

SECOND REGULAR SESSION

[TRULY AGREED TO AND FINALLY PASSED]

HOUSE BILL NO. 1114

92ND GENERAL ASSEMBLY

3910L.01T

2004

AN ACT

To amend chapter 301, RSMo, by adding thereto two new sections relating to special license plates.

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

Section A. Chapter 301, RSMo, is amended by adding thereto two new sections, to be known as sections 301.3128 and 301.3129, to read as follows:

301.3128. 1. Any person, as defined by subsection 3 of this section, may apply for special license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Any person desiring a special license plate as provided by this section shall make an application for the special license plates on a form provided by the director of revenue and furnish proof of eligibility as the director may require.

2. Upon payment of a fifteen-dollar fee in addition to the registration fee and other documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized license plate which shall bear an insignia depicting a yellow rose superimposed over the outline of a badge and shall bear the words "TO PROTECT AND SERVE" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. As used in this section the term "person" shall mean:

(1) A person wounded in the line of duty as a peace officer; or

(2) A surviving spouse, parent, brother, sister, or adult child, including an adopted child or stepchild, of a person killed in the line of duty as a peace officer.

4. As used in this section, the term "peace officer" has the same meaning assigned

22 by section 590.010, RSMo.

23 **5. The director of revenue shall make necessary rules and regulations for the**
24 **administration of this section, and shall design all necessary forms required by this section.**
25 **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is**
26 **created under the authority delegated in this section shall become effective only if it**
27 **complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
28 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
29 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
30 **to review, to delay the effective date or to disapprove and annul a rule are subsequently**
31 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
32 **adopted after August 28, 2004, shall be invalid and void.**

301.3129. 1. Any person, as defined by subsection 3 of this section, may apply for
2 **special license plates for any motor vehicle such person owns, either solely or jointly, other**
3 **than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of**
4 **eighteen thousand pounds gross weight. Any person desiring a special license plate as**
5 **provided by this section shall make an application for the special license plates on a form**
6 **provided by the director of revenue and furnish proof of eligibility as the director may**
7 **require.**

8 **2. Upon payment of a fifteen-dollar fee in addition to the registration fee and other**
9 **documents which may be required by law, the department of revenue shall issue to the**
10 **vehicle owner a personalized license plate which shall bear an insignia designed by the**
11 **director or the director's designee and shall bear the words "FIREFIGHTERS**
12 **MEMORIAL" in place of the words "SHOW-ME STATE". Such license plates shall be**
13 **made with fully reflective material with a common color scheme and design, shall be**
14 **clearly visible at night, and shall be aesthetically attractive, as prescribed by section**
15 **301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be**
16 **charged for the personalization of license plates pursuant to this section.**

17 **3. As used in this section the term "person" shall mean:**

18 **(1) A person wounded in the line of duty as a firefighter; or**

19 **(2) A surviving spouse, parent, brother, sister, or adult child, including an adopted**
20 **child or stepchild, of a person killed in the line of duty as a firefighter.**

21 **4. The director of revenue shall make necessary rules and regulations for the**
22 **administration of this section, and shall design all necessary forms required by this section.**
23 **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is**
24 **created under the authority delegated in this section shall become effective only if it**
25 **complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**

26 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
27 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
28 **to review, to delay the effective date or to disapprove and annul a rule are subsequently**
29 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
30 **adopted after August 28, 2004, shall be invalid and void.**