

SECOND REGULAR SESSION

# HOUSE BILL NO. 1732

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WELLENKAMP.

4659H.011

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal section 301.130, RSMo, and to enact in lieu thereof one new section relating to license plate covers.

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

Section A. Section 301.130, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.130, to read as follows:

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

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

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           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,  
41 **nontinted** cover so long as the plate is plainly visible **to the naked eye and law enforcement**  
42 **image capture technology** and [its] **the plate's** reflective qualities are not impaired.  
43 **Additionally, license plate frames shall not cover or obscure any information that is**  
44 **necessary for law enforcement purposes.** License plates shall be fastened to all motor  
45 vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve  
46 thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-  
47 eight inches above the ground, with the letters and numbers thereon right side up. The license  
48 plates on trailers, motorcycles, motortricycles, autocycles, and motorscooters shall be  
49 displayed on the rear of such vehicles either horizontally or vertically, with the letters and  
50 numbers plainly visible. The license plate on buses, other than school buses, and on trucks,  
51 tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be  
52 displayed on the front of such vehicles not less than eight nor more than forty-eight inches  
53 above the ground, with the letters and numbers thereon right side up or if two plates are issued  
54 for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the

55 front and rear of such vehicles. The license plate or plates authorized by section 301.140,  
56 when properly attached, shall be prima facie evidence that the required fees have been paid.

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

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

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

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

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

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

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

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

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

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

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