

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 381

95TH GENERAL ASSEMBLY

0365S.03T

2009

AN ACT

To repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to fee agent offices.

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

Section A. Section 136.055, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 136.055, to read as follows:

136.055. 1. Any person who is selected or appointed by the state director of revenue to act as an agent of the department of revenue, whose duties shall be the sale of motor vehicle licenses and the collection of motor vehicle sales and use taxes under the provisions of section 144.440, RSMo, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer license sold, renewed or transferred--two dollars and fifty cents beginning January 1, 1998; and four dollars beginning July 1, 2000; and five dollars beginning August 28, 2002, for those licenses biennially renewed pursuant to section 301.147, RSMo. Beginning July 1, 2003, for each motor vehicle or trailer license sold, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147, RSMo;

(2) For each application or transfer of title--two dollars and fifty cents beginning January 1, 1998;

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 (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's
16 license issued for a period of three years or less--two dollars and fifty cents and five dollars for
17 licenses or instruction permits issued or renewed for a period exceeding three years;

18 (4) For each notice of lien processed--two dollars and fifty cents beginning August 28,
19 2000;

20 (5) No notary fee or other fee or additional charge shall be paid or collected except for
21 electronic telephone transmission reception--two dollars.

22 **2. The director of revenue shall award fee office contracts under this section**
23 **through a competitive bidding process. The competitive bidding process shall give priority**
24 **to organizations and entities that are exempt from taxation under Section 501(c)(3) or**
25 **501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions,**
26 **including but not limited to, municipalities, counties, and fire protection districts. The**
27 **director of the department of revenue may promulgate rules and regulations necessary to**
28 **carry out the provisions of this subsection. Any rule or portion of a rule, as that term is**
29 **defined in section 536.010, RSMo, that is created under the authority delegated in this**
30 **subsection shall become effective only if it complies with and is subject to all of the**
31 **provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section**
32 **and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general**
33 **assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to**
34 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
35 **rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be**
36 **invalid and void.**

37 **3.** All fees charged shall not exceed those in this section. Beginning July 1, 2003, the
38 fees imposed by this section shall be collected by all permanent branch offices and all full-time
39 or temporary offices maintained by the department of revenue.

40 [3.] **4.** Any person acting as agent of the department of revenue for the sale and issuance
41 of licenses and other documents related to motor vehicles shall have an insurable interest in all
42 license plates, licenses, tabs, forms and other documents held on behalf of the department.

43 [4.] **5.** The fee increases authorized by this section and approved by the general assembly
44 were requested by the fee agents. All fee agent offices shall display a three foot by four foot sign
45 with black letters of at least three inches in height on a white background which states:

46 The increased fees approved by the
47 Missouri Legislature and charged by
48 this fee office were requested by the
49 fee agents.

50 **6. Notwithstanding any other provision of law to the contrary, the state auditor**
51 **may audit all records maintained and established by the fee office in the same manner as**
52 **the auditor may audit any agency of the state, and the department shall ensure that this**
53 **audit requirement is a necessary condition for the award of all fee office contracts. No**
54 **confidential records shall be divulged in such a way to reveal personally identifiable**
55 **information.**

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