

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 2189

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BROMLEY.

4654H.01P

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 136.055, 301.130, and 301.147, 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Section A. Sections 136.055, 301.130, and 301.147, RSMo, are repealed and three
2 new sections enacted in lieu thereof, to be known as sections 136.055, 301.130, and 301.147,
3 to read as follows:

136.055. 1. Any person who is selected or appointed by the state director of revenue
2 as provided in subsection 2 of this section to act as an agent of the department of revenue,
3 whose duties shall be the processing of motor vehicle title and registration transactions and
4 the collection of sales and use taxes when required under sections 144.070 and 144.440, and
5 who receives no salary from the department of revenue, shall be authorized to collect from the
6 party requiring such services additional fees as compensation in full and for all services
7 rendered on the following basis:

- 8 (1) For each motor vehicle registration issued, renewed, or transferred:
9 (a) Nine dollars for annual registration; ~~or~~
10 (b) Eighteen dollars for biennial registration; **or**
11 (c) **Forty-five dollars for five-year registration;**
12 (2) For each trailer registration issued, renewed, or transferred:
13 (a) Nine dollars for annual registration;
14 (b) Twenty-seven dollars for three-year registration; or

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.

- 15 (c) Forty-five dollars for permanent registration;
- 16 (3) For each application or transfer of title, nine dollars;
- 17 (4) For each instruction permit, nondriver license, chauffeur's, operator's or driver's
18 license issued for a period of three years or less, nine dollars and eighteen dollars for licenses
19 or instruction permits issued or renewed for a period exceeding three years;
- 20 (5) For each notice of lien processed, nine dollars;
- 21 (6) Notary fee or electronic transmission per processing, two dollars.
- 22 2. The director of revenue shall award fee office contracts under this section through
23 a competitive bidding process. The competitive bidding process shall give priority to
24 organizations and entities that are exempt from taxation under Section 501(c)(3), 501(c)(6), or
25 501(c)(4), except those civic organizations that would be considered action organizations
26 under 26 C.F.R. Section 1.501 (c)(3)-1(c)(3), of the Internal Revenue Code of 1986, as
27 amended, with special consideration given to those organizations and entities that reinvest a
28 minimum of seventy-five percent of the net proceeds to charitable organizations in Missouri,
29 and political subdivisions, including but not limited to, municipalities, counties, and fire
30 protection districts. Notwithstanding any provision of law to the contrary, the director of
31 revenue shall not award any fee office contract under this section to any entity affiliated in
32 any manner with a current employee of the department of revenue or with a former employee
33 of the department of revenue for the one-year period following the former employee's
34 termination of employment with the department. For purposes of this subsection, "affiliated
35 in any manner" includes owning the entity or serving as an officer or board member of such
36 entity. Additionally, no person affiliated in any manner with an entity awarded a fee office
37 contract under this section shall be affiliated in any manner with an entity acting as a motor
38 vehicle title service agent as prescribed in sections 301.112 to 301.119. The director of the
39 department of revenue may promulgate rules and regulations necessary to carry out the
40 provisions of this subsection. Any rule or portion of a rule, as that term is defined in section
41 536.010, that is created under the authority delegated in this subsection shall become effective
42 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
43 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
44 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
45 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
46 of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be
47 invalid and void.
- 48 3. Notwithstanding any other provision of law to the contrary, the director of revenue
49 shall have the authority to enter into a contract amendment or renewal, for any contract for a
50 fee office awarded through the competitive bidding process after September 1, 2009, to
51 extend such contract for up to a five-year period to begin after the expiration date of such

52 contract. The director of revenue shall evaluate performance under the contract when
53 deciding whether to enter into contract amendments or renewals authorized in this subsection.
54 Nothing shall obligate the director to offer such extension or renewal. A competitively
55 awarded contract may only be extended once pursuant to this subsection.

56 4. All fees authorized under this section collected by a contract fee office may be
57 retained and used by the entity operating the contract fee office, and all fees authorized under
58 this section collected by a fee office operated by the department of revenue shall be
59 considered state revenue.

60 5. All fees charged shall not exceed those in this section. The fees authorized under
61 this section shall be collected by all contract fee offices and shall be collected by all full-time
62 or temporary offices operated by the department of revenue.

63 6. Any person acting as agent of the department of revenue for the sale and issuance
64 of registrations, licenses, and other documents related to motor vehicles shall have an
65 insurable interest in all license plates, licenses, tabs, forms and other documents held on
66 behalf of the department.

67 7. The fees authorized by this section shall not be collected by motor vehicle dealers
68 acting as agents of the department of revenue under section 32.095 or those motor vehicle
69 dealers authorized to collect and remit sales tax under subsection 10 of section 144.070.

70 8. Notwithstanding any other provision of law to the contrary, the state auditor may
71 audit all records maintained and established by the fee office in the same manner as the
72 auditor may audit any agency of the state, and the department shall ensure that this audit
73 requirement is a necessary condition for the award of all fee office contracts. No confidential
74 records shall be divulged in such a way to reveal personally identifiable information.

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

15 2. The arrangement of letters and numbers of license plates shall be uniform
16 throughout each classification of registration. The director may provide for the arrangement
17 of the numbers 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
19 in 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
24 for each such vehicle, except as provided in this subsection. The applicant for registration of
25 any property-carrying commercial vehicle registered at a gross weight in excess of twelve
26 thousand pounds may request and be issued two license plates for such vehicle, and if such
27 plates are issued, the director of revenue shall provide for distinguishing marks on the plates
28 indicating one plate is for the front and the other is for the rear of such vehicle. The director
29 may assess and collect an additional charge from the applicant in an amount not to exceed the
30 fee prescribed for 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
33 marks to distinguish commercial motor vehicles and trailers and other types of motor
34 vehicles.

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

52 displayed in the same manner on the front and rear of such vehicles. The license plate or
53 plates authorized by section 301.140, when properly attached, shall be prima facie evidence
54 that the required fees have been paid.

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

61 (2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display
62 such 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
65 has been paid.

66 (4) Except as otherwise provided in this section, the director of revenue shall issue
67 plates 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
70 permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section
71 shall relieve the owner of any vehicle permanently registered pursuant to this section from the
72 obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring
73 license plate shall be returned to the highways and transportation commission upon the sale or
74 disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is
75 issued, or the plate may be transferred to a replacement commercial motor vehicle when the
76 owner files a supplemental application with the Missouri highways and transportation
77 commission for the registration of such replacement commercial motor vehicle. Upon
78 payment of the annual registration fee, the highways and transportation commission shall
79 issue a certificate of registration or other suitable evidence of payment of the annual fee, and
80 such evidence of payment shall be carried at all times 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
84 not be valid for operation of such vehicle, or the plate may be transferred to a replacement
85 vehicle when the owner files a supplemental application with the Missouri highways and
86 transportation commission for the registration of such replacement vehicle. If a vehicle which
87 is permanently registered under this section is sold, wrecked or otherwise disposed of, or the
88 lease terminated, the registrant shall be given credit for any unused portion of the annual

89 registration fee when the vehicle is replaced by the purchase or lease of another vehicle
90 during the registration year.

91 **7. Beginning January 1, 2027, the director of revenue may issue five-year tabs as**
92 **provided by law as evidence of the payment of registration fees and the current**
93 **registration of a vehicle in lieu of the set of plates to motor vehicle owners electing a five-**
94 **year registration under subsection 2 of section 301.147.**

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

99 ~~[8-]~~ **9.** Notwithstanding the provisions of any other law to the contrary, owners of
100 motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed
101 in excess of twenty-four thousand pounds gross weight may apply for special personalized
102 license plates. Vehicles licensed for twenty-four thousand pounds that display special
103 personalized license plates shall be subject to the provisions of subsections 1 and 2 of section
104 301.030. On and after August 28, 2016, owners of motor vehicles, other than apportioned
105 motor vehicles or commercial motor vehicles licensed in excess of twenty-four thousand
106 pounds gross weight, may apply for any preexisting or hereafter statutorily created special
107 personalized license plates.

108 ~~[9-]~~ **10.** No later than January 1, 2019, the director of revenue shall commence the
109 reissuance of new license plates of such design as approved by the advisory committee under
110 section 301.125 consistent with the terms, conditions, and provisions of section 301.125 and
111 this chapter. Except as otherwise provided in this section, in addition to all other fees
112 required by law, applicants for registration of vehicles with license plates that expire during
113 the period of reissuance, applicants for registration of trailers or semitrailers with license
114 plates that expire during the period of reissuance and applicants for registration of vehicles
115 that are to be issued new license plates during the period of reissuance shall pay the cost of
116 the plates required by this subsection. The additional cost prescribed in this subsection shall
117 not be charged to persons receiving special license plates issued under section 301.073 or
118 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and
119 specialized license plates are exempt from the provisions of this subsection. Except for new,
120 replacement, and transfer applications, permanent nonexpiring license plates issued to
121 commercial motor vehicles and trailers registered under section 301.041 are exempt from the
122 provisions of this subsection.

301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary,
2 beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other
3 than commercial motor vehicles licensed in excess of fifty-four thousand pounds gross

4 weight, the option of biennially registering motor vehicles~~[-Any vehicle manufactured as an~~
5 ~~even-numbered model year vehicle shall be renewed each even-numbered calendar year and~~
6 ~~any such vehicle manufactured as an odd-numbered model year vehicle shall be renewed each~~
7 ~~odd-numbered calendar year]~~, subject to the following requirements:

8 (1) The fee collected at the time of biennial registration shall include the annual
9 registration fee plus a pro rata amount for the additional twelve months of the biennial
10 registration;

11 (2) Presentation of all documentation otherwise required by law for vehicle
12 registration including, but not limited to, a personal property tax receipt or certified statement
13 for the preceding year that no such taxes were due as set forth in section 301.025, proof of a
14 motor vehicle safety inspection and any applicable emission inspection conducted within
15 sixty days prior to the date of application and proof of insurance as required by section
16 303.026.

17 **2. Notwithstanding the provisions of section 301.020 to the contrary, beginning**
18 **January 1, 2027, the director of revenue may provide owners of motor vehicles with a**
19 **model year of manufacture that is less than six years old, other than commercial motor**
20 **vehicles licensed in excess of fifty-four thousand pounds gross weight, the option of a**
21 **five-year registration period, subject to the following requirements:**

22 **(1) The fee collected at the time of five-year registration shall include the annual**
23 **registration fee plus a pro rata amount for the additional four years of the five-year**
24 **registration;**

25 **(2) Presentation of all documentation otherwise required by law for vehicle**
26 **registration including, but not limited to, a personal property tax receipt or certified**
27 **statement for the preceding year that no such taxes were due as set forth in section**
28 **301.025, proof of a motor vehicle safety inspection if applicable, and proof of insurance**
29 **as required by section 303.026.**

30 **3.** The director of revenue may prescribe rules and regulations for the effective
31 administration of this section. The director is authorized to adopt those rules that are
32 reasonable and necessary to accomplish the limited duties specifically delegated within this
33 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is
34 promulgated pursuant to the authority delegated in this section shall become effective only if
35 it has been promulgated pursuant to the provisions of chapter 536. This section and chapter
36 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
37 chapter 536 to review, to delay the effective date or to disapprove and annul a rule are
38 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
39 proposed or adopted after July 1, 2000, shall be invalid and void.

40 ~~[3-]~~ 4. The director of revenue shall have the authority to stagger the registration
41 period of motor vehicles other than commercial motor vehicles licensed in excess of twelve
42 thousand pounds gross weight. Once the owner of a motor vehicle chooses the option of
43 biennial registration, such registration must be maintained for the full twenty-four month
44 period.

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