

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 138

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JUSTUS.

0289H.01P

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 32.056, 301.469, and 301.472, RSMo, and to enact in lieu thereof three new sections relating to motor vehicle registration.

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

Section A. Sections 32.056, 301.469, and 301.472, RSMo, are repealed and three new
2 sections enacted in lieu thereof, to be known as sections 32.056, 301.469, and 301.472, to
3 read as follows:

32.056. Except for uses permitted under 18 U.S.C. Section 2721(b)(1), the
2 department of revenue shall not release the home address of or any information that identifies
3 any vehicle owned or leased by any person who is [a] **an active or retired** county, state or
4 federal parole officer, [a] federal pretrial officer, [a] peace officer pursuant to section 590.010,
5 [a] person vested by Article V, Section 1 of the Missouri Constitution with the judicial power
6 of the state, [a] member of the federal judiciary, or a member of such person's immediate
7 family contained in the department's motor vehicle or driver registration records, based on a
8 specific request for such information from any person. Any such person may notify the
9 department of his or her status and the department shall protect the confidentiality of the
10 home address and vehicle records on such a person and his or her immediate family as
11 required by this section. This section shall not prohibit the department from releasing
12 information on a motor registration list pursuant to section 32.055 or from releasing
13 information on any officer who holds a class A, B or C commercial driver's license pursuant
14 to the Motor Carrier Safety Improvement Act of 1999, as amended, 49 U.S.C. 31309.

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.

301.469. 1. Any vehicle owner may receive license plates as prescribed in this section, for any motor vehicle such 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, after an annual payment of an emblem-use authorization fee to the Missouri conservation heritage foundation. The foundation hereby authorizes the use of its official emblems to be affixed on multiyear license plates as provided in this section. Any vehicle owner may annually apply for the use of the emblems.

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

3. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the regular registration fees and documents which may be required by law, the director of the department of revenue shall issue a license plate, which shall bear an emblem of the Missouri conservation heritage foundation in a form prescribed by the director, to the vehicle owner. 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. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

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

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

~~[5-]~~ 6. The director of the department of revenue may promulgate rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated under the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with the provisions of chapter 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.

301.472. 1. Any motor vehicle owner may receive special license plates for any
2 motor vehicle the person owns, either solely or jointly, other than an apportioned motor
3 vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds
4 gross weight as prescribed in this section after an annual payment of an emblem-use
5 authorization fee to a professional sports team which has made an agreement pursuant to
6 subsection 5 of this section. For the purposes of this section a "professional sports team" shall
7 mean an organization located in this state franchised by the National Professional Soccer
8 League, **the National Women's Soccer League**, the National Football League, the National
9 Basketball Association, the National Hockey League, the International Hockey League, or the
10 American League or the National League of Major League Baseball or a team playing in
11 Major League Soccer.

12 2. The professional sports team which has made an agreement pursuant to subsection
13 5 of this section and which receives the emblem-use authorization fee hereby authorizes the
14 use of its official emblem to be affixed on multiyear personalized license plates as provided in
15 this section. Any vehicle owner may annually apply for the use of the emblem. The director
16 of revenue shall not authorize the manufacturer of the material to produce such license plates
17 with the individual seal, logo, or emblem until the department of revenue receives a minimum
18 of one hundred applications for each specific professional sports team.

19 3. Upon annual application and payment of a thirty-five dollar emblem-use
20 contribution to the professional sports team such team shall issue to the vehicle owner,
21 without further charge, an emblem-use authorization statement, which shall be presented by
22 the owner to the director of the department of revenue at the time of registration of a motor
23 vehicle. Upon presentation of the annual statement and payment of a fifteen dollar fee in
24 addition to the regular registration fees, and presentation of other documents which may be
25 required by law, the director shall issue a personalized license plate, which shall bear the
26 official emblem of the professional sports team in a manner determined by the director. Such
27 license plates shall be made with fully reflective material with a common color scheme and
28 design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by
29 section 301.130. A fee for the issuance of personalized license plates issued pursuant to
30 section 301.144 shall not be required for plates issued pursuant to this section.

31 4. A vehicle owner, who was previously issued a plate with a professional sports team
32 emblem authorized by this section but who does not provide an emblem-use authorization

33 statement at a subsequent time of registration, shall be issued a new plate which does not bear
34 the professional sports team emblem, as otherwise provided by law.

35 5. The director of the department of revenue is authorized to make agreements with
36 professional sports teams on behalf of the state which allow the use of any such team's official
37 emblem pursuant to the provisions of this section as consideration for receiving a thirty-five
38 dollar emblem-use contribution.

39 6. Except as provided in subsection 7 of this section, a professional sports team
40 receiving a thirty-five dollar contribution shall forward such contribution, less an amount not
41 in excess of five percent of the contribution for the costs of administration, to the Jackson
42 County Sports Authority or the St. Louis Regional Convention and Visitors Commission.
43 The moneys shall be administered as follows:

44 (1) The sports authority may retain not in excess of five percent of all funds
45 forwarded to it pursuant to this section for the costs of administration and shall expend the
46 remaining balance of such funds, after consultation with a professional sports team within the
47 authority's area, on marketing and promoting such team. The amount of money expended
48 from the funds obtained pursuant to this section by the authority per professional sports team
49 shall be in the same proportion to the total funds available to be expended on such team as the
50 proportion of contributions forwarded by the team to the authority is to the total contributions
51 received by the authority;

52 (2) The regional convention and visitors commission shall hold the revenues received
53 from the professional sports teams in the St. Louis area in separate accounts for each team.
54 Each team may submit an annual marketing plan to the commission. Expenses of a team
55 which are in accordance with the marketing plan shall be reimbursed by the commission as
56 long as moneys are available in the account. The commission may retain not in excess of five
57 percent for the costs of administration. If no marketing plan is submitted by a team, the
58 commission shall market and promote the team.

59 7. The Kansas City Chiefs shall forward all emblem-use fees received, less an amount
60 not in excess of five percent of the costs of administration, to the Chiefs' Children's Fund, a
61 not-for-profit fund established to benefit children in need in the Kansas City area.

62 8. The director of the department of revenue shall promulgate rules and regulations
63 for the administration of this section. No rule or portion of a rule promulgated pursuant to the
64 authority of this section shall become effective unless it has been promulgated pursuant to the
65 provisions of chapter 536.

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