

FIRST REGULAR SESSION

SENATE BILL NO. 396

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHNEIDER.

Read 1st time February 1, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

1286S.021

AN ACT

To repeal sections 142.803, 301.055, 301.057, 301.058, 301.059, 301.061, 301.063, 301.065, 301.067, 301.069 and 302.735, RSMo 2000, relating to motor fuel taxation, and to enact in lieu thereof eleven new sections relating to the same subject, with a referendum clause.

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

Section A. Sections 142.803, 301.055, 301.057, 301.058, 301.059, 301.061, 301.063, 301.065, 301.067, 301.069 and 302.735, RSMo 2000, are repealed and eleven new sections enacted in lieu thereof, to be known as sections 142.803, 301.055, 301.057, 301.058, 301.059, 301.061, 301.063, 301.065, 301.067, 301.069 and 302.735, to read as follows:

142.803. 1. A tax is levied and imposed on all motor fuel used or consumed in this state as follows:

(1) Motor fuel, [seventeen] **twenty-two** cents per gallon. [Beginning April 1, 2008, the tax rate shall become eleven cents per gallon];

(2) Alternative fuels, not subject to the decal fees as provided in section 142.869, with a power potential equivalent of motor fuel. In the event alternative fuel, which is not commonly sold or measured by the gallon, is used in motor vehicles on the highways of this state, the director is authorized to assess and collect a tax upon such alternative fuel measured by the nearest power potential equivalent to that of one gallon of regular grade gasoline. The determination by the director of the power potential equivalent of such alternative fuel shall be prima facie correct;

(3) Aviation fuel used in propelling aircraft with reciprocating engines, nine cents per gallon as levied and imposed by section 155.080, RSMo, to be collected as required under this chapter.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax.

301.055. The annual registration fee for motor vehicles other than commercial motor vehicles is:

Less than 12 horsepower	\$[18.00] 30.00
12 horsepower and less than 24 horsepower	[21.00] 35.00
24 horsepower and less than 36 horsepower	[24.00] 40.00
36 horsepower and less than 48 horsepower	[33.00] 55.00
48 horsepower and less than 60 horsepower	[39.00] 64.50
60 horsepower and less than 72 horsepower	[45.00] 74.50
72 horsepower and more	[51.00] 84.50
Motorcycles	[8.50] 14.00
Motortricycles	[10.00] 16.50

301.057. The annual registration fee for property-carrying commercial motor vehicles, not including property-carrying local commercial motor vehicles, or land improvement contractors' commercial motor vehicles, based on gross weight is:

6,000 pounds and under	\$ [25.50] 42.00
6,001 pounds to 9,000 pounds	[38.00] 63.00
9,001 pounds to 12,000 pounds	[38.00] 63.00
12,001 pounds to 18,000 pounds	[63.00] 104.50
18,001 pounds to 24,000 pounds	[100.50] 166.50
24,001 pounds to 26,000 pounds	[127.00] 160.50
26,001 pounds to 30,000 pounds	[180.00] 227.50
30,001 pounds to 36,000 pounds	[275.50] 348.00
36,001 pounds to 42,000 pounds	[413.00] 522.00
42,001 pounds to 48,000 pounds	[550.50] 696.00
48,001 pounds to 54,000 pounds	[688.00] 870.00
54,001 pounds to 60,010 pounds	[825.50] 1,044.00
60,011 pounds to 66,000 pounds	[1,100.50] 1,391.00
66,001 pounds to 73,280 pounds	[1,375.50] 1,739.00
73,281 pounds to 78,000 pounds	[1,650.50] 2,089.00
Over 78,000 pounds	[1,719.50] 2,174.00

301.058. 1. The annual registration fee for property-carrying local commercial motor vehicles, other than a land improvement contractors' commercial motor vehicles, based on gross weight is:

6,000 pounds and under	\$ [15.50] 37.00
6,001 pounds to 12,000 pounds	[18.00] 43.00
12,001 pounds to 18,000 pounds	[20.50] 49.00
18,001 pounds to 24,000 pounds	[27.50] 66.00
24,001 pounds to 26,000 pounds	[33.50] 42.00
26,001 pounds to 30,000 pounds	[45.50] 57.50
30,001 pounds to 36,000 pounds	[67.50] 160.00
36,001 pounds to 42,000 pounds	[100.50] 238.00
42,001 pounds to 48,000 pounds	[135.50] 321.00
48,001 pounds to 54,000 pounds	[170.50] 404.50
54,001 pounds to 60,010 pounds	[200.50] 475.50
60,011 pounds to 66,000 pounds	[270.50] 641.50
66,001 pounds to 72,000 pounds	[335.50] 796.00
Over 72,000 pounds	[350.50] 831.50

2. Any person found to have improperly registered a motor vehicle in excess of fifty-four thousand pounds when he was not entitled to shall be required to purchase the proper license plates and, in addition to all other penalties provided by law, shall be subject to the annual registration fee for the full calendar year for the vehicle's gross weight as prescribed in section 301.057.

301.059. The annual registration fee for passenger-carrying commercial motor vehicles (not including passenger-carrying local commercial motor vehicles, school buses or local transit buses) based on seating capacity is:

10 passengers or less	\$ [100.50] 471.50
11 to 18 passengers	[180.50] 847.00
19 to 25 passengers	[250.50] 1,175.50
26 to 29 passengers	[290.50] 1,363.00
30 to 33 passengers	[330.50] 1,551.00
34 to 37 passengers	[370.50] 1,738.50
38 to 41 passengers	[410.50] 1,926.00
42 to 45 passengers	[450.50] 2,114.00

301.061. The annual registration fee for passenger-carrying local commercial motor vehicles based on seating capacity is:

10 passengers or less	\$ [50.50] 237.00
11 to 18 passengers	[90.50] 424.50
19 to 25 passengers	[125.50] 589.00
26 to 29 passengers	[145.50] 683.00
30 to 33 passengers	[165.50] 776.50

34 to 37 passengers	[185.50] 870.50
38 to 41 passengers	[205.50] 964.00
42 to 45 passengers	[225.50] 1,058.00

301.063. The annual registration fee for local transit buses based on seating capacity is:

40 passengers or less	\$ [25.50] 119.50
41 to 45 passengers	[35.50] 166.50
Over 45 passengers	[50.50] 237.00

301.065. The annual registration fee for each school bus, [twenty-five] **one hundred seventeen** dollars **fifty cents**, fifty cents.

301.067. 1. For each trailer or semitrailer there shall be paid an annual fee of [seven] **thirty-five** dollars [fifty cents], and in addition thereto such permit fee authorized by law against trailers used in combination with tractors operated under the supervision of the motor carrier and railroad safety division of the department of economic development. The fees for tractors used in any combination with trailers or semitrailers or both trailers and semitrailers (other than on passenger-carrying trailers or semitrailers) shall be computed on the total gross weight of the vehicles in the combination with load.

2. Any trailer or semitrailer may at the option of the registrant be registered for a period of three years upon payment of a registration fee of [twenty-two] **one hundred five** dollars [and fifty cents].

3. Any trailer or semitrailer which is operated coupled to a towing vehicle by a fifth wheel and kingpin assembly or by a trailer converter dolly may, at the option of the registrant, be registered permanently upon the payment of a registration fee of fifty-two dollars and fifty cents. The permanent plate and registration fee is vehicle specific. The plate and the registration fee paid is nontransferable and nonrefundable, except those covered under the provisions of section 301.442.

301.069. For each driveaway license there shall be paid an annual license fee of [forty-four] **seventy-four** dollars [and fifty cents] for one set of plates or such insignia as the director may issue which shall be attached to the motor vehicle as prescribed in this chapter. For single trips the fee shall be [four] **six** dollars **fifty cents**, and descriptive insignia shall be prepared and issued at the discretion of the director who shall also prescribe the type of equipment used to attach such vehicles in combinations.

302.735. 1. The application for a commercial driver's license shall include, but not be limited to, the legal name, mailing and residence address, if different, a physical description of the person, including sex, height, weight and eye color, the person's Social Security number, date of birth and any other information deemed appropriate by the director.

2. The application for a commercial driver's license or renewal shall be accompanied by the

payment of a fee of [~~forty~~] **fifty-five** dollars **fifty cents**. The fee for a duplicate commercial driver's license shall be [~~twenty~~] **twenty-seven** dollars **seventy-five cents**. A commercial driver's license shall expire on the applicant's birthday in the sixth year after issuance and must be renewed on or before the date of expiration. The director shall have the authority to stagger the issuance or renewal of commercial driver's license applicants over a six-year period. When a person changes such person's name, mailing or residence address, such person shall notify the director. To all applicants for a commercial license or renewal who are between eighteen and twenty-one years of age, the application shall be accompanied by a fee of [~~twenty~~] **twenty-seven** dollars **seventy-five cents**. A commercial license issued pursuant to an applicant less than twenty-one years of age shall expire on the applicant's birthday the third year after issuance.

3. Within thirty days after moving to this state, the holder of a commercial driver's license shall apply for a commercial driver's license in this state. The applicant shall meet all other requirements of sections 302.700 to 302.780, except that the director may waive the driving test for a commercial driver's license as required in section 302.720 if the applicant for a commercial driver's license has a valid commercial driver's license from a state which has requirements for issuance of such license comparable to those in this state.

4. Any person who falsifies any information in an application or test for a commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the person's commercial driver's license shall be canceled, for a period of one year after the director discovers such falsification.

Section B. This act is hereby submitted to the qualified voters of this state for approval or rejection at a special election which is hereby ordered and which shall be held and conducted on the first Tuesday in November, 2002, pursuant to the laws and constitutional provisions of this state applicable to general elections and the submission of referendum measures by initiative petitions, and this act shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.