

FIRST REGULAR SESSION
[PERFECTED]
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 207
102ND GENERAL ASSEMBLY

0846H.02P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 301.469 and 307.380, RSMo, and to enact in lieu thereof two new sections relating to motor vehicles, with a penalty provision.

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

Section A. Sections 301.469 and 307.380, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 301.469 and 307.380, to read as follows:

301.469. 1. Any vehicle owner may receive license plates as prescribed in this
2 section, for any motor vehicle such person owns, either solely or jointly, other than an
3 apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four
4 thousand pounds gross weight, after an annual payment of an emblem-use authorization fee to
5 the Missouri conservation heritage foundation. The foundation hereby authorizes the use of
6 its official emblems to be affixed on multiyear license plates as provided in this section. Any
7 vehicle owner may annually apply for the use of the emblems.

8 2. Upon annual application and payment of a twenty-five dollar emblem-use
9 authorization fee to the Missouri conservation heritage foundation, the foundation shall issue
10 to the vehicle owner, without further charge, an emblem-use authorization statement, which
11 shall be presented to the director of the department of revenue at the time of registration of a
12 motor vehicle.

13 3. Upon presentation of the annual statement, payment of a fifteen dollar fee in
14 addition to the regular registration fees and documents which may be required by law, the
15 director of the department of revenue shall issue a license plate, which shall bear an emblem
16 of the Missouri conservation heritage foundation in a form prescribed by the director, to the
17 vehicle owner. Such license plates shall be made with fully reflective material with a

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.

18 common color scheme and design, shall be clearly visible at night, and shall be aesthetically
19 attractive, as prescribed by section 301.130. Notwithstanding the provisions of section
20 301.144, no additional fee shall be charged for the personalization of license plates pursuant
21 to this section.

22 **4. Application for the emblem-use authorization and payment of the twenty-five-**
23 **dollar contribution may also be made at the time of registration to the director of the**
24 **department of revenue, who shall deposit the contribution to the credit of the Missouri**
25 **conservation heritage foundation.**

26 **5.** A vehicle owner, who was previously issued a plate with a Missouri conservation
27 heritage foundation emblem authorized by this section but who does not provide an emblem-
28 use authorization statement at a subsequent time of registration, shall be issued a new plate
29 which does not bear the foundation emblem, as otherwise provided by law.

30 ~~5-~~ **6.** The director of the department of revenue may promulgate rules and
31 regulations for the administration of this section. Any rule or portion of a rule, as that term is
32 defined in section 536.010, that is promulgated under the authority delegated in this section
33 shall become effective only if it has been promulgated pursuant to the provisions of chapter
34 536. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect;
35 however, nothing in this section shall be interpreted to repeal or affect the validity of any rule
36 filed or adopted prior to August 28, 1999, if it fully complied with the provisions of chapter
37 536. This section and chapter 536 are nonseverable and if any of the powers vested with the
38 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
39 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
40 rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid
41 and void.

307.380. 1. Every vehicle of the type required to be inspected upon having been
2 involved in an accident and when so directed by a police officer must be inspected and an
3 official certificate of inspection and approval, sticker, seal or other device be obtained for
4 such vehicle before it is again operated on the highways of this state.

5 **2.** At the seller's expense every used motor vehicle of the type required to be
6 inspected by section 307.350 shall immediately prior to sale be fully inspected regardless of
7 any current certificate of inspection and approval, and an appropriate new certificate of
8 inspection and approval, sticker, seal or other device shall be obtained **no more than sixty**
9 **days prior to the date of sale. Such inspection shall not be required for a motor vehicle**
10 **having less than forty thousand miles for the three-year period following the model year**
11 **of manufacture. The seller shall present the certificate of inspection and approval to the**
12 **buyer at the point of sale and the buyer shall be required to submit the certificate of**
13 **inspection when applying for registration of the vehicle.**

14 ~~[2-]~~ 3. Nothing contained in the provisions of this section shall be construed to
15 prohibit a dealer or any other person from selling a vehicle without a certificate of inspection
16 and approval if the vehicle is sold for junk, salvage, or for rebuilding, or for vehicles sold at
17 public auction or from dealer to dealer. The purchaser of any vehicle which is purchased for
18 junk, salvage, or for rebuilding shall give to the seller an affidavit, on a form prescribed by the
19 superintendent of the Missouri state highway patrol, stating that the vehicle is being
20 purchased for one of the reasons stated herein. No vehicle of the type required to be inspected
21 by section 307.350 which is purchased as junk, salvage, or for rebuilding shall again be
22 registered in this state until the owner has submitted the vehicle for inspection and obtained
23 an official certificate of inspection and approval, sticker, seal or other device for such vehicle.

24 ~~[3-]~~ 4. Notwithstanding the provisions of section 307.390, violation of this section
25 shall be deemed an infraction.

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