

SECOND REGULAR SESSION

# HOUSE BILL NO. 1094

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES WETER (Sponsor), DUSENBERG AND SATER (Co-sponsors).

Pre-filed December 12, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3042L.01I

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### AN ACT

To repeal sections 301.010 and 301.130, RSMo, and to enact in lieu thereof two new sections relating to license plates for dump trucks.

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

Section A. Sections 301.010 and 301.130, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 301.010 and 301.130, to read as follows:

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260,  
2 RSMo, and sections 307.010 to 307.175, RSMo, the following terms mean:

3 (1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for  
4 off-highway use which is fifty inches or less in width, with an unladen dry weight of one  
5 thousand pounds or less, traveling on three, four or more low pressure tires, with a seat designed  
6 to be straddled by the operator, or with a seat designed to carry more than one person, and  
7 handlebars for steering control;

8 (2) "Automobile transporter", any vehicle combination designed and used specifically  
9 for the transport of assembled motor vehicles;

10 (3) "Axle load", the total load transmitted to the road by all wheels whose centers are  
11 included between two parallel transverse vertical planes forty inches apart, extending across the  
12 full width of the vehicle;

13 (4) "Boat transporter", any vehicle combination designed and used specifically to  
14 transport assembled boats and boat hulls;

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.

15 (5) "Body shop", a business that repairs physical damage on motor vehicles that are not  
16 owned by the shop or its officers or employees by mending, straightening, replacing body parts,  
17 or painting;

18 (6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more  
19 passengers but not including shuttle buses;

20 (7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying  
21 freight and merchandise, or more than eight passengers but not including vanpools or shuttle  
22 buses;

23 (8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at  
24 speeds less than forty miles per hour from field to field or from field to market and return;

25 (9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in  
26 the sale or exchange of new, used or reconstructed motor vehicles or trailers;

27 (10) "Director" or "director of revenue", the director of the department of revenue;

28 (11) "Driveaway operation":

29 (a) The movement of a motor vehicle or trailer by any person or motor carrier other than  
30 a dealer over any public highway, under its own power singly, or in a fixed combination of two  
31 or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

32 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting  
33 the commodity being transported, by a person engaged in the business of furnishing drivers and  
34 operators for the purpose of transporting vehicles in transit from one place to another by the  
35 driveaway or towaway methods; or

36 (c) The movement of a motor vehicle by any person who is lawfully engaged in the  
37 business of transporting or delivering vehicles that are not the person's own and vehicles of a  
38 type otherwise required to be registered, by the driveaway or towaway methods, from a point of  
39 manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent  
40 of a manufacturer or to any consignee designated by the shipper or consignor;

41 (12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth  
42 wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor  
43 equipped with a dromedary may carry part of a load when operating independently or in a  
44 combination with a semitrailer;

45 (13) **"Dump truck", a truck whose contents can be emptied without handling where**  
46 **the front end of the platform can be hydraulically raised so that the load is discharged by**  
47 **gravity;**

48 (14) "Farm tractor", a tractor used exclusively for agricultural purposes;

49 [(14)] (15) "Fleet", any group of ten or more motor vehicles owned by the same owner;

50 [(15)] (16) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

51 [(16)] (17) "Fullmount", a vehicle mounted completely on the frame of either the first  
52 or last vehicle in a saddlemount combination;

53 [(17)] (18) "Gross weight", the weight of vehicle and/or vehicle combination without  
54 load, plus the weight of any load thereon;

55 [(18)] (19) "Hail-damaged vehicle", any vehicle, the body of which has become dented  
56 as the result of the impact of hail;

57 [(19)] (20) "Highway", any public thoroughfare for vehicles, including state roads,  
58 county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

59 [(20)] (21) "Improved highway", a highway which has been paved with gravel,  
60 macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard,  
61 smooth surface;

62 [(21)] (22) "Intersecting highway", any highway which joins another, whether or not it  
63 crosses the same;

64 [(22)] (23) "Junk vehicle", a vehicle which is incapable of operation or use upon the  
65 highways and has no resale value except as a source of parts or scrap, and shall not be titled or  
66 registered;

67 [(23)] (24) "Kit vehicle", a motor vehicle assembled by a person other than a generally  
68 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from  
69 an authorized manufacturer and accompanied by a manufacturer's statement of origin;

70 [(24)] (25) "Land improvement contractors' commercial motor vehicle", any not-for-hire  
71 commercial motor vehicle the operation of which is confined to:

72 (a) An area that extends not more than a radius of one hundred miles from its home base  
73 of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or  
74 from projects involving soil and water conservation, or to and from equipment dealers'  
75 maintenance facilities for maintenance purposes; or

76 (b) An area that extends not more than a radius of fifty miles from its home base of  
77 operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from  
78 projects not involving soil and water conservation.

79

80 Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered  
81 as a commercial motor vehicle or local commercial motor vehicle;

82 [(25)] (26) "Local commercial motor vehicle", a commercial motor vehicle whose  
83 operations are confined solely to a municipality and that area extending not more than fifty miles  
84 therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely  
85 to the transportation of property owned by any person who is the owner or operator of such  
86 vehicle to or from a farm owned by such person or under the person's control by virtue of a

87 landlord and tenant lease; provided that any such property transported to any such farm is for use  
88 in the operation of such farm;

89 [(26)] (27) "Local log truck", a commercial motor vehicle which is registered pursuant  
90 to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively  
91 in this state, used to transport harvested forest products, operated solely at a forested site and in  
92 an area extending not more than a fifty-mile radius from such site, carries a load with dimensions  
93 not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on  
94 the national system of interstate and defense highways described in Title 23, Section 103(e) of  
95 the United States Code, such vehicle shall not exceed the weight limits of section 304.180,  
96 RSMo, does not have more than four axles, and does not pull a trailer which has more than two  
97 axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimiting,  
98 debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local  
99 log truck. A local log truck may not exceed the limits required by law, however, if the truck does  
100 exceed such limits as determined by the inspecting officer, then notwithstanding any other  
101 provisions of law to the contrary, such truck shall be subject to the weight limits required by such  
102 sections as licensed for eighty thousand pounds;

103 [(27)] (28) "Local log truck tractor", a commercial motor vehicle which is registered  
104 under this chapter to operate as a motor vehicle on the public highways of this state, used  
105 exclusively in this state, used to transport harvested forest products, operated solely at a forested  
106 site and in an area extending not more than a fifty-mile radius from such site, operates with a  
107 weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight  
108 not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated  
109 on the national system of interstate and defense highways described in Title 23, Section 103(e)  
110 of the United States Code, such vehicle does not exceed the weight limits contained in section  
111 304.180, RSMo, and does not have more than three axles and does not pull a trailer which has  
112 more than two axles. Violations of axle weight limitations shall be subject to the load limit  
113 penalty as described for in sections 304.180 to 304.220, RSMo;

114 [(28)] (29) "Local transit bus", a bus whose operations are confined wholly within a  
115 municipal corporation, or wholly within a municipal corporation and a commercial zone, as  
116 defined in section 390.020, RSMo, adjacent thereto, forming a part of a public transportation  
117 system within such municipal corporation and such municipal corporation and adjacent  
118 commercial zone;

119 [(29)] (30) "Log truck", a vehicle which is not a local log truck or local log truck tractor  
120 and is used exclusively to transport harvested forest products to and from forested sites which  
121 is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this  
122 state for the transportation of harvested forest products;

123 [(30)] (31) "Major component parts", the rear clip, cowl, frame, body, cab, front-end  
124 assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules  
125 and regulations or by illustrations;

126 [(31)] (32) "Manufacturer", any person, firm, corporation or association engaged in the  
127 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

128 [(32)] (33) "Mobile scrap processor", a business located in Missouri or any other state  
129 that comes onto a salvage site and crushes motor vehicles and parts for transportation to a  
130 shredder or scrap metal operator for recycling;

131 [(33)] (34) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which  
132 receives a new, rebuilt or used engine, and which used the number stamped on the original  
133 engine as the vehicle identification number;

134 [(34)] (35) "Motor vehicle", any self-propelled vehicle not operated exclusively upon  
135 tracks, except farm tractors;

136 [(35)] (36) "Motor vehicle primarily for business use", any vehicle other than a  
137 recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed  
138 for over twelve thousand pounds:

139 (a) Offered for hire or lease; or

140 (b) The owner of which also owns ten or more such motor vehicles;

141 [(36)] (37) "Motorcycle", a motor vehicle operated on two wheels;

142 [(37)] (38) "Motorized bicycle", any two-wheeled or three-wheeled device having an  
143 automatic transmission and a motor with a cylinder capacity of not more than fifty cubic  
144 centimeters, which produces less than three gross brake horsepower, and is capable of propelling  
145 the device at a maximum speed of not more than thirty miles per hour on level ground;

146 [(38)] (39) "Motortricycle", a motor vehicle operated on three wheels, including a  
147 motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of  
148 a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

149 [(39)] (40) "Municipality", any city, town or village, whether incorporated or not;

150 [(40)] (41) "Nonresident", a resident of a state or country other than the state of Missouri;

151 [(41)] (42) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured  
152 in compliance with United States emissions or safety standards;

153 [(42)] (43) "Operator", any person who operates or drives a motor vehicle;

154 [(43)] (44) "Owner", any person, firm, corporation or association, who holds the legal  
155 title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale  
156 or lease thereof with the right of purchase upon performance of the conditions stated in the  
157 agreement and with an immediate right of possession vested in the conditional vendee or lessee,

158 or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee  
159 or lessee or mortgagor shall be deemed the owner for the purpose of this law;

160 [(44)] **(45)** "Public garage", a place of business where motor vehicles are housed, stored,  
161 repaired, reconstructed or repainted for persons other than the owners or operators of such place  
162 of business;

163 [(45)] **(46)** "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the  
164 rebuilder, but does not include certificated common or contract carriers of persons or property;

165 [(46)] **(47)** "Reconstructed motor vehicle", a vehicle that is altered from its original  
166 construction by the addition or substitution of two or more new or used major component parts,  
167 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

168 [(47)] **(48)** "Recreational motor vehicle", any motor vehicle designed, constructed or  
169 substantially modified so that it may be used and is used for the purposes of temporary housing  
170 quarters, including therein sleeping and eating facilities which are either permanently attached  
171 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.  
172 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor  
173 vehicle if the motor vehicle could otherwise be so registered;

174 [(48)] **(49)** "Rollback or car carrier", any vehicle specifically designed to transport  
175 wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected  
176 to a wrecker or towing service;

177 [(49)] **(50)** "Saddlemount combination", a combination of vehicles in which a truck or  
178 truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame  
179 or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front  
180 axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a  
181 fifth wheel kingpin connection. When two vehicles are towed in this manner the combination  
182 is called a "double saddlemount combination". When three vehicles are towed in this manner,  
183 the combination is called a "triple saddle mount combination";

184 [(50)] **(51)** "Salvage dealer and dismantle", a business that dismantles used motor  
185 vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and  
186 accessories;

187 [(51)] **(52)** "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

188 (a) Has been damaged to the extent that the total cost of repairs to rebuild or reconstruct  
189 the vehicle to its condition immediately before it was damaged for legal operation on the roads  
190 or highways exceeds seventy-five percent of the fair market value of the vehicle immediately  
191 preceding the time it was damaged;

192 (b) By reason of condition or circumstance, has been declared salvage, either by its  
193 owner, or by a person, firm, corporation, or other legal entity exercising the right of security  
194 interest in it;

195 (c) Has been declared salvage by an insurance company as a result of settlement of a  
196 claim for loss due to damage or theft;

197 (d) Ownership of which is evidenced by a salvage title; or

198 (e) Is abandoned property which is titled pursuant to section 304.155, RSMo, or section  
199 304.157, RSMo, and designated with the words "salvage/abandoned property".

200

201 The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of  
202 repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or any sales  
203 tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition,  
204 "fair market value" means the retail value of a motor vehicle as:

205 a. Set forth in a current edition of any nationally recognized compilation of retail values,  
206 including automated databases, or from publications commonly used by the automotive and  
207 insurance industries to establish the values of motor vehicles;

208 b. Determined pursuant to a market survey of comparable vehicles with regard to  
209 condition and equipment; and

210 c. Determined by an insurance company using any other procedure recognized by the  
211 insurance industry, including market surveys, that is applied by the company in a uniform  
212 manner;

213 [(52)] **(53)** "School bus", any motor vehicle used solely to transport students to or from  
214 school or to transport students to or from any place for educational purposes;

215 [(53)] **(54)** "Shuttle bus", a motor vehicle used or maintained by any person, firm, or  
216 corporation as an incidental service to transport patrons or customers of the regular business of  
217 such person, firm, or corporation to and from the place of business of the person, firm, or  
218 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as  
219 buses or as commercial motor vehicles;

220 [(54)] **(55)** "Special mobile equipment", every self-propelled vehicle not designed or  
221 used primarily for the transportation of persons or property and incidentally operated or moved  
222 over the highways, including farm equipment, implements of husbandry, road construction or  
223 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,  
224 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt  
225 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,  
226 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump  
227 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and

228 shall not operate to exclude other such vehicles which are within the general terms of this  
229 section;

230 [(55)] (56) "Specially constructed motor vehicle", a motor vehicle which shall not have  
231 been originally constructed under a distinctive name, make, model or type by a manufacturer of  
232 motor vehicles. The term "specially constructed motor vehicle" includes kit vehicles;

233 [(56)] (57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth  
234 wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

235 [(57)] (58) "Tandem axle", a group of two or more axles, arranged one behind another,  
236 the distance between the extremes of which is more than forty inches and not more than  
237 ninety-six inches apart;

238 [(58)] (59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle  
239 designed for drawing other vehicles, but not for the carriage of any load when operating  
240 independently. When attached to a semitrailer, it supports a part of the weight thereof;

241 [(59)] (60) "Trailer", any vehicle without motive power designed for carrying property  
242 or passengers on its own structure and for being drawn by a self-propelled vehicle, except those  
243 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed  
244 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight  
245 rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton  
246 trailers as defined in subdivision (8) of this section and shall not include manufactured homes  
247 as defined in section 700.010, RSMo;

248 [(60)] (61) "Truck", a motor vehicle designed, used, or maintained for the transportation  
249 of property;

250 [(61)] (62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the  
251 two trailing units are connected with a B-train assembly which is a rigid frame extension  
252 attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point  
253 for the second semitrailer and has one less articulation point than the conventional "A dolly"  
254 connected truck-tractor semitrailer-trailer combination;

255 [(62)] (63) "Truck-trailer boat transporter combination", a boat transporter combination  
256 consisting of a straight truck towing a trailer using typically a ball and socket connection with  
257 the trailer axle located substantially at the trailer center of gravity rather than the rear of the  
258 trailer but so as to maintain a downward force on the trailer tongue;

259 [(63)] (64) "Used parts dealer", a business that buys and sells used motor vehicle parts  
260 or accessories, but not including a business that sells only new, remanufactured or rebuilt parts.  
261 "Business" does not include isolated sales at a swap meet of less than three days;

262 [(64)] (65) "Vanpool", any van or other motor vehicle used or maintained by any person,  
263 group, firm, corporation, association, city, county or state agency, or any member thereof, for the



264 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to  
265 and from their place of employment; however, a vanpool shall not be included in the definition  
266 of the term "bus" or "commercial motor vehicle" as defined by subdivisions (6) and (7) of this  
267 section, nor shall a vanpool driver be deemed a "chauffeur" as that term is defined by section  
268 302.010, RSMo; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational,  
269 personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for  
270 monetary profit other than for use in a ride-sharing arrangement;

271 [(65)] (66) "Vehicle", any mechanical device on wheels, designed primarily for use, or  
272 used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human  
273 power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized  
274 wheelchairs operated by handicapped persons;

275 [(66)] (67) "Wrecker" or "tow truck", any emergency commercial vehicle equipped,  
276 designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from  
277 a highway, road, street or highway rights-of-way to a point of storage or repair, including towing  
278 a replacement vehicle to replace a disabled or wrecked vehicle;

279 [(67)] (68) "Wrecker or towing service", the act of transporting, towing or recovering  
280 with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the  
281 wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives  
282 compensation or other personal gain.

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  
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  
18 in 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. **Notwithstanding the provisions of this subsection, dump**  
24 **trucks, as defined in section 301.010, shall be issued two license plates beginning January**  
25 **1, 2007.** The applicant for registration of any property-carrying commercial motor vehicle **not**  
26 **required to display two license plates under this subsection** may request and be issued two  
27 license plates for such vehicle, and if such plates are issued the director of revenue may assess  
28 and collect an additional charge from the applicant in an amount not to exceed the fee prescribed  
29 for personalized license plates in subsection 1 of section 301.144.

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

33           5. No motor vehicle or trailer shall be operated on any highway of this state unless it  
34 shall have displayed thereon the license plate or set of license plates issued by the director of  
35 revenue or the state highways and transportation commission and authorized by section 301.140.  
36 Each such plate shall be securely fastened to the motor vehicle in a manner so that all parts  
37 thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not  
38 impaired. License plates shall be fastened to all motor vehicles [except trucks, tractors, truck  
39 tractors or truck-tractors licensed in excess of twelve thousand pounds], **except dump trucks**  
40 **and vehicles only required to display one license plate under subsection 3 of this section,**  
41 on the front and rear of such vehicles not less than eight nor more than forty-eight inches above  
42 the ground, with the letters and numbers thereon right side up. **Beginning January 1, 2007,**  
43 **license plates on dump trucks shall be fastened on the front and rear of such vehicles at a**  
44 **location and height established by the director of revenue prior to such date.** The license  
45 plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear  
46 of such vehicles, with the letters and numbers thereon right side up. The license plate on buses,  
47 other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess  
48 of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor  
49 more than forty-eight inches above the ground, with the letters and numbers thereon right side  
50 up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed  
51 in the same manner on the front and rear of such vehicles. The license plate or plates authorized  
52 by section 301.140, when properly attached, shall be prima facie evidence that the required fees

53 have been paid. **Any rule or portion of a rule, as that term is defined in section 536.010,**  
54 **RSMo, that is created under the authority delegated in this section shall become effective**  
55 **only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and,**  
56 **if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are**  
57 **nonseverable and if any of the powers vested with the general assembly pursuant to**  
58 **chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule**  
59 **are subsequently held unconstitutional, then the grant of rulemaking authority and any**  
60 **rule proposed or adopted after August 28, 2006, shall be invalid and void.**

61         6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as  
62 provided by law as evidence of the annual payment of registration fees and the current  
63 registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may  
64 prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs  
65 positively correlate with the license plate or plates issued by the department of revenue for such  
66 vehicle. Such tabs shall be produced in each license bureau office.

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

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

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

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

87         (6) Upon the sale or disposal of any vehicle permanently registered under this section,  
88 or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued

89 for such vehicle shall be returned to the highways and transportation commission and shall not  
90 be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle  
91 when the owner files a supplemental application with the Missouri highways and transportation  
92 commission for the registration of such replacement vehicle. If a vehicle which is permanently  
93 registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated,  
94 the registrant shall be given credit for any unused portion of the annual registration fee when the  
95 vehicle is replaced by the purchase or lease of another vehicle during the registration year.

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

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

105 9. Commencing January 1, 2009, the director of revenue shall cause to be reissued new  
106 license plates of such design as directed by the director consistent with the terms, conditions, and  
107 provisions of this section and this chapter. Except as otherwise provided in this section, in  
108 addition to all other fees required by law, applicants for registration of vehicles with license  
109 plates that expire between January 1, 2009, and December 31, 2011, applicants for registration  
110 of trailers or semitrailers with license plates that expire between January 1, 2009, and December  
111 31, 2011, and applicants for registration of vehicles that are to be issued new license plates shall  
112 pay an additional fee, based on the actual cost of the reissuance, to cover the cost of the newly  
113 reissued plates required by this subsection. The additional fee prescribed in this subsection shall  
114 not be charged to persons receiving special license plates issued under section 301.073 or  
115 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and  
116 specialized license plates are exempt from the provisions of this subsection.

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