

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 2317, Page 1, Section A, Line 3, by  
2 inserting after all of said section and line the following:

3  
4 "301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate  
5 of registration and the right to use the number plates shall expire and the number plates shall be  
6 removed by the owner at the time of the transfer of possession, and it shall be unlawful for any  
7 person other than the person to whom such number plates were originally issued to have the same in  
8 his or her possession whether in use or not, unless such possession is solely for charitable purposes;  
9 except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach  
10 the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or  
11 trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more  
12 than thirty days, or no more than ninety days if the dealer is selling the motor vehicle under the  
13 provisions of section 301.213, or no more than sixty days if the dealer is selling the motor vehicle  
14 under the provisions of subsection 5 of section 301.210. As used in this subsection, the term "trade-  
15 in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the  
16 newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or  
17 trailer are still valid.

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

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

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1 which will no longer be operated. When the newly purchased motor vehicle is of greater  
2 horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating  
3 capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars  
4 and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less  
5 horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating  
6 capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

7 4. The director of the department of revenue shall have authority to produce or allow others  
8 to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor  
9 vehicle or trailer by a buyer for not more than thirty days, or no more than ninety days if issued by a  
10 dealer selling the motor vehicle under the provisions of section 301.213, or no more than sixty days  
11 if issued by a dealer selling the motor vehicle under the provisions of subsection 5 of section  
12 301.210, from the date of purchase. The temporary permit authorized under this section may be  
13 purchased by the purchaser of a motor vehicle or trailer from the central office of the department of  
14 revenue or from an authorized agent of the department of revenue upon proof of purchase of a motor  
15 vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof  
16 of financial responsibility, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer  
17 for which the buyer has no registration plate available for transfer, or from a motor vehicle dealer  
18 upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt  
19 of registration plates. The director of the department of revenue or a producer authorized by the  
20 director of the department of revenue may make temporary permits available to registered dealers in  
21 this state, authorized agents of the department of revenue or the department of revenue. The price  
22 paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department  
23 of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the  
24 department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary  
25 permits from an authorized producer. Amounts received by the director of the department of  
26 revenue for temporary permits shall constitute state revenue; however, amounts received by an  
27 authorized producer other than the director of the department of revenue shall not constitute state  
28 revenue and any amounts received by motor vehicle dealers or authorized agents for temporary  
29 permits purchased from a producer other than the director of the department of revenue shall not  
30 constitute state revenue. In no event shall revenues from the general revenue fund or any other state  
31 fund be utilized to compensate motor vehicle dealers or other producers for their role in producing  
32 temporary permits as authorized under this section. Amounts that do not constitute state revenue  
33 under this section shall also not constitute fees for registration or certificates of title to be collected  
34 by the director of the department of revenue under section 301.190. No motor vehicle dealer,  
35 authorized agent or the department of revenue shall charge more than five dollars for each permit  
36 issued. The permit shall be valid for a period of thirty days, or no more than ninety days if issued by  
37 a dealer selling the motor vehicle under the provisions of section 301.213, or no more than sixty  
38 days if issued by a dealer selling the motor vehicle under the provisions of subsection 5 of section  
39 301.210, from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor

1 vehicle or trailer by a motor vehicle dealer for which the purchaser obtains a permit as set out above.  
2 No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial  
3 responsibility. Each temporary permit issued shall be securely fastened to the back or rear of the  
4 motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that  
5 all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably  
6 clean and are not impaired in any way.

7 5. The permit shall be issued on a form prescribed by the director of the department of  
8 revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer  
9 purchased to enable the applicant to temporarily operate the motor vehicle while proper title and  
10 registration plates are being obtained, or while awaiting receipt of registration plates, and shall be  
11 displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall not be  
12 transferable or renewable, shall not be valid upon issuance of proper registration plates for the motor  
13 vehicle or trailer, and shall be returned to the department or to the department's agent upon the  
14 issuance of such proper registration plates. Any temporary permit returned to the department or to  
15 the department's agent shall be immediately destroyed. The provisions of this subsection shall not  
16 apply to temporary permits issued for commercial motor vehicles licensed in excess of twenty-four  
17 thousand pounds gross weight. The director of the department of revenue shall determine the size,  
18 material, design, numbering configuration, construction, and color of the permit. The director of the  
19 department of revenue, at his or her discretion, shall have the authority to reissue, and thereby  
20 extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer  
21 while proper title and registration are being obtained.

22 6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection by  
23 proper officers, an accurate record of each permit issued by recording the permit number, the motor  
24 vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and  
25 manufacturer's vehicle identification number, and the permit's date of issuance and expiration date.  
26 Upon the issuance of a temporary permit by either the central office of the department of revenue, a  
27 motor vehicle dealer or an authorized agent of the department of revenue, the director of the  
28 department of revenue shall make the information associated with the issued temporary permit  
29 immediately available to the law enforcement community of the state of Missouri.

30 7. Upon the transfer of ownership of any currently registered motor vehicle wherein the  
31 owner cannot transfer the license plates due to a change of motor vehicle category, the owner may  
32 surrender the license plates issued to the motor vehicle and receive credit for any unused portion of  
33 the original registration fee against the registration fee of another motor vehicle. Such credit shall  
34 be granted based upon the date the license plates are surrendered. No refunds shall be made on the  
35 unused portion of any license plates surrendered for such credit.

36 8. An additional temporary license plate produced in a manner and of materials determined  
37 by the director to be the most cost-effective means of production with a configuration that matches  
38 an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the  
39 interior of the vehicle's rear window such that the driver's view out of the rear window is not

1 obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as  
2 the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such  
3 temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in  
4 the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate  
5 shall be equal to the fee charged for a temporary permit issued under subsection 4 of this section.  
6 Replacement temporary plates authorized in this subsection may be issued as needed upon the  
7 payment of a fee equal to the fee charged for a temporary permit under subsection 4 of this section.  
8 The newly produced third plate may only be used on the vehicle with the matching plate, and the  
9 additional plate shall be clearly recognizable as a third plate and only used for the purpose specified  
10 in this subsection.

11 9. Notwithstanding the provisions of section 301.217, the director may issue a temporary  
12 permit to an individual who possesses a salvage motor vehicle which requires an inspection under  
13 subsection 9 of section 301.190. The operation of a salvage motor vehicle for which the permit has  
14 been issued shall be limited to the most direct route from the residence, maintenance, or storage  
15 facility of the individual in possession of such motor vehicle to the nearest authorized inspection  
16 facility and return to the originating location. Notwithstanding any other requirements for the  
17 issuance of a temporary permit under this section, an individual obtaining a temporary permit for the  
18 purpose of operating a motor vehicle to and from an examination facility as prescribed in this  
19 subsection shall also purchase the required motor vehicle examination form which is required to be  
20 completed for an examination under subsection 9 of section 301.190 and provide satisfactory  
21 evidence that such vehicle has passed a motor vehicle safety inspection for such vehicle as required  
22 in section 307.350.

23 10. Notwithstanding any provision of law to the contrary, a person may be stopped,  
24 inspected, or detained by law enforcement, based on reasonable suspicion that a temporary permit  
25 violation has occurred, in order to determine whether a temporary permit is current or valid. Upon a  
26 determination by law enforcement that a temporary permit is expired by at least sixty days, or that a  
27 temporary permit has been altered, the law enforcement officer conducting the stop shall issue a  
28 citation and such person shall be fined in the amount of two hundred fifty dollars. If the person  
29 properly registers the vehicle within thirty days of the issuance of a citation, the prosecutor shall  
30 nolle prosequi the citation, court costs shall be waived, and the offense shall not be registered as a  
31 violation on the person's driving record. If the person fails to register the vehicle within the thirty-  
32 day period, without good cause, the court with jurisdiction shall inform the person by ordinary mail  
33 at the persons's last known address that the court is ordering the director of revenue to suspend the  
34 person's driving privileges. Upon such suspension, the director of revenue shall issue limited  
35 driving privileges for purposes identified under subdivision (2) of subsection 3 of section 302.309,  
36 unless the director determines that the person is otherwise ineligible for such privileges. Once a  
37 person properly registers the vehicle, his or her driving privileges shall be restored. If the person  
38 receives a second or additional citation for a temporary permit offense with respect to the same  
39 vehicle, the vehicle shall be impounded until such time as the vehicle is properly registered.

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

9           ~~[11.]~~ 12. The repeal and reenactment of this section shall become effective on the date the  
10 department of revenue or a producer authorized by the director of the department of revenue begins  
11 producing temporary permits described in subsection 4 of such section, or on July 1, 2013,  
12 whichever occurs first. If the director of revenue or a producer authorized by the director of the  
13 department of revenue begins producing temporary permits prior to July 1, 2013, the director of the  
14 department of revenue shall notify the revisor of statutes of such fact."; and

15  
16 Further amend said bill by amending the title, enacting clause, and intersectional references  
17 accordingly.