

FIRST REGULAR SESSION

SENATE BILL NO. 183

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR DOUGHERTY.

Pre-filed December 5, 2002, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

0126S.021

AN ACT

To repeal section 301.140, RSMo, relating to temporary registration permits, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

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

Section A. Section 301.140, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.140, to read as follows:

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

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee

of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

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

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit or paper plate authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit or paper plate shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary plates or permits available to registered dealers in this state in sets of ten plates or permits. The fee for the temporary permit or plate shall be seven dollars and fifty cents for each permit or plate issued. No dealer shall charge more than seven dollars and fifty cents for each permit issued. The permit or plate shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit or plate as set out above.

6. The permit or plate shall be issued on a form prescribed by the director and issued

only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Permits or paper plates issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit and plate. **The temporary permit or paper plate shall also incorporate a security feature that, to the greatest degree possible, prevents tampering with any of the information that is entered upon the temporary permit or paper plate when it is issued.**

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the paper plate or permit when issued to the buyer. The dealer shall also insert such dealer's number on the paper plate. **Beginning January 1, 2004, every dealer that issues a temporary permit or paper plate shall notify the department of revenue, within forty-eight hours, of the issuance of such permit by electronic means via computer equipment purchased and maintained by the dealer or in any other manner prescribed by the director by rule.** Every dealer that issues a temporary permit or paper plate shall keep, for inspection of proper officers, a correct record of each permit or plate issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's number of vehicle on which the permit or plate is to be used, and the date of issuance.

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

9. Any person who knowingly alters, counterfeits or misuses a temporary permit paper plate to avoid registering a motor vehicle is guilty of a class C misdemeanor. Any person found guilty of violating this subsection shall have his or her driver's license suspended for a period of sixty days.