

FIRST REGULAR SESSION

HOUSE BILL NO. 1028

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ST. ONGE.

Read 1st time March 1, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2505L.01I

AN ACT

To amend chapter 302, RSMo, by adding thereto one new section relating to restricted license plates.

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

Section A. Chapter 302, RSMo, is amended by adding thereto one new section, to be
2 known as section 302.305, to read as follows:

**302.305. 1. If a person's driver's license has been suspended, revoked, or
2 disqualified for a period of not less than sixty days or if such person's driver's license or
3 privileges have been denied for alcohol or manslaughter violations under the provisions
4 of this chapter or chapter 577, RSMo, then such person shall immediately surrender his
5 or her current license plates for any motor vehicle registered solely or jointly in the name
6 of such person to the director of the department of revenue for destruction. The person
7 shall be issued a set of restricted license plates that are different in color from regular
8 plates which shall be displayed on the motor vehicle or motor vehicles registered solely or
9 jointly in the person's name for the period of the suspension, revocation, denial, or
10 disqualification. The applicant shall pay replacement plate fees as provided in section
11 301.300, RSMo, for the restricted license plates in addition to any other registration fees
12 that may apply. After reinstatement, standard plates shall be obtained under the
13 requirements and fees established in chapter 301, RSMo.**

**14 2. Until the driver's license of the motor vehicle owner is reinstated, any new license
15 plate issued to the motor vehicle owner shall conform to the provisions of this section.**

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.

16 **3. Law enforcement officers shall have probable cause to stop any vehicle**
17 **displaying restricted license plates issued under the provisions of this section to determine**
18 **whether the driver of such vehicle has a valid driver's license or a limited driving privilege**
19 **as described in section 302.309.**

20 **4. A registered owner of a motor vehicle who has been issued restricted license**
21 **plates under the provisions of this section may not sell the motor vehicle during the period**
22 **the motor vehicle is required to display such plates unless the registered owner applies to**
23 **the department of revenue for permission to transfer title to the motor vehicle. If the**
24 **director of the department of revenue is satisfied that the proposed sale is in good faith and**
25 **for a valid consideration, and that the sale or transfer is not for the purpose of**
26 **circumventing the provisions of this section, the director may certify its consent to the**
27 **owner of the motor vehicle. Any vehicle acquired by the applicant during the period of**
28 **restriction shall display the restricted license plates.**

29 **5. If, during the time the restricted license plates are required to be displayed under**
30 **this section, the title to a motor vehicle is transferred by a foreclosure, a sale upon**
31 **execution, or other similar legal action, the department shall enter notice of the transfer**
32 **of the motor vehicle's title in the motor vehicle system and the restricted license plates shall**
33 **be returned to the department of revenue for destruction.**

34 **6. No person operating a motor vehicle displaying restricted license plates as**
35 **described in this section shall knowingly replace, disguise, or obscure the color of such**
36 **plates.**

37 **7. Nothing contained in this section shall alter or be construed to alter the**
38 **obligations of a person with respect to the taxation of motor vehicles or the time within**
39 **which a person must pay personal property taxes upon a motor vehicle.**

40 **8. The director of the department of revenue is authorized to promulgate rules and**
41 **regulations to implement the provisions of this section. Any rule or portion of a rule, as**
42 **that term is defined in section 536.010, RSMo, that is created under the authority delegated**
43 **in this section shall become effective only if it complies with and is subject to all of the**
44 **provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section**
45 **and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general**
46 **assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to**
47 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
48 **rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be**
49 **invalid and void.**

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