

FIRST REGULAR SESSION

HOUSE BILL NO. 512

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FRANCIS.

1304H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to motor vehicle licensing office fees.

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Section A. Section 136.055, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 136.055, to read as follows: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 as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, 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 registration issued, renewed or transferred—three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title—two dollars and fifty cents;

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

(4) For each notice of lien processed—two dollars and fifty cents;

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

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.

18 2. The director of revenue shall award fee office contracts under this section through a
19 competitive bidding process. The competitive bidding process shall give priority to
20 organizations and entities that are exempt from taxation under Section 501(c)(3), 501(c)(6), or
21 501(c)(4), except those civic organizations that would be considered action organizations under
22 26 C.F.R. Section 1.501 (c)(3)-1(c)(3), of the Internal Revenue Code of 1986, as amended, with
23 special consideration given to those organizations and entities that reinvest a minimum of
24 seventy-five percent of the net proceeds to charitable organizations in Missouri, and political
25 subdivisions, including but not limited to, municipalities, counties, and fire protection districts.
26 The director of the department of revenue may promulgate rules and regulations necessary to
27 carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined
28 in section 536.010, that is created under the authority delegated in this subsection shall become
29 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
30 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
31 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective
32 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
33 rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid
34 and void.

35 3. All fees collected by a tax-exempt organization may be retained and used by the
36 organization.

37 4. All fees charged shall not exceed those in this section. The fees imposed by this
38 section shall be collected by all permanent offices and all full-time or temporary offices
39 maintained by the department of revenue.

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

44 6. The fees authorized by this section shall not be collected by motor vehicle dealers
45 acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers
46 authorized to collect and remit sales tax under subsection 8 of section 144.070.

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

52 **8. Every three months, the department of revenue shall calculate the total of all**
53 **additional fees described under this section that have been withheld by each license office.**

54 **Notwithstanding any provisions to the contrary, the department of revenue shall allow**
55 **each license office that collected less than twenty thousand dollars in additional fees within**
56 **the three-month collection period to retain a portion of those fees that the office would**
57 **otherwise be required to remit to the state. The portion retained by each such license office**
58 **shall be equal to the total amount of the additional fees collected by the office during that**
59 **period, but shall not exceed ten thousand dollars.**

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