

SECOND REGULAR SESSION

HOUSE BILL NO. 1424

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PARKINSON (Sponsor), HICKS, BAHR, BLACK, LOVE,
KELLEY (127), HAAHR AND ENGLISH (Co-sponsors).

4800H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 301.064, 301.120, 301.130, and 301.144, RSMo, and to enact in lieu thereof four new sections relating to license plates.

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

Section A. Sections 301.064, 301.120, 301.130, and 301.144, RSMo, are repealed and four new sections enacted in lieu thereof, to be known as sections 301.064, 301.120, 301.130, and 301.144, to read as follows:

301.064. 1. The annual registration fee for a land improvement contractors' commercial motor vehicle is three hundred fifty dollars. The maximum gross weight for which such a vehicle may be registered is eighty thousand pounds. Transporting for hire by such a motor vehicle is prohibited.

2. Upon application to the director of revenue accompanied by an affidavit signed by the owner or owners stating that the motor vehicle to be licensed as a land improvement contractors' commercial motor vehicle shall not be operated in any manner other than as prescribed in section 301.010, and by the amount of the registration fee prescribed [above], and otherwise complying with the laws relating to the registration and licensing of motor vehicles, the owner or owners shall be issued a [set of] **distinctive** land improvement contractors' license [plates. The director of revenue shall by regulation determine the characteristic features of land improvement contractors' license plates so that they] **plate so that it** may be readily identified as such.

301.120. 1. When the owner of a motor vehicle moves the vehicle to another state, [he] **the owner** shall return [the] **any** license plates to the director of revenue within ninety days or upon the expiration of the period of reciprocity granted by the new state of residence; or if the

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.

4 owner of a motor vehicle ceases to operate the vehicle in Missouri, [he] **the owner** shall return
5 [the] **any** license plates to the director of revenue within ninety days.

6 **2. For any motor vehicle that requires the issuance of only one plate under section**
7 **301.130 beginning August 28, 2014, an owner whose motor vehicle has a front license plate**
8 **on the effective date of this section shall surrender the front license plate to the department**
9 **of revenue at the time of the vehicle's next registration renewal.**

301.130. 1. **Beginning August 28, 2014**, the director of revenue, upon receipt of a
2 proper application for registration, required fees and any other information which may be
3 required by law, shall issue to the applicant a certificate of registration in such manner and form
4 as the director of revenue may prescribe and [a set of] **one** license [plates] **plate**, or other
5 evidence of registration, as provided by this section. Each **license plate or** set of license plates
6 shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the
7 month and year in which the registration shall expire, and an arrangement of numbers or letters,
8 or both, as shall be assigned from year to year by the director of revenue. The **plate or** plates
9 shall also contain fully reflective material with a common color scheme and design for each type
10 of license plate issued pursuant to this chapter. The **plate or** plates shall be clearly visible at
11 night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will
12 have the "DISABLED VETERAN" wording on the license plates in preference to the words
13 "SHOW-ME STATE" and special plates for members of the National Guard will have the
14 "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

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. (1) Except as provided in subdivision (2) of this subsection**, all property-carrying
19 commercial motor vehicles to be registered at a gross weight in excess of twelve thousand
20 pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses,
21 trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall
22 be registered with the director of revenue as provided for in subsection 3 of section 301.030, or
23 with the state highways and transportation commission as otherwise provided in this chapter, but
24 only one license plate shall be issued for each such vehicle, except as provided in this subsection.
25 The applicant for registration of any property-carrying commercial vehicle registered at a gross
26 weight in excess of twelve thousand pounds may request and be issued two license plates for
27 such vehicle, and if such plates are issued, the director of revenue shall provide for distinguishing
28 marks on the plates indicating one plate is for the front and the other is for the rear of such
29 vehicle. The director may assess and collect an additional charge from the applicant in an

30 amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section
31 301.144.

32 **(2) The applicant for registration of any property-carrying commercial vehicle may**
33 **request and be issued two license plates for such vehicle, and, if such plates are issued, the**
34 **director may assess and collect an additional fee from the applicant in an amount not to**
35 **exceed the amount permitted for personalized license plates under subsection 1 of section**
36 **301.144.**

37 4. The plates issued to manufacturers and dealers shall bear the letters and numbers as
38 prescribed by section 301.560, and the director may place upon the plates other letters or marks
39 to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

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

59 6. (1) The director of revenue shall issue annually or biennially a tab [or set of tabs] as
60 provided by law as evidence of the annual payment of registration fees and the current
61 registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may
62 prescribe any additional information recorded on the tab [or tabs] to ensure that the tab [or tabs]
63 positively [correlate] **correlates** with the license plate or plates issued by the department of
64 revenue for such vehicle. Such tabs shall be produced in each license bureau office.

65 (2) The vehicle owner to whom a tab [or set of tabs] is issued shall affix and display such
66 tab [or tabs] in the designated area of the license plate[, no more than one per plate].

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

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

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

85 (6) Upon the sale or disposal of any vehicle permanently registered under this section,
86 or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued
87 for such vehicle shall be returned to the highways and transportation commission and shall not
88 be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle
89 when the owner files a supplemental application with the Missouri highways and transportation
90 commission for the registration of such replacement vehicle. If a vehicle which is permanently
91 registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated,
92 the registrant shall be given credit for any unused portion of the annual registration fee when the
93 vehicle is replaced by the purchase or lease of another vehicle during the registration year.

94 7. The director of revenue and the highways and transportation commission may
95 prescribe rules and regulations for the effective administration of this section. No rule or portion
96 of a rule promulgated under the authority of this section shall become effective unless it has been
97 promulgated pursuant to the provisions of section 536.024.

98 8. Notwithstanding the provisions of any other law to the contrary, owners of motor
99 vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess
100 of eighteen thousand pounds gross weight may apply for special personalized license plates.

101 Vehicles licensed for eighteen thousand pounds that display special personalized license plates
102 shall be subject to the provisions of subsections 1 and 2 of section 301.030.

103 9. No later than January 1, 2009, the director of revenue shall commence the reissuance
104 of new license plates of such design as directed by the director consistent with the terms,
105 conditions, and provisions of this section and this chapter. Except as otherwise provided in this
106 section, in addition to all other fees required by law, applicants for registration of vehicles with
107 license plates that expire during the period of reissuance, applicants for registration of trailers
108 or semitrailers with license plates that expire during the period of reissuance and applicants for
109 registration of vehicles that are to be issued new license plates during the period of reissuance
110 shall pay the cost of the plates required by this subsection. The additional cost prescribed in this
111 subsection shall not be charged to persons receiving special license plates issued under section
112 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131
113 and specialized license plates are exempt from the provisions of this subsection. Except for new,
114 replacement, and transfer applications, permanent nonexpiring license plates issued to
115 commercial motor vehicles and trailers registered under section 301.041 are exempt from the
116 provisions of this subsection.

301.144. 1. The director of revenue shall establish [and issue] special personalized
2 license plates containing letters or numbers or combinations of letters and numbers **and shall**
3 **issue one license plate to each properly registered vehicle owner under subsection 1 of**
4 **section 301.130.** Such license plates shall be made with fully reflective material with a common
5 color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as
6 prescribed by section 301.130. Any person desiring to obtain a special personalized license plate
7 for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor
8 vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross
9 weight shall apply to the director of revenue on a form provided by the director and shall pay a
10 fee of fifteen dollars in addition to the regular registration fees. The director of revenue shall
11 issue rules and regulations setting the standards and establishing the procedure for application
12 for and issuance of the special personalized license plates and shall provide a deadline each year
13 for the applications. Any rule or portion of a rule, as that term is defined in section 536.010, that
14 is created under the authority delegated in this section shall become effective only if it complies
15 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
16 This section and chapter 536 are nonseverable and if any of the powers vested with the general
17 assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and
18 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
19 any rule proposed or adopted after August 28, 2001, shall be invalid and void. No two owners
20 shall be issued identical plates. An owner shall make a new application and pay a new fee each

21 year such owner desires to obtain or retain a special personalized license [plates] **plate**; however,
22 notwithstanding the provisions of subsection 8 of section 301.130 to the contrary, the director
23 shall allow the special personalized license [plates] **plate** to be replaced with a new [plates] **plate**
24 every three years without any additional charge, above the fee established in this section, to the
25 renewal applicant. Any person currently in possession of an approved personalized license plate
26 shall have first priority on that particular plate for each of the following years that timely and
27 appropriate application is made.

28 2. Upon application for a personalized plate by the owner of a motor vehicle for which
29 the owner has no registration plate available for transfer as prescribed by section 301.140, the
30 director shall issue a temporary permit authorizing the operation of the motor vehicle until the
31 personalized plate is issued.

32 3. No personalized license [plates] **plate** shall be issued containing any letters, numbers
33 or combination of letters and numbers which are obscene, profane, patently offensive or
34 contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present
35 an unreasonable danger to the health or safety of the applicant, of other users of streets and
36 highways, or of the public in any location where the vehicle with such a plate may be found. The
37 director may recall any personalized license [plates] **plate**, including those issued prior to August
38 28, 1992, if the director determines that the [plates are] **plate is** obscene, profane, patently
39 offensive or contemptuous of a racial or ethnic group, or offensive to good taste or decency, or
40 would present an unreasonable danger to the health or safety of the applicant, of other users of
41 streets and highways, or of the public in any location where the vehicle with such a plate may
42 be found. Where the director recalls such [plates] **plate** pursuant to the provisions of this
43 subsection, the director shall reissue a personalized license [plates] **plate** to the owner of the
44 motor vehicle for which they were issued at no charge, if the new [plates] **plate** proposed by the
45 owner of the motor vehicle meet the standards established pursuant to this section. The director
46 shall not apply the provisions of this statute in a way that violates the Missouri or United States
47 Constitutions as interpreted by the courts with controlling authority in the state of Missouri. The
48 primary purpose of motor vehicle license plates is to identify motor vehicles. Nothing in the
49 issuance of a personalized license plate creates a designated or limited public forum. Nothing
50 contained in this subsection shall be interpreted to prohibit the use of license plates, which are
51 no longer valid for registration purposes, as collector's items or for decorative purposes.

52 4. The director may also establish categories of special license plates from which license
53 plates may be issued. Any such person, other than a person exempted from the additional fee
54 pursuant to subsection 7 of this section, that desires a personalized special license plate from any
55 such category shall pay the same additional fee and make the same kind of application as that

56 required by subsection 1 of this section, and the director shall issue such [plates] **plate** in the
57 same manner as [other] **another** personalized special license [plates are] **plate is** issued.

58 5. The director of revenue shall issue to residents of the state of Missouri who hold an
59 unrevoked and unexpired official amateur radio license issued by the Federal Communications
60 Commission, upon application and upon payment of the additional fee specified in subsection
61 1 of this section, except for a person exempted from the additional fee pursuant to subsection 7
62 of this section, **a** personalized special license [plates] **plate** bearing the official amateur radio call
63 letters assigned by the Federal Communications Commission to the applicant with the words
64 "AMATEUR RADIO" in place of the words "SHOW-ME STATE". The application shall be
65 accompanied by a statement stating that the applicant has an unrevoked and unexpired amateur
66 radio license issued by the Federal Communications Commission and the official radio call
67 letters assigned by the Federal Communications Commission to the applicant. An owner making
68 a new application and paying a new fee to retain an amateur radio plate may request a
69 replacement plate with the words "AMATEUR RADIO" in place of the words "SHOW-ME
70 STATE". If application is made to retain a plate that is three years old or older, the replacement
71 plate shall be issued upon the payment of required fees.

72 6. Notwithstanding any other provision to the contrary, any business that repossesses
73 motor vehicles or trailers and sells or otherwise disposes of them shall be issued a placard
74 displaying the word "Repossessed", provided such business pays the license fees presently
75 required of a manufacturer, distributor, or dealer in section 301.560. Such placard shall bear a
76 number and shall be in such form as the director of revenue shall determine, and shall be only
77 used for demonstrations when displayed substantially as provided for number plates on the rear
78 of the repossessed motor vehicle or trailer.

79 7. Notwithstanding any provision of law to the contrary, any person who has retired from
80 any branch of the United States Armed Forces or reserves, the United States Coast Guard or
81 reserve, the United States Merchant Marines or reserve, the National Guard, or any subdivision
82 of any such services shall be exempt from the additional fee required for **a** personalized license
83 [plates] **plate** issued [pursuant to] **under** section 301.441. As used in this subsection, "retired"
84 means having served twenty or more years in the appropriate branch of service and having
85 received an honorable discharge.

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