

FIRST REGULAR SESSION

# HOUSE BILL NO. 254

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BRUNS.

Read 1<sup>st</sup> time January 18, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0927L.011

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### AN ACT

To repeal section 301.3132, RSMo, and to enact in lieu thereof one new section relating to professional engineers license plate.

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

Section A. Section 301.3132, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.3132, to read as follows:

301.3132. 1. Any member of or designated by the Missouri Society of Professional Engineers may receive special license plates as prescribed by this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight, after an annual payment of an emblem-use authorization fee to the Missouri Society of Professional Engineers Educational Foundation. The Missouri Society of Professional Engineers hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to the Missouri Society of Professional Engineers Educational Foundation derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Missouri Society of Professional Engineers Educational Foundation and shall be deposited into the society's educational fund. Any member of or person designated by the Missouri Society of Professional Engineers may annually apply for the use of the emblem.

2. Upon annual application and annual payment of a twenty-five dollar emblem-use contribution to the Missouri Society of Professional Engineers [Educational Foundation], the organization shall issue to the vehicle owner, without further charge, an emblem-use

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.

17 authorization statement, which shall be presented by the owner to the department of revenue at  
18 the time of registration of a motor vehicle. Upon presentation of the annual statement, payment  
19 of a fifteen dollar fee in addition to the registration fee and documents which may be required  
20 by law, the department of revenue shall issue to the vehicle owner a personalized license plate  
21 which shall bear the emblem of the Missouri Society of Professional Engineers and the words  
22 "[MISSOURI SOCIETY OF] PROFESSIONAL ENGINEERS" in place of the words  
23 "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a  
24 common color scheme and design, shall be clearly visible at night, and shall be aesthetically  
25 attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144,  
26 no additional fee shall be added or charged for the personalization of license plates issued  
27 pursuant to this section.

28         3. A vehicle owner, who was previously issued a plate with the Missouri Society of  
29 Professional Engineers' emblem authorized by this section but who does not provide an  
30 emblem-use authorization statement at the subsequent time of registration, shall be issued a new  
31 plate which does not bear the Missouri Society of Professional Engineers' emblem, as otherwise  
32 provided by law.

33         4. The director of the department of revenue shall make necessary rules and regulations  
34 for the administration of this section, and shall design all necessary forms required by this  
35 section. No rule or portion of a rule promulgated pursuant to the authority of this section shall  
36 become effective unless it has been promulgated pursuant to the provisions of chapter 536,  
37 RSMo. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is  
38 created under the authority delegated in this section shall become effective only if it complies  
39 with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section  
40 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers  
41 vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the  
42 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the  
43 grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be  
44 invalid and void.