

FIRST REGULAR SESSION

HOUSE BILL NO. 1167

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DENISON (Sponsor), WELLS, BRANDOM, THOMSON,
FISHER, FRANZ, DUSENBERG, SILVEY AND POLLOCK (Co-sponsors).

Read 1st time March 27, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2536L.01I

AN ACT

To repeal section 301.3150, RSMo, and to enact in lieu thereof one new section relating to special collegiate license plates.

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

Section A. Section 301.3150, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.3150, to read as follows:

301.3150. 1. An organization, other than an organization seeking a special military license plate **or an organization seeking a special collegiate license plate from an institution of higher education based in a state other than Missouri**, that seeks authorization to establish a new specialty license plate shall initially petition the department of revenue by submitting the following:

(1) An application in a form prescribed by the director for the particular specialty license plate being sought, describing the proposed specialty license plate in general terms and have a sponsor of at least one current member of the general assembly. The application may contain written testimony for support of this specialty plate;

(2) Each application submitted pursuant to this section shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate if the specialty plate is approved pursuant to 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.

13 (3) An application fee, not to exceed five thousand dollars, to defray the department's
14 cost for issuing, developing and programming the implementation of the specialty plate, if
15 authorized; and

16 (4) All moneys received by the department of revenue, for the reviewing and
17 development of specialty plates shall be deposited in the state treasury to the credit of the
18 "Department of Revenue Specialty Plate Fund" which is hereby created. The state treasurer shall
19 be custodian of the fund and shall make disbursements from the fund requested by the Missouri
20 director of revenue for personal services, expenses, and equipment required to prepare, review,
21 develop, and disseminate a new specialty plate and process the two hundred applications to be
22 submitted once the plate is approved and to refund deposits for the application of such specialty
23 plate, if the application is not approved by the joint committee on transportation oversight and
24 for no other purpose.

25 2. At the end of each state fiscal year, the director of revenue shall:

26 (1) Determine the amount of all moneys deposited into the department of revenue
27 specialty plate fund;

28 (2) Determine the amount of disbursements from the department of revenue specialty
29 plate fund which were made to produce the specialty plate and process the two hundred
30 applications; and

31 (3) Subtract the amount of disbursements from the income figure referred to in
32 subdivision (1) of this subsection and deliver this figure to the state treasurer.

33 3. The state treasurer shall transfer an amount of money equal to the figure provided by
34 the director of revenue from the department of revenue specialty plate fund to the state highway
35 department fund. An unexpended balance in the department of revenue specialty plate fund at
36 the end of the biennium not exceeding twenty-five thousand dollars shall be exempt from the
37 provisions of section 33.080, RSMo, relating to transfer of unexpended balances to the general
38 revenue fund.

39 4. The documents and fees required pursuant to this section shall be submitted to the
40 department of revenue by July first prior to the next regular session of the general assembly to
41 be approved or denied by the joint committee on transportation oversight during that legislative
42 session.

43 5. The department of revenue shall give notice of any proposed specialty plate in a
44 manner reasonably calculated to advise the public of such proposal. Reasonable notice shall
45 include posting the proposal for the specialty plate on the department's official public web site,
46 and making available copies of the specialty plate application to any representative of the news
47 media or public upon request and posting the application on a bulletin board or other prominent

48 public place which is easily accessible to the public and clearly designated for that purpose at the
49 principal office.

50 6. Adequate notice conforming with all the requirements of subsection 5 of this section
51 shall be given not less than four weeks, exclusive of weekends and holidays when the facility is
52 closed, after the submission of the application by the organization to the department of revenue.
53 Written or electronic testimony in support or opposition of the proposed specialty plate shall be
54 submitted to the department of revenue by November thirtieth of the year of filing of the original
55 proposal. All written testimony shall contain the printed name, signature, address, phone
56 number, and e-mail address, if applicable, of the individual giving the testimony.

57 7. The department of revenue shall submit for approval all applications for the
58 development of specialty plates to the joint committee on transportation oversight during a
59 regular session of the general assembly for approval.

60 8. If the specialty license plate requested by an organization is approved by the joint
61 committee on transportation oversight, the organization shall submit the proposed art design for
62 the specialty license plate to the department as soon as practicable, but no later than sixty days
63 after the approval of the specialty license plate. If the specialty license plate requested by the
64 organization is not approved by the joint committee on transportation oversight, ninety-seven
65 percent of the application fee shall be refunded to the requesting organization.

66 9. An emblem-use authorization fee may be charged by the organization prior to the
67 issuance of an approved specialty plate. The organization's specialty plate proposal approved
68 by the joint committee on transportation oversight shall state what fee is required to obtain such
69 statement and if such fee is required annually or biennially, if the applicant has a two-year
70 registration. An organization applying for specialty plates shall authorize the use of its official
71 emblem to be affixed on multiyear personalized license plates within the plate area prescribed
72 by the director of revenue and as provided in this section. Any contribution to the organization
73 derived from the emblem-use contribution, except reasonable administrative costs, shall be used
74 solely for the purposes of the organization. Any member of the organization or nonmember, if
75 applicable, may annually apply for the use of the emblem, if applicable.

76 10. The department shall begin production and distribution of each new specialty license
77 plate within one year after approval of the specialty license plate by the joint committee on
78 transportation oversight.

79 11. The department shall issue a specialty license plate to the owner who meets the
80 requirements for issuance of the specialty plate for any motor vehicle such owner owns, either
81 solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed
82 in excess of eighteen thousand pounds gross weight.

83 12. Each new or renewed application for an approved specialty license plate shall be
84 made to the department of revenue, accompanied by an additional fee of fifteen dollars and the
85 appropriate emblem-use authorization statement.

86 13. The appropriate registration fees, fifteen dollar specialty plate fee, processing fees
87 and documents otherwise required for the issuance of registration of the motor vehicle as set
88 forth by law must be submitted at the time the specialty plates are actually issued and renewed
89 or as otherwise provided by law. However, no additional fee for the personalization of this plate
90 shall be charged.

91 14. Once a specialty plate design is approved, a request for such plate may be made any
92 time during a registration period. If a request is made for a specialty license plate to replace a
93 current valid license plate, all documentation, credits, and fees provided for in this chapter when
94 replacing a current license plate shall apply.

95 15. A vehicle owner who was previously issued a plate with an organization emblem
96 authorized by this section, but who does not provide an emblem-use authorization statement at
97 a subsequent time of registration if required, shall be issued a new plate which does not bear the
98 organization's emblem, as otherwise provided by law.

99 16. Specialty license plates shall bear a design approved by the organization submitting
100 the original application for approval by the joint committee on transportation oversight. The
101 design shall be within the plate area prescribed by the director of revenue, and the designated
102 organization's name or slogan shall be in place of the words "SHOW-ME STATE". Such license
103 plates shall be made with fully reflective material with a common color scheme, shall be clearly
104 visible at night, shall have a reflective white background in the area of the plate configuration,
105 and shall be aesthetically attractive, as prescribed by section 301.130 and as provided in this
106 section. In addition to a design, the specialty license plates shall be in accordance with criteria
107 and plate design set forth in this chapter.

108 17. The department is authorized to discontinue the issuance and renewal of a specialty
109 license plate if the organization has stopped providing services and emblem-use authorization
110 statements are no longer being issued by the organization. Such organizations shall notify the
111 department immediately to discontinue the issuance of a specialty plate.

112 18. The organization that requested the specialty license plate shall not redesign the
113 specialty personalized license plate unless such organization pays the director in advance all
114 redesigned plate fees. All plate holders of such plates must pay the replacement fees prescribed
115 in section 301.300 for the replacement of the existing specialty plate. All other applicable
116 license plate fees in accordance with this chapter shall be required.

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