

FIRST REGULAR SESSION

HOUSE BILL NO. 1123

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SMITH (14).

Read 1st time March 14, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2662L.01I

AN ACT

To repeal section 301.130, RSMo, and to enact in lieu thereof one new section relating to license plates.

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

Section A. Section 301.130, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.130, to read as follows:

301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and [a set of] **one** license [plates] **plate**, or other evidence of registration, as provided by this section. Each [set of] license [plates] **plate** 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 arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. [The plates] **Each plate** shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. [The plates] **Each plate** shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license [plates] **plate** in preference to the words "SHOW-ME STATE" and special plates for members of the national guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

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

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

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

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

49 6. (1) The director of revenue shall issue annually or biennially a tab [or set of tabs] as
50 provided by law as evidence of the annual payment of registration fees and the current

51 registration of a vehicle in lieu of the [set of plates] **plate**. Beginning January 1, 2010, the
52 director may prescribe any additional information recorded on the tab [or tabs] to ensure that the
53 tab [or tabs] positively [correlate] **correlates** with the license plate [or plates] issued by the
54 department of revenue for such 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.

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

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

63 (5) For those commercial motor vehicles and trailers registered pursuant to section
64 301.041, the plate issued by the highways and transportation commission shall be a permanent
65 nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve
66 the owner of any vehicle permanently registered pursuant to this section from the obligation to
67 pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall
68 be returned to the highways and transportation commission upon the sale or disposal of the
69 vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may
70 be transferred to a replacement commercial motor vehicle when the owner files a supplemental
71 application with the Missouri highways and transportation commission for the registration of
72 such replacement commercial motor vehicle. Upon payment of the annual registration fee, the
73 highways and transportation commission shall issue a certificate of registration or other suitable
74 evidence of payment of the annual fee, and such evidence of payment shall be carried at all times
75 in the vehicle for which it is issued.

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

85 7. The director of revenue and the highways and transportation commission may
86 prescribe rules and regulations for the effective administration of this section. [No rule or

87 portion of a rule promulgated under the authority of this section shall become effective unless
88 it has been promulgated pursuant to the provisions of section 536.024, RSMo] **Any rule or**
89 **portion of a rule, as that term is defined in section 536.010, RSMo, that is created under**
90 **the authority delegated in this section shall become effective only if it complies with and**
91 **is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028,**
92 **RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers**
93 **vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the**
94 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
95 **then the grant of rulemaking authority and any rule proposed or adopted after August 28,**
96 **2007, shall be invalid and void.**

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

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

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