

FIRST REGULAR SESSION

# HOUSE BILL NO. 985

## 101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ALDRIDGE.

1895H.011

DANA RADEMAN MILLER, 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 the issuance of 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Section A. Sections 301.064, 301.120, 301.130, and 301.144, RSMo, are repealed and four new sections enacted in lieu thereof, to be known as sections 301.064, 301.120, 301.130, and 301.144, to read as follows: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]~~ **in subsection 1 of this section**, 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 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 owner

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 of a motor vehicle ceases to operate the vehicle in Missouri, he shall return the license plates to  
5 the director of revenue within ninety days.

6       **2. For motor vehicles that require the issuance of only one license plate under**  
7 **section 301.130 on or after August 28, 2021, an owner whose motor vehicle has a front**  
8 **license plate on the effective date of this section shall surrender the front license plate to**  
9 **the department of revenue at the next renewal of registration for the motor vehicle.**

301.130. 1. **Beginning August 28, 2021**, 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 license plates]~~ **only one license plate**, or  
5 other evidence of registration, as provided by this section. Each **license plate or** set of license  
6 plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE",  
7 the month and year in which the registration shall expire, and an arrangement of numbers or  
8 letters, or both, as shall be assigned from year to year by the director of revenue. The **plate or**  
9 plates shall also contain fully reflective material with a common color scheme and design for  
10 each type of license plate issued pursuant to this chapter. The **plate or** plates shall be clearly  
11 visible at night, and shall be aesthetically attractive. Special plates for qualified disabled  
12 veterans will have the "DISABLED VETERAN" wording on the license plates in preference to  
13 the words "SHOW-ME STATE" and special plates for members of the National Guard will have  
14 the "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. 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, autocycles,  
21 motorscooters, and driveaway vehicles shall be registered with the director of revenue as  
22 provided for in subsection 3 of section 301.030, or with the state highways and transportation  
23 commission as otherwise provided in this chapter, but only one license plate shall be issued for  
24 each such vehicle, except as provided in this subsection. The applicant for registration of any  
25 property-carrying commercial vehicle registered at a gross weight in excess of twelve thousand  
26 pounds may request and be issued two license plates for such vehicle, and if such plates are  
27 issued, the director of revenue shall provide for distinguishing marks on the plates indicating one  
28 plate is for the front and the other is for the rear of such vehicle. The director may assess and  
29 collect an additional charge from the applicant in an amount not to exceed the fee prescribed for  
30 personalized license plates in subsection 1 of section 301.144.

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

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

54           6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs ~~[as~~  
55 ~~provided by law]~~ , **in cases where two license plates have been issued**, as evidence of the  
56 annual payment of registration fees and the current registration of a vehicle in lieu of the set of  
57 plates. Beginning January 1, 2010, the director may prescribe any additional information  
58 recorded on the tab or tabs to ensure that the tab or tabs positively correlate with the license plate  
59 or plates issued by the department of revenue for such vehicle. Such tabs shall be produced in  
60 each license bureau office.

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

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

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

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

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

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

94 8. Notwithstanding the provisions of any other law to the contrary, owners of motor  
95 vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess  
96 of twenty-four thousand pounds gross weight may apply for special personalized license plates.  
97 Vehicles licensed for twenty-four thousand pounds that display special personalized license  
98 plates shall be subject to the provisions of subsections 1 and 2 of section 301.030. On and after  
99 August 28, 2016, owners of motor vehicles, other than apportioned motor vehicles or  
100 commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight, may  
101 apply for any preexisting or hereafter statutorily created special personalized license plates.

9. No later than January 1, 2019, the director of revenue shall commence the reissuance of new license plates of such design as approved by the advisory committee under section 301.125 consistent with the terms, conditions, and provisions of section 301.125 and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.

**10. The provisions of this section regarding the issuance of only one license plate for a motor vehicle shall apply to the issuance of personalized license plates.**

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

21 subsection 8 of section 301.130 to the contrary, the director shall allow the special personalized  
22 license plates to be replaced with new plates every three years without any additional charge,  
23 above the fee established in this section, to the renewal applicant. Any person currently in  
24 possession of an approved personalized license plate shall have first priority on that particular  
25 plate for each of the following years that timely and appropriate application is made.

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

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

50 4. The director may also establish categories of special license plates from which license  
51 plates may be issued. Any such person, other than a person exempted from the additional fee  
52 pursuant to subsection 7 of this section, that desires a personalized special license plate from any  
53 such category shall pay the same additional fee and make the same kind of application as that  
54 required by subsection 1 of this section, and the director shall issue such plates in the same  
55 manner as other personalized special license plates are issued.

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

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

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

84           **8. The provisions of section 301.130 regarding the issuance of only one license plate**  
85 **for a motor vehicle shall apply to personalized license plates issued under this section.**

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