

HOUSE _____ **AMENDMENT NO.** _____

Offered By

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 6, Section 260.392, Line 143 by inserting after said line the following:

“301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor

1 vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer
2 fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased
3 vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial
4 motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be
5 entitled to a refund.

6 4. [Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made
7 application for registration, by mail or otherwise, may operate the same for a period of thirty days
8 after taking possession thereof, if during such period the motor vehicle or trailer shall have
9 attached thereto, in the manner required by section 301.130, number plates issued to the dealer.
10 Upon application and presentation of proof of financial responsibility as required under subsection
11 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may
12 furnish such number plates to the buyer for such temporary use. In such event, the dealer shall
13 require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon
14 return of the number plates as a guarantee that said buyer will return to the dealer such number
15 plates within thirty days. The director shall issue a temporary permit authorizing the operation of
16 a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

17 5.] The director of the department of revenue shall have authority to produce or allow
18 others to produce a weather resistant, nontearing temporary permit authorizing the operation of a
19 motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase. The
20 temporary permit [shall be made available by the director of revenue and] authorized under this
21 section may be purchased by the purchaser of a motor vehicle or trailer from the central office of
22 the department of revenue or from an authorized agent of the department of revenue upon proof of
23 purchase of a motor vehicle or trailer for which the buyer has no registration plate available for
24 transfer and upon proof of financial responsibility, or from a motor vehicle dealer upon purchase
25 of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or
26 from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has
27 registered and is awaiting receipt of registration plates. The director [shall] of the department of
28 revenue or a producer authorized by the director of the department of revenue may make
29 temporary permits available to registered dealers in this state [or], authorized agents of the
30 department of revenue [in sets of ten permits] or the department of revenue. The [fee for the
31 temporary permit shall be seven dollars and fifty cents for each permit or plate issued] price paid
32 by a motor vehicle dealer, an authorized agent of the department of revenue or the department of
33 revenue for a temporary permit shall not exceed five dollars for each permit. The director of the
34 department of revenue shall direct motor vehicle dealers and authorized agents to obtain
35 temporary permits from an authorized producer. Amounts received by the director of the
36 department of revenue for temporary permits shall constitute state revenue; however, amounts

1 received by an authorized producer other than the director of the department of revenue shall not
2 constitute state revenue and any amounts received by motor vehicle dealers or authorized agents
3 for temporary permits purchased from a producer other than the director of the department of
4 revenue shall not constitute state revenue. In no event shall revenues from the general revenue
5 fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for
6 their role in producing temporary permits as authorized under this section. Amounts that do not
7 constitute state revenue under this section shall also not constitute fees for registration or
8 certificates of title to be collected by the director of the department of revenue under section
9 301.190. No motor vehicle dealer [or], authorized agent or the department of revenue shall charge
10 more than [seven dollars and fifty cents] five dollars for each permit issued. The permit shall be
11 valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the
12 date of sale of the motor vehicle or trailer by a motor vehicle dealer for which the purchaser
13 obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless
14 the buyer shows proof of financial responsibility. Each temporary permit issued shall be securely
15 fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle
16 consistent with registration plates so that all parts and qualities of the temporary permit thereof
17 shall be plainly and clearly visible, reasonably clean and are not impaired in any way.

18 [6.] 5. The permit shall be issued on a form prescribed by the director of the department of
19 revenue and issued only for the applicant's [use in the] temporary operation of the motor vehicle
20 or trailer purchased to enable the applicant to [legally] temporarily operate the motor vehicle
21 while proper title and registration [plate] plates are being obtained, or while awaiting receipt of
22 registration plates, and shall be displayed on no other motor vehicle. Temporary permits issued
23 pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance
24 of proper registration plates for the motor vehicle or trailer. The director of the department of
25 revenue shall determine the size [and], material, design, numbering configuration, construction,
26 and color of the permit. The director of the department of revenue, at his or her discretion, shall
27 have the authority to reissue, and thereby extend the use of, a temporary permit previously and
28 legally issued for a motor vehicle or trailer while proper title and registration are being obtained.

29 [7. The dealer or authorized agent shall insert the date of issuance and expiration date,
30 year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The
31 dealer shall also insert such dealer's number on the permit.]

32 6. Every motor vehicle dealer that issues [a] temporary [permit] permits shall keep, for
33 inspection [of] by proper officers, [a correct] an accurate record of each permit issued by
34 recording the permit [or plate] number, the motor vehicle dealer's number, buyer's name and
35 address, the motor vehicle's year, make, and manufacturer's vehicle identification number [on
36 which the permit is to be used], and the permit's date of issuance and expiration date. Upon the

1 issuance of a temporary permit by either the central office of the department of revenue, a motor
2 vehicle dealer or an authorized agent of the department of revenue, the director of the department
3 of revenue shall make the information associated with the issued temporary permit immediately
4 available to the law enforcement community of the state of Missouri.

5 [8.] 7. Upon the transfer of ownership of any currently registered motor vehicle wherein
6 the owner cannot transfer the license plates due to a change of motor vehicle category, the owner
7 may surrender the license plates issued to the motor vehicle and receive credit for any unused
8 portion of the original registration fee against the registration fee of another motor vehicle. Such
9 credit shall be granted based upon the date the license plates are surrendered. No refunds shall be
10 made on the unused portion of any license plates surrendered for such credit.

11 8. The director of the department of revenue may promulgate all necessary rules and
12 regulations for the administration of this section. Any rule or portion of a rule, as that term is
13 defined in section 536.010, that is created under the authority delegated in this section shall
14 become effective only if it complies with and is subject to all of the provisions of chapter 536 and,
15 if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
16 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective
17 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
18 rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and
19 void.

20 9. The provisions of this section shall become effective no later than July 1, 2013.”; and
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22 Further amend the title, enacting clause and intersectional references accordingly.
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