

FIRST REGULAR SESSION

# HOUSE BILL NO. 885

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WRIGHT-JONES.

Read 1<sup>st</sup> time March 30, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2111L.011

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### AN ACT

To repeal sections 301.140, 301.300, and 301.130 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session and section 301.130 as enacted by senate committee substitute for house bill no. 491, ninety-second general assembly, first regular session, and to enact in lieu thereof three new sections relating to motor vehicle window stickers.

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

Section A. Sections 301.140, 301.300, and 301.130 as enacted by house substitute for  
2 senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-  
3 second general assembly, second regular session and section 301.130 as enacted by senate  
4 committee substitute for house bill no. 491, ninety-second general assembly, first regular session,  
5 RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections  
6 301.130, 301.140, and 301.300, to read as follows:

301.130. 1. The director of revenue, upon receipt of a proper application for registration,  
2 required fees and any other information which may be required by law, shall issue to the  
3 applicant a certificate of registration in such manner and form as the director of revenue may  
4 prescribe and a set of license plates, or other evidence of registration, as provided by this section.  
5 Each set of license plates shall bear the name or abbreviated name of this state, the words  
6 "SHOW-ME STATE", the month and year in which the registration shall expire, and an  
7 arrangement of numbers or letters, or both, as shall be assigned from year to year by the director  
8 of revenue. The plates shall also contain fully reflective material with a common color scheme

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

9 and design for each type of license plate issued pursuant to this chapter. The plates shall be  
10 clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled  
11 veterans will have the "DISABLED VETERAN" wording on the license plates in preference to  
12 the words "SHOW-ME STATE" and special plates for members of the national guard will have  
13 the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

14 2. The arrangement of letters and numbers of license plates shall be uniform throughout  
15 each classification of registration. The director may provide for the arrangement of the numbers  
16 in groups or otherwise, and for other distinguishing marks on the plates.

17 3. All property-carrying commercial motor vehicles to be registered at a gross weight in  
18 excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local  
19 transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and  
20 driveaway vehicles shall be registered with the director of revenue as provided for in subsection  
21 3 of section 301.030, or with the state highways and transportation commission as otherwise  
22 provided in this chapter, but only one license plate shall be issued for each such vehicle except  
23 as provided in this subsection. The applicant for registration of any property-carrying  
24 commercial motor vehicle may request and be issued two license plates for such vehicle, and if  
25 such plates are issued the director of revenue may assess and collect an additional charge from  
26 the applicant in an amount not to exceed the fee prescribed for personalized license plates in  
27 subsection 1 of section 301.144.

28 4. The plates issued to manufacturers and dealers shall bear the letter "D" preceding the  
29 number, and the director may place upon the plates other letters or marks to distinguish  
30 commercial motor vehicles and trailers and other types of motor vehicles.

31 5. No motor vehicle or trailer shall be operated on any highway of this state unless it  
32 shall have displayed thereon the license plate or set of license plates issued by the director of  
33 revenue or the state highways and transportation commission and authorized by section 301.140.  
34 Each such plate shall be securely fastened to the motor vehicle in a manner so that all parts  
35 thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not  
36 impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck  
37 tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of  
38 such vehicles not less than eight nor more than forty-eight inches above the ground, with the  
39 letters and numbers thereon right side up. The license plates on trailers, motorcycles,  
40 motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters  
41 and numbers thereon right side up. The license plate on buses, other than school buses, and on  
42 trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall  
43 be displayed on the front of such vehicles not less than eight nor more than forty-eight inches  
44 above the ground, with the letters and numbers thereon right side up or if two plates are issued

45 for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front  
46 and rear of such vehicles. The license plate or plates authorized by section 301.140, when  
47 properly attached, shall be prima facie evidence that the required fees have been paid.

48         6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs **to**  
49 **be placed on the license plate or plates and a window sticker** as provided by law as evidence  
50 of the [annual] payment of registration fees and the current registration of a vehicle in lieu of the  
51 set of plates. **The window sticker shall not be issued for motorcycle or trailer registrations.**  
52 Beginning January 1, 2009, the numbers recorded on the tab or tabs **and on the window sticker**  
53 must be the same numbers that appear on the license plate or plates issued by the department of  
54 revenue that are displayed on the vehicle. Such tabs shall be produced in each license bureau  
55 office.

56         (2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such  
57 tab or tabs in the designated area of the license plate, no more than one per plate. **The window**  
58 **sticker shall be placed on the inside front window in an area prescribed by the director of**  
59 **revenue.**

60         (3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in  
61 the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has  
62 been paid.

63         (4) Except as otherwise provided in this section, the director of revenue shall issue plates  
64 for a period of at least six years.

65         (5) For those commercial motor vehicles and trailers registered pursuant to section  
66 301.041, the plate issued by the highways and transportation commission shall be a permanent  
67 nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve  
68 the owner of any vehicle permanently registered pursuant to this section from the obligation to  
69 pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall  
70 be returned to the highways and transportation commission upon the sale or disposal of the  
71 vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may  
72 be transferred to a replacement commercial motor vehicle when the owner files a supplemental  
73 application with the Missouri highways and transportation commission for the registration of  
74 such replacement commercial motor vehicle. Upon payment of the annual registration fee, the  
75 highways and transportation commission shall issue a certificate of registration or other suitable  
76 evidence of payment of the annual fee, and such evidence of payment shall be carried at all times  
77 in the vehicle for which it is issued.

78         (6) Upon the sale or disposal of any vehicle permanently registered under this section,  
79 or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued  
80 for such vehicle shall be returned to the highways and transportation commission and shall not

81 be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle  
82 when the owner files a supplemental application with the Missouri highways and transportation  
83 commission for the registration of such replacement vehicle. If a vehicle which is permanently  
84 registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated,  
85 the registrant shall be given credit for any unused portion of the annual registration fee when the  
86 vehicle is replaced by the purchase or lease of another vehicle during the registration year.

87 7. The director of revenue and the highways and transportation commission may  
88 prescribe rules and regulations for the effective administration of this section. No rule or portion  
89 of a rule promulgated under the authority of this section shall become effective unless it has been  
90 promulgated pursuant to the provisions of section 536.024, RSMo.

91 8. Notwithstanding the provisions of any other law to the contrary, owners of motor  
92 vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess  
93 of eighteen thousand pounds gross weight may apply for special personalized license plates.  
94 Vehicles licensed for eighteen thousand pounds that display special personalized license plates  
95 shall be subject to the provisions of subsections 1 and 2 of section 301.030.

96 9. Commencing January 1, 2007, the director of revenue shall cause to be reissued new  
97 license plates of such design as directed by the director consistent with the terms, conditions, and  
98 provisions of this section and this chapter. Except as otherwise provided in this section, in  
99 addition to all other fees required by law, applicants for registration of vehicles with license  
100 plates that expire between January 1, 2007, and December 31, 2009, applicants for registration  
101 of trailers or semitrailers with license plates that expire between January 1, 2007, and December  
102 31, 2009, and applicants for registration of vehicles that are to be issued new license plates shall  
103 pay an additional fee of up to two dollars and fifty cents, based on the actual cost of the  
104 reissuance, to cover the cost of the newly reissued plates required by this subsection. The  
105 additional fee, based on the actual cost, prescribed by this subsection shall only be one dollar and  
106 twenty-five cents for issuance of one new plate for vehicles requiring only one license plate  
107 pursuant to this section. The additional fee of two dollars and fifty cents prescribed in this  
108 subsection shall not be charged to persons receiving special license plates issued under section  
109 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131  
110 and specialized license plates are exempt from the provisions of this subsection.

2 [301.130. 1. The director of revenue, upon receipt of a proper application  
3 for registration, required fees and any other information which may be required  
4 by law, shall issue to the applicant a certificate of registration in such manner and  
5 form as the director of revenue may prescribe and a set of license plates, or other  
6 evidence of registration, as provided by this section. Each set of license plates  
7 shall bear the name or abbreviated name of this state, the words "SHOW-ME  
STATE", the month and year in which the registration shall expire, and an

8 arrangement of numbers or letters, or both, as shall be assigned from year to year  
9 by the director of revenue. The plates shall also contain fully reflective material  
10 with a common color scheme and design for each type of license plate issued  
11 pursuant to this chapter. The plates shall be clearly visible at night, and shall be  
12 aesthetically attractive. Special plates for qualified disabled veterans will have  
13 the "DISABLED VETERAN" wording on the license plates in preference to the  
14 words "SHOW-ME STATE" and special plates for members of the national  
15 guard will have the "NATIONAL GUARD" wording in preference to the words  
16 "SHOW-ME STATE".

17 2. The arrangement of letters and numbers of license plates shall be  
18 uniform throughout each classification of registration. The director may provide  
19 for the arrangement of the numbers in groups or otherwise, and for other  
20 distinguishing marks on the plates.

21 3. All property-carrying commercial motor vehicles to be registered at a  
22 gross weight in excess of twelve thousand pounds, all passenger-carrying  
23 commercial motor vehicles, local transit buses, school buses, trailers,  
24 semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles  
25 shall be registered with the director of revenue as provided for in subsection 3 of  
26 section 301.030, but only one license plate shall be issued for each such vehicle  
27 except as provided in this subsection. The applicant for registration of any  
28 property-carrying commercial motor vehicle may request and be issued two  
29 license plates for such vehicle, and if such plates are issued the director of  
30 revenue may assess and collect an additional charge from the applicant in an  
31 amount not to exceed the fee prescribed for personalized license plates in  
32 subsection 1 of section 301.144.

33 4. The plates issued to manufacturers and dealers shall bear the letter "D"  
34 preceding the number, and the director may place upon the plates other letters or  
35 marks to distinguish commercial motor vehicles and trailers and other types of  
36 motor vehicles.

37 5. No motor vehicle or trailer shall be operated on any highway of this  
38 state unless it shall have displayed thereon the license plate or set of license  
39 plates issued by the director of revenue and authorized by section 301.140. Each  
40 such plate shall be securely fastened to the motor vehicle in a manner so that all  
41 parts thereof shall be plainly visible and reasonably clean so that the reflective  
42 qualities thereof are not impaired. License plates shall be fastened to all motor  
43 vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess  
44 of twelve thousand pounds on the front and rear of such vehicles not less than  
45 eight nor more than forty-eight inches above the ground, with the letters and  
46 numbers thereon right side up. The license plates on trailers, motorcycles,  
47 motortricycles and motorscooters shall be displayed on the rear of such vehicles,  
48 with the letters and numbers thereon right side up. The license plate on buses,  
49 other than school buses, and on trucks, tractors, truck tractors or truck-tractors  
50 licensed in excess of twelve thousand pounds shall be displayed on the front of

51 such vehicles not less than eight nor more than forty-eight inches above the  
52 ground, with the letters and numbers thereon right side up or if two plates are  
53 issued for the vehicle pursuant to subsection 5 of this section, displayed in the  
54 same manner on the front and rear of such vehicles. The license plate or plates  
55 authorized by section 301.140, when properly attached, shall be prima facie  
56 evidence that the required fees have been paid.

57 6. (1) The director of revenue shall issue annually a tab or set of tabs as  
58 evidence of the annual payment of registration fees and the current registration  
59 of a vehicle in lieu of the set of plates.

60 (2) The vehicle owner to whom a tab or set of tabs is issued shall affix  
61 and display such tab or tabs in the designated area of the license plate, no more  
62 than one per plate.

63 (3) A tab or set of tabs issued by the director when attached to a vehicle  
64 in the prescribed manner shall be prima facie evidence that the registration fee for  
65 such vehicle has been paid.

66 (4) Except as provided in subdivision (1) of this subsection, the director  
67 of revenue shall issue plates for a period of at least five years.

68 (5) For those commercial motor vehicles and trailers registered pursuant  
69 to section 301.041, the plate issued by the director of revenue shall be a  
70 permanent nonexpiring license plate for which no tabs shall be issued. Nothing  
71 in this section shall relieve the owner of any vehicle permanently registered  
72 pursuant to this section from the obligation to pay the annual registration fee due  
73 for the vehicle. The permanent nonexpiring license plate shall be returned to the  
74 director of revenue upon the sale or disposal of the vehicle by the owner to whom  
75 the permanent nonexpiring license plate is issued, or the plate may be transferred  
76 to a replacement commercial motor vehicle when the owner files a supplemental  
77 application with the Missouri highway reciprocity commission for the registration  
78 of such replacement commercial motor vehicle. Upon payment of the annual  
79 registration fee, the director of revenue shall issue a certificate of registration or  
80 other suitable evidence of payment of the annual fee, and such evidence of  
81 payment shall be carried at all times in the vehicle for which it is issued.

82 (6) Upon the sale or disposal of any vehicle permanently registered under  
83 this section, or upon the termination of a lease of any such vehicle, the permanent  
84 nonexpiring plate issued for such vehicle shall be returned to the director and  
85 shall not be valid for operation of such vehicle, or the plate may be transferred  
86 to a replacement vehicle when the owner files a supplemental application with  
87 the Missouri highway reciprocity commission for the registration of such  
88 replacement vehicle. If a vehicle which is permanently registered under this  
89 section is sold, wrecked or otherwise disposed of, or the lease terminated, the  
90 registrant shall be given credit for any unused portion of the annual registration  
91 fee when the vehicle is replaced by the purchase or lease of another vehicle  
92 during the registration year.

93 7. The director of revenue may prescribe rules and regulations for the

94 effective administration of this section. No rule or portion of a rule promulgated  
95 under the authority of this section shall become effective unless it has been  
96 promulgated pursuant to the provisions of section 536.024, RSMo.

97 8. Notwithstanding the provisions of any other law to the contrary,  
98 owners of motor vehicles other than apportioned motor vehicles or commercial  
99 motor vehicles licensed in excess of eighteen thousand pounds gross weight may  
100 apply for special personalized license plates. Vehicles licensed for eighteen  
101 thousand pounds that display special personalized license plates shall be subject  
102 to the provisions of subsections 1 and 2 of section 301.030.]

103 301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate  
104 of registration and the right to use the number plates shall expire and the number plates **and**  
105 **window sticker** shall be removed by the owner at the time of the transfer of possession, and it  
106 shall be unlawful for any person other than the person to whom such number plates were  
107 originally issued to have the same in his or her possession whether in use or not; except that the  
108 buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license  
109 plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer.  
110 The operation of a motor vehicle with such transferred plates shall be lawful for no more than  
111 thirty days. **The requirement of a window sticker shall not be required during the thirty-**  
112 **day time frame.** As used in this subsection, the term "trade-in motor vehicle or trailer" shall  
113 include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or  
114 trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

115 2. In the case of a transfer of ownership the original owner may register another motor  
116 vehicle under the same number, upon the payment of a fee of two dollars, **and payment of a fee**  
117 **as prescribed in section 301.300 for a replacement window sticker,** if the motor vehicle is  
118 of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle)  
119 seating capacity, not in excess of that originally registered. When such motor vehicle is of  
120 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor  
121 vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee  
122 of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker,** and  
123 a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross  
124 weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which  
125 a lesser fee is prescribed, applicant shall not be entitled to a refund.

126 3. License plates may be transferred from a motor vehicle which will no longer be  
127 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay  
128 a transfer fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a**  
129 **replacement window sticker,** if the newly purchased vehicle is of horsepower, gross weight or  
130 (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess  
131 of that of the vehicle which will no longer be operated. When the newly purchased motor

132 vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial  
133 motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a  
134 transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window**  
135 **sticker**, and a pro rata portion of the difference in fees. When the newly purchased vehicle is  
136 of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor  
137 vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled  
138 to a refund.

139 4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made  
140 application for registration, by mail or otherwise, may operate the same for a period of thirty days  
141 after taking possession thereof, if during such period the motor vehicle or trailer shall have  
142 attached thereto, in the manner required by section 301.130, number plates issued to the dealer.  
143 Upon application and presentation of satisfactory evidence that the buyer has applied for  
144 registration, a dealer may furnish such number plates to the buyer for such temporary use. In  
145 such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to  
146 be returned to the buyer upon return of the number plates as a guarantee that said buyer will  
147 return to the dealer such number plates within thirty days. The director shall issue a temporary  
148 permit or paper plate authorizing the operation of a motor vehicle or trailer by a buyer for not  
149 more than thirty days of the date of purchase.

150 5. The temporary permit or paper plate shall be made available by the director of revenue  
151 and may be purchased from the department of revenue upon proof of purchase of a motor vehicle  
152 or trailer for which the buyer has no registration plate available for transfer, or from a dealer  
153 upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available  
154 for transfer. The director shall make temporary plates or permits available to registered dealers  
155 in this state in sets of ten plates or permits. The fee for the temporary permit or plate shall be  
156 seven dollars and fifty cents for each permit or plate issued. No dealer shall charge more than  
157 seven dollars and fifty cents for each permit issued. The permit or plate shall be valid for a  
158 period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of  
159 sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit or plate  
160 as set out above.

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



168           7. The dealer or authorized agent shall insert the date of issuance and expiration date,  
169 year, make, and manufacturer's number of vehicle on the paper plate or permit when issued to  
170 the buyer. The dealer shall also insert such dealer's number on the paper plate. Every dealer that  
171 issues a temporary permit or paper plate shall keep, for inspection of proper officers, a correct  
172 record of each permit or plate issued by recording the permit or plate number, buyer's name and  
173 address, year, make, manufacturer's number of vehicle on which the permit or plate is to be used,  
174 and the date of issuance.

175           8. Upon the transfer of ownership of any currently registered motor vehicle wherein the  
176 owner cannot transfer the license plates due to a change of vehicle category, the owner may  
177 surrender the license plates issued to the motor vehicle and receive credit for any unused portion  
178 of the original registration fee against the registration fee of another motor vehicle. Such credit  
179 shall be granted based upon the date the license plates are surrendered. No refunds shall be made  
180 on the unused portion of any license plates surrendered for such credit.

          301.300. 1. In event of the loss, theft, mutilation or destruction of any certificate of  
2 ownership, number plate, tab or set of tabs, **or window sticker** issued by the director of revenue,  
3 the lawful holder thereof shall, within five days, file with the director of revenue, an affidavit  
4 showing such fact, and shall, on the payment of a fee of eight dollars and fifty cents, obtain a  
5 duplicate or replacement of such plate, certificate, tab or set of tabs, **or window sticker**. Any  
6 duplicate certificate issued for any "motor vehicle primarily for business use", as defined in  
7 section 301.010, shall be issued only to the owner of record.

8           2. Upon filing affidavit of lost, stolen, mutilated or destroyed certificate of registration,  
9 the director of revenue shall issue to the lawful owner a duplicate or replacement thereof upon  
10 payment of a fee of eight dollars and fifty cents.

11           3. Vehicle owners who elect not to transfer or renew multiyear plates shall be charged  
12 a fee equal to that charged for a lost plate in addition to the registration fee prescribed by law at  
13 the time the new plate or plates are issued.