

SECOND REGULAR SESSION

HOUSE BILL NO. 2037

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ST. ONGE.

Read 1st time February 7, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4924L.02I

AN ACT

To repeal section 301.3150, RSMo, and to enact in lieu thereof one new section relating to special 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Section A. Section 301.3150, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.3151, to read as follows:

301.3151. 1. Notwithstanding any provision of law to the contrary, no organization shall seek authorization from the department of revenue to establish a new speciality license plate until the license plate proposal has been approved by the general assembly during its regular legislative session.

2. After receiving approval of the general assembly as required under subsection 1 of this section, the organization seeking authorization to establish a new specialty license plate shall submit to the department of revenue 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 the proposed art design for the specialty license plate;

(2) Each application submitted under 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 under 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.

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

17 (4) All moneys received by the department of revenue, for the development of
18 specialty plates shall be deposited in the state treasury to the credit of the "Department of
19 Revenue Specialty Plate Fund" which is hereby created. The state treasurer shall be
20 custodian of the fund and shall make disbursements from the fund requested by the
21 Missouri director of revenue for personal services, expenses, and equipment required to
22 prepare, review, develop, and disseminate a new specialty plate and process the two
23 hundred applications to be submitted once the plate is approved and for no other purpose.

24 3. At the end of each state fiscal year, the director of revenue shall:

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

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

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

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

38 5. An emblem-use authorization fee may be charged by the organization prior to
39 the issuance of an approved specialty plate. The organization's specialty plate application
40 to the department of revenue shall state what fee is required to obtain such statement and
41 if such fee is required annually or biennially, if the applicant has a two-year registration.
42 An organization applying for specialty plates shall authorize the use of its official emblem
43 to be affixed on multiyear personalized license plates within the plate area prescribed by
44 the director of revenue and as provided in this section. Any contribution to the
45 organization derived from the emblem-use contribution, except reasonable administrative
46 costs, shall be used solely for the purposes of the organization. Any member of the
47 organization or nonmember, if applicable, may annually apply for the use of the emblem,
48 if applicable.

49 **6. The department shall begin production and distribution of each new specialty**
50 **license plate within one year after approval of the specialty license plate by the general**
51 **assembly provided all other requirements of this section are met.**

52 **7. The department shall issue a specialty license plate to the owner who meets the**
53 **requirements for issuance of the specialty plate for any motor vehicle such owner owns,**
54 **either solely or jointly, other than an apportioned motor vehicle or a commercial motor**
55 **vehicle licensed in excess of eighteen thousand pounds gross weight.**

56 **8. Each new or renewed application for an approved specialty license plate shall**
57 **be made to the department of revenue, accompanied by an additional fee of fifteen dollars**
58 **and the appropriate emblem-use authorization statement.**

59 **9. The appropriate registration fees, fifteen-dollar specialty plate fee, processing**
60 **fees and documents otherwise required for the issuance of registration of the motor vehicle**
61 **as set forth by law must be submitted at the time the specialty plates are actually issued**
62 **and renewed or as otherwise provided by law. However, no additional fee for the**
63 **personalization of this plate shall be charged.**

64 **10. Once a specialty plate design is approved, a request for such plate may be made**
65 **any time during a registration period. If a request is made for a specialty license plate to**
66 **replace a current valid license plate, all documentation, credits, and fees provided for in**
67 **this chapter when replacing a current license plate shall apply.**

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

72 **12. Specialty license plates shall bear a design approved by the organization**
73 **submitting the original application for approval. The design shall be within the plate area**
74 **prescribed by the director of revenue, and the designated organization's name or slogan**
75 **shall be in place of the words "SHOW-ME STATE". Such license plates shall be made**
76 **with fully reflective material with a common color scheme, shall be clearly visible at night,**
77 **shall have a reflective white background in the area of the plate configuration, and shall**
78 **be aesthetically attractive, as prescribed by section 301.130 and as provided in this section.**
79 **In addition to a design, the specialty license plates shall be in accordance with criteria and**
80 **plate design set forth in this chapter.**

81 **13. The department is authorized to discontinue the issuance and renewal of a**
82 **specialty license plate if the organization has stopped providing services and emblem-use**
83 **authorization statements are no longer being issued by the organization. Such**

84 organizations shall notify the department immediately to discontinue the issuance of a
85 specialty plate.

86 **14. The organization that requested the specialty license plate shall not redesign the**
87 **specialty personalized license plate unless such organization pays the director in advance**
88 **all redesigned plate fees. All plate holders of such plates must pay the replacement fees**
89 **prescribed in section 301.300 for the replacement of the existing specialty plate. All other**
90 **applicable license plate fees in accordance with this chapter shall be required.**

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2 [301.3150. 1. An organization, other than an organization seeking a
3 special military license plate, that seeks authorization to establish a new specialty
4 license plate shall initially petition the department of revenue by submitting the
5 following:

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

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

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

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

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

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

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

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

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

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

47 5. The department of revenue shall give notice of any proposed specialty
48 plate in a manner reasonably calculated to advise the public of such proposal.

49 Reasonable notice shall include posting the proposal for the specialty plate on
50 the department's official public web site, and making available copies of the
51 specialty plate application to any representative of the news media or public upon
52 request and posting the application on a bulletin board or other prominent public
53 place which is easily accessible to the public and clearly designated for that
54 purpose at the principal office.

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

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

67 8. If the specialty license plate requested by an organization is approved
68 by the joint committee on transportation oversight, the organization shall submit
69 the proposed art design for the specialty license plate to the department as soon
70 as practicable, but no later than sixty days after the approval of the specialty
71 license plate. If the specialty license plate requested by the organization is not
72 approved by the joint committee on transportation oversight, ninety-seven percent
73 of the application fee shall be refunded to the requesting organization.

74 9. An emblem-use authorization fee may be charged by the organization
75 prior to the issuance of an approved specialty plate. The organization's specialty

76 plate proposal approved by the joint committee on transportation oversight shall
77 state what fee is required to obtain such statement and if such fee is required
78 annually or biennially, if the applicant has a two-year registration. An
79 organization applying for specialty plates shall authorize the use of its official
80 emblem to be affixed on multiyear personalized license plates within the plate
81 area prescribed by the director of revenue and as provided in this section. Any
82 contribution to the organization derived from the emblem-use contribution,
83 except reasonable administrative costs, shall be used solely for the purposes of
84 the organization. Any member of the organization or nonmember, if applicable,
85 may annually apply for the use of the emblem, if applicable.

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

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

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

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

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

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

112 16. Specialty license plates shall bear a design approved by the
113 organization submitting the original application for approval by the joint
114 committee on transportation oversight. The design shall be within the plate area
115 prescribed by the director of revenue, and the designated organization's name or
116 slogan shall be in place of the words "SHOW-ME STATE". Such license plates
117 shall be made with fully reflective material with a common color scheme, shall
118 be clearly visible at night, shall have a reflective white background in the area of

the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130 and as provided in this section. In addition to a design, the specialty license plates shall be in accordance with criteria and plate design set forth in this chapter.

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

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

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