

FIRST REGULAR SESSION

HOUSE BILL NO. 729

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES GREEN (15), GREEN (73) AND KOLLER (Co-sponsors).

Read 1st time February 8, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1369L.011

AN ACT

To repeal sections 301.041 and 301.121, RSMo 2000, and section 301.130, as enacted by house committee substitute for senate substitute for senate bill no. 3 and senate bill no. 156, eighty-eighth general assembly, first regular session, and section 301.130, as enacted by conference committee substitute for house substitute for house committee substitute for senate substitute for senate bill no. 70, eighty-eighth general assembly, first regular session, relating to motor vehicle license plate design, and to enact in lieu thereof three new sections relating to the same subject.

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

Section A. Sections 301.041 and 301.121, RSMo 2000, and section 301.130, as enacted
2 by house committee substitute for senate substitute for senate bill no. 3 and senate bill no. 156,
3 eighty-eighth general assembly, first regular session, and section 301.130, as enacted by
4 conference committee substitute for house substitute for house committee substitute for senate
5 substitute for senate bill no. 70, eighty-eighth general assembly, first regular session, are repealed
6 and three new sections enacted in lieu thereof, to be known as sections 301.041, 301.121 and
7 301.130, to read as follows:

301.041. 1. All commercial motor vehicles and trailers **registered pursuant to this**
2 **section or** to be operated under agreements as provided for in sections 301.271 to 301.279 shall
3 be registered annually.

4 2. An application for renewal registration [under] **pursuant to** this section shall be made
5 with all required documents on or before October first of each year. Renewal applications
6 received after October first shall be assessed a penalty of one hundred dollars. The director or

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

7 [his] **the director's** designee may waive the penalty [under] **pursuant to** this subsection for good
8 cause.

9 3. Fees for commercial motor vehicles **and trailers** renewed [under] **pursuant to** this
10 section shall be paid no later than December first of each year except for payments made on an
11 installment basis as provided in subsection 4 of this section. Renewal application fees not paid
12 by December first shall be assessed a penalty of fifty dollars per vehicle, but in no case shall such
13 penalty exceed one hundred fifty dollars per application. The director or [his] **the director's**
14 designee may, for good cause, waive or reduce any penalties assessed [under] **pursuant to** this
15 subsection.

16 4. Any owner of a commercial motor vehicle or trailer operated [under] **pursuant to this**
17 **section or** agreements provided in sections 301.271 to 301.279 may elect to pay the **Missouri**
18 **portion of the** annual registration fee in two equal installments, except that no such installment
19 shall be less than one hundred dollars. The first installment shall be payable on or before
20 December first, and the second installment shall be payable on or before June first of that
21 registration year. Every owner electing to pay on an installment basis shall file with the director
22 of the department of revenue, on or before December first, a surety bond, certificate of deposit
23 or irrevocable letter of credit as defined in section 400.5-103, RSMo, to guarantee the payment
24 of the second installment. The bond or certificate or letter of credit shall be in an amount equal
25 to the payment guaranteed.

26 5. If a new application for registration of a commercial vehicle **or trailer** is made other
27 than as specified in subsection 1 of this section, the registration fee shall be prorated as follows:

28 (1) For applications made between April first and June thirtieth, the applicant shall pay
29 three-fourths of the annual registration fee;

30 (2) For applications made between July first and September thirtieth, the applicant shall
31 pay one-half of the annual registration fee; and

32 (3) For applications made after October first of the current registration year, the applicant
33 shall pay one-fourth of the annual registration fee.

34 6. Any applicant who fails to timely renew his **or her** registration with all required
35 documents [under] **pursuant to** this section or who fails to timely pay any fees and penalties
36 owed [under] **pursuant to** this section shall not be issued a temporary registration [under] **for**
37 **a motor vehicle or a trailer issued pursuant to this section or pursuant to** agreements as
38 provided for in sections 301.271 and 301.279. Nothing in this section shall prohibit the issuance
39 of temporary registration credentials for additions to the registrant's fleet subsequent to renewal.

40 7. The applicant for registration [under] **pursuant to** this section shall affix the
41 registration plate issued by the director to the front of the vehicle in accordance with the
42 provisions of section 301.130. Any vehicle required to be registered [under] **pursuant to** this

43 section shall display the plate issued to that vehicle no later than December thirty-first of each
44 year. Failure to display the registration plates required by this section shall constitute a class A
45 misdemeanor.

46 8. The director of revenue may prescribe rules and regulations for the effective
47 administration of this section.

48 **9. Any current registration or license plate for which all fees have been paid for a**
49 **commercial trailer previously issued pursuant to agreements provided for in sections**
50 **301.271 and 301.277 shall remain valid even if such agreements no longer require**
51 **apportionment of such trailers pursuant to such agreements, and such trailers may**
52 **continue to be registered pursuant to this section.**

53 **10. Notwithstanding any other law to the contrary, the highway reciprocity**
54 **commission shall have the authority pursuant to this chapter to issue permanent and**
55 **temporary registrations on commercial trailers whether or not the registration is issued**
56 **pursuant to agreements as provided in sections 301.271 to 301.279. The provisions of**
57 **subsection 1 of section 301.190 shall not apply to registrations issued pursuant to this**
58 **subsection, provided the carrier or person to whom the registration is issued has at least**
59 **one tractor, as defined in section 301.010, registered with this state pursuant to this section.**

60 **11. Commercial trailer license plates issued pursuant to this section shall in all**
61 **other respects conform to the same requirements as those issued pursuant to subsection 3**
62 **of section 301.067. Such plates may contain the legend "HRC TLR" in lieu of the words**
63 **"Show-Me State".**

301.121. [1.] When the owner of a commercial motor vehicle registered in excess of
2 fifty-four thousand pounds returns the license plates to the director of revenue as provided in
3 section 301.120, but not for a license suspension or revocation, [he] **said owner** shall receive a
4 refund or credit of any pro rata amount to be determined by the calendar quarters remaining
5 before expiration of the license plates. Such refund or credit shall be granted based upon the date
6 the license plates are surrendered to the director of revenue. Any credit or refund may be applied
7 toward any subsequent application for a Missouri registration only if a commercial motor
8 vehicle. Any refunded portion of a registration fee which was distributed according to the
9 provisions of article IV, section 30(b) of the Constitution of Missouri shall be refunded
10 proportionately from state, city and county funds.

11 [2. When the owner of a commercial motor vehicle registered in excess of fifty-four
12 thousand pounds returns the license plate or plates to the appropriate official in the state where
13 the license plate for the commercial motor vehicle was issued, a refund or credit shall be issued
14 by the director of revenue as provided in subsection 1 of this section.]

[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,
3 shall issue to the applicant a certificate of registration in such manner and form as the
4 director of revenue may prescribe and a set of license plates, or other evidence of
5 registration, as provided herein. Each set of license plates shall bear the name or
6 abbreviated name of this state, the words "Show-Me State", the month and year in
7 which the registration shall expire, and an arrangement of numbers or letters, or both,
8 as shall be assigned from year to year by the director of revenue. Special plates for
9 qualified disabled veterans will have the "DISABLED VETERAN" wording on the
10 license plates in preference to the words "Show-Me State" and special plates for
11 members of the national guard will have the "NATIONAL GUARD" wording in
12 preference to the words "Show-Me State".

13 2. The arrangement of letters and numbers of license plates shall be uniform
14 throughout each classification of registration.

15 3. The background of all license plates, or the letters and numerals thereof,
16 shall be coated with a material which will reflect the lights of other vehicles. The
17 nature and specifications of this material shall be determined after a public hearing
18 by the director of revenue, director of prison industries, and superintendent of the
19 state highway patrol, and shall meet the standards established by the state
20 transportation department.

21 4. Figures on license plates, except those which may be used to designate
22 gross weights for which commercial motor vehicles are registered, shall not be less
23 than three inches in height and the strokes thereof not less than five-sixteenths of an
24 inch in width. In the case of motorcycles and motortricycles, the letters and figures
25 shall be not less than one inch in height and the strokes thereof one-eighth of an inch
26 in width. The director may provide for the arrangement of the numbers in groups or
27 otherwise, and for other distinguishing marks on the plates.

28 5. All property-carrying commercial motor vehicles to be registered at a gross
29 weight in excess of twelve thousand pounds, all passenger-carrying commercial
30 motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles,
31 motortricycles, motorscooters and driveaway vehicles shall be registered with the
32 director of revenue as provided for in subsection 3 of section 301.030, but only one
33 license plate shall be issued for each such vehicle.

34 6. The plates issued to manufacturers and dealers shall bear the letter "D"
35 preceding the number, and the director may place upon the plates other letters or
36 marks to distinguish commercial motor vehicles and trailers and other types of motor
37 vehicles.

38 7. No motor vehicle or trailer shall be operated on any highway of this state
39 unless it shall have displayed thereon the license plate or set of license plates issued
40 by the director of revenue and authorized by section 301.140. Each such plate shall
41 be securely fastened to the motor vehicle in a manner so that all parts thereof shall
42 be plainly visible and reasonably clean so that the reflective qualities thereof are not
43 impaired. License plates shall be fastened to all motor vehicles except trucks,
44 tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds

on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

8. (1) The director of revenue shall issue annually a tab or set of tabs as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates; except that the director shall annually issue a new license plate or set of plates as provided in this section for vehicles registered pursuant to subsection 2 of section 301.277, commercial motor vehicles in excess of twelve thousand pounds, trailers, buses and dealers.

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

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

(4) Except as provided in subdivision (1) of this subsection, the director of revenue shall issue plates for a period of at least five years.

(5) For those commercial motor vehicles registered pursuant to an agreement under section 301.277, the plate issued by the director of revenue shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered under this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the director of revenue upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highway reciprocity commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the director of revenue shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the director and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highway reciprocity commission for the registration of such replacement

88 vehicle. If a vehicle which is permanently registered under this section is sold,
89 wrecked or otherwise disposed of, or the lease terminated, the registrant shall be
90 given credit for any unused portion of the annual registration fee when the vehicle is
91 replaced by the purchase or lease of another vehicle during the registration year.

92 9. The director of revenue may prescribe rules and regulations for the
93 effective administration of this section. No rule or portion of a rule promulgated
94 under the authority of this section shall become effective unless it has been
95 promulgated pursuant to the provisions of section 536.024, RSMo.]

301.130. 1. The director of revenue, upon receipt of a proper application for registration,
2 required fees and any other information which may be required by law, shall issue to the
3 applicant a certificate of registration in such manner and form as the director of revenue may
4 prescribe and a set of license plates, or other evidence of registration, as provided in this section.
5 Unless otherwise provided by law, each license plate or set of license plates issued, renewed or
6 replaced on or after January 1, 1997, shall contain the following:

- 7 (1) The name or abbreviated name of this state;
8 (2) The words "Show-Me State";
9 (3) The month and year in which the registration shall expire;
10 (4) An arrangement of numbers or letters, or both, as shall be assigned from year to year
11 by the director of revenue; and

12 (5) Fully reflective material with a common color scheme and design for each type of
13 license plate issued [under] **pursuant to** this chapter, which shall be designated by an advisory
14 committee established in section 301.129. The license plates shall be clearly visible at night, and
15 shall be aesthetically attractive. Except as otherwise provided in this section, in addition to all
16 other fees required by law, applicants for registration of vehicles with license plates that expire
17 between January 1, 1997, and December 31, 1997, applicants for registration of trailers or
18 semitrailers with license plates that expire between January 1, 1997, and December 31, 1999, and
19 applicants for registration of vehicles that are to be issued new license plates shall pay an
20 additional fee of up to two dollars and twenty-five cents, based on the actual cost of the
21 reissuance, to cover the cost of the fully reflective plates required by this subsection.
22 Notwithstanding the provisions of subsection 3 of section 301.067 to the contrary, every license
23 plate for a trailer or semitrailer which is permanently registered [under] **pursuant to** subsection
24 3 of section 301.067 shall be returned to the director of revenue between January 1, 1997, and
25 December 31, 1997, and a license plate which conforms to the provisions of this subsection
26 issued as a replacement plate upon the payment of a one dollar and fifteen cent fee per plate
27 prescribed by this subdivision. The additional fee, based on the actual cost, prescribed by this
28 subdivision shall only be one dollar and fifteen cents for issuance of one new plate for vehicles
29 requiring only one license plate pursuant to subsection 5 or 7 of this section. The additional fee
30 of two dollars and twenty-five cents prescribed in this subsection shall not be charged to persons

31 receiving special license plates issued [under] **pursuant to** section 301.073 or 301.443. The
32 department of revenue shall adopt a program whereby all motor vehicle registrations renewed
33 on or after January 1, 1997, will have replacement reflective plates issued for such registration
34 prior to January 1, 2000. Special plates for qualified disabled veterans will have the
35 "DISABLED VETERAN" wording on the license plates in preference to the words "Show-Me
36 State" and special plates for members of the national guard will have the "NATIONAL GUARD"
37 wording in preference to the words "Show-Me State". Veterans' plates shall have a white
38 background with a blue and red configuration at the discretion of the advisory committee
39 established in section 301.129.

40 2. The arrangement of letters and numbers of license plates shall be uniform throughout
41 each classification of registration.

42 3. The competitive bidding process used to select a vendor for the material to
43 manufacture the license plates shall consider the aesthetic appearance of the plates and the
44 reflective illumination capability for safety reasons. **The background of all license plates, or**
45 **the letters and numerals thereof, shall be coated with a material which will reflect the lights**
46 **of other vehicles.** The advisory committee established in section 301.129 shall adopt
47 specifications for all reflective material. **The nature and specifications of this material shall**
48 **be determined after a public hearing by the director of revenue, director of prison**
49 **industries, and superintendent of the state highway patrol, and shall meet the standards**
50 **established by the state transportation department.** The competitive bidding request for
51 proposal shall contain a deduction in the amount of twenty-eight cents per plate from the cost
52 of the reflective sheeting. The committee may select graphic designs or any of the plate
53 processes approved on January 1, 1997.

54 4. Figures on license plates, except those which may be used to designate gross weights
55 for which commercial motor vehicles are registered, shall be of a size set by the advisory
56 committee established in section 301.129 **and shall not be less than three inches in height and**
57 **the strokes thereof not less than five-sixteenths of an inch in width.** In the case of
58 motorcycles, motortricycles and trailers that are pulled by motorcycles or motortricycles, the
59 letters and figures shall be of a size set by the advisory committee **and shall not be less than one**
60 **inch in height and the strokes thereof shall not be less than one-eighth of an inch in width.**
61 The advisory committee may provide for the arrangement of the numbers in groups or otherwise,
62 and for other distinguishing marks on the plates.

63 5. All property-carrying commercial motor vehicles to be registered at a gross weight in
64 excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local
65 transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and
66 driveaway vehicles shall be registered with the director of revenue as provided for in subsection

67 3 of section 301.030, but only one license plate shall be issued for each such vehicle, except as
68 provided in this subsection. The applicant for registration of any property-carrying commercial
69 motor vehicle to be registered at a gross weight in excess of twelve thousand pounds or
70 passenger-carrying commercial motor vehicle may request and be issued two license plates for
71 such vehicle, and if such plates are issued, the director of revenue may assess and collect an
72 additional charge from the applicant in an amount not to exceed the fee prescribed for
73 personalized license plates in subsection 1 of section 301.144.

74 6. The plates issued to manufacturers and dealers shall bear the letter "D" preceding the
75 number, and the [advisory committee] **director** may require the placement upon the plates other
76 letters or marks to distinguish commercial motor vehicles and trailers and other types of motor
77 vehicles.

78 7. No motor vehicle or trailer shall be operated on any highway of this state unless it
79 shall have displayed thereon the license plate or set of license plates issued by the director of
80 revenue and authorized by section 301.140. Each such plate shall be securely fastened to the
81 motor vehicle in a manner so that all parts thereof shall be plainly visible and reasonably clean
82 so that the reflective qualities thereof are not impaired. License plates shall be fastened to all
83 motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve
84 thousand pounds on the front and rear of such vehicles not less than eight nor more than
85 forty-eight inches above the ground, with the letters and numbers thereon right side up. The
86 license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on
87 the rear of such vehicles, with the letters and numbers thereon right side up. The license plate
88 on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed
89 in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than
90 eight nor more than forty-eight inches above the ground, with the letters and numbers thereon
91 right side up, or if two plates are issued for the vehicle pursuant to subsection 5 of this section,
92 displayed in the same manner on the front and rear of such vehicles. The license plate or plates
93 authorized by section 301.140, when properly attached, shall be prima facie evidence that the
94 required fees have been paid.

95 8. (1) The director of revenue shall issue annually a tab or set of tabs as evidence of the
96 annual payment of registration fees and the current registration of a vehicle in lieu of the set of
97 plates; **except that the director shall annually issue a new license plate or set of plates as**
98 **provided in this section for vehicles registered pursuant to subsection 2 of section 301.277,**
99 **commercial motor vehicles in excess of twelve thousand pounds, trailers, buses and dealers.**

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

102 (3) A tab or set of tabs issued by the director when attached to a vehicle in the prescribed

103 manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

104 (4) Except as provided in subdivision (1) of this subsection, the director of revenue shall
105 issue plates for a period of at least five years.

106 (5) For those commercial motor vehicles **and trailers** registered pursuant to [an
107 agreement under] section [301.277] **301.041**, the plate issued by the director of revenue shall be
108 a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section
109 shall relieve the owner of any vehicle permanently registered [under] **pursuant to** this section
110 from the obligation to pay the annual registration fee due for the vehicle. The permanent
111 nonexpiring license plate shall be returned to the director of revenue upon the sale or disposal
112 of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the
113 plate may be transferred to a replacement commercial motor vehicle when the owner files a
114 supplemental application with the Missouri highway reciprocity commission for the registration
115 of such replacement commercial motor vehicle. Upon payment of the annual registration fee,
116 the director of revenue shall issue a certificate of registration or other suitable evidence of
117 payment of the annual fee, and such evidence of payment shall be carried at all times in the
118 vehicle for which it is issued.

119 (6) Upon the sale or disposal of any vehicle permanently registered [under] **pursuant**
120 **to** this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring
121 plate issued for such vehicle shall be returned to the director and shall not be valid for operation
122 of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files
123 a supplemental application with the Missouri highway reciprocity commission for the
124 registration of such replacement vehicle. If a vehicle which is permanently registered [under]
125 **pursuant to** this section is sold, wrecked or otherwise disposed of, or the lease terminated, the
126 registrant shall be given credit for any unused portion of the annual registration fee when the
127 vehicle is replaced by the purchase or lease of another vehicle during the registration year.

128 9. The director of revenue may prescribe rules and regulations for the effective
129 administration of this section.

130 10. Any rule or portion of a rule promulgated pursuant to this section may be suspended
131 by the joint committee on administrative rules if after hearing thereon the committee finds that
132 such rule or portion of the rule is beyond or contrary to the statutory authority of the agency
133 which promulgated the rule, or is inconsistent with the legislative intent of the authorizing
134 statute. The general assembly may reinstate such rule by concurrent resolution signed by the
135 governor.