

FIRST REGULAR SESSION

HOUSE BILL NO. 147

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOSKINS.

Pre-filed December 29, 2004 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0664L.01I

AN ACT

To repeal sections 301.130 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session and section 301.130 as enacted by senate committee substitute for house bill no. 491, ninety-second general assembly, first regular session and to enact in lieu thereof one new section relating to license plates.

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

Section A. Section 301.130 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session and section 301.130 as enacted by senate committee substitute for house bill no. 491, ninety-second general assembly, first regular session RSMo, are repealed and one new section enacted in lieu thereof, to be known as section 301.130, to read as follows: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] **one** license [plates] **plate**, or other evidence of registration, as provided by this section. Each [set of] license [plates] **plate** 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] **Each plate** 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] **Each plate** shall be clearly visible at night, and shall be aesthetically

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.

11 attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN"
12 wording on the license [plates] **plate** in preference to the words "SHOW-ME STATE" and
13 special plates for members of the national guard will have the "NATIONAL GUARD" wording
14 in preference to the words "SHOW-ME STATE".

15 2. The arrangement of letters and numbers of license plates shall be uniform throughout
16 each classification of registration. The director may provide for the arrangement of the numbers
17 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 in
19 excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local
20 transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and
21 driveaway vehicles shall be registered with the director of revenue as provided for in subsection
22 3 of section 301.030, or with the state highways and transportation commission as otherwise
23 provided in this chapter, [but] **and** only one license plate shall be issued for each such vehicle
24 except as provided in this subsection. The applicant for registration of any property-carrying
25 commercial motor vehicle may request and be issued two license plates for such vehicle, and if
26 such plates are issued the director of revenue may assess and collect an additional charge from
27 the applicant in an amount not to exceed the fee prescribed for personalized license plates in
28 subsection 1 of section 301.144.

29 4. The plates issued to manufacturers and dealers shall bear the letter "D" preceding the
30 number, and the director may place upon the plates other letters or marks to distinguish
31 commercial motor vehicles and trailers and other types of motor vehicles.

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

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

49 6. (1) The director of revenue shall issue annually or biennially a tab [or set of tabs] as
50 provided by law as evidence of the annual payment of registration fees and the current
51 registration of a vehicle in lieu of the [set of plates] **plate**. Beginning January 1, 2009, the
52 numbers recorded on the tab [or tabs] must be the same numbers that appear on the license plate
53 [or plates] issued by the department of revenue that are displayed on the vehicle. Such tabs shall
54 be produced in each license bureau office.

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

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

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

62 (5) For those commercial motor vehicles and trailers registered pursuant to section
63 301.041, the plate issued by the highways and transportation commission shall be a permanent
64 nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve
65 the owner of any vehicle permanently registered pursuant to this section from the obligation to
66 pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall
67 be returned to the highways and transportation commission upon the sale or disposal of the
68 vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may
69 be transferred to a replacement commercial motor vehicle when the owner files a supplemental
70 application with the Missouri highways and transportation commission for the registration of
71 such replacement commercial motor vehicle. Upon payment of the annual registration fee, the
72 highways and transportation commission shall issue a certificate of registration or other suitable
73 evidence of payment of the annual fee, and such evidence of payment shall be carried at all times
74 in the vehicle for which it is issued.

75 (6) Upon the sale or disposal of any vehicle permanently registered under this section,
76 or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued
77 for such vehicle shall be returned to the highways and transportation commission and shall not
78 be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle
79 when the owner files a supplemental application with the Missouri highways and transportation
80 commission for the registration of such replacement vehicle. If a vehicle which is permanently
81 registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated,
82 the registrant shall be given credit for any unused portion of the annual registration fee when the

83 vehicle is replaced by the purchase or lease of another vehicle during the registration year.

84 7. The director of revenue and the highways and transportation commission may
85 prescribe rules and regulations for the effective administration of this section. [No rule or
86 portion of a rule promulgated under the authority of this section shall become effective unless
87 it has been promulgated pursuant to the provisions of section 536.024, RSMo.] **Any rule or**
88 **portion of a rule, as that term is defined in section 536.010, RSMo, that is created under**
89 **the authority delegated in this section shall become effective only if it complies with and**
90 **is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028,**
91 **RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers**
92 **vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the**
93 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
94 **then the grant of rulemaking authority and any rule proposed or adopted after August 28,**
95 **2005, shall be invalid and void.**

96 8. Notwithstanding the provisions of any other law to the contrary, owners of motor
97 vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess
98 of eighteen thousand pounds gross weight may apply for special personalized license plates.
99 Vehicles licensed for eighteen thousand pounds that display special personalized license plates
100 shall be subject to the provisions of subsections 1 and 2 of section 301.030.

101 9. Commencing January 1, 2007, the director of revenue shall cause to be reissued new
102 license plates of such design as directed by the director consistent with the terms, conditions, and
103 provisions of this section and this chapter. Except as otherwise provided in this section, in
104 addition to all other fees required by law, applicants for registration of vehicles with license
105 plates that expire between January 1, 2007, and December 31, 2009, applicants for registration
106 of trailers or semitrailers with license plates that expire between January 1, 2007, and December
107 31, 2009, and applicants for registration of vehicles that are to be issued new license plates shall
108 pay an additional fee of up to two dollars and fifty cents, based on the actual cost of the
109 reissuance, to cover the cost of the newly reissued plates required by this subsection. The
110 additional fee, based on the actual cost, prescribed by this subsection shall only be one dollar and
111 twenty-five cents for issuance of one new plate for vehicles requiring only one license plate
112 pursuant to this section. The additional fee of two dollars and fifty cents prescribed in this
113 subsection shall not be charged to persons receiving special license plates issued under section
114 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131
115 and specialized license plates are exempt from the provisions of this subsection.

2 [301.130. 1. The director of revenue, upon receipt of a proper application
3 for registration, required fees and any other information which may be required
4 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

5 evidence of registration, as provided by this section. Each set of license plates
6 shall bear the name or abbreviated name of this state, the words "SHOW-ME
7 STATE", the month and year in which the registration shall expire, and an
8 arrangement of numbers or letters, or both, as shall be assigned from year to year
9 by the director of revenue. The plates shall also contain fully reflective material
10 with a common color scheme and design for each type of license plate issued
11 pursuant to this chapter. The plates shall be clearly visible at night, and shall be
12 aesthetically attractive. Special plates for qualified disabled veterans will have
13 the "DISABLED VETERAN" wording on the license plates in preference to the
14 words "SHOW-ME STATE" and special plates for members of the national
15 guard will have the "NATIONAL GUARD" wording in preference to the words
16 "SHOW-ME STATE".

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

21 3. All property-carrying commercial motor vehicles to be registered at a
22 gross weight in excess of twelve thousand pounds, all passenger-carrying
23 commercial motor vehicles, local transit buses, school buses, trailers,
24 semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles
25 shall be registered with the director of revenue as provided for in subsection 3 of
26 section 301.030, but only one license plate shall be issued for each such vehicle
27 except as provided in this subsection. The applicant for registration of any
28 property-carrying commercial motor vehicle may request and be issued two
29 license plates for such vehicle, and if such plates are issued the director of
30 revenue may assess and collect an additional charge from the applicant in an
31 amount not to exceed the fee prescribed for personalized license plates in
32 subsection 1 of section 301.144.

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

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

6. (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.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area 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 and trailers registered pursuant to section 301.041, 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 pursuant to 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 vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration

91 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 may prescribe rules and regulations for the
94 effective administration of this section. No rule or portion of a rule promulgated
95 under the authority of this section shall become effective unless it has been
96 promulgated pursuant to the provisions of section 536.024, RSMo.

97 8. Notwithstanding the provisions of any other law to the contrary,
98 owners of motor vehicles other than apportioned motor vehicles or commercial
99 motor vehicles licensed in excess of eighteen thousand pounds gross weight may
100 apply for special personalized license plates. Vehicles licensed for eighteen
101 thousand pounds that display special personalized license plates shall be subject
102 to the provisions of subsections 1 and 2 of section 301.030.]