

SECOND REGULAR SESSION

HOUSE BILL NO. 1716

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DAUS.

Read 1st time April 5, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4973L.011

AN ACT

To repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to temporary license plates, with a penalty provision.

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

Section A. Section 301.140, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.140, to read as follows:

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor

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

17 vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee
18 of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less
19 horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating
20 capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

21 3. License plates may be transferred from a motor vehicle which will no longer be
22 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay
23 a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in
24 the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that
25 of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of
26 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
27 vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer
28 fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased
29 vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial
30 motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be
31 entitled to a refund.

32 4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made
33 application for registration, by mail or otherwise, may operate the same for a period of thirty days
34 after taking possession thereof, if during such period the motor vehicle or trailer shall have
35 attached thereto[, in the manner required by section 301.130, number] **a temporary permit or**
36 **paper license** plates issued to the [dealer] **buyer by the department of revenue.** [Upon
37 application and presentation of satisfactory evidence that the buyer has applied for registration,
38 a dealer may furnish such number plates to the buyer for such temporary use. In such event, the
39 dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to
40 the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer
41 such number plates within thirty days. The director shall issue a temporary permit or paper plate
42 authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days
43 of the date of purchase.]

44 5. The temporary permit or paper plate shall be made available by the director of revenue
45 and may be purchased from the department of revenue upon proof of purchase of a motor vehicle
46 or trailer for which the buyer has no registration plate available for transfer[, or from a dealer
47 upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available
48 for transfer. The director shall make temporary plates or permits available to registered dealers
49 in this state in sets of ten plates or permits]. The fee for the temporary permit or plate shall be
50 seven dollars and fifty cents for each permit or plate issued. [No dealer shall charge more than
51 seven dollars and fifty cents for each permit issued.] The permit or plate shall be valid for a
52 period of thirty days from the date of purchase of a motor vehicle or trailer[, or from the date of

53 sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit or plate
54 as set out above].

55 6. The permit or plate shall be issued on a form prescribed by the director and issued
56 only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable
57 the applicant to legally operate the vehicle while proper title and registration plate are being
58 obtained, and shall be displayed on no other vehicle. Permits or paper plates issued pursuant to
59 this section shall not be transferable or renewable and shall not be valid upon issuance of proper
60 registration plates for the motor vehicle or trailer. The director shall determine the size and
61 numbering configuration, construction, and color of the permit and plate.

62 7. The [dealer or authorized agent] **department of revenue** shall insert the date of
63 issuance and expiration date, year, make, and manufacturer's number of vehicle on the paper
64 plate or permit when issued to the buyer. The [dealer] **department** shall also insert [such] **the**
65 dealer's number on the paper plate. [Every dealer that issues a temporary permit or paper plate]
66 **The department** shall keep[, for inspection of proper officers,] a correct record of each permit
67 or plate issued by recording the permit or plate number, buyer's name and address, year, make,
68 manufacturer's number of vehicle on which the permit or plate is to be used, and the date of
69 issuance.

70 8. **Fraudulent procurement or use of a temporary permit or license plate under this**
71 **section shall be a class C misdemeanor.**

72 9. Upon the transfer of ownership of any currently registered motor vehicle wherein the
73 owner cannot transfer the license plates due to a change of vehicle category, the owner may
74 surrender the license plates issued to the motor vehicle and receive credit for any unused portion
75 of the original registration fee against the registration fee of another motor vehicle. Such credit
76 shall be granted based upon the date the license plates are surrendered. No refunds shall be made
77 on the unused portion of any license plates surrendered for such credit.