,660

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated costs for the life of the rule by affected entities:
2,400	Barber Renewal (Fee Increase @ \$10)	\$24,000
100	Barber Inactive Fee (Fee Increase @ \$10)	\$1,000
850	Barber Establishment Renewal (Fee Increase @ \$25)	\$21,250
60	Barber Instructor Renewal (Fee Increase @ \$30)	\$1,800
10	Barber Instructor Inactive License (Fee Increase @ \$17.50)	\$175
15,000	Cosmetology Establishment Renewal (Fee Increase @ \$25)	\$375,000
300	Cosmetology Instructor Renewal (Fee Increase @ \$30)	\$9,000
375	Cosmetology Instructor Inactive License (Fee Increase @ \$17.50)	\$6,563
49,300	Cosmetology Operator Renewal (Fee Increase @ \$10)	\$493,000
3,460	Cosmetology Operator Inactive (Fee Increase @ \$10)	\$34,600

800	Crossover Establishment Renewal (Fee Increase @ \$50)	\$40,000
70	Crossover Instructor Renewal (Fee Increase @ \$90)	\$6,300
15	Crossover Instructor Inactive License (Fee Increase @ \$17.50)	\$263
725	Crossover Operator Renewal (Fee Increase @ \$60)	\$43,500
40	Crossover Operator Inactive (Fee @ \$30)	\$1,200
Estimated Revenue Beginning in FY26 and Biennially Thereafter		\$1,056,450

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The board utilizes a rolling five year financial analysis process to evaluate its fund balance, establish fee structure, and assess budgetary needs. The five-year analysis is based on the projected revenue, expenses, and number of licensees. Based on the board's recent five-year analysis, the board voted to increase multiple license fees.
2. It is anticipated that the total costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

Note: The board is statutorily obligated to enforce and administer the provisions of sections 328.010 to 328.160 and 329.010 to 329.275, RSMo. Pursuant to section 329.025, RSMo, the board shall by rule and regulation set the amount of fees authorized by section 329.0252, RSMo, so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the division for administering the provisions of sections sections 328.010 to 328.160 and 329.010 to 329.275, RSMo..

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2245 – Real Estate Appraisers
Chapter 3 – Applications for Certification and
Licensure**

PROPOSED AMENDMENT

20 CSR 2245-3.005 Trainee Real Estate Appraiser Registration. The commission is amending section (4), adding new section (5), and renumbering as necessary.

PURPOSE: This amendment outlines the licensing criteria changes established by the Appraisal Qualifications Board (AQB) that take effect January 1, 2026.

(4) [On or after July 1, 2013, t]Trainee applicants in addition to the requirements outlined in section (3) of this rule will also be required to submit –

(C) Trainees who submit an application postmarked on or after January 1, 2026, shall be required to meet the 2026 Appraisal Qualifications Board (AQB) educational criteria as outlined below:

1. National Uniform Standards of Professional Appraisal Practice (USPAP) Course	15 hours
2. Basic Appraisal Principles	30 hours
3. Basic Appraisal Procedures	30 hours
4. Valuation Bias and Fair Housing Laws and Regulations	8 hours
	Total 83 Hours;

[(C)](D) Proof of submission of fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and Federal Bureau of Investigation fingerprint background check. Any fees due for fingerprint background checks shall be paid by the applicant directly to the Missouri State Highway Patrol or its approved vendor;

[(D)](E) All applications shall include the appropriate fees as established pursuant to 20 CSR 2245-5.020 and physical work and home addresses for the applicant. The commission will not consider an application which is incomplete or with which the correct fees have not been submitted; and

[(E) Licenses or certificates issued to trainees will be valid for a period of ten (10) years from the date of issuance. Thereafter, the holder of a license or certificate as a trainee may request on an annual basis, a one (1) year extension in writing and for just cause at least thirty (30) days prior to the expiration date; and]

(F) The commission may refuse to issue or renew a license or certificate for any one (1) or any combination of causes set forth in section 339.532, RSMo.

(5) Effective January 1, 2026, licenses or certificates issued to all trainees will expire on June 30 of even-numbered years; however, a trainee may only renew their license or certificate for a total of five (5) renewal cycles. Notice of expiration will be sent to the trainee prior to the expiration date notifying the trainee of their eligibility to renew. Trainees holding a certificate or license prior to January 1, 2026, will receive a new license or certificate with a June 30, 2026, expiration date and will have to renew going forward as set forth in this rule.

(A) At the time of renewal the trainee will be required to complete the renewal form, pay the renewal fee as established pursuant to 20 CSR 2245-5.020, and attest whether or not they have completed the required

continuing education hours as established by the Appraiser Qualifications Board (AQB) and pursuant to 20 CSR 2245-8.010.

(B) Trainees shall maintain evidence of course completion certificates as outlined in 20 CSR 2245-8.040(1).

(C) Failure to renew the trainee license within ninety (90) days of the license expiring will render the license void and the trainee will be required to reapply for a new trainee license under the current trainee requirements at the time of reapplication as set by the AQB. Failure to receive the notice to renew from the commission shall not excuse the trainee from the requirements for renewal.

[(5)](6) No real estate appraisal experience is required as a prerequisite for registration.

[(6)](7) Training.

(A) The registrant shall be subject to direct supervision by a Missouri certified appraiser in good standing with the commission for the prior three (3) years. If the trainee is currently licensed or certified, supervision shall only be required if the trainee is completing experience outside their current scope of practice.

(B) The supervising appraiser(s) shall be responsible for the training, guidance, and direct supervision of the registrant by –

1. Accepting responsibility for the appraisal report by signing and certifying that the report complies with the *Uniform Standards of Professional Appraisal Practice (USPAP)*, 2024 Edition. The USPAP, 2024 Edition, is incorporated by reference and can be obtained from The Appraisal Foundation, 1155 15th Street NW, Suite 1111, Washington, DC 20005, by calling (202) 347-7722, or at www.appraisalfoundation.org. This rule does not incorporate any subsequent amendments or additions to the USPAP;

2. Reviewing and signing the appraisal report(s) for which the registrant has provided appraisal services; and

3. Personally inspecting each appraised property with the registrant until the supervising appraiser determines the registrant trainee is competent, in accordance with the competency rule of USPAP. If applying for a residential certification, the supervising appraiser shall personally inspect fifty (50) properties with the registrant, unless otherwise waived by the commission for good cause. If applying for certified general, the supervising appraiser shall personally inspect twenty (20) nonresidential properties with the registrant, unless otherwise waived by the commission for good cause.

(C) The registrant is permitted to have more than one (1) supervising appraiser, but a supervising appraiser may not supervise more than three (3) registrants at one (1) time. The supervisor shall not be employed by the trainee.

(D) The registrant and a supervising appraiser shall notify the commission of a newly created supervisory relationship and submit an affidavit from the supervising appraiser acknowledging the supervisory relationship prior to the registrant performing appraisal services under the supervising appraiser. A registrant shall not receive credit for appraisal experience under a certified appraiser unless the registrant has first notified the commission of the certified appraiser's name and license number. Within ten (10) days of the termination of a supervisory relationship, the registrant and the supervising appraiser shall notify the commission that the supervisory relationship has been terminated.

(E) The registrant and each supervising appraiser shall maintain an appraisal log. This appraisal log may be

maintained jointly, but each shall be individually responsible to assure the completion and availability of the appraisal log regardless of the agreement or practice of the registrant and the supervising appraiser regarding its maintenance. Separate appraisal logs shall be maintained for each supervising appraiser. The registrant and the supervising appraiser shall provide a copy of the appraisal log to the commission upon request. At a minimum, the appraisal log shall include the information required by 20 CSR 2245-2.050 and the following:

1. Description of work performed by the trainee and scope of the review and supervision of the supervising appraiser;
2. Number of actual work hours by the trainee on the assignment; and
3. The name and state certification number of the supervising appraiser.

(F) Registrants who are submitting experience hours associated with mass appraising shall submit a log that shall include at a minimum the following:

1. Date(s): month and year;
2. Subject or project (location, description, or address);
3. Appraisal task(s);
4. Property type(s);
5. Client;
6. Number of properties;
7. Actual number of hours to complete the assignment;
8. Appraiser(s); and
9. Description of work performed by trainee and scope of supervision of the supervising appraiser.

(G) The Missouri certification of the supervising appraiser shall be in good standing and not subject to revocation, suspension, or probation within the last three (3) years. Subject to revocation or suspension within the last three (3) years shall mean that any term of revocation or suspension shall be terminated more than three (3) years prior to a licensee serving as supervising appraiser. Anyone subject to probation cannot supervise trainees during the probationary period, unless otherwise ordered by the commission.

~~[(7)](8)~~ A person may register as a trainee under a supervising appraiser certified in another state if –

(A) The supervising appraiser is certified in another state that has requirements that are substantially similar to the requirements in Missouri for certification as a state-certified general or state-certified residential real estate appraiser;

(B) The supervising appraiser's certification from the other state authorizes the supervisor, at a minimum, to perform the same scope of appraisal services that either a Missouri-certified general or certified residential appraiser is authorized to perform;

(C) The supervising appraiser's certification from the other state is active and has been in good standing and not subject to discipline for the prior three (3) years. The trainee real estate appraiser application shall be accompanied by verification from the supervising appraiser's certification authority verifying that the supervising appraiser's certification is active, in good standing, and has not been disciplined as provided in this subsection; and

(D) Upon application for certification, trainees that are supervised by an appraiser certified in another state shall be required to comply with all certification requirements established by Missouri law. Trainees are also reminded that pursuant to 20 CSR 2245-3.010, applicants for a general certification must have accumulated a total of three thousand (3,000) hours of appraisal experience of which at least fifty percent (50%) (one thousand five hundred (1,500) hours) shall be in nonresidential appraisal work and under the supervision

of a Missouri-certified general real estate appraiser or a certified general appraiser certified in another state and who is authorized to perform the same scope of appraisal services as a Missouri-certified general appraiser.

~~[(8)](9)~~ As used in this section, "direct supervision" shall mean the degree of supervision required of a supervisory appraiser overseeing the work of a registrant by which the supervisory appraiser has control over and detailed professional knowledge of the work being done. Direct supervision is achieved when a registrant has regular direction, guidance, and support from a supervisory appraiser. The supervisor shall determine the level of supervision that is appropriate for the appraisal project and the skill level of the registrant as assessed by the supervisor. Direct supervision shall include but is not limited to the following:

(A) Reviewing the registrant's appraisal report(s) to ensure research of general and specific data has been adequately conducted and properly reported, application of appraisal principles and methodologies has been properly applied, that any analysis is sound and adequately reported, and that any analysis, opinions, or conclusions are adequately developed and reported so that the appraisal report is not misleading; and

(B) Reviewing the registrant's work product and discussing with the registrant any edits, corrections, or modifications that need to be made.

AUTHORITY: section 339.509, RSMo 2016. Original rule filed Nov. 21, 2006, effective July 30, 2007. For intervening history, please consult the Code of State Regulations. Amended: Filed May 9, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Real Estate Appraisers Commission, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 526-3489, or via email at reacom@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 2245 – Real Estate Appraisers

Chapter 5 – Fees

PROPOSED AMENDMENT

20 CSR 2245-5.020 Application, Certificate, and License Fees. The commission is amending sections (1) and (2).

PURPOSE: This amendment adds a trainee renewal fee and removes redundant language.

(1) The following fees shall be paid by real estate appraiser applicants and licensees for original application, issuance, and renewal of certificates or licenses:

(A) Application <i>[Fee]</i> — to be paid upon original application for certification or licensure to defray the expense of processing and investigating the application	\$300
(B) License/Certification Renewal <i>[Fee]</i>	\$300
(C) Trainee Renewal	\$ 25
[(C)] (D) Delinquent Renewal <i>[Fee]</i> (per month not to exceed a maximum of \$600)	\$ 50
[(D)] (E) Reissuance of a certificate or license, or replacement of a lost, destroyed, or stolen certificate or license <i>[fee]</i>	\$ 5
[(E)] (F) Reissuance of a wallhanging certificate, or replacement of a lost, destroyed, or stolen wallhanging certificate	\$ 15
[(F)] (G) Temporary Practice Permit (valid for six (6) months)	\$150
[(G)] (H) Letter of Good Standing (per letter)	\$ 10
[(H)] (I) Fingerprint Background Check <i>[Fee]</i> — Determined by the Missouri State Highway Patrol (MSHP) or its approved vendor	
[(I)] (J) Continuing Education Course Approval <i>[Fee]</i> (per course)	\$ 25
[(J)] (K) Continuing Education Course Renewal <i>[Fee]</i> (per course)	\$ 10
[(K)] (L) Reinstatement <i>[Fee]</i>	\$300
[(L)] (M) Inactive Renewal <i>[Fee]</i>	\$ 50

(2) The following fees shall be paid by appraisal management companies (AMC) for original application, issuance, and renewal of license:

(A) Initial Application <i>[Fee]</i>	\$350
(B) License Renewal <i>[Fee]</i>	\$350
1. Federal AMC covered transactions (per appraiser)	\$ 25*
(C) Delinquent Renewal <i>[Fee]</i>	\$100
(E) Fingerprint Background Check <i>[Fee]</i> — Determined by the Missouri State Highway Patrol (MSHP) or its approved vendor	
(F) Appraisal Subcommittee <i>[Fee]</i> (per appraiser)	\$ 25**

* For those AMC's that meet the federal definition of AMC as defined in 12 U.S.C. 3350(11): an additional twenty-five dollars (\$25) multiplied by the number of appraisers who have performed an appraisal for the AMC in connection with a covered transaction during the reporting period shall be remitted.

**Appraisal management companies that are owned and controlled by an insured depository institution as defined in 12 U.S.C. 1813 and regulated by the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, or the Federal Deposit Insurance Corporation are to remit a check made payable to the Appraisal Subcommittee no later than the date specified on the notice. The amount to be remitted shall be determined by multiplying the number of appraisers who have performed an appraisal for the AMC in connection with a covered transaction by twenty-five dollars (\$25) for each reporting period.

rule filed Dec. 6, 1990, effective Dec. 16, 1990, expired April 14, 1991. Emergency rule filed April 4, 1991, effective April 14, 1991, expired Aug. 11, 1991. Original rule filed Jan. 3, 1991, effective April 29, 1991. For intervening history, please consult the Code of State Regulations. Amended: Filed May 9, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities six thousand seven hundred twenty-five dollars (\$6,725) biennially for the life of the rule.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Real Estate Appraisers Commission, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 526-3489, or via email at reacom@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PRIVATE FISCAL NOTE

I. RULE NUMBER

**Title 20 -Department of Commerce and Insurance
Division 2245—Real Estate Appraisers
Chapter 5—Fees
Proposed Amendment to 20 CSR 2245-5.020 Application, Certificate and License Fees**

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost for the life of the rule by affected entities:
269	Trainee Biennial Renewal Fee (Fee @ \$25)	\$6,725
Estimated Total Cost Beginning in FY 26 and Biennially Thereafter		\$6,725

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figure reported above is based on the current number of trainees who will be required to renew.
2. Effective January 1, 2026, licenses or certificates issued to trainees will expire on June 30 of even-numbered years.
3. It is anticipated that the total increase in revenue will occur for the life of the rule, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2245 – Real Estate Appraisers
Chapter 6 – Educational Requirements**

PROPOSED RULE

20 CSR 2245-6.018 AQB 2026 Licensure Criteria

PURPOSE: This rule outlines the requirements set out by the Appraisal Qualifications Board (AQB) for licensure and certification.

(1) Applicants who submit an application that is postmarked on or after January 1, 2026, shall be required to meet the 2026 educational criteria as outlined below.

(2) Any trainee holding a valid trainee appraiser credential prior to January 1, 2026, shall in addition to all other requirements for licensure complete at least the eight- (8-) hour qualifying education course, Valuation Bias and Fair Housing Laws and Regulations, to be eligible for licensure.

(3) State Licensed Real Estate Appraiser.

(A) Applicants for a state-licensed real estate appraiser license shall submit verification of completion of one hundred fifty-eight (158) creditable class hours from the core curriculum, including passage of the approved closed-book examination for each course, as follows:

1. Basic Appraisal Principles	30 Hours
2. Basic Appraisal Procedures	30 Hours
3. National Uniform Standards of Appraisal Practice (USPAP)	15 Hours
4. Residential Market Analysis and Highest and Best Use	15 Hours
5. Residential Appraiser Site Valuation and Cost Approach	15 Hours
6. Residential Sales Comparison and Income Approaches	30 Hours
7. Residential Report Writing and Case Studies	15 Hours
8. Valuation Bias and Fair Housing Laws and Regulations	8 Hours
	158 Total Hours

(B) Credit toward qualifying education requirements may also be obtained via completion of a degree in real estate from an accredited degree-granting college or university approved by the Association to Advance Collegiate Schools of Business, or a regional or national accreditation agency recognized by the U.S. Secretary of Education, provided that the college or university has had its curriculum reviewed and approved by the AQB.

(C) Appraisers holding a valid state-licensed real estate appraiser trainee license may satisfy the education requirements for a state-licensed real estate appraiser by completing the following additional educational hours:

1. Residential Market Analysis and Highest and Best Use	15 Hours
2. Residential Appraiser Site Valuation and Cost Approach	15 Hours
3. Residential Sales Comparison and Income Approaches	30 Hours
4. Residential Report Writing and Case Studies	15 Hours
	75 Total Hours

(D) To obtain a license as a state-licensed real estate appraiser, an applicant shall successfully complete the AQB-approved Licensed Residential Real Property Appraiser Examination. There is no alternative to successful completion of the examination. All education and experience hours are required to be completed prior to being allowed to sit for the examination.

(E) As a prerequisite for licensure as a state-licensed real estate appraiser, an applicant shall present satisfactory evidence to the commission that the applicant possesses the equivalent of one thousand (1,000) hours of experience obtained over a period of not less than six (6) months under the supervision of a state-certified real estate appraiser and supported by adequate written reports and file memoranda. Hours may be treated as cumulative in order to achieve the necessary one thousand (1,000) hours of appraisal experience.

(F) As an alternative to the requirements in subsection (3)(E) above, applicants for licensure or certification may complete the requirements of the Practical Applications of Real Estate Appraisal (PAREA) of the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board and shall submit a certificate of completion.

(4) State Certified Residential Real Estate Appraiser.

(A) Applicants for a state-certified residential real estate appraiser certification shall satisfy at least one (1) of the following five (5) options below:

1. Possession of a bachelor's degree in any field of study from an accredited college or university. The college or university must be a degree-granting institution accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education. Applicants with a college degree from a foreign country may have their education evaluated for "equivalency" by one (1) of the following:

A. An accredited, degree-granting, domestic college or university;

B. A foreign degree credential evaluation service company that is a member of the National Association of Credential Evaluation Services (NACES); or

C. A foreign degree credential evaluation service company that provides equivalency evaluation reports accepted by an accredited, degree-granting, domestic college or university, or by a state licensing board that issues credentials in another discipline;

2. Possession of an associate's degree in the field of study related to business administration, accounting, finance, economics, or real estate from an accredited college or university. The college or university must be a degree-granting institution accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education. Applicants with a college degree from a foreign country may have their education evaluated for "equivalency" by one (1) of the following:

A. An accredited, degree-granting, domestic college or university;

B. A foreign degree credential evaluation service company that is a member of the National Association of Credential Evaluation Services; or

C. A foreign degree credential evaluation service company that provides equivalency evaluation reports accepted by an accredited, degree-granting, domestic college or university, or by a state-licensed board that issues credentials

in another discipline;

3. Successful completion of thirty (30) semester hours of college-level courses that cover each of the following specific topic areas and hours:

- A. English Composition (three (3) semester hours);
- B. Microeconomics (three (3) semester hours);
- C. Macroeconomics (three (3) semester hours);
- D. Finance (three (3) semester hours);
- E. Algebra, Geometry, or higher mathematics (three (3) semester hours);
- F. Statistics (three (3) semester hours);
- G. Computer Science (three (3) semester hours);
- H. Business or Real Estate Law (three (3) semester hours); and

I. Two (2) elective courses in any of the topics listed above or in accounting, geography, agricultural economics, business management, or real estate (three (3) semester hours each);

4. Successful completion of at least thirty (30) semester hours of College Level Examination Program® (CLEP®) examinations from each of the following subject matter areas:

- A. College Algebra (three (3) semester hours);
- B. College Composition (six (6) semester hours);
- C. College Composition Modular (three (3) semester hours);
- D. College Mathematics (six (6) semester hours);
- E. Principles of Macroeconomics (three (3) semester hours);
- F. Principles of Microeconomics (three (3) semester hours);
- G. Introductory Business Law (three (3) semester hours); and

H. Information Systems (three (3) semester hours); or

5. Any combination of paragraphs (4)(A)3. and (4)(A)4. above that ensures coverage of all topics and hours identified in paragraph (4)(A)3.

(B) As an alternative to the requirements in subsection (4)(A) above, individuals who have held a state license for a minimum of five (5) years may qualify for a certified residential credential by satisfying all of the following:

1. No record of any adverse, final, and non-appealable disciplinary action affecting the state-licensed appraiser's legal eligibility to engage in appraisal practice within the five (5) years immediately preceding the date of application for a certified residential credential;

2. Successful completion of the additional required qualifying education as specified in subsection (4)(G) below;

3. Successful completion of the required experience as specified in subsection (4)(E) below; and

4. Successful completion of the Certified Residential Real Property Appraiser examination as specified in subsection (4)(D) below.

(C) Applicants for a state-certified residential real estate appraiser license shall submit verification of completion of two hundred (200) creditable class hours from the core curriculum, including passage of the approved closed-book examination for each course, as follows:

1. Basic Appraisal Principles	30 Hours
2. Basic Appraisal Procedures	30 Hours
3. National Uniform Standards of Appraisal Practice (USPAP) or its equivalent	15 Hours
4. Residential Market Analysis and Highest and Best Use	15 Hours
5. Residential Appraiser Site Valuation and Cost Approach	15 Hours
6. Residential Sales Comparison and Income	

Approaches	30 Hours
7. Residential Report Writing and Case Studies	15 Hours
8. Statistics, Modeling, or Finance	15 Hours
9. Advanced Residential Applications and Case Studies	15 Hours
10. Valuation Bias and Fair Housing Laws and Regulations	8 Hours
11. Appraisal Subject Matter Electives (may include hours over minimum shown above in other modules)	12 Hours
	200 Total Hours

(D) Credit toward qualifying education requirements may also be obtained via completion of a degree in real estate from an accredited degree-granting college or university approved by the Association to Advance Collegiate Schools of Business, or a regional or national accreditation agency recognized by the U.S. Secretary of Education, provided that the college or university has had its curriculum reviewed and approved by the AQB.

(E) To obtain a state-certified residential real estate appraiser license, an applicant shall successfully complete the AQB-approved Certified Residential Real Property Appraiser Examination. There is no alternative to successful completion of the examination. All education and experience hours are required to be completed prior to being allowed to sit for the examination.

(F) As a prerequisite for licensure as a state-certified residential real estate appraiser, an applicant shall present satisfactory evidence to the commission that the applicant possesses the equivalent of one thousand five hundred (1,500) hours of experience obtained over a period of not less than twelve (12) months under the supervision of a state-certified real estate appraiser and supported by adequate written reports and file memoranda. Hours may be treated as cumulative in order to achieve the necessary one thousand five hundred (1,500) hours of appraisal experience.

(G) As an alternative to the requirements in subsection (4)(F) above, applicants for licensure or certification may complete the requirements of the Practical Applications of Real Estate Appraisal (PAREA) of the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board and shall submit a certificate of completion.

(H) Appraisers holding a valid trainee appraiser credential may satisfy the educational requirements for the certified residential real property appraiser credential by successfully completing the following additional educational hours:

1. Residential Market Analysis and Highest and Best Use	15 Hours
2. Residential Appraiser Site Valuation and Cost Approach	15 Hours
3. Residential Sales Comparison and Income Approaches	30 Hours
4. Residential Report Writing and Case Studies	15 Hours
5. Statistics, Modeling, or Finance	15 Hours
6. Advanced Residential Applications and Case Studies	15 Hours
7. Appraisal Subject Matter Electives	12 Hours
	117 Total Hours

(I) Appraisers holding a valid state-licensed real estate appraiser license may satisfy the educational requirements for a certified residential real property appraiser credential by successfully completing the following additional educational hours:

- | | |
|---|----------------|
| 1. Statistics, Modeling, or Finance | 15 Hours |
| 2. Advanced Residential Applications and Case Studies | 15 Hours |
| 3. Appraisal Subject Matter Electives | 12 Hours |
| | 42 Total Hours |

(J) Appraisers holding a valid trainee appraiser credential wishing to change to the certified residential classification must also satisfy the college-level education requirement as specified in subsection (4)(A) above.

(K) Appraisers holding a valid state-licensed real estate appraiser license wishing to change to the certified residential classification who do not meet the requirements outlined in subsection (4)(B) must also satisfy the college-level education requirements as specified in subsection (4)(A).

(5) State Certified General Real Estate Appraiser.

(A) Applicants for a state-certified general real estate appraiser certification shall possess a bachelor's degree or higher in any field of study from an accredited college or university. The college or university must be a degree-granting institution accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education. Applicants with a college degree from a foreign country may have their education evaluated for "equivalency" by one (1) of the following:

1. An accredited, degree-granting, domestic college or university;
2. A foreign degree credential evaluation service company that is a member of the National Association of Credential Evaluation Services (NACES); or
3. A foreign degree credential evaluation service company that provides equivalency evaluation reports accepted by an accredited, degree-granting, domestic college or university, or by a state licensing board that issues credentials in another discipline.

(B) Applicants for a state-certified general real estate appraiser shall submit verification of completion of three hundred (300) creditable class hours from the core curriculum, including passage of the approved closed-book examination for each course, as follows:

- | | |
|--|-----------------|
| 1. Basic Appraisal Principles | 30 Hours |
| 2. Basic Appraisal Procedures | 30 Hours |
| 3. National Uniform Standards of Appraisal Practice (USPAP) or its equivalent | 15 Hours |
| 4. General Appraiser Market Analysis and Highest and Best Use | 30 Hours |
| 5. General Appraiser Site Valuation and Cost Approach | 30 Hours |
| 6. General Sales Comparison | 30 Hours |
| 7. General Appraiser Income Approach | 60 Hours |
| 8. Statistics, Modeling, or Finance | 15 Hours |
| 9. General Appraiser Report Writing and Case Studies | 30 Hours |
| 10. Valuation Bias and Fair Housing Laws and Regulations | 8 Hours |
| 11. Appraisal Subject Matter Electives (may include hours over minimum shown in other modules above) | 22 Hours |
| | 300 Total Hours |

(C) Credit toward qualifying education requirements may also be obtained via completion of a degree in real estate from an accredited degree-granting college or university approved by the Association to Advance Collegiate Schools of Business, or a regional or national accreditation agency recognized by the U.S. Secretary of Education, provided that the college or

university has had its curriculum reviewed and approved by the AQB.

(D) To obtain a state-certified general real estate appraiser license, an applicant shall successfully complete the AQB-approved Certified General Real Property Appraiser Examination. There is no alternative to successful completion of the examination. All education and experience hours are required to be completed prior to being allowed to sit for the examination.

(E) As a prerequisite for licensure as a state-certified general real estate appraiser, an applicant shall present satisfactory evidence to the commission that the applicant possesses the equivalent of three thousand (3,000) hours of experience obtained over a period of not less than eighteen (18) months. One thousand five hundred (1,500) hours must be in non-residential appraisal work. Hours may be treated as cumulative in order to achieve the necessary three thousand (3,000) hours of appraisal experience.

(F) An applicant seeking to obtain licensure as a state-certified general real estate appraiser shall receive credit towards the experience required by 20 CSR 2245-6.017(4)(E) for having successfully completed a Licensed Residential PAREA program or a Certified Residential PAREA program of the Real Property Appraisal Qualifications Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board and shall submit a certificate of completion.

(G) Appraisers holding a valid trainee appraiser license may satisfy the educational requirements for certified general real estate appraiser by successfully completing the following additional educational hours:

- | | |
|---|-----------------|
| 1. General Appraiser Market Analysis and Highest and Best Use | 30 Hours |
| 2. Statistics, Modeling, or Finance | 15 Hours |
| 3. General Appraiser Sales Comparison Approach | 30 Hours |
| 4. General Appraiser Site Valuation and Cost Approach | 30 Hours |
| 5. General Appraiser Income Approach | 60 Hours |
| 6. General Appraiser Report Writing and Case Studies | 30 Hours |
| 7. Appraisal Subject Matter Electives | 22 Hours |
| | 217 Total Hours |

(H) Appraisers holding a valid state-licensed real estate appraiser license may satisfy the education requirements for the certified general real estate appraiser license by successfully completing the following additional educational hours:

- | | |
|---|-----------------|
| 1. General Appraiser Market Analysis and Highest and Best Use | 15 Hours |
| 2. General Appraiser Site Valuation and Cost Approach | 15 Hours |
| 3. General Sales Comparison | 15 Hours |
| 4. General Appraiser Income Approach | 45 Hours |
| 5. Statistics, Modeling, or Finance | 15 Hours |
| 6. General Appraiser Report Writing and Case Studies | 15 Hours |
| 7. Appraisal Subject Matter Electives | 22 Hours |
| | 142 Total Hours |

(I) Appraisers holding a valid certified residential real estate appraiser license may satisfy the educational requirements for the certified general real estate appraiser license by successfully completing the following additional educational hours:

- | | |
|---|----------|
| 1. General Appraiser Market Analysis and Highest and Best Use | 15 Hours |
| 2. General Appraiser Sales Comparison | 15 Hours |

3. General Appraiser Site Valuation and Cost Approach	15 Hours
4. General Appraiser Income Approach	45 Hours
5. General Appraiser Report Writing and Case Studies	10 Hours
	100 Total Hours

(J) Trainee appraisers, state-licensed real estate appraisers, and state-certified residential real estate appraisers wishing to upgrade to certified general real estate appraiser must also satisfy the requirements in subsections (5)(A) and (5)(B) above.

AUTHORITY: sections 339.509 and 339.544, RSMo 2016. Original rule filed May 9, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Real Estate Appraisers Commission, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 526-3489, or via email at reacom@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE
Division 4240 – Public Service Commission
Chapter 10 – Utilities**

PROPOSED AMENDMENT

20 CSR 4240-10.030 Standards of Quality. The commission proposes amending section (1), removing sections (10)–(15), and adding new sections (10)–(15).

PURPOSE: This amendment updates gas quality standards.

(1) This rule applies to all gas, electric, and water corporations, as these terms are defined in section 386.020, RSMo, engaged in the business of furnishing gas or electricity for light, heat, or power, or supplying water for domestic or commercial uses within Missouri. The word utility, when used in these rules, shall be construed to mean any gas corporation, electric corporation, or water corporation engaged in the designated business. **Sections (10), (11), and (12) of this rule additionally apply to all persons, municipalities, or corporations owning, leasing, operating, or controlling facilities used in the transportation by pipeline and distribution to customers within Missouri of manufactured gas and renewable natural gas (RNG) as defined in 20 CSR 4240-40.100.**

[(10) The monthly average total heating value of manufactured gas shall be not less than five hundred seventy (570) British Thermal Units (BTUs) per cubic foot at any point within at least one (1) mile of the manufacturing plant, and shall be at no time the total heating value of the gas at that point less than five hundred twenty (520) BTUs per cubic foot, unless a different standard of heating value is specifically authorized by the

commission, and provided that no utility shall lower its present standard heating value without first obtaining the approval of the commission. To arrive at the monthly average total heating value, the result of all tests made on any one (1) day shall be averaged and the average of all these daily averages shall be taken as the monthly average. The term heating value of the gas, as used in this rule and as the value is determined in the tests referred to in this rule, shall be the total heating value as it is defined in the Bureau of Standards Circular No. 405 Standards For Gas Service.

(11) Each utility whose output exceeds twenty (20) million cubic feet of manufactured gas per year shall provide and maintain a calorimeter and all necessary accessories therefor, and such utility shall determine the heating value of manufactured gas supplied by it under the requirements set forth by this rule on at least three (3) days of each week. If the gas supplied by the utility is natural gas, it is excused from providing and maintaining a calorimeter; provided, it has available to it information by which it may keep itself fully informed respecting the heating value of the gas delivered by it. If the gas supplied by the utility is liquefied petroleum gas and it has installed adequate facilities by which it is able and does control continuously the heating value of the gas as furnished to the customers' premises and by which it may keep itself fully informed respecting the heating value of the gas delivered by it, the utility is excused from providing and maintaining a calorimeter. Heating value tests should be made or secured on natural gas at least three (3) times per year. A record of these tests or the information secured shall be maintained available for inspection by the commission and preserved for a period of at least two (2) years.

(12) All gas distributed in this state shall not contain more than a trace of hydrogen sulphide. The gas shall be considered to contain not more than a trace of hydrogen sulphide if a strip of white filter paper moistened with a solution containing five percent (5%) by weight of lead acetate is not distinctly darker than a second paper freshly moistened with the same solution after the first paper has been exposed to the gas for one (1) minute in an apparatus previously purged through which gas is flowing at the rate of five (5) cubic feet per hour and not impinging directly from a jet upon the test paper. Tests shall be made daily on manufactured gas leaving the holders, for the presence of hydrogen sulphide, in the manner specified, and a record of the result of these tests shall be filed available for inspection by the commission and preserved for a period of at least two (2) years. Each utility supplying natural gas shall make tests for hydrogen sulphide with a frequency as is necessary to keep itself informed that the gas distributed by it does not contain more hydrogen sulphide than the trace previously defined and at other times as the commission may require. A record of these tests shall be kept for a period of two (2) years.

(13) It is recommended that all gas delivered by the utilities shall possess a strong and distinctive odor. If the cost of introducing an odor into the gas to obtain the condition continuously is excessive, a suitable odorant shall be introduced during the early part of the heating season and once during the nonheating season each year. During periods of odorizing gas to detect leaks, there may be more than a trace of sulphur in the gas and this temporary condition is permissible.

(14) Each gas utility should set up and follow a rigid program of preventive maintenance of its gas distribution system.

(15) All manufactured gas distributed shall contain not more than thirty (30) grains of total sulphur nor more than five (5) grains of ammonia in each one hundred (100) cubic feet. Each utility whose output exceeds fifty (50) million cubic feet of manufactured gas per year shall provide and maintain the apparatus and facilities as are necessary for the determination of total sulphur and ammonia in gas and each utility shall regularly determine the amount of total sulphur and ammonia in the manufactured gas distributed by it at sufficiently frequent intervals to insure compliance with the foregoing requirements; provided, however, that any such utility supplying only water gas or oil gas shall not be required to provide apparatus or make determinations of the amount of ammonia in gas. A record of these tests shall be maintained available for inspection by the commission and preserved for a period of at least two (2) years.]

(10) Unless otherwise ordered by the commission, all gas, including manufactured gas and RNG delivered to customers in the state other than gas that is delivered on an interstate natural gas pipeline subject to the jurisdiction of the Federal Energy Regulatory Commission (FERC), shall conform to the following specifications:

(A) The gas shall have a gross heating value between nine hundred fifty (950) and one thousand two hundred (1,200) British thermal units (Btu) per dry standard cubic foot. For purposes of this rule, the term “gross heating value” when applied to a cubic foot of gas shall mean the number of BTUs produced by the complete combustion of the amount of gas that would occupy a volume of one (1) cubic foot at fourteen and seventy-three hundredths (14.73) pounds per square inch absolute (psia) at a temperature of sixty degrees Fahrenheit (60°F);

(B) The gas shall not contain more than seven (7) pounds of water in vapor phase per million cubic feet;

(C) The gas shall be free from hydrocarbons and water (H₂O) in liquid state at the temperatures and pressures delivered, and shall not have a hydrocarbon dew point in excess of the lower of forty degrees Fahrenheit (40°F) or the gas delivery temperature;

(D) The gas shall not contain in excess of one percent (1%) by volume of oxygen (O₂), and every reasonable effort shall be made to keep the gas completely free of oxygen;

(E) The gas shall not contain more than four-hundred (400) parts per million (ppm) of hydrogen (H₂);

(F) The gas shall not contain more than one-half (0.5) grain of hydrogen sulfide (H₂S) per one hundred (100) cubic feet;

(G) The gas shall not contain more than twenty (20) grains of total sulfur per one hundred (100) cubic feet;

(H) The gas shall not contain more than two percent (2%) by volume of carbon dioxide (CO₂);

(I) The gas shall not contain more than three percent (3%) by volume of nitrogen (N₂);

(J) The gas shall be at a temperature between forty degrees Fahrenheit (40°F) and one hundred degrees Fahrenheit (100°F);

(K) The gas shall be substantially free from impurities that may cause excessive fumes when combusted in a properly designed and adjusted burner;

(L) The gas shall not contain, either in the gas or in any liquid within the gas, any microbial organism, active bacteria, or bacterial agent capable of contributing to or causing corrosion or other operational problems. For purposes of this rule, microbial organisms, bacteria, and bacterial agents include sulfate reducing bacteria (SRB)

and acid producing bacteria (APB); and

(M) Each gas utility, including municipal systems, receiving or transporting manufactured gas or RNG on its gas transmission and distribution systems shall further limit the quantity of impurities and physical and chemical properties in the manufactured gas and RNG as necessary so that the gas is delivered within the limits of its system.

(11) Each gas utility, including municipal systems, receiving or transporting manufactured gas and RNG on its gas transmission and distribution systems shall provide, install, operate, maintain, and continuously monitor sensors and testing equipment to determine if the quality of manufactured gas and RNG meets the requirements of section (10) of this rule.

(12) Each gas utility, including municipal systems, receiving or transporting manufactured gas or RNG on its gas transmission and distribution systems shall install an isolation device at each location where manufactured gas or RNG is delivered to its natural gas pipeline systems. Each isolation device shall be designed and operated to completely isolate the source of manufactured gas or RNG from the downstream pipeline when the gas does not meet the quality standards in section (10) of this rule, as determined by the monitoring and testing performed in section (11) of this rule.

(13) Reserved.

(14) Reserved.

(15) Reserved.

AUTHORITY: sections 386.310 and 393.140, RSMo [1986] 2016, and 386.895, RSMo Supp. 2023. This rule originally filed as 4 CSR 240-10.030. Original rule filed March 5, 1953, effective March 15, 1953. Amended: Filed Sept. 22, 1959, effective Oct. 1, 1959. Amended: Filed May 2, 1968, effective May 16, 1968. Moved to 20 CSR 4240-10.030, effective Aug. 28, 2019. Amended: Filed May 15, 2024.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions nine hundred ninety-four thousand dollars (\$994,000) in the aggregate, if a political subdivision (municipal gas distribution system) chooses to accept RNG at an interconnect.

PRIVATE COST: This proposed amendment will cost private entities \$1,491,000 in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Nancy Dippell, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before July 17, 2024, and should include a reference to Commission Case No. GX-2024-0337. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed amendment is scheduled for July 23, 2024, at 10 a.m., in Room 310 of the Governor's Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support or in opposition to this proposed amendment, and may

be asked to respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: Title 20--DEPARTMENT OF COMMERCE AND INSURANCE
Division Title: Division 4240—Public Service Commission
Chapter Title: Chapter 10—Utilities**

Rule Number and Name:	20 CSR 4240-10.030 Standards of Quality
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Public Service Commission	\$0 No additional costs to the Commission are anticipated. However, it is expected that the proposed rule will result in some benefit to the Commission and other affected agencies because it updates the Commission's rules in order to align them with the requirements set out in Section 386.895, RSMo, and newly proposed rule 20 CSR 4240-40.100.
Municipal Natural Gas Distribution Systems	\$0-\$994,000

III. WORKSHEET

The number of entities that will be affected by this rule is unknown because the proposed rule amendments will only apply to natural gas utilities that choose to accept renewable natural gas onto their natural gas distribution systems. Acceptance of renewable natural gas is not mandatory. In the event a natural gas utility does not accept any renewable natural gas, the monitoring requirement will not apply, and no cost impact is anticipated.

The cost of compliance per installation is estimated as follows:

- Capital Cost Per Installation: \$458,000.
- Annual Operating Cost Per Installation: \$3,400 per year, with the total annual operating cost adjusted for inflation over the ten- (10-) year life of the rule being \$39,000.
- The estimated sum of capital and operating cost is \$497,000 per installation.
- The estimated aggregate cost for two (2) installations is \$994,000.

\$458,000 installation cost + \$39,000 operating costs adjusted for inflation = \$497,000 per municipal installation

\$497,000 cost per installation in the aggregate x 2 installations = \$994,000 possible cost in the aggregate for the 10-year life of the rule

IV. ASSUMPTIONS

There are currently forty (40) municipal gas utilities to whom these rule amendments may apply, should those utilities elect to accept renewable natural gas.

As proposed, Section (11) requires each gas utility receiving or transporting RNG to install, operate, maintain, and continuously monitor the quality of the RNG received. Section (12) would require installation of a device to isolate renewable natural gas that does not meet the quality standards proposed in Section (10). The estimated costs are the incremental costs of the monitoring equipment and control device, and assumes that the monitoring and control will be integrated within existing utility control rooms.

The Commission Staff received information from Roeslein Alternative Energy, a company that is experienced in these types of installations. Roeslein provided information that indicated it would cost roughly \$450,000 to comply with the monitoring proposed in section (11) and \$8,000 to comply with the control device proposed in section (12), with total being \$458,000. However, the true costs are unknown at this time as the number of municipal entities (currently 40) that would accept Renewable Natural Gas (RNG) into their systems is unknown.

For purposes of estimating aggregate costs of compliance, the Commission made the following assumptions:

- Up to five percent (5%) of the forty (40) municipal natural gas systems in Missouri ($40 * 5\% = 2$) will elect to accept RNG at one (1) location in their respective natural gas distribution systems.
- The estimated annual operating costs, including electricity, communications, and supplies is \$3,400 in current dollars.
- The life of the rule is ten (10) years.
- There will be an annual inflation rate over ten (10) years of three percent (3%) per year.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: Title 20--DEPARTMENT OF COMMERCE AND INSURANCE
Division Title: Division 4240—Public Service Commission
Chapter Title: Chapter 10—Utilities**

Rule Number and Title:	20 CSR 4240-10.030 Standards of Quality
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
3	Privately Owned Natural Gas Utilities	\$0 - \$1,491,000

III. WORKSHEET

The number of entities that will be affected by this rule is unknown because the proposed rule amendments will only apply to natural gas utilities that choose to accept RNG onto their natural gas distribution systems. Acceptance of renewable natural gas is not mandatory. In the event a natural gas utility does not accept any renewable natural gas, the monitoring requirement will not apply, and no cost impact is anticipated. There are five (5) private utilities¹ to whom these rule amendments may apply, should those utilities elect to accept renewable natural gas.

The cost of compliance per installation is estimated as follows:

- Capital Cost Per Installation: \$458,000.
- Annual Operating Cost Per Installation: \$3,400 per year, with the total annual operating cost adjusted for inflation over the ten- (10-) year life of the rule being \$39,000.
- The estimated sum of capital and operating cost is \$497,000 per installation.
- The estimated aggregate cost for two (2) installations is \$994,000.

\$458,000 installation cost + \$39,000 operating costs adjusted for inflation = \$497,000 per municipal installation

\$497,000 cost per installation in the aggregate x 3 installations = \$1,491,000 possible cost in the aggregate for the 10-year life of the rule

¹ Spire Missouri, Ameren Missouri, Liberty (Empire), Liberty (Midstates), and Summit Natural Gas.

IV. ASSUMPTIONS

As proposed, Section (11) requires each gas utility receiving or transporting RNG to install operate, maintain and continuously monitor the quality of the RNG received. Section (12) would require installation of a device to isolate renewable natural gas that does not meet the quality standards proposed in Section (10). The estimated costs are the incremental costs of the monitoring equipment and control device, and assumes that the monitoring and control will be integrated within existing utility control rooms.

The Commission Staff received information from Roeslein Alternative Energy, a company that is experienced in these types of installations. Roeslein provided information that indicated it would cost roughly \$450,000 to comply with the monitoring proposed in section (11) and \$8,000 to comply with the control device proposed in section (12), with total being \$458,000. However, the true costs are unknown at this time as the number of private entities who would accept Renewable Natural Gas (RNG) into their systems is unknown.

For purposes of estimating aggregate costs of compliance, the Commission made the following assumptions:

- Three (3) of the privately-owned natural gas utilities will elect to accept RNG at one (1) location in their respective natural gas distribution systems.
- The estimated annual operating costs, including electricity, communications and supplies is \$3,400 in current dollars.
- The life of the rule is ten (10) years.
- There will be an annual inflation rate over ten (10) years of three percent (3%) per year.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 4240 – Public Service Commission
Chapter 40 – Gas Utilities and Gas Safety Standards**

PROPOSED RULE

20 CSR 4240-40.100 Renewable Natural Gas Program

PURPOSE: This rule sets the definitions, structure, operation, and procedures relevant to gas corporations' renewable natural gas programs.

(1) Definitions.

(A) Energy attribute certificate means a contractual instrument that conveys information about a unit of energy, including the resource used to create the energy and the emissions associated with its production and use.

(B) Pipeline quality standards are standards established in 20 CSR 4240-10.030 Standards of Quality and are applicable to gas utilities submitting applications for approval of a renewable natural gas program.

(C) Renewable natural gas (RNG) means any of the following products processed to meet pipeline quality standards or transportation fuel grade requirements:

1. Biogas that is upgraded to meet natural gas pipeline quality standards such that it may blend with, or substitute for, geologic natural gas; or

2. Hydrogen gas that is derived from electrolysis of water using renewable electricity; or

3. Methane gas derived from any combination of –

A. Biogas;

B. Hydrogen gas or carbon oxides derived from renewable energy sources; or

C. Waste carbon dioxide.

(D) Renewable natural gas rate adjustment mechanism (RNGRAM) means a mechanism that allows periodic adjustments to recover prudently incurred costs and pass-through of benefits of any savings achieved in implementing an approved RNG program.

(E) RNG Attributes means an energy attribute certificate specific to RNG which provides a monetary value besides the value of the natural gas itself.

(2) Applications for approval of a renewable natural gas program. Pursuant to section 386.895, RSMo, a gas corporation may file an application with the commission for approval of a renewable natural gas program. Applications under this rule do not supersede a gas utility's obligation to apply for a certificate of convenience and necessity under section 393.170, RSMo. Applications shall include all applicable requirements under 20 CSR 4240-2.060 and the following:

(A) A proposal to procure a total volume of renewable natural gas over a specific period;

(B) Identification of the qualified investments that the gas corporation may make in renewable natural gas infrastructure;

(C) A description of the ownership structure of the components of the RNG production facilities including but not limited to feed-stock, production, gas treatment, interconnection facilities, by-product, and other components as applicable by facility type;

(D) An explanation of how the utility will match generation with customer usage, be it on a retrospective or percentage basis;

(E) The specific location of the RNG facilities in relation to

the utility's service territory;

(F) Expected production by calendar month;

(G) A description of the RNG plant operation;

(H) All prospective income tax credits;

(I) All prospective sales of Renewable Identification Numbers for RNG;

(J) Supportive direct testimony; and

(K) A cost-benefit analysis, including but not limited to –

1. Reasonably estimated upfront capital costs, broken down by the components referenced in subsection (2)(C) of this rule;

2. Reasonably estimated future capital costs;

3. Reasonably estimated operations and maintenance expenses;

4. If applicable, ongoing costs of procuring RNG or RNG attributes from the facility;

5. Expected useful life of facility components;

6. All supporting work papers with links and formulas intact;

7. A list and explanation of all assumptions utilized;

8. Support for all assumptions utilized, including source documentation;

9. Consideration of the timing of RNG production, including estimates of the amount of RNG produced by month, for the life of the proposed project;

10. Plans and costs to store produced RNG;

11. Estimated cost of procuring the same volume of natural gas from a pipeline, including estimates of the price per million British thermal units (MMBtu) by month for the life of the proposed RNG project; and

12. All alternatives considered for procuring RNG or RNG attributes.

(3) Hydrogen gas programs, for safety and fuel quality reasons, will be evaluated on a case-by-case basis. All proposed hydrogen gas programs must include the requirements in section (2) and –

(A) Description of the impacted service area;

(B) Feasibility analysis;

(C) Analysis of customer-owned equipment and piping to safely convey hydrogen;

(D) Proposed percentage of hydrogen to be mixed in fuel; and

(E) All relevant information to a customer bill that accounts for the differences in heat content of hydrogen compared to natural gas measured in British thermal units (Btu) per hundred cubic feet (Ccf) of fuel.

(4) Cost recovery and pass-through of benefits. A gas utility outside or in a general rate proceeding, and subsequent to or at the same time as the filing of an application in section (2), may file an application and rate schedules with the commission to establish, continue, modify, or discontinue a RNGRAM that shall allow for the adjustment of its rates and charges to provide for recovery of prudently incurred costs and pass-through of benefits as a result of its RNG program or hydrogen gas program. No recovery is allowed until the project is operational and produces RNG for customer use.

(A) At the time a gas utility files proposed rate schedules with the commission seeking to establish, modify, or reconcile a RNGRAM, it shall submit its supporting documentation regarding the calculation of the proposed RNGRAM and shall serve the Office of the Public Counsel (public counsel) with a copy of its proposed rate schedules and its supporting documentation. The utility's supporting documentation shall include workpapers showing the calculation of the proposed

RNGRAM and shall include, at a minimum, the following information:

1. A complete explanation of all of the costs, both capital and expense, incurred for its RNG program that the gas utility is proposing be included in rates and all revenues and the specific account used for each item;

2. The state, federal, and local income or excise tax rates used in calculating the proposed RNGRAM and an explanation of the source of and the basis for using those tax rates;

3. The regulatory capital structure used in calculating the proposed RNGRAM and an explanation of the source of and the basis for using the capital structure;

4. The cost rates for debt and preferred stock used in calculating the proposed RNGRAM and an explanation of the source of and the basis for using those rates;

5. The cost of common equity used in calculating the proposed RNGRAM and an explanation of the source of and the basis for that equity cost;

6. The depreciation rates used in calculating the proposed RNGRAM and an explanation of the source of and the basis for using those depreciation rates;

7. The rate base used in calculating the proposed RNGRAM including an updated depreciation reserve total incorporating the impact of all RNG plant investments previously reflected in general rate proceedings or RNGRAM application proceedings initiated following enactment of the RNG rules;

8. The applicable customer class billing methodology used in calculating the proposed RNGRAM and an explanation of the source of and basis for using that methodology;

9. An explanation of how the proposed RNGRAM is allocated among affected customer classes, if applicable;

10. For purchase of RNG attributes, the cost of the purchases, and an explanation of the source of the RNG attributes and the basis for making that specific purchase, including an explanation of the request for proposal (RFP) process, or the reason(s) for not using a RFP process for the purchase; and

11. Evidence that projects developed pursuant to its approved RNG program are operational and capable of delivering RNG to customers.

(B) A gas utility may effectuate a change in its RNGRAM no more often than one (1) time during any calendar year.

(C) Commission approval of proposed rate schedules to establish or modify a RNGRAM shall in no way be binding upon the commission in determining the ratemaking treatment to be applied to RNG program costs during a subsequent general rate proceeding or prudence review when the commission may undertake to review the prudence of such costs. If the commission disallows, during a subsequent general rate proceeding or prudence review, recovery of RNG program costs previously in a RNGRAM, the gas utility shall offset its RNGRAM in the future as necessary to recognize and account for any such costs. The offset amount shall include a calculation of interest at the gas utility's short-term borrowing rate as calculated in paragraph (4)(D)1. of this rule. The RNGRAM offset will be designed to reconcile such disallowed costs or benefits within the six- (6-) month period immediately subsequent to any commission order regarding such disallowance.

(D) Prudence reviews respecting a RNGRAM. A prudence review of the costs subject to the RNGRAM shall be conducted no less frequently than at intervals established in the commission proceeding in which the RNGRAM is established.

1. All amounts ordered refunded by the commission shall include interest at the gas utility's short-term borrowing rate. The interest shall be calculated on a monthly basis for each

month the RNGRAM rate is in effect, equal to the weighted average interest rate paid by the gas utility on short-term debt for that calendar month.

2. This rate shall then be applied to a simple average of the same month's beginning and ending cumulative RNGRAM over- or under-collection balance. Each month's accumulated interest shall be included in the RNGRAM over- or under-collection balances on an ongoing basis.

(E) A gas utility that has implemented a RNGRAM shall file revised RNGRAM rate schedules to reset the RNGRAM charge to zero (0) when new base rates and charges become effective following a commission order establishing customer rates in a general rate proceeding that incorporates RNG program costs or benefits previously reflected in a RNGRAM in the utility's base rates. If an over- or under-recovery of RNGRAM revenues or over- or under-pass-through of RNGRAM program benefits exists after the RNGRAM charge has been reset to zero (0) that amount of over- or under-recovery, or over- or under-pass-through, shall be tracked in an account and considered in the next RNGRAM filing of the gas utility.

(F) Upon the inclusion of RNGRAM program costs reflected in a RNGRAM into a gas utility's base rates, the gas utility shall immediately thereafter reconcile any previously unreconciled RNGRAM revenues or RNGRAM benefits and track them as necessary to ensure that revenues or pass-through benefits resulting from the RNGRAM match, as closely as possible, the appropriate pretax revenues or pass-through benefits as found by the commission for that period.

(G) The cost of RNG or hydrogen gas shall not flow through the purchased gas adjustment clause unless the cost for the RNG or hydrogen gas, including RNG infrastructure, can be obtained on a comparable basis as natural gas purchased at the city gate of the utility. Amounts collected under the RNGRAM will not be collected though the purchased gas adjustment clause.

(5) Treatment and reporting of RNG attributes. A gas utility may propose, through the application in section (2) of this rule, to procure, utilize, or sell RNG attributes as a part of its RNG program provided that –

(A) All attributes are tracked in a commission approved tracking system that ensures that attributes are tracked from creation to retirement and are verified to be only used once; and

(B) All revenues are passed through to customers as provided for in section (4) of this rule or through a general rate proceeding.

(6) Reporting requirements. Annually, on September 15, a gas utility with an approved RNG program shall report to the commission the following:

(A) A comparison of the total volume of RNG procured over the year compared to its approved RNG program;

(B) To the extent any shortfalls or excess RNG were procured, the gas utility shall describe how it plans to adjust its procurements to match the approved total volume; and

(C) Identification of the qualified investments previously approved through the application in section (2) of this rule that the gas corporation has made operational including all evidence to support that the qualified investments are operational and are capable of delivering gas to customers.

AUTHORITY: sections 386.250, 386.310, 393.140, RSMo 2016, and section 386.895, RSMo Supp. 2023. Original rule filed May 15, 2024.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Nancy Dippell, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before July 17, 2024, and should include a reference to Commission Case No. GX-2024-0326. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed rule is scheduled for July 23, 2024, at 10 a.m., in Room 310 of the Governor's Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support or in opposition to this proposed rule, and may be asked to respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the Missouri Register; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted that has been changed from the text contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the Code of State Regulations.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency’s findings with respect to the merits of any such testimony or comments that are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the Missouri Register begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

TITLE 2 – DEPARTMENT OF AGRICULTURE Division 30 – Animal Health Chapter 1 – Organization and Description

ORDER OF RULEMAKING

By the authority vested in the Animal Health Division under section 265.020, RSMo 2016, the division amends a rule as follows:

2 CSR 30-1.020 Laboratory Services and Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on February 15, 2024 (49 MoReg 272). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

TITLE 2 – DEPARTMENT OF AGRICULTURE Division 110 – Office of the Director Chapter 4 – Registration of Foreign-Owned Agricultural Land

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Agriculture under section 442.592, RSMo 2016, and Executive Order 24-01, the department amends a rule as follows:

2 CSR 110-4.010 Who Shall Register is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on February 15, 2024 (49 MoReg 272-273). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: The Missouri Department of Agriculture received four (4) comments on the proposed amendment.

COMMENT#1: David Wright, private citizen, “I am in total favor of forbidding foreigners from owning ANY property near any military base.”

RESPONSE: Authority provided under section 442.592, RSMo, and Executive Order 24-01 does not allow the Missouri Department of Agriculture to prohibit all foreign entities from owning non-agricultural property near a military base. No changes have been made as a result of the comment.

COMMENT #2: Noelle Hunt, private citizen, “I appreciate the effort, but this is inadequate. Foreign nationals or foreign entities or foreign governments shouldn’t be allowed to purchase or ownership of American land for any reason ever.”

RESPONSE: Authority provided under section 442.592, RSMo, and Executive Order 24-01 does not allow the Missouri Department of Agriculture to prohibit foreign entities from owning property in this state. No changes have been made as a result of the comment.

COMMENT #3: Patricia Campbell, private citizen, “I support this proposed amendment.”

RESPONSE: No changes have been made as a result of the comment.

COMMENT #4: Missouri Farm Bureau Federation, “We support prohibiting foreign ownership of agricultural land, even though current state law allows up to one percent of Missouri farmland to be foreign-owned. We support reducing the one percent cap, but oppose efforts to require divestiture of currently held assets. We support an exemption for agricultural research efforts. We are concerned with the amount of foreign investment in agriculture enterprises and we favor continuous monitoring of foreign investments in the United States. With this in mind, MOFB is supportive of MDA’s proposed amendments.”

RESPONSE: No changes have been made as a result of the comment.

TITLE 2 – DEPARTMENT OF AGRICULTURE Division 110 – Office of the Director Chapter 4 – Registration of Foreign-Owned Agricultural Land

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of

Agriculture under section 442.592, RSMo 2016, and Executive Order 24-01, the department amends a rule as follows:

2 CSR 110-4.020 Interest Defined is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2024 (49 MoReg 273). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Agriculture received two (2) comments on the proposed amendment.

COMMENT #1: Patricia Campbell, private citizen, "I support the proposed amendment."
RESPONSE: No changes have been made as a result of the comment.

COMMENT #2: Missouri Farm Bureau Federation, "We support prohibiting foreign ownership of agricultural land, even though current state law allows up to one percent of Missouri farmland to be foreign-owned. We support reducing the one percent cap, but oppose efforts to require divestiture of currently held assets. We support an exemption for agricultural research efforts. We are concerned with the amount of foreign investment in agriculture enterprises and we favor continuous monitoring of foreign investments in the United States. With this in mind, MOFB is supportive of MDA's proposed amendments."
RESPONSE: No changes have been made as a result of the comment.

**TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 110 – Office of the Director
Chapter 4 – Registration of Foreign-Owned
Agricultural Land**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Agriculture under section 442.592, RSMo 2016, and Executive Order 24-01, the department amends a rule as follows:

2 CSR 110-4.040 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2024 (49 MoReg 273-274). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Agriculture received three (3) comments on the proposed amendment.

COMMENT #1: Missouri Title Legislative Study Group (MTLSG), MTLSG is requesting that the filing of the report also has a means of filing electronically.
RESPONSE AND EXPLANATION OF CHANGE: The department is currently working with information technology partners to modify its website to allow for online submission. The department agrees with this comment and has made changes to the rule reflecting submission of the report electronically.

COMMENT #2: Patricia Campbell, private citizen, "I support the proposed amendment."

RESPONSE: No changes have been made as a result of the comment.

COMMENT #3: Missouri Farm Bureau Federation, "We support prohibiting foreign ownership of agricultural land, even though current state law allows up to one percent of Missouri farmland to be foreign-owned. We support reducing the one percent cap, but oppose efforts to require divestiture of currently held assets. We support an exemption for agricultural research efforts. We are concerned with the amount of foreign investment in agriculture enterprises and we favor continuous monitoring of foreign investments in the United States. With this in mind, MOFB is supportive of MDA's proposed amendments."

RESPONSE: No changes have been made as a result of the comment.

2 CSR 110-4.040 Procedure for Filing

(2) These reports shall be submitted to the Missouri Department of Agriculture either by mail at PO Box 630, Jefferson City, MO 65102-0630 or electronically at www.agriculture.mo.gov and shall be completed in full. Failure to complete the required form timely could result in a delay in determining whether the acquisition is in violation of state law.

**TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 110 – Office of the Director
Chapter 4 – Registration of
Foreign-Owned Agricultural Land**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Agriculture under sections 442.571 and 442.592, RSMo 2016, and Executive Order 24-01, the department adopts a rule as follows:

2 CSR 110-4.050 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2024 (49 MoReg 274-275). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Agriculture received four (4) comments on the proposed rule.

COMMENT #1: Dan Mcwhorter, private citizen, "I have been in favor of limited or prohibiting foreign interests purchasing agricultural land in Missouri for a long time. I am pleased to hear that Governor Parson has taken action on this issue. I am in favor of enacting a permanent prohibition against the purchase by any foreign interests, but especially adversarial interests such as China. Thanks to the Governor for his attention to this and I would encourage the Legislature to enact a permanent ban on foreign interests purchasing land in Missouri. The practice inflates the price and is detrimental to family farming as well as a security to our country."

RESPONSE: No changes have been made as a result of the comment.

COMMENT #2: Missouri Title Legislative Study Group (MTLSG),

MTLSG is requesting clarification for subsection “(1)(A)... if such land is within ten (10) miles of a military facility, to include all federal installations as well as all staffed Missouri National Guard units as published on the department’s website;” Published is defined as a list that can be verified. As for subsection (1)(C) MTLG is also requesting clarification on what type of notice will be given for proof of allowing or disallowing sale.

RESPONSE AND EXPLANATION OF CHANGE: The map published on the department’s website includes the military installations list. No change to subsection (1)(A) as a result of the comment. The department agrees with the subsection (1)(C) comment and has made changes to the rule reflecting the notification of allowing or disallowing the sale.

COMMENT #3; Patricia Campbell, private citizen, “I support the proposed amendment.”

RESPONSE: No changes have been made as a result of the comment.

COMMENT #4: Missouri Farm Bureau Federation, “We support prohibiting foreign ownership of agricultural land, even though current state law allows up to one percent of Missouri farmland to be foreign-owned. We support reducing the one percent cap, but oppose efforts to require divestiture of currently held assets. We support an exemption for agricultural research efforts. We are concerned with the amount of foreign investment in agriculture enterprises and we favor continuous monitoring of foreign investments in the United States. With this in mind, MOFB is supportive of MDA’s proposed amendments.”

RESPONSE: No changes have been made as a result of the comment.

2 CSR 110-4.050 Process for Approval

(1) The Director of the Missouri Department of Agriculture shall –

(C) Review in accordance with state laws, regulations, and orders at the time that the report by a foreign person is submitted, any report not listed in subsection (A) or (B) of this rule, and allow or disallow accordingly by providing written notification of the decision to the owner or legally authorized representative included on the report within thirty (30) days.

TITLE 5 – DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20 – Division of Learning Services Chapter 400 – Office of Educator Quality

ORDER OF RULEMAKING

By the authority vested in the State Board of Education (board) under sections 161.092, 168.011, 168.071, 168.081, 168.400, 168.405, and 168.409, RSMo 2016, and section 168.021, RSMo Supp. 2023, the board amends a rule as follows:

5 CSR 20-400.580 Certification Requirements for Gifted Education (Kindergarten – Grade 12) **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2024 (49 MoReg 276). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one (1) comment on the proposed amendment.

COMMENT #1: Beth Winton, with Columbia Public Schools Gifted Program, stated that she supported the changes to gifted certification because it will reduce the time and cost requirement, especially for younger teachers.

RESPONSE: This comment is in favor of the rule change. No changes have been made to the rule as a result of this comment.

TITLE 7 – MISSOURI DEPARTMENT OF TRANSPORTATION

Division 10 – Missouri Highways and Transportation Commission

Chapter 25 – Motor Carrier Operations

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 142.617, 226.008, 226.130, and 301.275, RSMo 2016, the commission amends a rule as follows:

7 CSR 10-25.030 Apportion Registration Pursuant to the International Registration Plan **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2024 (49 MoReg 89-90). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 7 – MISSOURI DEPARTMENT OF TRANSPORTATION

Division 10 – Missouri Highways and Transportation Commission

Chapter 25 – Motor Carrier Operations

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 142.830, 226.008, 226.130, 301.265, 301.267, 301.275, and 390.136, RSMo 2016, the commission amends a rule as follows:

7 CSR 10-25.060 Trip Permits and Hunter’s (Unladen) Permits **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2024 (49 MoReg 90). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION**

**Division 10 – Missouri Highways and Transportation
Commission**

Chapter 25 – Motor Carrier Operations

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 142.617, 226.008, 226.130, and 301.275, RSMo 2016, the commission amends a rule as follows:

7 CSR 10-25.071 Application for International Fuel Tax Agreement License **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2024 (49 MoReg 90-91). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION**

**Division 10 – Missouri Highways and Transportation
Commission**

Chapter 25 – Motor Carrier Operations

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 142.617, 226.008, 226.130, and 301.275, RSMo 2016, the commission amends a rule as follows:

7 CSR 10-25.072 Fuel Tax Returns **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2024 (49 MoReg 91). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION**

**Division 10 – Missouri Highways and Transportation
Commission**

Chapter 25 – Motor Carrier Operations

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 142.617, 226.008, and 301.275, RSMo 2016, the commission amends a rule as follows:

7 CSR 10-25.073 Record Keeping Requirements **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2024 (49 MoReg 91). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION**

**Division 265 – Motor Carrier and Railroad Safety
Chapter 10 – Motor Carrier Operations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.008 and 622.027, RSMo 2016, the commission amends a rule as follows:

7 CSR 265-10.015 Application Requirements for the Issuance and Transfer of Intrastate Motor Carrier Authority **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2024 (49 MoReg 91-92). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION**

**Division 265 – Motor Carrier and Railroad Safety
Chapter 10 – Motor Carrier Operations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 390.041, 390.126, 390.128, and 622.027, RSMo 2016, the commission amends a rule as follows:

7 CSR 265-10.030 Insurance **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2024 (49 MoReg 92). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY
Division 70 – Division of Alcohol and Tobacco
Control**

Chapter 2 – Rules and Regulations**ORDER OF RULEMAKING**

By the authority vested in the Division of Alcohol and Tobacco Control under section 311.660, RSMo Supp. 2023, the division amends a rule as follows:

11 CSR 70-2.010 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2024 (49 MoReg 154). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 11 – DEPARTMENT OF PUBLIC SAFETY
Division 70 – Division of Alcohol and Tobacco
Control
Chapter 2 – Rules and Regulations

ORDER OF RULEMAKING

By the authority vested in the Division of Alcohol and Tobacco Control under section 311.660, RSMo Supp. 2023, the division amends a rule as follows:

11 CSR 70-2.020 Application for License is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2024 (49 MoReg 154-155). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Division of Alcohol and Tobacco Control received one (1) comment on the proposed amendment.

COMMENT #1: Tyler Rudd, with the Wine Institute, suggested that ten percent (10%) disclosure was more appropriate and less burdensome than five percent (5%) disclosure. Further, his comment included suggested language for the division to address trusts.

RESPONSE: At this time, the division believes that a five percent (5%) disclosure is less burdensome than “any” financial interest disclosure, as currently suggested by Chapter 311. The division agrees that additional language for how trusts are treated should be codified. However, the division will submit a separate proposed amendment regarding trusts for public comment.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 2 – Income Tax

ORDER OF RULEMAKING

By the authority vested in the Director of Revenue under sections 143.271 and 143.961, RSMo 2016, the director amends a rule as follows:

12 CSR 10-2.030 Non-Standard Tax Periods, Subsequent Change of Accounting Period, and Personal and Dependency Exemption Deductions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2024 (49 MoReg 157-158). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 2 – Income Tax

ORDER OF RULEMAKING

By the authority vested in the Director of Revenue under sections 136.120, 143.851, and 143.961, RSMo 2016, the director amends a rule as follows:

12 CSR 10-2.240 Determination of Timeliness is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2024 (49 MoReg 158-160). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 2 – Income Tax

ORDER OF RULEMAKING

By the authority vested in the Director of Revenue under section 143.961, RSMo 2016, the director amends a rule as follows:

12 CSR 10-2.710 Net Operating Losses on Individual Income Tax Returns is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2024 (49 MoReg 160-162). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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

ORDER OF RULEMAKING

By the authority vested in the Director of Revenue under section 148.100, RSMo 2016, the director rescinds a rule as follows:

12 CSR 10-10.135 Federal Income Tax Deduction is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 1, 2024 (49 MoReg 162). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 26 – Dealer Licensure**

ORDER OF RULEMAKING

By the authority vested in the Director of Revenue under sections 301.219, 301.221, and 301.229, RSMo 2016, the director amends a rule as follows:

12 CSR 10-26.021 Issuance of Biennial Salvage Business Licenses is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2024 (49 MoReg 281). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 44 – Miscellaneous Fees and Taxes**

ORDER OF RULEMAKING

By the authority vested in the Director of Revenue under section 260.273, RSMo Supp. 2023, the director amends a rule as follows:

12 CSR 10-44.010 Tire Fee Application is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2024 (49 MoReg 162). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 44 – Miscellaneous Fees and Taxes**

ORDER OF RULEMAKING

By the authority vested in the Director of Revenue under section 479.359, RSMo 2016, the director amends a rule as follows:

12 CSR 10-44.100 Excess Traffic Violation Revenue is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2024 (49 MoReg 162-163). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE
Division 400 – Life, Annuities and Health
Chapter 13 – Health Insurance Rates**

ORDER OF RULEMAKING

By the authority vested in the director of the Missouri Department of Commerce and Insurance under sections 374.045 and 376.465, RSMo 2016, the director amends a rule as follows:

20 CSR 400-13.100 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2024 (49 MoReg 295). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held March 20, 2024, and the public comment period ended on March 20, 2024. The department received five (5) comments on the proposed amendment.

COMMENT #1: Jay McLaren, on behalf of Medica, commented that it supports the proposed amendment requiring a cost-sharing reduction (CSR) adjustment factor for individual silver plans sold on the Federally-Facilitated Marketplace. The adoption of this amendment and the publication annually of a prescriptive methodology for calculating the CSR adjustment factor will result in a level playing field among insurers at the silver level. This will in turn allow for predictability and stability in pricing for consumers and for the amounts of advance premium tax credits available to consumers to use to help them purchase coverage.

RESPONSE: The Missouri Department of Commerce and Insurance appreciates these comments from Medica. No changes have been made to the rule as a result of this comment.

COMMENT #2: Jennifer Forsythe, on behalf of Anthem Blue Cross and Blue Shield in Missouri, commented that timing is critical, and requested the department release its guidance regarding proposed factors and methodology as soon as possible to allow carriers to evaluate them.

RESPONSE: The Missouri Department of Commerce and Insurance appreciates these comments from Anthem. The department is aware of the timelines that Anthem must follow in order to meet filing deadlines and recognizes the need for timely guidance. No changes have been made to the rule as a result of this comment.

COMMENT #3: Jennifer Forsythe, on behalf of Anthem Blue Cross and Blue Shield in Missouri, commented that it is critical that the department commit to enforcing its guidance consistently across all carriers.

RESPONSE: The Missouri Department of Commerce and Insurance appreciates these comments from Anthem. The department agrees that consistent enforcement is critical to ensure a vibrant market. No changes have been made to the rule as a result of this comment.

COMMENT #4: Jennifer Forsythe, on behalf of Anthem Blue Cross and Blue Shield in Missouri, commented that it is concerned about language in the proposed amendment that requires carriers to “assume that 100% of enrollees in silver plans select one of the 94% or 87% actuarial value designs as described in 45 CFR §156.420(a)(1) and (a)(2).” Anthem further commented that this distribution does not reflect the actual behavior of consumers in the market and is concerned that this assumption will create “misalignment in pricing.” Anthem would prefer that carriers continue to have discretion and flexibility around these pricing assumptions.

RESPONSE AND EXPLANATION OF CHANGE: The Missouri Department of Commerce and Insurance appreciates these comments from Anthem. Paragraph (5)(E)3. will be changed to a phased-in approach for the enrollment distribution assumption. The percentage of enrollment will be phased-in over a three- (3-) year period, culminating with an assumption that is more likely to reflect the actual behavior of consumers in the market.

COMMENT #5: Jennifer Forsythe, on behalf of Anthem Blue Cross and Blue Shield in Missouri, commented that if the department believes assumptions about enrollment distribution in the three (3) different actuarial value design plans should be standardized, the company suggests the department conduct an analysis of carrier rate filings and CMS public use files to determine an assumption percentage that more closely mirrors the market.

RESPONSE AND EXPLANATION OF CHANGE: The Missouri Department of Commerce and Insurance appreciates these comments from Anthem. Paragraph (5)(E)3. will be changed to a phased-in approach for the enrollment distribution assumption. The enrollment distribution assumption percentages will be changed to more closely mirror the market.

20 CSR 400-13.100 Health Insurance Rates

(5) All proposed rates and rate filings for health benefit plans to be delivered, issued for delivery, continued, or renewed on or after January 1, 2018, shall contain the following:

(E) All proposed rates and rate filings for health benefit plans to be delivered, issued for delivery, continued, or renewed on or after January 1, 2025, shall also include an actuarial value

and cost-sharing factor spreadsheet that contains –

1. The plan identification number included in the spreadsheet specified in subsection (5)(A);

2. The component factors of the actuarial value and cost-sharing design of plan field in the spreadsheet specified in subsection (5)(A), which shall not include adjustments that account for the morbidity of the population expected to enroll in the plan. Such component factors shall include at a minimum the following:

A. The actuarial value used in the pricing of the plan;

B. Induced demand factors for each metal level;

C. For individual silver plans sold on the exchange, a cost-sharing reduction adjustment factor that accounts for the average costs attributable to cost-sharing reductions (CSRs), to the extent that health carriers are not otherwise being reimbursed for those costs. A cost-sharing reduction adjustment factor shall not be applied to any other plans sold on the exchange. If health carriers are being reimbursed for the CSRs consistent with 42 U.S.C. section 18071, then the cost-sharing adjustment factor does not apply; and

D. For purposes of subparagraphs (5)(E)2.B. and C., the director shall determine the methodology used to establish the induced demand factor and the cost-sharing reduction adjustment factor on an annual basis. In determining the methodology, the director shall consider, at a minimum, actuarial best practices, guidance from the National Association of Insurance Commissioners, and guidance from the United States Department of Health and Human Services, Centers for Medicare & Medicaid Services;

3. The actuarial value and cost-sharing design of plan specified in the spreadsheet identified in subsection (5)(A). This value must equal the product of the component factors from paragraph (5)(E)2. and shall reflect the benefit differences and utilization differences due to differences in cost-sharing, including benefits and utilization differences attributable to CSRs, to the extent that health carriers are not otherwise being reimbursed for those costs.

A. For plan year 2025, health carriers shall assume that at least eighty percent (80%) of enrollees in silver plans select one (1) of the ninety-four percent (94%) or eighty-seven percent (87%) actuarial value designs, as described in 45 CFR section 156.420(a)(1) and (a)(2).

B. For plan year 2026, health carriers shall assume that at least eighty-eight percent (88%) of enrollees in silver plans select one (1) of the ninety-four percent (94%) or eighty-seven percent (87%) actuarial value designs, as described in 45 CFR section 156.420(a)(1) and (a)(2).

C. For plan year 2027, and all subsequent plan years, health carriers shall assume that at least ninety-five percent (95%) of enrollees in silver plans select one (1) of the ninety-four percent (94%) or eighty-seven percent (87%) actuarial value designs, as described in 45 CFR section 156.420(a)(1) and (a)(2); and

4. Student health plans and transitional plans are exempt from the requirements of subsection (5)(E); and

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2150 – State Board of Registration for the
Healing Arts
Chapter 5 – General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2016, the board amends a rule as follows:

20 CSR 2150-5.100 Collaborative Practice Arrangement with Nurses is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2024 (49 MoReg 360-363). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received thirty-one (31) comments; nine (9) comments from organizations and twenty-two (22) comments from individuals.

COMMENTS #1-9: Organization comments were received from the American Association of Nurse Practitioners, BJC Healthcare, Missouri Coalition for Quality Care, Missouri Foundation for Health, Missouri Nurses Association by Felicia Hampton and Kyna Iman, Missouri Farm Bureau, Saint Francis Healthcare System, and SSM Health. All were in support of the amendment.

RESPONSE: These comments are in support of the proposed amendment; therefore, no changes have been made to the rule.

COMMENTS #10-31: Jane Alderson, Lynda Bannart, Margaret Benz, Michael Bleich, Deborah Blinzler, Diane Burdick, Renee Endicott, Michelle Grimes, Michelle Hawk, Amy Heithoff-Dominguez, Gregory Lind, Marcy Markes, Cindy McVey, Teri Murray, Suzanne Opperman, Christina Peters, Desma Rend, Karin Riepe, Denise Sanders, Angela Selzer, Laurie Sparr, and Tammy Vandermolen submitted comments in support of the amendment.

RESPONSE: These comments are in support of the proposed amendment; therefore, no changes have been made to the rule.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2200 – State Board of Nursing
Chapter 4 – General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2023, the board amends a rule as follows:

20 CSR 2200-4.200 Collaborative Practice is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri*

Register on March 1, 2024 (49 MoReg 363-366). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received total of thirty-two (32) comments; seven (7) comments from organizations and twenty-five (25) comments from individuals.

COMMENTS #1-7: Organization comments were received from the American Association of Nurse Practitioners, BJC HealthCare, Missouri Coalition for Quality Care, Missouri Farm Bureau, Missouri Foundation for Health, Missouri Nurses Association, and the National Council of State Boards of Nursing, Inc. All were in support of amending the rule. Rationale included that the rule was not needed due to advances in electronic communications and today's technology. Missouri is one of a handful of states that require geographic proximity for collaborative practice agreements. The seventy-five- (75-) mile restriction is unnecessary and a restrictive requirement that further exacerbates challenges with collaborative practice agreements and negatively impacts patients and their ability to access care. There is no national data and no other states that puts this restriction on APRNs.

RESPONSE: The board thanks the organizations for their letters of support. No changes have been made to the rule.

COMMENTS #8-32: Jane Alderson, Margaret Benz, Michael R. Bleich, Deborah Blinzler, Renee Endicott, Michelle Grimes, Felicia Hampton, Michelle Hawk, Amy Heithoff-Dominguez, Ruth J. Jones, Gregory Lind, Susan McVey, Marcy Markes, Charla Miles, Teri Murray, Suzanne Opperman, Christina Peters, Desmo Reno, Karin Riepe, Gerry Salter, Denise Sanders, Angela Selzer, Laurie Sparr, Tammy Vandermolen, and Celeste Williams all submitted comments in support of the proposed amendment. This was an antiquated rule that limited patient care. There was never a valid reason for the seventy-five- (75-) mile requirement. Missouri needs to modernize its rules so patients benefit. There are more patients than providers can see. This is a great step in the right direction to care for the citizens of Missouri. The rule was onerous and arbitrary. With so many communication options available, the rule was outdated. The rule change will address the needs of underserved populations, particularly in rural areas. It would eliminate patients having to travel longer distances to receive care. The current geographic and worksite restrictions on APRNs hinder our ability to efficiently onboard new providers and limits our capacity to offer timely and accessible care to our patients. Elimination of the seventy-five- (75-) mile restriction will lead to more efficient utilization of healthcare services and resources. Removing the restriction allows APRNs and physicians to go where patients need them without worrying about a mileage restriction. Removing the restriction would allow APRNs to reach out to a large physician pool for collaborators.

RESPONSE: The board thanks the individuals for their letters of support. No changes have been made to the rule.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE****Division 2267 – Office of Tattooing, Body Piercing,
and Branding
Chapter 5 – Standards of Practice****ORDER OF RULEMAKING**

By the authority vested in the Office of Tattooing, Body Piercing, and Branding under section 324.522, RSMo 2016, the office amends a rule as follows:

20 CSR 2267-5.010 Standards of Practice is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2024 (49 MoReg 366). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE****Division 2270 – Missouri Veterinary Medical Board
Chapter 1 – General Rules****ORDER OF RULEMAKING**

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-1.021 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2024 (49 MoReg 296-298). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE****Division 2270 – Missouri Veterinary Medical Board
Chapter 2 – Licensure Requirements for Veterinarians****ORDER OF RULEMAKING**

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-2.031 Examinations is amended.

A notice of proposed rulemaking containing the text of the

proposed amendment was published in the *Missouri Register* on March 1, 2024 (49 MoReg 366). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE****Division 2270 – Missouri Veterinary Medical Board
Chapter 2 – Licensure Requirements for Veterinarians****ORDER OF RULEMAKING**

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-2.041 Reexamination is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2024 (49 MoReg 367). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE****Division 2270 – Missouri Veterinary Medical Board
Chapter 3 – Registration Requirements for Veterinary
Technicians****ORDER OF RULEMAKING**

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-3.020 Examinations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2024 (49 MoReg 367). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE****Division 2270 – Missouri Veterinary Medical Board
Chapter 4 – Minimum Standards**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-4.041 Minimum Standards for Medical Records
is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2024 (49 MoReg 367-368). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

Notice of Periodic Rule Review

The General Assembly has instituted an ongoing five- (5-) year rolling review of existing rules that will begin July 1, 2024, as set forth in section 536.175, RSMo. The following entities will begin this process for rules promulgated within their designated Title of the *Code of State Regulations* with a sixty- (60-) day public comment period. The *Code of State Regulations* may be viewed at <http://www.sos.mo.gov/adrules/csr/csr.asp>.

Titles Reviewed Beginning July 1, 2024:

Title 20 – Department of Commerce and Insurance
Title 22 – Missouri Consolidated Health Care Plan

The Public Comment Process: Entities with rules in Titles 20-22 of the *Code of State Regulations* may receive comments from the public for any rule within these titles.

- Comments must be received within sixty (60) days after July 1, 2024. (August 31, 2024)
- Comments must identify the commenter.
- Comments must identify the specific rule commented upon.
- Comments must be directly associated with a specified rule.
- Comments must be submitted to the following agency designee:

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

• Luke Reed
301 West High St., Room 530
PO Box 690
Jefferson City, MO 65102
Robert.L.Reed@dci.mo.gov

TITLE 22 – MISSOURI CONSOLIDATED HEALTH CARE PLAN

• Jennifer Stilabower
PO Box 104355
Jefferson City, MO 65110-4355
Jennifer.Stilabower@mchcp.org

The Report: The agency will prepare a report containing the results of the review, which will include whether the rule continues to be necessary; whether the rule is obsolete; whether the rule overlaps, duplicates, or conflicts with other rules; whether a less restrictive or more narrowly tailored rule is appropriate; whether the rule needs amendment or rescission; whether incorporated by reference materials are proper; and whether rules affecting small business are still relevant. The report will also contain an appendix with the nature of the comments the department has received on the rules and the agency responses to the comments.

Report Deadline: The report must be filed with the Joint Committee on Administrative Rules by **June 30, 2025**. Any rule not included in the report may become null and void. However, there is an extensive process, including multiple opportunities to correct the deficiency, in place before nullification of the rule. Such opportunities include the ability of the agency to request an extension from the Joint Committee on Administrative Rules, as well as notification to the agency and opportunity to correct the delinquency.

Questions: If you have further questions about the process, please contact Sarah Schappe, Joint Committee on Administrative Rules, (573) 751-2443 or JTCAR@senate.mo.gov.

The Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF
AND CLAIMANTS AGAINST R & K CONSTRUCTION, INC**

R & K Construction, Inc., a Missouri corporation, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State on April 24, 2024. The dissolution was effective on that date. Any and all claims against R & K Construction, Inc. may be sent to:

J. Brian Hill, Esq.
2900 Brooktree Lane, Suite 100
Gladstone, Missouri 64119

Each claim should include the following information:

- 1) The name, address and telephone number of the claimant;
- 2) The amount of the claim;
- 3) The basis for the claim;
- 4) The documentation supporting the claim; and
- 5) The date(s) on which the event(s) on which the claim is based occurred.

Any and all claims against R & K Construction, Inc. will be barred unless a proceeding to enforce such claim is commenced within two (2) years after the date this notice is published.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF
AND CLAIMANTS AGAINST STATEWIDE PUBLIC SAFETY, INC**

Statewide Public Safety, Inc., a Missouri corporation, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State on April 30, 2024. The dissolution was effective on that date. Any and all claims against Statewide Public Safety, Inc. may be sent to:

J. Brian Hill, Esq.
2900 Brooktree Lane, Suite 100
Gladstone, Missouri 64119

Each claim should include the following information:

- 1) The name, address and telephone number of the claimant;
- 2) The amount of the claim;
- 3) The basis for the claim;
- 4) The documentation supporting the claim; and
- 5) The date(s) on which the event(s) on which the claim is based occurred.

Any and all claims against Statewide Public Safety, Inc. will be barred unless a proceeding to enforce such claim is commenced within two (2) years after the date this notice is published.

**NOTICE FOR WINDING UP FOR LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST COMPREHENSIVE BENEFITS USA, LLC**

On May 2, 2024, COMPREHENSIVE BENEFITS USA, LLC, a Missouri limited liability company ("the Company") filed its Notice of Winding Up with the Missouri Secretary of State. Any claims against the Company may be sent to:

Mark Minton
115 Stoneleigh Towers
St. Louis, MO 63132

Each claim must include the following:

- 1) The name, address, and phone number of claimant;
- 2) The amount of claim;
- 3) The date on which the claim arose;
- 4) The basis for the claim; and
- 5) The documentation in support of the claim.

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF DISSOLUTION AND WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST MILLER LLC

Pursuant to Section 347.141(1) RSMo notice is hereby given that, by unanimous consent of its Members, Miller LLC, a Missouri limited liability company, Charter Number LC0596319 (the "Company"), is to cease doing business and be dissolved and that a Notice of Winding Up for Limited Liability Company has been filed with the office of the Secretary of State of Missouri on the 3rd day of May, 2024. The Company requests that all persons who have a claim against the Company, mail the following information to:

Clayton Plaza Law Group, LLC
Attn: Robert B. Leggat
112 S. Hanley Rd., Suite 200
Clayton, MO 63105

Each claim must include the following:

- 1) The name, address, and telephone number of the Claimant,
- 2) The amount of the claim,
- 3) A brief description of the basis for the claim (i.e., goods or services provided),
- 4) The date the claim arose and
- 5) Documentation of the claim

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after publication of notice.

**NOTICE TO CREDITORS AND CLAIMANTS OF
Fat 7, LLC**

Fat 7, LLC, a Missouri Limited Liability Company has dissolved and is in the process of winding up its affairs. On May 7, 2024, the Company filed Notice of Winding Up with the Secretary of State of Missouri. Any and all claims against the Company may be sent to:

Michael E. Kaemmerer of McCarthy
Leonard & Kaemmerer, LC
825 Maryville Centre Drive, Suite 300
Town and Country, MO 63017

Each claim should include the following:

- 1) The name, address and telephone number of claimant;
- 2) The amount of claim;
- 3) The basis of the claim; and
- 4) The documents related to the claim

Any and all claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the date of this publication of this notice.

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*. Citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year – 48 (2023) and 49 (2024). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				47 MoReg 1457
DEPARTMENT OF AGRICULTURE					
2 CSR 30-1.020	Animal Health		49 MoReg 272	This Issue	
2 CSR 30-10.010	Animal Health	49 MoReg 395	49 MoReg 397		
2 CSR 70-14.005	Plant Industries		48 MoReg 2268R	49 MoReg 564R	
2 CSR 70-14.010	Plant Industries		48 MoReg 2268R	49 MoReg 564R	
2 CSR 70-14.020	Plant Industries		48 MoReg 2268R	49 MoReg 564R	
2 CSR 70-14.030	Plant Industries		48 MoReg 2269R	49 MoReg 564R	
2 CSR 70-14.040	Plant Industries		48 MoReg 2269R	49 MoReg 565R	
2 CSR 70-14.060	Plant Industries		48 MoReg 2269R	49 MoReg 565R	
2 CSR 70-14.070	Plant Industries		48 MoReg 2269R	49 MoReg 565R	
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 22 CSR 10-3.075 Review and Appeals Procedure 48 MoReg 2146 Jan. 1, 2024. June 28, 2024

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
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24-07	Extends Executive Order 23-06 and the State of Emergency until June 30, 2024	May 30, 2024	Next Issue
24-06	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe storm systems	May 2, 2024	This Issue
24-05	Extends Executive Order 23-05 to address drought-response efforts until September 1, 2024	April 26, 2024	49 MoReg 792
24-04	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government	February 29, 2024	49 MoReg 447
24-03	Declares a State of Emergency and declares Missouri will implement the Emergency Mutual Aid Compact (EMAC) agreement with the State of Texas to provide support with border operations	February 20, 2024	49 MoReg 446
24-02	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted winter storm systems	January 11, 2024	49 MoReg 270
24-01	Orders the Dept. of Agriculture to establish rules regarding acquisitions of agricultural land by foreign businesses	January 2, 2024	49 MoReg 136
2023			
23-10	Extends Executive Order 23-05 to address drought-response efforts until May 1, 2024	November 17, 2023	48 MoReg 2267
23-09	Orders state offices to be closed on Friday, November 24, 2023	November 9, 2023	48 MoReg 2149
23-08	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe storm systems	August 5, 2023	48 MoReg 1684
23-07	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government	July 28, 2023	48 MoReg 1595
23-06	Rescinds Executive Order 17-20	June 29, 2023	48 MoReg 1423
23-05	Declares drought alerts for 60 Missouri counties in accordance with the Missouri Drought Mitigation and Response Plan	May 31, 2023	48 MoReg 1179
23-04	Designates members of the governor's staff as having supervisory authority over each department, division, or agency of state government	April 14, 2023	48 MoReg 911
23-03	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to severe storm systems	March 31, 2023	48 MoReg 795
23-02	Extends Executive Order 22-08, the State of Emergency, and waivers until February 28, 2023	January 24, 2023	48 MoReg 433
23-01	Orders the commencement of the Missourians Aging with Dignity Initiative, with directives to support all citizens as they age	January 19, 2023	48 MoReg 431

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Administrative Rules Contact Information

General Inquiries

(573) 751-4015
rules@sos.mo.gov

Curtis W. Treat, Editor-in-Chief

(573) 751-2022
curtis.treat@sos.mo.gov

Stephanie Martin, Managing Editor

(573) 522-2196
stephanie.martin@sos.mo.gov

Jacqueline D. White, Publication Specialist II

(573) 526-1259
jacqueline.white@sos.mo.gov

Vonne Kilbourn, Editor II

(573) 751-1818
vonne.kilbourn@sos.mo.gov

Jennifer Alex Moore, Editor II

(573) 522-2593
jennifer.moore@sos.mo.gov

Tammy Winkelman, Administrative Aide III

(573) 751-4015
tammy.winkelman@sos.mo.gov