

FIRST REGULAR SESSION

# HOUSE BILL NO. 684

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES KENNEDY AND BONNER (Co-sponsors).

Read 1<sup>st</sup> time February 7, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1736L.011

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### AN ACT

To repeal section 301.144 as enacted by house committee substitute for senate substitute for senate bill no. 3, eighty-eighth general assembly, first regular session, and section 301.144 as enacted by conference committee substitute for house substitute for house committee substitute for senate substitute for senate bill no. 70, eighty-eighth general assembly, first regular session, relating to amateur radio license plates, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 301.144 as enacted by house committee substitute for senate substitute for senate bill no. 3, eighty-eighth general assembly, first regular session, and section 301.144 as enacted by conference committee substitute for house substitute for house committee substitute for senate substitute for senate bill no. 70, eighty-eighth general assembly, first regular session, is repealed and one new section enacted in lieu thereof, to be known as section 301.144, to read as follows:

[301.144. 1. The director of revenue shall establish and issue special personalized license plates containing letters or numbers or combinations of letters and numbers, not to exceed six characters in length. Any person desiring to obtain a special personalized license plate for any motor vehicle other than a commercial motor vehicle licensed for more than twelve thousand pounds shall apply to the director of revenue on a form provided by the director and shall pay a fee of fifteen dollars in addition to the regular registration fees. The director of revenue shall issue rules and regulations setting the standards and establishing the procedure for application for and issuance of the special personalized license plates and shall provide a deadline each year for the applications. No rule or portion of a rule

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo. No two owners shall be issued identical plates. An owner shall make a new application and pay a new fee each year he desires to obtain or retain special personalized license plates; however, notwithstanding the provisions of subsection 8 of section 301.130 to the contrary, the director shall allow the special personalized license plates to be replaced with new plates every three years without any additional charge, above the fee established in this section, to the renewal applicant. Any person currently in possession of an approved personalized license plate shall have first priority on that particular plate for each of the following years that timely and appropriate application is made.

2. No personalized license plates shall be issued containing any letters, numbers or combination of letters and numbers which are obscene, profane, inflammatory or contrary to public policy. The director may recall any personalized license plates, including those issued prior to August 28, 1992, if he determines that the plates are obscene, profane, inflammatory or contrary to public policy. Where the director recalls such plates under the provisions of this subsection, he shall reissue personalized license plates to the owner of the motor vehicle for which they were issued at no charge, if the new plates proposed by the owner of the motor vehicle meet the standards established under this section. Nothing contained in this subsection shall be interpreted to prohibit the use of license plates, which are no longer valid for registration purposes, as collector's items or for decorative purposes.

3. The director may also establish categories of specialized personalized license plates from which license plates may be issued. Any such person that desires a special personalized license plate from any such category shall pay the same additional fee and make the same kind of application as that required by subsection 1 of this section, and the director shall issue such plates in the same manner as other special personalized license plates are issued.

4. The director of revenue shall issue to residents of the state of Missouri who hold an unrevoked and unexpired official amateur radio license issued by the Federal Communications Commission, upon application and upon payment of the additional fee specified in subsection 1 of this section, special personalized license plates bearing the official amateur radio call letters assigned by the Federal Communications Commission to the applicant. The application shall be accompanied by an affidavit stating that the applicant has an unrevoked and unexpired amateur radio license issued by the Federal Communications Commission and the official radio call letters assigned by the Federal Communications Commission to the applicant.

5. Notwithstanding any other provision to the contrary, any business listed in subsection 1 of section 301.256 that repossesses motor vehicles or trailers and sells or otherwise disposes of them shall be issued a placard displaying the word "Repossessed", provided such business pays the fees presently required of a manufacturer, distributor, or dealer in subsection 1 of section 301.253. Such placard

54 shall bear a number and shall be in such form as the director of revenue shall  
55 determine, and shall be only used for demonstrations when displayed substantially  
56 as provided for number plates on the rear of the motor vehicle or trailer.]

301.144. 1. The director of revenue shall establish and issue special personalized license  
2 plates containing letters or numbers or combinations of letters and numbers, **not to exceed six**  
3 **characters in length**. Such license plates shall be made with fully reflective material with a  
4 common color scheme and design, shall be clearly visible at night, and shall be aesthetically  
5 attractive, as prescribed by section 301.130. Any person desiring to obtain a special personalized  
6 license plate for any motor vehicle other than a commercial motor vehicle licensed for more than  
7 twelve thousand pounds shall apply to the director of revenue on a form provided by the director  
8 and shall pay a fee of fifteen dollars in addition to the regular registration fees. The director of  
9 revenue shall issue rules and regulations setting the standards and establishing the procedure for  
10 application for and issuance of the special personalized license plates and shall provide a  
11 deadline each year for the applications. No rule or regulation promulgated pursuant to this  
12 section shall become effective [until approved by the joint committee on administrative rules]  
13 **unless it has been promulgated pursuant to the provisions of chapter 536, RSMo**. No two  
14 owners shall be issued identical plates. An owner shall make a new application and pay a new  
15 fee each year [he] **such owner** desires to obtain or retain special personalized license plates;  
16 however, notwithstanding the provisions of subsection 8 of section 301.130 to the contrary, the  
17 director shall allow the special personalized license plates to be replaced with new plates every  
18 three years without any additional charge, above the fee established in this section, to the renewal  
19 applicant. Any person currently in possession of an approved personalized license plate shall  
20 have first priority on that particular plate for each of the following years that timely and  
21 appropriate application is made.

22 2. No personalized license plates shall be issued containing any letters, numbers or  
23 combination of letters and numbers which are obscene, profane, inflammatory or contrary to  
24 public policy. The director may recall any personalized license plates, including those issued  
25 prior to August 28, 1992, if [he] **the director** determines that the plates are obscene, profane,  
26 inflammatory or contrary to public policy. Where the director recalls such plates under the  
27 provisions of this subsection, [he] **the director** shall reissue personalized license plates to the  
28 owner of the motor vehicle for which they were issued at no charge, if the new plates proposed  
29 by the owner of the motor vehicle meet the standards established [under] **pursuant to this**  
30 section. Nothing contained in this subsection shall be interpreted to prohibit the use of license  
31 plates, which are no longer valid for registration purposes, as collector's items or for decorative  
32 purposes.

33 3. The director may also establish categories of specialized personalized license plates  
34 from which license plates may be issued. Any such person that desires a special personalized

35 license plate from any such category shall pay the same additional fee and make the same kind  
36 of application as that required by subsection 1 of this section, and the director shall issue such  
37 plates in the same manner as other special personalized license plates are issued.

38 4. The director of revenue shall issue to residents of the state of Missouri who hold an  
39 unrevoked and unexpired official amateur radio license issued by the Federal Communications  
40 Commission, upon application and upon payment of the additional fee specified in subsection  
41 1 of this section, special personalized license plates bearing the official amateur radio call letters  
42 assigned by the Federal Communications Commission to the applicant **with the words**  
43 **"AMATEUR RADIO" in place of the words "SHOW-ME STATE"**. The application shall  
44 be accompanied by an affidavit stating that the applicant has an unrevoked and unexpired  
45 amateur radio license issued by the Federal Communications Commission and the official radio  
46 call letters assigned by the Federal Communications Commission to the applicant. **An owner**  
47 **making a new application and paying a new fee to retain an amateur radio plate may**  
48 **request a replacement plate with the words "AMATEUR RADIO" in place of the words**  
49 **"SHOW-ME STATE". If application is made to retain a plate that is three years old or**  
50 **older, the replacement plate shall be issued at no additional charge. If the plate is less than**  
51 **three years old, a replacement plate charge shall apply.**

52 5. Notwithstanding any other provision to the contrary, any business listed in subsection  
53 1 of section 301.570 that repossesses motor vehicles or trailers and sells or otherwise disposes  
54 of them shall be issued a placard displaying the word "Repossessed", provided such business  
55 pays the fees presently required of a manufacturer, distributor, or dealer in section 301.560. Such  
56 placard shall bear a number and shall be in such form as the director of revenue shall determine,  
57 and shall be only used for demonstrations when displayed substantially as provided for number  
58 plates on the rear of the motor vehicle or trailer.