

FIRST REGULAR SESSION

# HOUSE BILL NO. 785

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES LOW (39) (Sponsor), TALBOY, NORR, HOLSMAN, NASHEED, DARROUGH, HUGHES, BURNETT, SKAGGS, CORCORAN, LAMPE, ZIMMERMAN, STORCH, LeVOTA, LOWE (44), YOUNG, OXFORD, CASEY, CHAPPELLE-NADAL, CURLS, EL-AMIN AND BLAND (Co-sponsors).

Read 1st time February 7, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0210L.01I

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### AN ACT

To repeal sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, and 301.302, RSMo, and to enact in lieu thereof nine new sections relating to motor vehicle windshield stickers, with an effective date.

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

Section A. Sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 2 301.301, and 301.302, RSMo, are repealed and nine new sections enacted in lieu thereof, to be 3 known as sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, 4 and 301.302, to read as follows:

136.055. 1. Any person who is selected or appointed by the state director of revenue to 2 act as an agent of the department of revenue, whose duties shall be the sale of motor vehicle 3 licenses and the collection of motor vehicle sales and use taxes under the provisions of section 4 144.440, RSMo, and who receives no salary from the department of revenue, shall be authorized 5 to collect from the party requiring such services additional fees as compensation in full and for 6 all services rendered on the following basis:

7 (1) For each motor vehicle or trailer license sold, renewed or transferred--two dollars and 8 fifty cents beginning January 1, 1998; and four dollars beginning July 1, 2000; and five dollars 9 beginning August 28, 2002, for those licenses biennially renewed pursuant to section 301.147, 10 RSMo. Beginning July 1, 2003, for each motor vehicle or trailer license sold, renewed or

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.

11 transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially  
12 renewed pursuant to section 301.147, RSMo;

13 (2) For each application or transfer of title--two dollars and fifty cents beginning January  
14 1, 1998;

15 (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's  
16 license issued for a period of three years or less--two dollars and fifty cents and five dollars for  
17 licenses or instruction permits issued or renewed for a period exceeding three years;

18 (4) For each notice of lien processed--two dollars and fifty cents beginning August 28,  
19 2000;

20 (5) No notary fee or other fee or additional charge shall be paid or collected except for  
21 electronic telephone transmission reception--two dollars.

22 2. All fees charged shall not exceed those in this section. Beginning July 1, 2003, the  
23 fees imposed by this section shall be collected by all permanent branch offices and all full-time  
24 or temporary offices maintained by the department of revenue.

25 3. Any person acting as agent of the department of revenue for the sale and issuance of  
26 licenses and other documents related to motor vehicles shall have an insurable interest in all  
27 license plates, licenses, [tabs] **window stickers**, forms and other documents held on behalf of  
28 the department.

29 4. The fee increases authorized by this section and approved by the general assembly  
30 were requested by the fee agents. All fee agent offices shall display a three foot by four foot sign  
31 with black letters of at least three inches in height on a white background which states:

32 The increased fees approved by the  
33 Missouri Legislature and charged by  
34 this fee office were requested by the  
35 fee agents.

301.032. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the  
2 contrary, the director of revenue shall establish a system of registration on a calendar year basis  
3 of all fleet vehicles owned or purchased by a fleet owner registered pursuant to this section. The  
4 director of revenue shall prescribe the forms for such fleet registration and the forms and  
5 procedures for the registration updates prescribed in this section. Any owner of ten or more  
6 motor vehicles which must be registered in accordance with this chapter may register as a fleet  
7 owner. All registered fleet owners may, at their option, register all motor vehicles included in  
8 the fleet on a calendar year basis pursuant to this section in lieu of the registration periods  
9 provided in sections 301.030 and 301.035. The director shall issue an identification number to  
10 each registered owner of fleet vehicles.

11           2. All fleet vehicles included in the fleet of a registered fleet owner shall be registered  
12 during April each year or on a prorated basis as provided in subsection 3 of this section. Fees  
13 of all vehicles in the fleet to be registered on a calendar year basis shall be payable not later than  
14 the last day of April of each year. The fees for vehicles added to the fleet which must be licensed  
15 at the time of registration shall be payable at the time of registration, except that when such  
16 vehicle is licensed between July first and September thirtieth the fee shall be three-fourths the  
17 annual fee, when licensed between October first and December thirty-first the fee shall be  
18 one-half the annual fee and when licensed on or after January first the fee shall be one-fourth the  
19 annual fee.

20           3. At any time during the calendar year in which an owner of a fleet purchases or  
21 otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle,  
22 the owner shall present to the director of revenue the identification number as a fleet number and  
23 may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet  
24 owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant  
25 to this subsection.

26           4. All fleet vehicles registered pursuant to this section shall be issued a special license  
27 plate which shall have the words "Fleet Vehicle" in place of the words "Show-Me State" in the  
28 manner prescribed by the advisory committee established in section 301.129. Such license plates  
29 shall be made with fully reflective material with a common color scheme and design, shall be  
30 clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.  
31 Fleet vehicles shall be issued multiyear license plates as provided in this section which shall not  
32 require issuance of a renewal [tab] **window sticker**. Upon payment of appropriate registration  
33 fees, the director of revenue shall issue a registration certificate or other suitable evidence of  
34 payment of the annual fee, and such evidence of payment shall be carried at all times in the  
35 vehicle for which it is issued. The director of revenue shall promulgate rules and regulations  
36 establishing the procedure for application and issuance of fleet vehicle license plates.

37           5. Notwithstanding the provisions of sections 307.350 to 307.390, RSMo, to the  
38 contrary, a fleet vehicle registered in Missouri is exempt from the requirements of sections  
39 307.350 to 307.390, RSMo, if at the time of the annual fleet registration, such fleet vehicle is  
40 situated outside the state of Missouri.

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 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) **Beginning January 1, 2009**, the director of revenue shall issue annually or  
49 biennially a [tab or set of tabs] **window sticker, to be placed on the front windshield of the**  
50 **motor vehicle**, as provided by law as evidence of the annual payment of registration fees and the  
51 current registration of a vehicle in lieu of the set of plates. **The window sticker shall not be**  
52 **issued for motorcycle or trailer registrations.** Beginning January 1, 2010, the director may  
53 prescribe any additional information recorded on the [tab or tabs to ensure that the tab or tabs]  
54 **window sticker** positively correlate with the license plate or plates issued by the department of  
55 revenue for such vehicle. Such [tabs] **window stickers** shall be produced in each license bureau  
56 office.

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

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

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

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

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

88           7. The director of revenue and the highways and transportation commission may  
89 prescribe rules and regulations for the effective administration of this section. [No rule or  
90 portion of a rule promulgated under the authority of this section shall become effective unless  
91 it has been promulgated pursuant to the provisions of section 536.024, RSMo.] **Any rule or**  
92 **portion of a rule, as that term is defined in section 536.010, RSMo, that is created under**  
93 **the authority delegated in this section shall become effective only if it complies with and**  
94 **is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028,**  
95 **RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers**  
96 **vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the**  
97 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**  
98 **then the grant of rulemaking authority and any rule proposed or adopted after August 28,**  
99 **2008, shall be invalid and void.**

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.

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

13 2. In the case of a transfer of ownership the original owner may register another motor  
14 vehicle under the same number, upon the payment of a fee of two dollars, **and payment of a fee**  
15 **as prescribed in section 301.300 for a replacement window sticker,** if the motor vehicle is  
16 of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle)  
17 seating capacity, not in excess of that originally registered. When such motor vehicle is of  
18 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor  
19 vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee  
20 of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker,** and  
21 a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross  
22 weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which  
23 a lesser fee is prescribed, applicant shall not be entitled to a refund.

24 3. License plates may be transferred from a motor vehicle which will no longer be  
25 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay  
26 a transfer fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a**  
27 **replacement window sticker,** if the newly purchased vehicle is of horsepower, gross weight or  
28 (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess  
29 of that of the vehicle which will no longer be operated. When the newly purchased motor  
30 vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial  
31 motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a  
32 transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window**  
33 **sticker,** and a pro rata portion of the difference in fees. When the newly purchased vehicle is  
34 of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor

35 vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled  
36 to a refund.

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

48 5. The temporary permit or paper plate shall be made available by the director of revenue  
49 and may be purchased from the department of revenue upon proof of purchase of a motor vehicle  
50 or trailer for which the buyer has no registration plate available for transfer, or from a dealer  
51 upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available  
52 for transfer. The director shall make temporary plates or permits available to registered dealers  
53 in this state in sets of ten plates or permits. The fee for the temporary permit or plate shall be  
54 seven dollars and fifty cents for each permit or plate issued. No dealer shall charge more than  
55 seven dollars and fifty cents for each permit issued. The permit or plate shall be valid for a  
56 period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of  
57 sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit or plate  
58 as set out above.

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

66 7. The dealer or authorized agent shall insert the date of issuance and expiration date,  
67 year, make, and manufacturer's number of vehicle on the paper plate or permit when issued to  
68 the buyer. The dealer shall also insert such dealer's number on the paper plate. Every dealer that  
69 issues a temporary permit or paper plate shall keep, for inspection of proper officers, a correct  
70 record of each permit or plate issued by recording the permit or plate number, buyer's name and



71 address, year, make, manufacturer's number of vehicle on which the permit or plate is to be used,  
72 and the date of issuance.

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

301.160. Upon approval of the application for registration of a motor vehicle or trailer  
2 and when the required fee has been paid to the department of revenue, the department shall  
3 forward or deliver to the applicant the registration receipt and the number of license plates  
4 prescribed for the vehicle or trailer by section 301.130, or renewal [tabs] **window stickers** if  
5 appropriate. The attachment to the motor vehicle or trailer specified in the application of current  
6 license plates shall be prima facie evidence that the fees have been paid for such license.

301.290. 1. Correctional enterprises of the department of corrections shall purchase,  
2 erect and maintain all of the machinery and equipment necessary for the manufacture of the  
3 license plates and [tabs] **window stickers** issued by the director of revenue, and of signs used  
4 by the state transportation department. Beginning on January 1, 2010, correctional enterprises  
5 shall no longer erect and maintain [tabs] **window stickers** for the department of revenue.

6 2. The director of revenue shall procure all plates issued by [him] **the director**, and the  
7 state transportation department shall procure all signs used by it from correctional enterprises,  
8 unless an emergency arises and correctional enterprises cannot furnish the plates, [tabs] **window**  
9 **stickers**, or signs.

10 3. Correctional enterprises shall furnish the plates and signs at such a price as will not  
11 exceed the price at which such plates and signs may be obtained upon the open market, but in  
12 no event shall such price be less than the cost of manufacture, including labor and materials.

13 4. All moneys derived from the sale of the plates, [tabs] **window stickers**, and signs  
14 shall be paid into the state treasury to the credit of the working capital revolving fund as provided  
15 in section 217.595, RSMo.

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  
3 revenue, the lawful holder thereof shall, within five days, file with the director of revenue, an  
4 affidavit showing such fact, and shall, on the payment of a fee of eight dollars and fifty cents,  
5 obtain a duplicate or replacement of such plate, certificate, [tab or set of tabs] **or window**  
6 **sticker**. Any duplicate certificate issued for any "motor vehicle primarily for business use", as  
7 defined in 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.

14           4. Notwithstanding subsection 1 of this section, a new or used motor vehicle dealer may  
15 obtain a duplicate or replacement title in the owner's name if the owner's title has been lost,  
16 stolen, mutilated, or destroyed and is not available for assignment. In order to obtain the  
17 duplicate or replacement title from the department of revenue, the licensed dealer shall procure  
18 a power of attorney from the owner authorizing the dealer to obtain a duplicate or replacement  
19 title in the owner's name and sign any title assignments on the owner's behalf. The application  
20 to the department of revenue for the duplicate or replacement title shall be accompanied by the  
21 executed power of attorney, or a copy thereof, and the application shall contain the appropriate  
22 mailing address of the dealer. The director of the department of revenue is authorized to make  
23 all necessary rules and regulations for the administration of this subsection, and shall design all  
24 necessary forms required by this subsection. No rule or portion of a rule promulgated pursuant  
25 to the authority of this section shall become effective unless it has been promulgated pursuant  
26 to the provisions of chapter 536, RSMo. Any rule or portion of a rule, as that term is defined in  
27 section 536.010, RSMo, that is created under the authority delegated in this section shall become  
28 effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo,  
29 and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are  
30 nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536,  
31 RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently  
32 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted  
33 after August 28, 2005, shall be invalid and void.

          301.301. Any person replacing a stolen [license plate tab] **window sticker** may receive  
2 at no cost up to two [sets of two license plate tabs] **window stickers** per year when the  
3 application for the replacement [tab] **window sticker** is accompanied with a police report that  
4 is corresponding with the stolen [license plate tab] **window sticker**.

          301.302. A citation shall not be issued to any person stopped by law enforcement for a  
2 missing [license plate tab or tabs] **window sticker** if such person indicates that the [tab or tabs  
3 have] **window sticker** has been stolen and a check on such person's vehicle registration reveals  
4 that the vehicle is properly registered. A law enforcement officer may issue a warning under  
5 these circumstances. In the event a citation is improperly issued to a person for a missing [tabs]  
6 **window sticker** when the requirements of this section are met, any court costs shall be waived.

Section B. Section A of this act shall become effective January 1, 2009.

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