

FIRST REGULAR SESSION

SENATE BILL NO. 290

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR ENGLER.

Read 1st time February 3, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

1392S.011

AN ACT

To repeal sections 301.147, 307.350, 307.353, and 307.355, RSMo, and to enact in lieu thereof four new sections relating to motor vehicle registrations.

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

Section A. Sections 301.147, 307.350, 307.353, and 307.355, RSMo, are repealed and four new sections enacted in lieu thereof, to be known as sections 301.147, 307.350, 307.353, and 307.355, to read as follows:

301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning July 1, [2000] **2006**, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight, the option of [biennially registering motor vehicles] **biennial motor vehicle registration and the option of four-year motor vehicle registration. For biennial registrations**, any vehicle manufactured as an even-numbered model year vehicle shall be renewed each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to the following requirements:

(1) The fee collected at the time of biennial registration shall include the annual registration fee plus a pro rata amount for the additional twelve months of the biennial registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding year that no such taxes were due as set forth in section 301.025, proof of a motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application and proof of insurance as required by section 303.026, RSMo.

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

2. For four-year registrations, any vehicle manufactured as an even-numbered model year vehicle shall be renewed every other even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be renewed every other odd-numbered calendar year, subject to the following requirements:

(1) The fee collected at the time of four-year registration shall include the annual registration fee plus a pro rata amount for the additional thirty-six months of the four-year registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding three years that no such taxes were due as set forth in section 301.025, proof of a motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application, and proof of insurance as required by section 303.026, RSMo.

3. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated pursuant to the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be invalid and void.

[3.] 4. The director of revenue shall have the authority to stagger the registration period of motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial registration **or four-year registration**, such registration must be maintained for the full twenty-four **or forty-eight** month period.

307.350. 1. The owner of every motor vehicle as defined in section 301.010, RSMo, which is required to be registered in this state, except:

(1) New motor vehicles which have not been previously titled and registered, for the two-year period following their model year of manufacture;

(2) Those motor vehicles which are engaged in interstate commerce and are proportionately registered in this state with the Missouri highway reciprocity commission, although the owner may request that such vehicle be inspected by an official inspection station, and a peace officer may stop and inspect such vehicles to determine whether the

mechanical condition is in compliance with the safety regulations established by the United States Department of Transportation; and

(3) Historic motor vehicles registered pursuant to section 301.131, RSMo; shall submit such vehicles to [a biennial] **an initial one-time** inspection of their mechanism and equipment in accordance with the provisions of sections 307.350 to 307.390 and obtain a certificate of inspection and approval and a sticker, seal, or other device from a duly authorized official inspection station. The inspection, except the inspection of school buses which shall be made at the time provided in section 307.375, shall be made at the time prescribed in the rules and regulations issued by the superintendent of the Missouri state highway patrol; but the inspection of a vehicle shall not be made more than sixty days prior to the date of **initial** application for registration or within sixty days of when a vehicle's registration is transferred. [Any vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved pursuant to the safety inspection program established pursuant to sections 307.350 to 307.390 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved pursuant to sections 307.350 to 307.390 in each odd-numbered year.] The certificate of inspection and approval shall be a sticker, seal, or other device or combination thereof, as the superintendent of the Missouri state highway patrol prescribes by regulation and shall be displayed upon the motor vehicle or trailer as prescribed by the regulations established by him. The replacement of certificates of inspection and approval which are lost or destroyed shall be made by the superintendent of the Missouri state highway patrol under regulations prescribed by him.

2. For the purpose of obtaining an inspection only, it shall be lawful to operate a vehicle over the most direct route between the owner's usual place of residence and an inspection station of such owner's choice, notwithstanding the fact that the vehicle does not have a current state registration license. It shall also be lawful to operate such a vehicle from an inspection station to another place where repairs may be made and to return the vehicle to the inspection station notwithstanding the absence of a current state registration license.

3. No person whose motor vehicle was duly inspected and approved as provided in this section shall be required to have the same motor vehicle again inspected and approved for the sole reason that such person wishes to obtain a set of any special personalized license plates available pursuant to section 301.144, RSMo, or a set of any license plates available pursuant to section 301.142, RSMo, prior to the expiration date of such motor vehicle's current registration.

4. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed an infraction.

307.353. Other provisions of law notwithstanding, [no person shall be required to

have a biennial vehicle inspection during a registration period which exceeds two years.] the inspection required at the beginning of the registration [period] **of a motor vehicle** shall be valid for the entire [registration] period **such owner possesses the vehicle, and no subsequent inspections of the vehicle shall be required unless such vehicle is sold or transferred to another person.**

307.355. 1. No state registration license to operate the type of vehicle required to be inspected by section 307.350 may be transferred or issued [during a biennial registration year in which the vehicle is required to be inspected] unless the application is accompanied by a certificate of **initial** inspection and approval issued [no more than sixty days] prior to the date of application, or in the case of school buses, which will be required to be inspected annually as provided in section 307.375, except:

(1) The director of revenue may transfer or issue a state registration license to the type of vehicle required to be inspected by section 307.350 without a certificate of inspection and approval accompanying the application if the director has satisfactory evidence that the vehicle was not in the state of Missouri at any time during the sixty days prior to the date of application; however, the owner of every such vehicle must submit the vehicle for inspection and obtain a certificate of inspection and approval within ten days after the vehicle is first returned to the state of Missouri;

(2) The director of revenue shall renew a vehicle's registration license without a certificate of inspection and approval accompanying the application if satisfactory documentary evidence is presented at the time of application that the license being renewed was properly transferred within a six-month period prior to the expiration of the license being renewed or that the vehicle for which the registration is being issued was issued a registration for a period of less than one year for the registration period just expiring.

2. If due to interstate operation a commercial motor vehicle as defined in section 301.010, RSMo, or a trailer of the type required to be inspected is required to obtain full fee registration in this and any other state during the same calendar year, no Missouri certificate of inspection and approval is required if the vehicle bears evidence that a current valid inspection sticker or decal was issued by such other state in which the vehicle is registered; provided that the sticker or decal issued by such other state is valid for the registration period in this state.

3. After a commercial motor vehicle as defined in section 301.010, RSMo, has been registered for the current year, no certificate of inspection and approval is required when a local commercial motor vehicle license is changed to a beyond-local commercial motor vehicle license or when the licensed gross weight is changed during the licensed period.