

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 1800, Page 1, Section A, Line 2, by inserting after all of said section and  
2 line the following:

3  
4 "136.055. 1. Any person who is selected or appointed by the state director of revenue as  
5 provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties  
6 shall be the processing of motor vehicle title and registration transactions and the collection of sales  
7 and use taxes when required under sections 144.070 and 144.440, and who receives no salary from  
8 the department of revenue, shall be authorized to collect from the party requiring such services  
9 additional fees as compensation in full and for all services rendered on the following basis:

10 (1) For each motor vehicle or trailer registration issued, renewed or transferred, six dollars  
11 and twelve dollars for those licenses sold or biennially renewed pursuant to section 301.147;

12 (2) For each application or transfer of title, six dollars;

13 (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license  
14 issued for a period of three years or less, six dollars and twelve dollars for licenses or instruction  
15 permits issued or renewed for a period exceeding three years;

16 (4) For each notice of lien processed, six dollars;

17 (5) Notary fee or electronic transmission per processing, two dollars.

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

34 (2) Rules promulgated pursuant to subdivision (1) of this subsection for evaluating bids  
35 shall include a preference for persons and entities that are based in a location near the fee office  
36 location. If the department utilizes any scoring mechanism for evaluating bids pursuant to this

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1 section, such scoring mechanism shall ensure that:

2 (a) A person or entity based no more than thirty-five miles from the fee office location shall  
3 be awarded a bonus of fifteen percent of the total available points;

4 (b) A person or entity based more than thirty-five miles but no more than sixty miles from  
5 the fee office location shall be awarded a bonus of ten percent of the total available points;

6 (c) A person or entity that is a resident of this state shall be awarded a bonus of ten percent  
7 of the total available points. For the purposes of this paragraph, "resident" shall have the same  
8 meaning as defined pursuant to section 143.101. In the case of for-profit corporations, each person  
9 with an ownership interest in such organization with the right to manage the company or direct its  
10 operations either solely or as part of a larger group shall be a resident of this state; and

11 (d) A person or entity based more than sixty miles but no more than seventy-five miles from  
12 the fee office location shall be awarded a bonus of seven percent of the total available points.

13 (3) No fee office contract shall be awarded to any person or entity that is not in compliance  
14 with the rules promulgated pursuant to this subsection.

15 (4) In evaluating bids for office contracts pursuant to this section, the department of revenue  
16 shall not consider any factors that relate to wages or other compensation that a bidder pays or would  
17 pay to any persons who perform or would perform any work for such a bidder.

18 (5) The department of revenue shall not consider for a contract award any entity that has not  
19 been registered with the office of the secretary of state for at least one year.

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

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

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

28 6. The fees authorized by this section shall not be collected by motor vehicle dealers acting  
29 as agents of the department of revenue under section 32.095 or those motor vehicle dealers  
30 authorized to collect and remit sales tax under subsection 10 of section 144.070.

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

36  
37 Further amend said bill by amending the title, enacting clause, and intersectional references  
38 accordingly.