

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 148
97TH GENERAL ASSEMBLY

0639H.03C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 301.140, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, merged with conference committee substitute for house committee substitute for senate bill no. 568, merged with conference committee substitute for senate bill no. 611, ninety-sixth general assembly, second regular session, 301.140, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and 301.193, RSMo, and to enact in lieu thereof three new sections relating to salvage motor vehicles.

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

Section A. Sections 301.140, as enacted by conference committee substitute for senate
2 substitute for senate committee substitute for house committee substitute for house bill no. 1402,
3 merged with conference committee substitute for house committee substitute for senate
4 substitute for senate committee substitute for senate bill no. 470, merged with conference
5 committee substitute for house committee substitute for senate bill no. 568, merged with
6 conference committee substitute for senate bill no. 611, ninety-sixth general assembly, second
7 regular session, 301.140, as enacted by conference committee substitute for senate substitute for
8 senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth
9 general assembly, second regular session, and 301.193, RSMo, are repealed and three new
10 sections enacted in lieu thereof, to be known as sections 301.140, 301.193, and 301.642, to read
11 as follows:

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.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate
2 of registration and the right to use the number plates shall expire and the number plates shall be
3 removed by the owner at the time of the transfer of possession, and it shall be unlawful for any
4 person other than the person to whom such number plates were originally issued to have the
5 same in his or her possession whether in use or not, unless such possession is solely for
6 charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor
7 vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the
8 newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred
9 plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in
10 motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the
11 newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or
12 trailer are still valid.

13 2. In the case of a transfer of ownership the original owner may register another motor
14 vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle
15 is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle)
16 seating capacity, not in excess of that originally registered. When such motor vehicle is of
17 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
18 vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee
19 of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less
20 horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating
21 capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

22 3. License plates may be transferred from a motor vehicle which will no longer be
23 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay
24 a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in
25 the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that
26 of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of
27 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
28 vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer
29 fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased
30 vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial
31 motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be
32 entitled to a refund.

33 4. The director of the department of revenue shall have authority to produce or allow
34 others to produce a weather resistant, nontearing temporary permit authorizing the operation of
35 a motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase. The
36 temporary permit authorized under this section may be purchased by the purchaser of a motor

37 vehicle or trailer from the central office of the department of revenue or from an authorized agent
38 of the department of revenue upon proof of purchase of a motor vehicle or trailer for which the
39 buyer has no registration plate available for transfer and upon proof of financial responsibility,
40 or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer
41 has no registration plate available for transfer, or from a motor vehicle dealer upon purchase of
42 a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration
43 plates. The director of the department of revenue or a producer authorized by the director of the
44 department of revenue may make temporary permits available to registered dealers in this state,
45 authorized agents of the department of revenue or the department of revenue. The price paid by
46 a motor vehicle dealer, an authorized agent of the department of revenue or the department of
47 revenue for a temporary permit shall not exceed five dollars for each permit. The director of the
48 department of revenue shall direct motor vehicle dealers and authorized agents to obtain
49 temporary permits from an authorized producer. Amounts received by the director of the
50 department of revenue for temporary permits shall constitute state revenue; however, amounts
51 received by an authorized producer other than the director of the department of revenue shall not
52 constitute state revenue and any amounts received by motor vehicle dealers or authorized agents
53 for temporary permits purchased from a producer other than the director of the department of
54 revenue shall not constitute state revenue. In no event shall revenues from the general revenue
55 fund or any other state fund be utilized to compensate motor vehicle dealers or other producers
56 for their role in producing temporary permits as authorized under this section. Amounts that do
57 not constitute state revenue under this section shall also not constitute fees for registration or
58 certificates of title to be collected by the director of the department of revenue under section
59 301.190. No motor vehicle dealer, authorized agent or the department of revenue shall charge
60 more than five dollars for each permit issued. The permit shall be valid for a period of thirty
61 days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor
62 vehicle or trailer by a motor vehicle dealer for which the purchaser obtains a permit as set out
63 above. No permit shall be issued for a vehicle under this section unless the buyer shows proof
64 of financial responsibility. Each temporary permit issued shall be securely fastened to the back
65 or rear of the motor vehicle in a manner and place on the motor vehicle consistent with
66 registration plates so that all parts and qualities of the temporary permit thereof shall be plainly
67 and clearly visible, reasonably clean and are not impaired in any way.

68 5. The permit shall be issued on a form prescribed by the director of the department of
69 revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer
70 purchased to enable the applicant to temporarily operate the motor vehicle while proper title and
71 registration plates are being obtained, or while awaiting receipt of registration plates, and shall
72 be displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall

73 not be transferable or renewable and shall not be valid upon issuance of proper registration plates
74 for the motor vehicle or trailer. The director of the department of revenue shall determine the
75 size, material, design, numbering configuration, construction, and color of the permit. The
76 director of the department of revenue, at his or her discretion, shall have the authority to reissue,
77 and thereby extend the use of, a temporary permit previously and legally issued for a motor
78 vehicle or trailer while proper title and registration are being obtained.

79 6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection
80 by proper officers, an accurate record of each permit issued by recording the permit number, the
81 motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and
82 manufacturer's vehicle identification number, and the permit's date of issuance and expiration
83 date. Upon the issuance of a temporary permit by either the central office of the department of
84 revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director
85 of the department of revenue shall make the information associated with the issued temporary
86 permit immediately available to the law enforcement community of the state of Missouri.

87 7. Upon the transfer of ownership of any currently registered motor vehicle wherein the
88 owner cannot transfer the license plates due to a change of motor vehicle category, the owner
89 may surrender the license plates issued to the motor vehicle and receive credit for any unused
90 portion of the original registration fee against the registration fee of another motor vehicle. Such
91 credit shall be granted based upon the date the license plates are surrendered. No refunds shall
92 be made on the unused portion of any license plates surrendered for such credit.

93 8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.

94 9. An additional temporary license plate produced in a manner and of materials
95 determined by the director to be the most cost-effective means of production with a configuration
96 that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be
97 placed in the interior of the vehicle's rear window such that the driver's view out of the rear
98 window is not obstructed and the plate configuration is clearly visible from the outside of the
99 vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the
100 actual plate. Such temporary plate is only authorized for use when the matching actual plate is
101 affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee
102 charged for the temporary plate shall be equal to the fee charged for a temporary permit issued
103 under subsection 4 of this section. Replacement temporary plates authorized in this subsection
104 may be issued as needed upon the payment of a fee equal to the fee charged for a temporary
105 permit under subsection 4 of this section. The newly produced third plate may only be used on
106 the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a
107 third plate and only used for the purpose specified in this subsection.

108 **10. Notwithstanding the provisions of section 301.127, the director may issue a**
109 **temporary permit to an individual who possesses a salvage motor vehicle which requires**
110 **an inspection under subsection 9 of section 301.190. The operation of a salvage motor**
111 **vehicle for which the permit has been issued shall be limited to the most direct route from**
112 **the residence, maintenance, or storage facility of the individual in possession of such motor**
113 **vehicle to the nearest authorized inspection facility and return to the originating location.**
114 **Notwithstanding any other requirements for the issuance of a temporary permit under this**
115 **section, an individual obtaining a temporary permit for the purpose of operating a motor**
116 **vehicle to and from an examination facility as prescribed in this subsection shall also**
117 **purchase the required motor vehicle examination form which is required to be completed**
118 **for an examination under subsection 9 of section 301.190 and provide satisfactory evidence**
119 **that such vehicle has passed a motor vehicle safety inspection for such vehicle as required**
120 **in section 307.350.**

121 **11.** The director of the department of revenue may promulgate all necessary rules and
122 regulations for the administration of this section. Any rule or portion of a rule, as that term is
123 defined in section 536.010, that is created under the authority delegated in this section shall
124 become effective only if it complies with and is subject to all of the provisions of chapter 536
125 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of
126 the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
127 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
128 grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be
129 invalid and void.

130 **[11.] 12.** The repeal and reenactment of this section shall become effective on the date
131 the department of revenue or a producer authorized by the director of the department of revenue
132 begins producing temporary permits described in subsection 4 of such section, or on July 1,
133 2013, whichever occurs first. If the director of revenue or a producer authorized by the director
134 of the department of revenue begins producing temporary permits prior to July 1, 2013, the
135 director of the department of revenue shall notify the revisor of statutes of such fact.

 301.193. 1. Any person who purchases or is the owner of real property on which
2 vehicles, as defined in section 301.010, vessels or watercraft, as defined in section 306.010, or
3 outboard motors, as that term is used in section 306.530, have been abandoned, without the
4 consent of said purchaser or owner of the real property, may apply to the department of revenue
5 for a certificate of title. Any insurer which purchases a vehicle through the claims adjustment
6 process for which the insurer is unable to obtain a negotiable title may make an application to
7 the department of revenue for a salvage certificate of title pursuant to this section. Prior to
8 making application for a certificate of title on a vehicle under this section, the insurer or owner

9 of the real estate shall have the vehicle inspected by law enforcement pursuant to subsection 9
10 of section 301.190, and shall have law enforcement perform a check in the national crime
11 information center and any appropriate statewide law enforcement computer to determine if the
12 vehicle has been reported stolen and the name and address of the person to whom the vehicle was
13 last titled and any lienholders of record. The insurer or owner or purchaser of the real estate
14 shall, thirty days prior to making application for title, notify any owners or lienholders of record
15 for the vehicle by certified mail that the owner intends to apply for a certificate of title from the
16 director for the abandoned vehicle. The application for title shall be accompanied by:

17 (1) A statement explaining the circumstances by which the property came into the
18 insurer, owner or purchaser's possession; a description of the property including the year, make,
19 model, vehicle identification number and any decal or license plate that may be affixed to the
20 vehicle; the current location of the property; and the retail value of the property;

21 (2) An inspection report of the property, if it is a vehicle, by a law enforcement agency
22 pursuant to subsection 9 of section 301.190; and

23 (3) A copy of the thirty-day notice and certified mail receipt mailed to any owner and any
24 person holding a valid security interest of record.

25 2. Upon receipt of the application and supporting documents, the director shall search
26 the records of the department of revenue, or initiate an inquiry with another state, if the evidence
27 presented indicated the property described in the application was registered or titled in another
28 state, to verify the name and address of any owners and any lienholders. If the latest owner or
29 lienholder was not notified the director shall inform the insurer, owner, or purchaser of the real
30 estate of the latest owner and lienholder information so that notice may be given as required by
31 subsection 1 of this section. Any owner or lienholder receiving notification may protest the
32 issuance of title by, within the thirty-day notice period and may file a petition to recover the
33 vehicle, naming the insurer or owner of the real estate and serving a copy of the petition on the
34 director of revenue. The director shall not be a party to such petition but shall, upon receipt of
35 the petition, suspend the processing of any further certificate of title until the rights of all parties
36 to the vehicle are determined by the court. Once all requirements are satisfied the director shall
37 issue one of the following:

38 (1) An original certificate of title if the vehicle examination certificate, as provided in
39 section 301.190, indicates that the vehicle was not previously in a salvaged condition or rebuilt;

40 (2) An original certificate of title designated as prior salvage if the vehicle examination
41 certificate as provided in section 301.190 indicates the vehicle was previously in a salvaged
42 condition or rebuilt;

43 (3) A salvage certificate of title designated with the words "salvage/abandoned property"
44 or junking certificate based on the condition of the property as stated in the inspection report.

45 An insurer purchasing a vehicle through the claims adjustment process under this section shall
46 only be eligible to obtain a salvage certificate of title or junking certificate.

47 3. Any insurer which purchases a vehicle that is currently titled in Missouri through the
48 claims adjustment process for which the insurer is unable to obtain a negotiable title may make
49 application to the department of revenue for a salvage certificate of title or junking certificate.
50 Such application may be made by the insurer or its designated salvage pool on a form provided
51 by the department and signed under penalty of perjury. The application shall include a
52 declaration that the insurer has made at least two written attempts to obtain the certificate of title,
53 transfer documents, or other acceptable evidence of title, and be accompanied by proof of claims
54 payment from the insurer, evidence that letters were [delivered] **sent** to the vehicle owner, a
55 statement explaining the circumstances by which the property came into the insurer's possession,
56 a description of the property including the year, make, model, vehicle identification number, and
57 current location of the property, and the fee prescribed in subsection 5 of section 301.190. The
58 insurer shall, thirty days prior to making application for title, notify any owners or lienholders
59 of record for the vehicle that the insurer intends to apply for a certificate of title from the director
60 for the vehicle. Upon receipt of the application and supporting documents, the director shall
61 search the records of the department of revenue to verify the name and address of any owners
62 and any lienholders. [After thirty days from receipt of the application,] **If the director identifies**
63 **any additional owner or lienholder who has not been notified by the insurer, the director**
64 **shall inform the insurer of such additional owner or lienholder and the insurer shall notify**
65 **the additional owner or lienholder of the insured's intent to obtain title as prescribed in**
66 **this section.** If no valid lienholders have notified the department of the existence of a lien, the
67 department shall issue a salvage certificate of title or junking certificate for the vehicle in the
68 name of the insurer.

301.642. Any insurer which purchases a motor vehicle or trailer through the claims
2 **adjustment process for which there is a valid lien or encumbrance perfected under sections**
3 **301.600 to 301.640 may, as an alternative to obtaining a lien release under section 301.640,**
4 **apply for a salvage certificate of title or junking certificate on such motor vehicle or trailer**
5 **by following the procedures in this section. The insurer may request a letter of guarantee**
6 **from the lienholder containing a description of the motor vehicle or trailer, including the**
7 **vehicle identification number, and indicating the amount payable by the insurer to the**
8 **lienholder in order to release the lien. Upon receipt from the lienholder of such letter of**
9 **guarantee, the insurer may, within ten days of such receipt, remit payment to the**
10 **lienholder in accordance with the letter of guarantee, and, if such payment satisfies the lien**
11 **amount indicated in the letter of guarantee to release the lien, the lienholder shall provide**
12 **proof of satisfaction to the insurer. This procedure shall be followed for each lienholder**

13 **indicated on the certificate of ownership for the motor vehicle or trailer. Such letter of**
14 **guarantee and corresponding proof of payment need not be notarized and may be**
15 **immediately transmitted electronically. The insurer may then submit proof of such**
16 **payments, a copy of each letter of guarantee, and the title for such motor vehicle or trailer**
17 **to the department of revenue. The department shall accept such documents in lieu of a lien**
18 **release and process the insurer's application.**

2 [301.140. 1. Upon the transfer of ownership of any motor vehicle or
3 trailer, the certificate of registration and the right to use the number plates shall
4 expire and the number plates shall be removed by the owner at the time of the
5 transfer of possession, and it shall be unlawful for any person other than the
6 person to whom such number plates were originally issued to have the same in
7 his or her possession whether in use or not, unless such possession is solely for
8 charitable purposes; except that the buyer of a motor vehicle or trailer who trades
9 in a motor vehicle or trailer may attach the license plates from the traded-in
10 motor vehicle or trailer to the newly purchased motor vehicle or trailer. The
11 operation of a motor vehicle with such transferred plates shall be lawful for no
12 more than thirty days. As used in this subsection, the term "trade-in motor
13 vehicle or trailer" shall include any single motor vehicle or trailer sold by the
14 buyer of the newly purchased vehicle or trailer, as long as the license plates for
15 the trade-in motor vehicle or trailer are still valid.

16 2. In the case of a transfer of ownership the original owner may register
17 another motor vehicle under the same number, upon the payment of a fee of two
18 dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a
19 passenger-carrying commercial motor vehicle) seating capacity, not in excess of
20 that originally registered. When such motor vehicle is of greater horsepower,
21 gross weight or (in the case of a passenger-carrying commercial motor vehicle)
22 seating capacity, for which a greater fee is prescribed, applicant shall pay a
23 transfer fee of two dollars and a pro rata portion for the difference in fees. When
24 such vehicle is of less horsepower, gross weight or (in case of a
25 passenger-carrying commercial motor vehicle) seating capacity, for which a
26 lesser fee is prescribed, applicant shall not be entitled to a refund.

27 3. License plates may be transferred from a motor vehicle which will no
28 longer be operated to a newly purchased motor vehicle by the owner of such
29 vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased
30 vehicle is of horsepower, gross weight or (in the case of a passenger-carrying
31 commercial motor vehicle) seating capacity, not in excess of that of the vehicle
32 which will no longer be operated. When the newly purchased motor vehicle is
33 of greater horsepower, gross weight or (in the case of a passenger-carrying
34 commercial motor vehicle) seating capacity, for which a greater fee is prescribed,
35 the applicant shall pay a transfer fee of two dollars and a pro rata portion of the
36 difference in fees. When the newly purchased vehicle is of less horsepower,
gross weight or (in the case of a passenger-carrying commercial motor vehicle)

37 seating capacity, for which a lesser fee is prescribed, the applicant shall not be
38 entitled to a refund.

39 4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has
40 made application for registration, by mail or otherwise, may operate the same for
41 a period of thirty days after taking possession thereof, if during such period the
42 motor vehicle or trailer shall have attached thereto, in the manner required by
43 section 301.130, number plates issued to the dealer. Upon application and
44 presentation of proof of financial responsibility as required under subsection 5 of
45 this section and satisfactory evidence that the buyer has applied for registration,
46 a dealer may furnish such number plates to the buyer for such temporary use. In
47 such event, the dealer shall require the buyer to deposit the sum of ten dollars and
48 fifty cents to be returned to the buyer upon return of the number plates as a
49 guarantee that said buyer will return to the dealer such number plates within
50 thirty days. The director shall issue a temporary permit authorizing the operation
51 of a motor vehicle or trailer by a buyer for not more than thirty days of the date
52 of purchase.

53 5. The temporary permit shall be made available by the director of
54 revenue and may be purchased from the department of revenue upon proof of
55 purchase of a motor vehicle or trailer for which the buyer has no registration plate
56 available for transfer and upon proof of financial responsibility, or from a dealer
57 upon purchase of a motor vehicle or trailer for which the buyer has no registration
58 plate available for transfer. The director shall make temporary permits available
59 to registered dealers in this state or authorized agents of the department of
60 revenue in sets of ten permits. The fee for the temporary permit shall be seven
61 dollars and fifty cents for each permit or plate issued. No dealer or authorized
62 agent shall charge more than seven dollars and fifty cents for each permit issued.
63 The permit shall be valid for a period of thirty days from the date of purchase of
64 a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer
65 by a dealer for which the purchaser obtains a permit as set out above. No permit
66 shall be issued for a vehicle under this section unless the buyer shows proof of
67 financial responsibility.

68 6. The permit shall be issued on a form prescribed by the director and
69 issued only for the applicant's use in the operation of the motor vehicle or trailer
70 purchased to enable the applicant to legally operate the vehicle while proper title
71 and registration plate are being obtained, and shall be displayed on no other
72 vehicle. Temporary permits issued pursuant to this section shall not be
73 transferable or renewable and shall not be valid upon issuance of proper
74 registration plates for the motor vehicle or trailer. The director shall determine
75 the size and numbering configuration, construction, and color of the permit.

76 7. The dealer or authorized agent shall insert the date of issuance and
77 expiration date, year, make, and manufacturer's number of vehicle on the permit
78 when issued to the buyer. The dealer shall also insert such dealer's number on the
79 permit. Every dealer that issues a temporary permit shall keep, for inspection of

80 proper officers, a correct record of each permit issued by recording the permit or
81 plate number, buyer's name and address, year, make, manufacturer's vehicle
82 identification number on which the permit is to be used, and the date of issuance.

83 8. Upon the transfer of ownership of any currently registered motor
84 vehicle wherein the owner cannot transfer the license plates due to a change of
85 vehicle category, the owner may surrender the license plates issued to the motor
86 vehicle and receive credit for any unused portion of the original registration fee
87 against the registration fee of another motor vehicle. Such credit shall be granted
88 based upon the date the license plates are surrendered. No refunds shall be made
89 on the unused portion of any license plates surrendered for such credit.

90 9. An additional temporary license plate produced in a manner and of
91 materials determined by the director to be the most cost-effective means of
92 production with a configuration that matches an existing or newly issued plate
93 may be purchased by a motor vehicle owner to be placed in the interior of the
94 vehicle's rear window such that the driver's view out of the rear window is not
95 obstructed and the plate configuration is clearly visible from the outside of the
96 vehicle to serve as the visible plate when a bicycle rack or other item obstructs
97 the view of the actual plate. Such temporary plate is only authorized for use
98 when the matching actual plate is affixed to the vehicle in the manner prescribed
99 in subsection 5 of section 301.130. The fee charged for the temporary plate shall
100 be equal to the fee charged for a temporary permit issued under subsection 5 of
101 this section. Replacement temporary plates authorized in this subsection may be
102 issued as needed upon the payment of a fee equal to the fee charged for a
103 temporary permit under subsection 5 of this section. The newly produced third
104 plate may only be used on the vehicle with the matching plate, and the additional
105 plate shall be clearly recognizable as a third plate and only used for the purpose
106 specified in this subsection.

107 10. The director may promulgate all necessary rules and regulations for
108 the administration of this section. Any rule or portion of a rule, as that term is
109 defined in section 536.010, that is created under the authority delegated in this
110 section shall become effective only if it complies with and is subject to all of the
111 provisions of chapter 536 and, if applicable, section 536.028. This section and
112 chapter 536 are nonseverable and if any of the powers vested with the general
113 assembly pursuant to chapter 536 to review, to delay the effective date, or to
114 disapprove and annul a rule are subsequently held unconstitutional, then the grant
115 of rulemaking authority and any rule proposed or adopted after August 28, 2012,
116 shall be invalid and void.]

✓